

**Independent Expert on the issue of human rights obligations
related to access to safe drinking water and sanitation**

**‘GOOD PRACTICES’ RELATED TO ACCESS TO
SAFE DRINKING WATER AND SANITATION**



Questionnaire

Contribution from the Rural Village Water Resources Management Project
(RVWRMP)

Nepal - Finland cooperation

<http://www.rvwmp.org.np>

Answers to the questionnaire pp. 4-6

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Introduction

The Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Ms. Catarina de Albuquerque, has been mandated by the Human Rights Council in 2008 to:

- Further clarify the content of human rights obligations related to access to safe drinking water and sanitation;
- Make recommendations that could help the realization of the Millennium Development Goals (MDG), and particularly of the Goal 7;
- Prepare a compendium of good practices related to access to safe drinking water and sanitation.

While the work of human rights bodies has often focused on the violations of human rights, the Independent Expert welcomes the opportunity to identify good practices that address the question of how human rights obligations related to sanitation and water can be implemented.

Methodology of the Good Practices consultation process

In a first step, the Independent Expert undertook to determine criteria for identifying ‘good practices’. As ‘good’ is a subjective notion, it seemed critical to first elaborate criteria against which to judge a practice from a human rights perspective, and then apply the same criteria to all practices under consideration. Such criteria for the identification of good practices were discussed with various stakeholders at a workshop convened by the Independent Expert in Lisbon in October 2009. The outcome was the definition of 10 criteria, 5 of which are normative criteria (*availability, accessibility, quality/safety, affordability, acceptability*), and 5 are cross-cutting ones (*non-discrimination, participation, accountability, impact, sustainability*). The Independent Expert and the stakeholders started testing the criteria, but believe that the process of criteria testing is an ongoing one: the criteria should prove their relevance as stakeholders suggest examples of good practices.

After this consultation and the consolidation of the criteria, the Independent Expert wants to use these to identify good practices across all levels and sectors of society. To that end, she will organize stakeholder consultations with governments, civil society organisations, national human rights institutions, development cooperation agencies, the private sector, UN agencies, and perhaps others. By bringing people from the same sector together to talk about good practices related to human rights, water and sanitation, she hopes to facilitate exchange of these good practices. In order to prepare the consultations through the identification of potential good practices, the present questionnaire has been elaborated. The consultations will be held in 2010 and 2011. Based on the answers to this questionnaire, and the stakeholder consultations, the Independent Expert will prepare a report on good practices, to be presented to the Human Rights Council in 2011.

The Good Practices Questionnaire

The questionnaire is structured following the normative and cross-cutting criteria, mentioned above; hence the Independent Expert is looking for good practices in the fields of sanitation and water **from a human rights perspective**. Therefore, the proposed practices do not only have to be judged ‘good’ in light of at least one normative criterion depending on their relevance to the practice in question (*availability, accessibility, quality/safety, affordability, acceptability*), but also in view of all the cross-cutting criteria (*non-discrimination,*

participation, accountability, impact, sustainability). At a minimum, the practice should not undermine or contradict any of the criteria.

Explanatory note: Criteria

Criteria 1-5: Normative criteria (availability, accessibility, quality/safety, affordability, acceptability). All these criteria have to be met for the full realization of the human rights to sanitation and water, but a good practice can be a specific measure focussing on one of the normative criterion, and not necessarily a comprehensive approach aiming at the full realization of the human rights. Hence, not all the criteria are always important for a given practice. E.g., a pro-poor tariff structure can be judged very good in terms of the affordability criterion, whilst the quality-criterion would be less relevant in the context of determining whether that measure should be considered a good practice.

Criteria 6-10: Cross-cutting criteria (non-discrimination, participation, accountability, impact, sustainability). In order to be a good practice from a human rights perspective, all of these five criteria have to be met to some degree, and at the very least, the practice must not undermine or contradict these criteria. E.g., a substantial effort to extend access to water to an entire population, but which perpetuates prohibited forms of discrimination by providing separate taps for the majority population and for a marginalized or excluded group, could not be considered a good practice from a human rights perspective.

