**Call for inputs on upcoming country visit to Malaysia
(14 to 27 November 2018)**

The Special Rapporteur on human rights to safe drinking water and sanitation will undertake an official visit to Malaysia from 14 to 27 November 2018, at the invitation of the Government.

1. **About the Special Rapporteur**

Mr. Léo Heller is the second Special Rapporteur on the human right to safe drinking water and sanitation. He was appointed by the Human Rights Council in November 2014 and started his mandate on 1 December 2014. Mr. Heller is currently a researcher in the Oswaldo Cruz Foundation in Brazil. Previously, Mr. Heller was Professor of the Department of Sanitary and Environmental Engineering at the Federal University of Minas Gerais, Brazil from 1990 to 2014. Mr. Heller has extensive experience in formulating policies, teaching and researching in the field of public policy and management and of environmental health related to water and sanitation. He has been coordinating large interdisciplinary research groups and he is author of several books, book chapters and journal articles on technological, health and policy dimensions of water and sanitation. He has long tradition of working together with and taking part in social movements related to human rights to water and sanitation, especially in Latin America.

1. **The purpose of country visit**

The Special Rapporteur conducts country visits at the invitation of governments to investigate the enjoyment of the rights to water and sanitation in specific contexts. The purpose of Mr. Heller’s country visit is to understand, in the spirit of co-operation and dialogue, how the State endeavours to implement the human rights to water and sanitation. Mr. Heller intends to examine challenges faced in the country with regard to access to safe drinking water and sanitation, as well as good practices, at the national and local level. The report of his visit will be presented to the UN Human Rights Council in September 2019. The report will contain findings and recommendations intended to strengthen the protection and promotion of the human rights to water and sanitation in the country.

1. **Call for input**

Civil society, human rights activists and other interested stakeholders are encouraged to submit general inputs and specific proposals with regard to:

* **Issues of concern related to the human rights to safe drinking water and sanitation, including but not limited to availability, accessibility, quality and safety, affordability and acceptability of water for drinking and domestic usage and sanitation (See pages 2-5 below for explanation and guiding questions)**
* **Potential areas to visit such as towns or communities during the Special Rapporteur’s visit to Malaysia.**
* **Relevant organisations and individuals to meet during the Special Rapporteur's visit to Malaysia.**

Please send your input in Word format by email to srwatsan@ohchr.org.

**The deadline for submission has been extended to 15 October 2018**.

Unless otherwise requested, all submissions will be made publicly available and posted on the Special Rapporteur’s homepage at the OHCHR website.

Water: explanation and guiding questions

# Affordability

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| Affordable water does not mean that water services are provided free of charge. The tariffs charged should be reasonable and not compromise the exercise of other rights, such as health or food. When people cannot afford water and sanitation for reasons beyond their control, the State needs to find ways to ensure such access. Disconnection of water services due to the inability to pay constitutes a violation of human rights. |

* What per cent of the household expenditure is spent on water? Is the income sufficient to pay for the services?
* Has there been any disconnection from water services due to incapacity to pay?
* Are water cuts being notified? If so, how long in advance?
* Are individuals and groups informed of any help or social water tariffs schemes?
* Is the cost of maintenance of the water well or pumping system affordable for the community?

# Quality

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| Water used by households and individuals for domestic and personal uses must be of sufficient quality to protect their health. Pollution of water by any means, including by agriculture, industry and wastewater must be prevented. |

* Has anyone been sick from drinking water? If so, please explain.
* Have you noticed any dead fish or animals in the surrounding of drinking water source? Is the source of water protected from animals or insects?
* Is the source of water used located nearby sanitation facilities or areas were people defecate in the open?
* Is the water treated before consumption? If so, how is this done?
* Has the quality of the water and the water source been tested and/or monitored? If so, by whom and how often? Do individuals and groups receive information about the quality of the water?

# Availability

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| There must be a sufficient quantity of water available to fulfil the requirement of individuals and households for drinking, personal hygiene and other domestic uses, which includes cooking, preparation of food, laundry, and cleaning. The supply must be reliable and continuous so that individuals can collect water when they require.  |

* Do all population have access to sufficient water to cover their personal and domestic needs? If not, please explain. How much water do they have daily to cover personal and domestic needs?
* Can individuals and groups collect water anytime? Is there a specific time for collecting water?
* What are the sources of water available in the area?

