

The principle of accountability in the context of the human rights to safe drinking water and sanitation

1. Please provide information on how the **principle of accountability is defined and applied** in the legal, policy and institutional frameworks, particularly to ensure the realization of the human rights to safe drinking water and sanitation.

The mechanisms for reporting and accountability of the responsible bodies include: departmental reports, which are highlighted on relevant websites and in the media.

OJSC "AZERSU" for monitoring the execution of actual works of design and estimate documentation, as well as for monitoring allocated and disbursed funds, provides quarterly information on monitoring results and corresponding reporting forms to the Ministry of Economy and Ministry of Finance, and also reports to the Cabinet of Ministers. On the website of OJSC "AZERSU" annual financial reports on their activities are submitted.

The financing of the water supply and sanitation sector addresses issues of the general access of the population to water and sanitation. We consider separate measures and their financing to provide vulnerable groups of population with drinking water and sanitation (general educational, medical and preventive institutions, especially in rural areas, etc.)

Financing of government programs (including those aimed at improving services in rural areas) is carried out within the state budget, as well as through investments of international financial organizations.

The Ministry of Finance and the Chamber of Accounts monitor the passage of financial resources and inform the Government and the public about the results of the audit; The Ministry of Economy exercises control over the implementation of state programs and places relevant reports and information on the ministry's website.

In accordance with the regulations of the Ministry of Economy, the Ministry of Ecology and Natural Resources, the State Statistics Committee, the Tariff Council, OJSC "AZERSU", users of information on the water supply and sanitation sector have the possibility of both electronic and written circulation and information on the list of housing and communal services, the structure of prices (tariffs), changes in prices (tariffs).

Relevant materials are published on the website of these bodies.

2. Please describe **challenges or gaps** identified in the application and implementation of the principle of accountability to ensure the realization of the human rights to safe drinking water and sanitation. How have these challenges and gaps been addressed?

In the process of accountability for the realization of human rights for safe drinking water and sanitation, problems in this area are clearly identified, which are taken into account in the preparation of strategic plans and State Programs. The State Program of Socio-Economic Development of the Regions of Azerbaijan for 2014-2018 provides for the development and implementation of the activities of the National Plan for Integrated Water Resources Management. In addition, State Programs, water supply and sanitation projects are implemented for rural settlements, including in remote areas, to improve the social and economic situation, which are gradually implemented: State Program "Social and Economic Development of the Regions of Azerbaijan" 2014-2018; State Program "Poverty Reduction and Socio-Economic Development 2008-2015"; State Program "Social and Economic Development of Baku and its settlements for 2014-2018". For example, in the Aran economic region, as a result of the construction and reconstruction of the Mugan-Shirvan group pipelines, the population of five cities (Bilasuvar, Neftchala, Salyan, Shirvan, Hajigabul) and 121 nearby villages in the amount of 470,000 people were provided with quality uninterrupted water supply. In addition, water supply mains were put into operation in 16 regional centers of the country. Due to the state budget in the Cuban region the infrastructure of water supply and sewerage has been completely reconstructed, the district is provided with drinking water around the clock. In the city of Lankaran, work has been completed on the construction of a water treatment plant with a capacity of 30000 cubic meters per day. The solution of sewage disposal problems is carried out in the country. During the reporting period, treatment facilities were constructed and put into operation in 5 regional centers, and in 6 it is completed.

The aim of the above-mentioned Program is to provide all the regional centers together with rural settlements, treatment facilities in 2015-2030. To achieve the goals, agreed project documentation has been developed, in a number of small towns these projects are already being implemented. In addition, Master Plan for water supply and sanitation in all regions of Azerbaijan has been developed.

3. Please describe how and where (law, policy, administrative documents) the roles and responsibilities of the actors involved in the provision of water and sanitation services are defined in accordance with the normative content of the human rights to safe drinking water and sanitation. In other words, how are defined the roles of the actors responsible for the accessibility, availability, affordability, acceptability and quality of water and sanitation services in an equal and non-discriminatory manner.

In the Azerbaijan Republic there are legislative and regulatory acts aimed at ensuring access to water and sanitation of the country's population:

- Constitution of the Azerbaijan Republic;
- the Law of the Azerbaijan Republic "On Water Supply and Wastewater" No. 723-IQ of 28.10.1999;
- relevant decrees of the Cabinet of Ministers of the Azerbaijan Republic, as well as by-laws, state sanitary norms and regulations, decisions of the Chief State Sanitary Doctor of Azerbaijan, etc., concerning access to water in the Azerbaijan Republic.

