**Input into the Special Rapporteur on the human right to safe drinking water and sanitation’s 2021 thematic reports**

**Submission of Ireland**

**April 2021**

## I. COVID19 and human rights to water and sanitation

1. In the context of COVID19 pandemic and recovery and relief measures, what measures and steps have been in place to ensure that all populations have access to adequate and sufficient water, sanitation, and hygiene services and facilities? In particular:

1.1. What measures and steps have been taken to identify the minimum vital amount of water required by specific individuals and groups in the context of COVID19 which emphasized handwashing as one of the preventive measures against COVID19?

1.2. In the event that the water and sanitation services that are managed by private operators cannot be provided, what specific measures are in place to regulate and ensure that the population has adequate access to water, sanitation and hygiene services and facilities?

1.3. In the case of water and sanitation services that are managed by local and municipal (regional) governments, or by community systems, that cannot be performed, what specific measures are in place at the level of the central government to ensure that the population has adequate access to water, sanitation and hygiene services and facilities?

Ireland has near universal[[1]](#footnote-1) household access to provision of piped water and sanitation infrastructure. Services are delivered through public water services as well as through subsidised community-owned private services across all parts of the country. Ireland has ample water resources and water infrastructure is well-developed. There are some service and compliance challenges within our infrastructure network, however these are not related to the pandemic and COVID-19 has not posed significant additional technical challenges for access to water and waste water services for the population.

Irish Water is responsible for providing public water services and ensuring drinking water quality meets the standards in the Drinking Water Regulations. The Environmental Protection Agency (EPA) is the drinking water quality regulator, responsible for enforcing the Drinking Water.

Ireland’s national water utility, Irish Water, has put into action a comprehensive COVID-19 response plan to ensuring the safety and well-being of staff and securing the supply of drinking water and maintenance of wastewater services. The water supply and waste water service levels have been largely unaffected by COVID-19. Some of Ireland’s planned infrastructure construction projects have suffered from delays to projected completion dates due to social distancing and movement restrictions during the early phases of the pandemic. Business Continuity teams in Irish Water continue to convene regularly in line with the evolving situation.

Approximately 6% of the population of Ireland have their drinking water supplied by group water schemes (community owned and run schemes). Of these, about 70% get their water from private group schemes, which have a privately sourced water supply. The remaining schemes get water from the public (Irish Water) supply. The National Federation of Group of Water Schemes is the national representative body for these community group water schemes sector in Ireland. The national federation has been and are actively engaging with their members to ensure the continuity of water services COVID-19 has not posed significant additional technical challenges for the provision of water (or waste water) services in Ireland.

2. What temporary legislative or policy measures have been implemented in the context of COVID19 (including state of emergency, emergency laws, moratorium) to prohibit water disconnections for those who are not capable to pay the water and sanitation service tariffs?

2.1. In the event emergency laws or moratoriums have ceased to be in force, what subsequent measures and steps have been envisaged and planned to ensure that disconnection of water and sanitation services are prohibited for households that are unable to pay?

2.2. What data is available on the impact that COVID19 has had on unemployment, how it has increased the numbers of people in poverty, increased inequalities and in particular, how these three dimensions impact people's capacity to pay for water and sanitation services and facilities?

2.3. What steps are being taken to ensure the affordability of water services for those who cannot pay their bills for reasons beyond their control, including unemployment and poverty, which have been exacerbated by the COVID19 pandemic?

Research conducted by both the Central Statistics Office (CSO) and Economic and Social Research Institute have each found that the pandemic income supports have played a significant role in mitigating against the worst impacts of the pandemic on household income. The state’s pandemic income supports, based on an individual’s prior earnings, have been found to cushion household income losses and protect families against significant income losses. This is particularly the case for the lowest 40% of households, many of whom have actually seen modest increases in household income through the state’s pandemic income supports and other measures, such as an extension to the Fuel Allowance.

