

*Special Rapporteur on the human right to safe drinking water and sanitation*  
*Sustainable Human Development Section*  
*Special Procedures Branch*  
UNOG-OHCHR  
Palais des Nations  
CH-1211 Geneva 10  
Switzerland  
Fax: [+41 22 917 90 06](tel:+41229179006)

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Satoko Kishimoto  
Transnational Institute (TNI)  
Amsterdam, The Netherlands  
<http://www.tni.org/>  
<http://www.waterjustice.org>  
Tel 0032 (0)16 413 494  
E-mail [satoko@tni.org](mailto:satoko@tni.org)

Dear Catarina de Albuquerque,

First of all, I thank you for providing this opportunity to submit a contribution on the role of citizens' participation in realising the human right to water and sanitation. I would like to highlight the experience of the participatory reform process from the municipality of Alagoinhas in Brazil, which is very comprehensive and in many ways exemplary.

Before going to this specific case, allow me to briefly introduce myself. I am Satoko Kishimoto, working for an independent policy research NGO, the Transnational Institute, based in Amsterdam, The Netherlands. During the last ten years, I have dedicated myself to support water justice struggles by exploring people-centered models of water provision. Democratic control, sustainability, citizens' and workers' participation and the human right to water are central values that we promote. We published the book 'Reclaiming Public Water', which draws on the real-world experiences with successful (reforms of) public water systems. As part of these same efforts, we worked closely with ASSEMAE, the federation of municipal water operators in Brazil (Associação Nacional dos Serviços Municipais de Saneamento). In 2006 ASSEMAE published the important publication "Successful experiences in municipal Public Water and sanitation services from Brazil". I would like to highlight Alagoinhas, one of 20 cases presented in this publication, because of the strong role of public participation in successful model of decision-making and implementation of the city's 'environmental sanitation' policies. In Brazilian context, 'Environmental sanitation'

and 'Social control' are important concepts in water and sanitation policies. The definitions quoted below may be helpful to understand the successful reform model based on citizen participation that was used in Alagoinhas to implement the human right to water.

*Environmental sanitation (as defined by SAAE, Alagoinhas): “the set of actions aimed at improving a healthy environment, through drinking water supply, waste water collection, treatment and sanitation systems for liquid, solid and gaseous residues, control and prevention of excessive noise, urban drainage systems for rain water, promotion of public education concerning land use, control of disease transmission, and other specialised services and works.”*

*Social control is understood as “the mechanism and process to guarantee society access to information, technical representation and participation in the whole range of decision-making processes around public services. It is understood as the participation of society in formulation and implementation of policies. Planning, regulation, and inspection, evaluation and services delivery should be under social control.”*

I extracted the most relevant parts to answer the questions in your questionnaire. For your information, I also attach the chapter of Alagoinhas from the report “Successful experiences in municipal Public Water and sanitation services from Brazil”, which is available at <http://www.tni.org/report/successful-experiences-municipal-public-water-and-sanitation-services-brazil?context=599>

The methodology of the study is found at 'Forward'.  
<http://www.tni.org/sites/www.tni.org/archives/docs/200701251747316110.pdf>

The Alagoinhas chapter (also attached) is online here:  
[http://www.tni.org/sites/www.tni.org/files/download/01\\_Alagoinhas\\_14nov06.pdf](http://www.tni.org/sites/www.tni.org/files/download/01_Alagoinhas_14nov06.pdf)

I hope this information will be a helpful contribution to your annual thematic report to the General Assembly.

Yours sincerely,

Satoko Kishimoto

Transnational Institute (TNI)

*Please answer the following preliminary questions to help me understand your or your organization's status and functions:*

A. *Please indicate the type of stakeholder you are representing, for example:*

1. **Non-governmental organization or civil society**

B. *Please indicate your or your organization's role in the process, for example (you may choose multiple answers):*

4. Other (please specify) : **research on and advocate a participatory process/mechanism**

For the thematic report, I would particularly welcome your answers to the following questions:

1. *Please indicate and describe a participatory process or processes in your country that are related to the human rights to water and/ or sanitation. Which authorities and organizations are involved in the design and facilitation of the process? What are the costs of designing and facilitation the process? Who covers the costs?*

In 2001, Alagoinhas, a city in the *Brazilian* state of Bahia (population 138,336) was the first Brazilian municipality to approve its own water and sanitation policy, through a participatory process. Recently, the municipality produced a municipal environmental sanitation plan by means of an agreement signed between city hall and the Federal University of Bahia(UFBA). The Autonomous Water and Sewage Service of Alagoinhas (SAAE) promotes sanitary sewage projects using social mobilisation techniques and gaining the participation of the community. The methodology of social mobilization is to organise the cross-sectoral conference on water and sanitation, health and the environment.

