

**Mandate of the Special Rapporteur on the human rights to safe drinking water and sanitation**

## Questionnaire

### **Different levels and types of services (2015) [\(A/70/203\)](#)**

There exists different types of water, sanitation and hygiene services, ranging from connection to a piped network, shared facilities to individual on-site solutions. These types in conjunction with different management models - utilities, small scale providers, self-supply - result in several combinations. Each combination needs to be assessed depending on its context, and on how and to what extent it complies with the human rights to water and sanitation. The realization of the human rights to water and sanitation is influenced by the way in which these different types of services are delivered and the extent to which the State oversees the service provided. This discussion cannot be isolated from the contexts in which service types and management options are applied. Every measure that aims to ensure access to water, sanitation, and appropriate hygiene practices is implemented in a variety of contexts that strongly influence how human rights can be realized, including geophysical, political and economic contexts, and socio-cultural preferences.

Question(s):

1. During the last decade (2010-2020), in what ways has the human rights framework for water\*, sanitation and hygiene been used to identify and assess appropriate types of services\*\* and management models\*\*\* taken into account the specific contexts?

\* The human rights standards (available safe, acceptable, accessible and affordable to all) and principles (non-discrimination and substantive equality, participation, access to information, accountability, sustainability)?

\*\*Type of services: connection to a piped network; shared or communal facilities; and individual on-site solutions

\*\*\* Categories of management models: utilities (large scale, formal entities); small-scale, NGO or community-run service providers recognized or mandated by State; small-scale, NGO or community-run service providers not regulated by State; and self-supply.

During the last decade (2010-2020), and as recommended by Qatar National Vision (QNV2030) and Qatar National Development Strategy (QNDS) the Government has set a policy and strategy to manage the water resources in the country which include potable water, groundwater and recycled water (Treated Sewage Effluent [TSE] sourced from sanitation). In addition, the Public Works Authority has established the Qatar Integrated Drainage Master Plan and keep updating it to manage the massive developments due to the fast growth in population and to incorporate economic updates. Through these studies, the human rights framework for water and sanitation and hygiene has been used to identify appropriate types of services and management models.

## **Gender equality (2015) ([A/HRC/33/49](#))**

Gender inequalities are pervasive at every stage of women's life: from infancy, through puberty, adulthood, parenthood, and late adulthood. When it comes to lack of access to water and sanitation, women and girls are disproportionately impacted as they are primarily responsible for water and hygiene at the household level and bear the greatest burden for collecting water. Although women may suffer disproportionate disadvantages and discrimination, they cannot be seen as a homogenous group. Different women are situated differently and face different challenges and barriers in relation to water, sanitation and hygiene. Intersectionality exacerbates gender-based inequalities, when they are coupled with other grounds for discrimination and disadvantages. Examples include situations when women and girls lack adequate access to water and sanitation and at the same time suffer from poverty, live with a disability, suffer from incontinence, live in remote areas, lack security of tenure, are imprisoned or are homeless. In these cases, they will be more likely to lack access to adequate facilities, to face exclusion or to experience vulnerability and additional health risks. Furthermore, other challenges include access to toilets for lesbian, gay, bisexual, transgender, intersex and gender non-conforming people as well as increased risk of gender-based violence.

Question(s):

2. During the last decade (2010-2020), what measures (ranging from legal, policy, regulatory, budgetary to training) have been implemented to redress gender inequalities in water and sanitation provision by addressing gender discrimination? Alternatively, what measures have been central in redressing gender discrimination by addressing inequalities in water and sanitation provisions? What are the concrete steps taken and the observed impacts?

Regarding sanitation main network, The Public Works Authority through the Drainage Master Plan and sanitation projects, have considered the total population that required sanitation services without any discrimination related to gender or inequalities in providing services. Each person, whatever his/her gender is, has the same right of the sanitation service and contribute to the sanitation network with the same sewage flow value, which then subjected to proper treatment and reused safely in irrigation or other purposes.

## **Development cooperation (2016 and 2017)**

The first report ([A/71/302](#)) provides a preliminary analysis of the linkages between development cooperation and the human rights to water and sanitation, addressing funders' human rights approaches, the evolution of development cooperation in the sector and trends in funding patterns. Based on the theoretical framework developed in the first report, in the second report ([A/72/127](#)), the Special Rapporteur examined how funders contribute to the realization of the human rights to water and sanitation through an empirical analysis of six case studies. After examining six different funders' policies, operational tools, and project instruments, through the cycle of development cooperation, the Special Rapporteur found that the human rights framework is not adequately incorporated in their development agendas, with varying degrees of alignment to it. While some funders' policies consider the human rights framework, particularly the human

rights to water and sanitation, others are only sporadically aligned with those rights and reveal limited clarity regarding their application to development cooperation. Similarly, while most funders' project assessments are mostly focused on attainment of project objectives and sustainability of services, a specific human rights-based assessment during and upon completion of projects was not observed.