However, as a matter of public policy (pre-dating and unrelated to COVID-19) Irish Water are prohibited by law from disconnecting any domestic property. Unemployment has not impacted on affordability as Irish Water is not currently issuing bills to domestic customers. The provision of public domestic water services is funded through general taxation.

However, customers of Irish Water who use water above their annual allowance will in future become liable for their excess use and be charged for this usage in the future (this is not yet in effect and has been deferred in recognition of the difficulties posed by the pandemic).

The COVID-19 pandemic has impacted some vulnerable groups, such as the Traveller Community, more than the general population. In response, Ireland put in place specific response plans for homeless services and also for Traveller services. For example, the government made additional funding available to Local Authorities for Traveller accommodation including to address issues of site over-crowding, water and sanitation.

3. What are the vulnerabilities that have been exacerbated by COVID19 that negatively impact people's access to water, sanitation and hygiene (WASH)? What measures and steps have been taken to identify and target individuals and groups that have been exposed to those vulnerabilities?

3.1. What are the specific challenges faced by the population living in rural areas and those areas that rely on community-based water and sanitation services? How have these challenges been addressed?

3.2. What are the specific challenges faced by population living in areas that are suffering hydric stress, and/or semi-arid regions?

3.3. What are the specific challenges faced by seasonal workers, by populations living in refugee camps, in host-communities that absorb refugees, displaced persons and other forcibly displaced persons, as well as slums and informal settlements in urban and peri-urban areas?

3.4. In addition to the above groups which have been identified as gaps in the Special Rapporteur’s research thus far, which other groups and populations should be prioritized due to the increased vulnerability that COVID19 has created?

At the early stages of the pandemic, Ireland established a Local Authority Community Response Forum in every local authority area (each municipality). These Forums are coordinating and working to help ensure all vulnerable members of our communities affected by COVID-19 restrictions are appropriately supported.

Chaired and coordinated by each Local Authority Chief Executive, the Forum includes members of the Local Authority, the Health Services Executive, county champions, An Post (postal service), Community Welfare Service, An Garda Siochana (the Irish Police force), other relevant statutory bodies, representatives of the community & voluntary sector. This forum has a leading role in the coordination of COVID-19 community supports and resilience in each local area.

The Community Call ensures the provision of the following services:

1. Collection and delivery of food, essential household items, fuel, medication in line with guidance
2. Transport to community testing centres, clinical Assessment Hubs, GP and hospital appointments
3. Social isolation, supports, engagement
4. Meals and their delivery
5. Other medical/health needs (including any water/ sanitation related issues)

As mentioned in the previous question - the COVID-19 pandemic has impacted some vulnerable groups, such as the Traveller Community, more than the general population for which the Irish government has taken steps to assist with.

**Public policies**

4. What steps have been taken to address vulnerabilities that COVID19 has created for people and groups in public policies - the so-called “Building Back/Forward Better” policies - and other policies to build resilience and sustainability?

4.1. What are the lessons learned from responding to COVID19 to build social protection and resilience to prevent future possible public health crises?

4.2. What measures and steps have been taken to strengthen access to water, sanitation and hygiene as part of strengthening public health policy?

The Irish government responded quickly to introduce new schemes and provide income supports for people who became unemployed due to the pandemic. This rapid mobilisation of staff and resources ensured that vulnerable people were able to access support within a short period of becoming unemployed.

The abovementioned research reiterates the strong effect social transfers have on reducing poverty in Ireland. Based on EU SILC data from 2019, it was found that the poverty reduction effect of social transfers was 58%, ensuring Ireland remains one of the best performing EU countries in reducing poverty through social transfers. Although equivalent data for 2020 is not yet available, early research indicates that the state’s policy responses continued this trend of protecting vulnerable families from poverty.

Ireland’s rebuilding and recovery plan includes a 2020 Jobs Initiative[[2]](#footnote-2) to help businesses and to boost job creation and job retention efforts. This helped some of the worst hit sectors such as tourism and hospitality, retail, entertainment and the arts, construction (retrofit), public companies and the third level sector.

