

Rights to Water and Sanitation

A Handbook for Activists



USING A HUMAN RIGHTS APPROACH FOR ADVOCACY
ON ACCESS TO WATER AND SANITATION

Foreword



In recent years much international progress has been made in the recognition of the right to water and sanitation. Since General Comment 15 was published in 2002 for instance, more countries have enshrined these rights within their domestic laws, thus providing protection for individuals lacking access to water and sanitation. In 2010, the UN General Assembly adopted a resolution recognizing the right to water and sanitation, and the Human Rights Council further specified that this right is part of the right to an adequate standard of living. The Human Rights Council resolution is significant in anchoring the right to water and sanitation in Article 11 of the International Covenant on Economic, Social and Cultural Rights, which has been ratified by most countries of the world, thus making the right to water and sanitation immediately binding.

None of these achievements could have been accomplished without the hard work and dedication of civil society organizations.

Despite all the progress that groups throughout the world have managed to achieve, the Joint Monitoring Programme, formed by UNICEF and WHO, have calculated that if current trends on sanitation continue, the world will fail to meet the Millennium Development Goal target by half a billion people. There is thus a great deal more to be done.

As the **Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation**, I rely on civil society to help identify and promote best practices related to the provision of safe drinking water and sanitation. So I welcome the publication of this handbook and hope that it will provide civil society organizations with the intrinsic tools needed to use and encourage the international framework already in place.

The human right to water and sanitation obligates governments as duty bearers. But civil society can play a fundamental role in holding their governments to account; so it should be involved in all levels. This handbook is therefore a great introduction to advocacy processes and how to influence decision makers.

A handwritten signature in blue ink that reads "Catarina de Albuquerque".

Catarina de Albuquerque

United Nations Independent Expert* on the issue of human rights obligations related to access to safe drinking water and sanitation.
September 2010

* Find out more about the mandate of the Independent Expert on page 15 of this publication

About us

Freshwater Action Network (FAN) is a major network of Civil Society Organizations (CSO) implementing and influencing water and sanitation policy and practice. Our members, from around the world, are respected for their unique skill, experience and perspective. Our strategy is shaped by a consortium of CSO networks in Latin America, Africa and Asia.

Our vision

A world where water is a respected, protected and cherished resource, for all forms of life, and universal access to water and sanitation is achieved responsibly, equitably and inclusively.

Our mission

To improve water governance by strengthening civil society's role in decision making, with the ultimate aim of making the rights to water and sanitation for all a reality for present and future generations.

Guiding principles

FAN:

- is a non-profit making organization
- members respect each other's unique skills, experience, perspective and contribution
- strives for gender equality in its activities
- encourages its members to take ownership of the network in a spirit of cooperation and sharing
- upholds the principles of non-hierarchical and democratic networking
- is facilitative and innovative and is open to change and learning
- promotes voices of marginalized and excluded communities in policies and programs
- believes sustainable water resource management and water supply are integrally linked.

FAN recognises the positive role that the recognition of the rights to water and sanitation (RTWS) can play in the process of water supply and sanitation delivery and protecting local water sources. For the rights to be truly meaningful, their recognition must positively impact on the poor and vulnerable. We produced this handbook so that we could provide FAN members, and other civil society organisations, with ideas and guidance around how to influence policy makers to make the rights to water and sanitation a reality for present and future generations.

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Introduction

We don't have to engage in grand, heroic actions to participate in the process of change. Small acts, when multiplied by millions of people, can transform the world.

Howard Zinn, historian and activist

Vision without action achieves nothing, action without vision just passes time, vision with action can change the world.

Nelson Mandela

The purpose of this handbook is to help civil society and those working on water and sanitation issues to adopt a human rights-based approach to advocacy, so that they can improve water and sanitation service regulation and provision at international, national and local levels. Directed primarily at community groups, human rights NGOs, rights-based development practitioners and aid workers, this handbook aims to strengthen human rights-based advocacy by providing innovative and practical suggestions that activists and organisations can use in their work. It also acts as a resource guide for finding further information.

Water and sanitation are essential for living a healthy life with dignity. However, around a billion people across the world lack access to a safe and sufficient water supply to cover their basic needs. Over 2.5 billion people lack access to adequate sanitation and nearly 1.2 billion face the indignity of open defecation every day. The Millennium Development Goal (MDG) target to halve the proportion of people without sustainable access to safe drinking water and basic sanitation by 2015 is seriously off track, with sanitation severely lagging behind. For example, estimates suggest that at current rates of progress, sub-Saharan Africa will miss the MDG water target by about 25 years, while the sanitation target may not be reached until well into the 22nd century.

The obligation to ensure that everyone has access to safe clean water and adequate sanitation rests with governments. While lack of both financial and technical resources is in some cases an important barrier to a government's ability to ensure access to water and sanitation for the entire population, it is crucial to understand that in most instances other factors also play a role. Lack of access to safe drinking water and sanitation can be related to economic, political and social power imbalances; discrimination against certain groups or communities; a government's failure to prioritise water and sanitation for the poor; lack of political will; the exclusion of communities in water and sanitation decision making; and inadequate legal and policy frameworks relating to water and sanitation. It is these factors that a human rights-based approach to water and sanitation seeks to address.

Given the large number of useful publications on advocacy, this handbook has drawn extensively from a wide selection of published information (see Appendix). The handbook does not attempt to re-invent standard approaches to advocacy; its aim rather is to introduce the main principles of human rights-based approaches to advocacy and tailor them to the needs of those working on water and sanitation. The handbook may therefore be of added use to organizations working on other human rights issues.

Why adopt a human rights-based approach to advocacy for improvements in water and sanitation?

Advocacy is one strategy that can be used to bring about improvements in water and sanitation. It can influence decision makers, call for an extension of services to underserved and unserved areas, challenge or draw attention to unfair or discriminatory practices, influence public policy and resource allocation, propose solutions to problems, create a space for negotiation between communities and authorities, mobilise funds or build awareness about an issue. Advocacy can therefore complement other programme strategies being implemented by organisations, such as service delivery, humanitarian aid or technical aid, to improve access to water and sanitation. Advocacy can take varying forms – ranging from one-to-one discussions with policymakers to media campaigns that raise public awareness about a certain issue.

The international human rights framework is a powerful tool for enhancing advocacy initiatives. It adds additional credibility and legitimacy, thereby bringing about positive social change. Firstly, the human rights framework requires governments and other development actors to ensure that their water and sanitation (WASH) policies and programmes prioritise the needs of the poorest and most marginalised sections of society, and set out minimum standards for service provision. Secondly, recognising access to water and sanitation as a human right means that people have a legal entitlement to adequate water and sanitation and governments have a corresponding obligation to ensure the realisation of this right. This legal entitlement provides the basis for individuals and groups to hold governments and other actors to account if their rights are not being realised. Using the human rights framework can therefore bring more legitimacy and strength to advocacy campaigns and messages.

Through human rights-based advocacy, civil society can help to ensure the realisation of the right to water and sanitation by:

- Raising the importance and political profile of the right to access water and sanitation services
- Demanding government and private service providers act in accordance with their obligations in relation to the right to water and sanitation
- Drawing attention to violations of the right to pressure government to amend its laws, policies or practices
- Educating all stakeholders, for instance by identifying minimum standards for access to water and sanitation (based on international human rights standards) to help generate political will to better target government programmes and resources to the poorest

- Demanding accountability for violations of the right to water and sanitation from governments and private actors, including seeking redress from national human rights commissions, courts or international human rights mechanisms
- Mobilising public opinion and building support for the right to water and sanitation
- Assisting individuals and communities denied their right to water and sanitation, by building awareness about their predicaments and promoting the solutions communities propose
- Promoting the right of communities to obtain adequate information from government and participate in decision making processes relating to access to water and sanitation

The human rights framework can be a valuable negotiating tool between communities and authorities when it comes to claiming improvements in water and sanitation service provision. However, like all forms of advocacy, human rights-based advocacy can have pitfalls if not used strategically. In some cases, civil society groups can have unrealistic expectations: simply identifying a human rights violation and calling on a court or the UN to assist does not solve the problem. Other groups have assumed that the right to water implies free water for all or that the obligations of governments are achievable immediately rather than progressively. It is therefore necessary for civil society to first have a clear understanding of what a human right to water and sanitation precisely entails and what the corresponding obligations of government are; and second, know what strategies are effective and efficient at securing rights, including which national and international human rights institutions are useful.

There is no guarantee that human rights-based advocacy will secure change in all countries and contexts as this depends on how serious a government is about implementing human rights, and how susceptible it is to political pressure at various levels. Nevertheless, as the case studies in this handbook illustrate, right to water and sanitation activism can achieve success at the international, national and local levels.

1 An introduction to the human right to water and sanitation

This section is a brief introduction to the legal basis and content of the human right to water and sanitation and the obligations that governments and other actors hold.

The human right to water and sanitation guarantees all people the right to sufficient quantities of safe, physically accessible and affordable drinking water and sanitation. The right is contained in numerous international and regional treaties as well as in national policies, laws and constitutions, and governments have frequently expressed their support for this right in political declarations. The definitions are explained in more detail below (see 'Elements of the right to water and sanitation')

UN General Assembly Resolution of July 2010

In July 2010 the UN General Assembly adopted A/RES/64/292, which in Operative Paragraph 1 "*[R]ecognizes the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights;*". In the vote on resolution A/RES/64/292, 122 States voted in favour, while 41 abstained.

International treaties The right to water and sanitation is contained in a number of international treaties, which are legally binding on States that have become a party to those treaties through signature and ratification. Treaties include:

The International Covenant on Economic, Social and Cultural Rights (ICESCR: 1966)¹ While this treaty does not refer explicitly to a right to water and sanitation, article 11(1) of the ICESCR recognises the right of everyone to an adequate standard of living, '*including* adequate food, clothing and housing'. Article 12 of the ICESCR guarantees the right of everyone to enjoy the highest attainable standard of physical and mental health. On 30 September 2010, the UN Human Rights Council affirmed that the human right to safe drinking water and sanitation is derived from Articles 11 and 12 of ICESCR. This means that the rights to water and sanitation falls within the monitoring framework of the ICESCR and are legally binding for the 160 countries that have ratified the treaty.

UN Human Rights Council resolution A/HRC/15/L.14

In 2002, the UN Committee on Economic Social and Cultural Rights provided States with guidelines on the Right to Water, as a component of Article 11 of ICESCR. In 2007 the UN appointed an Independent Expert on Right to Water and Sanitation to study the human rights obligations related to water and sanitation and make

¹ At: <http://www2.ohchr.org/english/law/cescr.htm>

recommendations to the Human Rights Council. Civil Society Organisations, like Freshwater Action Network, supported the work of the Independent Expert with examples of good practice and evidence from local members.

On 30 September 2010, the UN Human Rights Council, a subsidiary body of the UN General Assembly, adopted by consensus resolution A/HRC/15/L.14 on "Human Rights and access to safe drinking water and sanitation"

Operative Paragraph 2 " [r]ecalls General Assembly resolution 64/292 of 28 July 2010, in which the Assembly recognized the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights;"

Operative Paragraph 3 is the critical paragraph: it " [a]ffirms that the human right to safe drinking water and sanitation is derived from the right to an adequate standard of living and inextricably related to the right to the highest attainable standard of physical and mental health, as well as the right to life and human dignity; ". This is crucial. By clarifying that the right to water and sanitation is included in the right to an adequate standard of living, which itself is enshrined in a large number of legally binding treaties, the right to water and sanitation becomes legally binding and equal to all other economic, social and cultural rights. UN human rights treaty bodies now have a clear basis under which to monitor States' compliance.

Operative Paragraph 6 "reaffirms that States have the primary responsibility to ensure the full realisation of all human rights, and that the delegation of safe drinking water and/or sanitation service delivery to a third party does not exempt the State from its human rights obligations".

The resolution calls upon States to adopt and implement effective regulatory frameworks for all service providers in line with the human rights obligations of States and to ensure active, free and meaningful participation of the concerned local communities and relevant stakeholders". It will be important that an effective regulatory framework and participatory decision-making process is in place at the outset prior to any delegation of the water and sanitation to non-State actors.

The Convention on the Elimination of All forms of Discrimination against Women (CEDAW: 1979)² in article 14(2)(h) explicitly obliges states parties to eliminate discrimination against women in rural areas and ensure they have adequate living conditions, especially in housing, sanitation, electricity and water supply, transport and communication.³

The Convention on the Rights of the Child (CRC: 1989)⁴ obliges states parties to take appropriate measures to combat disease and malnutrition through the provision of clean drinking water (article 24(2)(c)), promote education and support the use of basic knowledge regarding hygiene and environmental sanitation (article 24(2)(e)).⁵

² At: <http://www2.ohchr.org/english/law/>.

³ CEDAW, art 14(2)(h).

⁴ At: <http://www2.ohchr.org/english/law/>.

⁵ CRC art 24(2)(c) & (e).

The Convention on the Right of Persons with Disabilities⁶ establishes that the right to social protection requires states parties to 'ensure equal access by persons with disabilities to clean water services'.⁷

To find out which of the above mentioned treaties your government is a party to go to: <http://www2.ohchr.org/english/law/> and click on 'Status of ratifications of human rights treaties.'

Regional Treaties

A number of treaties also guarantee the right to water and sanitation (or associated rights such as the right to health or a healthy environment) in specific regions of the world, if States in that region have ratified them. These include:

- The African Charter on Human and People's Rights (1981)
- The African Charter on the Rights and Welfare of the Child (1990)
- The Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights ('Protocol of San Salvador'): (1988)
- The Arab Charter on Human Rights (2008)

For more information on regional treaties please refer to the Appendix

National constitutions, law and policy

Governments must ensure that they move towards progressive realisation of the provisions contained in international treaties they have entered into. More than 30 countries have now explicitly recognised the right to water and/or sanitation in their constitutions, national laws or relevant policies. A country may not explicitly recognise the right to water and sanitation in its national law, but other laws could be used to secure the right, such as a legal provision guaranteeing the right to health, or an adequate standard of living or preventing discrimination.

Information on laws and policies should be publicly available in your country. Search the internet or approach the relevant ministry, water and sanitation department or legal organisation to find this information.

International and regional political commitments

It is important to note that virtually all states have recognised the right to water and sanitation in at least one political declaration. While such declarations are not necessarily legally binding, in a more narrow sense, they can be understood as a reaffirmation of existing human rights included in legally binding international treaties; and they demonstrate to the international community an individual state's commitment to the human right to water and sanitation. Activists working on the right to water and sanitation can use such declarations to lobby governments to

⁶ At: <http://www.un.org/disabilities/default.asp?navid=12&pid=150>.

⁷ CRPD art 28(2)(a).

implement their commitments, including the 2010 UN General Assembly resolution referenced above.

Refer to the Appendix to see a list of international and political declarations and find out if your government has signed them.

Elements of the right to water and sanitation

The content of the right to water and sanitation is defined in *General Comment No. 15: The Right to water* (2002) and the UN Sub-Commission on the Promotion and Protection of Human Rights *Draft Guidelines for the realization of the right to drinking water and sanitation* (2005). Together, these documents state that the right to water and sanitation should include the following:

- Sufficient water
- Safe water and sanitation
- Acceptable water and sanitation
- Physically accessible water and sanitation
- Affordable water and sanitation

Sufficient water: An adequate water supply must be available for personal and domestic use, which normally includes drinking, personal sanitation, washing of clothes, food preparation, personal and household hygiene. Water sources must be protected, to ensure safe water for present and future generations. Once personal and domestic needs are met, adequate quantities of water should be available to secure livelihoods and ensure food security – a necessary element of the rights to livelihood (work) and right to food.

Safe water and sanitation: Water must be free from hazardous substances that could endanger human health. Sanitation must be hygienic and not pose a threat to the environment. It must be capable of effectively preventing human, animal and insect contact with excreta and the passage of diseases. Sanitation facilities must be safe to use. Excreta and wastewater need to be removed and/or disposed of safely. Governments should promote hygiene awareness and provide information on household water treatment and safe storage.

Acceptable water and sanitation: Water must possess an odour, colour and taste acceptable to users. Toilets must ensure privacy and safeguard human dignity.

Physically accessible water and sanitation: Water and sanitation services and facilities must be within safe physical reach inside or near households, schools, workplaces or health facilities, and in secure locations, and minimise threats to physical security, particularly to women and children. The World Health Organisation recommends that a water point should be within 1000 meters of a household and that the time taken to collect water should not exceed 30 minutes, to ensure that people can access adequate amounts.

Affordable water and sanitation: Water and sanitation services and installations, including their maintenance, must be affordable for all people. This element

should not reduce an individual's or household's capacity to acquire other essential goods and services, including food, housing, health services and education, required for the realisation of other fundamental human rights.

As with all human rights, a rights-based approach to water and sanitation also requires that communities have the opportunity to participate in decision making on water and sanitation, and have access to information concerning water and sanitation, such as safe hygiene practices and water quality data.

