

Thousands have lived without love,
not one without water

(W.H. Auden)



By Donatas Dubravoiškas

In *report A/HRC/30/39*, submitted to the Human Rights Council in 2015, the Special Rapporteur focuses on the issue of affordability of water and sanitation services in the realization of the human rights to water and sanitation.

Access to affordable water and sanitation services is crucial for the realization of the human rights to water and sanitation. Where water or sanitation services are available but not affordable, people will either not be able to use sufficient amounts of water and adequately maintain latrines, or will turn to cheaper, unsafe sources or practices, or will compromise the realization of other human rights such as food, housing, health or education.

This leaflet reflects some of the key issues discussed in his report, including; how to understand affordability as a human rights criterion; the costs typically involved in service provision; possible mechanisms to ensure affordability; and the main challenges in providing affordable services for all.

UNDERSTANDING AFFORDABILITY UNDER THE HUMAN RIGHTS FRAMEWORK

The human rights framework requires that the use of water, sanitation and hygiene (WASH) facilities and services be accessible at a price that is affordable to all people, including marginalized and vulnerable individuals and groups.

Human rights require that States and service providers (re)design economic instruments to ensure that WASH services are affordable for all. They also have important implications as to how payment for services should be collected. Mainly, human rights call for safeguards in the process of setting tariffs and determining subsidies, which should be based on the principles of transparency, access to information, participation and accountability.

NOT NECESSARILY FREE, NOT NECESSARILY CHARGED

The human rights framework does not, however, disqualify tariffs or taxes for water and sanitation provision. Indeed, it recognizes that revenues have to be raised in order to ensure universal access to services. Revenue is needed to expand and maintain the service, sustain the systems' overall economic and social sustainability, and support the State's capacity to protect and fulfil other human rights.




However, where people are unable to pay, the human rights framework requires free services that must be financed through sources other than user contributions. This is particularly relevant for many regions' most marginalized and disadvantaged people—including communities in informal settlements and those relying on self-supply.

To ensure both affordability and financial sustainability, States must look beyond tariffs toward a broader system for financing water and sanitation services, including taxes and transfers, and cross-subsidization through public finance or tariff systems.

Léo Heller

MARCH 2017

United Nations Special
Rapporteur on the human
rights to safe drinking
water and sanitation

 @srwatsan
 @srwatsan
 srwatsan@ohchr.org



TOOLS FOR TRANSFORMATION

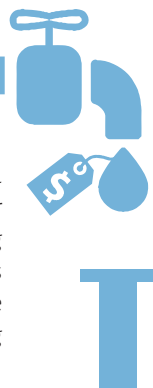
AFFORDABILITY OF SERVICES FOR ALL AND THE HUMAN RIGHTS TO WATER AND SANITATION

TYPES OF COSTS FOR WASH SERVICES

A State or service provider incurs a number of costs to provide WASH services, some of which are regularly occurring (e.g. systems operation and maintenance) or “life-cycle” costs (e.g. systems construction and rehabilitation). Individuals and families may also have to cover a number of costs to ensure their proper enjoyment of the services.

WATER & SANITATION

Networks for water distribution and sewage collection come with a variety of costs related to their construction, operation and maintenance. Costs also exist for individuals using communal or individual household facilities. They may be related to their construction (e.g. building materials for public standposts, wells, toilets, pit latrines), operation and maintenance (e.g. containers to store water, water treatment materials, periodic emptying and cleaning of pits or septic tanks). Moreover, sanitation systems that require water for flushing will generally entail extra costs for the quantity of water required.



HYGIENE

Expenses, other than installation of a hand-washing station, are for: water and soap required for hand-washing and personal hygiene; sanitary napkins or other products for menstrual hygiene management; and water and cleaning products for domestic and food hygiene.

OTHER COSTS

In addition to material costs, the time spent on collecting water and accessing sanitation facilities outside the home must also be valued. As women and girls are largely responsible for collecting water, maintaining and cleaning sanitation facilities, and ensuring hygiene in the household, these time costs have an important gender equality dimension.

Corruption is unfortunately common in the water and sanitation sector and can have negative effects on affordability. It may increase the cost of accessing services above official pricing or require people to pay bribes for repairs or network (re)connection.

MECHANISMS TO ENSURE AFFORDABILITY

To ensure affordability for all and sustainable systems, States must develop appropriate strategies for pricing, tariffs, subsidies, and regulation.

ENSURING AFFORDABILITY THROUGH TARIFF SCHEMES

Tariffs are generally only paid by those connected to piped water and sewerage systems. Different tariff systems offer a variety of opportunities and limitations to ensure the affordability of services.



Uniform tariff approaches depend on a metered system where households pay a fixed rate for each unit used. While cheaper to administer, these systems do not take account of households' size, ability to pay, or increased need for water (e.g. for particular health conditions).



Differentiated tariffs intend to provide a lower tariff targeted at poorer households or communities. They may be more complex to administer, but they are capable of helping to ensure affordability even for disadvantaged households.



Increasing block tariffs charge differential rates according to the quantity of water consumed (or sewage collected). The first “block” is provided at a lower rate – or for free – as a basic minimum quantity for the average household. Beyond this first “block”, the price increases so that households consuming beyond their basic domestic and personal needs will pay comparatively more.

In many developing countries, there are not enough people with high incomes to provide a cross-subsidy to those with insufficient income. In these situations, public finance may also be needed to eliminate inequalities and ensure affordability for all households.

REGULATION

The authority responsible for regulating service providers should be able to ensure that the tariff system is correctly applied, that services are in fact affordable for all users, and that access to services increases for poor and marginalized households. Likewise, a regulatory body, in collaboration with government, can help to ensure that public financing is adequately targeted, for example by establishing complaints mechanisms.



MAIN CHALLENGES TO ENSURING AFFORDABILITY FOR ALL

- Connection charges to distribution networks are often a significant barrier for those living in poverty. Moreover, for network services applying block tariffs, it is imperative that such schemes be carefully determined to ensure affordability. If the first block is too small, or the tariff is too high, poor families may not be able to afford sufficient quantities of water. Also, poor families with many household members may consume water in excess of the first block and struggle to enjoy a basic amount of services at an affordable price. In these situations, regulations should exist to ensure fair differential tariffs.
- Since subsidies are usually only available to people connected to water/sewage networks, people relying on kiosks, standposts or public toilets are often left out from public financing benefits. This often affects people in informal settlements and communities, putting those living outside the formal legal system at a disadvantage.
- When subsidies or financial support for WASH services are available, the eligible population is often not informed. When allocating public financing and setting tariffs, States must ensure that all members of the public, especially the most disadvantaged, have the right to meaningful **participation, access to information** and **an active role** in decision-making.
- Limiting corruption** requires focused efforts by all actors. Introducing a strong legal structure based on human rights can provide for anticorruption measures such as strengthening transparency and accountability mechanisms.
- Monitoring** affordability through focused studies is essential for assessing whether standards are being met, and whether people in fact have access to affordable services.