

31 January 2016

OHCHR Mandate of the Special Rapporteur on the human right to safe drinking water and sanitation

Combined AquaFed & Women for Water Partnership contribution on questions for the report on Gender Equality

But the biggest inconvenience was the lack of running water. Every drop of water for laundry, cooking, and indoor chamber pots had to be hauled in by the housewife, and wastewater hauled out. The average North Carolina housewife in 1885 had to walk 148 miles per year while carrying 35 tons of water. - There was no more important event that liberated women than the invention of running water and indoor plumbing, which happened in urban America between 1890 and 1930.¹

1 Preamble

AquaFed, the International Federation of Private Water Operators, is honoured to be invited to contribute to the proposed report, by commenting on the questions posed in the consultation document. Given the nature of this subject, we have decided to join with the Women for Water Partnership and to submit a joint report.

For this reason, and assuming that the Special Rapporteur may be using different teams to work on each of the proposed reports, AquaFed has opted to submit our answers in two separate but related papers. This leads to some duplication in parts of our submissions, but hopefully this is a helpful approach to the two issues. Please note that sections 2.1 to 2.4 are substantially the same in both the AquaFed submission on development cooperation and this joint submission on gender equality.

AquaFed and Women for Water like to acknowledge the valuable input we got from our member companies and organizations and in particular, CONSAM (Colombia) and WPLUS (Nepal).

2 Introduction

Billions of people are waiting for their Human rights to safe drinking water and sanitation to be satisfied. The only sustainable way to ensure gender equality, tackle discrimination and eliminate abuses is to achieve the total satisfaction of the Human Rights to Water and Sanitation for everyone, everywhere and at all times. All international, national and local efforts need to be focussed to achieve this objective as quickly as possible, while making sure that the solutions are sustainable.

Nowhere is this more relevant than in the context of gender equality. When high quality and reliable, gender-responsive and culturally viable services are available up to and including the

¹ 2012, Robert J. Gordon: National Bureau of Economic Research, Working Paper 18315 <http://www.nber.org/papers/w18315>

internal installations (bathrooms, toilets, kitchens, laundry rooms) of homes and workplaces there is no divergence in terms of equality between the sexes. The further services and installations degrade from this position the wider the divergences become and the more unfavourable these differences are for women.

2.1 The Global Scale of Human Rights Deficiencies concerning Water and Sanitation

The grave deficiencies of the current status quo present by far the most serious violations of the conditions required to satisfy these human rights. We believe that the official statistics under-estimate by a large margin the number of people worldwide who do not have the full terms of their rights satisfied. The official estimates² suggest that 1.8 billion people do not have access to water that is safe bacteriologically and 2.5 billion do not have access to adequate sanitation. However, if the full human rights lens is applied, we assess that the number of people who do not have their right to water satisfied is of the order of 3 to 3.5 billion and for sanitation it may be as much as 4 to 4.5 billion³.

The conditions that prevail behind these deficiencies vary from country to country and from place to place. These range from those settlements that have never had any satisfactory service provision, through areas where expansion has not been able to keep pace with population growth, locations where conditions have changed significantly, to places where urban decay or underinvestment has led to degraded services that have partly or completely failed. These categories can be found in most parts of the world, but the most serious deficiencies in terms of numbers of people effected are located in the emerging and developing countries.

2.2 Urgent need to accelerate progress

Given this background, and the central dimensional that gender equality plays in water and sanitation, there is a very urgent need to accelerate progress. This means that everything possible must be done to encourage, enable and assist states, responsible public authorities and other actors to make real and sustained progress. As the population of most of those emerging and developing countries with the biggest needs continues to grow and urbanise the realisation of the rights is a real and practical imperative and not a theoretical question.

The human rights concept of progressive realisation is very helpful in this respect. There are now two ways of regarding progressive realisation⁴. Both are helpful and are mutually compatible. The first concerns the progressive realisation of access to a first time service of a minimum acceptable level, and the second, progressing from that point with the extension of quality and reliability of services to the highest level that fully satisfies all the human rights dimensions.

Both these interpretations of progressive implementation imply a realistic recognition and acceptance of a transitory “less than best” situation, where, so long as progress is being made, the fact that some dimensions are not being fully satisfied initially should not be seen as permanent or serious violations. This is a longstanding and practical approach to implementation of human rights policy in general and needs to be maintained.

² Joint Monitoring Programme 2015 Page 43, <http://www.wssinfo.org/> “In 2012 the JMP commissioned a systematic review that estimated that at least 1.8 billion people globally used a source of drinking water that was faecally contaminated.”

³ Link AquaFed - <http://www.aquafed.org/page-5-106.html>

⁴ July 2015 OHCHR: A/70/203 Report of the Special Rapporteur on the human right to safe drinking water and sanitation

There is a very urgent need to accelerate progress to full realisation in both senses. All actors from the public, private and associative sectors need to work together to ensure that their actions provide the most effective help and avoid applying any breaks to progress.