Non-discrimination and attention to vulnerable and marginalised groups

International and regional treaties and most national constitutions forbid discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, sexual orientation or other status. The right to water and sanitation is a right for everybody and governments must ensure access to water and sanitation to all and not discriminate against any person or group of people.

A vulnerable group is any group that may require special protection due to its physical or emotional needs such as children or people with disabilities. A marginalised group is a group that is outside mainstream society or has not participated in society on an equal basis with the dominant group. In many cases, this could include women or indigenous communities.

Vulnerable or marginalised groups, which are often discriminated against when it comes to realising their rights, e.g. the right to water and sanitation, include:

- Members of a household/community: children, women, the elderly, people with disabilities and those living with chronic illnesses such as HIV/AIDs
- Those who are dependent on access to traditional sources of water for either personal and domestic use or sustaining a livelihood, such as indigenous peoples or traveller groups
- People living in poverty in both rural and urban areas
- People on the move: refugees, displaced persons and migrants
- People in institutions including prisons and hospitals

Vulnerable and marginalised groups often face discrimination due to customs, attitudes or traditional practices that have typically prevented them from realising their rights. But they also face discrimination due to government laws and policies that fail to take into consideration their particular needs. For example, governments may enact 'gender neutral' laws that do not appear to discriminate against women on paper but do in practice. Governments should not only immediately abolish any discriminatory laws and practices but also prevent and punish discrimination in relations between private individuals (such as in the community or workplace). Governments should also ensure that they are responsive to the particular needs of vulnerable and marginalised groups when designing water sector policies and strategies. Including the participation of vulnerable and marginalised groups in the design of water sector policies,

strategies and programmes, helps to ensure that their specific needs are taken into consideration.

The right to participate in decision making about water and sanitation services

Often, a lack of informed public participation in the planning for provision of water and sanitation services results in inappropriate technical solutions, prohibitive financial costs or unrealistic payment options. The right to water and sanitation guarantees all persons the right to genuinely influence and enhance policy formation and improvements in the water and sanitation sector. Communities also have the right to determine what type of water and sanitation services they require, how those services are managed, and where possible, the right to choose and manage their own services with assistance from the state.⁸

Governments should:

- Ensure that participatory processes are carried out in the development of water and sanitation policies and plans
- Ensure that representatives of vulnerable and marginalised groups participate in decision making
- Ensure informed participation, in the sense that these groups are provided with all necessary information and are trained so as to genuinely participate
- Aim to mitigate power imbalances between stakeholders (for example between landlords and tenants)
- Support community development and management of small-scale water and sanitation services and facilities where appropriate;
- Ensure that users are able to participate in the regulation and monitoring of service providers.

The right to access information in relation to water and sanitation

The right to water and sanitation includes the right of all people to seek, receive and impart information concerning water and sanitation. Individuals and communities deserve full and equal access to information concerning water, water services and the environment held by public authorities or third parties.⁹ Access to information is essential to ensure free, informed and meaningful participation of communities in water and sanitation decision making and project implementation and monitoring.

Governments should:

- Introduce mechanisms to facilitate public access to water and sanitation sector information for policy and decision making, including use of communications media used by the poor, such as radio
- Ensure public access to easily understandable, essential water quality and environmental health data

⁸ Sub-Commission Guidelines, section 8.2.

⁹ General Comment No. 15, para 48.

Accountability

Recognising access to water and sanitation as a human right means that people have a legal entitlement to adequate water and sanitation, and governments have a corresponding obligation to fulfil the right. This legal entitlement provides the basis for individuals and groups to hold governments and other actors to account if their rights are violated. General Comment No. 15 makes clear that persons or groups denied their right to water and sanitation must have access to effective judicial or other appropriate remedies, for example courts, national ombudspersons or human rights commissions at both the national and international levels.¹⁰ Furthermore, victims must be entitled to remedies for violations, which include restitution, compensation, satisfaction and guarantees of non-repetition.

Obligations of governments at all levels

When a government fails to uphold its ratified treaty commitments, arguably it is 'violating' the right in question. The government, as a 'duty bearer', therefore has specific obligations it must fulfil in order to ensure the realisation of the right to water and sanitation to all of its citizens.

National, provincial, municipal and local governments have obligations to *respect*, *protect* and *fulfil* the right to water and sanitation. Some of these obligations are 'negative' obligations, which require that a government does not interfere with the enjoyment of the right to water and sanitation. A government for example should not prevent a community from accessing a river it currently uses as its primary source of water, if there is no alternative available. Other obligations may be 'positive', which require a government to take active measures to ensure access to water and sanitation for all, such as putting a plan of action in place to extend access to water and sanitation in informal settlements.

¹⁰ General Comment No. 15, para 55.

Obligations: Respect, Protect, Fulfil

Obligations to respect: Governments should not interfere directly or indirectly with the enjoyment of a right. For example, governments should not obstruct customary or traditional arrangements for water allocation, or unlawfully diminish or pollute water resources.¹¹

Obligations to protect: Governments must prevent third parties (such as corporations or landlords) from interfering with the enjoyment of a right. For example, states should adopt effective legislative and other measures that prevent private service providers from raising water prices to unaffordable levels or allow companies to pollute or inequitably extract from water sources. Governments should impose penalties or sanctions on anyone who fails to comply.¹²

Obligations to fulfil: Governments must *facilitate* a right by taking positive measures to assist individuals and communities to enjoy the right, for example, by providing the necessary financial and human resources to improve access to basic sanitation services. Governments should promote a right, for example, by ensuring that there is appropriate education concerning the hygienic use of water, the protection of water sources and methods to minimise wastage. Governments are obliged to *provide* a right when individuals or groups are unable, for reasons beyond their control, to realise the right themselves, by the means at their disposal; for instance, by constructing a water point in a community that doesn't have access to safe drinking water.¹³

Governments must take the necessary steps to ensure that everyone has access to water and sanitation as soon as possible. Some steps have to be taken immediately, such as preventing discrimination, putting in place a targeted plan to achieve the right, and achieving certain minimum standards known as 'core obligations'.¹⁴ Other steps can take time to implement depending on the resources available to the state and its level of development. In human rights terms this is known as the concept of 'progressive realisation,' which requires a government to make improvements over time to ensure that all citizens enjoy the right to water and sanitation, and that water and sanitation services constantly improve. Governments must demonstrate that they are doing everything possible within available resources to realise the right to water and sanitation.

Transnational obligations relating to the right to water and sanitation

According to General Comment 15, states parties to the ICESCR and other relevant human rights treaties also have obligations in relation to the right to water and

¹¹ General Comment No. 15, para. 21.

¹² General Comment No. 15, para. 23.

¹³ General Comment No. 15, para. 25.

¹⁴ For a list of core obligations that States who have ratified the ICESCR must implement immediately, see General Comment No. 15 para. 37.

sanitation towards people living outside their territorial jurisdiction or in third party countries. These include:

- Not engaging in any action that interferes with the right to water and sanitation in another country and preventing their citizens and other third parties such as companies from violating the right to water and sanitation of individuals and communities in other countries
- Not imposing embargoes or similar measures that interfere with the realisation of the right to water and sanitation
- Facilitating the realisation of the right to water and sanitation, particularly in developed countries that have the resources to do so, through provision of water resources, financial and technical assistance and the provision of aid in emergency situations
- Ensuring that the right to water and sanitation is given attention, and prioritise facilitating access to water and sanitation for those without basic access, in international and regional agreements, including bilateral and multilateral assistance.
- International organisations, including UN Specialised Agencies, trade and financial institutions, and state members of such bodies, should ensure that their policies and actions respect the right to water and sanitation. The right to water and sanitation should be taken into account in lending policies, credit agreements, poverty reduction strategies and other development projects or international agreements.¹⁵

Water and sanitation in times of conflict or emergency situations

For people living in conditions of conflict, the four Geneva Conventions¹⁶ provide useful standards for protecting their rights. Concerning water and sanitation, the Geneva Conventions state that:

- Fresh water and sanitation facilities are civilian objects that are protected from attack under the laws of war
- It is prohibited to attack, destroy or render useless objects indispensable to the survival of the population including drinking water installations and irrigation works
- Protected persons (those who find themselves, in the case of conflict or occupation, in the hands of a Party to the conflict or occupying power of which they are not nationals) are entitled to receive water for drinking, personal hygiene and sanitation
- The natural environment (including water resources) should be protected against widespread, long-term and severe damage

Refugees and Internally Displaced Persons who live in camps usually need to have water and sanitation services and facilities specially provided to them. It should be ensured that safe water is supplied in sufficient quantities and water and sanitation services are accessible.

¹⁵ General Comment No. 15 paras. 30-36 & Sub-Commission Guidelines, section 10.

¹⁶ The four Geneva Conventions are international treaties containing rules which protect people who are not directly engaged in the fighting from the worst effects of conflict.

The Sphere Standards (2004) provide guidance to humanitarian agencies that respond to emergencies, whether natural disasters or armed conflict.¹⁷ They do not replace the legal obligations of states to respect, protect and fulfil the rights of victims of disaster but highlight that other actors also have responsibilities when states are either unwilling or unable to fulfil their obligations. The Sphere Standards set out minimum standards and key indicators for water and sanitation provision by humanitarian agencies in emergencies, such as the distance of water and sanitation facilities from the household and quantities of water that should be made available.

¹⁷ See, www.sphereproject.org

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

In September 2007, the High Commissioner for Human Rights presented a study to the Human Rights Council on the human rights obligations related to equitable access to safe drinking water and sanitation under international human rights instruments. The report discusses relevant international human rights obligations, reviewing their scope and content, nature and monitoring, and suggests areas that need further elaboration. In 2008, the Human Rights Council, appointed **Catarina de Albuquerque** as the UN Independent Expert on human rights obligations related to access to safe drinking water, with a mandate to look at the following areas:

- The normative content of human rights obligations in relation to access to sanitation
- The human rights obligations attached to the elaboration of a national strategy on water and sanitation
- The regulation of the private sector in the context of private provision of safe drinking water and sanitation
- Criteria to protect the right to safe drinking water and sanitation in case of disconnection
- The specific obligations of local authorities

The Resolution appoints the position for a period of three years and requires the Independent Expert to submit a report, including conclusions and recommendations, to the Council at its 10th session. The Resolution confirmed the Independent Expert's mandate to be:

- (a) To develop a dialogue with governments, relevant UN bodies, the private sector, local authorities, national human rights institutions, civil society organizations and academic institutions that identifies, promotes and exchanges views on best practices related to access to safe drinking water and sanitation. The result of this dialogue is the preparation of a compendium of best practices
- (b) To undertake a study, in cooperation with and reflecting the views of governments and relevant UN bodies, the private sector, local authorities, national human rights institutions, civil society organizations and academic institutions, on further clarification of the content of human rights obligations, including non-discrimination obligations, relating to access to safe drinking water and sanitation
- (c) To make recommendations that could help the realization of the Millennium Development Goals, in particular of Goal 7;
- (d) To apply a gender perspective, including the identification of gender-specific vulnerabilities;
- (e) To work in close coordination, while avoiding unnecessary duplication, with other special procedures and subsidiary organs of the Council, relevant UN bodies and the treaty bodies, and taking into account the views of other stakeholders,

including relevant regional human rights mechanisms, national human rights institutions, civil society organizations and academic institutions.

How can we work with and support Independent Expert's mandate?

The appointment of an Independent Expert means that the UN human rights system now has a separate mechanism exclusively dedicated to issues related to the right to water and sanitation. The resolution also confirms that governments have obligations to ensure access to safe drinking water and sanitation under international human rights law.

The Independent Expert has already conducted a number of country visits, in which she examined the state of water and sanitation at the national and local level, in part by speaking with CSOs with expertise and experience in the sector. During these visits she also identified good practice, and made recommendations to governments on steps to improve access and ensure protection of human rights.

In addition to these country visits, the Independent Expert's mandate involves consulting and exchanging views on best practices, and conducting analysis on relevant issues. Thus, staying engaged during these consultations and offering your expertise and insight is a great way to see key issues raised. The Independent Expert's process of consultation, the subsequent research and the credibility and high-profile that she brings to these issues can subsequently be used by activists to leverage greater attention and collaboration for ensuring access to water and sanitation for all.

2 Planning an advocacy campaign

This section aims to introduce the reader to the steps necessary in planning an advocacy campaign. A well-designed campaign will help you make the most of your available resources, maximise your impact and achieve your aims. Careful, strategic planning for water and sanitation advocacy will increase your chances of success.

What is advocacy?

Advocacy is conducting specific activities that aim to change laws, policies, practices and attitudes through specific activities. Human rights based advocacy often seeks to change laws, policies and practices that disadvantage a certain group or sector, promote policies that lead to the greater protection and realisation of human rights, empower local communities and build public awareness. It is usually directed at the decision makers who hold the power to implement the change required, for example governments or private actors such as water companies. Advocacy can also be directed towards changing public opinion to support an issue or cause, or take a specific form of action.

Definitions of advocacy¹⁸

Advocacy is an action directed at changing the policies, positions or programmes of any type of institution

Advocacy is pleading for, defending or recommending an idea to other people

Advocacy is speaking up, drawing a community's attention to an important issue, and directing decision makers towards a solution

Advocacy is putting a problem on the agenda, providing a solution to that problem and building support for acting on both the problem and solution

Advocacy can involve many specific, short-term activities to reach a long-term vision of change

Advocacy consists of different strategies aimed at influencing decision making at the organizational, local, provincial, national and international levels

Advocacy is about people participating in the decision making processes that affect their lives

¹⁸ Ritu R. Sharma, An Introduction to Advocacy: Training Guide,

Advocating for the right to water and sanitation may be directed at the international, national or local levels, or a combination of all three. It may be that connections established between advocacy at the international level and grassroots initiatives can support and complement each other.

It is important at the outset to note that not all forms of advocacy need to be confrontational. In extreme situations, where water and sanitation is denied, publically denouncing a government may be an effective strategy to achieve results. However, advocates often work in partnership with governments and other actors to help them improve their policies, draw attention to any negative impacts policies have on vulnerable and marginalised communities, and monitor service performance.

Planning an advocacy campaign

As with any project, an advocacy campaign requires careful thought and planning to ensure that advocacy activities are relevant, realistic and effective. At the outset, it is useful for the group involved in conducting the campaign to meet and hold brainstorming sessions in which a number of factors should be discussed. The group needs to identify the main issues to be addressed, decide the campaign's objectives and the means by which to achieve them. Strategic planning will increase the chances of success, ensure you make the most of available opportunities and help the group to anticipate and overcome potentially major obstacles. This process should result in the production of a detailed action plan that sets out the activities to be carried out and allocates responsibilities for their implementation, as well as opportunities for monitoring and evaluation.

Generally, there are a number of steps to an advocacy campaign:

- Identify the priority issues or problem to be addressed
- Identify the advocacy goal and set objectives
- Identify the target audience
- Select core messages for target audience
- Assess resources
- Select advocacy tactics
- Conduct a risk assessment
- Plan for monitoring and evaluation

Identification of priority issues

The first step in planning an advocacy strategy should be to identify the main issues you hope to address and whether the issue is in fact connected to a denial of human rights. In any given context, there may be a large number of reasons why people are denied their right to water and sanitation, but it will not be possible to address them all. At this stage, it is important to set priorities and determine what is realistically achievable.

Checklist: Determining priority issues

- Is the issue you have identified connected to a denial of human rights?
- Is the issue in line with your organisation's mandate; and will engaging with it promote the organisation's mission?
- Is the issue seen as a priority by those you're aiming to represent?
- Can the issue be resolved by a specific policy action?
- Will working on the issue result in a tangible and concrete change to people's lives?
- Will working on the issue lead to greater awareness of, and respect for, the right to water and sanitation and other human rights?
- Will working on the issue provide opportunities for vulnerable and marginalised groups?
- Will working on the issue build the capacity of local communities to advocate for the right to water and sanitation?
- Will working on the issue create new organisational alliances?
- Will working on the issue create opportunities for generating funding?
- If it's a local issue, how does it relate to global concerns?
- What are the risks associated with working on this issue?

Conducting in-depth research on the issues

Once you have identified key priorities, the next step is to subject the issues you wish to address to thorough research and analysis in order to fully understand the nature and extent of the problem. To propose a realistic solution to a problem, it is essential to understand its root causes, develop an effective advocacy strategy and ensure that you establish your credibility as a knowledgeable actor in your field.

But before you begin, it is essential to consider:

- Where are the gaps in your own knowledge?
- What research is necessary to achieve your advocacy objective?
- Where do you go to collect relevant information?
- Does your organisation have the relevant skills and expertise to carry out the research alone or does it need to solicit help from others?

The internet, local library, university, UN agencies or government ministries may be a good place to start your research and see what information is available. Newspaper articles may also provide good information about local issues but need to be checked for their reliability and objectivity. You may find that a lot of research has already been done on an issue, so source the most up to date information in reports or government statistics. It is also important to review the work of other NGOs, both locally and internationally, and see how they have approached or tackled similar problems.