Question(s):

3. During the last decade (2010-2020), what efforts have been made by relevant actors (including funders, partner States, implementing entities and others) to align development cooperation policies and operations with the framework of the human rights to water and sanitation? For instance, what are some examples of projects that have:

a) Balanced water and sanitation projects and coverage of those interventions between urban and rural areas in a way consistent with the progressive realization of the rights to water and sanitation in each context;

As part of the preparation of Qatar Water Strategy, a National Water Balance model has been prepared which includes the full water cycle starting from potable water, sanitation, recycled water and groundwater. In this water balance model, the water sector issues and challenges have been raised and several future scenarios have been studied to resolve and enhance services provided to customers in a way consistent with the progressive realization of the rights to water and sanitation. This results in 26 initiatives related to improvements in the water sector.

b) Ensured that the selection, design and implementation of projects apply the framework for the human rights to water and sanitation, notably prioritizing those people in the most vulnerable situations;

The outcomes of the Qatar Integrated Drainage Master Plan were list of projects that are prioritized based on the criticality and environmental impacts, with addition to applying higher priorities for people who have less level of services.

c) Ensured that the design and implementation of projects are carried out in a transparent manner with the participation of related stakeholders, providing ample access to relevant information and including mechanisms to address the accountability of funders and implementers;

Relevant stakeholders are one of the key factors in the success of any project. During the project implementation, information is requested and shared with relevant stakeholders and roles, responsibility, permission and no objections are defined.

d) Ensured reconciliation between a sustainable financing strategy for long-term service provision and the affordable access to services for all persons;

This might be part of the National Development Strategy. Check with Planning and Statistics Authority.

## Affordability (2016)

Affordability, as a human rights criterion, requires that the use of water, sanitation and hygiene facilities and services is accessible at a price that is affordable to all people. Therefore, the starting point for State decision-making on public financing and policy for water and sanitation service provision is that water and sanitation must be affordable to all. It is impossible to set a generally applicable affordability standard at the global level. Any such standard would be arbitrary and cannot reflect the challenges people face in practice and the context in which they live, including how much they need to spend on housing, food and the realization of other human rights. The affordability of water and sanitation services is highly contextual, and States should therefore determine affordability standards at the national and/or local level. Human rights framework stipulates an important set of parameters for the process of setting affordability standards, in particular in terms of participation. As a concrete way to ensure affordability for all and a sustainable system, States must develop appropriate pricing, tariff and subsidy structures. Mechanisms to ensure affordability in practice include public finance, targeted measures, social protection floors, tariff schemes and subsidies, among others.

Question(s):

4. During the last decade (2010-2020), what targeted measures and instruments (e.g., financing mechanisms, tariff schemes, subsidies) have been implemented in order to ensure that the most disadvantaged access water, sanitation and hygiene services in an affordable way? Who are the target groups of these measures and instruments? What format do those measures and instrument exist (e.g., national legislation, policy, regulation of service provision, affordability standards)?

Regarding potable water, Kahramaa can respond to this question.

Regarding Sanitation, the Public Works Authority (PWA) was providing sanitation services for free for all population in the country connected to the sewerage network, and for those who are not connected to the network, they are using septic tanks, and tankers vehicles are transferring sewerage to treatment plants without any charges. However, starting from the last year, PWA start charging customers for the sanitation services with a reasonable tariff compared to their incomes, as percentage of Potable water charges.

5. During the last decade (2010-2020), what measures have been in place to prohibit disconnection (including prepaid water meters) that result from the inability to pay?

Regarding potable water, Kahramaa can respond to this question.

Regarding Sanitation, as sanitation was free of charge in the last decade, the disconnection that result from the inability to pay wasn't applicable.

### **Service regulation (2017) ([A/HRC/36/45](#))**

Regulation is an essential part of the human rights obligations. In the water and sanitation sector, service regulation can contribute towards the progressive realization of the human rights to water and sanitation. While the international human rights law does not call for a particular choice of regulatory framework, what is essential from a human rights perspective is that those carrying out regulatory functions be immune to pressures from any illegitimate interests and that the main objectives of regulation be aligned with the human rights framework. One of the key roles of regulation is to set performance standards from a human rights perspective as opposed to economic perspective. Regardless of the body carrying out regulatory functions, these standards should reflect and give practical meaning to the normative content of the human rights to water and sanitation with regard to availability, accessibility, quality and safety, affordability, acceptability, privacy and dignity.

Question(s):

6. In the last decade (2010-2020), if a regulatory framework or a regulatory body has been in place or have been established to cover water and sanitation provision, what measures were taken to ensure that this body is effective, independent, and is aligned with the human rights framework?