2.3 SDGs should provide a real and practical impetus

The 2030 Agenda for Sustainable Development⁵ with the attendant Sustainable Development Goals present an opportunity, and also highlights, a real need to accelerate progress. It is very satisfactory that they embrace a human rights approach and even more that the preamble makes specific reference to the Human Right(s) to Water and Sanitation⁶.

SDG #6 on water combined with the Rights to Water and Sanitation underpin the realisation of many other SDG objectives and the human rights that relate to them. It is also useful to note that several, other SDGs can contribute to a successful outcome for the Human Rights to Water and Sanitation, notably #5 on gender equality, #9 on infrastructure, #11 on cities and human settlements, #16 on inclusive societies and #17 on means of implementation.

The water SDG #6 has a well-designed set of targets and indicators that deliberately embrace many of the Human Rights requirements.

2.4 AquaFed⁷

AquaFed shares a strong concern for this issue with the Women for Water Partnership as the human rights and development communities for the same reasons they do. AquaFed is also concerned because the prime reason our member companies exist is to provide high quality water and sanitation services to communities under the direction and control of their public authorities. Delivering water and sanitation in a fully sustainable way to men and women alike is the core of their business.

Our Federation has an established record of contribution to the works of the OHCHR and Special Rapporteur⁸ on water and sanitation and our contribution to this enquiry is submitted as a continuation of that effort.

2.5 The Women for Water Partnership⁹

Women for Water Partnership is convinced that universal access to safe water and gender-responsive sanitation is key to women's empowerment and the economic independence for women. We share the conviction and basic principles that AquaFed is also pursuing to deliver on targets 6.1 and 6.2 of the SDGs. WfWP believes this can only be done if the different stakeholders that have to deliver on these targets and promises work together on implementing the human rights to safe water and sanitation. WfWP has a long record on supporting the Human rights in this respect by e.g. being an active member of the group that lobbied for and raised awareness on the referendum in the EU on these human rights but also in early days were already in the forefront by staging the first events in Kyoto during the World Water Forum on this issue. Our members are active all over the globe to assist and empower local women's groups to get involved as actors (not just beneficiaries) when it comes to delivery of WASH

⁵ General Assembly resolution 70/1, *Transforming our world: the 2030 Agenda for Sustainable Development*, A/RES/70/1 (21 October 2015), available from undocs.org/A/RES/70/1.

⁶ The UN GA approved a resolution on 18 December 2015 basically approving two separate but connected human rights. The text of this document has to be read in that sense.

⁷ www.aquafed.org

⁸ See AquaFed web page related to the Human Rights to Water and Sanitation <http://www.aquafed.org/page-5-59.html>

⁹ www.womenforwater.org

services. Implementation of the Rights gives them an entry point to discuss the needs and quality of service for their communities with government, utilities etc.

This submission is a continuation of those efforts. In it both contributors have tried to take a practical approach based on the field experience of our various members and networks. We believe that this may compliment a more legalistic human rights approach that we expect might be taken by other human rights expert groups in contributing to the questionnaire¹⁰. We believe that a careful balance between legalistic and practical, pragmatic processes is necessary to overcome the challenges of gender equality quickly.

3 Observations on Gender Equality

We view the question of gender equality in relation to water and sanitation from two points of view: equality relative to service provision and equality of opportunity within the water sector. It is our understanding that this questionnaire focusses on the first aspect and our submission will concentrate on that. However, there is some overlap and we endeavour to highlight a few dimensions of the challenges facing women working in the sector.

3.1 Equality relative to service provision

As indicated above, the more service provision diverges from full compliance, the greater become the inequalities between women and men. Women suffer more because of their biological needs, role in domestic life and the taboos and cultural biases common in all societies. Some of these are summarised in simplified fashion in the diagrams below (figures 1 to 3).

3.1.1 Equality issues: sanitation

The impacts for women and girls of the above characteristics are most serious as far as sanitation is concerned. The progression from significant inequalities towards equality is indicated in figure 1 below.

At the worst extreme, are those women who have no choice but to “defecate in the open, use unclean, unsafe toilets or are unable to wash their hands with soap or manage their menstruation with confidence, dignity and pride every day. There are also those who fear to use a [public] toilet because they may be harmed for being of the wrong gender, or to defecate at all because they might be seen, followed, touched and sexually abused. This most basic and routine of all human needs and rituals becomes a complex, creative endeavour for hundreds of millions of people [...] simply because they are unable to access this most basic of human rights- the human right to sanitation and hygiene.”¹¹

This citation highlights how serious are the challenges facing women and girls when they do not have access to a toilet in their own home, in their schools and workplace. For them the real difference between using open defecation and inadequate public toilets in terms of narrowing the equality gap is limited.

