

Ministry of Land Water and Environment
Water Resources Department



Impact of mega-projects on the human rights to water and sanitation

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Asmara.



Introduction

The human right to safe drinking water and to sanitation constitutes the right of every individual, without discriminations, to sufficient, safe, acceptable, accessible and affordable water and sanitation for personal use. The right to safe drinking water has received across the board international recognition, including through 2010 Human Right Council resolution. Eritrea, which is guided in its works by human rights conventions including the convention on the right of the child (CRC), the convention of elimination of discrimination against women (CEDAW) and the convention on the rights of persons with disabilities (CRPD), welcomes these developments. The Ministry of Land Water and Environment (Water Resources Department), considers that the international recognitions of this right presents renewed opportunities to emphasize the practical works still to be done to ensure that all, including the poorest and most marginalized children and families, gain access to and utilize safe water. The Department also pays attention that the inclusion of goals for safe drinking water in the SDG 2030 development framework is essential, and committed to help bring about this. In every water related programs the department has the leading role in seeking to make these goals a reality, in building consensus and political will, mobilizing support and creating enabling environments for the provision of a minimum core level of access to water for all with equity. The key element of this enabling environment includes national legislation, appropriate policy, and strategic plan of action, strong accountability and regulatory frameworks.

The recognition of the right to drinking water and sanitation means that there is now greater impetus to achieve universal access to safe and clean water and to adequate sanitation. So the department of water resources is fully committed to working with all line ministries and other stakeholders to realize the right to safe drinking water, as a core part of its mission to support equity based approach to human development. Since independence 1991 the Government has committed itself and its resources in developing the nation human resources, building and rehabilitating infrastructures, establishing institutions and setting up policies and regulations in water sector. With increase of socio-economic growth, strategically water sector remains critical for economic growth, poverty alleviation, food security, and environmental sustainability. In broad sense

Water Resources Department is mandated to develop and manage water resources efficiently and effectively in order that the present and the future generation can enjoy optimal benefits. In view of this water policy, water law, water sector institutional framework and water sector human development program and integrated water resources management plan were prepared. The Eritrean water policy provides the overall policy framework for the water sector. It promotes the principles of integrated water resources management as a means to ensure sustainable management and utilization of water resources. The policy also highlights the key role played by all stakeholders in all water management and development activities. It addresses gender issue particularly women roles in all water activities. Water policy adopts the guiding principles for the water resources development, use and management emanating from the viewpoint of the people and government of Eritrea and principles of integrated water resources management. The Government of The State of Eritrea strongly believes that water is a basic public owned resources that is vital for human survival and a fundamental resource for human and country development. Thus the policy emphasizes the recognition of water as being both a social and economic good, whose allocation should give first priority to domestic use.

The impact of mega-projects on the normative content of the rights to water and sanitation (quality and safety, accessibility, availability, acceptability, affordability, dignity) and relevant human rights principles (access to information, participation, accountability) as well as the situation of vulnerable population and human rights are well recognized at the macro planning level. At the national scale different types of mega-projects, such as extractive industries (gold mining.), energy projects (solar, wind and geothermal), dams, transportation, and infrastructure, are considered as main contributors toward the positive impact of the human right to water and sanitation. According to the seven stages of human right to water and sanitation in the mega project cycle can be presented as follows:-

Macro-Planning:-

The Eritrean macro policy issued in November 1994 charted that the national development trajectory established the overall direction of the pragmatic development. It aimed at creating a sustainable, export oriented and competitive economy. It aims for the establishment of an efficient, outward looking, private sector led market economy, with the government playing a



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proactive role to stimulate private economic activities and investment. Accordingly, at macro level various sector policies, strategies and plans were developed. One of the 12 National Development Objectives stipulated in the Macro Policy also asserts the Creation of "A free and sovereign state where human rights are respected". Hence the program has been implemented by addressing the critical bottlenecks, maximizing the utilization of comparative advantages and mobilization of available resources. In this respect, as mega-projects such as soil and water conservation, agricultural productivity, irrigation technology, coastal development, economic infrastructure, national capacity and human capital were targeted. This also enabled the nation to absorb the shock of external economic conspiracy and achieve tangible progress toward the human right and sanitation.