# Accessibility

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| Water services must be physically accessible for everyone within or in the immediate vicinity of all spheres of their lives, particularly at home, but also in educational institutions, the workplace, prisons, and public places. In those cases where water is not accessible on the premises, the route to fetch water and the facility itself must be safe for all users, and the method of extracting water must be usable by all. |

* Do all population have water tap at home?
* If not, what is the distance between a household and the source of water? How do individuals and groups reach the drinking water source? How long do they walk to access a drinking water source?
* Has there been an incident where individuals and groups were prevented from fetching water from a lake, river or pond in a public area?
* Has anyone been denied access to water based on race, colour, gender, religion, political opinion, nationality or social origin?

# Acceptability

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| Water must be of an acceptable colour, odour and taste. |

* Is there any unpleasant or disturbing colour, odour or taste in the water?

Sanitation: explanation and guiding questions

# Affordability

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| Use of sanitation facilities and services must be available at a price that is affordable to all people. This must include all associated costs, ranging from regular tariffs to connection fees in the case of networked provision, to costs of on-site solutions such as the construction or maintenance of pit latrines and septic tanks. |

* What per cent of the household expenditure is spent on sanitation facilities and services?
* Is there a fee to use the toilets?
* Is the cost of maintenance of the toilets or latrines affordable for the community?

# Safety

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| Sanitation facilities must be hygienically safe to use and easy to clean and maintain. They must effectively prevent human and animal contact with human excreta to avert the spread of disease. Sanitation facilities must be technically safe to use, namely, the superstructure is stable and the pit are designed to reduce the risk of accidents.  |

* Is the foundation of the toilet stable? Have there been any accidents where toilets have collapsed?
* Is there a door, a lock and lights in the toilet?

# Availability

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| A sufficient number of sanitation facilities has to be available. The necessary structures have to be put in place to ensure the availability of services, such as sufficient personnel able to construct, maintain and manage the delivery.  |

* Do all population have toilets at home? If not, what is the alternative solution?
* Are there sufficient toilets available in the community or household? At the local school? At the hospital or other public places?

# Accessibility

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| Sanitation facilities and services must be physically accessible for everyone within or in the immediate vicinity of all spheres of their lives, particularly at home, but also in educational institutions, the workplace, prisons, and public places. Where sanitation facilities are shared, there be a sufficient number of sanitation facilities to ensure that waiting times are not unreasonably long. Sanitation facilities must be reliably accessible to satisfy all needs throughout day and night. Where the sanitation facility is not located on the premises, the path leading to it should be secure and convenient for all users. The risk of attack or assault from animals or people, particularly for women and children, must be minimized. Public or shared latrines in residential areas must be safely accessible in the night, as well as in the day.Sanitation facilities should be designed in a way that enables all users to physically access and use them, including, especially those with special access needs, such as children, persons with disabilities, elderly persons, pregnant women, parents accompanying children, chronically ill people and those accompanying them. Considering the needs of these individuals has implications for the entrance size, the interior space, handrails or other support mechanisms and the position of defecation, as well as other aspects. |

* What is the distance between the household and the toilets? How long do individuals and groups walk to use a toilet?
* Are the toilets at the local school, hospital or other public places accessible for persons with disabilities?
* Are women and men toilets separated? Is there a gender neutral toilet?
* Has anyone reported that they felt in danger on the way to the toilets?
* Has anyone been denied access to a toilet based on race, colour, gender, religion, political opinion, nationality or social origin?

# Acceptability

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| Sanitation facilities and services must be culturally acceptable. Cultural values must be taken into account regarding design, positioning and conditions for use of sanitation facilities.  |

* Is there a mechanism established to allow members of the community to express demands and concerns about the sanitation programme? And to be involved in the planning, designing and decision-making process?

Hygiene: explanation and guiding questions

# Affordability

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| Use of hygiene facilities and services must be available at a price that is affordable to all people. The main costs, other than for installation, are associated with supplying water, soap and cleaning products for hand-washing, food hygiene, home hygiene and washing clothes, and for sanitary napkins or other products required for menstrual hygiene. Assistance should be provided to households or individuals who are unable to afford soap and cleaning products or sanitary products for women and girls. |

* What per cent of the household expenditure is spent on hygiene facilities and services? And hygiene products including those for menstrual hygiene?
* Is there a fee to use the soaps, other hygiene products, handwashing, showers or laundry facilities?