Actors

In order to compile the most critical and interesting examples of good practices in the field of sanitation and water from a human rights perspective, the Independent Expert would like to take into consideration practices carried out by a **wide field of actors**, such as *States, regional and municipal authorities, public and private providers, regulators, civil society organisations, the private sector, national human rights institutions, bilateral development agencies, and international organisations.*

Practices

The Independent Expert has a broad understanding of the term “practice”, encompassing both policy and implementation: Good practice can thus cover **diverse practices** as, e.g., *legislation (international, regional, national and sub-national), policies, objectives, strategies, institutional frameworks, projects, programmes, campaigns, planning and coordination procedures, forms of cooperation, subsidies, financing mechanisms, tariff structures, regulation, operators’ contracts, etc.* Any activity that enhances people’s enjoyment of human rights in the fields of sanitation and water or understanding of the rights and obligations (without compromising the basic human rights principles) can be considered a good practice.

The Independent Expert is interested to learn about practices which advance the realization of human rights as they relate to safe drinking water and sanitation. She has explicitly decided to focus on “good” practices rather than “best” practices, in order to appreciate the fact that ensuring full enjoyment of human rights can be a process of taking steps, always in a positive direction. The practices submitted in response to this questionnaire may not yet have reached their ideal goal of universal access to safe, affordable and acceptable sanitation and drinking water, but sharing the steps in the process towards various aspects of that goal is an important contribution to the Independent Expert’s work.

Please describe a good practice **from a human rights perspective** that you know well in the field of

- drinking water; and/or
- sanitation

Please relate the described practice to the ten defined criteria. An explanatory note is provided for each of the criteria.

Description of the practice:

Name of the practice: Two intervened practices: **Gender Equality and Social Inclusion (GESI) Strategy** and **Step-By-Step guideline** for the Rural Village Water Resources Management Project, RVWRMP, Nepal (see Annex 1 GESI LogFrame and Annex 2 Step-By-Step flow chart in this file; full documents are available at <http://www.rvwrmp.org.np>)

Aim of the practice: **GESI Strategy** aims to ensure that RVWRMP and its stakeholders adopt practices that lead to increased and equitable access to opportunities, resources and meaningful participation in decision making particularly for women, the poor and socially excluded. **Step-By-Step** guides the Water Users Committees, District Development Committees, support organizations and other district and community level stakeholders and project staff through the project cycle at the scheme level. Both aim to ensure equitable participation in decision making process which should ultimately increase capacity and the sense of ownership for future sustainability.

Target group(s): All stakeholders within the working regions, including the communities, support organizations (NGOs, CBOs), district and village level local governments and line agencies, project staff and consultants. GESI Strategy operates at several levels whilst Step-By-Step targets the scheme level project cycle (and related stakeholders directly involved in planning and implementation)

Partners involved: GESI Strategy is mainstreamed in all project activities and at all levels, and as such, all who are involved in RVWRMP are automatically involved with it. As mentioned above, Step-By-Step operates at the scheme level, yet, it involves also the district level stakeholders.

Duration of practice: Throughout RVWRMP Phase 1 (2006-2010). RVWRMP promotes sustainability of the adopted practices especially at the community level where staff/'people' turn over is not so high as at the district level. See more under #10 Sustainability.

Financing (short/medium/long term): Short/medium term, RVWRMP Phase 1 total EUR 15.8 million. If the following phases will carry on these practices, this is medium/long term financing (10+ years, depending on how many phases will follow)

Brief outline of the practice: Both GESI Strategy and Step-By-Step are built in foundations established in Rural Water Supply and Sanitation Support Programme (RWSSSP) earlier in Western region of Nepal. RVWRMP has applied both GESI and Step-by-Step into the context of the Mid and Far Western Regions. The earlier RWSSSP Gender Strategy was broadened into more comprehensive GESI Strategy promoting awareness and common understanding of both gender and social inclusion issues. GESI Strategy works in four thematic areas to promote and support the socio-economic empowerment of women and disadvantaged groups (DAGs). GESI Strategy aims to

- 1) ensure that project interventions are gender, caste/ethnicity and pro-poor responsive;
- 2) develop skilled and diversified (balanced) staffing and participation in capacity building activities;
- 3) promote income generation and livelihood opportunities, encouraging especially women and DAGs to get involved; and
- 4) advocate for social change at all levels (GESI awareness/sensitization; with specific attention to highly discriminatory practices such as isolation of women during menstruation).

These four areas are addressed through a number of specific interventions that are applied at every step of the Step-By-Step and related monitoring, evaluation and reporting practices. GESI logframe supports the original Project Document logframe, and GESI specific indicators were added into all scheme monitoring steps (as in Step-By-Step). At the scheme level participatory monitoring GESI indicators should ensure that GESI issues remain systematically and actively in the agenda.

