**Replies by the Government of Finland to the questionnaire by the Special Rapporteur on the human rights to safe drinking water and sanitation**

**30 April 2020**

The Government of Finland presents the following replies to questionnaire sent by the Special Rapporteur on 17 February 2020.

**Question 1: How is the concept of the minimum core obligations of the human rights to water and sanitation translated and applied in the water and sanitation sector in the country?**

Finland has in place national legislation that safeguards sustainable use and protection of water resources, access to healthy and otherwise safe drinking water, appropriate management of wastewater and a reasonable level of charges for water supply and sanitation. Around 92% of the Finnish population is covered by a collective system for the supply of drinking water, while more than 80% is covered by a collective sanitation system (2015). For the rest, there are property-specific solutions for water supply and sanitation so that around 100% of the Finnish population has access to drinking water and around 99% to sanitation.

Water resources management aims to ensure, as a minimum, a good state of surface waters and groundwater and to safeguard against any deterioration in the quality of waters. The goal is to safeguard the use of waterways as a raw water source for drinking water, among other uses. The appropriate treatment and conveyance of wastewater both in urban areas and sparsely populated areas reduce the risk to human health and the environment, in the context of environmental and water protection as a whole.

Finland ratified the Protocol on Water and Health to the Water Convention of the United Nations Economic Commission for Europe (UNECE) in 2005. In 2019, the national targets were reformed. These targets commit Finland to maintaining, or even improving, the good state of water supply and sanitation already achieved. The national targets also support the achievement of sustainable development goals.

As regards development co-operation and the implementation of the right to water, the Finnish Development Policy Programme subscribes to a human rights-based approach to development co-operation in relation to efforts that aim to realize improved and equitable access to basic/safe and sustainable drinking water, adequate sanitation services, and improved hygiene practices as part of building resilience especially in long term partner countries. Progressive realization of the right to water and sanitation is highlighted as part of development interventions, supporting States to move beyond the minimum levels of water and sanitation service provision. In this regard, Finland has endorsed and warmly welcomed the 2030 Agenda for Sustainable Development and the reaffirmation of the right to safe drinking water and sanitation therein.

**Question 2: What policies and programmes are in place to ensure that those obligations are always met? In case the minimum core obligations are not met, please provide information on the extenuating circumstances.**

Under the Water Services Act (119/2001), municipalities must develop water supply and sanitation in their territories in accordance with the development of communities. Property owners or occupiers are responsible for arranging water supply and sanitation for their property. For meeting the needs of a relatively large number of inhabitants or for health or environmental protection reasons, municipalities must see to that appropriate measures are taken to secure access to a sufficient level of water supply and sanitation. Monitoring compliance with the legislation on water supply and sanitation is a continuous activity within the state regional administration.

The challenges facing the Finnish system of water supply and sanitation include the heterogeneity of the operators and the ageing of the infrastructure. In 2020, the Ministry of Agriculture and Forestry launched a national reform of the water supply and sanitation system to improve its reliability. The aim is to promote the renewal of the water supply and sanitation sector by means of digitalisation and new technologies. A key target is to safeguard the security and reliability of water supply and sanitation across the country to all customers.

Finland’s national target for drinking water, as recorded in the Protocol on Water and Health to the UNECE Water Convention, is to maintain the achieved service rate, which covers 100% of the population. The supply of drinking water must be promoted in accordance with planned and actual development of communities. The supply of drinking water must be improved either by a collective system for the supply of drinking water or by property-specific arrangements. Under the current legislation, the national target is part of the continuous statutory operations of the municipalities.

Provisions on the treatment of wastewater in areas outside sewer networks are laid down in the Environmental Protection Act (527/2014). Particular attention has been paid to the property-specific purification of wastewater in groundwater areas and in the vicinity of waterways. Property-specific treatment of wastewater is important to safeguard clean and safe raw water sources for the production of drinking water even in the future. The municipal environmental protection authorities are competent supervisory authorities in this respect. The Finnish Environment Institute maintains a wide-ranging service for property owners and experts, which provides information on property-specific sanitation systems.

Provisions on the treatment of urban wastewater are laid down in the Environmental Protection Act and the Government Decree on Urban Waste Water Treatment (888/2006), implementing the Council Directive 91/271/EEC concerning urban waste-water treatment. Environmental permits for the treatment of urban wastewater are supervised by the Centres for Economic Development, Transport and the Environment.

Water resources management aims to safeguard the use of waterways as raw water sources for drinking water, among other uses. All water resources management plans are based on the EU Water Framework Directive (2000/60/EC), which is implemented in Finland by the Act on the Organisation of River Basin Management and the Marine (1299/2004). Water resources management aims to achieve and maintain a good state of the surface waters and groundwater. The water resources management plans and the action plans included in them describe the measures needed to achieve a good state of waters. The measures must be designed so that they take into account health protection and environmental protection. An update of the water resources management plans is currently under way for the next six-year period from 2022 to 2027.

Protection of groundwater ensures that groundwater areas can be used for water intake and drinking water even in the future. The Environmental Protection Act lays down a prohibition against soil contamination and a strict prohibition against groundwater pollution. There are around 400 plans for the protection of groundwater areas in place, covering more than 1,500 groundwater areas. The legislation designates protected areas for around 230 groundwater abstraction facilities.