In the last decade, there was no independent regulatory body. The regulations and standards were defined by laws and decrees that are prepared by main contribution of the service provider. However, one of the initiatives of Qatar Water Strategy, which has been prepared recently, is to establish independent regulator to take the responsibility of setting out the standard and regulations and ensure customer protection.

### **Forcibly displaced persons (2018) ([A/HRC/39/55](#))**

Forcibly displaced persons - in particular internally displaced persons, refugees, asylum seekers and migrants in vulnerable situations, while en route, at borders, at reception, and at the destination – suffer from inadequate access to water and sanitation, despite a wide international attention given to a recent spike in displacement. Some are forgotten in protracted situations and often do not receive what they desperately need, usually because they are not properly consulted. At times, forcibly displaced persons benefit from “life-saving” assistance quickly implemented by humanitarian actors, but these assistances are often without setting a time frame to move towards the progressive realization of the rights of displaced persons. Forcibly displaced persons are rights holders and hence, entitled to enjoy access to adequate drinking water and sanitation services, and not mere recipients of aids. Receiving countries cannot justify restrictions on the enjoyment of the essential content of economic, social and cultural rights based on a lack of resources. States have no justification for providing forcibly displaced persons with substandard water and sanitation services as a means to restrict their entry into the territory or as a means to deter people from staying.

Question(s):

7. During the last decade (2010-2020), what measures are in place to guarantee the human rights to water and sanitation by refugees, asylum seekers and migrants in transit or at their destination with the same conditions as those granted to nationals of the States concerned, regardless of their legal status and documentation?

This is not applicable in Qatar. However, if it exists, the displaced persons are located in properties that are serviced with all water and sanitation utilities with the normal charges.

8. During the last decade (2010-2020), how has States and humanitarian actors ensured immediate access to the minimum essential level of water and sanitation on a non-discriminatory basis during situations of emergency? Specifically, how has States and humanitarian actors:

- a) Ensured equal access to the minimum essential amount of water that is sufficient and safe for personal and domestic uses and to prevent disease;
- b) Provided the elements that every person needs for health and survival, and to live in dignity;
- c) Monitored the extent of the realization of the human rights to water and sanitation;
- d) Took measures to prevent, treat and control diseases linked to water and sanitation.

There is an emergency plan that is operated by emergency committee from all authorities to ensure minimum essential level of water & sanitation for every person and to prioritize providing services to most critical customers.

Apart from the operators internal monitor control systems, the Ministry of Public Health and Ministry of Municipality and Environment are carrying out frequent measures to prevent, treat and control diseases linked to water and sanitation.

### **Principle of accountability (2018) ([A/73/162](#))**

The complexity of actors in the water and sanitation sector and its specificities imply that the traditional State-centred human rights framework leaves gaps in the existing accountability mechanisms to hold actors other than States accountable. When the rights to water and sanitation are affected, it is not always clear to whom related action may be attributed, why such action was taken, how sanctions may be enforced against those who caused harm or how to remedy the situation. Further, globalization and the neoliberal wave have weakened the role of the State in the provision and regulation of water and sanitation services, and the imbalance of power has at times affected the exercise of the human rights to water and sanitation. This raises questions as to the effective regulation of private service providers and, in turn, poses challenges to accountability mechanisms, especially considering that those services are provided through a system of natural monopoly, with usually only one provider for a given territory. Another unique feature of the water and sanitation sector is the widespread presence of informal service providers that are not regulated and operate without a licence and that, as a result, may not be held accountable. Against this backdrop, the Special Rapporteur addresses the concept of accountability through three dimensions, namely, the roles and responsibility of actors, answerability and enforceability.

Question(s):

9. In the last decade (2010-2020), what accountability measures exist when responsibilities for service provision are transferred from State to actors other than States (private entities, public companies and communities)? Please provide information on the three dimensions of accountability: clear roles and responsibility of actors; the guarantee of individuals to hold actors accountable by requesting explanations and information (“answerability”); and remedial or corrective actions for lack of compliance with performance standards (“enforceability”).

PWA does not monitor or regulate Private Developers Sanitation system.

In terms of Environmental issues, Ministry of Municipality and Environment is the responsible Authority.

10. In the last decade (2010-2020), what measures have been taken to identify informal providers of water and sanitation services and put in place regulations for those providers, making accountability mechanisms available?

PWA does not monitor or regulate Private Developers Sanitation system.

In terms of Environmental issues, Ministry of Municipality and Environment is the responsible Authority.

11. In the last decade (2010-2020), what measures have been taken to establish an effective oversight system to trace the conduct of actors in the water and sanitation sector and to assess whether performance standards are met? What mechanisms exist that would enforce decisions on other accountable actors?