1. How does the practice meet the criterion of availability?

Explanatory note: Availability

Availability refers to sufficient quantities, reliability and the continuity of supply. Water must be continuously available in a sufficient quantity for meeting personal and domestic requirements of drinking and personal hygiene as well as further personal and domestic uses such as cooking and food preparation, dish and laundry washing and cleaning. Individual requirements for water consumption vary, for instance due to level of activity, personal and health conditions or climatic and geographic conditions. There must also exist sufficient number of sanitation facilities (with associated services) within, or in the immediate vicinity, of each household, health or educational institution, public institution and place, and the workplace. There must be a sufficient number of sanitation facilities to ensure that waiting times are not unreasonably long.

Answer:

RVWRMP is bi-lateral rural water project supported by the governments of Nepal and Finland. RVWRMP objective is to improve: 1) the quality of life of local people; 2) environmental conditions; and 3) rural livelihoods opportunities through equitable and sustainable integrated water resource planning and use. By May 2010 this project has improved availability of improved sanitation to over 61,000 and water supply to nearly 69,000 people, with about 100 schemes under implementation and subject to completion by the end of Phase 1 in August 2010. RVWRMP water quality testing, Water Safety Plans and finally the post-construction phase all address quality and sustainable availability of water services to all. The related GESI indicators include "number of DAGs with access to piped water supply and sanitation facilities" with a number of other indicators to follow during the participatory planning and implementation of the schemes following the Step-by-Step.

2. How does the practice meet the criterion of accessibility?

Explanatory note: Accessibility

Sanitation and water facilities must be physically accessible for everyone within, or in the immediate vicinity, of each household, health or educational institution, public institution and the workplace. The distance to the water source has been found to have a strong impact on the quantity of water collected. The amount of water collected will vary depending on the terrain, the capacity of the person collecting the water (children, older people, and persons with disabilities may take longer), and other factors. There must be a sufficient number of sanitation and water facilities with associated services to ensure that collection and waiting times are not unreasonably long. Physical accessibility to sanitation facilities must be reliable at day and night, ideally within the home, including for people with special needs. The location of public sanitation and water facilities must ensure minimal risks to the physical security of users.

Answer:

Similarly to #1 Availability, both Step-by-Step and GESI Strategy are applied from the very beginning to ensure that the facilities will be both available and accessible to all. Step-By-Step puts the Water Users Committees in the key role in all scheme-related planning, implementation and following operation and maintenance (O&M). Supported by the GESI Strategy the Step-By-Step approach promotes balanced and equal participation in decision making and in the membership in the Water Users Committees, as well as in related capacity building activities. GESI strategy should ensure that the voices of women and DAGs will be heard at all stages, including the planning phase when the layout of the scheme is being prepared and the locations of such as tap stands is decided. A mass meeting (with minimum 50% female participants) decide the size and type of tap stands as per their requirement. Hence, it is expected that as the communities will decide and plan themselves, GESI Strategy ensuring equal participation, the facilities would be equally accessible to all. Yet, since local elites can be very dominant, this requires strong and skillful external monitoring and facilitation skills.

With regards to sanitation, each household will have to decide themselves the location of the toilet and other sanitation and hygiene related facilities. Therefore accessibility of sanitation facilities are determined by each household or school itself. Availability of land may be the limiting factor, usually bringing the facility closer rather than further.

3. How does the practice meet the criterion of affordability?

Explanatory note: Affordability

Access to sanitation and water facilities and services must be accessible at a price that is affordable for all people. Paying for services, including construction, cleaning, emptying and maintenance of facilities, as well as treatment and disposal of faecal matter, must not limit people's capacity to acquire other basic goods and services, including food, housing, health and education guaranteed by other human rights. Accordingly, affordability can be estimated by considering the financial means that have to be reserved for the fulfilment of other basic needs and purposes and the means that are available to pay for water and sanitation services.

Charges for services can vary according to type of connection and household income as long as they are affordable. Only for those who are genuinely unable to pay for sanitation and water through their own means, the State is obliged to ensure the provision of services free of charge (e.g. through social tariffs or cross-subsidies). When water disconnections due to inability to pay are carried out, it must be ensured that individuals still have at least access to minimum essential levels of water. Likewise, when water-borne sanitation is used, water disconnections must not result in denying access to sanitation.