In 2001, the first municipal conference on health took place in Alagoinhas, which launched the foundations of public participation and initiated the process of democratizing health throughout the municipality. The development of the plan was an initiative of the mayor of Alagoinhas, Joseildo Ribeiro Ramos, who contacted UFBA. The city hall and the university went on to sign a convention for the execution of the project. The department of environmental engineering at the polytechnic school of UFBA coordinated the process in which the department of material sciences and technology at the same school, the Institute of Geosciences, and the coordination of contracts and agreements of the dean's office also participated. UFBA's team was composed of 12 professors, including three external professors as consultants. Nine graduate students in sanitary and environmental engineering, and geology and one master student in geochemistry and environment also took part in the project.

In 2001, the municipality organised the first municipal conference on environmental sanitation, which led to the creation of the municipal policy on environmental sanitation, voted into law 1,460/1 by the city council, the first law completely developed through social participation in the country. The first conference was carried out by a commission that coordinated, planned, and defined the pre-conferences, established criteria for the selection of the delegates,

developed the internal procedures, systematized diagnostics and proposals, produced the conference report and created all the conditions for its accomplishment.

The bill foresaw the creation of a municipal environmental sanitation system. Social control in the system would be guaranteed by the conference and by the environmental sanitation council, with 75% of the members representing civil society.

According to the mayor, the problem was purely political; he changed the previous administrations, which were not charging the IPTU tax (municipal tax on urban building and land property) from entrepreneurs nor from some of the distinguished personalities of the municipality. This measure generated resources. SAAE increased its annual investments with its own income from R\$154,000 to R\$783,000 by using 12.93% of its tariff revenue for investments during the period of 1999 and 2003. Other financial source became available since the energy efficiency programme contributed to reduction of electricity consumption from 16.1% to 10% in SAAE's budget, which generated resource to invest in Environmental sanitation.

2. *What does the process seek to ensure - participation in legislative proposals, policy-making, budgeting, service provision or other measures? At what level does the process take place - the national, local or international level?*

The bill foresaw the creation of a municipal environmental sanitation system at municipal level. Sanitary services have been, along with the paving of public roads, the main demand of the participative budget process in Alagoinhas since its introduction in 2001. Due to the lack of investments for the installation of sewer systems until the end of the 1990s, the city of Alagoinhas practically had no collective sanitary sewage system, which impacted public health negatively.

3. *Has there been a history of mobilization in your country to ensure participation in decision-making? In general, is the government (at the various levels) viewed as responsive to such demands? How has the government responded to people's demands for (increased) participation?*

In Alagoinhas, participative conferences were not an exclusive sanitation sector too. In 2001, the municipality held conferences on sanitary vigilance and mental health, social action and the rights of children and adolescents. In search for the construction of an integrated project on social control public policies, in 2003, Alagoinhas called the first municipal cross-sectoral conference on health, environmental sanitation and environment in the country.

4. *Is there a legal or policy basis for participation? Specifically, is participation with respect to improving access to water and sanitation provided for in legislation, policy or practice in your country?*

The fundamental law of the municipality, which was amended in 1990, recommended, to a certain extent, social control as a path to be explored. Paragraph 2 of Art. 189 establishes that "the law shall define mechanisms of control and democratic management, in such a way that the community's representative entities deliberate, accompany and evaluate the policies and

the actions of the organs or companies responsible for the services”.

5. *How have the geographical reach of processes and the concerned individuals and groups been defined? How do processes ensure inclusiveness? How do processes seek to ensure that not just major stakeholders, but also concerned individuals can participate?*

Unfortunately, geographical information on social groups is not available from the publication. The scale of participation is extensive however in the whole process.

In total, 17 regional pre-conferences took place in May 2001, in which 131 delegates were elected in numbers proportional to the population of each region. These delegates, nominal and substitutes, were assigned to develop a participative dialogue, together with their communities. In the following month, four thematic pre-conferences were held on water resources and water supply; sanitary sewage and rainwater drainage; solid residues and vector control; and, environmental sanitation management. Five thousand people participated in the 21 pre-conferences. The conference took place in July 2001, with the participation of 166 delegates (35 of them were representatives of the municipal government and the organising committee). A committee composed of representatives from civil society and the public authority was elected in the final plenary session and assigned to develop an environmental sanitation municipal policy based on the decisions of the conference to be forwarded to the executive authority. This policy was to consider the principles of universality, equity, integrality, participation and social control in service supply.

The first municipal cross-sectoral conference which took place in July 2003, elected delegates for the state conferences on health and the environment. 120 delegates participated, six of whom represented the municipal councils on health, environmental sanitation and environmental defence, and 60 others represented different sectors of civil society and the public administration. 250 observers with the right to speak also took part.

6. *Are certain individuals or groups meant to represent others? How does the system of representation work? What is the role of NGOs? Who do they represent, if anyone? Is there any process of verifying their claim to represent, i.e. are they required to produce any type of proof?*

The Federal University of Bahia(UFBA) played a major role to develop the plan. NGOs role nor representation issues are not articulated in the publication in details. Considering the population of Alagoinhas (138,336), the above and below mentioned opportunities of participation in a series of conferences where elected the delegates provided direct participatory opportunities.