¹⁰ We note for example the work of groups such as WaterLex, <http://www.waterlex.org/resources/documents/RTWS-sourcebook.pdf>

¹¹ Extract from “Foreword of “Leave No One Behind: Voices of Women, Adolescent Girls, Elderly, Persons with Disabilities and Sanitation Workforce” WSSCC and FANSA 2016 <http://wsscc.org/resources-feed/leave-no-one-behind-voices-of-women-adolescent-girls-elderly-persons-with-disabilities-and-sanitation-workforce/>

A significant improvement occurs when they have access to a toilet at home. However, there can still be access and thus equality differences with the men in their family if not all dimensions of the Human Right to sanitation are satisfied.

This highlights the need for both infrastructure in the public domain and in the private domain. Adequate systems of collection and disposal of faecal sludge, or better still the provision of sewerage where feasible, or composting where it would generate an additional benefit, is essential in the public domain to protect public health and the environment, while the quality of the sanitary installations in the home is an important determinant of gender equality. The cost of constructing toilets and bathrooms and connecting them to satisfactory systems of containment and collection can be considerable for a household. For especially for poor women / female heads of household it may be almost impossible to get credit for this since it is seen as a “luxury” and not a basic need by many of financial institutions. The same can be said for schools and the workplace, where the quality and maintenance of gender appropriate sanitation facilities is also of great importance.

This highlights an interesting and important challenge that has to be faced in realising the fully compliant realisation of the rights to sanitation and to water. That is the need to have a complete integration between what is provided and maintained by the public entity and that which is private. In reality each is dependent on the other. Inadequate public infrastructure impinges on the collective and individual dimensions of the rights. It makes it difficult if not impossible for individual households to enjoy their full rights. Equally, no-conforming installations or badly operated or maintained private facilities can also have negative impacts on neighbours and the community at large.

A final observation in this context is to recognise that at the other extreme there is the situation where sanitation facilities are seen as (see above) or can become a demonstration of luxury.

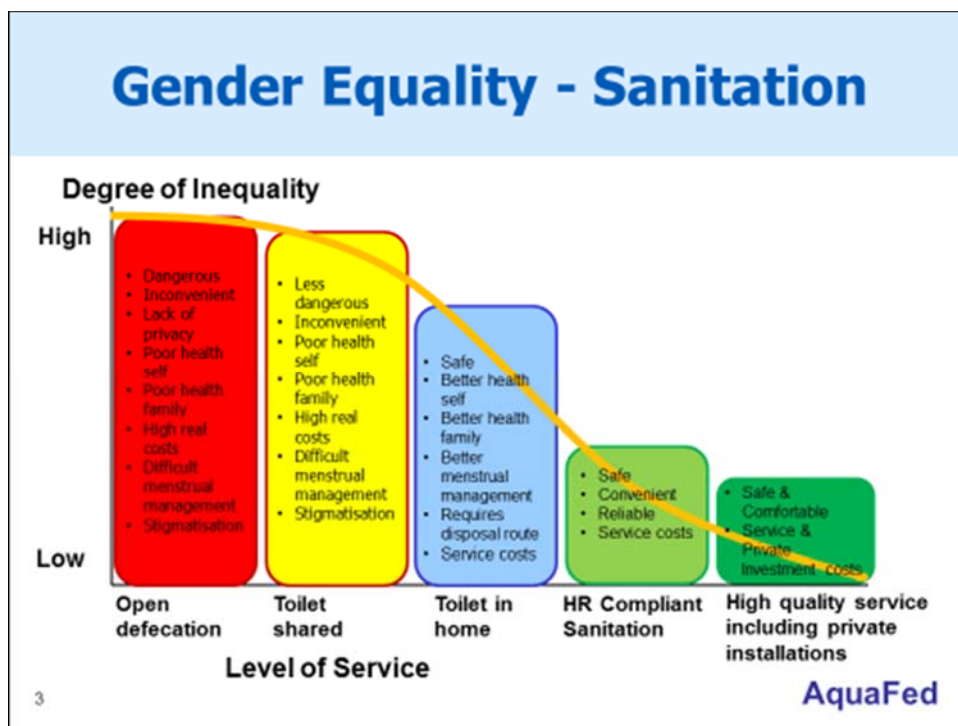


Figure 1) Relationship between equality and level of service: sanitation

3.1.2 Equality issues: water supply

The issues related to water supply are also very important and here again a similar pattern of widening inequality between males and females prevails. This is indicated in figure 2 below.

When high quality and reliable water supply is combined with good internal domestic installations, inequalities are virtually non-existent. The further the situation degrades from this, the more serious the inequalities become.

The differences between men and women on water matters are small when good quality water is available in suitable volumes and pressure on a permanent (24/7) basis and where there is internal plumbing to kitchens, bathrooms, toilets, laundries etc.

Having internal plumbing is only of limited value when the water supply is intermittent. The quality of water is then uncertain and can easily be contaminated with the attendant negative impacts to health. The regularity of supply also forces households to adopt a range of “coping strategies”, which are often costly and time-consuming. These can also have negative social impacts, for example women being obliged to stay inside at home so as not to “miss the water when it comes” and therefore lose opportunities for social contact or economic activities.