Answer: Similarly to #1 Availability and #2 Accessibility above, Step-by-Step and GESI Strategy together aim to ensure that the technology options and overall scale of the scheme is appropriate, manageable and affordable also in the future by keeping the community and its democratically elected representative, the Water Users Committee, in the key decision making role. Similarly to #1 and #2 above, in Mid and Far Western context this needs strong monitoring and facilitation skills from the project and support organizations to make it clear immediately in the Preparatory Phase what the various options are and what they will take in cash, kind and time. Since sustainability is not to be taken for granted, the Step-By-Step has post-construction phase to address income generation and sustainable livelihoods. This again backed up by the GESI Strategy aims to increase equitable opportunities to improved well being, the GESI Strategy drawing the attention to the poor, female headed households and DAGs for income generation activities. This should ensure that all households could contribute something for the sustainable operation and maintenance of their water supply systems and other facilities. GESI Strategy also states that "*O&M activities should include assessment of poorest households' ability to pay*". Other related indicators include "*Revolving Fund Management Committee will be established with representation of at least one woman (from WRMC) and a DAG member*"; "*Priority for lending given to COs with members from poorest households, members of DAG and women COs*"; "*Priority for income generation/sustainable livelihoods training opportunities given to women, the poorest households and individuals from DAG groups*". Participatory poverty ranking is utilized in sanitation schemes to determine the level of subsidy for each households.

4. How does the practice meet the criterion of quality/safety?

Explanatory note: Quality/Safety

Sanitation facilities must be hygienically safe to use, which means that they must effectively prevent human, animal and insect contact with human excreta. They must also be technically safe and take into account the safety needs of peoples with disabilities, as well as of children. Sanitation facilities must further ensure access to safe water and soap for hand-washing. They must allow for anal and genital cleansing as well as menstrual hygiene, and provide mechanisms for the hygienic disposal of sanitary towels, tampons and other menstrual products. Regular maintenance and cleaning (such as emptying of pits or other places that collect human excreta) are essential for ensuring the sustainability of sanitation facilities and continued access. Manual emptying of pit latrines is considered to be unsafe and should be avoided.

Water must be of such a quality that it does not pose a threat to human health. Transmission of water-borne diseases via contaminated water must be avoided.

Answer:

Similarly to #1 Availability, #2 Accessibility and #3 Availability above, Step-By-Step with the GESI Strategy aim to empower and aware the communities, with Water Users Committees in the central role, to make appropriate and sustainable choices. Quality and safety are not only about technical choices but also about awareness and hygiene behaviour. Hence, quality and safety are addressed through the various training, awareness and promotion activities as shown in Step-By-Step. These include water quality testing and Water Safety Plans together with continued sanitation and hygiene promotion. With regards to sanitation, Step-By-Step guides through the sanitation stand-alone schemes as well. RVWRMP promotes mainly Sulabh-type twin pit water seal latrines although due to water scarcity there is a need to identify culturally acceptable and safe dry options as well.

5. How does the practice meet the criterion of acceptability?

Explanatory note: Acceptability

Water and sanitation facilities and services must be culturally and socially acceptable. Depending on the culture, acceptability can often require privacy, as well as separate facilities for women and men in public places, and for girls and boys in schools. Facilities will need to accommodate common hygiene practices in specific cultures, such as for anal and genital cleansing. And women's toilets need to accommodate menstruation needs.

In regard to water, apart from safety, water should also be of an acceptable colour, odour and taste. These features indirectly link to water safety as they encourage the consumption from safe sources instead of sources that might provide water that is of a more acceptable taste or colour, but of unsafe quality.

Answer: Similarly to other normative criteria above both Step-by-Step and GESI Strategy are applied from the very beginning of the Preparatory Phase to ensure that the facilities will be available, accessible, affordable and acceptable to all. By putting the Water Users Committees (or school's management committee) in the key role in all scheme-related planning, implementation and later in operation and maintenance (O&M) should result in acceptable choices, facilities and practices selected by the communities themselves. Yet, again, similarly to the other normative criteria, also this aspect needs strong monitoring and facilitation skills from the project and the support organizations to ensure that in the midst of diverse socio-cultural environment the choices indeed are acceptable to the community at large, not only for the more powerful elite (which, albeit also poor in these regions, do always exist). The traditions, beliefs and practices in Mid and Far Western Nepal are based on Hindu tradition, yet, in this region have their own unique manifestations and interpretations, some of which appear to be crossly against human rights from the external observers' point of view. These relate to touchability-untouchability, and a range of related social and gender-based discriminatory practices. These are very sensitive local issues, and as such, very challenging to challenge. GESI Strategy helps to keep the issues in agenda, and certain targeted practices have already shown some promising results with regards to gender-based discrimination during menstruation. See # 6 Discrimination and # Lessons learned below.