**Question 3: Please describe efforts made by the Government in the last few years that allowed the progressive realisation of the human rights to water and sanitation.**

The quality of drinking water and access to water supply and sanitation are based on long-standing legislation. In recent years, the water supply and sanitation sector has reduced its risks by adopting a risk management model for the water supply chain based on the WHO Water Safety Plan. A similar, SSP risk management system has been adopted in sanitation services with the aim of reducing the health and environmental risks created by sewers and wastewater treatment.

The Water Services Act was amended in 2014 to ensure the sustainability and reliability of water supply and sanitation services even in the event of incidents and climate change. In recent years, the water supply and sanitation sector has focused on improving risk management and operational reliability. For example, water supply and sanitation plans have drawn up plans for incidents. With the help of state funding, experimental projects using new technologies have been launched to modernise water supply and sanitation technology and promote digitalisation in the services.

As stated above, Finland updated its national targets under the Protocol on Water and Health to the UNECE Water Convention in 2019. The new national targets play a significant role in the realisation of the human rights to water and sanitation.

**Question 4: Please describe how planning in the water and sanitation sector is guided by the principle of progressive realization of the human rights to water and sanitation, and how it reconciles the two priorities – increasing levels of access to services on one hand, and reducing inequalities between different groups on the other.**

Water supply and sanitation are developed and promoted through broad-based cooperation between the authorities, key operators and customers based on commonly agreed strategic targets and in accordance with the development of communities. Future challenges identified include, on one hand, a decline in the year-round population in rural areas, which in turn reduces the need to arrange water supply and sanitation in certain areas. On the other hand, recreational use of rural areas is on the increase, and holiday homes are becoming better equipped. The reliability of water supply and sanitation in urban areas is also being put to test. Under the Water Services Act, the charges for water supply and sanitation must be reasonable, but at the same time they must be sufficient to cover the costs of providing the service. As a result, the charges may differ depending on the organisation of the water supply and sanitation services and the structure of the local community.

**Question 5: Please describe methods of budgeting and budgetary planning which aims to ensure that the maximum available resources are utilised for the realization of the human rights to water and sanitation for all. Please include the process of allocating budget as well as the output achieved by the utilisation of the budget.**

As a rule, water supply and sanitation services are not eligible for state aid in Finland. However, innovative projects, such as experiments and the introduction of new technologies, can be eligible for state aid. The aim is to promote the renewal and digitalisation of the water supply and sanitation sector. The Centres for Economic Development, Transport and the Environment, as the competent authorities at regional level, grant funding to projects within the limits of the available appropriations. As representatives of the regional state administration, the Centres can provide both expertise and funding to the general regional planning of water supply and sanitation and to groundwater surveys necessary for the purposes of water intake. Some water supply and sanitation projects in rural areas have received funding from the EU’s rural development programme.

The Ministry of the Environment has launched a water protection enhancement programme, aiming to make Finland the world’s most efficient country in water protection. The Government of Prime Minister Rinne (June 2019 – December 2019) allocated 69 MEUR for the programme for 2019–2023, and the amount of funding will be decided in the next state budget. Prime Minister Marin's Government (December 2019-) has decided to continue the programme, which will create significant opportunities for water protection in the coming years.

The management of urban waters and the reduction of harmful substances are one of the themes of the water protection enhancement programme. The theme contributes to ensuring the quality of raw waters so that Finland continues to have safe and good quality water. Three priority areas for water management have been identified in the theme: urban wastewater sewers, surface runoff and combined sewers. Within this framework, waterways management in urban and built environments covers access to raw water sources, production and distribution of drinking water, appropriate collection and purification of wastewater and its conduction to the environment and management of surface runoff and drainage water. The water protection enhancement programme will fund projects aiming to reduce emissions of substances harmful to the aquatic environment and phase out emissions of substances dangerous to the aquatic environment. It will also fund projects that increase knowledge of other harmful substances, including the possibilities to remove them, their occurrence in the aquatic environment or in the raw water used for the production of drinking water and their impacts on ecosystems and human health.

**Question 6: Please describe how non-financial resources have been utilized to progressively realize the human rights to water and sanitation including the process of utilisation and the output.**

The Ministry of Social Affairs and Health provides operators and authorities in the water supply and sanitation sector free-of-charge access to web-based WSP and SSP risk management software. The supervision, guidance and direction concerning drinking water are among the statutory duties of municipal health protection authorities.

The Centres for Economic Development, Transport and the Environment are responsible for coordinating water supply and sanitation and land use in their areas. They also supervise the implementation of the targets for water supply, sanitation and water intake laid down in law and advice and guide regional operators to promote better water supply and sanitation. The legislation and the operations of public authorities are being developed continuously. It is important to promote open cooperation between different operators to ensure sustainable water supply and sanitation.

The Finnish Environment Institute maintains and develops information systems related to the use and management of water resources. A database for water supply and sanitation services was introduced in 2016. A public information network provides open access to key figures describing the efficiency and quality of the operations of water supply and sanitation plants. Data is presented in ways that make it easy to use and understand.

**Question 7: In case where trade-offs with resources usage on other national agenda and the implementation of other rights were required, please provide the circumstances and the decision taken as well as reasoning behind the decision.**

The charges for water supply and sanitation must be such that the investments in new construction and repairs and the costs of water supply and sanitation plants can be covered in the long term. The charges must include a reasonable return on the capital. However, in practice the charges for water supply and sanitation can be used to fund even other municipal operations. Ways to develop the fiscal supervision of water supply and sanitation plants will be examined as part of a revision of the Water Services Act, which is planned to start this year.

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