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

The [UNDP-SIWI Water Governance Facility (WGF](http://watergovernance.org/)), based in Stockholm, supports low and middle-income countries in their water reform by providing policy and technical advice and support, developing water governance knowledge and helping to develop institutional capacity. WGF contributes to changing people’s knowledge, understanding and attitudes towards the realization of the human rights and the human rights-based approach. This is of increasing importance to respond to growing awareness within the human rights community that water management is fundamental to the realization of a range of human rights. A manual on a [Human Rights-Based Approach to Integrated Water Resources Management](http://watergovernance.org/resources/human-rights-based-approach-integrated-water-resources-management-training-manual-facilitators-guide/) has been developed along with training material and an online course.

Through the [GoAL WaSH programme](http://watergovernance.org/programmes/goal-wash/) WGF supports governance reform, sector leadership and capacity development in partner countries. The goal is to enhance the performance of the drinking water and sanitation sectors for effective, equitable and sustainable service delivery. GoAL WaSH targets countries with low water and sanitation coverage with a special attention to fragile and post conflict states where donor support to the water and sanitation sectors is often low or non-existent.

1. 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.

Within the framework of the GoAL WaSH programme, UNDP in Bosnia and Herzegovina has developed a [new tariff setting methodology for water supply and sewerage services](http://watergovernance.org/resources/tariff-setting-methodology-for-water-supply-and-sewerage-services-in-bosnia-and-herzegovina/). This methodology is fully based on the key principles of respect for the HRWS, especially equity and equality. It also requests as a precondition clear separation of costs by cost centres, in order to be able to precisely quantify costs for each of the services provided, but also to control the costs and thus make the operation efficient.

The methodology tries to combine affordability and efficiency aspects. Costs of operations should be limited to the level of related price that can be paid by majority of the population (having still in mind that there will be a minority in need for financial support). At the same time, the service providers need to be efficient and recover costs to a certain extent. If the operations are not efficient, costs become too high to be fully covered by the tariff, or the tariff is too high and it becomes unaffordable for a big part of the population. If the costs are not covered and the water operator is not able to pay to its suppliers and labor, they become unable to provide needed level of these services for the whole population. And even worse, the richer and more politically influential population, often living in separate part of the city, will use their power to secure continued provision of these services to their areas, while the poor and the population in need will often be the first ones to loose these services or to get the water with inadequate quality.

In order to avoid overemployment in the sector, what is a trend in countries in transition, the methodology also defined strategic goal of number of employees in an efficient water utility (1-1.2 employee per thousand of consumers served), requesting that the business plan sets the timeframe to reach such goal.

This methodology is under testing with some municipal water utilities with the aim of getting it as a model to replicate it throughout the country.

1. 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.

1. 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.

Example Liberia

There are currently only limited standards for governing regulatory aspect of water and sanitation services in Liberia. There are no licences for water and sanitation supply and no coordinated service standards off which to monitor and regulate service delivery. This results in poor services and unpaid bills. Water laws need to be developed, this is especially important in a country that is evolving from conflict; water that used to be accessed by simply digging or drilling a well anywhere needs to be accounted for and equitably distributed in order to mitigate conflicts and to support development.

The absence of a functioning regulatory agency has led to continued fragmentation of roles and responsibilities within the sector, and has stifled the development of a vibrant private sector in water and sanitation services. The lack of regulation has also led to low provision of services in urban areas. Water and sanitation services must be driven by a strong regulatory framework that will guide service providers to deliver services to all. The lack of such regulation leave customers to revert to unprotected alternatives, which in many cases result in water related diseases. In Liberia, there is a major private sector involvement in the distribution of water for domestic and commercial use. Due to lack of a regulation framework most private companies during water scarce season either increase the price of water or distribute unsafe water to the population.

Moreover, the inadequate or limited supply of safe water for domestic use has left women and girls with a burden of spending many hours during the day searching for water for their family use. Girls in Liberia, particularly in the urban areas, are vulnerable to rape, drop out of school and become parents early.

The [GoAL WaSH project](http://watergovernance.org/programmes/goal-wash/liberia/) in Liberia is supporting the establishment of a national Water Supply and Sanitation regulatory agency, the WSSC. The process has been very long. However, in 2016 the WSSC Act, drafted with support of GoAL WaSH, was passed by the House of Representatives. It is now with the House of Senate for concurrence and approval. The first draft of the Water Regulation Guidelines has been completed, as well as the Liberia Water Authority Act, combining direction and regulation of both water resources and water services. GoAL WaSH has also been supporting an interim secretariat of the WSSC.

1. 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?
2. 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.
3. 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.
4. 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?
5. 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.

In [Tajikistan](http://watergovernance.org/programmes/goal-wash/tajikistan/) the GoAL WaSH programme has supported a process of rendering legal consultative services to water consumers (including pre-trial court protection with special focus on gender, vulnerable and marginalized groups). A local network of volunteers has been set up. Through this network more than 150 consultancy services have been provided in the target areas, as well as information campaigns. Moreover, an online resource site <http://www.obinushoki.tj/> has been set up to extend legal services for the drinking water consumers throughout Tajikistan.Trainings on water integrity, consumer rights protection and dispute resolution mechanisms, for duty-bearers and rights holders, have also been carried out.

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

In [Tajikistan](http://watergovernance.org/programmes/goal-wash/tajikistan/) the GoAL WaSH programme has supported the establishment of [Public Advisory Councils](http://watergovernance.org/news/tajikistan-water-supply-companies-raise-transparency-and-improve-cooperation-with-consumers/) in water supply companies, implemented together with the Consumers Union of Tajikistan. The aim of the Public Advisory Councils is to protect the rights and interests of consumers and encourage their participation in decision-making processes. The Councils provide opportunities for water supply companies to develop effective feedback mechanisms with their clients, facilitating timely consideration of complaints and proposals, as well as more transparency and operational efficiency. They also improve water use practices among consumers. The most recent Public Advisory Council was established in the main water supply company in the capital of Dushanbe, "Dushabevodokanal".