**OHCHR Questionnaire “Mandate of the Special Rapporteur on the human rights to safe drinking water and sanitation”**

**I. General questions**

**1.** Please provide information regarding the **national legal and regulatory framework** including on:

**1.1.** the legal recognition of the human rights to water and sanitation;

**1.2.** the provision of water and sanitation services and facilities to people living in impoverished rural areas and indigenous peoples;

**1.3.** the recognition of the status of indigenous peoples and their rights; and

**1.4.** the regulation of service providers – whether private or public, or even community-based - and other actors to ensure respect for the human rights to water and sanitation of indigenous peoples and people living in impoverished rural areas.

**2.** Please provide information on **national or local policies and programmes** that aim to improve access to safe drinking water, sanitation and hygiene for indigenous peoples (including those living in urban and peri-urban areas) and people living in impoverished rural areas, including:

**2.1.** budgetary allocations for policies and programmes and other budgetary allocations at the local level to develop or improve water and sanitation services for indigenous peoples and people living in impoverished rural areas;

**2.2.** the recovery of the healthy state of their drinking water sources of indigenous peoples and people living in impoverished rural areas; and

**2.3** any changes in policy related to access to water and sanitation services for indigenous peoples and people living in impoverished rural areas since the outbreak of the COVID-19 pandemic.

**3.** In the context of **international development cooperation**, please provide information regarding to your Government’s role and responsibility to improve and ensure access to water and sanitation of indigenous peoples and people living in impoverished rural areas, including:

**3.1.** any international development funds providing human, technical or financial resources to support the self-governance of indigenous peoples and people living in impoverished rural areas regarding access to water and sanitation; and

*Austrian Development Cooperation (ADC) has funded water and sanitation projects for vulnerable populations, including indigenous and impoverished people, but without a specific strategic focus on indigenous peoples (see 3.2). The geographic focus has been on Central and South America, as well as East Africa, Eastern Europe, and the Middle East. The funding instruments used were bilateral development cooperation, humanitarian aid, and NGO funding. The special focus was on facilitating drinking water management and water infrastructure, protecting valuable water resources and building sanitation infrastructure.*

*ADC explicitly supported key frameworks for indigenous peoples' rights to equal access to and sustainable management of water resources and systems: mediation and conflict resolution on land rights, advocacy for individual and collective rights, land demarcation and support for autonomy status, local self-governance, inclusive local development and general natural resource management.*

*ADC has also supported sustainable watershed management systems in partnership with the International Centre for Integrated Mountain Development in the Himalayas-Hindu Kush Region (ICIMOD).*

**3.2.** measures in place to ensure that international development projects target and prioritize access to water and sanitation for indigenous peoples and people living in impoverished rural areas.

*The overarching objectives of ADC defined in the DCA are poverty reduction, securing peace and human security, and preserving the environment and protecting natural resources. By applying the human rights-based approach, the right to water and sanitation has been explicitly enshrined in ADC since the first guiding principle on water (2008). In the area of water and sanitation, ADC supports an independent and sustainable development process in its partner countries that focuses, among other things, on adequate and affordable access to drinking water and basic sanitation for all user groups, including in particular economically and socially marginalized population groups. ADC specifically supports the development of human, technical and financial resources in this area and aims to improve access to water and sanitation for the poorest. ADC has no explicit focus on the inclusion of "indigenous peoples" in its strategic documents. However, "building inclusive societies" is one of the priorities of Austrian Development Cooperation (ADC) in the current* [*Three-year Programme for Austrian Development Policy (2019-21)*](https://www.entwicklung.at/fileadmin/user_upload/Dokumente/Publikationen/3_JP/2019-2021_Dreijahresprogramm.pdf)*. On the human rights approach and inclusiveness as well as the "Do not Harm" approach, the Austrian Development Agency (ADA) provides guidance and safeguards through various means (handbooks and checklists for project cycle management).*

**4.** Please provide information regarding the **accountability framework** related to the water and sanitation sector, in particular on:

**4.1.** the roles, responsibilities and standard of service providers (public, private or community providers) who provide access to water and sanitation to indigenous peoples and people living in impoverished rural areas;

**4.2.** ways in which indigenous peoples and people living in impoverished rural areas can access information relating to access to water and sanitation services;

**4.3.** any effective mechanisms where indigenous peoples and people living in impoverished rural areas can submit complaints regarding their access to safe drinking water and sanitation as well as obtain information on how those complaints are handled and enforced; and

**4.4.** mechanisms available for indigenous peoples and people living in impoverished rural areas to hold States and other relevant actors accountable for ensuring the enjoyment of the human rights to safe drinking water and sanitation and for their actions, inactions and decisions that affect the realization of those rights.

**5.** In the case indigenous peoples and people living in impoverished rural areas do not have access to water and sanitation fulfilling the **normative content of the human rights to water** **and sanitation**, namely, availability, accessibility, affordability, safety, quality, acceptability, privacy and dignity\*:

**5.1.** Please provide information on the reasons and root causes that impair the full enjoyment of the human rights to water and sanitation;

**5.2.** Please provide information on the challenges faced by the Government to guarantee the human rights to water and sanitation; and

**5.3.** Please provide information on any actions that your Government plan to take in response to the challenges faced by indigenous peoples and people living in impoverished rural area in access to water and sanitation and full enjoyment of the human rights to water and sanitation.