Top tips: Gathering documentary information – where do we find it?

- Local plans, policies, budgets and administrative regulations
- National laws, government policies
- Court judgements
- Academic and other studies
- Poverty Reduction Strategy Papers
- International laws and treaties
- Country reports to treaty bodies and concluding observations of treaty bodies
- Reports of national or international NGOs

If enough documentary evidence does not exist, or you need to collect personal testimonies and real life stories, you may need to carry out field surveys, use questionnaires, hold meetings with community members, carry out in-depth interviews with victims (to see how their lives have been affected) or interview government officials or academics. Meeting with other NGOs or community groups at this stage will also enable you to share ideas, knowledge and experience, and can also help you form useful alliances and contacts.

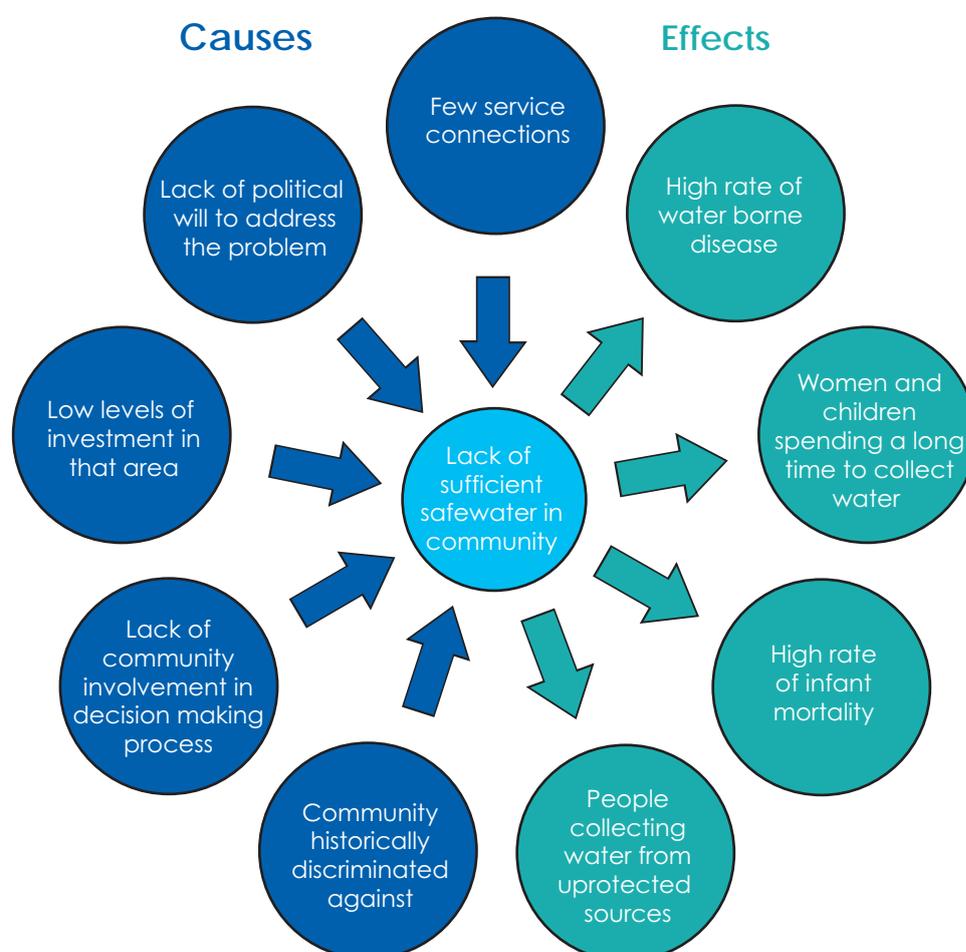
Top tips: Collecting disaggregated data

From a human rights perspective, it is preferable to collected data that is disaggregated (separated) along specific criteria such as race, gender, age, location (rural/urban) etc. This is because the question human rights advocates often ask is ' *who* doesn't have access and *why*?' not 'how many people don't have access to water and sanitation?'

Disaggregated data will help you identify patterns of violations, and understand if lack of watsan access, for some communities or groups, is due to a lack of political will. However, large-scale collection of disaggregated data is very costly and time consuming, so find out what information already exists. Many organisations, such as UNICEF, WHO or the UN (via MDG monitoring reports), collect disaggregated data on aspects of the right to water and sanitation, primarily accessibility.

When examining an issue, it is important to understand both the causes of a problem (as this will later determine which actors to direct advocacy towards) and its effects. The diagram below illustrates how simple mapping tools can help in this process.

Diagram 1: An example of problem mapping



Looking at the causes and effects of the above issue – in this case, a lack of safe, sufficient water in a community – it is important to understand the following:

- Which aspect of the right to water and sanitation or other internationally recognized human rights standards is being violated?
- Has the government ratified the treaty in question?
- What are the government’s exact obligations?
- How do they intend to remedy the situation?

With these points in mind, the following table has a few examples taken from Diagram 1, which help to flesh out the issue:

Table 1: What’s the problem?

Causes and effects of a lack of sufficient, safe water in community X	Human rights violation	Obligation of duty bearer
<p>Low levels of investment in that area</p> <p>Lack of community involvement in decision making</p>	<p>Violation of the right to water and sanitation.</p> <p>As the community is historically discriminated against, low levels of investment in some areas could violate non-discrimination provisions. See also the International Covenant on Civil and Political Rights and International Convention on the Elimination of Racial Discrimination.</p> <p>Violation of the right to water and sanitation.</p>	<p>Under the ICESCR, the government should ensure investments in water facilitate access for all members of society and prioritise investment in water and sanitation services and facilities to areas that currently have low or limited access. The state is duty bound to ensure the right of access to water and water services and facilities on a non-discriminatory basis, especially for marginalised or disadvantaged groups.</p> <p>Under the ICESCR, the government holds the duty to ensure genuine participation in decision making.</p>
<p>High rate of water borne disease</p>	<p>Violation of the right to water and sanitation.</p> <p>Violation of the right to health.</p>	<p>The government is duty bound to ensure drinking water meets quality standards, and provide information to all groups regarding safe water storage, hygienic sanitation and water quality to combat disease.</p>
<p>Women and children spending a long time to collect water</p>	<p>Violation of the right to water and sanitation.</p> <p>See also Convention on the Elimination of All Forms of Discrimination Against Women and Convention on the Rights of the Child.</p>	<p>Governments should take measures to alleviate the disproportionate burden women bear in the collection of water, and ensure that children are not prevented from enjoying their human rights (such as right to education) due to time spent collecting water.</p>

Identifying violations of the right to water and sanitation

Note: this is a hypothetical example

Around the Bulgarian capital Sofia are a large number of informal settlements inhabited by the Roma (traveller communities) who are generally poor and have been historically discriminated against. Water and sanitation service provision to Bulgarian villages, towns and cities is of a reasonably high standard, and the municipality normally provides water through private connections. However, the informal settlements have very low access to water and sanitation and many families must travel more than a kilometre to the nearest water point. A growing number of Community Based Organizations (CBOs) have secured a legal connection to water from the local municipality and are selling water to their members in jerry cans at a profit. Many houses use shared pit latrines. The community school does not have proper access to water, and its sanitation facilities are shared by both boys and girls. A large number of Roma children suffer from diarrhoea and other water-borne diseases.

Based on this information, consider the following questions:

- Which aspects of the right to water and sanitation are being violated? (Refer to appropriate international law and elements of the right to water and sanitation.)
- Are any other human rights being violated?

Remember to review the local laws and policies that apply to the issue. It may be that the Government has committed itself to extending network access to this community or tackling outbreaks of water borne disease in its water sector strategy or poverty reduction strategy, but is failing to implement the policy effectively.

Examining the social, economic and political environment in which you are working and the context in which problems arise is crucial. Analyse which factors influence the issues, what will obstruct you from making the change required, and the available opportunities that can help you to bring about necessary change.

It is also important to carry out research or brainstorming to examine different solutions to your problem that an institution (such as the Ministry for Water) or an organisation (such as a water service provider) could adopt to realise the right to water and sanitation.

Table 2: Problems v solutions

Problem	Possible policy solution
The government refuses to establish water points in informal settlements, as it does not want to legitimise these areas.	Reform policies and practices to ensure that all who reside in the country have access to safe water and adequate sanitation, regardless of housing or land tenure status or whether the inhabitants are refugees.
The water service provider is introducing pre-paid meters to ensure cost-recovery. There is a concern that they will reduce poor people's access to sufficient supplies of water.	Put protections in place to ensure that any payment for water services is based on the principle of equity, and publically or privately provided water services are affordable for all, including socially disadvantaged groups. Ensure that minimum quantities of water are available at all times.
Low knowledge about safe hygiene practices in community X has contributed to the outbreak of communicable diseases.	Increase funding for hygiene promotion campaigns among the target community and ensure that all groups have access to information concerning safe water storage, usage and hygiene practice.
Drought has prevented rural communities that are dependent on rainwater harvesting from being able to access sufficient quantities of water.	Increase donor funding for emergency alternative sources, such as water trucking to rural communities.

In some circumstances, you may not want to call for the development of new policies but want existing policies enacted, namely policies that are supportive of human rights which the government has not adhered to. When examining policy solutions, it is important to find examples of policy actions or programmes that have been successful elsewhere, and which explore various responses to oppositional arguments you may encounter when you launch your campaign.

Understanding the power dynamics within the society you are operating in essential; you need to be able to determine who has the power, how decisions are made, who has influence and what structures exist for asserting influence. The decision making process varies from country to country. In some countries, there will be opportunities for civil society to participate in the process, whereas in others, public participation is not a formal process or may even be strongly discouraged.

Stages to decision-making

- **Generate ideas/proposals within the decision-making body.** An issue is added to the action agenda of an institution, which then develops a policy proposal. Proposal ideas may come from outside or inside the organisation.
- **Formally introduce the proposal into the decision-making process.** At this stage, the proposal's formal decision-making process begins. For example, an act is introduced to parliament; a proposal is sent to a board of directors for consideration; or an item is added to the agenda of a ministry meeting.
- **Deliberate.** The proposal is discussed, debated and perhaps altered. For example, a group of decision makers has a discussion, or the proposal is debated on the floor of parliament.
- **Approve or reject.** The proposal is formally approved or rejected. For example, a vote is taken or decision makers reach consensus or one or several decision makers reach a decision.
- **Advance to the next level, implement, or return to a previous stage.** If the proposal is approved, it may move to the next higher level of decision-making. For example, it may move from a council or committee to the full national assembly. If the proposal is accepted at the highest level of decision-making, it will move to implementation. If rejected, it may return to a previous stage for alteration or reconsideration.

Working with the community

If an external NGO is carrying out advocacy in the interests of a particular community, it is essential that the NGO secures that community's consent and involvement from the outset. Without this, the community may not trust the work of the NGO, the advocacy campaign may lack legitimacy, and the NGO will not benefit from the knowledge and experience of the community, which is itself best placed to know about community member's needs and problems, and identify strategies to affect change.

The NGO should seek the involvement of the community in the planning, implementation and evaluation of an advocacy campaign. In some cases, an external NGO is better placed to take on the concerns of the community, than the community itself, and project its voice onto a national or international stage, particularly as a large or well-known NGO may be better at delivering messages to governments or donors than local activists. Sometimes, it is preferable for an external organisation to speak on a community's behalf in contexts where advocacy on a certain issue may expose local advocates to risk. In this case it is paramount that the external NGO works to empower communities (or local organisations) to take on these roles in future thereby making advocacy more sustainable and ensuring local ownership of initiatives.

In other instances, it may be that local communities have more influence over local, or external, decision makers and the role of the NGO is simply to support and facilitate local-led advocacy through bringing in comparative experiences from other communities, or specific expertise and resources. By facilitating a process

whereby communities themselves identify the issues and problems they face, and develop solutions for themselves, the NGO can assist in empowering the community and building their capacity to become powerful advocates for their own human rights, or ensure that decision makers hear the voices of the poor and marginalised.

Top tips for working with communities

- Meet with community-based organisations, ask for their input and advice, and explore ways of working together.
- It is essential that you have the trust of the community you are working with and this may require working in partnership with those who are well-known and respected by the community, such as elders or religious leaders. Also be aware that community 'leaders' may not represent the interests of all members of the community.
- In consulting with community members, be aware of any difficulties that may prevent marginalised members of the community (women, elderly persons, persons with disabilities etc.) from attending a discussion meeting, and find ways to ensure that they also have their voices and opinions heard.
- In conducting in-depth interviews with community members, be aware of sensitivities and ensure that you gain their consent to make information public or protect their identities if there may be fear of reprisal for speaking out.
- Together with the community, identify the main problems they face, whether the problem is seen as a human rights issue, how the problem affects different members of the community, the cause of the problem, what action the relevant authorities have taken to solve the problem and what the community sees as the solution.
- Help empower communities through the transfer of skills, workshops etc. so that they are able to improve their ability to advocate on their own behalf.
- At all stages of your advocacy campaign go back to the community and discuss progress, seek their response and solicit ideas on how to go forward.

Once you have collected your information, present it in an accessible way; it should not be too technical, especially if you later decide to launch a public awareness-raising campaign. However, technical data may be appropriate for a different audience such as the Ministry of Health. You may want to summarise your data in a report or briefing paper, or present it in tables or graphs.

Always ensure that your information has **CREDIT**, i.e. it is:

- **C**onvincing
- **R**espects the confidentiality of the people you have gathered it from, if necessary
- **E**quitable and representative of the whole group on which it is focused
- **D**ouble-checked for accuracy
- **I**mpartial and objective
- **T**rustworthy. Making sure that you have trustworthy and reliable information is essential to ensuring the credibility of both your organisation and your campaign

Checklist: Research questions

- What are the human rights issues at the heart of the problem? Identify violations and government obligations.
- What are the legal/policy causes of the problem?
- How is policy made? What is the process?
- Who are the key actors or institutions who make policy decisions; what are their interests; and who has influence over them?
- Are their formal or informal mechanisms already in place that NGOs or communities can utilise to participate in the policy making process?
- What are possible legal/policy solutions to the problem you are addressing; are they likely to have a lasting affect the problem?
- What policies have been proposed, accepted or rejected in the recent past?
- What is the opposition to addressing this issue?
- What are the economic benefits or harm of addressing this issue?
- How does the community feel about this issue; how does it affect them; and what are their needs and aspirations?
- Does your organisation have the legitimacy to speak out on behalf of the community it represents; and has it engaged the community in the research process?
- What is the extent of public opinion on the issue; is there already public debate about it?
- Are the resources available to work on this issue? (see page 35)
- Does the research address the information gap or consider the needs of the policymaker?
- Are the research findings presented in a clear and accessible format; or multiple formats for different audiences?
- Have all the facts been double-checked for accuracy?
- Is the information you have collected credible, objective and impartial? Will policymakers and others trust you as a reliable source of information?
- What work have other organisations or institutions done on this issue?

Identify the advocacy goal and setting objectives

Your *advocacy* goal is a broad statement of what you would ideally like to see achieved. In reality, you may not achieve your advocacy goal; but instead it acts as the vision that drives your campaign forward and leads you in the direction you want to go. Policy change is not usually an advocacy goal; it is a means to achieve your vision, which is ultimately an increased awareness of and respect for human rights, and an improvement in people's lives, dignity and well-being.

An example of an advocacy goal could be to:

- Ensure that the Government of Country X respects, protects and fulfils the right to water and sanitation is for all its citizens
- Reduce the prevalence of water borne disease in community X in order to reduce child morbidity and mortality and realise the right to health for all children in the community

- Ensure that internally displaced people in Country X have access to safe and sufficient water and adequate sanitation facilities in Internally Displaced Person (IDP) camps

Setting *objectives* or outcomes involves the identification of what you want to achieve in your campaign. Objectives should be SMART, i.e. specific, measurable, achievable, realistic, time bound.

Table 3: SMART objectives

SPECIFIC	Be focused and precise about what you hope to achieve.
MEASURABLE	Ensure you can measure whether you are achieving your objective. This will be essential for future monitoring and evaluation of your campaign.
ACHIEVABLE	Ensure that you can achieve what you set out to achieve; i.e. have a real solution to the problem you seek to address. Being overambitious may lead to disappointment later on.
REALISTIC	Ensure that it is possible for your organization to achieve the objective during your campaign; i.e. that you have the expertise, time, resources etc.
TIME BOUND	Set a time frame for your objective. It is unlikely that you will have the resources or inclination to run an advocacy campaign for the next 50 years!

When defining your objectives, you may have some short-term goals, some medium-term ones, and others that are long-term objectives. By using short and medium term objectives, you may achieve some results quickly, which will make your group feel like it has had some success and thus increase motivation. But be aware: policy change does not happen overnight and advocacy is usually a long-term undertaking!