6. How does the practice ensure non-discrimination?

Explanatory note: Non-discrimination

Non-discrimination is central to human rights. Discrimination on prohibited grounds including race, colour, sex, age, language, religion, political or other opinion, national or social origin, property, birth, physical or mental disability, health status or any other civil, political, social or other status must be avoided, both in law and in practice.

In order to address existing discrimination, positive targeted measures may have to be adopted. In this regard, human rights require a focus on the most marginalized and vulnerable to exclusion and discrimination. Individuals and groups that have been identified as potentially vulnerable or marginalized include: women, children, inhabitants of (remote) rural and deprived urban areas as well as other people living in poverty, refugees and IDPs, minority groups, indigenous groups, nomadic and traveller communities, elderly people, persons living with disabilities, persons living with HIV/AIDS or affected by other health conditions, people living in water scarce-regions and sanitation workers amongst others.

Answer: Step-By-Step and GESI Strategy were *explicitly developed to address discrimination and equal participation*: both aim to ensure active, free, meaningful and equitable participation (see below #7 Participation) and inclusion. RVWRMP GESI study identified a number of discriminatory practices in Mid and Far Western Regions, some of these rather unique to the region. GESI Strategy added detailed indicators to follow up its targets, the indicators for positive targeted measures including such as "*Priority for income generation/sustainable livelihoods training opportunities given to women, the poorest households and individuals from DAG groups*" and "*Women and DAGs will be given priority when selecting candidates for skilled training opportunities, incl. Village Maintenance Workers, Local Latrine Builders, and rainwater harvesting masons*", among others. Since the training reports indicated that this approach did not always work but the communities kept sending males from advantaged groups regardless of what was suggested in the invitations, RVWRMP added specific training events and other meetings with very clear cut criteria for the participants: those who did not comply with the criteria were simply sent back. RVWRMP has also addressed specific discriminatory practices as identified in the GESI study, such as isolation and highly discriminatory, dangerous and demeaning dealing with the menstruating women. As indicated earlier GESI indicators in the regular monitoring practice following the Step-By-Step also means that discrimination issues remain in the active agenda and get frequently addressed, sometimes indirectly when there is a need to address social conflict within the community. RVWRMP working area (VDC) selection criteria is to select remotest of the remote VDCs where none of such water resources development programs implemented before. See # Lessons learned below.

7. How does the practice ensure active, free and meaningful participation?

Explanatory note: Participation

Processes related to planning, design, construction, maintenance and monitoring of sanitation and water services should be participatory. This requires a genuine opportunity to freely express demands and concerns and influence decisions. Also, it is crucial to include representatives of all concerned individuals, groups and communities in participatory processes.

To allow for participation in that sense, transparency and access to information is essential. To reach people and actually provide accessible information, multiple channels of information have to be used. Moreover, capacity development and training may be required – because only when existing legislation and policies are understood, can they be utilised, challenged or transformed.

Answer: As noted above in #6. Discrimination, Step-By-Step and GESI Strategy were *explicitly developed to address active, free, meaningful and equitable participation*. They both consist of clearly defined steps and activities with related indicators to ensure that active, free, meaningful and equitable participation is actually taking place. The release of the next financial installment cannot be done without the monitoring steps as shown in Step-By-Step, hence, if the scheme is to be completed, there are no short cuts here. The scheme monitoring visit has to be done, the meetings and public hearings/auditing will have to be held, and at the same time the questions related to participation and GESI will be raised. As with the other criteria above, also this needs attention and skills from the monitoring team. The Implementation Guideline for the Step-By-Step stipulates also an optimal monitoring team to ensure balance between technical and social skills amongst the monitoring team but in practice it is not always possible to mobilize all.

For transparency and access to information, see below #8 Accountability.

8. How does the practice ensure accountability?

Explanatory note: Accountability

The realization of human rights requires responsive and accountable institutions, a clear designation of responsibilities and coordination between different entities involved. As for the participation of rights-holders, capacity development and training is essential for institutions. Furthermore, while the State has the primary obligation to guarantee human rights, the numerous other actors in the water and sanitation sector also should have accountability mechanisms. In addition to participation and access to information mentioned above, communities should be able to participate in monitoring and evaluation as part of ensuring accountability.

