

# Japan

## Human rights assessment of development cooperation for water and sanitation

### Main policies and frameworks for human rights and water and sanitation

- Japan International Cooperation Agency (JICA) Assistance Strategy on Water Supply and Sanitation 2016
- Japan Official Development Assistance Charter
- JICA Policy & Guidelines for Environmental and Social Considerations
- Yokohama Action Plan 2013–2017 (Initiative for Africa)
- Water and Sanitation Broad Partnership Initiative, 2006
- Initiative for Japan's ODA on Water, 2003

*For the past several decades, with few exceptions, Japan has been the largest bilateral funder to WASH every year (in some years surpassed by the USA).*

### WASH policy priorities

Three of the JICA's six key issues for water and sanitation have relevant associations with the human rights to water and sanitation:

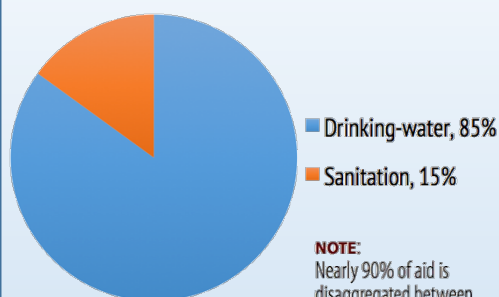
- Urban water supply
  - Support efforts to achieve SDG target 6.1, covering service improvement in terms of accessibility, availability and quality.
- Rural water supply:
  - Continue to work to expand access to safe drinking-water in rural areas with the aim of realizing universal access.
- Promotion of improved sanitation
  - Promote improved hygiene practices, particularly in Sub-Saharan Africa, while gradually expanding technical cooperation to promote the construction of improved latrines or toilets

### Specific targets (for Africa):

1. Improvement of access to safe water and sanitary conditions for 10 million people;
  2. Human resource development for water supply (1,750 people).
- ❖ A global target in conjunction with the SDGs is also currently in preparation (GLAAS, 2017).

### 1. Water supply and sanitation funding by subsector

#### a) 2012



Source: GLAAS External Support Agency Survey, 2014.

#### b) 2010-2012



Source: GLAAS External Support Agency Survey, 2014.

#### c) 2015



Source: GLAAS External Support Agency Survey, 2017.

### 2. Average annual WASH disbursements (ODA<sup>1</sup>): Japan vs. DAC<sup>2</sup> Members and multilaterals, 2011-2015

	VALUE \$ MILLION
<b>DAC + MULTILATERALS</b>	5,965
<b>JAPAN</b>	1,115
<b>%</b>	18

Source: OECD Creditor Reporting System (CRS), consulted April 2017.

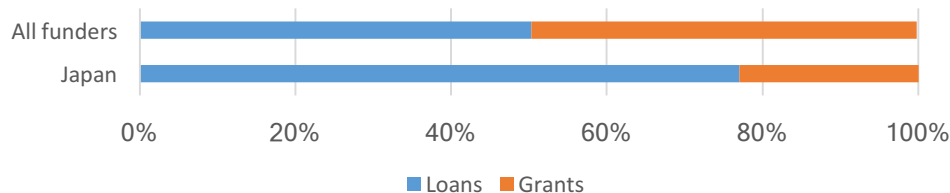
### 3. Japan average annual ODA disbursements, 2011-2015

	VALUE \$ MILLION
<b>ALL ODA SECTORS</b>	11,992
<b>WASH</b>	1,115
<b>%</b>	9

Source: OECD CRS, consulted April 2017.

1. In recent years, JICA typically funded more projects focused on drinking water supply than sanitation. Indeed, urban drinking-water supply is the largest subsector of JICA's WASH portfolio, accounting for 93% of the agency's expenses for water supply and 77% of total projects from 2011 to 2013.<sup>3</sup> For both water and sanitation systems, JICA's WASH funding devoted the greatest share to large systems in the period 2010-2012 (76%) and in 2015 (62%).
2. Among all DAC Members and multilateral funders to water supply and sanitation, Japan's yearly ODA disbursements to this sector represented an average 18% of the total disbursements in the period 2011-2015.
3. In the period 2011-2015, Japan's yearly average funding for WASH (\$1.1 billion/year) represented 9% of Japan's ODA disbursements to all development sectors. In the same period, the average for all DAC Members and multilateral funders was 4%, indicating that Japan gives a comparatively higher priority to WASH as a part of its development cooperation agenda.

