

Questionnaire for States

Background

The Special Rapporteur on the human rights to water and sanitation, Léo Heller, will focus his 2019 Human Rights Council report on the human rights to water and sanitation in spheres of life beyond the households, in particular in public spaces.

During his country visits, the Special Rapporteur has observed that access to water and sanitation in public spaces is often not ensured or regulated as part of the human rights to water and sanitation by authorities, while attention has been increasing in other spheres of life such in schools and health facilities. Access to water and sanitation must be ensured in all spheres of life in accordance with the normative content of the human rights (accessibility, quality, affordability, availability, acceptability, privacy and dignity).

In this report, the Special Rapporteur is intending to examine the status and the impact of the inadequate access to water and sanitation on people, in particular those living in homelessness and informal street workers, as well LGBTI people, older persons, women, children and persons with disabilities. He will also look at the regulation, accountability mechanisms and monitoring mechanisms of access to water and sanitation in public spaces.

In this respect, the Special Rapporteur would welcome answers to the following questions:

1. Please outline how public space is defined within national law and policies in the context of water and sanitation provision, and please identify legislation and policies relating to the access to those services within those spaces.
2. Please give information about who is responsible for providing access to water and sanitation in various public spaces (e.g. streets and squares, markets, bus stations, train stations and airports) and give details of any legal frameworks that mandate these actors to provide water and sanitation services.
3. Please specify positive example(s) where access to water and sanitation in public spaces has been ensured or improved in accordance with human rights standards. Please also identify examples where it is challenging to ensure public water and sanitation services and explain the details.
4. Please identify the regulatory frameworks, including any mechanisms to monitor them, that relate to the provision of water and sanitation in various public spaces.
5. Please outline how policies regarding the provision of water and sanitation services in public spaces are designed. - i.e. whether and how consultation was conducted with affected groups, whether and how the facilities were designed to take into account the disparate needs of these groups, who is responsible for the construction and on-going maintenance of the facilities, and whether, and if so where, people can bring their complaints about public water and sanitation facilities.
6. If charges are levied for use of public water and sanitation facilities, please outline whether these funds are used to improve and maintain those facilities and how affordable access is ensured for those with limited financial capacity.
7. Please outline national initiatives to promote and ensure access to public water and sanitation for people living in homelessness and people who work in public spaces, in line with the normative content of the human rights to water and sanitation (availability, physical accessibility, affordability, quality and safety, acceptability and privacy.).

8. Please describe what efforts have been taken to ensure that the provision of water and sanitation services in public spaces meets the needs of all potential users, including those from vulnerable and minority populations.

9. Please outline the results of any national research done on the use of water and sanitation facilities in public spaces and the effect that a lack of access has on the population or specific groups therein.

10. Please give details of any relevant judicial or quasi-judicial action at both domestic or international level the State has been involved in, which concerns access to water and sanitation in public spaces, and which applies a rights-based approach.

Kindly submit response to srwatsan@ohchr.org by **28 February 2019**.