In Budget 2021[[3]](#footnote-3), the Government brought forward a National Economic Plan to set out Ireland’s long-term approach to restore employment. The plan detailed dealing COVID-19, while driving our efforts to decarbonise the economy and prepare for the next phases of technological transformation

Ireland has near universal access to provision of water and appropriate sanitation infrastructure through a public water services and subsidised community-owned private services across all parts of the country.

**Allocation of funding**

5. What measures and steps have been taken to ensure that water, sanitation and hygiene is considered as a priority in the COVID19 response in terms of the allocation of funding?

5.1. What percentage of the COVID19 response is allocated to water, sanitation and hygiene (including menstrual hygiene)?

5.2. What percentage of funding is allocated or planned to be allocated to improving water, sanitation and hygiene facilities and infrastructure in the context of COVID19?

Ireland’s most recent government budget (FY2021) provided funding of over €1.4 billion to support water services, which included €1.3 billion in respect of domestic water services provision by Irish Water. This €1.4 billion investment is to ensure the continued operation, repair and upgrading of the country’s water and wastewater infrastructure, to support social and economic development across the State, and continued care of the water environment.

Irish Water has a multi-annual strategic funding requirement of €11 billion to 2024. This comprises €6.1 billion investment in infrastructure and assets and €4.9 billion in operating costs. The source of funding is met through a combination of government revenue subvention and capital contributions in respect of domestic water services, non-domestic revenue including new connection revenue, domestic excess usage charges and non-domestic borrowings with the overall split being circa 80% from the Exchequer for domestic water services and circa 20% from the non-domestic sector.

An additional capital stimulus package of €87 million was provided to Irish Water in 2020. This stimulus package was spent across the country on key asset upgrades: the primary focus was on leakage reduction works to improve supply resilience and capital maintenance upgrades, to maintain and enhance service levels.

6. What specific measures and steps are taken to ensure a safe environment for defenders of human rights to water and sanitation in response to protests and advocacy on water disconnections, access and quality?

Ireland protects the right to peaceful protest under the Constitution of Ireland (Bunreacht na hÉireann)[[4]](#footnote-4) and the European Convention on Human Rights (ECHR)[[5]](#footnote-5).

Ireland has a strong participative and representative water governance structure in place and this includes a structured dialog with civil society representative groups. These have been designed with regard to the OECD Principles on Water Governance[[6]](#footnote-6). For example, Ireland has established a national water forum (*An Fóram Uisce*) to facilitate stakeholder engagement on all water issues. The Forum determines its own work programme and the means of communicating its views and analysis.

Local authorities also ensure public engagement, participation, and consultation with communities and stakeholders at local level, and co-ordinates these activities across all 31 local authorities.

In light of the urgent need for protection of human life and public health, some restrictions on movement and gatherings have been provided for in Ireland and associated enforcement powers have been provided for An Garda Síochána.

There has been strict compliance with requirements for the limitation of rights- any restrictions on movement and gatherings have been provided for by law, are necessary, explicitly in the interests of protection of public health and the rights of others, and are temporary in nature – with a sunset clause explicitly provided for in the legislation.

No equivalent restrictions have been placed on online gatherings or association in the context of the pandemic- the emergency measures restricting gatherings, which were introduced apply to physical gatherings only.

## II. Climate change and human rights to water and sanitation

**Impact of droughts on availability and quality**

1. During drought cycles, which climate change tends to intensify in frequency and duration, water reserves should be monitored and foreseen. Both domestic and drinking use must be prioritized in order to ensure the human rights to water and sanitation, with special attention paid to those groups in vulnerable situations. Likewise, an increase in the concentration of pollutants should be prevented as there are fewer dilution water flows that would normally preserve water quality. In this context, in order for climate adaptation strategies to ensure that the population has access to safe drinking water and sanitation:

1.1. Are there legal, policy and regulatory frameworks to ensure that drinking water and water for domestic and personal usages are prioritized over water used for industrial agricultural and other for-profit economic activities in case of scarcity during drought periods?