The burdens imposed on women and girls in situations where they have to rely on collecting water from external sources are all well-known. Whether these sources are “improved” or “unimproved” makes little real difference. These burdens create very significance levels of inequality between the sexes.

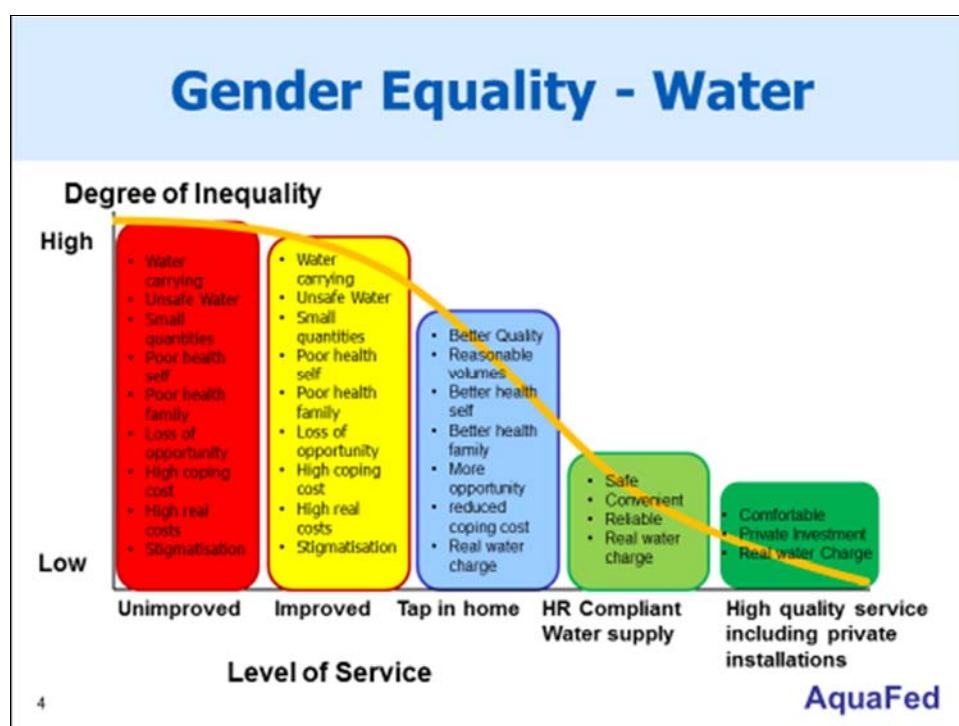


Figure 2: Relationship between equality and level of service: water supply

3.1.3 Equality issues: need for integration of sanitation and water services

Whilst in many ways, it is correct consider sanitation and water supply separately, when examining the question of gender equality there comes a point when the integration of the two becomes essential. See figure 3 below.

To engage in personal hygiene and dignified menstrual management, women and girls need both proper sanitation and washing facilities. Biological differences between the sexes as well as sociological constraints and taboos make the appropriateness of these facilities far more important for women than for men even within the limits of their own homes.

For women to benefit from water in the kitchen, for cleaning and for laundry, the places where the dominant activity is assumed by women (both in the home but also in the workplace where the majority are women as in the garment industry, health care etc.), it is important to be able to dispose of the used water safely in ways that do not degrade the environment or harm the neighbours. This means that to ensure the full convenience, health and equality benefits for women and girls, sanitation, drainage, water supply and internal installations all need to be present and to function together. A tap and a toilet in isolation are far from sufficient and not sustainable.

