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Questionnaire (non-State actors)

The Special Rapporteur would welcome answers to the following questions:

1. Please describe the role and responsibilities of your organization in the water and sanitation sector.

Ans: Male Integrated Science is into water-well drilling, water treatment and WASH activities. We are also into policy advisory in the water sector for Federal Government, Federal Ministry of Water Resources and private stakeholders.

2. How can a regulatory framework (e.g., legislative, institutional, policy) and bodies contribute to the realisation of the human rights to water and sanitation? Please provide examples.

Ans: As a stakeholder in the drilling industry, we strongly believe that a regulatory body should be enacted to give out drilling permit. There are many examples of lowering water table and dry hand-dug wells because of water-wells tapping from the same aquifer as the hand-dug well.

3. Are the contents and principles of the human rights to water and sanitation generally reflected in regulatory frameworks? How do you assess your country's regulatory framework in this regard? Please provide examples of other countries if available.

Ans: Yes. We do not have access.

4. Please provide examples of situations where the lack of regulation, or inadequate regulation, in the water and sanitation sector could potentially lead to, or has actually led to, violations of the human rights to water and sanitation.

Ans: The indiscriminate drillings by quack drillers have caused lowering of the static water table and depletion of the aquifer. Their activities have caused environmental degradation.

5. What are the main challenges or obstacles encountered when trying to incorporate contents and principles of the human rights to water and sanitation into regulatory frameworks?

Ans: Ignorance and differences in opinion.

6. Please provide specific examples of good practices where a human rights-compliant regulatory framework has led to the progressive realisation of the human rights to water and sanitation.

Ans: In Lagos and Port Harcourt there are cases of industrial waste water infiltration into surface water bodies and underground water. This affected the rights of the residents of the areas. When the regulatory body under the Federal Ministry of

Water Resources got wind of this, they put in drastic measures to mitigate this. Since then, the industrial water has been treated before been released out.

7. Non-State actors have the responsibility to respect the human rights to water and sanitation and to exercise human rights due diligence in their operations. How should a regulatory framework reflect this responsibility? Please provide examples.

Ans: By publicity and creating awareness in order for non-State actors to know what their responsibility is with respect to human rights to water and sanitation. Also, the regulatory framework should have an enforcement sub-division that metes out punitive measures to those who infringe on human rights to water and sanitation.

8. Which model of regulatory mechanism would facilitate stronger compliance human rights standards by service providers? Why? What are advantages and disadvantage of an independent and autonomous regulatory body?

Ans: Although the standard is there already, what needs to be done is to make every service provider see the relevance of the standard and how it makes the world a better place to be. An enforcement team should be put together to make sure that service providers adhere to the human rights standard. Defaulting should be treated as an offence punishable by revoking the culprit's licence. Most companies are often required to pay royalties when they infringe on human rights standards, but this has not achieved the desired end because most companies deliberately infringe on these standards knowing that all they get for it is to pay royalties to the affected people and communities. A good example is how the activities of oil companies in the Niger-Delta have affected water access and supply in this region.

9. What mechanisms should be in place to ensure that the voice of persons and communities in vulnerable situations is heard and their needs are taken into consideration in the regulation of water and sanitation services? Please provide positive and negative examples.

Ans: Regulatory bodies on water and sanitation services should have a monthly discussion with people and communities so as to hear what their needs are and to work together on how to meet these needs. A monitoring and evaluation system must be put in place to estimate the outcome aligns with the goals of the intervention carried out by the regulatory framework. For example, a monitor body works to see if the industries cited in question 6 keep to the agreement and how their waste water affects people and the environment. If they fall below standard, they are penalised.

10. What measures could be envisaged in a regulatory framework to promote transparency and tackle corruption in the water and sanitation sector?

Ans: There should be regular stakeholders meeting in which transparency is upheld. A monitoring body should be enacted to enforce transparency among stakeholders and offenders must be accordingly dealt with.

Submission of responses

Responses to the questionnaire can be sent to srwatsan@ohchr.org (encouraged) or addressed to:

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The deadline for submission is **7 April 2017**.

Due to a limited capacity for translation, we kindly request that your responses to the questionnaire be in English, French or Spanish.

Unless otherwise indicated, all submissions to the questionnaire will be available at the webpage of the Special Rapporteur on human rights to safe drinking water and sanitation at www.ohchr.org/srwaterandsanitation.