1.2. Are there measures scheduled in drought emergency plans to ensure that priority is given to household water supply and water for domestic and personal use? Is there hydrological planning that establishes specific plans to prevent drought, in which the priority of said water supply is guaranteed?

1.3. Have areas, neighbourhoods or populations in vulnerable situations and most exposed to water cuts in drought periods been identified? If so, please provide information on how they were identified and what has been planned to counter this greater vulnerability.

1.4. In periods of drought, how is the quality of drinking water guaranteed? If the water supply is seriously compromised, are there any alternative reserves in place, such as reservoirs, aquifers or drought wells that could provide the quality and quantity of water required, especially in the poorest regions and rural areas

Ireland has mechanisms in place to ensure that quality and quantity of drinking water is managed during drought situations. For example, in spring/ summer 2020 Ireland put in place a national water conservation order to safeguard the public supply for essential purposes.

This process commenced with public information campaigns (for example to “*choose handwashing over power washing*”) as domestic water usage increased as people stayed at home in response to the Covid-19 crisis. Increased domestic demand during the pandemic lockdown coincided with an increase in commercial demand as businesses were reopening along with supply constraints due to a widespread drought in Ireland - May 2020 was the driest since 1850 in Ireland.

The Conservation Order, created under Section 56 (16) of the Water Services Act 2007[[7]](#footnote-7) prohibits the use of garden hosepipes and other non-essential uses of water by domestic users and commercial premises for non-commercial activities for example watering gardens attached to a business premises.

**Impact of droughts on affordability**

2. During drought periods, when availability and accessibility to drinking water and water for domestic and personal use is affected by competing demands for water resources, there may be pressures to increase water and sanitation tariffs. On the other hand, the need for implementing additional water supply sources may increase supply costs. Is an increase in rates foreseen in drought cycles? And if so, what is planned for families and individuals in poverty with incapacity to pay for water and sanitation tariffs?

There has not been any impact on the cost of drinking water and water sanitation for domestic consumers due to droughts in Ireland. The impacts of adapting to climate change will bring capital investment costs into the future.

**Impact of floods on availability and quality**

3. Floods caused by heavy rains and river floods, apart from causing risk to the lives of those affected, the flooding of homes, destruction of crops and various economic damages, have significant impacts on water and sanitation services. Often, domestic water supply is contaminated or supply facilities are affected, which implies drinking water supply cuts. Sanitation stations tend to collapse when they receive massive storm drains along with domestic and industrial discharges, which produces direct polluting discharges. Especially worrying is the situation of those sanitation stations located next to rivers, which tend to be flooded indefinitely. Sometimes the rise in the level of the rivers and the massive pluvial drainage generate black or grey waters urban floods through the sanitation sewers, even reaching inside the houses. In this context, in order for climate adaptation strategies to ensure that the population has access to safe drinking water and sanitation:

3.1. Are there plans for territorial and urban reorganization that make it possible to minimize the vulnerability of populations to flood risks? What specific measures are included for groups in vulnerable situations?

3.2. Are there emergency flood plans for groups in vulnerable situations and generally poorer neighborhoods, guaranteeing in particular water, sanitation and hygiene services for these populations, including the eventuality of evacuation?

3.3 What alternative water supply provision is there to guarantee drinking water when floods contaminate habitual sources or affect storage and purification facilities, especially for groups in vulnerable situations?

Irish Water has emergency response plans in place for severe weather events. Ireland is implementing the National Flood Risk Policy[[8]](#footnote-8). Through the Office of Public Works’ (OPW) Catchment Flood Risk Assessment and Management Programme[[9]](#footnote-9), detailed engineering analysis, assessment and extensive public consultation has been undertaken for those 300 identified communities, including 90 coastal areas considered most likely to be impacted by future flooding.