### WASH ODA disbursements funding type: yearly average, 2011-2015



Source: OECD CRS, consulted April 2017.

- ❖ Compared to all funders' funding type for WASH in the period 2011-2015, Japan disburses comparatively more loans (77%) than grants.<sup>3</sup>

<sup>1</sup> The Organisation for Economic Co-Operation and Development (OECD) defines official development assistance (ODA) as financing that is concessional in character with a grant element of at least 25 per cent (using a fixed 10 per cent discount rate).

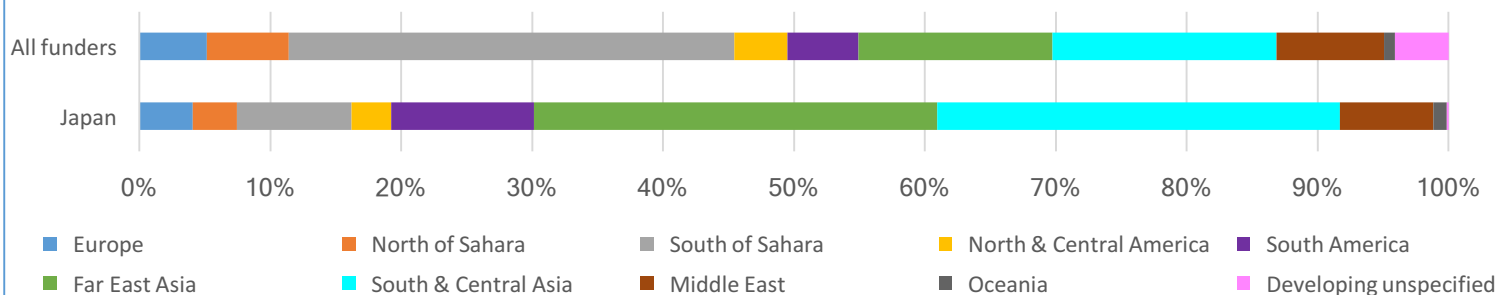
<sup>2</sup> The Development Assistance Committee (DAC) is a 30-member forum of the OECD made up of many of the largest funders, including the European Union.

<sup>3</sup> Based on data from JICA Assistance Strategy on Water Supply and Sanitation 2016.

## Incorporation of normative content & principles relevant to the human rights to water and sanitation in development cooperation policy

