

Questionnaire

The Special Rapporteur's thematic report to the 45th session of the Human Rights Council, to be presented in September 2020, will focus on the progressive realization of the human rights to safe drinking water and sanitation. For general guidance, the Special Rapporteur provides a brief introduction of the main concepts of the report and requests responses to questions relating to those concepts.

Minimum core obligations

All human rights are fundamental and each right gives rise to inviolable entitlement. The inviolable element of a right is the intangible baseline or a basic minimum for the action of all governments that must be guaranteed for all persons in all contexts.¹ They are the most basic, lowest levels that all people should be afforded in all circumstances.² It indicates a minimum below which no government should perform, even in unfavorable conditions or against any compelling interests. In simple terms, the minimum core content of each right can be compared to a 'floor' below which the conditions should not be permitted to fall or a 'house' of various entitlements within rights in a feasible structure.

Each human rights within the International Covenant on Economic, Social and Cultural Rights (ICESCR) have been determined to contain a set of 'minimum core obligations' which states are obliged to meet immediately, and maintain at all times.³

In the context of the human right to water, in its General Comment no. 15, the Committee on Economic, Social and Cultural Rights (CESCR) has stipulated eight minimum core obligations, namely:

- “(a) To ensure access to the minimum essential amount of water, that is sufficient and safe for personal and domestic uses to prevent disease;
- (b) To ensure the right of access to water and water facilities and services on a non-discriminatory basis, especially for disadvantaged or marginalized groups;
- (c) To ensure physical access to water facilities or services that provide sufficient, safe and regular water; that have a sufficient number of water outlets to avoid prohibitive waiting times; and that are at a reasonable distance from the household;
- (d) To ensure personal security is not threatened when having to physically access to water;
- (e) To ensure equitable distribution of all available water facilities and services;
- (f) To adopt and implement a **national water strategy and plan** of action addressing the whole population; the strategy and plan of action should be

¹ Committee on Economic Social and Cultural Rights, General Comment No. 3: The nature of State Parties' Obligation (Article 2, Para 1), para. 10.

² Ibid.

³ Ibid.

devised, and periodically reviewed, on the basis of a participatory and transparent process; it should include methods, such as right to water indicators and benchmarks, by which progress can be closely monitored; the process by which the strategy and plan of action are devised, as well as their content, shall give particular attention to all disadvantaged or marginalized groups;

(g) To monitor the extent of the realization, or the non-realization, of the right to water;

(h) To adopt relatively low-cost targeted water programmes to protect vulnerable and marginalized groups;

(i) To take measures to prevent, treat and control diseases linked to water, in particular ensuring access to adequate sanitation.”⁴

Question 1. How is the concept of the minimum core obligations of the human rights to water and sanitation translated and applied in the water and sanitation sector in the country?

The minimum core obligations are fully fulfilled and far exceeded in the state of Qatar in terms of water and sanitation.

As far as water is concerned, the whole country is receiving its supply from water network with high quality potable water, 24/7 water supply and with sufficient pressure at the receiving end of the customer side. Only about 0.13% receives water through water tanker and most of these customers are those undergoing construction requiring to receive initial water through tanker and some are located in far isolated areas of the country.

Question 2. What policies and programmes are in place to ensure that those obligations are always met? In case the minimum core obligations are not met, please provide information on the extenuating circumstances.

All the state is actively working on its current national water strategy and plans among the fundamentals of Qatar vision 2030.

Water Sector policy in compliance with Qatar Vision 2030 ensures the following:

- Continuity of supply (24-hour a day);
- Pressure (Min. 15-meter) at farthest & highest point of customer side;
- Highest water standards of potable water;
- 10% water reserve margin at water production;
- 1 day Minimum water storage strategy on demand at Water Producer side;
- 5 to 6 days water storage strategy on demand at Kahramaa side;
- Policy requiring Customer side to build 2-day water storage on demand.
- 100% system redundancies along Water Transmission, Reservoir and Pumping Station, and along the Water Distribution Mains
- Water Security for Future Generation (ASR, wellfield rehabilitation, etc)

⁴ Committee on Economic, Social and Cultural Rights, General Comment No. 15: The Right to Water (Arts. 11 and 12 of the Covenant), E/C.12/2002/11, para. 37.

Progressive realization

The fulfilment of economic, social and cultural rights depends upon the availability and use of resources and might imply long-term implementation period. The principle of progressive realization can be understood as guidance for State parties to fulfil their duties to take steps to realize the human rights to water and sanitation.

Article 2(1) of the ICESCR articulates what is generally referred to as the obligation of progressive realization, clarifying that “Each State Party to the present Covenant undertakes to take steps [...] to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant.” In terms of its application, CESCR notes that “while the full realization of the relevant rights may be achieved progressively, steps towards that goal must be taken within a *reasonably short time* after the Covenant’s entry into force for the States concerned. Such steps should be deliberate, concrete and targeted as clearly as possible towards meeting the obligations recognized in the Covenant.”⁵

In the context of water and sanitation, the principle of progressive realization asks how the country has progressed in terms of its provision of water and sanitation services and what plans are in place, which envisions the expansion of those services while being compliant with the human rights to water and sanitation. This calls for a clear identification of the requirements to achieve equal access to an adequate level of those services for all people without discrimination. Progressive realization of the human rights to water and sanitation is not only about increasing the coverage and levels of services, but it also entails decreasing inequalities between different groups and populations.