**Impact of Desertification on availability and quality**

4. Rising temperatures and rainfall variability caused by climate change can increase desertification in arid, semi-arid and dry sub-humid areas. In addition, prolonged droughts increase fire risks, accelerating degradation and even destruction of plant protection, soil erosion and desertification. Desertification increases surface runoff and therefore increases the risk of floods, which can impact water supplies and sanitation. It also causes less water infiltration in aquifers, affecting the availability of water. What steps and measures are being taken to combat desertification processes and to ensure safe drinking water and sanitation in case of desertification, especially for groups in vulnerable situations?

Ireland is generally in water surplus, with little pressure on national water resources overall. Where difficulties do arise in dry years with water supply it is related to the technical aspects of the supply (lack of seasonal water storage/impoundments), small upland supplies in flashy catchments, or location of the water abstraction points. Ireland does not make widespread use of irrigation. Desertification is not an issue in Ireland. Blanket bog land and upland areas are at risk of fire damage during prolonged dry spells and fire management plans are in place to manage this risk and respond to fires as these occur.

**Impact on people and their vulnerabilities**

5. What measures and steps are being taken into account when designing and planning climate change adaptation strategies and policies to ensure that affected groups and populations and their knowledge are part of the solution? How are affected populations involved from the beginning in the planning design and its subsequent development?

Ireland has published a specific adaptation plan for water services and water quality to increase resilience of the Irish water services sector and to protect water quality from changes to the climate.

This Climate Change Sectoral Adaptation Plan[[10]](#footnote-10) generates a baseline of current climate and weather-related impacts and consequences for the sector and makes an assessment of how these sectoral impacts may change in the period to 2050, based on available climate modelling and analysis as well as setting out adaptive measures which are being undertaken, clarifying where future adaptation efforts are required. The preparation of the plan was subject to public consultation in 2019.

6. What measures and steps are taken to identify the movement of populations, ongoing or foreseeable due to the impact of climate change on availability, accessibility and affordability of drinking water and water for other uses (what are called climate refugees or migrants)? What information is available on the situation of access to water and sanitation for temporary workers in informal settlements?

Ireland has abundant water resources and movement of population due to climate change-related pressures on water is not an immediate prospect. However, climate change related weather impacts and population change (growth and settlement patterns) are taken into account in the National Planning Framework [[11]](#footnote-11)for spatial planning and in Irish Water’s capital investment planning. The planning framework guides the future development of Ireland, taking into account a projected one million increase in the national population, the need to create additional jobs to achieve full employment as well as a need for 550,000 additional homes by 2040.

Of the 1 million extra people, 25% is planned for Dublin, 25% across regional cities with the remaining 50% of growth to occur in key regional centres, towns, villages and rural areas. Part of this plan is to enable people to live closer to where they work, moving away from the current unsustainable trends of increased commuting and to regenerate rural Ireland by promoting environmentally sustainable growth patterns. This will include improving rural water and sanitation services to facilitate these objectives through the delivery of infrastructure and services in tandem with growth.

## III. Financialisation/commodification questionnaire

The commodification of water and sanitation has been carried out through different mechanisms and policy programs. Each have had an impact on the payments to be covered by users. This includes the privatisation and inclusion of private actors in water, sanitation and hygiene (WASH) services and infrastructure, the transformation of public utilities into for-profit entities, market based mechanisms to manage water scarcity such as water trading and water banks, and the bottling of water by private companies. At each point, financial actors become involved when WASH services and infrastructure proves to be a profitable business. This report will explore the implications of these processes on the progressive realisation of the human rights to water and sanitation.