In cases of violations – be it by States or non-State actors –, States have to provide accessible and effective judicial or other appropriate remedies at both national and international levels. Victims of violations should be entitled to adequate reparation, including restitution, compensation, satisfaction and/or guarantees of non-repetition.

Human rights also serve as a valuable advocacy tool in using more informal accountability mechanisms, be it lobbying, advocacy, public campaigns and political mobilization, also by using the press and other media.

Answer: As indicated earlier, according to Step-By-Step the Water Users Committee has the key role to play all way through the scheme planning, implementation and later in its operation and maintenance. RVWRMP approach is unique compared to many other water projects in the country by trusting also the scheme investment budget to the Water Users Committees, the districts releasing the investment fund to the Water Users' Committees own bank account (in many other projects this account is shared). Water Users Committee is directly in charge of the procurement of materials, logistics, store and book keeping, and in keeping the other water users aware what is the status of the scheme and its finances. Public audits have been successfully introduced as the main tool for both financial transparency and overall accountability to the public. RVWRMP considers all this essential as a process of community's empowerment and capacity building for future sustainability. However, in Mid and Far Western context this is not easy to do in practice due to very low educational level in the remote poor villages and the fact that many RVWRMP supported villages have not done anything vaguely similar ever before.

Step-By-Step includes public audits, public hearings and mass meetings to make the Water Users Committee accountable to other community members and to make the scheme-related budgets transparent. Public audit simply means that the Water Users Committee explains the budget and actual expenditure to the public, and only after this step the next installation can be released to the Water Users Committee's account. These Public Audits have been highly appreciated and usually have very high participation with at least one representative from each beneficiary household.

9. What is the impact of the practice?

Explanatory note: Impact

Good practices – e.g. laws, policies, programmes, campaigns and/or subsidies - should demonstrate a positive and tangible impact. It is therefore relevant to examine the degree to which practices result in better enjoyment of human rights, empowerment of rights-holders and accountability of duty bearers. This criterion aims at capturing the impact of practices and the progress achieved in the fulfilment of human rights obligations related to sanitation and water.

Answer: The GESI study was completed in 2008, followed by the GESI Strategy: essentially the practice is fairly new. Hence, it is still early to systematically identify impacts even if anecdotal evidence documented by the various monitoring teams does describe positive changes in this regard, especially with regards to women's participation. The same applies to Step-By-Step. Yet, based on our previous experience in other region in Nepal, Step-By-Step was found very effective, resulting in sustainable Water Users Committees and facilities: still after ten years we can visit many Water Users Committees in *that* region and witness functional water systems.

Some immediate impacts are already evident in RVWRMP: there is a high willingness to contribute by the communities (see #3 *Affordability*), women show more confidence in the public meetings and participate; and especially the public audits and hearings have empowered the communities to question and request financial and other information from the other projects in their villages, and overall to take more active role in the development of their communities.

With regards to participation, it is still evident that there are less women and DAGs present in the meetings or as active members in Water Users Committees. Yet, constant reminding, sensitization and repetition is starting to have positive impacts, especially with regards to women's participation and confidence to speak out. The DAG participation in reality will still need attention and may need some additional steps, other tool or approaches. See related also below under # *Lessons learned, Final Remarks*"

Communities have now started to demand other programmes and projects active in their villages to have public audits and public hearings. Political interference and water sources disputes are now minimized due to intervention of participatory approach.

10. Is the practice sustainable?

Explanatory note: Sustainability

The human rights obligations related to water and sanitation have to be met in a sustainable manner. This means good practices have to be economically, environmentally and socially sustainable. The achieved impact must be continuous and long-lasting. For instance, accessibility has to be ensured on a continuous basis by adequate maintenance of facilities. Likewise, financing has to be sustainable. In particular, when third parties such as NGOs or development agencies provide funding for initial investments, ongoing financing needs for operation and maintenance have to be met for instance by communities or local governments. Furthermore, it is important to take into account the impact of interventions on the enjoyment of other human rights. Moreover, water quality and availability have to be ensured in a sustainable manner by avoiding water contamination and over-abstraction of water resources. Adaptability may be key to ensure that policies, legislation and implementation withstand the impacts of climate change and changing water availability.

