Follow-up analysis of official country visits

I. Introduction

1. Pursuant to resolutions 27/7 and 33/10 of the Human Rights Council, the Special Rapporteur on the human rights to safe drinking water and sanitation undertakes official country visits to promote the full realization of the human right to safe drinking water and sanitation, following the criteria of availability, quality, physical accessibility, affordability and acceptability. More concretely, the Special Rapporteur examines the situation of water and sanitation at the national level, identifies good practices, and makes recommendations to the Government on steps to improve access and ensure the protection of human rights to safe drinking water and sanitation.
2. The Human Rights Council encourages all Governments to continue to respond favourably to requests by the Special Rapporteur for visits and information, to follow up effectively on the recommendations of the mandate holder and to make available information on measures taken in this regard (para. 15 of Resolution 33/10). Furthermore, the Manual of Operations of the Special Procedures of the Human Rights Council stipulates that Special Procedures mandate-holders can seek to enhance the effectiveness of their country visits in various ways, including by formulating their recommendations in ways that facilitate implementation and monitoring and undertaking follow-up initiatives through communications and further visits (paras. 97 to 105).
3. In this connection, the Special Rapporteur is seeking to enhance the effectiveness of his official country visits by undertaking a follow-up analysis of those visits focusing on the implementation of recommendations elaborated in the country visit reports.

II. Information on official country visits

1. Since his appointment in November 2014, the current Special Rapporteur undertook official country visits to seven countries:

* Tajikistan (4 to 12 August 2015, [A/HRC/33/49/Add.2](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/33/49/Add.2))
* Botswana (9 to 17 November 2015, [A/HRC/33/49/Add.3](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/33/49/Add.3))
* El Salvador (11 to 18 May 2016, [A/HRC/33/49/Add.1](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/33/49/Add.1))
* Portugal (5 to 13 December 2016, [A/HRC/36/45/Add.1](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/36/45/Add.1))
* Mexico (2 to12 May 2017, [A/HRC/36/45/Add.2](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/36/45/Add.2))
* India (27 October to 10 November 2017, A/HRC/39/55/Add.1, report forthcoming)
* Mongolia (9 to 20 April 2018, A/HRC/39/55/Add.2, report forthcoming)
* Malaysia (dates confirmed for 21 November to 4 December 2018)
* Lesotho (dates confirmed for 4 to 15 February 2019)

1. Since the mandate was established in 2008, the former and current Special Rapporteur conducted a total of 22 country visits corresponding to the following geographical distributions:

Table 1 List of all official country visits undertaken by the mandate of the Special Rapporteur on the human rights to safe drinking water and sanitation

| *Country* | *Date of visit* | *Regional Group* |
| --- | --- | --- |
|  |  |  |
| Egypt | 21–28 June 2009 | Africa |
| Namibia | 4–11 July 2011 | Africa |
| Senegal | 14–21 November 2011 | Africa |
| Kenya | 22–28 July 2014 | Africa |
| Botswana | 9–17 November 2015 | Africa |
| Bangladesh | 3–10 December 2009 | Asia-Pacific |
| Japan | 20–28 July 2010 | Asia-Pacific |
| Tuvalu | 17–19 July 2012 | Asia-Pacific |
| Kiribati | 23–26 July 2012 | Asia-Pacific |
| Thailand | 1–8 February 2013 | Asia-Pacific |
| Jordan | 11–16 March 2014 | Asia-Pacific |
| Tajikistan | 4–12 August 2015 | Asia-Pacific |
| India | 27 October to  10 November 2017 | Asia-Pacific |
| Mongolia | 9 to 20 April 2018 | Asia-Pacific |
| Slovenia | 24–28 May 2010 | Eastern Europe |
| Uruguay | 13–17 February 2012 | Latin America and the Caribbean |
| Brazil | 9–19 December 2013 | Latin America and the Caribbean |
| El Salvador | 11–18 May 2016 | Latin America and the Caribbean |
| Mexico | 2–12 May 2017 | Latin America and the Caribbean |
| Costa Rica | 19–27 March 2009 | Latin America and the Caribbean |
| United States of America | 22 February to 4 March 2011 | Western Europe & Others |
| Portugal | 5–13 December 2016 | Western Europe & Others |

III. Scope of the follow-up analysis project

1. In the first half of 2018, the Special Rapporteur commenced the follow-up analysis of the first five official country visits undertaken since 2015, namely, Botswana, El Salvador, Mexico, Portugal, and Tajikistan.
2. The Special Rapporteur intends to continue the follow-up analysis of all the official country visits undertaken by him as well as those undertaken by the former Special Rapporteur. In 2019, he will focus on the follow-up analysis to India and Mongolia and visits undertaken by the former Special Rapporteur, the latter focusing particularly on those countries that will be reviewed by relevant treaty monitoring bodies or under the Universal Periodic Review of the Human Rights Council in 2019 and 2020.