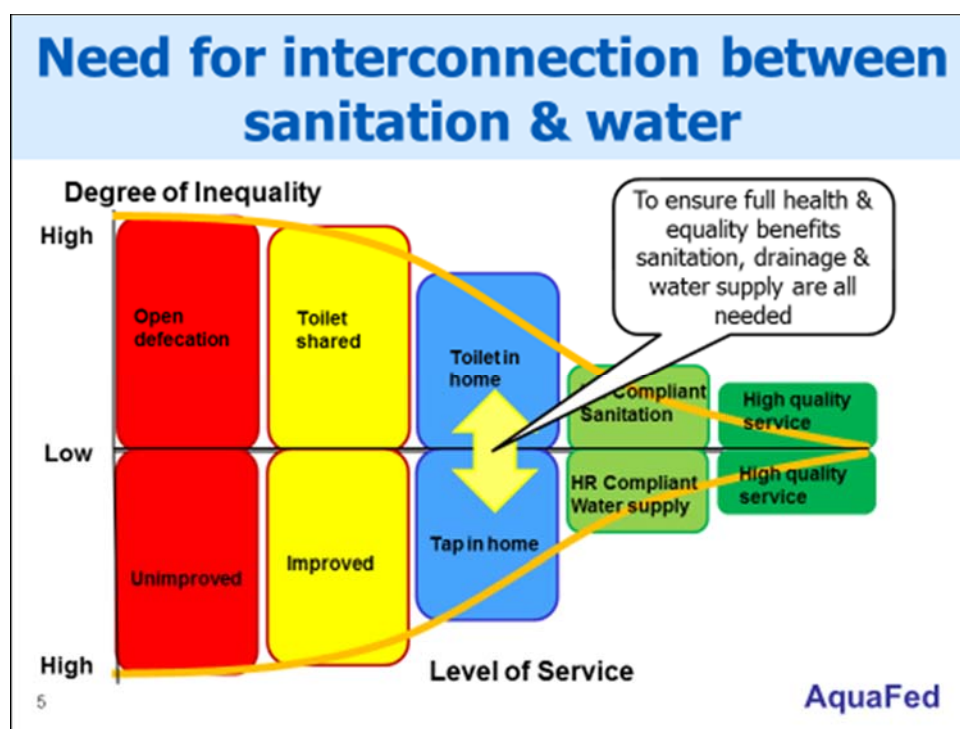


Figure 3: the need for integration of water and sanitation

3.2 Equality of opportunity in the water sector

The water services industry is an industry that is noted for the imbalance between the sexes at almost all levels. This is due to both the traditional prejudices that prevail in much of industry against professional careers for women and also a perception that the kinds of jobs in the industry are not suitable for women. Both these barriers are unnecessary and require active effort to overcome.

AquaFed and Women for Water Partnership are attempting to overcome these difficulties as are other organisations and networks such as the International Water Association and the African Water Association. Several of AquaFed's member companies have employment policies and programmes that aim to increase the proportion of women in their staff, to make the workplace better adapted to women's' needs and remove prejudices against female employees.

One of the unnecessary barriers is that women themselves do not see the industry as one that is suitable for them or where they can progress. This highlights the need to demonstrate how women can progress in all hierarchical levels of the industry by showing the examples of the many successful women already working in the sector.

The question of the desirability of quotas for women in companies and other organisations is one on which opinions diverge. There are women who are in favour and those who are against quotas. There seems to be a growing opinion in favour of time bound quotas that are aimed at redressing the gender balance over the relatively short term to build a platform for a future where men and women can compete on an equal footing in the long term. What we do know from research is that it takes at least 30% of women to work in a company or industry to “turn the tables”.

4 OHCHR question #1 What are the particular issues to be addressed to achieve gender equality with respect to water, sanitation and hygiene, and what measures are being taken to address these?

4.1 Main Issues

Since women are the most severely prejudiced by the lack of access to water and sanitation services (chore of carrying and “caring” for water, different needs for sanitation and hygiene as a result of biological differences, insufficient and unsafe access to toilets etc.), improving the access to water and sanitation services constitutes a major first step towards reducing gender discrimination. Therefore, public policy and practical implementation should aim to move the services up the drinking water and sanitation ladders¹² as rapidly as possible. There is no other real solution and all other intermediary steps are palliatives. These have real value for the women and girls subject to less than ideal situations when these prevail, but should not be seen as an end in themselves.

4.1.1 Sanitation

The satisfactory provision of sanitation, with appropriate methods for the containment, collection, transport of faecal matter as well as the drainage of used water is a big and often neglected challenge. This extends from basic decisions about the choice of socially and culturally acceptable toilets (squat or sitting, wiping or washing, etc.) to the design of extensive sewerage and treatment systems. Such decisions need to acknowledge the role local organizations and women’s organizations can and already do play in these kinds of decisions. The development of integrated sanitation systems has been identified as one of the key drivers of the development of Western societies in the 19th century¹³. Accelerating progress up the sanitation ladder will probably have a greater lasting impact on social and economic development and in improving inequality, then providing modern technologies such as the Internet.

¹² The drinking water and sanitation ladders; UNICEF WHO Joint Monitoring Programme, accessed 26/01/2016, <http://www.wssinfo.org/definitions-methods/watsan-ladder/>

¹³ 2012, Robert J. Gordon, National Bureau of Economic Research, Working Paper 18315 <http://www.nber.org/papers/w18315>
Is US economic growth over? Faltering innovation confronts the 6 headwinds.

It should also be remembered that in many subsistence agriculture economies, faecal sludge and urine can constitute very valuable inputs. These economies are frequently operated by women.

As an interim measure, all local governments should ensure that they have sufficient, clean and hygienic, socially and gender adapted public toilets and washrooms. These need to be installed in carefully determined locations in consultation with the (potential) users and managed actively to ensure that they are usable at all times. Decisions about location and operation need to be reviewed on a very regular basis. This action needs to be accompanied with efforts in public education and the appropriate use of the facilities (“potty-training”) themselves (both for boys and girls). This is an important step to avoid abuse of the facilities and their users.

4.1.2 Water supply

Developing domestic water connections significantly reduces the drudgery of fetching water and the multiple risks linked to physical and psychological insecurity. Secondly, by eliminating the substantial amount of time spent by women to fetch water every day and the damage the heavy load does to their bodies, the development of a 24/7 domestic supply has a very positive impact on their health and that of their families, their living-conditions and wellbeing. In particular it permits them to benefit from more fruitful economic activity. It is therefore equally important that public authorities make deliberate efforts to accelerate progress up the water ladder at the same time as they do so for the sanitation ladder.