The delegates discouraged the participation of members of the government as presidents of the councils. This contributed to the creation of de facto popular entities and recommended initiatives such as setting up councils in every neighbourhood of the city, social participation in the decision-making processes and in the defence of environmental health and social control.

7. *What are the opportunities for participation? Are there consultations, hearings,*

opportunities to submit written responses and online fora?"

The first municipal conference on environmental sanitation resulted in the drafting of the bill, led by the mayor and approved by the city council, encapsulated in Law 1,460, on 3 December 2001, which instituted the environmental sanitation policy of Alagoinhas. The municipal environmental sanitation system, established by the law, counts among its five instruments the development of an environmental sanitation municipal plan. In just over a year, the municipal City Hall of Alagoinhas, SAAE, and the Federal University of Bahia (UFBA) produced a draft of the plan. Every month, the population and institutions were invited to critically review what had been looked at by the executive group, composed of teams from the UFBA and city hall in the public meetings of the advisory council with up to 200 people participating. Through this, the population acquired technical knowledge and criticised what was presented and discussed, technical experts also learnt about popular perceptions surrounding the issues. The plan, which was developed using this process, was later discussed and approved by the municipal council of environmental sanitation, a deliberative body composed of 15 representatives from civil society and five from the municipal public authority. Professor Luiz Roberto Santos Moraes, coordinator of the team from the UFBA, has always worked with university extension activities linked to municipalities.

8. What measures are in place to enable people to participate? What measures are taken to overcome barriers that people face, in particular marginalized groups and individuals?

The follow up study is needed to answer this question.

9. What channels have been used to disseminate information about the envisaged measures and the participatory process?

The follow up study is needed to answer this question.

10. How are the inputs taken into account? What is the impact of participatory processes on decision-making and the design of measures and policies?

Four years prior to the establishment of the environmental sanitation policy, Alagoinhas was declared one of the worst cities in the country by a magazine. The same magazine presented Alagoinhas as one of the best cities in the northeast in 2004. Between 1999 and 2003, the infant mortality rate in the municipality of Alagoinhas fell from 46 infant deaths per 1,000 live births to 23 per 1,000. The environmental sanitation policy demonstrated a dramatic improvement of public health in the short period.

The environmental sanitation policy, which was developed under the expensive popular participatory process has led to implementation of the participative budget process in Alagoinhas since its introduction in 2001. The conference participants managed to approve, the proposal that environmental sanitation resources should be applied according to epidemiological, sanitary and environmental criteria in order to overcome regional inequalities.

Following the recommendations of the participatory budget process, city hall implemented, with its own resources, the first stage of the sanitary sewage system of Jardim Petrolar. City hall provided the work force, and SAAE provided the material and took over the social work. Currently 24,349 meters of condominium network and 7,217 meters of basic network have been completed, which attend to the needs of 6,418 residents. The continuity of the project

has been guaranteed through an agreement with the federal government.

The sewage system of the Fonte dos Padres neighbourhood was constructed in 2003. It is composed of 3,397 meters of condominium network, 1,431 meters of basic network and a treatment plant. In 2002, a responsibility of sanitation services was transferred to SAAE (decree 1,619 was amended), SAAE was able to establish tariffs for the sanitary sewer collection service, corresponding to 40% of the water tariff.

The installation of the condominium network was carried out through a participative and sanitary education process. The simplicity of the network and the robustness of the treatment units resulted in a low demand for maintenance. For the operation of the systems, the sewer networks and links section was created in SAAE.

Apart from the implanted systems, from 2001 onwards, SAAE engaged in the development of basic sanitary sewage projects. There are already nine systems planned to connect 66,152 residents which represents 57.6% of the city's population.

From 2001 onwards, SAAE, seeking to implement a process of transparency regarding financial resources, started including their financial statement, including revenues and expenses, in each client's bill.

11. *What follow-up has been put in place? Are people informed about the outcome of processes? Are they informed about whether and how their proposals have been taken into account?*

No clear indication is found in the study.

12. *Would you describe the participatory processes as successful? If the specific process referred to above has been completed, please comment on what accounts for its success or failure. Has the process been evaluated? What lessons does it offer for future processes?*

The lessons according to professor Luiz Roberto Santos Moraes, from the department of environmental engineering at UFBA, coordinated the development of the municipal environmental sanitation plan of Alagoinhas:

"Municipalities and the population should demand more from the public university, summoning higher education institutions in order to work on the development and dissemination of knowledge in a quest to contribute towards improvements in the quality of life."

"Conferences are effective forms of mobilisation, they allow the creation of alliances in society through resistance against the neoliberal model of service management, the support of democratic policies on health, sanitation and environment and the construction of citizenship,"

Mayor Joseildo Ribeiro Ramos reaffirmed in the conference document "...When we have the chance to bring together sectors of public administration that have historically acted in a segregated fashion in order to recognise and move processes forward, while respecting their complexity and interaction, then certainly we will find the way". As well as discussing the problems facing the municipality, the forum outlined the proposals in order to resolve them. The population expressed their desire to be protagonists in the expansion of public policies.