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The Permanent Mission of the Republic of Mozambique to the United Nations Office and other International Organizations at Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights, and has the honour to send herewith a **Questionnaire for State** from the Government of Mozambique to be kindly conveyed to the attention of the **relevant special mandate holder**.

The Permanent Mission of the Republic of Mozambique avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights, the assurances of its highest consideration.



Office of the United Nations High Commissioner for Human Rights

Geneva

Questionnaire for States

The principle of accountability in the context of the human rights to safe drinking water and sanitation

As part of his research, the Special Rapporteur welcomes responses to the following questions:

1. Please provide information on how the principle of accountability is defined and applied in the legal, policy and institutional frameworks, particularly to ensure the realization of the human rights to safe drinking water and sanitation.

A: The principle of accountability is not specifically defined to ensure the realization of the human rights to safe drinking water and sanitation. However, in the Water Policy document there is a reference to access to water as a basic human right.

2. Please describe challenges or gaps identified in the application and implementation of the principle of accountability to ensure the realization of the human rights to safe drinking water and sanitation. How have these challenges and gaps been addressed? Responsibility.

A: The challenges are: Financial capacity to provide services, human resources in terms of number and capacity, capacity of the Private Sector to provide services, scarcity of technologic options and high costs to cover arid and semi-arid areas and to desalinate brackish water, civil capacity to monitoring services and sustainability of the services.

3. Please describe how and where (law, policy, administrative documents) the roles and responsibilities of the actors involved in the provision of water and sanitation services are defined in accordance with the normative content of the human rights to safe drinking water and sanitation. In other words, how are defined the roles of the actors responsible for the accessibility, availability, affordability, acceptability and quality of water and sanitation services in an equal and non-discriminatory manner.

A: There are several dispositions in the law that refer human rights. The already mentioned Water Policy; The Sustainable Development Goals (SDG) are being incorporated in several manuals, program documents and law, in particular the SDG 6, related to water supply and sanitation.

4. Please provide information on existing performance standards, and monitoring and assessment mechanisms to ensure accountability for actions of the State that affect the enjoyment of human rights to safe drinking water and sanitation of people both within and outside its borders.

A: Guideline of water quality for the human consumption – Health Minister, National Water and Sanitation Information System and Joint Annual Review.

5. In situations where non-State actors provide water and sanitation services, how does the State ensure accountability for the actions of those actors? What documents and

mechanisms exist to define the responsibilities and performance standards of nonState actors, and to monitor and assess their behaviour in a transparent and objective manner?
Answerability

A: In the rural water and sanitation sub-sector, there is an umbrella program that frames the participation of all actors involved, which are accountable through periodic reporting of their activities and performance.

6. Please provide specific examples of cases where the State provided reasoned justifications for their actions and decisions to those whose human rights to safe drinking water and sanitation were affected.

A: political military conflict that affected some areas of the country.

7. Please provide specific examples of good practices on how individuals and groups – including those who are particularly hard to reach – are informed of available accountability mechanisms, and what measures exist to support and empower them to access and utilize those mechanisms.

A: In the rural water and sanitation sub-sector there are specific community education programs addressed to all the communities within specific districts, that helps those communities in creating water and sanitation committees, which among other activities are informed about accountability mechanisms.

8. Please provide examples of mechanisms in place that provide a platform or forum for participation and discussion on remedy measures specifically on the human rights to safe drinking water and sanitation. (These may include monitoring bodies, platforms for civil society to participate, consultations, public hearings, civil society monitoring.)
Enforceability.

A: There is an annual meeting between the Government, the development partners and the civil society, to discuss the achievements and the performance of the water and sanitation activities, along the year, where human rights issues, namely gender and inclusion, are openly discussed and where recommendation's and an action plan are defined.

9. Please provide examples of effective mechanisms* to ensure that State and non-State actors at all levels are subject to enforceable sanctions or remedial actions in relation to the violation or abuse of the human rights to safe drinking water and sanitation.
*Examples may include judicial, quasi-judicial, administrative, political and social mechanisms.

A: There are several laws penalizing the contamination of waters and the license for non-State actors to operate in the country, can be cancelled or suspended if violations to human rights, for instance, are committed.

10. Please provide examples of cases where State and non-State actors were held accountable for their obligations and responsibilities with regard to the human rights to

water and sanitation in front of a judicial, quasi-judicial, administrative, political and other mechanisms.

A: The General Attorney's in case that the public health is affected notify the Government to proceed with the regularization, example Zimpeto waste water treatment plant.

11. Please provide examples of cases where State effectively monitored and held nonState actors accountable for their actions that negatively affected the enjoyment of the human rights to water and sanitation within and outside its borders.

A: There is a monitoring and reporting system, from bottom to top, that quarterly keeps the upper levels of the administration informed on the behavior of the nonState actors.

12. Please provide information on how outcomes of accountability mechanisms are implemented and complied with.

A: The Government established the mechanism of reporting and monitoring.

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