PWA does not monitor or regulate Private Developers Sanitation system.

In terms of Environmental issues, Ministry of Municipality and Environment is the responsible Authority.

### **Spheres of life beyond the household (2019) ([A/HRC/42/47](#))**

The human rights to water and sanitation in spheres of life beyond the household are not an issue exclusive to specific groups of people but that all of us can be affected. Most spend a large part of our time outside of the home, particularly in our workspaces. However, many in the world do not share the same comfort. For instance, those whose workspace consists of open agricultural field or streets, such as rickshaw drivers and street vendors, cannot rely on toilets or water points because there are none around them. Public spaces, as zones accessible to all, are lifelines for numerous people and, accordingly, must be given due recognition in the water and sanitation policies of States. As a result of an evident neglect of the provision and promotion of water and sanitation services in such places, potential violations of international human rights occur and disproportionately impact members of vulnerable and marginalized groups, such as homeless people, informal workers in public spaces and persons deprived of their liberty.

Question(s):

12. In the last decade (2010-2020), what measures have been in place to include water and sanitation in spheres of life beyond the household, and particularly in public spaces, in national policies, plans and implementation strategies, with a view to ensuring access which complies with the normative content of the human rights to water and sanitation and the principles of human rights?

PWA is not responsible planning or construction of public Toilets, in terms of planning, Ministry of Municipality and Environment is the responsible Authority.

13. In the last decade (2010-2020), what examples exist where local governments are provided with guidelines and recommendation on how to determine which public spaces require the provision of water and sanitation services and what level and type of provision is required? How has those guidelines and recommendation been implemented?

PWA is not responsible planning or construction of public Toilets, in terms of planning, Ministry of Municipality and Environment is the responsible Authority.

### **Mega-projects (2019) ([A/74/197](#))**

Megaprojects are double-edged: they may contribute towards the enhancement of people's livelihoods but may also impede the enjoyment of the human rights to water and sanitation. In order to prevent and mitigate the risks arising from such projects and to ensure compliance with human rights, the Special Rapporteur introduces a megaproject cycle framework for the realization of the human rights to water and sanitation, consisting of seven stages, each of them entailing impacts on access to water and sanitation, challenges and enabling factors to realize the human rights to water and sanitation. He clarifies each stage of the megaproject cycle and provides a list of questions that constitute guidelines for accountable actors to implement their human rights obligations and responsibilities.

Question(s):

14. In the last decade (2010-2020), what examples of mega-projects exists where an assessment of the human rights impacts, in particular on water and sanitation, have been carried out at each stage of mega-projects\*?

PWA is not responsible for giving permits to Mega Projects under private developers, in terms of Permitting, Ministry of Municipality and Environment is the responsible Authority, through permitting system.

15. In the last decade (2010-2020), what examples of mega-projects exist where the human rights obligations and responsibilities of actors are clear at each stage of mega-projects\*?

PWA is not responsible for giving permits to Mega Projects under private developers, in terms of Permitting, Ministry of Municipality and Environment is the responsible Authority, through permitting system.



16. In the last decade (2010-2020), what examples of mega-projects exist where the assessment of human rights to water and sanitation is a precondition for granting a licence/approval?

PWA is not responsible for giving permits to Mega Projects under private developers, in terms of Permitting, Ministry of Municipality and Environment is the responsible Authority, through permitting system.

17. In the last decade (2010-2020), what examples of mega-projects exist where there are preventive measures and compensation, redress and reparation procedures in place in the event of a disaster that affects the enjoyment of the human rights to water and sanitation?

PWA is not responsible for giving permits to Mega Projects under private developers, in terms of Permitting, Ministry of Municipality and Environment is the responsible Authority, through permitting system.

\*The stages of mega-projects include:

- Macro-planning: Mega-projects are first identified as pillars of the development agenda, and are conceptualized.
  - Licensing and approval: The process through which public authorities grant permission for its implementation after having reviewed its compliance with laws and regulations.
  - Planning and designing: This stage takes into consideration the specifications of the project and involves selection of strategies, means, methods and resources for the implementation as well as identification of the location of the site operation and construction.
  - Construction: The stage when actions taken by accountable actors have direct effect on the population and their access to water and sanitation
  - Short-term operation: The operation stage begins when the infrastructure of a megaproject starts to be used to fulfil its purpose.
  - Long-term operation: In the long-term, the bio-socioeconomic environment is dynamic, the deterioration of the infrastructure can occur and the prolonged exploitation of resources may exacerbate or introduce new and unforeseen impacts.
  - Decommissioning and deactivation: The last stage is associated with various processes including decommissioning, or the closure of the mega-project. Additionally, in the event of disasters, the mega-project can also come to an end of its cycle where its physical structures are destroyed partially or as a whole.
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