<u>Normative content</u>	<u>Description of policy/measure</u>	<u>Details</u>
Availability	Policy commitment concerning water supply, but not sanitation services	In the Assistance Strategy on Water Supply and Sanitation (in its English translation), emphasis is placed on the importance of providing 24-hour water supply. Guarantees for a sufficient number of sanitation services are not mentioned.
Accessibility	Mentions with added regional emphasis (Sub-Saharan Africa). Lacking definition of what constitutes access	In the Assistance Strategy on Water Supply and Sanitation, there is general mention of shortcomings in many developing countries' water & sanitation sectors. The need to make systems provide "stable service" is emphasized, and to expand networks and strengthen operational capacity of utilities to maintain/improve services. In particular, the Strategy aims to focus on sustainable rural water supply (especially in Sub-Saharan Africa) and improved access to basic sanitation.
Affordability	No reference	In the Assistance Strategy on Water Supply and Sanitation, comments on tariffs are reserved to general commitments such as "enhancing tariff collection" to help improve financial capacity of utilities.
Acceptability	Indirect protection to ensure acceptability of environmental and social services. Provisions to support participation might also contribute to acceptability.	No specific comments are made on acceptability of water and sanitation services in the Assistance Strategy on Water Supply and Sanitation or other relevant policies. Yet, the JICA Guidelines for Environmental and Social Considerations advocate for the need to assess the appropriateness of its projects from the perspective of local populations, which could possibly contribute to greater acceptability.
Quality/Safety	Policy commitment to guarantee water quality.	The Assistance Strategy on Water Supply and Sanitation states JICA's intention to make utilities in foreign countries capable of "sustainably providing high-quality services (e.g. controlled water quality)".
<u>Human rights principles</u>	<u>Description of policy/measure</u>	<u>Details</u>
Participation	Little elaboration in WATSAN policies, but commitments exist at a broader policy level.	In the Guidelines for Environmental and Social Considerations it is stated that projects must be adequately coordinated so that they are accepted in a manner that is socially appropriate to the applicable country & locality, which is to be accomplished mainly through consultations with local stakeholders. "Appropriate consideration must be given to vulnerable social groups", encompassing all people who "may have little access to decision-making processes within society". However, the Assistance Strategy on Water Supply and Sanitation makes no specific reference to local stakeholder participation.
Transparency / Access to information	References in general policies, but none in most recent Strategy.	In the Guidelines for Environmental and Social Considerations it is established, in various passages, that information must be made available to the public, especially to groups potentially affected by a given project. Yet, the language used is sometimes aspirational: "Project proponents should make efforts to make the results of the monitoring process available to local project stakeholders". The Assistance Strategy on Water Supply and Sanitation makes no specific reference to transparency & access to information.
Accountability	References to monitoring in connection with accountability in some policy documents, but policy language suggests an aspirational character and overall delegation of partner states as main bearer of responsibility.	In the Guidelines for Environmental and Social Considerations it is stated that, "[w]hen third parties point out, in concrete terms, that environmental and social considerations are not being fully undertaken, forums for discussion and examination of countermeasures are established based on sufficient information disclosure, including stakeholders' participation in relevant projects. Project proponents [...] should make efforts to reach an agreement on procedures to be adopted with a view to resolving problems." No specific reference to such accountability measures exists in the Assistance Strategy on Water Supply and Sanitation. In documents outlining the mission of Japan's Water and Sanitation Broad Partnership Initiative, support for project monitoring is explicit.
Non-Discrimination /Equality	Several policy commitments; JICA also possesses a specific gender policy.	In the Guidelines for Environmental and Social Considerations, JICA reiterates the terms of the UN Declaration on the Rights of Indigenous Peoples. Yet, in this policy, it is only stated that it would be "desirable" to provide affected indigenous peoples with explanations in a manner and language understandable to them. In the same policy, attention is drawn to several types of social impacts of projects, e.g. possible resettlement/migration of populations, effects on working conditions and livelihood, and on vulnerable groups such as the "poor", indigenous peoples, gender groups, children's rights, and people with infectious diseases such as HIV/AIDS. In addition, in the JICA Gender policy, gender mainstreaming is emphasized through certain approaches (e.g. gender-responsive governance/ infrastructure). No specific reference is made to this effect in the Assistance Strategy on Water Supply and Sanitation. In the Water and Sanitation Broad Partnership Initiative, Japan expresses its commitment to supporting the socially vulnerable and "taking gender perspectives into consideration".
Sustainability	Several policy commitments; institutional structures and measures in place (e.g. Sustainable Development Goals Promotion Headquarters).	In the Assistance Strategy on Water Supply and Sanitation, importance is attributed to establishing tariff policies in order to ensure financial sustainability for utilities, reducing non-revenue water, and improving water/energy use efficiency. In the Water and Sanitation Broad Partnership Initiative, there is emphasis on capacity building and development of organizations, policies, systems, and data to maximize the effect of infrastructure development; also on synergies through cross-sectoral measures.

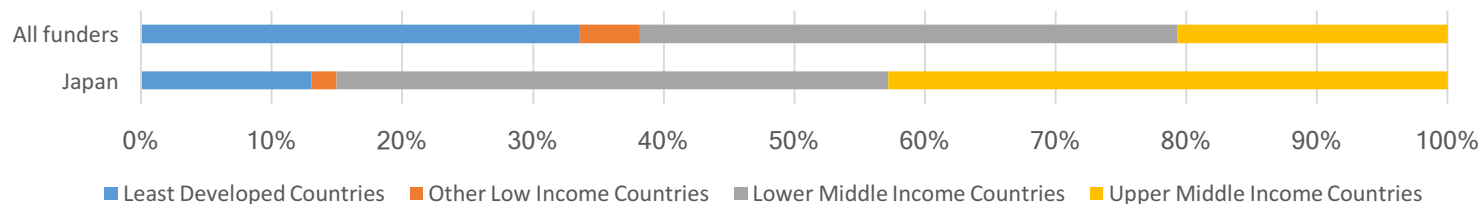
## ODA WASH disbursements to world regions: yearly average, 2011-2015



Source: Based on data from OECD-CRS, consulted April 2017.