In general, for Azerbaijan, the issue of water supply and sanitation, and therefore the realization of the right to water and sanitation, is extremely important, requiring an early resolution of the problem in this area.

Eliminating the problems of historically developed conditions for geographical disparity between cities and rural settlements, improving the quality of services in rural settlements and diversifying the cost of water and sanitation services are the priority areas for the development of the country's economy.

Almost all state and departmental programs are aimed at increasing the quantitative coverage of the country's population and the quality of services, as well as addressing the problems of rural water supply and sanitation.

4. Please provide information on existing performance standards, and monitoring and assessment mechanisms to ensure accountability for actions of the State that affect the enjoyment of human rights to safe drinking water and sanitation of people both **within and outside its borders**.

As a country that enjoys independence, the Republic of Azerbaijan has taken appropriate steps at the state level to ensure the rights of its citizens at a high level. In the early years of independence, targeted strategic action plans for the solution of socio-economic, political and institutional problems of state structures have been prepared. At the time of preparation of the state programme, people's rights to drinking water and sanitation were taken as a basis.

Renewing the economic system, Azerbaijan sees that the development of standards in the framework of modern standards and standards is one of the main priorities. The major part of the EU and Azerbaijan relationships are in cooperation with each harmonization of legislation with EU law in the surrounding area, specifically in the questions of water resources, unnatural exertion on the health of the country population. In Azerbaijan, the right relationships associated with the protection and usage of water bodies are regulated by the Water Code (1997), as well as the laws of water resources management. Azerbaijan is a Party to the Protocol on Water and Health. To implement the activities of the protocol on water and health, state national programs aimed at achieving the Sustainable Development Goals. State national programs are aimed at ensuring a balanced and sustainable development of the country's economy, increasing the social welfare of the population. In all programs, a special place is given to the issues of water policy and related health of the population. The adoption of national programs took into account the experience of international organizations and the tasks set by international conventions. The target indicator at the national level is to achieve the quality of supplied drinking water that does not carry a risk to human health.

5. In situations where non-State actors provide water and sanitation services, how does the State ensure accountability for the actions of those actors? What documents and mechanisms exist to define the responsibilities and performance standards of non-State actors, and to monitor and assess their behaviour in a transparent and objective manner?

Water supply and sanitation services in the country are implemented by a single water operating company of OJSC Azersu

6. Please provide specific examples of cases where the **State provided reasoned justifications for their actions and decisions** to those whose human rights to safe drinking water and sanitation were affected.

Within the framework of the projects on reconstruction of water supply and sewerage systems in the country, the projects on the improvement and development of this infrastructure are being continued not only in the city, but also in the remote villages of the district centers. The number of city and district centers where water and sanitation projects are being implemented has reached 47. 33 cities (Khachmaz, Gusar, Khizi, Gobustan, Saatly, Sabirabad, Zardab, Lankaran, Bilasuvar, Guba, Gusar, Shamkir, Shamakhi, Hajigabul, Ganja, Sheki, Goychay, Agdash, Gabala, Astara, Gazakh, Jalilabad, Gedebey, Dashkasan, Ujar, Kurdamir, Mingachevir, Gakh, Beylagan, Agjabadi, Imishli, etc.) are carried out by "Azersu" Open Joint-Stock Company. So far, construction of water and sewage networks in 23 cities and water network in 47 cities has been completed.

Within the framework of the projects implemented in the Absheron peninsula and regions in 2011-2016, 291 water reservoirs were built and commissioned, including 11657 km of water networks, 1607 km of trunk water pipeline and 719190 m³ of total water.

Within the framework of the projects implemented in the regions, Shirvan-Mugan water pipeline and Kura water purification facilities - Sabirabad-Saatli trunk water pipeline have been constructed and commissioned. "+80 Hajigabul", "+55 Shirvan", "+25 Salyan" and "+8 Bilasuvar" water reservoirs with a total capacity of 50,000 cubic meters have been constructed in Shirvan-Mugan group of water pipelines to provide residents with sustainable drinking water.