Good and reliable water supply is also extremely important in the context of food security, public health, education and employment. Women need to be able to ensure that their children have adequate food, clean clothing and proper education. Providing all these things is costly in time and money so women can ill afford to waste their efforts resolving problems created by unsatisfactory WASH provisions.

4.2 Some suggestions

From the above, it should be clear that the most important practical issue is to ensure the full realisation of the Rights to Water and Sanitation in all communities. To achieve this, it is essential that governments at all levels and their appropriately delegated public authorities give real priority to providing integrated water and sanitation services throughout their jurisdictions. This priority is needed in the form of political commitment, and of prioritisation in planning, investment, financing and long-term service operation and maintenance. Responsible governments can be helped in this task by the active involvement of their own communities and with the support of many experts and organisations from the United Nations, through multilateral and bilateral aid programmes, to the private sector and to local NGOs/CSOs and associations.

Many public, private and civil society groups / CBOs can assist governments through advocacy and awareness raising. They can also be encouraged to apply gender equality policies in their own organisations. They should avoid creating any gender based distinctions in their internal hierarchy and make roles and decision-making power clear and diverse. They can ensure staff awareness and training on “water and gender” issues to make it a gender equality promoter in daily life.

All stakeholders need to work on the perceptions held by women and men through dialogue sessions (public meeting, focus group discussions) and train both boys and girls to share the water and sanitation management chores.

All interested parties can work with all forms of media to ensure much wider and well adapted public awareness campaigns to raise the understanding of the importance of water and sanitation for gender equality.

To improve the opportunities for women in water and sanitation service delivery, companies should train women and develop long-term programs to employ them in water and sanitation development projects. Several AquaFed member companies have internal programmes which aim to change perceptions about gender inequalities regarding relations to water resources and services. Such programmes need to be modified throughout the sector. Women's organizations are able and willing to support those efforts and build capacity. Vice versa trained employees – facilitated by the companies - could play a significant role in the communities where they live to raise awareness and train local communities.

Whilst none of these suggestions are specifically human rights centred, they can all benefit significantly from rights-based advocacy from the Human Rights Council and other UN agencies.

5 OHCHR question #2 What measures can be taken to accommodate and embrace biological differences (such as menstruation)? What measures can be taken to accommodate (assumed) different priorities in the use of water, sanitation and hygiene services?

Male, female, third gender and disabled people should be taught about biological differences and problems that arise from biological, social and cultural differences. Social awareness should be disseminated regarding menstruation to accommodate and embrace biological differences. In most cultures, openness and understanding about these issues is difficult to achieve because of deep seated taboos, prudery, ignorance and biased attitudes that sometimes more expressed by the men than they are a real concern for the women. These can mean that even within the household menstrual management and personal hygiene for women can be very difficult to achieve.

Outside the home, sources of water, sanitation and hygiene services should be increased to accommodate different priorities in consultation with users and taking account of practices that are acceptable within the community concerned – again making sure that differences in perception between men and women are acknowledged by consulting the formal and informal leaders from both sexes.

6 OHCHR question #3 What measures can be taken to combat stereotypes, change harmful practices and challenge socio-cultural norms and prescriptions that disadvantage women and girls with respect to access to sanitation and water?

Carefully designed programs to educate and create awareness for all people about the negative effects of stereotypes and the harmful practices that arise from them are needed. Such programmes need to be operated at many different levels including, schools, households, public spaces, and the further education of professionals of all kinds. In most cultures, such programmes need to be handled with great care to ensure that they achieve their objective and don't polarise the situation between men and women. Approaches to challenge socio-cultural norms, such as through social campaigns involving techniques such as drama, street drama and film to demonstrate against harmful practices and challenge socio-cultural norms and prescriptions. These can provide powerful tools to combat stereotypes, change harmful practices and challenge socio-cultural norms and prescriptions that disadvantage women and girls with respect to access to sanitation and water.

Stereotypes can also be reduced by involving women in formal and semiformal WASH projects. Women should have the opportunity to be directly involved in water and sanitation related jobs in their own communities through construction, maintenance and capacity building. They should also have the opportunity to enter the formal water and sanitation sector as respected employees with an opportunity for career development. Making job-descriptions gender neutral and provide adequate working conditions (like having access to (separate) toilets in the work place) can also be a very powerful change here.¹⁴

7 OHCHR question #4 What role can men and boys play in ensuring gender equality in the context of sanitation and water?

Men and boys have the same fundamental interests in having totally integrated and effective water and sanitation facilities in their homes in the ways described above as their wives and sisters do. Creating behavioural and social change requires significant efforts to change the perception of masculinity in the eyes of men and boys.

In many societies, men and boys have a stronger voice in the political processes that lead to such services being organised. Men and boys should therefore be helped and encouraged to lobby their local political decision-makers to ensure that these services are prioritised.