Some examples of SMART objectives, based on the advocacy goals given above are:

ADVOCACY GOAL ONE

Ensure that the Government of Country X respects, protects and fulfils the right to water and sanitation is for all its citizens.

- **SMART Objective 1:** Secure the inclusion of the right to water and sanitation in the new water law before its presentation to parliament in six months.
- **SMART Objective 2:** Establish a mandate for the national human rights commission to investigate claims of violations of the right to water and sanitation in order to hold duty-bearers accountable within one year.
- **SMART Objective 3:** Secure the inclusion of rights-based principles in water and sanitation policy and programmes being designed over the next three years.

ADVOCACY GOAL TWO

Reduce the prevalence of water borne disease in community x in order to reduce child morbidity and mortality and realise the right to health for all children in the community.

- **SMART Objective 1:** Enact a neglected policy which requires the local municipality to conduct regular water testing in community X and treat any contamination in the next six months.
- **SMART Objective 2:** Ensure local schools incorporate hygiene awareness in the curriculum in the next two years.
- **SMART Objective 3:** Increase national funding for sanitation by 20% in the next two years and target it to areas currently without access to improved sanitation.

ADVOCACY GOAL THREE

Ensure that people internally displaced by conflict in Country X have access to safe and sufficient water and adequate sanitation facilities in idp camps.

- **SMART Objective 1:** Establish 20 water points and 20 sanitation units in three selected IDP camps in the next four months.
- **SMART Objective 2:** Increase the visibility of water and sanitation issues affecting IDPs in the press, UN reports and organizational programming for the next year.
- **SMART Objective 3:** Increase donor funding for water and sanitation in IDP camps by 25% over the next three years.

When setting your objectives, it is important to realise that you are asking policymakers to take specific actions. This may be to develop a new policy, change an existing policy or practice, or implement an existing policy effectively.

Checklist: Setting advocacy goals and objectives

- Is the goal clear and easy to understand?
- Will the goal secure the support of a large number of people?
- Will the goal enable you to build organizational alliances?
- Are your objectives SMART?
- Does your research show that achieving your objectives will result in real and lasting improvements to people's lives?
- Do your objectives contribute to the realisation of human rights?
- Is there a clear and well-defined action that potentially could secure your objectives?

Identifying the target audience

Once you have set your objectives you need to determine *who* is in the position to bring about the change that is required. An advocacy strategy may target a number of different people, but ultimately, you need to assess which authorities are able to stop the human rights violation and remedy the situation for those who are affected. This will help you decide where to focus your advocacy strategy. So

identify the key policymakers in the water and sanitation sector, or the key policymakers/institutions that can achieve your advocacy objectives.

In an advocacy campaign, your *primary target audience* will usually be the decision makers who hold the power to change, enact and influence policy directly. Your *secondary target audience* will be people who are able to influence your primary target audience and pressure them to bring about the change required. Secondary target audiences are particularly important in situations where you may not have direct access to the decision makers themselves.

A primary target audience may be:

- Politicians
- Local level government officials
- Executives of a private water company
- Executives of multi-lateral organizations such as the World Bank
- Representatives from international donor agencies

A secondary target audience may be:

- The public
- UN Special Rapporteurs
- The news media
- Religious groups
- Opinion formers

NB: Those identified as a primary target audience may also be a secondary target audience if they are not in a direct position to bring about the policy or practice change required, but do hold influence over decision makers.

Examples of selecting your target audience could be:

ADVOCACY OBJECTIVE

Implement an existing but neglected policy that calls for the funding and construction of 100 toilets in 50 secondary girls' schools nationwide.

Primary audience

Minister of Education; Minister of Finance; Members of Parliament.

Secondary audience

UNICEF country office representative; school parents' associations; local parliamentarians, international donors; other NGOs.

ADVOCACY OBJECTIVE

Develop regulations to ensure that the privatisation of water services does not result in unaffordable rates for water connections and supply that negatively affect the poorest groups in society

Primary audience

Minister of Water; Board of private water company; CEO of private water company; head of water service regulator.

Secondary audience

Private water company shareholders; the public; local water users associations.

Target audience research:

- Find out as much information as possible about both your primary and secondary target audience
- Make sure you understand their beliefs, opinions and attitudes regarding your advocacy goal and objectives. For instance, you should find out what they have declared publically about your issue in speeches or articles and what statements their institution has released
- When targeting an individual, you may need to interview the person in question or people that know her/him well.
- Assess whether your target is a 'duty bearer' and holds a direct obligation to ensure the right to water and sanitation under international law
- Understand what influence your target has over the issue in question and whether they are really in a position to effect change. To do this, you must also understand what their power base is, who holds influence over them, what they really care about and their key pressure points What will convince them to support your cause: economic benefits, solid proof of human rights violations, self-interest, political survival, peer pressure?
- If your target audience is a large group of people, you may want to conduct a survey or questionnaire to assess their views on an issue

It is important at this stage to identify who may be your allies and who may be your opponents regarding reaching your advocacy goal and objectives.

Allies are people who already support your issue, or may be easily convinced to do so. They could include other NGOs, professional associations or faith-based groups. If you can identify an ally who is close to the decision maker you wish to target, e.g. someone sympathetic to your goal within the same institution, it may be effective to get him or her to support your position and persuade the decision maker of the merits of your advocacy goal.

Opponents are people who may stand in the way, or try to obstruct you from reaching your advocacy goal and objectives. They may have vested interests in maintaining the status quo and seek to discredit your campaign. Good preparation and research into the kind of opposition you will encounter will enable you to refute the claims of opponents and put forward convincing responses to their position. In the middle of these two positions will be many people who are either unaware of, or impartial about, the issue for which you are advocating. Think carefully what arguments you can utilise to persuade them to support your cause and turn them into allies.

Checklist: Identifying target audience

- Who is in a position to bring about the change required?
- Is your target a 'duty bearer' and directly responsible for ensuring the realisation of the right to water and sanitation under international law?
- What is their attitude towards the issue?
- What are their main concerns?
- What is their power base?
- Who can influence them?
- Regarding the issue, what is their organisation's position, economic or political interest?
- Who are your allies and opponents?

Select core messages to direct at your target audience

Core messages should be clear, succinct statements that summarise your advocacy goals, including the change that is required to address a problem, who can affect that change and how they can do it. By using solid information and analysis gathered from your research, as a right to water and sanitation advocate, you should develop a position on an issue *and* a convincing message that crystallises this position. You should imagine that this is the message you want to get out if you only have a five-minute interview with a journalist – and be ready to deliver that message whenever the opportunity arises. Ultimately, the advocacy message aims to convince the target audience to support your advocacy goal or objective, so the way in which you *communicate* your message is very important.

You may have one key message that you wish to convey to all audiences, which relates to your core issue, followed by supporting messages directed at specific target audiences. Think about the content of your message in relation to your target audience and frame the message accordingly, without altering your key advocacy position on an issue. The Ministry of Health may require data and hard evidence to convince it to support your position, such as the instances of outbreaks of water borne disease in a community. Politicians and private companies may be persuaded by economic arguments, such as the benefits of investment in sanitation, as the government will save on healthcare and the workforce will be more productive if sick days are reduced. The public may respond more effectively to an emotional plea or one that identifies the human story of an issue. It is important to identify what specific action is required of the target audience and what they need to do to address the issue and reach your advocacy goal.

KEY MESSAGE

Racial discrimination is the reason why community X is not connected to the national water network. Community members have to travel long distances to access water filling points and spend up to 30% of household income on clean water. Lack of safe water and adequate sanitation leads to the hospitalisation of thousands of children from this community every year due to dysentery.

Table 4: Getting the message across

TARGET AUDIENCE	SUPPORTING MESSAGES
Government officials	The Government should incorporate a non-discrimination clause into the country's Water Law and target resources to ensure that marginalised communities have access to safe and sufficient water and enjoy their human rights on an equal basis with other citizens.
The United Nations Human Rights Mechanisms	Call on the Government to review its discriminatory policies and practices in relation to certain ethnic groups, to fulfil its international legal obligations, including respecting, protecting and fulfilling the right to water and sanitation on a non-discriminatory basis.
The public	Hospitalisation of children in this community is due to lack of clean water and adequate sanitation, which uses up resources that could be saved by a modest investment in water and sanitation services and facilities. Sign a petition calling on the Government to reallocate resources to prioritise those without current access to basic services.
	Illustrate this message with a story highlighting the case of one family from the community and the difficulties they face (particularly the children) due to lack of access to water and sanitation. Back up the story with engaging images.

Sometimes it can be effective for a public campaign if the advocacy message is shortened to a slogan or catchphrase you can repeat throughout your campaign. Examples of this are:

- Water and sanitation for all!
- Water is life, sanitation is dignity
- Water is a human right, not a commodity
- Help the world's poorest people to gain access to safe water, sanitation and hygiene education
- Reclaim public water.

Always present your message in different formats and be creative! Support your message with images, human-interest and success stories that motivate or inspire people and make them see that change is possible. Maybe you want to shock people into action by dramatising the issue. But often it is more effective if your message is framed in positive terms, so it convinces people who support your campaign that they can take action that will achieve results and make a significant improvement to people's lives.

Timing is important, so think about *when* you will deliver your message. You could select key international dates, such as World Water Day (22 March), World Health Day (7 April), Human Rights Day (10 December) or local observances, to draw attention to your campaign. There may also be a political event such as an election or a high profile diplomatic visit to your country, which may make policymakers more open to considering your message.

Decide *where* you will deliver your message: will it be at a meeting with politicians, a press conference or a public debate? What *format* will be most effective to reach your target audience: a radio interview, a briefing paper or maybe a slogan painted on a wall or banner? Consider *who* could be an effective messenger to deliver your message... perhaps it's someone in a senior position in your organisation? But if you are raising awareness about the health impacts of polluted water resources on a local community, it may be a good idea to get a local doctor to deliver your message as she or he will have more credibility. And think about any local celebrities that could support your cause and raise its public profile.

Checklist: Developing the message

- Is your message simple and easily understood?
- Is your message culturally and socially appropriate as well as technically correct?
- Is the format and content of the message suitable for the specific target audience?
- Does your message convince people to support your advocacy goal and objectives? Does it inspire and motivate people?
- Does it inform people about what you want to achieve and why?
- Have you specified the action you want the target audience to take?
- When and where will you deliver your message?
- Are you reinforcing and repeating your message without overwhelming your target?
- Who will be the most effective messenger?

Assessing resources and fundraising

You must ensure that you have the resources – human, technical and financial – to carry out your campaign. This involves the identification of your organisation's strengths and weakness, and examining how you can overcome any weaknesses. If your group does not have the knowledge, expertise or capacity to carry out a specific component of your campaign, look to your allies and explore how they can support or complement your work.

WaterAid's guide to assessing resources¹⁹

Financial Resources

- What money is available for this advocacy project?
- Where will you acquire the money you need; from your organisation, partners or other funders?
- Is it likely you will face difficulties in getting the money you require?
- Approximately, how much do you think you will need to implement the activities you are considering?
- Is your budget realistic, and based on actual costs or quotes?

People

- Who will be available to work on the different aspects of the project?

Skills and experience

- Does your organization have the right skills and experience?
- If not, can you train staff members or involve other people or organisations?

Other human resources

- Do you have access to other people who can help?
- Do you have volunteers to distribute leaflets, campaign supporters to write letters, community members to attend meetings?

Partners

- What could potential partners contribute to your advocacy project?

Relationships

- What relationships do you, your staff, volunteers and partners have that you could use to carry out an effective advocacy campaign?
- Do you have relationships with influential people (among your target audience)?
or
- Do you have any relationships with people that can support in practical areas, such as materials design or the media?

¹⁹ Adapted from WaterAid, *The Advocacy Sourcebook*

Reputation

- Do you or your partners have a strong reputation among the target audiences, with the public or the media?
- If not, have you developed strategies and tactics to get around this?
- Can you recruit influential spokespeople or celebrities to speak on your behalf?
- Do you need to work in partnership with another, better-known organisation?

Time

- Do you have enough time to implement your project effectively?
- Are there particular deadlines that you have to meet?
- Are there external events that you wish to use, such as elections, national or local political meetings, government planning cycles or international summits?

TOP TIPS: Fundraising

If your advocacy campaign needs to seek additional financial support, it could try raising funds by staging fundraising events such as a concert or charity evening, or collecting donations from supporters. Alternatively, you may need to seek out funders who can commit a large amount of money. Try to build personal relationships with people who may be in a position to financially support your advocacy campaign and convince them of its merits.

A good place to start research into possible funders who may support your advocacy work is the International Human Rights Funders Group: <http://www.hrfunders.org>. You may also research which groups have funded other organisations or initiatives that carry out similar work to yours.

When developing a funding proposal or concept paper, be sure to develop it according to the specific criteria of the individual fundraising body to which you are applying. This means conducting some research to see what activities and initiatives the funder has supported in the past and whether your advocacy objectives match their goals. Tailor the language of your proposal to ensure that you meet their criteria. Funders have specific reporting requirements, so ensure that you have the capacity to report to donors on time and according to their needs.

Developing a fundraising proposal takes time and effort. Individual funders have their own ideas about what information they would like to see in a concept paper but generally, a fundraising proposal comprises the following information:

- An introduction and project rationale providing a background to the issue you wish to address and why it is important
- Project objectives which will relate to your advocacy goals and objectives
- Project activities which will list the specific actions you will carry out to reach your objectives
- A time line for the implementation of your activities
- An estimated budget, broken down according to activities and specific project costs
- Information about your organisation, including its accomplishments, structure and the knowledge and expertise it has to address the situation.

Selecting advocacy tactics

Once you have identified the issues, conducted in-depth research, identified your advocacy goals and objectives, identified your target audience, developed your key message and supporting messages and assessed your resources, you are ready to choose the approaches and activities or 'tactics' you will carry out to enable you to reach your objectives. This could include legal advocacy and litigation; lobbying; building networks and coalitions; capacity building; media advocacy; and building a public campaign.

Chapter 3 focuses on advocacy tactics and gives examples of advocacy initiatives from around the world. It is likely that you will use a wide range of tactics in order to reach your advocacy objectives, depending on the capacity and mandate of your organisation, the context in which you are working, the resources you have at your disposal and your target audience. Monitoring and evaluation will also lead you to re-assess your advocacy strategy, thereby abandoning tactics that were unsuccessful, or introducing new ones.

Conduct a risk assessment of potential activities

It is essential to examine any potential problems you may encounter during your campaign in order to respond to them effectively. Most advocacy campaigns attract some form of opposition. But your background research will have identified any potential opponents, and equipped you with how to counter any arguments they may put forward. You should also have thoroughly examined the social and political context in which you are working. Never engage in any advocacy or activity that puts your staff members, partners or the communities you work with in any form of danger. Most forms of advocacy also attract public exposure. Never engage in advocacy that brings your organisation into disrepute or impedes it from being able to carry out its mandate.

Humanitarian or aid organisations that are working in emergency contexts, should assess closely whether speaking out about human rights violations they witness will in fact bring about an improvement to people's lives or have an immediate effect on the ability of the organisation to implement its mandate. In many cases, this mandate means responding quickly and efficiently to an emergency and ensuring that communities and individuals that are left particularly vulnerable during, or in the aftermath of, an emergency have access to safe water and sanitation as soon as possible. In some environments, particularly societies that are politically repressive, or when advocating against corruption, advocates on a certain issue and those they work with may expose themselves to significant risk.

Consider the most appropriate form of advocacy to carry out. Capacity building for government officials or 'quiet' or 'behind the scenes' diplomacy may be an alternative option to a public campaign denouncing human rights violations. It may also be the case that if your organisation is witness to serious human rights violations, but is unable to speak out about them, that you present the evidence and ensure that the violations are brought to the attention of another organisation or a UN body that is in a position to take action. You should also be aware of cultural sensitivities, especially if you are dealing with an issue considered 'taboo'. You do not want to

alienate your audience. Make sure you have done a thorough assessment of the safety of the context you are working and be prepared for any sudden upheavals such as the outbreak of conflict or civil strife.

Some issues you engage in may attract a certain amount of controversy. Try not to be a partisan in any political debates but rather address the facts, which you have checked for their credibility, and ensure that your arguments are objective and based on international law. Getting angry with those who disagree with you is not the best tactic to convince them to support your position, so make sure you treat the targets of your campaign with respect, at all times. Understand their argument, break it down, and be persuasive in making your own case. Make sure you have the resources you require for your advocacy project, anticipate unexpected events and be prepared to change or even cancel your advocacy project all together if the risks become unacceptable. Remember that being well prepared is the best way to avoid risk.

Checklist: Assessing risk

- Do your advocacy targets or opponents pose any danger to your organisation, partners or communities?
- Have you assessed the cultural context you are working in, and ensured that your advocacy campaign is appropriate or sensitive to taboo subjects?
- Are you aware of any developments that may make the context you are working in insecure?
- Are you prepared to respond to any opposition you may encounter?
- Are you well prepared to carry out your advocacy campaign?