Eritrea's development trajectory and the right to development have been influenced by many factors and challenges, shortcomings and hostilities. They, however, have not been able to roll back development progress. The people, the government and the economy have demonstrated resilience and the nation is now in a far better situation as a result of the efforts of the last 20 years.

Planning and designing:-

The importance of water resources policy and law is becoming more recognized by policy makers and planners. Despite the gains of high level commitment, Eritrea has a draft water policy, which is still waiting for enactment and ratified water laws and regulations. However, there are policies, strategies and action plans relevant to the water sector and require consideration for sustainable and effective management of the nation's water resources. Under this section, the macro policy, the Eritrean Water Resources Policy, the Interim-Poverty Reduction Strategy, Food Security Strategy, Agricultural Policy, National Environmental Management Plan, National Action Program under UNCCD, National Environmental Impact Assessment Procedures and Guidelines and Coastal Policy are reviewed and taken in to consideration during the development of planning.

The Government of Eritrea has been reforming the water sector for better economic growth of the nation. During the reformation process several policy, strategy and regulation were drafted.



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In 1996 considering their importance in the development progresses of the nation, the Government of Eritrea decided the three complementary departments namely Land, Water and Environment to be administrated in one ministry that is Ministry of Land, Water and Environment. In line with this decision, the Water Resources Department has been restructured to become the responsible department of the ministry to assess, allocate, manage, monitor and evaluate the water resources of the nation.

As it has been stipulated in the statement of Water Resources Department mission it is "to establish a beneficial legal and regulatory framework and effective mechanism for managing, developing, using protecting, controlling and conserving water in an environmentally and economically sound manner in order to meet the needs of all the people of Eritrea." The mission statement provide a guiding light towards establishing national strategies for both short and long-term efforts by all agencies, people and stakeholders towards the common goals of national socio-economic development and environmental conservation and clarifies the roles and human right obligations and responsibilities of actors involved in the planning and design stages.

The entire water related development project is planned mainly within the framework of ministry of land water and environment and Regional Administrations which are really the responsible implementing bodies. Despite their leading effort all actions/project portfolios implemented with support and for some of them with the lead effort of all other government institutions identified as implementing body and involved either in the development and use of water resources of the nation. Therefore, for smooth implementation of the action and its success securing the commitment of all high level decision makers of the implementing partners, avoiding ambiguities of duties and responsibilities of institution and raising the awareness level of decision makers.

Licensing and approval:-

Any one intending to undertake any water related consulting or contracting or supplying services shall apply for a permit to the water resources department in the manner and form prescribed by the Regulations, together with the following attachments:

- a. An application for consulting or contracting office or supplying shall be supported with attachment of the necessary documents and verification of the intended requirement;



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- b. Based on the information provided in the application form and accompanied documents the department shall categorize the consultant or contracting office or supplier in to different classes specified in the Regulations.

Any person who participated in water works or intending to use water who convict of an offence under the Eritrean water law proclamation No. 162/2010 Article 30 shall be punished in accordance with the penal code of Eritrea.

Construction (short and long term operations)

As part of the Eritrean process to support short and long term operations the integrated water resources management action plan , ERI-CWP, water law proclamation 162/2010, drafted water resources policy, proclamation for the Eritrean new water resources administration, legal notices for waste water discharge and water use and construction of hydraulic structures was establishment. As the process of short and long term operations, the remaining steps are to execute the proposed reform which depends on political and social acceptance. The action plans focuses on human right to water and sanitation in rural and urban areas and facilitate awareness rising on the need for reform. The operational action plan preparation process considers the institutional reform as a slow process with a sequence of actions that carried out coherently and in consistence with the broader social and political policy of the country toward HRWS.