# Safety

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| Hygiene facilities, such as hand-washing stations or disposal units for sanitary products, must be safe to use and easy to clean. Sanitation facilities must ensure access to safe water for hand washing, menstrual hygiene, and anal and genital cleansing. They must also include mechanisms for the hygienic disposal of menstrual products and nappies. |

* Is there sufficient water for hand washing, menstrual hygiene, and anal and genital cleansing?
* Is there a disposal system for sanitary products for menstrual hygiene and nappies?

# Availability

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| Facilities meeting hygiene requirements must be available wherever there are toilets or latrines, where water is stored and where food is prepared and served. These are required particularly for hand-washing, menstrual hygiene, the management of children’s faeces and the preparation and consumption of food and drink. |

* Do all population have soaps, other products for hygiene for handwashing, shower or laundry facility available at home?
* Are there soaps, other products for hygiene for handwashing, shower or laundry facility at the local school? at the hospital or other public places?
* Are there appropriate sanitary products for menstrual hygiene?

# Accessibility

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| Hygiene facilities must be physically accessible for everyone within or in the immediate vicinity of each household, health or educational institution, public institutions and places, and the workplace. Ideally, they should be located adjacent to toilets. Hygiene facilities need to be accessible on a reliable and continuous basis, at home, work and school, and in public places, as to satisfy all needs throughout the day. Women, persons with disabilities, children and others may have particular hygiene requirements. Access to hygiene facilities should be secure and convenient for all users, including children, elderly persons, persons with disabilities, women, including pregnant women, and chronically ill people. |

* What is the distance between the household and hygiene facilities? How long do individuals and groups walk to use a hygiene facility?
* Has anyone been denied access to soap, handwashing facilities and other products required for menstrual hygiene based on race, colour, gender, religion, political opinion, nationality or social origin?

Accountability: explanation and guiding questions

# Roles, responsibility and performance standards

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| Adequate implementation of accountability requires a clear definition of who is accountable, who may hold actors accountable and what actors must be accountable for. Affected populations can hold States and other accountable actors to account for failing to adhere to predetermined performance standards or to comply with human rights obligations. |

* Do individuals and groups know who to contact when you have problems with water and sanitation services? And problems with quality of water?
* Is there a clear institutional framework mapping who is accountable in the water and sanitation sector?
* Is the institutional framework of the responsible government entity and other entity transparent and clear to the affected population?
* Is there a clear allocation and attribution of human rights obligations and responsibilities to all stakeholders involved in the water and sanitation sector?

# Providing explanation and justifications

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| The provision of explanations and justification requires, on the one hand, that States and other accountable actors be able to answer questions and provide the information requested by individuals, in particular, those marginalized and those in vulnerable situations who need to be empowered to request information and actively ask questions. On the other hand, States and other accountable actors should proactively and systematically provide information, in a transparent manner, as well as open spaces for interactions with affected populations. Both aspects rely on an effective and explicit human rights framework that upholds the right to information, participation, monitoring and reporting, in conjunction with advocating transparency and other principles to combat corruption. |

* Do individuals and groups know whom to contact to request information about water and sanitation services?
* Do individuals and groups receive a bill for water services? If so, do they understand its content?
* Is the information available in the language that the individuals and groups speak? Is it easy to understand?
* Have you participated in any dialogue or participation process where you were able to assess the information provided to you and to voice your opinion and influence decisions?
* Have the economically disadvantaged and other population in vulnerable situations been involved in the decision-making process? If so, how?

# Compliance through enforcement

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| Enforceability is critical to ensure the accountability of actors by imposing sanctions and remedial actions for violations and abuses by those actors. This is preceded by a process whereby bodies and mechanisms oversee actors’ compliance with performance standards that are in line with the normative content of the human rights to water and sanitation. At the national level, judicial and quasi-judicial mechanisms serve as a means for affected populations to hold States and other accountable actors to account. However, this needs to be complemented by an enabling environment that empowers the affected populations to lodge claims and that builds trust and effectiveness in the accountability mechanisms. |

* Are individuals and groups able to bring a claim to the court when their rights to water and sanitation are violated?
* What mechanism (judicial or other remedies like courts, ombudspersons, etc) are available?
* Is legal aid or other assistance available?
* Are the human rights to water and sanitation explicitly mentioned in the national legislation? Are any of its elements mentioned in the legislation?