Answer: At the district level many people, especially the government officers, tend to change frequently and consequently sustainability of many practices and approaches can be questionable. Since the past eight years the elected local bodies are missing. The forthcoming changes in the local governance structure in Nepal may actually abolish the districts altogether and hence, RVWRMP focuses its efforts for sustainable practices and facilities at the community level.

Step-By-Step assumes that participation and capacity building, step by step, results in sustainable Water Users Committees and practices that fulfill both normative and cross-cutting criteria as presented in this paper. *Yet, since RVWRMP started in late 2006 and started community-level action in 2007, it is still early to say whether the practices and facilities will be also sustainable, see above #9 What is the impact of the practice?*

RVWRMP GESI Strategy was built on the foundations established in an earlier project in western region in Nepal (Rural water Supply and Sanitation Support Project, RWSSSP, 1999-2004). Experience from that region suggests that focused gender policy can indeed be sustainable especially at the community level: still today visiting the earlier scheme areas we can meet with the women who were triggered into action and empowered in RWSSSP. These are women who are still active members in their Water Users Committees or/and various other community organizations. In the beginning these active women were in a fairly similar situation as their sisters in the Mid and Far Western regions today: hardly able to introduce themselves.

Final remarks, challenges, lessons learnt

Step-By-Step and GESI Strategy are essentially cross-cutting tools but appear to be very responsive to the normative criteria as well.

RVWRMP Phase 1 GESI Strategy is built on the earlier Gender Strategy developed ten years ago in Western region of Nepal, and the GESI Study made in Mid and Far Western regions in 2007/2008. These established the frame of reference for the RVWRMP working regions which are amongst the poorest and the least developed in Nepal measured by practically any human development index. Especially GESI related indicators show how gender-based and social discrimination in Nepal are worst in these two regions.

In my opinion social discrimination appears to be very sensitive and more difficult to address than gender-based discrimination. Gender is a social and cultural concept, whereas I feel that social inclusion in addition to cultural and social dimensions has also very strong political, religious and economic connotations. Somehow it is 'easier' to ensure women's participation and voice than those of disadvantaged caste groups. It looks as if many strategies and policies (by various WASH and non-WASH stakeholders in different countries) which by name include "social inclusion" still continue to focus on gender alone, or presume that social inclusion is similar to gender inclusion and consequently suggest similar approaches and tools to address both. Overall, I think that WASH sector has developed excellent practices and tools to address gender. Yet, social inclusion is yet to be seriously addressed: many tools can be shared but something has to be added to address the political and religious dimension. I think our GESI Strategy and related tools & indicators will need some serious work on inclusion aspect now that there are real life, first hand experiences on what works and what does not, considering the highly challenging socio-cultural environment in Mid and Far Western Nepal.

Community contribution to RVWRMP supported schemes has in actual figures been higher than what was expected, now up to third of the scheme related investment costs, including both cash and in kind contributions. This could indicate that RVWRMP expectations are affordable, and that there is both high willingness and ability to contribute at least in kind. We consider this as a positive indication of high preference for water infrastructure and a strong sense of ownership and hence, for future sustainability. This is critical and very important since it is most likely that these very remote, inaccessible communities will not be getting very much other external attention or support in the future; the structures must be affordable to both implement and maintain, and the Water Users Committees must be empowered to operate and maintain their facilities, also from the financial point of view. Therefore, even if the Step-By-Step and GESI Strategy take time and effort from all stakeholders, there should be no short cuts.

RVWRMP is a water resources project which in addition to water supply and sanitation is involved with community-based irrigation, micro-hydro power, improved cooking stoves and water mills, as well as a number of livelihoods and institutional capacity building activities. This broad range of activities all address poverty reduction and as such, provide ample opportunities to develop different approaches, promote good practices and trigger a range of ideas for improved well-being in these very remote villages. Human rights perspective could indeed serve as an inspiration into how to translate the policies and principles into real meaningful actions and real tangible changes.

Submissions

In order to enable the Independent Expert to consider submissions for discussion in the stakeholder consultations foreseen in 2010 and 2011, all stakeholders are encouraged to submit the answers to the questionnaire at their earliest convenience and no later than 30th of June 2010.

Questionnaires can be transmitted electronically to iewater@ohchr.org (encouraged) or be addressed to

Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation.

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Please include in your submissions the name of the organization submitting the practice, as well as contact details in case follow up information is sought.

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The Independent Expert would like to thank you for your efforts!