Gender equality can be ensured by educating men and especially boys at school in ways that help to create equality and respect between males and females in the context of sanitation and water. Nevertheless, great care needs to be taken in the educational process to ensure that there are no unintended consequences arising from badly delivered lessons or persistent prejudice, that might reinforce taboos and prejudices rather than eliminate them.

At the political level, strong policy should be formulated with the aim of ensuring gender equality and responsiveness, in water, sanitation and hygiene.

¹⁴ See also Women empowerment principles: <http://www.weprinciples.org/> Global Compact and UN Women

8 OHCHR question #5 What measures can be taken to combat gender-based violence in the context of sanitation and water?

In this context, prevention must be seen as being far more effective than cure. This again is a strong reason why fully integrated water and sanitation services in all homes must be an important objective.

In the interim situation where the ultimate solution is not possible, very great care needs to be taken in the design, siting, security and operation of public water, sanitation and hygiene facilities. Gender segregation and effective provision for privacy should be built in to all installations. Good access routes that are well illuminated at night need to be provided. Where possible a permanent supervisor/guardian should be present. In designing these interim solutions, women should be included in the decision-making process and have a real voice in the decision-making panels or boards that are involved.

Appropriate installations should also so be the norm in all workplaces be these of the public sector or the private sector. Training in the use and management of school and health care facilities is also necessary.

The role of education as described above also plays a part in this context to prevent gender-based violence and make it unacceptable within any society. Programs in schools should focus attention on gender equality and combat violence.

There is also a strong role to be played for a variety of different forms of media campaigns to promote gender equality and help make violence against women and girls socially unacceptable.

Gender based violence can be combated by excluding and punishing the perpetrators of such violence and taking legal action against them. Similarly, perpetrators should be penalized if they violate women in the context of sanitation and water. This requires an effective police force with suitable gender sensitive training for officers, which needs to be backed up by a legal system which is also properly trained on gender sensitive and human rights topics.

9 OHCHR question #6 What measures can be taken to redress existing disadvantage based on entrenched discrimination in the context of sanitation and water?

It is important to include women in high-level positions within those parts of government that are responsible for implementing water and sanitation policies.^{15 16}

Discrimination in the context of sanitation and water can be addressed through creation of anti-discriminatory social and communal policy, rules and regulation and social control mechanism against discrimination. Organisations working in the field of gender, intercommunal relations and against violence should be encouraged. It is extremely important to make good connections and hold cross discussions between for example Commission on the Status of

¹⁵ The example of Minister [Maria Mutagamba in Uganda and the two](#) Water and Sanitation Gender Strategy (2003 – 2008) (2010 – 2015). Government of Uganda Ministry of Water and Environment: www.mwe.go.ug/index.php?option=com...

¹⁶ And see the recommendation in the annex of the ministerial declaration for the World Water Forum 2015 para 36. http://www.worldwatercouncil.org/fileadmin/world_water_council/documents/publications/forum_documents/Daegu_Gyeongbuk%20Recommendations%20to%20the%20Ministers%20at%20the%207th%20World%20Water%20....pdf

Women (CSW) and the water community with joined recommendations for implementation of SDG 5 and 6.

10 OHCHR question #7 What role does legislation play in ensuring gender equality in access to water, sanitation and hygiene? What can water, sanitation and hygiene policies and strategies achieve? What is the role of institutions in promoting better representation of women? How can financing and budgeting in the WASH sector be gender-responsive?

10.1 What role does legislation play in ensuring gender equality in access to water, sanitation and hygiene?

Strong legal policy should be developed to ensure gender equality in access to water, sanitation and hygiene.

Through its binding power, the legal framework is a key element to foster changes in socio-cultural norms. Furthermore, through legislation and policies, institutions are responsible for mobilising all actors (governments, public, private, NGOs, medias educational establishments etc.) and coordinating their actions. As an example, by mobilising service providers, specialized NGOs and the media, institutions have the power to break the taboo on menstruation.

In this context however it is important to recognise that in many places where the need is greatest the legal framework and means of enforcing laws and regulations is weak. This underlines the perpetual call for stronger governance of the water sector.

Positive examples are e.g. the water stewardship standard that also incorporates legislation compliance on other areas beyond water-related legislation¹⁷

10.2 What can water, sanitation and hygiene policies and strategies achieve?

Strong and well thought through policies are an essential starting point for achieving the progressive implementation this paper calls for. Good water, sanitation and hygiene policies and strategies increase access to water, sanitation and hygiene. They should be designed to end all forms of discrimination in terms of caste, gender, class, ethnicity and regional disparity.

By defining the conditions in which water and sanitation services are operated, policies and legislation can frame the conditions in which the service has to be run by the provider. As an example, policies can require the use of appropriate tools and equipment (separate toilets, integration of women in decision-making process etc.). This prerogative appears to be particularly important in the case of poor-customers and informal areas management, which require specific mechanisms and methods such as social engineering methods, social-tariffs or subsidies mechanisms.