Planning for monitoring and evaluation

Monitoring is an ongoing, periodic assessment of your advocacy campaign while an evaluation is a one-off assessment that usually occurs at the end of the project.

You should plan time and resources for monitoring and evaluation at the outset of your campaign and determine who will be responsible for these activities (e.g. the organization initiating the advocacy campaign, the community involved in/or benefiting from it, an external evaluator or donors).

It is essential that you consistently monitor the campaign to ensure that you are on track to meet its objectives, learn from your successes and failures, and adapt your strategy accordingly to maximise impact and respond to changing contexts and circumstances.

Challenges of monitoring advocacy

- Achieving policy change is a slow and complex process
- Advocacy is often carried out in environments that are complex and constantly changing, so unexpected challenges or developments will arise
- Advocacy objectives are often vague or not easily measurable
- Political and social change is often due to a wide range of factors, so successes are often not attributable to the work of any one organisation but the efforts of a large number of actors

In order to monitor your activities effectively, it is essential to develop strong indicators to measure whether or not you are achieving your advocacy objectives.

It is usual that the staff or key people responsible for implementing the advocacy campaign will also be the ones responsible for periodic monitoring. This could include collecting information on successes and failures throughout the campaign, conducting impact assessments or reporting to donors. To monitor your advocacy campaign effectively, always collect any responses you have received from your target audience, such as letters or newspaper articles. Even if you are not on track to meet your objectives (policy change can be a slow and difficult process) successes could include increased visibility with the media or the building of alliances and coalitions.

Table 5: Adocacy campaign indicators

ADVOCACY GOAL	Ensure that people internally displaced by conflict in Country X have access to safe and sufficient water and adequate sanitation facilities in IDP camps.
SMART OBJECTIVE	INDICATORS
Increase donor funding for water and sanitation in IDP camps by 25% in the next three years.	Five key donors are provided with briefing papers regarding the water and sanitation problems in IDP camps and the issues are discussed by donors. Follow up meetings with the donors held. Donor funding is increased by 25% in three years' time
Establishment of 20 water points and 20 sanitation units in three selected IDP camps in the next four months.	Twenty water points and sanitation units are established in three camps in four months
Increase visibility through press reports, UN reports and organizational programming on issues relating to water and sanitation for IDPs in Country X over the next year.	Journalists have received the relevant information. In the next year, 10 newspapers report on the issue of water and sanitation in IDP camps. The upcoming periodic review of Country X by the ESCR Committee identifies the issue and four major international NGOs adapt their programmes to respond to this problem.

Checklist: Monitoring

- Is the advocacy campaign on track to meet its objectives within the established time frame and available resources?
- Should your objectives be modified or changed?
- Is the target audience responding positively to the advocacy message, and if not, how can activities be adapted to have more impact?
- Has opposition to advocacy been dealt with effectively?
- Is there anything that can be done to increase the visibility and impact of the advocacy campaign?

External organisations working with or on behalf of local communities may develop a survey or feedback form to enable the community to assess the impact and benefit of the advocacy campaign, and propose ways to strengthen the initiative.

By assessing your successes and failures, at the end of the campaign, an evaluation will ensure that your organization or group has learnt from the experience, which will strengthen any advocacy initiatives you may undertake in the future. An evaluation can be carried out by the organization responsible for the advocacy campaign, the community involved or the donor. You may then want to present the evaluation's findings at a multi-stakeholder dialogue and solicit feedback.

Checklist: Evaluation

- Did the advocacy campaign meet its objectives? If not, why not?
- If policy change was achieved, was this a direct result of your advocacy initiative?
- Were objectives accomplished with the available resources and within the specified time frame?
- What was successful?
- What did not work well?
- What lessons can be drawn from successes and failures?
- Did the advocacy campaign result in an increased awareness of, and respect for, human rights?
- If working with or on behalf of a community, how do they assess the impact of your advocacy campaign? What do they believe could have improved?
- How do partners and donors assess your advocacy campaign?
- Will the results of the advocacy campaign have a long-term impact?
- Are the results replicable in a different community or context?
- How could a future advocacy campaign be improved?

Drawing up a detailed action plan

Once you have carried out the steps of the advocacy planning sequence described above you are ready to draw up a detailed action plan and assign responsibilities for implementation. The advocacy plan can take many different forms but it should specify exactly what you want to do in the course of your advocacy campaign, and a completion deadline.

3 Advocacy tactics for promoting and protecting the right to water and sanitation, and case studies of water and sanitation advocacy from around the world

This section aims to introduce the reader to a number of different advocacy ‘tactics’ or ‘activities’ that could be used on an advocacy campaign.

The different advocacy tactics explored in this section include:

- Lobbying
- Using media and communications
- Public campaign/Popular mobilisation
- Capacity building
- Legal advocacy/litigation
- Building networks and coalitions

In the course of a campaign, you might employ a wide range of advocacy tactics, depending on what you want to achieve and who you want to influence. Advocacy can often be effective if you are targeting a number of different levels (local, regional and international) at the same time. But the tactics you choose must be appropriate to reach your target audience. Different approaches may be suitable for different contexts and situations; it is not a ‘one size fits all’.

Lobbying

Lobbying is the process of trying to influence decision makers directly at all levels. It is aimed at informing them about a particular issue to persuade them to support or oppose a position. Lobbying is not a 'one off' event – it is a strategy – and is most effective when you build up a relationship with the people you are trying to influence. You want to gain decision makers' trust and confidence so that they are prepared to use your organisation's expertise when it comes to decision making. Lobbying can take a variety of forms such as:

- Holding short 'face to face' meetings with government officials
- Writing letters to decision makers
- Providing fact sheets or policy briefing papers to government officials
- Phoning an official
- Inviting officials to a panel discussion

Top tips for lobbying

- Face to face meetings are often the most effective way to get a message across and build a relationship with your target
- Be well prepared for meetings: know what your target's position is on an issue; what message you want to get across; and counter-arguments to their positions
- Engage in dialogue and respect others' opinions even if you do not agree with them
- Be prepared to negotiate; provide 'win-win' solutions to problems; show how supporting the issue will benefit the target. However, do not compromise your position or lose the focus of your message
- Be firm but polite and respectful
- Know when to stop; you don't want to cross the line between 'lobbying' and 'harassing' your target!
- Follow up on your meetings, keep people updated and see what action (if any) they have taken

Advantages

- Lobbying is an effective way of reaching decision makers directly
- It engages people directly in the democratic process and strengthens the relationship between decision makers and civil society

Limitations

- It may be difficult for many groups or organisations to reach decision makers directly and have them take notice
- It may be difficult to maintain political neutrality

CASE STUDY

The struggle to increase political commitment to the rights to wash in Nepal: The People's Agenda

Civil Society Organisations in Nepal have continued with their efforts to influence policies and practices to reduce WASH deprivation. Influencing initiatives have resulted in some positive changes.

Deprivations and political transformations

Nepal is used to monitoring diarrhoea and cholera outbreaks in dry seasons. An outbreak in 2009 adversely affected more than 46,000 and killed nearly 310 people in 17 districts with low sanitation coverage throughout July and August. This is not an isolated news story: there has been a general trend where around 10,500 children under five die every year simply because they are deprived of sanitation and safe drinking water.

Nepal is a country in transition. The population has struggled to bring about political transformation and realise its aspirations to create a prosperous and inclusive state. After the people's movement restored democracy in May 2008, the country is in the process of drafting a new constitution with the aim of incorporating the people's agenda in the national policy document.

In this scenario, the timing was perfect to advocate and lobby for incorporating the rights to sanitation and water as a constitutional right.

Learning by convincing and influencing

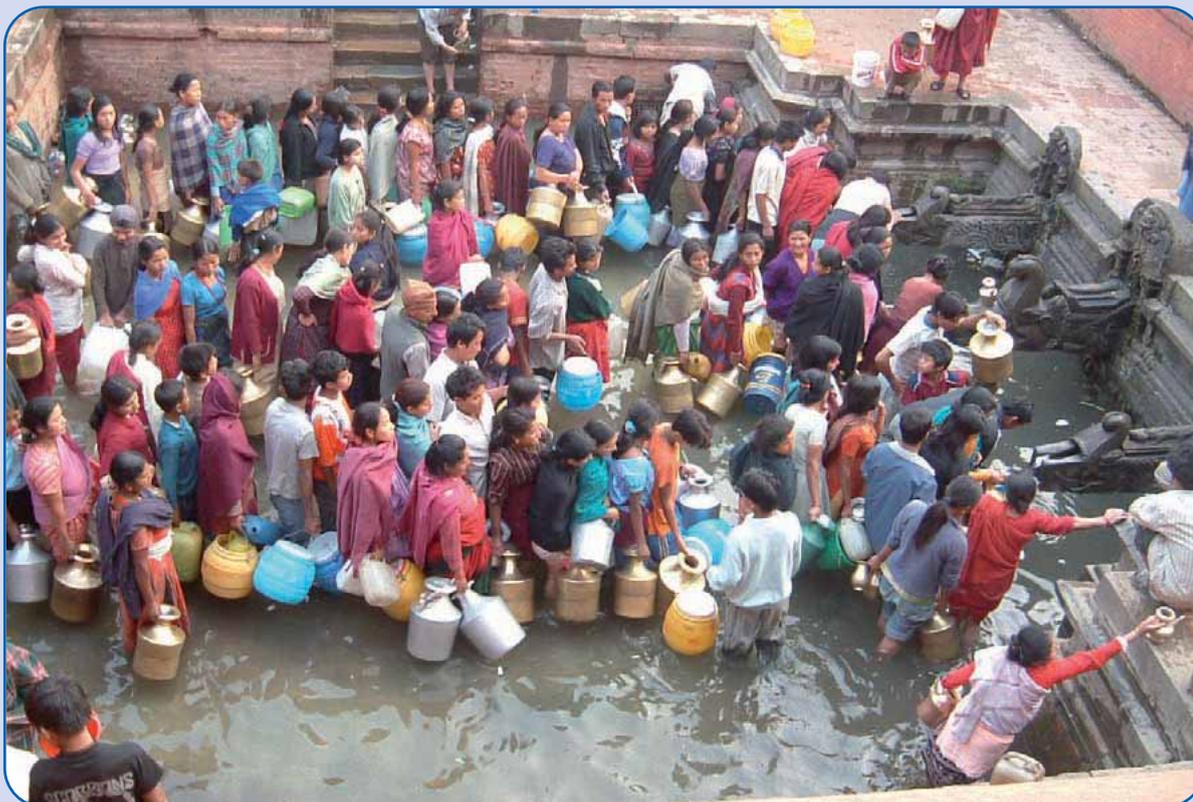
Convincing political leaders of major parties in Nepal to recognise the rights to sanitation and water required a good analysis of the issues and context. Close association between civil society organisations, legal teams and the media, created suggestions for alternative constitutional points in legal language. Briefing papers were used as support in lobbying meetings with the Prime Minister and the Chairperson of the Constituent Assembly, as well as other leaders.

Organizing a high profile meeting with WaterAid's CEO proved to be a strategic move. It helped to promote the WASH initiatives to the Minister for Physical Planning and Works and the Minister of Environment, Science and Technology, together with major stakeholders working on sanitation and water.

It is also important to remember to appeal to a political leader's humanity as they can be touched by campaigns that focus on sentiment and empathy. Campaigning initiatives such as candle lighting in memory of children who have died due to sanitation and water deprivation set the context for the process of convincing political leaders to enshrine sanitation and water as constitutional rights.

The SACOSAN III declaration, in which sanitation and water have been recognized as fundamental human rights, was a major milestone for the advocates. It formed a strong basis for incorporation of the people's agenda for rights within the national legal framework.²⁰

The media proved to be an invaluable means to amplify the people's voice. Periodic radio debates coupled with print media coverage played a pivotal role in changing the mindsets of political leaders.



Credit: Prakash Amatya

Communities collect water from traditional stone spouts in Manga Hiti, Kathmandu

Moving ahead with aspirations

Influencing a political agenda is a tricky process. The political scenario and interests should be closely analysed before taking any further steps. In some circumstances, civil society must suppress their desire to lead and take a back seat so that the agenda is taken forward by political leaders themselves. The major concern should not be who takes the lead but 'How can we incorporate the people's agenda in a constitution formed by the people themselves?' Therefore, strategic thinking is required to determine which issues civil society and political leaders should lead on.

There is always strength in unity and diversity. Different stakeholders bring different dimensions and perspectives to the influencing process. There should be a consolidated approach to influencing coupled with the strength of diverse stakeholders. This will ensure that all points of view are heard and reflected in the country's constitution, to ensure the right to sanitation and water.

²⁰ For more information on SACOSAN, see page 69

Results

There have been good indications that sanitation and water are to be incorporated as constitutional rights in the draft content shared by the Fundamental Rights and Directive Principles Committee of Constitutional Assembly in Nepal. The Urban Water Supply and Sanitation Policy has also been approved by the cabinet.

In addition, the Master Plan for Sanitation has been finalised and is being endorsed. The budget is another factor influencing widespread coverage of the projects and schemes. The sector has received allocation of Rs 9.15 arawb budget with a separate sanitation budget amounting to Rs. 7.9 crores. These increased political commitments and policy enhancements add more motivation and energy to the stakeholders working on the sector.

Top tips for letter writing

- Use the proper term of address: Ms, Mr, Your Excellency etc.
- State your reason for writing and deliver your message and the action required by the person you're addressing in the first paragraph
- Explain who you are and how you are connected to the issue
- Provide information about your issue and some key facts
- Be clear what action you want the policymaker to take
- Keep letters short and to the point: decision makers do not have time to read pages and pages of information (additional information or supporting documents may be attached to the letter but again, keep this short)
- Be respectful in your address; acknowledge that the person you are writing to is someone whose support is important and offer to assist that person with any additional information required or to answer questions in the future

A sample letter is provided in the Appendix

Using media and communications

Media and communication work aims to raise public awareness about an issue and change attitudes by encouraging broad-based support for your advocacy goal.

It could include:

- Giving an interview on local radio
- Issuing press-releases or fact sheets to journalists
- Inviting journalists on a 'site-visit' to see the situation first hand for themselves
- Holding a press conference
- Writing an op-ed (an opinion or comment piece for a newspaper)
- Writing a blog
- Setting up a website
- Video news releases or audio diaries
- Using Facebook/Twitter or other social networking sites to post statements, alerts and mobilise people
- The media are often interested in reporting on events that involve prominent individuals. Can you get a politician, religious leader or local celebrity interested in your work?

CASE STUDY

A press conference to draw international attention to the impact of the blockade on water and sanitation in Gaza

On the 3rd of September 2009, the EWASH Advocacy Task Force (a coalition of almost 30 organisations working in the water and sanitation sector in the occupied Palestinian territory) in cooperation with the UN Humanitarian Country Team held a press conference to draw attention to the impact of the Israeli imposed blockade on water and sanitation in Gaza. The blockade has had a severe impact on the functioning of water and sanitation services and facilities in Gaza, due to restricting entry for much needed construction materials and aid. Organisations working in the water and sanitation sector jointly called for an immediate opening of Gaza's border crossings to allow the entry of critical spare parts and materials for restoring Gaza's water and sanitation services and to respond to the humanitarian crisis and growing environmental hazard.

The event was held at Beit Lahiya Waste Water Treatment Plant so that journalists could witness the impact of the Israeli blockade on the functioning of essential services. The event was well attended by journalists from over 25 media outlets and statements were read out by the UN Humanitarian Coordinator, representatives from UN Agencies, International NGOs, the local service provider (CMWU) and housewives who shared their personal experiences of struggling to manage on limited supplies of clean water.

The press conference drew significant attention to the issue globally. Major media outlets throughout the world covered the event including Aljazeera, the BBC, the *Washington Post*, the *New York Times*, the *Jerusalem Post* and AFP.

The task now is for water and sanitation advocates working in the occupied Palestinian territory to build on this success and sustain the pressure.