❖ In comparison with all funders' regional disbursement of funds for WASH in the period 2011-2015, Japan disburses more to countries in the regions: Far East Asia, South & Central Asia, and moderately more to South America. In particular, the countries that received most Japan funds for WASH between 2013-2015 are Vietnam (\$159 million), India (\$151 million) and Iraq (\$108 million).<sup>4</sup>

## ODA WASH disbursements to country groups (World Bank) income status: yearly average, 2011-2015



Source: Based on data from OECD-CRS, consulted April 2017.

❖ Compared to all funders' disbursement of funds for WASH in the period 2011-2015, Japan disburses comparatively less to Least Developed Countries and comparatively more to Upper Middle Income Countries.

### Key tools

#### Ratification/signatory status to relevant legal instruments

Human Rights Instruments	Status
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Ratified
Optional Protocol to ICESCR	Not signed/ratified
Convention on the Elimination of All Forms of Discrimination against Women	Ratified
Convention on the Rights of the Child	Ratified
Convention on the Rights of Persons with Disabilities	Ratified
<b>Other legal guarantees</b>	
Recognition of human rights to water and/or sanitation in (sub)national legislation?	No

- ❖ Japan maintains Country Assistance Policies and corresponding "Rolling Plans", which are systematized records outlining Japan's development cooperation activities with partner countries. Members of the Embassy of Japan and the JICA offices in each partner country provide input to those documents, which are shared with partner countries and other relevant parties in an effort to improve aid predictability.
- ❖ Japan's Ministry of Foreign Affairs commissions a variety of evaluations of the country's activity in development cooperation. Some evaluations seek to encompass all of Japan's activity in a particular country. Others focus on:
  - **Priority issues:** e.g. the "Initiative for Japan's ODA on Water" and "Water and Sanitation Broad Partnership Initiative" were evaluated in 2008;
  - **Sector programs:** e.g. Japan evaluated its ODA in the water sector of Senegal in 2010, in Guatemala in 2009, and in Egypt in 2008.
  - or **aid modalities:** e.g. Grant Aid for Countries with Relatively High Income was evaluated in 2014.

! These evaluations lack a human rights perspective. In general, they comment on the attainment and sustainability of specific project objectives, which often encompass some but not all elements of the normative content of the human rights to water and sanitation (e.g. accessibility, availability). Additional recommendations for the relevant authorities (Japanese and local) are also provided.

### Partnerships and projects

- ❖ At the Third and Fourth World Water Forum (in 2003 and 2006, respectively) Japan announced two initiatives: the "Initiative for Japan's ODA on Water" and the "Water and Sanitation Broad Partnership Initiative (WASABI)". Both initiatives aim to strengthen internal and international partnerships with other funder countries, organizations and NGOs in the water and sanitation sector.
  - According to an evaluation of the initiatives<sup>5</sup>, Japan's WASH partnerships with other large WASH funders (e.g. United States, France) are not attributable to the above initiatives. In fact, evidence suggests that those initiatives have not had a great promotional effect for partnership.
- ❖ The Yokohama Action Plan (2013-2017) represents a broad partnership including Japan, leaders of African countries and other international actors (members of the Tokyo International Conference on African Development, TICAD) around the objective of development in the African continent, including the water and sanitation sector.

<sup>4</sup> Retrieved from External Support Agency Survey of the Global Analysis and Assessment of Sanitation and Drinking-Water (GLAAS, 2017).

<sup>5</sup> Ministry of Foreign Affairs of Japan, Evaluation of "Initiative for Japan's ODA on Water" and "Water and Sanitation Broad Partnership Initiative (WASABI)", 2008.