Women and girls in rural and urban of Eritrea are responsible for collecting water from wells and water vendors, carrying it to the homestead and storing it for household use. Women have the major responsibility to take care of the availability of sufficient water for all in the household and use more water in and around the house. It is women who suffer in long queues at watering points and drawing water from deep wells using rope and bucket. As the main users of water, women, suffer more from its mismanagement and scarcity. So in any mega-projects the Women are participated and have a decisive role in the planning, implementation, operation and maintenance of water supply and sanitation projects and water management at all levels. Sanitation and health are also complementary subjects that have been intimately associated with women, disables and water supply or the lack of it. Women are responsible in household sanitary and hygiene and they are the ones affected by the absence of sanitary facilities therefore, access to adequate water and sanitation is a matter of security, privacy and basic human right for them.



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As a rule, the existing utilities of the human right to water and sanitation has monitoring and evaluation procedures in place, aimed at measuring progress towards department objectives, using performance and output indicators. This monitoring often emphasizes the status of infrastructure and the quality of drinking water at the point of delivery. There may be value in including records of complaints collected at customer centers and information fed back. When the indicators are related to a HRWS criterion or principle, and when they track the service expansion or the improvement of water safety, or the location of unserved people, the monitoring activities are essential to the progressive realization of the HRWS.

Ex-post assessment

The department of water resources has conducted regular ex-post assessment to cover a wide range of issues of the rural water supply of the country that encompassed:

- Assessment of effectiveness of water supply schemes in meeting drinking water requirements;
- Analyzing on ensuring drinking water supply to the communities;
- Conduct situational analysis on the improved drinking WSS;
- Map favorable and unfavorable factors affecting performance, reliability and efficiency of water supply schemes;
- Analyzing community satisfaction about the Village Water Supply Systems:

As a result effective assessment systems are supposed to strengthen the accountability links between governments, service providers and consumers, and enable communities to claim their rights.

Challenges

Despite the commendable achievement and progress, there are still remains to cover 15 % of access safe water supply coverage to meet SP by 2021. Progress to date is seriously threatened by prolonged spells of drought which, if not tackled with appropriate strategies, which undermine future efforts and may even reverse service coverage and sustainability of water resources.

Recognizing that almost 15 percent of Eritrean population does not have access to safe drinking water, the task ahead is indeed challenging. Therefore, a serious rethinking of overall water



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resources planning and management in the face of chronic drought, falling water tables and gaps in hydro geological data is required. This necessitates an immediate sharing of all hydrological, hydro geological and geophysical studies and data to create a holistic understanding of the status of water resources in Eritrea and to identify critical gaps. A greater understanding of the hydro geological dynamics in various catchment basins and strategic aquifers is also needed to ensure that water extraction does not exceed that of water recharge. Furthermore, the rapidly falling water table in many agricultural areas where irrigation is practiced is a particularly worrying problem not only for agriculture, but also for human development needs.

Though the Department of Water Resources has scored a remarkable achievement in the provision of safe and adequate water supply at the national level, there are still major challenges and constraints facing to the established water supply systems to be managed sustainably by the community and sector level. Some of the major challenges are included:-

- The limitation of water technical personals comparing to the so far implemented water supply structures has become a big burden for the sustainable functionality of the systems.
- Absence of water institutions or vocational water training schools.
- Spare parts not easily available locally for smooth operation. Functionality of the implemented water supply system is always in question.
- Currently fuel for the diesel powered water supply systems not available or very expensive.
- Transportation facility and car rent is high and unaffordable.
- Eritrea is found at developing stage, of rapid urbanization, increased development activities and population pressure which in turn are anticipated challenges for the future in water demand and other many
- The demand and competition for water is increasing.
- Climate change risking land and water resources degradation.
- Water resources scarcity.
- Financing the water developmental infrastructure
- Over exploitation of ground water...etc



Lessons learned

Piped water supply will increase household use of safe water, thus for improved health and hygiene. Piped water supplies offer the opportunity to include the schools and the health facilities by bringing the water to a reasonable walking distance (500m radius).

Conclusion

Believing that provision of safe and clean drinking water is basic human right and that water is main element of socio-economic development, the government of the State of Eritrea has set it as one of its priorities.