Credit: Maya Vidon White

A boy collects water in Gaza following an Israeli military assault which caused extensive destruction of water and sanitation infrastructure

Advantages

- Using media and communications has the potential to get your message to a very wide audience
- Decision makers may be more likely to respond if your issue is made noticeable

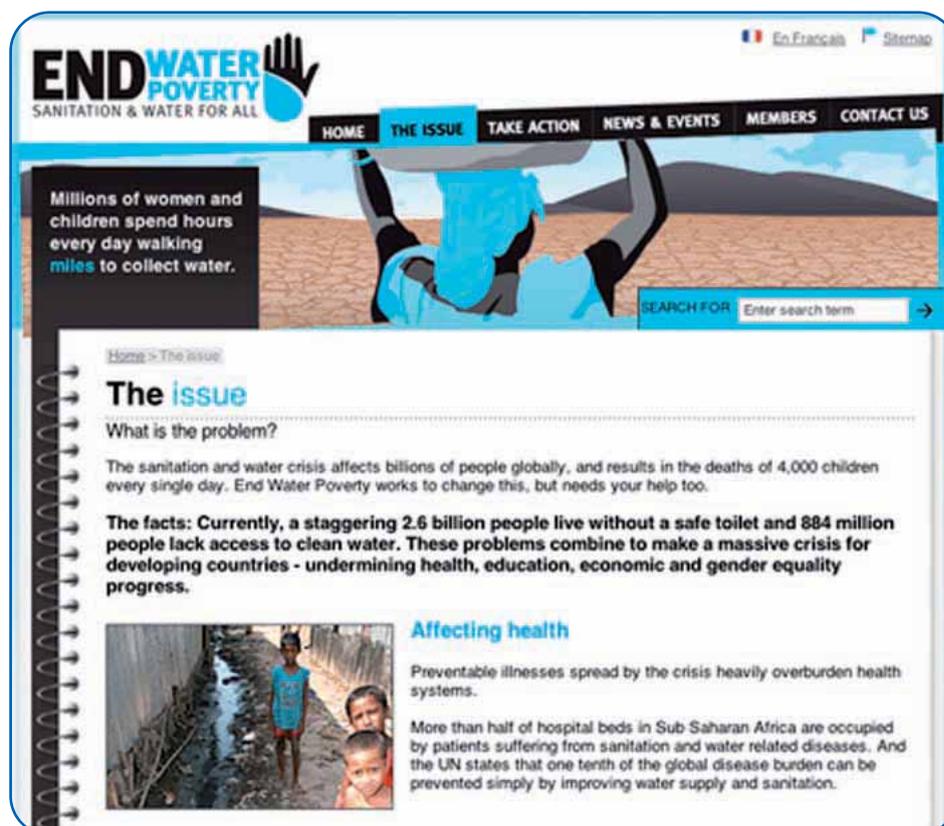
Limitations

- Some forms of media and communications, such as setting up a web-site, can be costly to use and require specific expertise
- Remember that it is NOT true that 'there is no such thing as bad publicity'. If you put your organisation or cause in the public spotlight make sure that you do nothing that will damage your image or reputation.

Creating a website

Having your own website to promote your campaign and place information, could be a valuable tool to reach a wide audience. You could also conduct 'click campaigns' online to encourage people to send letters to decision makers calling upon them to take action to support your cause, or online petitions. If you do not have the technical expertise within your organisation or group, outsourcing the design and maintenance of a website could be costly. In this case you could consider setting up a Facebook page for your campaign or a page on another free social networking site.

A good example of effective online messaging is End Water Poverty's website: www.endwaterpoverty.org (see below). It has a catchy slogan in 'End Water Poverty: Sanitation and water for all', explains the issues backed up by solid evidence or facts, mentions what the solution to the problem is, and provides a link to another page where people can find out what action they need to take to bring about change.



Top tips for writing a press release:

- When writing a press release, keep it short and snappy. Ideally it should fit onto one page, but don't be afraid to attach more detailed information such as a briefing paper or a link to your website
- Give journalists information that they can use; many journalists simply 'copy and paste' from press releases!
- Include some catchy phrases that journalists like to pick up on, some hard facts and figures, and a few good quotes from relevant 'experts' or important officials
- Make your messages and the action you want taken clear
- Provide a contact which journalists can phone or email for more information
- You may wish to send your press release a day before it is due to go into the press so that journalists have time to approve and write a story. If so, write 'EMBARGOED UNTIL: *DATE AND TIME*' clearly at the top, so journalists do not release your story before the appointed date

An example of a press release is given in the Appendix.

Public campaign/popular mobilisation

Launching a public campaign is useful when you want to engage the public and mobilise visible support for a particular issue. It could include:

- Producing pamphlets for distribution
- Making banners to display in public places
- Giving out t-shirts with your slogan on it
- Organising a petition/letter writing campaign
- Organising public events such as theatre, film showings, photo exhibitions, or inviting speakers to talk about an issue followed by a public debate
- Organising protests/marches/vigils

The most important aspect of organising a public campaign is to be creative and find ways that will engage and mobilise people to take action. This is also essential if you wish to gain media attention.

Top tips for a public campaign

- Know the issues that will motivate people
- Keep messages positive and make events fun
- Know who can reach the grassroots and mobilise large groups of people and engage their support
- Be well organised it can be difficult to co-ordinate large groups of people
- Keep contact details of people who come to support an event as you may be able to motivate them to become involved in future activities
- As you will have a high public profile, conducting a thorough risk assessment is very important – remember that public demonstrations could put people at risk in some countries
- Think about ways to engage youth in a campaign and solicit advice and support from organisations or institutions that work with children and young people.

CASE STUDY

Public campaign for World Toilet Day – the president of Mali signs petition

Water campaigners in Mali produced a giant version of a petition calling for more attention to water and sanitation issues for the African Union and G8 Summits and even managed to persuade the President of the Republic, Amadou Toumani Touré to sign it, just in time for World Toilet Day on November 19, 2009. At the event, in the presence of the President, WaterAid launched a national campaign with many people from the development sector attending, including diplomats and representatives from all the major embassies and international departments.

During the End Water Poverty campaign launch, the great Malian musicians Ensemble Instrumental du Mali performed a song about sanitation written especially for the occasion. After the launch, officials were taken on field visits and shown the differences between sanitized areas and non-sanitized sites. Later in the afternoon a concert took place, featuring some of the most well known singers in the country, including Salif Keita, Amadou and Mariam, Abdoulaye Diabate, and Baba Salah.

In the run up to World Toilet Day, imams from mosques throughout the capital Bamako discussed sanitation. This is thought to be a particularly effective channel to spread the message as religious leaders can reach many people and have the trust of the community.

Throughout the rest of the week, there were further awareness-raising conferences and public debates on the issue.

http://www.endwaterpoverty.org/news__events/42.asp



The president of Mali signs petition

Advantages

- Mobilising large numbers of people around an issue and demonstrating public concern may persuade decision makers to take notice of your cause
- A public campaign is inclusive not exclusive and means that the voices of the people are projected onto centre stage, which can be preferable to having 'NGO elites' talking about an issue on behalf of others
- A public campaign encourages people to become involved in issues that directly affect them

Limitations

- Sometimes opening up your campaign to a wide-range of people can mean that it is hijacked by certain groups or organisations who have a very different agenda to your organisation or group, which could place the credibility of your campaign at risk
- Many public campaigns require significant organisational skills and it can be difficult to coordinate activities involving a large number of people

Capacity building

Capacity building means increasing the knowledge and skills of those affected by a particular issue and developing their structures to enable them to carry out their own advocacy, and demand and defend their own rights. It could include providing trainings or holding workshops with community groups to support their efforts and share skills and experiences. It could also include training in human rights standards, media advocacy or fundraising. Remember that capacity building is a two-way process; the 'trainers' also have much to learn from the experience of the 'trainees'. However, capacity building does not only have to target community groups or other NGOs. It can be directed at government officials or policymakers, and be an effective form of advocacy, by informing them of their duties and obligations under the right to water and sanitation or assisting them to improve laws, policies and programmes.

Advantages

- Capacity building can support communities to engage in advocacy for themselves and not be dependent on external actors, thereby making advocacy more sustainable and more connected to the needs of communities themselves
- Capacity building aimed at policy makers can lead to constructive engagement and build the trust of the target audience

Limitations

- Capacity building may require a long term commitment on behalf of the NGO and may be resource intensive

CASE STUDY

The Right to Water as a tool for mobilizing women to call for improved water access: empowering marginalised communities

The process of empowering the rural poor to organise themselves and access their right to water is an important area for Centre of Rural Studies and Development (CRSD), India, a rights based organisation established in 1991. CRSD's model of facilitating community organisation, as well as carrying out development interventions, provides a cohesive perspective rooted in a rights-based approach that encourages participation and local leadership.

With a population of over one billion, India is well known for being the largest democracy in the world. The primary responsibility of providing drinking water and sanitation facilities in the country rests with state governments. The 73rd and 74th amendments to the Constitution provide that the local governing bodies have a role in provision of drinking water.

Although the Government has made inroads in providing drinking water, there are reports that some areas previously fully supplied with clean water have now partially or totally lost access due to water sources going dry because the ground water table has lowered or the quality has become adversely affected.

Legal recognition of the right to water and sanitation

A basis for a right to water can be found in the Indian Constitution (1950) under the fundamental right to life. Whilst India has recognized the right to water and sanitation by signing the International Covenant on Economic, Social and Cultural Rights, and has supported a range of political declarations in favour of the right to water and sanitation, it has not implemented the right to water and sanitation in full.

Problems faced by communities

CRSD works in villages in Anantapur district of Andhra Pradesh, South India, a semi-arid region with very low annual rainfall of about 540mm. Due to the overexploitation of groundwater for irrigation purposes since the 1970s, there is an acute water shortage in the summer. Drinking water hand pumps dry up and become defunct from lack of maintenance. Women, who are the primary water collectors, can spend up to six hours fetching water, travelling to distant farms where there are irrigation bore wells fitted with electric motors. They may also have to go at irregular times due to the erratic nature of the state-controlled electricity supply and its unpredictable power cuts.

After initially working with both sexes, CRSD took the strategic decision to work intensively with women on gender issues. There was a feeling that women should be organised first and that men could join the federation later because of the far greater time and effort needed to bring women together and break the culture of silence.

Interventions and lessons learned

Women were selected from the community and took part in regular advocacy and human rights training, so that they could become effective change agents. Women were educated about their right to water and the role of the Government machinery and elected representatives. For this coaching and nurturing of leaders to be truly effective and have a significant impact on capacity, it may need to be extended for at least five years.

Women built groups in the villages, conducted meetings to create consciousness about women's issues and facilitated analysis of what solutions or strategies could help improve their lives. The women's groups came to a common understanding that it is the constitutional obligation of the state to provide an adequate quantity of drinking water to its citizens and to protect water resources, which are common goods. From a human rights perspective, the state is duty bound to protect and enable citizens to enjoy their rights. Any policy of the state that jeopardises the ability of the citizens to realise their fundamental rights amounts to the violation of their rights.

Workshops were organised with officials from the Panchayatraj Rural Water Supply Department and community leaders to familiarise communities with the services provided and to help make the department more responsive. Networking with community leaders, other community-based organisations, youth leaders, likeminded NGOs, academics, politicians and sympathetic civil servants was essential to garner a support base for the issues at stake.

Using the media for advocacy proved to be effective, as decision makers and politicians usually follow local newspapers closely; they then pressurized the department to respond and take corrective measures. It is well-known water issues represent maximum social capital that can be converted into votes for a politician. The election year was thus an important time when elected representatives and political parties vied with each other to exhibit their concern for the poor.

Large meetings, such as World Water Day and International Women's Day, were used to mobilise women on rights issues, including that of water. Rallies and peaceful demonstrations were held to demand rights, women felt confident in large numbers and so developed a sense of solidarity and strength.

Measures of success

- The time taken by women to collect water has reduced by an average of 20%
- With the increased number of women participating in training, meetings and advocacy, their ability to be articulate and represent an issue has improved
- Men are slowly beginning to accept the new leadership roles of women and the priority that the state government is giving to them
- The Rural Water Supply Department is more responsive and accountable to empowered communities and its quality of service has improved

CRSD is now working in a larger area, with a population of more than 200,000 in 182 villages, to share this experience of empowering dalits (the lowest caste who are often discriminated against) and the poor around the right to water, through the Andhra Pradesh office of the Freshwater Action Network South Asia (FANSA).



Credit: Kollleen Bouchane, FAN

Raising awareness of the rights to water and sanitation with women's community groups in Andhra Pradesh

Legal advocacy/litigation

This involves using the law and legal processes to affect change and could include:

- National courts
- International or regional judicial or semi-judicial forums

International or regional judicial or semi judicial forums

At the international and national levels an effective complaints mechanism is a key component of the right to water and sanitation and a useful tool to ensure the effective implementation of service delivery standards and targets. However, if your organisation or group does not have specific legal expertise, it may be essential to engage assistance from a human rights/legal NGO or lawyer before engaging in legal advocacy.

International level

At the UN level there are two distinct mechanisms, namely the charter and treaty based mechanisms.

The charter based mechanism

The charter based mechanism comprises the activities of the Human Rights Council (HRC)– an inter-governmental human rights institution whose membership is selected by the General Assembly. The HRC has a complaints procedure known as the ‘1503’ procedure, which allows individuals and groups to bring complaints regarding patterns of human rights violations to its attention. The HRC has also established a **universal periodic review** system to examine the human rights performance of all UN members periodically.

If your organisation or group does not have specific legal expertise, it may be essential to engage assistance from a human rights/legal NGO or lawyer before engaging in legal advocacy.

Submitting a ‘1503’ complaint

Who can submit

An individual, an NGO, a victim or someone with reliable knowledge of a violation. There is no restriction, but it is suggested that well known NGOs are more likely to get favourable consideration.

What to submit

- (i) Identifying particulars
- (ii) The purpose of the complaint
- (iii) A description of relevant facts in detail including names of alleged victims, dates, locations and any supporting evidence
- (iv) The rights alleged to have been violated
- (v) Details of domestic remedies exhausted or explanation of how such remedies will be ineffective or unreasonably prolonged.

How to submit

- (i) Normal mail, facsimile message or email.²¹

Top Tips

- Don't simply focus on the facts of an individual case
- If possible expand on a group or series of cases
- Don't rely on mass media reports
- Provide specific evidence
- Limit complaint to 10-15 pages
- Don't use abusive or insulting language

When to use the '1503' procedure

- If a country has not signed up to any treaty
- To address gross human rights violations against a large number of people

Advantages

- Complaint can be brought against any country
- Does not necessarily require victims' authorisation

Limitations

- Process may be lengthy
- Complaint must refer to a large group of people rather than individuals
- No provision for urgent interim measures
- The process is confidential and complainants are not informed about decisions

Participating in the universal periodic review (UPR) system

Who can participate

- (i) National human rights institutions
- (ii) NGOs
- (iii) Human rights defenders
- (iv) Academic and research institutions

Submit credible and reliable information on the state under review that:

- (i) Covers a maximum four year period
- (ii) Indicates key words in relation to the submission (e.g. access to water)
- (iii) Includes an introductory paragraph summarising the main points
- (iv) Follows the structure of UPR General Guidelines
- (v) Provides brief information about the organisation making the submission and the nature of its work

How to submit

- (i) Email: UPRsubmissions@ohchr.org²²

²¹ For more information see, <http://www2.ohchr.org/english/bodies/chr/complaints.htm>

²² For more information, see <http://www.ohchr.org/EN/HRBodies/UPR/Pages/NgosNhris.aspx>

Top Tips

- Use one of the UN languages in Microsoft Word format
- Submission should not be longer than five pages
- Don't reproduce observations or conclusions of treaty bodies
- Don't quote or appendix reports from other organisations
- Don't use abusive or insulting language
- Submit within deadline

The treaty-based mechanisms

The treaty-based system involves committees of independent experts monitoring how governments implement their ratified treaties. This includes the **periodic submission of reports** by governments on their implementation of treaty obligations. Some treaties contain an optional protocol, which if ratified by a state, allows individuals and groups to submit complaints against that state for violations of the provisions of that treaty.²³ It is useful to mention that complaint mechanisms also exist at the regional and sub-regional levels.

Submitting a 'shadow' or alternative report to a treaty body

Who can submit

- (i) Civil society, particularly NGOs
- (ii) Professional associations
- (iii) Academic institutions
- (iv) National human rights institutions

What to submit

- (i) Country-specific information relevant to the treaty body's mandate; refer to the particular article of the treaty allegedly violated
- (ii) Allegations of human rights violations supported by relevant evidence and documentation

How to submit

- (i) Send an electronic version and multiple hard copies to the secretariat of the treaty body²²

Top Tips

- Be acquainted with the reporting guidelines of the particular treaty body before drafting a 'shadow' report
- Report must be clear and precise, accurate and objective
- Highlight problems in implementation and offer concrete recommendations
- Don't use abusive or insulting language
- Correctly reference all information and refer to official versions of reports
- Submit report well before scheduled examination of state report

²³ For more information in submitting a shadow report to the CESCRs or participating in the periodic monitoring of States, see <http://www2.ohchr.org/english/bodies/cescr/NGOs.htm>

When to use

- When a state's periodic report is due for submission
- To review a state's human rights performance over a period

Advantages

- It is an obligatory procedure
- Ample opportunity for civil society participation

Limitations

- Committee issues non-binding concluding observations and recommendations.
- However, these recommendations can be used to enhance advocacy by publicising what the UN human rights experts have said in relation to a government's performance in fulfilling its obligations.

EXAMPLES OF CONCLUDING OBSERVATIONS ON RTWS

Concluding Observations of the Committee on Economic, Social and Cultural Rights: Israel. 23/05/2003. E/C.12/1/Add.90

25. The Committee is particularly concerned about limited access to and distribution and availability of water for Palestinians in the occupied territories, as a result of [the] inequitable management, extraction and distribution of shared water resources, which are predominantly under Israeli control.