**On the privatization of water and sanitation services.**

1. The former Special Rapporteur, Leo Heller, dedicated a thematic report on the impact of privatization on the human rights to safe drinking water and sanitation (A/75/208) in 2020. Building on this report, the Special Rapporteur aims to follow-up on the recommendations made and to expand the scope to examine the role of private actors, the various ways private actors can take part in water, sanitation and hygiene service provision and to clarify challenges and ways to address compliance with human rights to water and sanitation. In this context:

1.1. Has the participation of private operators through long-term management contracts guaranteed the necessary investments in water and sanitation services filling the so-called financial gaps? If so, to what extent?

1.2. Is there a law that prohibits cutting off water to households in vulnerable situations? Is there by law a vital minimum amount of water set as a mandatory supply to impoverished households?

1.3. When the management of water and sanitation services is concessioned or contracted out to a private or mixed company, or when the operators are public but running as commercial for-profit entities, are households in vulnerable situations guaranteed a vital minimum amount of water? And if so, how is this compliance with human rights to drinking water and sanitation financed?

1.4. When the management is public and non-profit, is a vital minimum amount of water established for households in vulnerable situations, in compliance with the human rights to drinking water and sanitation? And in such cases, how is this compliance financed?

1.5. Is there a regulatory framework that guarantees transparency and citizen participation in the management of water and sanitation services, whether public or private, in line with the requirements related to human rights?

1.6. During the past financial crisis (2007 - 2008), due to austerity strategies, private investment was favoured to compensate for the lack of public financing in infrastructure and public services. In the present economic crisis accelerated by the COVID19 pandemic and given the need for investments to prevent the impacts of climate change, are there funds provided in public budgets to cover these costs? Or is the pressure for the privatization of water services growing again?

1.7. From the current perspective of climate change, are there green funds established to finance investments in WASH services due to the impact of the climate emergency?

1.8. Are there prospects for higher service rates or charges to cover the costs of investments? Is there any provision to guarantee the affordability of services to households in poverty?

1.9. In relation to the impact of COVID-19, if WASH services were managed by private operators were the costs derived from the pandemic (for example, lower water consumption due to economic restrictions, higher rates of non-payment of tariffs) covered by private operators as contract risks or are they passed on to public institutions?

The Irish Government's policy and stated commitment is to maintain public water services in public ownership, while also respecting private arrangements for the provision of water services by community-based and owned group water schemes and by individual households, businesses and other bodies.

Irish Water, Ireland’s national water utility is prohibited in law from disconnecting any domestic property.

Ireland has established a national water forum (*An Fóram Uisce*) has been established to facilitate stakeholder engagement on all water issues. The Forum determines its own work programme and the means of communicating its views and analysis.

**On market based mechanisms as a response to water scarcity**

2. There are various market-based options for managing water scarcity and its distribution to competing users. Although there are different models, what is common to all is the need to separate water rights and land rights, so that water rights/concessions/allocations/entitlements can be traded and potentially managed as a consumer good. There are models, such as Water Banks, that organize transactions under public control and with strong regulations. There are also water trading markets that facilitate trade between entitlement holders and those who want to use that water. These water markets can be opened to speculators, who are not going to use the water rights at stake. Speculators are financial actors that promote speculative games (with high expectations of short-term benefits) between those who have water rights and those who seek to buy them. Although most water trading markets are localized, with the entry of new financial players, water rights can be integrated into global financial markets, where water will receive the same treatment as other tradable commodities, generating speculative impacts on the final costs to pay for water.

If water markets or water banks exist:

2.1. How are they designed and what is their purpose? i.e. to manage water scarcity, to deal with over-allocations, or to ease trading between water rights/entitlement holders to increase the efficiency of use? Is the water traded or banked understood as public or private property? And if private, what is actually privatised? For example, a set amount of water, a licence to extract a certain amount of water, or the concession.

2.2. Are there public institutions (such as Water Banks) that manage possible transfers of water rights? If so, are they set up only to manage drought cycles or do they also work when there is no drought?

2.3. To what extent do market based transfers under public control affect the affordability of water and sanitation services and the price of water? What about privately managed markets? What is the impact on families in vulnerable situations and the effective fulfilment of human rights to access to water and sanitation?