Question 3. Please describe efforts made by the Government in the last few years that allowed the progressive realization of the human rights to water and sanitation.

Drinking water network and access is covering 100% of the state while sanitation is almost complete in the capital and main cities.

As stated in Question 1, above, the State of Qatar has provided without discriminatory program. The entire population is receiving its supply from water piped network with high quality potable water, 24/7 water supply and with sufficient pressure at the receiving end of the customer side. Only about 0.13% receives water through water tanker and most of these customers are those undergoing construction of their infrastructures and some located in far isolated areas of the country. The government sees to it that during Planning stage of the state urban planners (MME) all utilities are involve and the water sector is very much involved. This is the reason why the country has been maintaining such high water networked supply at 99.87% as of Feb-2020. Aside from this, the water

⁵ Committee on Economic Social and Cultural Rights, General Comment No. 3: The nature of State Parties’ Obligation (Article 2, Para 1), para. 10.

sector has invested huge amount on the security of supply that would cover for the next generation of its citizens.

Question 4. Please describe how planning in the water and sanitation sector is guided by the principle of progressive realization of the human rights to water and sanitation, and how it reconciles the two priorities - increasing levels of access to services on one hand, and reducing inequalities between different groups on the other.

The government of the State of Qatar has a very high degree of importance for providing safe and efficient supply of drinking water to the people regardless of hierarchy in society, religion, or race. Achieving 100% coverage of water for the entire population with 99.87% pipe network supplied at 24-hour continuous supply, sufficient pressure and having surpassed even the high standard of WHO drinking water standards is already a successful achievement through the years. All this water utility infrastructure were built without any single discriminatory factors involved.

Maximum of available resources

The dependency of the availability of resources for enjoyment of economic, social and cultural rights means that for individuals to fully enjoy those rights, the maximum available resources should be utilised to the extent possible. The concept of ‘maximum of available resources’ refers to the utmost effort that should be given to fully realize economic, social and cultural rights.

In undertaking to meet its obligations to respect, protect, and fulfil the rights contained within the ICESCR, a State party to the Covenant must utilise the ‘maximum of its available resources’. The maximum available resources can include many different types of resources, including financial, human and technical resources required to progressively realize the human rights to water and sanitation. Even when resources are limited, States must make all efforts to improve its budget execution, spending all the allocated funding timely and effectively.

In the context of water and sanitation, using maximum of available resources is an important element, as achieving universal coverage of human rights-compliant water and sanitation services is likely to be a resource-intensive exercise.

Question 5. Please describe methods of budgeting and budgetary planning which aims to ensure that the maximum available resources are utilised for the realization of the human rights to water and sanitation for all. Please include the process of allocating budget as well as the output achieved by the utilisation of the budget.

Through the years, the water sector of the State of Qatar has ensured obligation to achieve progressively the full realization of rights of every individual to access clean and high-quality service of water through continuously improve conditions of its utility infrastructures.

The Water Sector follow a five-year Business Plan and forecast methods of budgeting and planning which is as follows:

1. The methods of budgeting for water sector is derived mainly through the flow of water from headworks to distribution system of infrastructure, as follows:
 - a. Water Production (IPWP side)
 - b. Water Transmission Lines
 - c. Primary Reservoir & Pumping Stations
 - d. Secondary Reservoir & Pumping Stations including TFS
 - e. Water Distribution Network
 - f. Service Connections and Metering
2. Budget is divided into several categories of Budgetary Planning:
 - a. Distribution Network Extension, Diversion and Improvements
 - b. Distribution Network Replacements & Upgrading
 - c. Service Connections & Metering Installation
 - d. Transmission Network Extension, Replacement & Upgrading
 - e. New Construction of RPS and TFS
 - f. Refurbishment/Upgrading of RPS & TFS
 - g. Water Security & Storage Reserve Infrastructures
 - h. Water Production Negotiation with IPWP
3. All of the above list are appropriately Planned & Budgeted together with other core and non-core budget items in Kahramaa through yearly update of 5-Year Business Planning Cycle wherein all vision, goals, objectives and other commitments which include human rights concerns, sustainability, environmental and social are tackled.
4. It is then submitted to the Ministry level for consolidation and Budget allocation for all other State Utilities and government agencies.

Question 6. Please describe how non-financial resources have been utilized to progressively realize the human rights to water and sanitation including the process of utilization and the output.

KM has a dedicated department called TARSHEED to promote public awareness on water conservation and sanitation. A number of policies have introduced to promote water utilization and conservation.

Regarding sanitization, KAHRAMAA, policy and strategy dictate that water quality should not only be safe to drink but also to be reliable and sustainable and of high aesthetic quality. Accordingly, KAHRAMAA developed its own Drinking Water Quality Requirements & Conditions, providing an authoritative reference to the water supply industry on what defines safe, good aesthetic quality water and how it can be achieved, controlled and be assured. The requirements are part of a framework for good management of drinking water supplies from source until customer tap. The requirements address both the health and aesthetic aspects of supplying good drinking water quality. KAHRAMAA continuously update its water quality requirements and conditions for better management of drinking water quality in Qatar.

Question 7. In case where trade-offs with resources usage on other national agenda and implementation of other rights were required, please provide the circumstances and the decision taken as well as reasoning behind the decision.

Currently there are no planned trade-offs with resource usage.