41. The Committee strongly urges the state party to take immediate steps to ensure equitable access to and distribution of water to all populations living in the occupied territories, and in particular to ensure that all parties concerned participate fully and equally in the process of water management, extraction and distribution. In that connection, the Committee refers the state party to its general comment No. 15 on the right to water.

Concluding Observations of the Committee on Economic, Social and Cultural Rights: Australia E/C.12/AUS/CO/422 May 2009

27. The Committee is concerned at the negative impact of climate change on the right to an adequate standard of living, including on the right to food and the right to water affecting, in particular, indigenous peoples, in spite of the state.

The Committee recommends that the state party take all the necessary and adequate measures to ensure the enjoyment of the right to food and of the right to affordable drinking water and sanitation in particular by indigenous peoples, using a human-rights based approach in line with the Committee's General Comments No. 15 on the right to water (2002); No.14 on the right to health (2000); and No. 12 on the right to food (1999). It also recommends that the state party intensify its efforts to address issues of climate change, including through carbon reduction schemes. The state party is encouraged to reduce its greenhouse gas emissions and to take all the necessary and adequate

measures to mitigate the adverse consequences of climate change, impacting the right to food and the right to water for indigenous peoples, and put in place effective mechanisms to guarantee consultation of affected Aboriginal and Torres Strait-Islander peoples, so to enable them to exercise their rights to an informed decision as well as to harness the potential of their traditional knowledge and culture (in land management and conservation).

NEPAL
CESCR E/2002/22 (2001)

27. The Committee notes with regret that 29 per cent of the population has no access to safe water, 90 per cent has no access to health services and 84 per cent has no access to sanitation.

60. The Committee recommends that the State party ensure that projects involving privatization of water supply provide for continued, assured and affordable access to water by local communities, indigenous people, and the most disadvantaged and marginalized groups of society.

Submitting a complaint to a treaty monitoring body

Who can submit

- (i) Victims
- (ii) Third parties on behalf of victims
- (iii) Any civil society actor

What to submit

- (i) Basic personal information of the alleged victim
- (ii) The name of the state complained against
- (iii) Proof of consent, if complaint is made on behalf of another
- (iv) A thorough account of the facts on which the complaint is based
- (v) Steps taken to exhaust available judicial and administrative remedies
- (vi) Details of the case's submission to other relevant international bodies
- (vii) Arguments showing why the facts amount to violations and citing relevant articles
- (viii) Documents supporting the claim
- (ix) Copies of relevant national laws

How to submit

- (i) By email to: tb-petitions@ohchr.org
- (ii) By fax to: +41 (0)22 917 90 22
- (iii) By post²⁴

²⁴ Petition should be addressed to: Petitions Team, Office of the United Nations High Commissioner for Human Rights, Palais des Nations, 8-14 avenue de la Paix, CH-1211 Geneva 10, Switzerland. Always indicate which treaty body you are writing to.

Top Tips

- Be familiar with the treaty body's complaints procedure
- Obtain the individual's consent
- Ensure that the complaint falls within the scope of the particular treaty
- Find out if the state complained against has ratified the relevant optional protocol or accepted the competence of the treaty body to receive individual complaints
- Domestic remedies should have been exhausted or reasons shown why they could not be used
- Don't use abusive or insulting language

When to use

- When a state has ratified the particular treaty
- To address violations of the rights of individuals or groups

Advantages

- State party is bound to comply with the decision of the treaty body
- Treaty body can issue interim measures in urgent cases

Limitations

- A complaint must come within scope of the treaty
- The state must accept competence of the treaty body to receive individual complaint
- A complaint cannot generally concern a widespread pattern of rights violation

National level

At the national level, an independent regulator, established specifically to monitor the activities of service providers within a sector, may provide complaint mechanisms. However, regardless of a regulator's role, accountability is possible if an independent branch of government – such as a human rights commission, an ombudsperson institution or the judiciary – monitors the performance of public institutions.

Human rights commissions and ombudspersons can carry out detailed and long-term reviews of government policy and respond to complaints quickly, flexibly and cheaply. Though generally slower in operation, courts in both developed and developing countries have played an important role in making sure that the right to water and sanitation is respected. Courts can make public institutions revise their programmes and actions, and can impose criminal and civil penalties on public officials and private persons. Importantly, litigation should be a last resort, and used when policymakers and public officials have not done their job.

Submitting a complaint to a national human rights commission

Who can submit

- (i) Alleged victim(s)
- (ii) An organisation, relative or legal representative of the alleged victim(s)
- (iii) An individual or organisation

What to submit

- (i) Basic details of complainant
- (ii) Facts alleged violations, including dates and places of occurrence
- (iii) Human rights provisions alleged to have been violated
- (iv) Person or institution against whom complaint is made

How to submit

- (i) Send in writing to the commission
- (ii) Make an oral complaint to a relevant official
- (iii) Complete complaint form where applicable

Top Tips

- Be familiar with the complaints procedure of the commission
- Complaint must be dated and signed
- Don't use abusive or insulting language

When to use

- For investigating individual complaints of rights abuses

Advantages

- Easily accessible
- Inexpensive

Limitations

- May not result in binding decisions against government institutions

CASE STUDY

Frente Amplio Opositor Mineira (FAO) against the Saint Xavier Mine, Mexico

The Canadian mining company New Gold came to the mountain community of Cerro San Pedro, San Luis Potosí State in 1995, to research the possibility of mining for gold and silver in the Saint Xavier Mine (SXM).

The following year New Gold announced that mining operations would go ahead. The community rejected this plan, but the mining authorities carried on despite their resistance. A small group of professionals environmentalists and defenders of cultural heritage came together to oppose the mine, forming a group known as Frente Amplio Opositor Mineira (FAO), or Unified Front Opposing the Mine. FAO works to monitor the environmental impact of the mine's exploitation of the land and contamination of both surface and subterranean water, as well as the economic, social and political consequences and the historical significance of the area.

The worst environmental impact of the mine is water related. Located in a semi-desert region, the aquifer provides water to 40% of the state's population of 2,600,000 people. In the early 1960s, it was declared a restricted and then a prohibited zone, as the aquifer was not recharging enough to replenish itself. In 1993 the area of Cerro de San Pedro was declared a wildlife preservation zone. Mining was banned from the area due to their over-consumption of natural resources.

The mine now consumes 32 million metres of water every day, mixed with 16 tons of sodium cyanide. In 2005 the National Water Commission stated that water was being extracted at double the recharge rate.

Mexico has signed the International Covenant on Economic, Social and Cultural Rights, General Comment 15, recognising the right to water. FAO has used the principle of the right to water both as a strategy to organise activists, and to bring successful cases in various forums, including judicial proceedings before the Federal Tribunal and the Commission on Environmental Cooperation (CEC). The CEC solicited the Mexican government for more information on the violation of the right to water. The government responded to only one part of the enquiry, in which they did accept that the proposed mining activities would cause contamination to the aquifer. However, they claimed that it would not cause serious problems and furthermore, that Mexico is not obliged to apply precautionary measures since it is not a signatory to the Rio Declaration on the Environment.

FAO has challenged the company's mining activities by bringing a court case against them, using the right to water as a tool to hold the company accountable and calling for intervention by the Mexican and Canadian governments and restitution of damages to the community.

Short-lived success

The Latin American Court for Water agreed to cancel the licence of the company, but a few months later the company managed to receive a new mining permit. In Mexico the state of these rights has not developed beyond theory: national and international laws and treaties on water protection have gradually been eliminated or modified directly in the interests of companies.

Some positive outcomes and lessons learned

FAO's work has raised awareness of the right to water in the community, including through organising movements against privatisation and environmental campaigns, especially regarding water pollution. FAO has improved its ability to defend communities and gained practical experience and media attention.

In this case, the right to water opened space for civil society to challenge situations in which their water rights are violated. However, in countries with low accountability, even though rights may be recognised by the constitution, the law is often not respected by government or large industrial stakeholders. Weak institutional structures and lack of accountability from government undermines the impact of the rights-based framework. In order for the right to water to be really meaningful at ground level, the improvement of accountability mechanisms is required.

FAO is preparing a demand for the OEA, denouncing the Mexican government for the violation of the most basic of human rights.



Credit: Ceridwen Johnson, FAN

Mario Martinez Ramos, *Movimiento contra Minera San Javier*, shares the case at the FAN session at the 5th World Water Forum, Istanbul, March 2009

Enforcing a right in court

Who can submit

- (i) Anyone personally interested
- (ii) Anyone acting on another's behalf
- (iii) Anyone acting in the public interest
- (iv) An association

What to submit

- (i) Basic details of complainant
- (ii) A statement of facts regarding the alleged violations, including dates and places
- (iii) Provisions of relevant law
- (iv) Written arguments showing how the facts constitute violations
- (v) Relief sought.

How to submit

- (i) Seek legal advice and guidance

Top Tips

- Seek legal advice and guidance in country where legal action is intended

When to use

- As a measure of last resort within the national system
- To get government institutions to comply with their rights obligations

Advantages

- Results in binding reliefs
- Court can issue binding interim measures

Limitations

- Process can be lengthy and expensive
- Not easily accessible

Approaching a regulatory body

Who can approach

- (ii) Anyone concerned about the service provided

What to submit

- (i) The name and contact details of complainant
- (ii) The name of the person against whom complaint is made
- (iii) Particulars of the complaint

- (iv) Nature of injustice or harm suffered
- (v) Relief sought

How to submit

- (i) Send written complaint to regulatory body
- (ii) Make oral complaint to relevant official
- (iii) Complete standard complaint form where available

Top Tips

- Familiarise yourself with the regulatory body's complaint procedure
- Visit website for possible online submission of complaint

When to use

- To enforce consumer rights against public services providers and maintain service provision standards

Advantages

- Easily accessible
- Inexpensive

Limitations

- Range of binding reliefs may be limited

CASE STUDY

Using the courts to uphold the right to water in South Africa: the experience of pre-paid water meters

On the 27th of March 2005, a fire broke out in a shack located in Phiri, one of the poorest suburbs of Soweto, Neighbours gathered to extinguish the fire but due to the pre-paid water system in place, the water credit soon ran out and the supply was automatically disconnected. Residents finally managed to put out the fire through collecting ditch water in buckets. However, the shack was destroyed in the fire and two small children who were sleeping inside died.

Residents in Phiri were regularly left with no access to water for the last 15 days of every month, when the free basic water supply or credit ran out and the meter automatically disconnected. This problem was largely due to the fact that the average household in Phiri contains 16 persons, and the free basic water supply was calculated for a much smaller household. The automatic disconnection of the residents of Phiri was not experienced by residents of wealthier, mainly white suburbs who do not have pre-paid meters and are provided with a notice before any disconnection to the water supply. Additionally, such residents are given an opportunity to pay as well as enjoy access to credit.

In July 2006, five residents of Phiri supported by the Centre for Applied Legal Studies (CALs), the Coalition Against Water Privatisation and the Centre on Housing Rights and Evictions (COHRE), challenged the legality and constitutionality of the City of Johannesburg's policy of imposing pre-paid water meters. The applicants also requested that the free basic water supply be increased from 25 litres per person per day to 50 litres, and that residents are given the option of water credit supplied to wealthier residents.

In its judgement, the High Court of South Africa ruled that the City of Johannesburg's practice of forced installation of prepayment water meters in Phiri was unconstitutional and unlawful and in violation of the right to water. In addressing the question of the availability of payment options, the Court directed that the City of Johannesburg provide Phiri residents with the option of a metered water supply, and increase free basic water allocation to 50 litres per person per day.

On the 2nd and 3rd of September 2009, CALs and COHRE took the case to the Constitutional court of South Africa. Bret Thiele, Coordinator of COHRE's Litigation Programme said 'The lower courts were correct to rely on international human rights law in their previous rulings. They found that a right of access to sufficient water means a right of access to that quantity required for dignified human existence. Now, the Constitutional Court must also consider the principle of progressive realisation in the South African context which in this case requires a minimum of 50 litres of water per person per day. It should also address the state's obligation to take meaningful and measurable steps towards the full realisation of the right to water as soon as feasible for all South Africans.'

Building networks and coalitions

Building networks and coalitions means establishing links with other similar interest groups; and having partners that can support your campaign and work towards a common goal. It could be a formal structure, with its own dedicated staff and resources; or an informal coalition where members cooperate, work together and hold regular meetings. It could include:

- Creating a strong coalition of local community groups behind a particular issue
- Making international alliances that may help you reach new audiences

It may be that a strong coalition already exists, which you can join, or that you choose to create a new coalition from scratch. If creating a coalition, remember that this takes a lot of work, so try to find a 'core group' of partners to get things up and running.

Advantages

- A number of groups speaking out collectively may ensure that your voice is heard
- Networks and coalitions show that there is a 'united front' or 'common consensus' on an issue, which could influence policymakers to support it
- Working with other groups or organisations helps you share skills, experiences and resources
- Working together with others could enable you to widen the impact of your advocacy campaign
- Working together with others can boost morale and create a feeling of solidarity
- Working together with others can provide some form of 'protection' to smaller members of the group when speaking out on controversial issues, as they can contribute to the campaign without having a high profile

Limitations:

- It can often be difficult to work with others and commonly agree on messages and strategy. It is sometimes easy to lose focus when many groups are sharing different ideas and messages may get so diluted in the attempt to build consensus that they become devoid of content
- It often happens that one organisation or group may feel that it is doing all the work, or disagreements arise among partners
- It may be difficult to maintain momentum and enthusiasm amongst coalition members

Top tips for building networks and coalitions

- Ensure that groups you work with have a good reputation and a similar or complementary vision and mandate to your organisation or group
- Make sure that all partners are clear about what is expected from them and define your strategy and rules of working before you embark on any common advocacy initiative
- A coalition requires a strong leadership to drive the campaign forward and maintain momentum but also requires a participatory approach to decision making, so decide roles and responsibilities early on
- Be prepared to negotiate to find a common ground for agreement without compromising or watering down the main content or message of your advocacy campaign
- When selecting partners to work with, choose the organisations that can bring something to your campaign, such as expertise, media capacity or financial resources
- Look for ways to link grassroots initiatives with global initiatives and take community voices to the international stage
- Never air differences of opinion or disagreements between partners in public
- Respect the views of all members of your coalition

CASE STUDY

CSOs use the Rights to Water and Sanitation to influence Sanitation Conference Outcomes

In the months leading up to the 3rd South Asian Conference on Sanitation (SACOSAN III) in New Delhi, November 2008, international, regional and national civil society organizations lobbied hard and called upon the eight participating governments (Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, Sri Lanka) to recognise that sanitation and safe drinking water is a fundamental human right and should be included in the state declaration (set to be adopted at the Conference).

COHRE, WaterAid and the Freshwater Action Network - South Asia (FANSA) sent letters to the ministers of participating countries detailing their countries' prior support for the right to water and sanitation and called on them to support the inclusion of the right to sanitation in the SACOSAN III declaration. In the run up to the event, FANSA, WSSCC and WaterAid conducted an inclusive grassroots consultation process at national and regional level to identify the gaps and challenges standing in the way of sanitation related MDG targets.

In Delhi, the issue of the right to water and sanitation played a prominent role at the two-day pre-SACOSAN civil society meeting organised by WSSCC, FAN, WaterAid and IRC in which nearly 180 civil society leaders from South Asia as well as representatives from international NGOs participated. The right to water and sanitation was one of the eight key themes up for discussion at the meeting. The meeting concluded with a Civil Society Declaration, endorsed by all participants, which called on governments to 'reaffirm their prior recognition that access to safe drinking water and basic sanitation is a basic human right and a fundamental aspect of human security and dignity.'

Many participants who attended the pre-meeting used the CSO declaration to lobby their ministers at the official conference. For example, Joe Madiath of Gram Vikas, read out the declaration in a parallel session. Many other CSO representatives used the CSO declaration and the advocacy letters prepared by COHRE and FANSA to intensively lobby their respective national officials and leaders to include the right to water and sanitation in the official SACOSAN Declaration. Further support was given to the civil society campaign when Catarina de Albuquerque called upon SACOSAN governments to 'reaffirm the Message from Beppu, which recognized the right to access to safe drinking water and sanitation'.

This coordinated lobbying approach was successful. The final state declaration, known as the 'Delhi Declaration,' which emerged from SACOSAN, recognizes access to sanitation and safe drinking water as a basic right. It also asserts that 'national priority to sanitation is imperative'. Significantly, the declaration commits member states to strengthen regional collaboration and promote independent monitoring.

Following this achievement, civil society has continued to use the Delhi Declaration to lobby governments to uphold and prioritise the right to sanitation, and turn their commitments into reality.

FANSA has been instrumental in making members aware of the outcomes of SACOSAN III and translated the ministerial declaration into many local languages so that it could reach diverse communities. A number of workshops were also held at the national and regional level to engage CSOs in taking the process forward. For example, FANSA convened a meeting in Sri Lanka in November 2009 to bring key representatives from civil society organisations together again to share progress from the national level, identify the main sector blockages and plan a future course of action for CSOs. Discussions around the right to water and sanitation played a prominent role at the meeting.