Commissioning of the Takhtakorpu reservoir with a capacity of 238.4 million m³ in 2015 and reconstruction of the Samur-Absheron canal, which is the main source of water supply in Greater Baku, will double the supply of drinking water in the Absheron peninsula and the water carrier channel of the wooden bridge and the Ceyranbatan water reservoir will be anthropogen and caused a complete disruption of technogenic contamination.

The Ministry of Health (MoH) implements state sanitary supervision over the quality of drinking water. The structure of the Ministry includes the republican and local units that carry out state sanitary and epidemiological surveillance, water quality monitoring.

7. Please provide specific examples of good practices on how individuals and groups – including those who are particularly hard to reach – are **informed of available accountability mechanisms**, and what measures exist to **support and empower** them to access and utilize those mechanisms.

The Azerbaijan Republic is a party to the Aarhus Convention and information materials on water supply and sanitation issues are published on the websites of relevant state bodies. Among the mechanisms for informing, discussing and coordinating the solution of problems of the water supply and sanitation sector, which are applied in practice in Azerbaijan, it should be noted:

- media coverage of events, meetings and meetings of various government bodies responsible for water supply and sanitation;
- media coverage of meetings of the Public Councils at ministries and departments with the participation of public organizations;
- publication on the websites of various state bodies draft laws on water supply and sanitation;
- publications on the websites of various state bodies responsible for issues of access to water and sanitation, monitoring results on selected issues in the field of water supply and sanitation, assessing the quality of drinking water, reservoirs, technical condition of water supply and sanitation systems, and reconstruction works

8. Please provide examples of mechanisms in place that provide **a platform or forum for participation and discussion on remedy measures** specifically on the human rights to safe drinking water and sanitation. (These may include monitoring bodies, platforms for civil society to participate, consultations, public hearings, civil society monitoring.)

The Republic of Azerbaijan actively participates in international human rights activities for safe drinking water and sanitation, as well as events, forums and plenary meetings involving government and non-governmental organizations across the country. Some of these types of measures are listed below:

- The 10th Meeting of the Azerbaijan-Russia Joint Commission on Water Resources Distribution of the Samur Transboundary River, which was held in Gusar on 8-9 July 2016

- The 20th Session of thematic Working Group on Water, Energy and Environment of the UN Special Program for Central Asian Economies within the 7th Energy Forum for Sustainable Development to be held in Baku on October 18-21, 2016
- On July 15, 2016, an event dedicated to the reconstruction and reconstruction works carried out at the beach of AF Hotel in Novkhani settlement, as well as an event on the "Current state and development of the beaches of Azerbaijan"
- International Scientific-Practical Conference on "Shollars Unique Water Plant" on the occasion of the 100th anniversary of the "Shollar-Baku Water Facilities Complex" on March 16, 2017
- On April 6-7, 2017, the United Nations Development Program and the Global Environment Facility (WEF) will hold a regional conference on "Integrated Water Resources Management in the Kur River Basin (UNDP-QEF) through the implementation of the CI II: Transboundary Agreements and National Plans" project
- Water Management Integrated Management Information Management Seminar within the EU Water Initiative Plus (EUWI +) project on 28-29 September, 2017
- Seminar on the development of the river basin management plan in Azerbaijan on 29 November 2017 in line with the objectives of Integrated Water Resources Management within the EU Water Initiative Plus (EUWI + EAST)

9. Please provide **examples of effective mechanisms*** to ensure that State and non-State actors at all levels are subject to **enforceable sanctions or remedial actions** in relation to the violation or abuse of the human rights to safe drinking water and sanitation.

10. Please provide examples of cases where **State and non-State actors were held accountable** for their obligations and responsibilities with regard to the human rights to water and sanitation in front of a judicial, quasi-judicial, administrative, political and other mechanisms.

The problems are being addressed in accordance with Article 101 - "Disposal of spores in the use of water objects and watercourses" and Article 103 - «Responsibility for abandonment of water legislation of the Republic of Azerbaijan» of Water Code

11. Please provide examples of cases where **State effectively monitored and held non-State actors accountable** for their actions that negatively affected the enjoyment of the human rights to water and sanitation **within and outside its borders**.

12. Please provide information on how **outcomes** of accountability mechanisms are implemented and complied with.

Obtaining a citizen of the right to human rights on sanitary and hygiene standards are considered in Article 57 Part 1 of the Constitution of the AR «Right to appeal» and law of the Azerbaijan Republic «About public prosecutor 's examination of the complaint» from 30.09.2015 № 1308-IQ.

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