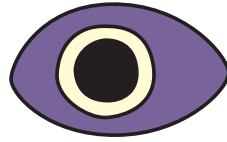


Monitoring



REALISING THE HUMAN RIGHTS TO WATER AND SANITATION:
A HANDBOOK BY THE UN SPECIAL RAPPORTEUR
CATARINA DE ALBUQUERQUE

Monitoring compliance with the human rights to water and sanitation





Realising the human rights to water and sanitation:

A Handbook by the UN Special Rapporteur

Catarina de Albuquerque

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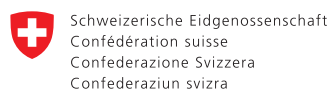
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01.

Monitoring the human rights to water and sanitation

Monitoring is essential to assessing whether States and other actors, including service providers, are complying with the human rights to water and sanitation; it is a prerequisite for holding States and other actors to account for violations or offences.

Monitoring for the human rights to water and sanitation will often differ from the more technical monitoring undertaken by different subnational, national and international bodies, which measures the number of latrines or the functioning of water-points.

States have the primary obligation to monitor their own and others' compliance with the legal content of the human rights to water and sanitation. There are a number of different mechanisms and institutions at the national and local levels that play a role in monitoring access to water and sanitation. These include State institutions (national statistical offices, line ministries and State-owned service providers), independent State bodies (such as national human rights institutions and independent regulators,) and non-State institutions, in particular the service providers themselves, but also non-governmental and civil society organisations.

It is the State's obligation to ensure independent monitoring of all components of the human rights to water and sanitation, as well as to scrutinise the monitoring undertaken by other national entities or bodies, such as (private or public) service

providers. This monitoring can be complemented by the oversight activities of national and local civil society organisations and of international institutions.

Information collected by these monitoring mechanisms is central to an understanding of the extent to which States are complying with their human rights obligations, and also contributes to better policy-making **(Frameworks)**, budgeting **(Financing)**, planning **(Services)**, and accountability systems **(Justice)**.

Monitoring processes gather information that helps national and local government, regulators, service providers, civil society, individuals and other actors to identify gaps in provision and to track the progress of plans. This information provides a foundation for future legal, political and financial decisions.

Making this information available to the public helps to raise awareness of the status of service provision locally and nationally, giving individuals and communities the tools to push States to improve their performance in ensuring access to water and sanitation services.¹

Besides national monitoring, some aspects of the rights to water and sanitation are also monitored by international technical bodies or institutions. Hence UN human rights treaty bodies, regional and international organisations will each monitor different aspects of access to water and sanitation. **(see pp.31-36)**



1.1.

What does monitoring of the human rights to water and sanitation require?

Human rights monitoring assesses State's compliance with the norms and standards defined by the human rights to water and sanitation. States and other actors may already monitor some aspects of human rights, such as water quality or the accessibility of water and sanitation services to particular population groups, but these existing monitoring mechanisms may not be able to cover all dimensions of the human rights to water and sanitation. Further, human rights monitoring examines water and sanitation in a holistic manner – looking not only at progress made, but also at existing gaps and the underlying causes of such gaps and failures.

Comprehensively monitoring a State's compliance with the human rights to water and sanitation means keeping track not only of the provision of water and sanitation services, but also of the legislative, policy, regulatory and budgeting frameworks required to ensure the realisation of the human rights to water and sanitation. This monitoring examines not only compliance with the legal content of the human rights, but also whether all of these frameworks ensure non-discrimination and equality, whether they are participatory, whether there is adequate access to information, and if it is possible for people to hold the

that encourages the realisation of human rights. **Process indicators** monitor the action taken to realise human rights; for example, the allocation of resources to services for disadvantaged individuals and groups. **Outcome indicators** monitor actual access to water and sanitation services; for example, whether households have access to a latrine or whether water is of adequate quality.

Human rights indicators are developed to monitor specific legal norms.² They must reflect and measure all elements of the human rights to water and sanitation, including availability, accessibility, quality, affordability and acceptability. (see Introduction, pp.29-32) The process of determining indicators should allow flexibility, so as to remain relevant. The Office of the High Commissioner for Human Rights has defined indicators for verifying compliance with some of the economic, social and cultural rights, and is in the process of defining indicators for the human rights to water and sanitation.³ The Danish Institute for Human Rights has also developed a set of indicators for monitoring economic, social and cultural rights.⁴

States should define national structural, process and outcome indicators of progress towards the realisation of the human rights to water and sanitation. which are based on those indicators

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