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ANNEX 1 GESI LOG FRAME FROM THE GESI STRATEGY

ANNEX 1 – RVWRMP GESI LOGFRAME

	Objectively Verifiable Indicators	Means of Verification	Risks/Assumptions
GOAL: Improved quality of life, environmental conditions and increased opportunities to improve rural livelihoods in the Mid- and Far West regions through rational, equitable and sustainable use of water at the village level.			
PURPOSE: To ensure RVWRMP and its stakeholders adopt practices that lead to increased and equitable access to opportunities and resources and meaningful participation in decision making particularly for women, the poor and socially excluded.	Increase in staff composition by end of the project from women and DAG groups. Number of DAGs with access to piped water supply and sanitation facilities. By the end of project, SOs and local gov't bodies have plans and allocated resources to continue GESI activities focusing on poor and excluded. Women and DAGs in decision making positions at local level project VDCs increased to 50% within project period.	<ul style="list-style-type: none"> - Staff records - Project completion reports - SO planning and budget reports - VDC planning and budget reports 	
OUTPUTS:			
Increased number of women and DAGs represented in RVWRMP, its partners and consultants.	1.1 Number of women in staff composition has an increasing trend in total and within the staff categories. 1.2 Number of staff from DAGs has an increasing trend in total and within the staff categories. 1.3 Number of staff from project working areas has an increasing trend in total and within the staff categories.	<ul style="list-style-type: none"> - Staff composition data records - Progress reports - Evaluation report 	<ul style="list-style-type: none"> - Committed funding received timely.
	1.4 SOs have at least 25% of representation by women and at least 25% of DAGs on the Executive Committee and staff. 1.5 SO teams in RVWRMP working areas have at least one female and DAG.		

Capacity of staff and project partners to promote GESI is enhanced.	<p>2.1 All RVWRMP staff and project partners receive GESI training.</p> <p>2.2 GESI training is included in WUMP process and especially for the social assessment.</p> <p>2.3 SOs, UCs and other project partners are implementing project activities in a GESI approach.</p>	<ul style="list-style-type: none"> - Progress reports. - WUMP reports. - Monitoring reports. 	<ul style="list-style-type: none"> - Sufficient resources and budget allocation received timely. - Current political situation continues to prevail. - Local agencies are supportive.
Enabling environment created for women, the poor and DAGs to capture their voice, and ensure their participation.	<p>3.1 Representation of at least 50% women on all project committees.</p> <p>3.2 At least proportionate representation from DAGs on all project committees.</p> <p>3.3 Representation of at least one woman and DAG in key positions on all project committees.</p> <p>3.4 Periodic participatory monitoring by community.</p>	<ul style="list-style-type: none"> - Inception Report from consultant. - Interim report from consultant. - Final report from consultant. - Project policies & Step-by-Step Guidelines. - User Committee minutes. - User Committee constitutions. 	<ul style="list-style-type: none"> - Current political situation continues to prevail. - Project communities are supportive.
Promote the socio-economic empowerment of women, the poor and DAGs.	<p>4.1 Access to training opportunities for women and DAGs.</p> <p>4.2 Access to paid work opportunities for women and DAGs.</p> <p>4.3 Livelihood and income generation activities are targeted especially for women, the poor and DAGs.</p> <p>4.4 Increase in income and improved living conditions (e.g. improvements in agricultural productivity, presence of income generation activities).</p>	<ul style="list-style-type: none"> - Baseline HH surveys - Socio-economic survey (preparatory phase) - Monitoring reports - New businesses established 	<ul style="list-style-type: none"> - Sufficient time and resources allocated.
Linkages are established to advocate, promote and ensure sustainability of GESI issues.	<p>4.1 Linkages and networks established between project communities and other local actors, networks, federations.</p> <p>4.2 Project VDCs reflect GESI support in their annual plans.</p> <p>4.3 Coordinate and collaborate with Women Development Office (WDO) in project VDCs.</p> <p>4.4 Coordinate and collaborate with DHO (e.g. FHCVs) in project VDCs.</p> <p>4.5 Coordinate and collaborate with local Dalit/DAG NGOs and associations in project VDCs</p>	<ul style="list-style-type: none"> - Progress reports. - Monitoring reports - VDC budgets. - VDC records. - Membership and registration in federations. - WDO reports and records. - DHO reports and records. 	<ul style="list-style-type: none"> - Sufficient time and resources allocated. - Project communities are supportive. - Local agencies are supportive.

ANNEX 2 STEP-BY-STEP FLOW CHART

