

QUESTIONNAIRE: UN SPECIAL RAPPORTEUR ON THE RIGHTS TO DRINKING WATER AND SANITATION

- What are opportunities and challenges faced by your State in realising the human rights to water and sanitation?

In the Republic of Serbia, overall access to the water supplies and sewerage, including laws and regulations which regulate water supplies and sewerage, as well as plans and programs that are in place, has been applicable to the entire population. Moreover, there is a special program and plan for vulnerable groups: the Action Plan for the Implementation of the Improvement of the Status of Roma in the Republic of Serbia for the period 2012-2014 within the Roma Decade (hereinafter referred to as the “Action Plan”) defines objectives and measures which will allow the Republic of Serbia to ensure the exercise of human rights to water and sanitation for vulnerable groups. One of the objectives of the Action Plan is the “Improvement of Environment in Roma Community“. The Action Plan prescribes measures for the implementation of the stated objective, which refer to the “Regular Conducting of Analysis of Hygienic and Epidemiological Conditions in the Roma Settlements“ and the “Drafting and Implementation of Measures Proposed by Public Health Institutes for the Improvement of Housing Conditions, Supply of Safe Drinking Water, Proper Waste Disposal“.

The challenges faced by the Republic of Serbia are predominantly related to the illegal building of objects and *wild settlements*. According to the provisions of the Legalization Law¹, building water and sewerage infrastructure and connecting it to households is only possible after the objects in the *wild settlements* have been legalised. Otherwise, all actions shall be subject to criminal responsibility, according to the Law. Additional challenges include the lack of funding that would allow for all the necessary and planned activities in this field to be fully supported.

¹ *Official Gazette of the RS*, No. 95/2013, dated on 31 October 2013. This Act defines the conditions, procedure and manner of legalising an object (i.e. parts of an object) built without a building permit or approval, conditions for the issuance of the use permit, as well as all other matters relevant to the legalisation of objects.

- Are there any specific examples of legislation, policies, budgeting processes, service delivery programmes and projects or accountability mechanisms in force in your country that would be relevant to the realisation of the rights to water and sanitation? Could you please provide us with copies of the relevant information?

Article 74 (1) of the Constitution of the Republic of Serbia² implicitly recognises the right to drinking water and sanitation: “*Everyone shall have the right to a healthy environment and the right to timely and full information about the state of the environment*“. The Regulation on the Health Protection of Citizens Against Infectious Diseases and the Program of Health Protection of Citizens Against Infectious Diseases for 2002-2010³ define the supplying of the population with hygienically safe drinking water as a priority objective, and the provision of hygienic drinking water as a specific objective by achieving the necessary safety of water facilities which would eliminate the risk of water-related epidemic breakouts. The adoption of the Program of Health Protection of Citizens Against Infectious Diseases for 2013-2014 is currently undergoing.

With a series of laws and regulations⁴, areas related to the control of safe drinking water, sanitary protection zones around water facilities, integrated water management, water facilities management and floodplains management, sources and means of funding the water sector, as well as other areas relevant for water management have also been regulated.

It ought to be noted that the Republic of Serbia participated in the World Health Organisation Reporting Cycle on the *Global Analysis and Assessment of Sanitation and Drinking Water – GLAAS* for the period 2011-2013, in which a detailed analysis of the drinking water and sanitation was made by the GLAAS Working Group.

² *Official Gazette of the RS*, No. 98/2006.

³ *Official Gazette of the RS*, No. 29/02.

⁴ Food Safety Act (*Official Gazette of the RS*, No. 41/2009), Waters Act (*Official Gazette of the RS*, No. 30/2010), Rulebook on the Hygienic Safety of Drinking Water (*Official Herald of the FRY*, No. 42/98), Rulebook on the Methods of Determining and Maintaining Sanitary Protection Zones around Water Supply Source Areas (*Official Gazette of the RS*, No. 92/2008).