**6.** In what ways has your Government ensured **meaningful participation** and ensured to obtain the **free, prior and informed consent** of indigenous peoples and people living in impoverished rural areas relating to decisions, policies and projects affecting their human rights to safe drinking water and sanitation:

**6.1.** Please provide specific information on how your Government has facilitated democratic participation of indigenous peoples and people living in impoverished rural areas in decision making, monitoring and evaluation of such projects at local level;

**6.2.** Please provide information on how your Government monitors the consultation process by government agencies, service providers and private companies in implementation of projects affecting the human rights to safe drinking water and sanitation of indigenous peoples and people living in impoverished rural areas; and

**6.3.** Please provide information on measures and efforts taken by your Government to ensure meaningful participation by indigenous women and women in impoverished rural areas and steps taken to ensure that their voices are heard in decision-making processes, monitoring and evaluation relating to water and sanitation at local and national level, respectively.

**II. Specific questions on indigenous peoples**

**7.** Please provide a **list of indigenous peoples** residing within your State’s territory or those under the jurisdiction of your Government who have self-identified themselves as indigenous.

**8.** Please provide any efforts and initiatives taken to collect and analyze information relating to **indigenous peoples living in rural areas,** in particular:

**8.1.** the environment in which indigenous peoples live (climate, geography,

 topography, recent events/disasters that occurred in the area);

**8.2.** the socio-economic situation of or context in which indigenous peoples live (education, health, employment levels, land rights, housing and security of tenure, etc.);

**8.3.** the level of autonomy and self-governance and the existence of a community organization to manage common goods, such as water;

**8.4.** their relationship with national and local (sub-national) government; and

**8.5.** their relationship with neighboring communities and population living in impoverished rural areas.

**9.** Please provide any efforts and initiatives taken to collect and analyze information relating to indigenous peoples living in rural areas, and **access to water and sanitation**, in particular:

**9.1.** how indigenous peoples living in rural areas access water (for drinking, for domestic and personal usage), and sanitation (toilet, pit latrines, sewerage, shower facilities, handwashing, menstrual hygiene);

**9.2.** what agencies are responsible for the provision of water and sanitation services

to indigenous peoples and what service providers – public or private; at community, municipal, or supra-municipal level – manage those services;

**9.3.** the value, spirituality, beliefs and practices involving water and sanitation;

**9.4.** the role of indigenous peoples and their communities relating to water management and the resources (human, technical, financial) they have; and

**9.5.** the different gender roles that indigenous women and girls have in the provision of water for their families and community.

**10.** Please provide any efforts and initiatives taken to collect and analyze information relating to **indigenous peoples living in urban or peri-urban areas,** in particular:

**10.1.** how indigenous peoples living in urban or peri-urban areas access water and sanitation and specific challenges observed; and

**10.2.** how indigenous peoples living in urban or peri-urban areas maintain and sustain their values, spirituality, beliefs and practices involving water and sanitation.

**III. Specific questions on people living in impoverished rural areas**

**11.** Please provide a **list of impoverished rural areas** in your country and information regarding:

**11.1.** how rural, urban, peri-urban areas are defined;

**11.2.** if any, how rural areas are further categorized; and

**11.3.** how levels of poverty in rural areas are defined and and how poverty is defineddifferently in rural areas and urban areas.

**12.** Please provide any efforts and initiatives taken to collect and analyze information relating to **people living in impoverished rural areas**, in particular:

**12.1.** the environment in which people living in impoverished rural areas live (climate, geography, topography and recent events/disasters that occurred in the area);

**12.2.** the socio-economic situation of or context in which people living in impoverished rural areas live (education, health, employment levels, land rights, housing and security of tenure, etc.);

**12.3.** the specific types of groups, communities and populations that live in impoverished rural areas; and

**12.4.** their relationship with neighboring communities and indigenous peoples.

**13.** Please provide information about any efforts and initiatives taken to collect and analyse information relating to people living in impoverished rural areas and **access to water and** **sanitation**, in particular:

**13.1.** how people living in impoverished rural areas access water (for drinking, for domestic and personal usage), sanitation (toilet, pit latrines, sewerage, shower facilities, handwashing, menstrual hygiene);

**13.2.** what agencies are responsible for the provision of water and sanitation services to people in impoverished rural areas and what service providers – public or private; at community, municipal, or supra-municipal level – manage those services;

**13.3.** the usage of water by people living impoverished rural areas ranging from water for drinking, for domestic and personal usage to water for subsistence farming, livestock and other usage to sustain their livelihood;

**13.4.** community organizations in impoverished rural areas which oversee water and sanitation management for their communities or any other role of people living in impoverished rural areas relating to water management; and

**13.5.** the different gender roles that women and girls in impoverished rural areas have in the provision of water for their families and the community.

**14.** Please provide information on measures and efforts undertaken to ensure equal access to water and sanitation in impoverished rural areas and to address the **disparity between access to** **water and sanitation in rural areas and urban areas** and disparity observed within areas, between remote rural areas and rural areas with populated centers.