IV. Methodology

A. Desk research

1. At the initial stage of the follow-up analysis project, the Special Rapporteur has undertaken research on the recent developments related to the recommendations elaborated in his official country visit reports. This preliminary analysis firstly involves a mapping exercise of the recommendations and key issues mentioned in the body of each country visit report, aiming to identify particular and cross-cutting issues of relevance to the human rights to water and sanitation in the country. Secondly, based mainly on the issues addressed in the recommendations, but not limited to those issues, desktop research is carried out to obtain information on the new developments particularly related to the implementation of the recommendation since the Special Rapporteur’s visit.
2. The structure of the preliminary analysis is composed of: (1) issues and information identified in the report, (2) corresponding recommendation(s) of the Special Rapporteur and (3) information on relevant developments. A sample extract from the preliminary analysis on the visit to Botswana is introduced below.

Table 2 Extract from preliminary analysis of Botswana visit

|  |  |
| --- | --- |
| **Issues and information identified in the report** | C. Women and girls  Para. 63: Women and girls disproportionally affected by lack of access to water and sanitation and bore heavier border  Para. 64: Lack of women’s participation in decision-making  Para. 65: Inadequate water, sanitation and hygiene in schools affecting girls |
| **Recommendation of the Special Rapporteur** | Recommendation (A/HRC/33/49/Add.3, para. 72(o)): Increase the participation of women in decision-making relating to water and sanitation and take special measures to reduce the disproportionate burden on women caused by the lack of access to water and sanitation |
| **Relevant developments** | * National Development Plan 11   During National Development Plan 11, gender analysis and gender equality centered planning will be promoted to inform gender-responsive and rights-based policies. This will facilitate, amongst others, fairness of treatment, including in the distribution of development resources and opportunities between women and men. Implementation of gender mainstreaming as a strategy for sustainable development will be intensified across sectors to ensure equal and meaningful opportunities for women and men to participate in and benefit from socio-economic, cultural and political development initiatives of the country (NDP 11, 2017–2023) |
|  | * Committee on the Elimination of Discrimination against Women, Fourth periodic report submitted by Botswana received in November 2017 |
|  | “The Gender National Strategy adopted by the National Gender Machinery has prioritized the following national development areas for gender mainstreaming: … Social Protection and social services (health, adequate sanitation and improved well-being, access to quality education, training and information, safe housing and consideration for addressing issues of energy and climate change for a sustainable |
|  | environment) … Access to justice, protection of human rights and freedom from violence; Special measures targeting vulnerable groups of men, women, girls and boys across all the four areas.” (CEDAW/C/BWA/4, para. 31) |

1. The primary source of information for the preliminary analysis is official sources from Governments or international organizations. In particular, the Special Rapporteur consulted reports submitted and issued in the context of international treaty monitoring processes and the Universal Periodic Review of the Human Rights Council. He also consulted official information from national legislative, regulatory other governmental bodies to identify any recent developments on legislative, policy and regulatory measures related to the human rights to safe drinking water and sanitation. Finally, he examined reports from international cooperation partners and from international organizations that have a presence or activities in the country in question.

B. Consultation process: questionnaire to Government and other stakeholders

1. In order to collect further information, the Special Rapporteur used a questionnaire as a tool to obtain the information necessary to assess the status of implementation of the recommendations. The Special Rapporteur sent a questionnaire to each Government and he invited the civil society and other stakeholders to contribute to this follow-up analysis by submitting a written response to the specific questionnaire. A sample questionnaire is presented below.
2. All questionnaires sent to the Government and other stakeholders for each official country visit can be found at: [www.ohchr.org/srwaterandsanitation/followup](http://www.ohchr.org/srwaterandsanitation/followup).

Table 3 Extract from Questionnaire sent to the Government of Botswana

| *Questionnaire to the Government of Botswana* |
| --- |
|  |
| Please respond to below questions regarding the status of the recommendations made in my report on the visit to Botswana in November 2015 (A/HRC/33/49/Add.3). |
| Recommendation (A/HRC/33/49/Add.3, para. 72(a)) |
| “Adopt the draft national water policy in order to approach water and sanitation issues in a comprehensive manner guided by the principles and normative content of the human rights to water and sanitation. Such a policy should include a long-term strategy for sustainable water resources management, taking into account the foreseen increase in water stress”; |
| Question 1. Please describe how the National Water Policy (approved by the Parliament in 2016) incorporates the framework of the human rights to water and sanitation including how it addresses situations of water stress. Please provide a copy of the National Water Policy. |
| Question 2. Please clarify the status of the creation of a National Waste Management Policy and describe how it incorporates the framework of the human rights to water and sanitation. Please provide a copy of the National Waste Management Policy. |

C. Analysis

1. The Special Rapporteur is currently analysing all relevant information related to the recommendations elaborated in his country visit reports with the aim of providing an assessment on the status of implementation of the recommendations.
2. The final analysis will identify each recommendation under the following categories: “Fully implemented”, “Partially implemented/Implementation in Progress” or “Implementation not yet initiated”. The analysis of each recommendation will include a summary of the assessment, describing the elements that the Special Rapporteur based to identify the status of the implementation of each recommendation.

V. Presentation of the findings

1. Following the research and consultation process, the Special Rapporteur will present his final analysis of the first five official country visits in the second half of 2018. Moreover, the Special Rapporteur will present the findings of the follow-up analysis of the remaining country visits at the conclusion of each analysis.
2. All final analysis will be published on the mandate website hosted by the Office of the High Commissioner for Human Rights at:

[www.ohchr.org/srwaterandsanitation/followup](http://www.ohchr.org/srwaterandsanitation/followup).