2.4. Are there direct markets for water rights? Does the supply of water and sanitation services depend on access to water through these markets? And if so, to what extent do these markets affect rate increases, especially for households in vulnerable situations?

2.5. In some water markets trading is limited to actors buying water for their own use (for example, agriculture, extractive industries, urban water services), while other markets are open to speculators. Who are the largest actors in the water trading market? And if markets are open to private investors what type of companies are they, for example hedge funds, individual investors, or international banks? Are there differences between the impact of each type of actor and design of the water market on the price and availability of water?

2.6. Water markets impact communities in vulnerable situations in different ways, for example cultural water rights of Indigenous people or its environmental functions are not taken into account, and small-scale farmers can be priced out of the market due to increasing prices. What regulatory bodies are in charge of water trading markets? How has accessibility of water for communities in vulnerable situations been affected? And how have they been included into the design, oversight and regulation of water trading markets? What vulnerabilities may be exacerbated by water trading markets?

2.7. Is there the opportunity for water futures trading such as the recently announced Nasdaq Veles California Water Index? If not, are there expectations that futures trading will occur in the future? And how would water futures trading impact affordability, accessibility, and availability of water for communities in vulnerable situations?

Water trading is not a feature of Ireland’s water supply and use. It is the Irish Government's policy and stated commitment to maintain public water services in public ownership, while also respecting private arrangements for the provision of water services by community-based and owned group water schemes and by individual households, businesses and other bodies.

**On the commodification of water through bottled water**

3. The extraction of water for beverages is an increasingly profitable industry. Water extraction companies can be given licences to extract water from ground or surface water or given access to municipal water supplies at low or marginal costs. The beverage products created, including but not limited to bottled water, are sold at high profit margins and can target communities where there is limited access to public water services, they are of poor quality, or where suspicion of the quality of public water services exists. This can increase vulnerabilities in communities that need such surface or groundwater, when it is increasingly scarce. Bottled water can also increase vulnerabilities in these communities due to high costs and weakening of public utilities.

3.1. What regulatory and monitoring mechanisms exist to counter possible vulnerabilities caused by private water bottling?

3.2. How can impacted communities hold private companies to account within existing regulatory regimes for their impact on access, affordability and availability of water?

Ireland sets a generous annual household water allowance and provides for charging of domestic customers who use above the annual allowance. The allowance is set at 1.7 times the average rate of water demand in Ireland. The policy encourages households to conserve water and, where possible, identify and fix leaks in their water supply but provides for access to water. In recognition of the COVID-19 has impacted and delayed the commencement and introduction of the excess-use policy until later in 2021.

The household water allowance is 213,000 litres per year. Household usage up to this level is funded publicly through general taxation. Households that use more than 213,000 litres will be charged for use over this allowance, unless they are entitled to additional allowances or exemptions. However, Irish Water will first inform domestic customers if they are using water above the annual household allowance with the opportunity to rectify issues, such as leaking pipes within a property.

Ireland is in the process of transposing the revised Drinking Water Directive (Directive EU-2020/2184). [[12]](#footnote-12)This EU Directive includes provisions to improve access to water, by setting up outdoor and indoor equipment in public spaces and by promoting the use of tap water through the free provision of water in public administrations and public buildings and otherwise making low-cost water available as an alternative to bottled water.

**On Financialisation**

4. Water and sanitation services and infrastructure can be "financialised" in different ways. This can mean a larger role for for-profit actors including investors and private companies and financial actors - banks, international financial institutions, hedge funds, pension funds, and increasingly insurance companies - involved in the provision of water, sanitation and hygiene (WASH) services and infrastructure. Financialisation can consist of: the commodification of water, with the corresponding water pricing processes; or the commercialisation and privatization of public water and sanitation services; or the inclusion of WASH services and infrastructure in global financial markets. The financial sector is defined by a short rather than long-term management focus that prioritises profit maximisation and shareholder returns, resulting in a concentration of investment in financial products rather than the production of goods. In this context, risk management is critical, and gives a leading role to the insurance sector and international rating agencies.

