

Questionnaire from the Special Rapporteur on the human rights to safe drinking water and sanitation

Austrian Input

II. Questions for the report on development cooperation

Q 1: What measures can be taken to ensure that development cooperation does not risk violating human rights? What safeguards can be put in place?

- The Austrian Development Cooperation (ADC) is committed to applying a human rights based approach to Development Cooperation, which is stated in our Three Years Program on Austrian Development Policy 2016-18, see http://www.entwicklung.at/uploads/media/3JP_2016-2018_03.pdf (only in DE). This should ensure that development cooperation does not risk violating human rights and that a human rights based approach is applied in programs, projects and the political and policy dialogue.
- Further, ADC disposes of a Policy Guideline, pls see http://www.entwicklung.at/uploads/media/PD_Water_Maerz09.pdf on "Water Supply, Sanitation, Water Resources" where a human rights based approach to the topic is prescribed: *"ADC supports a human rights approach according to which access to affordable water supply in sufficient quantity and quality is considered a human right. In practical implementation this means that special efforts must be made to secure basic supply for everyone, to give this task priority and to ensure that the affordability of access to water for all parts of the population is an indispensable criterion"*.
- Additionally, ADC uses a social standards questionnaire, which should ensure that human rights principles are respected in each project and program in the design, implementation, monitoring and steering process, pls see <http://www.entwicklung.at/en/funding/country-regional-programmes/> under "Project document", "Annex 7".
- Furthermore, ADC has developed a Handbook on Human Rights, pls see <http://www.entwicklung.at/en/funding/country-regional-programmes/> for its staff and partner organizations, which provides guidance on applying a human rights based approach in the project cycle management.

Q 3: What measures can be used to ensure that human rights obligations are followed in the process of determining priorities and deciding which countries and programmes will receive financial and other support.

In general, funding decisions about programs and projects need to comply with ADC's policies and quality criteria (see answer to Q1 above).

Q 4: What measures can be used to ensure that human rights obligations are followed in the process of designing programmes and projects?

ADC's social standards questionnaire should ensure that human rights standards and principles are respected in each project and program. It needs to be filled in during the design phase by the project applicant. Based on this self-assessment, specific recommendations can be formulated by ADC program managers for design, implementation and monitoring. ADC thematic advisers on human rights and social issues finally assess compliance with ADC quality criteria (pls see answer to Q1 above).

Q 5: What measures can be used to ensure that development cooperation promotes equality and tackles discrimination?

- Promote, establish and build the capacity of independent regulators (regulation authorities etc.) for water and sanitation services. ADC is doing so in Uganda, Moldova and Albania.
- Help countries and utilities to shape the water and sanitation service tariffs: e.g. In Rwanda ADC supported the construction of gravity flow schemes and also the establishment of sustainable units to manage these schemes. Applicable tariffs were discussed and a decision was reached that the most vulnerable households get access to a minimum amount of water 20 l/c/d which is being paid for by the local administration.
- Similarly, in Moldova an ADC supported project decided to provide free water to the most vulnerable households based on a municipal council decision about households which are considered very vulnerable. Base cases are being used to back discussions at the policy level.

Q 6: What mechanisms can be used to ensure that development cooperation promotes transparency and access to information?

- Promote, establish and build the capacity of independent regulators (regulation authorities etc.) for water and sanitation services. We do so in Uganda, Moldova and Albania.
- Benchmarking systems for utility performance or specific assessments which include customer complaints and analysis about not connected / unserved population. In Albania ADC supports to assess water supply and sanitation infrastructure in areas which are outside of the service areas of formal utilities. About one third of the population of Albania is living in such areas which include the poor and vulnerable with little or no information on their service status.
- In Uganda, ADC together with Denmark supported WaterLex and WaterAid to study the HRWS in detail and to make recommendations for the various level of intervention in the Sector.

Q 7: What measures can be used to ensure that development cooperation programmes and projects are based on participatory processes?

Case example Albania¹: ADC has been supporting the city council of Shkodra since 1996 in water supply and sanitation. The final project phase was completed in the summer of 2008: During the intervention of ADC, the old water supply network near to the Lagja Liria, which is inhabited by a formally non recognized Egyptian minority, was connected to the new transmission main with the main purpose to increase the water pressure of the old network supplying the local residents. The noteworthy aspect about this is that this particular area which is inhabited by the Egyptian minority was connected to the system despite the facts that (i) this connection was technically disadvantageous for the general water supply network of the City of Shkodra on the one hand and (ii) the Egyptians are unable to pay the regular tariff for the water supply to the waterworks Shkodra. Until now the service level of the utility stops at the entrance to the area of the Lagja Liria since people are forced to implement the rest of the network and the house connections by their own. Additionally, the Egyptians are responsible for the operation and maintenance of the local pipelines, house connections and electrical pumps. The ADC funded intervention and ADC's insistence on the inclusion of the Egyptian minority now ensures a rather stable and reliable water transport through the new transmission main to the distribution chambers. By connecting the old network to the new transmission main the weak situation of water supply has been stabilized.

Case example Moldova: ApaSan Project Phase 2 (SDC project, co-financed by ADC).

Governance: ApaSan has followed a non-discriminatory approach in designing and building water systems, where marginal groups were safeguarded from exclusion. The minimum quota of connected households (70 %) proved to be a powerful tool used by the local public administration (LPA) when considering inclusion of vulnerable people. On average, 90% of the households are connected. The municipal public authorities examine financial support for poor to connect to the water systems on a case-by-case basis. ApaSan contributed to this by analysing the profile of non-connected households and facilitating a coordinated support by the LPA and Water Consumers Associations (WCAs) to these households.

Gender aspects: Systematic consultations with women-beneficiaries were held. The acceptance of Ecosan dry toilets at the household level was documented by a cooperation contract requiring the signatures of both spouses to promote equal participation in decision-making. A more meaningful participation of women in managing water supply systems was promoted through introduction of a 30% quota of female representation in the statute of the WCAs². The project's monitoring system did not collect reliable sex-disaggregated data, which makes it difficult to analyze the impact of access to water and sanitation on women's lives and economic status.

Q 8: What monitoring mechanisms can be put in place to assess development cooperation programmes and projects with respect to human rights obligations?

Pls see answer to Q4.

Q 9: What accountability mechanisms can be put in place so that people affected by development cooperation programmes or projects can effectively have complaints addressed?

¹ Report available online on the ADC webpage.

² However the increase in women representation in the WCAs' boards is not yet significant (24% presently vs 22% in 2013)

Case example Albania: Upon the request of ADC, the waterworks Shkodra have implemented customer complaint desks and procedures in their customer care office already approx. 10 years ago.

Case example Uganda/East Afrika (see <http://blogs.worldbank.org/water/6-ways-strengthen-consumer-voice-water-and-sanitation-sector-through-ict-platforms>): ADC's engagement with WSP has contributed to the use of mobile phone applications by customers to report problems with water service delivery, or to report the lack of information about water service problems from utility providers. In Uganda these technologies are being applied also in the water sector.