The SACOSAN campaign is a great example of how international CSOs, regional networks, national and local organisations and the UN system can collaborate by drawing on different levels of expertise and involving grassroots voices so they have a clear impact, even at the highest political level.

For the full report and the Roadmap to SACOSAN IV action plans visit: www.fansasia.net



Credit: FAN South Asia

Grassroots leaders hold a silent vigil prior to the South Asian Conference on Sanitation (SACOSAN), November 2008

Appendix

International and regional human rights law

International Standards

Treaties

Convention on the Rights of the Child, 1989
<http://www.unhchr.ch/html/menu3/b/k2crc.htm>

Convention on the Elimination of All Forms of Discrimination against Women, 1979
<http://www.unhchr.ch/html/menu3/b/e1cedaw.htm>

International Covenant on Civil and Political Rights, 1966
http://www.unhchr.ch/html/menu3/b/a_ccpr.htm

International Covenant on Economic, Social and Cultural Rights, 1966
http://www.unhchr.ch/html/menu3/b/a_ceschr.htm

International Convention on the Elimination of All Forms of Racial Discrimination, 1965
http://www.unhchr.ch/html/menu3/b/d_icerd.htm

Geneva Convention (III) relative to the Treatment of Prisoners of War, 1949
<http://www.unhchr.ch/html/menu3/b/91.htm>

Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, 1949
<http://www.unhchr.ch/html/menu3/b/92.htm>

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977
<http://www.unhchr.ch/html/menu3/b/93.htm>

Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1977
<http://www.fao.org/righttofood/kc/downloads/vl/docs/AH391.pdf>

Regional Treaties

African Charter on the Rights and Welfare of the Child, 1990
<http://www1.umn.edu/humanrts/africa/afchild.htm>

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, 2003
<http://www.africa-union.org/root/AU/Documents/Treaties/treaties.htm>

Senegal River Water Charter, 2002 http://www.lexana.org/traites/omvs_200205.pdf

African (Banjul) Charter on Human and People's Rights, 1981
<http://www1.umn.edu/humanrts/instree/z1afchar.htm>

African Convention on the Conservation of Nature and Natural Resources
(Revised Version), 2003
<http://www.africa-union.org/root/AU/Documents/Treaties/treaties.htm>

The Arab Charter on Human Rights (2008)
<http://www1.umn.edu/humanrts/instree/loas2005.html?msource=UNWDEC19001&tr=y&auid=3337655>

Protocol of San Salvador (1988):
<http://www.oas.org/juridico/english/sigs/a-52.html>

International and regional political commitments

The Programme of Action adopted by consensus of all 177 states²⁵ participating in the 1994 International Conference on Population and Development, Cairo states in Principle 2 that:

Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature. People are the most important and valuable resource of any nation. Countries should ensure that all individuals are given the opportunity to make the most of their potential. They have the right to an adequate standard of living for themselves and their families, including adequate food, clothing, housing, water and sanitation.

The 1996 Habitat Agenda, adopted by all 171 states²⁶ at the Second United Nations Conference on Human Settlements (Habitat II) in Istanbul, recognises that:

Everyone has the right to an adequate standard of living for themselves and their families, including adequate food, clothing, housing, water and sanitation, and to the continuous improvement of living conditions.

The Final Documents of the 2006 and 2009 Summits of the Heads of State and Government of the Non-Aligned Movement²⁷ state in paragraphs 226 and 393 respectively:

The Heads of State and Government recalled what was agreed by the 13th Session of the UN Commission on Sustainable Development in 2005 and the UN Committee on Economic, Social and Cultural Rights in November 2002, that recognised the importance of water as a vital and finite natural resource, which has an economic, social and environmental function, and acknowledged the right to water for all.

In the 2006 Abuja Declaration, adopted at the First Africa-South America Summit (ASA) in Abuja, Nigeria on 30 November 2006, 65 African and South American states²⁸ committed to 'promote the right of our citizens to have access to clean and safe water and sanitation within our respective jurisdictions.'

At the 1st Asia-Pacific Water Summit, held in Beppu, Japan in December 2007, 37 states²⁹ from the wider Asia-Pacific region unanimously adopted the 'Message from Beppu,' which recognises the 'people's right to safe drinking water and basic sanitation as a basic human right and a fundamental aspect of human security.'

²⁵ For a list of participating countries, see the Report of the International Conference on Population and Development, A/CONF.171/13, 18 October 1994, at: www.un.org/popin/icpd/conference/offeng/poa.html.

²⁶ The Habitat Agenda Goals and Principles, Commitments and the Global Plan of Action, available at: www.unhabitat.org/content.asp?ID=1176&catid=10&typeid=24&subMenuId=0. The Habitat Agenda was adopted by consensus of all 171 UN member States represented at the conference. For a full list of participants, see UN Doc. A/CONF.165/L.4 (1996).

²⁷ For a full updated list of the Members of the Non-Aligned movement, see http://en.wikipedia.org/wiki/Non-Aligned_Movement.

²⁸ For a full list of signatories see:

²⁹ For a full list of participating countries, see: www.apwf.org.

The 2008 Delhi Declaration, adopted by eight South Asian countries³⁰ at the Third South Asian Conference on Sanitation (SACOSAN III) recognises in Paragraph 1 that 'access to sanitation and safe drinking water is a basic right, and according national priority to sanitation is imperative.'

At the 5th World Water Forum in Istanbul in 2009, 25 countries³¹ adopted a separate declaration on the right to water and sanitation in which they recognized that access to water and sanitation is a human right and committed to take all necessary actions for the progressive implementation of this right.

³⁰ Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka.

³¹ Bangladesh, Benin, Bolivia, Cameroon, Chad, Chile, Cuba, Ecuador, Ethiopia, Guatemala, Honduras, Morocco, Namibia, Niger, Nigeria, Panama, Paraguay, Senegal, South Africa, Spain, Sri Lanka, United Arab Emirates, Uruguay, Venezuela.

Example of a press statement



Press Statement

Humanitarian organisations deeply concerned about the ongoing water and sanitation crisis in Gaza

Call for an immediate opening of Gaza's crossings

3 September 2009

The United Nations Humanitarian Coordinator for the occupied Palestinian territory (oPt) Mr Maxwell Gaylard, together with the NGO Association for International Development Agencies (AIDA), today called for full and unrestricted access for spare parts and materials critically needed to restore Gaza's water and sanitation services.

'The deterioration and breakdown of water and sanitation facilities in Gaza is compounding an already severe and protracted denial of human dignity in the Gaza Strip' stated Mr Gaylard. 'At the heart of this crisis is a steep decline in standards of living for the people of Gaza, characterised by erosion of livelihoods, destruction and degradation of basic infrastructure, and a marked downturn in the delivery and quality of vital services in health, water and sanitation,' added Mr Gaylard.

Under human rights law all people have the right to an adequate standard of living and the highest attainable standard of health. Both of these rights include access to sufficient quantities of safe, accessible and affordable water, as well as proper sanitation services and facilities.

As a result of the blockade of Gaza imposed by Israel since June 2007, equipment and supplies needed for the construction, maintenance and operation of water and sanitation facilities have been denied entry to Gaza, leading to the gradual deterioration of these essential services. Destruction caused during the Israeli military offensive in 2008/2009 exacerbated an already critical situation, leaving some services and facilities on the brink of collapse. Whilst some essential construction and repair items have been permitted to enter since then, this is nowhere near enough to restore a fully-functioning water and sanitation system for the people of Gaza.

Currently, some 10,000 persons in Gaza remain without access to the water network and an additional 60% of the population do not have continuous access to water. Furthermore, since January 2008, due to damage to sewage treatment facilities, lack of treatment capacity due to postponed plant upgrade projects, and a critical shortage of fuel and electricity necessary to operate them, some 50-80 million litres of untreated and partially treated wastewater are being discharged daily into the Mediterranean Sea.

The United Nations Humanitarian Coordinator and Non-Governmental Organisations call upon the Government of Israel to take immediate steps to ensure the entry into Gaza of construction and repair materials necessary to respond to the water and sanitation crisis that exists in the Gaza Strip. 'Without addressing both the immediate basic needs of the population and facilitating the longer term development and management of the degraded water and sanitation sector, public health and the wider environment will remain at significant risk. Pollution does not recognise borders or barriers, and communities throughout the region are threatened by the deficiencies of Gaza's water and sanitation system', said Mr. Gaylard.

For more information please contact:
Name, organisation and position, telephone number

Example of a lobbying letter

To:
Dr. Raghuvansh Prasad Singh
Minister of Rural Development
India

23 October 2008

RE: INCLUSION OF THE RIGHT TO WATER AND SANITATION IN THE DELHI DECLARATION

Your Excellency Dr. Raghuvansh Prasad Singh,

We are writing to call upon the Indian government to advocate for the inclusion of the right to water and sanitation in the Preamble of the Delhi Declaration to be adopted at the upcoming South Asian Conference on Sanitation (SACOSAN III).

The Islamabad Declaration adopted at SACOSAN II recognises that half the people living in the participating countries still lack access to proper sanitation. The crisis in access to sanitation is inseparably linked to the crisis in access to safe drinking water as lack of basic sanitation is the primary cause of contamination of water supplies.

The human cost of the combined crisis in water and sanitation is enormous: as the Islamabad Declaration notes, an estimated one million men, women and children die from diseases caused by dirty water and poor sanitation in South Asia every year; additional hundreds of millions are constantly sick from water and excreta related diseases such as diarrhoea, trachoma or worm infections; millions of children are left physically stunted, mentally disabled and malnourished.

Apart from the consequences on human life, health and dignity, the current crisis constitutes a key obstacle to sustained economic development. The overall economic damage caused by dirty water and poor sanitation in the region is estimated at USD \$ 34 billion per year. Solving the problem would cost a fraction of this. According to the 2006 UNDP Human Development Report, every \$1 invested in basic water and sanitation services on average creates \$8 in costs averted and productivity gained.

However, access to safe drinking water and basic sanitation for all is not only a development imperative, it is also a human right, firmly grounded on the bedrock of international human rights law, as well as universally shared values of equality and human dignity.

India has repeatedly expressed support for the right to water and sanitation in international instruments and the right is also recognised in India's domestic law, as described in the annex. The upcoming SACOSAN III Conference

presents a unique opportunity to confirm what India and 36 other countries from the region recognised in the Message from Beppu adopted at the 1st Asia-Pacific Water Summit, namely that access to safe drinking water for basic needs and basic sanitation is a fundamental human right.

Therefore, we are calling upon the Indian government to follow up on earlier statements recognising the right at the international level by referring to the right to water and sanitation in the Preamble of the Delhi Declaration to be adopted at SACOSAN III.

With highest regards,
COHRE, WATERAID, FANSA and FAN
(Name of directors and contact details)

ANNEX TO LETTER

I. INDIA'S SUPPORT FOR THE RIGHT TO WATER AND SANITATION AT DOMESTIC AND INTERNATIONAL LEVEL

1. Domestic level

The right to water and sanitation is also solidly anchored in India's domestic legal system. Article 21 of the Constitution of India guarantees the right to life. According to the established case law of the Supreme Court of India, this constitutional right to life encompasses the right to have access to the basic necessities of life, including pollution free water and sanitation.

2. International level

We welcome the fact that India has given strong support to the right to water and sanitation in the past, repeatedly acknowledging the right at international level:

- India, along with 156 other countries, has ratified the **1966 International Covenant on Economic, Social and Cultural Rights (ICESCR)**, which guarantees the "right of everyone to an adequate standard of living, including adequate food, clothing and housing". Article 11(1) ICESCR is now widely understood to include the right to water **and** sanitation. With the exception of Bhutan, all countries participating in SACOSAN III (Afghanistan, Bangladesh, India, Maldives, Nepal, Pakistan and Sri Lanka) are states parties to the ICESCR.³²
- India signed the **Programme of Action** adopted by consensus of all 177 participating states at the **1994 Cairo International Conference on Population and Development**, which in Principle 2 explicitly recognises that the right to an adequate standard of living includes access to water and sanitation. The Cairo Programme of Action was signed by all countries participating in SACOSAN III.³³

³² See <http://www2.ohchr.org/english/bodies/ratification/3.htm>. For a full list of States Parties to the ICESCR.

³³ The Cairo Programme of Action, including a full list of signatories (under 'C. Attendance') is available at: <http://www.un.org/popin/icpd/conference/offeng/poa.html>.

- India endorsed the **Habitat Agenda**, adopted by consensus of all 171 states participating in the **Second United Nations Conference on Human Settlements (Habitat II)** held in Istanbul in 1996, which under principle 11 states that the right to an adequate standard of living includes the right to water and sanitation.³⁴ The Habitat Agenda was signed by all countries participating in SACOSAN III.³⁵
- The **Final Document** of the **14th Summit Conference of Heads of State or Government of the Non-Aligned Movement**, held in Havana/Cuba in 2006, where India was represented by His Excellency Prime Minister Manmohan Singh, **explicitly acknowledges the right to water for all**.³⁶ The Final Document was adopted by consensus of all 117 member states, including all countries participating in SACOSAN III.
- In December 2007, at the **1st Asia-Pacific Water Summit**, 37 states from the region, including India, represented by Minister of Water Resources, His Excellency Prof. Sauf-ud-Din Soz, unanimously adopted the **Message from Beppu**.³⁷ The **Message from Beppu** explicitly recognises the '**people's right to safe drinking water and basic sanitation as a basic human right and a fundamental aspect of human security**'.³⁸ The Message from Beppu was signed by Bhutan, India, Nepal and Sri Lanka and 33 other countries of the region.

II. CONTRIBUTION OF A RIGHTS-BASED APPROACH TO WATER AND SANITATION

The human right to water can be instrumental in addressing the current crisis in access to safe drinking water and sanitation more effectively. In particular, a human rights-based approach helps to address the current crisis in water and sanitation by:

- **Ensuring priority for people without basic access.** The prevailing crisis in water and sanitation is primarily a crisis for the poor and marginalised. The right to water and sanitation helps to ensure that expansion of access to minimum essential supplies of safe water and basic sanitation to all people is made a genuine political and development priority and available resources are spent accordingly.
- **Improving accountability in water and sanitation.** The right to water and sanitation underlines that access to minimum essential supplies of safe water and basic sanitation is a legal entitlement, rather than a charity or only a moral priority. In this sense, the right to water and sanitation provides a basis for individuals and groups to hold governments and other actors (e.g. private service providers) to account.
- **Genuine participation and full access to relevant information.** The right to water and sanitation requires full access to information and genuine consultation and participation of communities in decision making processes related to water and

³⁴ At: http://www.unhabitat.org/downloads/docs/1176_6455_The_Habitat_Agenda.pdf.

³⁵ Full list of participants available at: <http://hei.unige.ch/~clapham/hrdoc/docs/Habitat%20Agenda.pdf> (under 'C. Attendance'.)

³⁶ At: http://www.cohre.org/store/attachments/RWP_NAM_2006_Havana_Summit_Final_Doc.pdf.

³⁷ The 'Message from Beppu' is available at:

http://www.apwf.org/archive/documents/summit/Message_from_Beppu_080130.pdf.

³⁸ For a full list of signatories, see:

http://www.apwf.org/archive/documents/summit/071204_List_of_summit_participants_of_the_1st_APWS_rev.pdf.

sanitation service delivery and management of water resources. Genuine participation is now generally recognised to be essential in ensuring that the needs of communities are met and that environmentally, culturally, financially and technologically sustainable solutions are found.

- **Prohibition of discrimination and attention to marginalised and vulnerable groups.** Denial of access to water is often a deliberate choice of governments, or local authorities, to exclude communities seen as undesirable. Informal settlements the world over are often denied water services as a matter of policy. The right to water and sanitation prohibits discrimination on illegitimate grounds and requires laws and policies to provide special focus on vulnerable and marginalised groups, such as persons living in informal settlements.
- **Raising the political profile of water and sanitation.** Approaching water and sanitation services from a human rights perspective increases legitimacy as universal standards are applied. It also helps to raise the political profile of water and sanitation at the national and the international level, improving the prospects for more and better international cooperation in these areas.

List of other resources

Books, articles, periodicals, reports related to the right to water and sanitation

Action contre la Faim (ACF) & Global WASH Cluster (UNICEF), *The Human Right to Water and Sanitation in Emergency Situations: An advocacy handbook*, (2009).

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www.fian.org/programs-and-campaigns/right-to-water

www.foodandwaterwatch.org/water

www.freshwateraction.net

www.unhchr.ch/html/menu2/6/water/index.htm

www.un-ngls.org/orf/compendium-2005-withCOVER.pdf - UN System Engagement with NGOs, Civil Society

http://www2.ohchr.org/english/bodies/chr/special/annual_meetings/docs/14th/summary.doc - Special Procedures and Civil Society

www.worldwatercouncil.org Click on 'right to water'



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