4.1. How has WASH services and infrastructure been turned into a financial asset? for example, as a financial product, or private companies traded in global financial markets. What regulations and legislation including private property laws were necessary for this to occur and how are those regulations and legislation compatible with the State’s obligation to provide accessible, affordable, safe and acceptable water available to all without discrimination?

4.2. How has the financial sector (hedge funds, investment banks, pension funds) entered the WASH services and infrastructure sectors? And does this mark a difference to previous processes of privatisation such as Public-Private-Partnerships or long term concession contracts? And how has this impacted individuals access to water and sanitation and affordability of those services and infrastructure, especially for people in vulnerable situations?

4.3. What has been the impact of speculation - speculation in financialised WASH investments, water based hedge funds or in water trading markets - on access, availability and affordability of water and sanitation services?

4.4. Do you expect speculators to enter existing water trading markets? And If so, what regulations and accountability mechanisms are in place to prevent negative impacts of speculation on the affordability and access of water and sanitation services for communities in vulnerable situations?

4.5. Financial actors are accountable to their shareholders and governed by logics of profit maximization. How is the State able to meet its obligation to progressively realize the human rights to water and sanitation within these goals? How does the State regulate business and financial actors to respect human rights to water and sanitation?

4.6. What specific measures and steps are taken to ensure a safe environment for defenders of human rights to water and sanitation in response to the increased role of financial actors in the WASH sector, which have resulted in protests from communities impacted by the effects of financialisation? Please give specific examples of cases.

The Irish Government's policy and stated commitment is to maintain public water services in public ownership, while also respecting private arrangements for the provision of water services by community-based and owned group water schemes and by individual households, businesses and other bodies.

The majority of households, approximately 83% of the population, receive drinking water from Irish Water, the national and publically-owned water utility. The Irish Government sees no circumstances arising where any part of Irish Water would be placed in private ownership. There is broad agreement amongst the Irish people and across the political spectrum that public water services should be publicly owned and controlled.

The Government of Ireland is continuing, through forthcoming legislation, to further strengthen the imperative of public ownership of Irish Water.

1. Central Statistics Office Data - All households (99.9%) in Ireland had a sewage facilities and piped water supply in 2016. Households connected to the public mains supply accounted for 77% of all households. Group water schemes accounted for 8% of domestic water supply, while private water sources accounted for 10% of households. [↑](#footnote-ref-1)
2. [gov.ie - JobsPlus (www.gov.ie)](https://www.gov.ie/en/service/eecbb7-jobsplus/) [↑](#footnote-ref-2)
3. [Budget 2021](http://budget.gov.ie/Budgets/2021/2021.aspx) [↑](#footnote-ref-3)
4. [Irish Statute Book](http://www.irishstatutebook.ie/eli/cons/en/html) [↑](#footnote-ref-4)
5. [Guide on Article 11 - Freedom of assembly and association (coe.int)](https://www.echr.coe.int/Documents/Guide_Art_11_ENG.pdf) [↑](#footnote-ref-5)
6. https://www.oecd.org/cfe/regionaldevelopment/OECD-Principles-on-Water-Governance-en.pdf [↑](#footnote-ref-6)
7. <http://www.irishstatutebook.ie/eli/2007/act/30/section/56/enacted/en/html> [↑](#footnote-ref-7)
8. [gov.ie - Flood Risk: Policy and Co-ordination (www.gov.ie)](https://www.gov.ie/en/policy-information/aba306-flood-risk-policy-and-co-ordination/) [↑](#footnote-ref-8)
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12. [EUR-Lex - 32020L2184 - EN - EUR-Lex (europa.eu)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32020L2184) [↑](#footnote-ref-12)