¹⁷ <http://www.allianceforwaterstewardship.org/aws-standard-system.html#aws-standard>

10.3 What is the role of institutions in promoting better representation of women?

Institutions play an important role in two separate but related ways. Firstly, they should design and implement policies designed to reach full coverage of integrated water and sanitation services as described at the beginning of this document.

Secondly, institutions can empower women and provide them career and job related opportunities. By hiring women and including them in the top management, institutions can be an example in terms of gender equality. Institutions should run gender-responsive programs with clear budgets allocations and gender data monitoring.

Institutions can involve significant numbers of women in decision making process, project identification, planning, implementation and evaluation to promote better representation of women and as a result ensure more gender responsive outcomes.

Institutions are responsible for identifying poverty situations, prioritizing actions (girls and women in urban low income or rural areas) and coordinating the implementation of solutions with respect to Right to Water and Sanitation criteria (accessibility, quality, affordability, security etc.).

Institutions can use gender-sensitive indicators to monitor progress and by doing so also raise awareness in the process.¹⁸

10.4 How can financing and budgeting in the WASH sector be gender-responsive?

As indicated at the beginning of this document, all initiatives that enabled progress to fully integrated water and sanitation services should automatically improve the situation for women and girls. Nevertheless, the water and sanitation sector should prioritise gender-responsive development through allocating sufficient budget and financing in gender related projects, programs and activities.

IFIs and institutions can be gender-responsive by including specific indicators into their granting policies. The methodology of gender budgeting, as is obligatory in Tanzania for example, can help in analysis of budget allocation and (gender) impacts.¹⁹

11 OHCHR question #8 What measures can be taken to ensure meaningful and inclusive participatory processes at all levels of decision-making? How can an increased role for women and girls translate into actual influence in decision-making?

Involvement of women in various stages of project is necessary to ensure meaningful and inclusive participatory processes at all levels of decision making. Women and girls should be encouraged to join women's and girl's institutions and they should be trained to translate

¹⁸ WWAP: <http://www.unesco.org/new/en/natural-sciences/environment/water/wwap/indicators/wwap-eg-on-indicators/> and http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/SC/pdf/Integrating_gender_responsive_indicators_in_the_SDG_proc_0_2.pdf

¹⁹ E.g. http://www.worldbank.org/socialaccountability_sourcebook/Regional%20database/Case%20studies/Africa/Tanzania%20-%20Gender%20budgeting%20initiative.doc

influence into actual decision making and action so they are well equipped to function in water boards, user organizations etc. in an active role. In some cases, it may help to have a quota for participation in such governance arrangements; it will however only be effective in the long run if then their role is also clear and accepted (see also below).

Responsible authorities and other actors should develop local research programs based on gender inequalities and perceptions, in order to understand the issue and identify the improvements that need to be made. They can promote the integration of women at all levels of decision-making and ensure that multi-criteria are applied to evaluate this level of integration. It is particularly important to guard against the situation where women are nominally participating but in practice are not being heard or have no decision making power.

Public authorities, institutions and service operators need to ensure effective integration of men in water programs and develop appropriate mediation activities in order to ensure men understand the program and do not see it as a threat.

12 OHCHR question #9 How can monitoring in the sanitation and water sectors be improved to capture gender inequalities in intra-household and extra-household settings?

Monitoring is an essential step in any management and implementation process. The national and international monitoring processes being developed as part of the 2030 sustainable development agenda should make a significant difference to the realisation of universal coverage of water and sanitation. As indicated above, SDG #6, particularly when taken in conjunction with SDG#5 provide a very good policy and practical basis for greatly improved monitoring.

The effectiveness of monitoring depends on both the processes and the indicators used. Under the aegis of UN-Water, both the Women for Water Partnership and AquaFed have been closely involved in helping to design and ensure the practicality of indicators that will promote water and sanitation implementation and a gender responsive approach.

In particular, WWAP Working Group on sex-disaggregated water monitoring, assessment and reporting, has produced a methodology and set of indicators²⁰. These are currently being tested in the field in a range of different locations to test their validity and operability.²¹

We would highly recommend the final advice of the working group (expected late spring 2016) will be implemented.

Household level survey, qualitative research and spot checks can also provide additional monitoring mechanism to capture gender inequalities in intra-household and extra-household settings. These can provide valuable information on questions such as:

- Time management / allocation measurement
- Level of involvement into communities/outside communities
- Level of access to education

²¹ See foot note 16 and <http://www.unesco.org/new/en/natural-sciences/environment/water/wwap/water-and-gender/project-overview-and-phases/#c1430760>

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- Health (water-borne diseases, genital infections etc.) and physical conditions (especially shoulders, back, hands, skin and all the physical damages caused by water chore)
 - Level of employment
 - Level of incomes

13 OHCHR question #10 How can measures to ensure gender equality adequately reflect an intersectional analysis that acknowledges the heterogeneous backgrounds, living conditions and challenges women and girls face?

Disaggregated data collection on gender, level of income, location (rural, sub-urban-urban) and income can be most helpful here. Also employing citizen's data collection is a technique to be further developed for this.