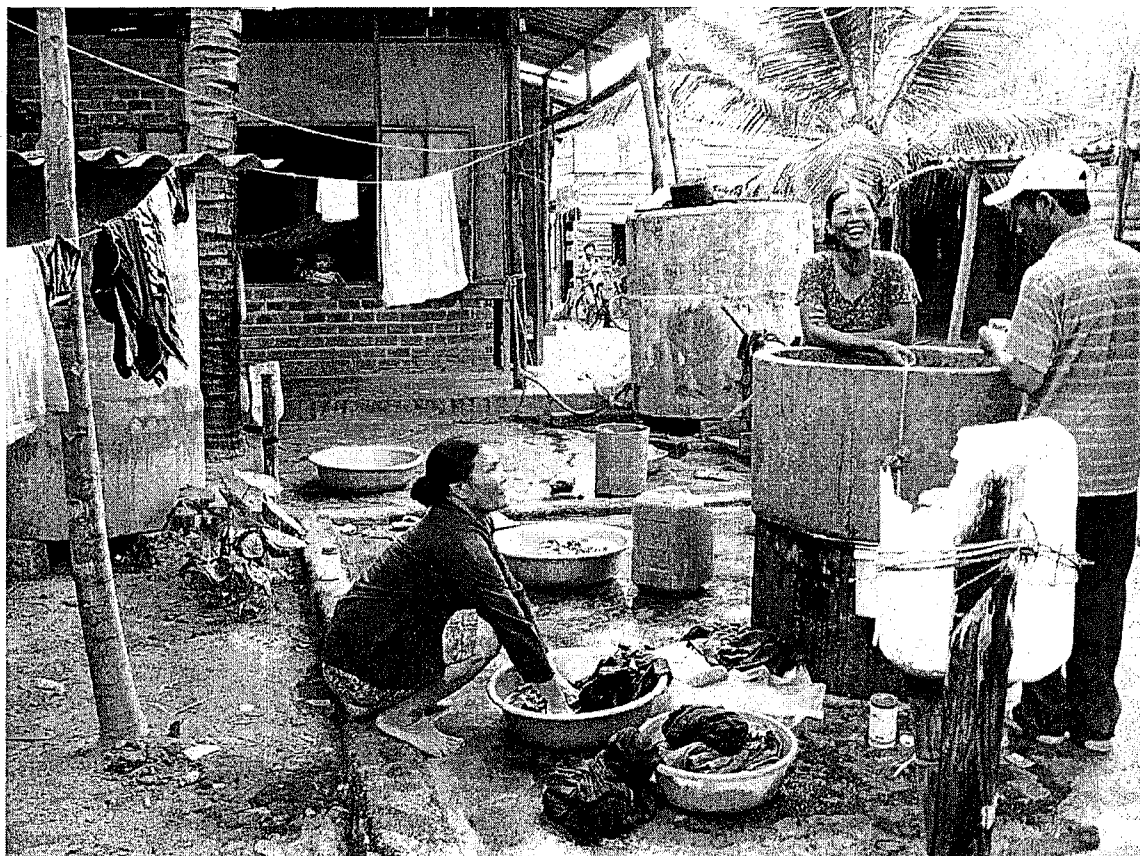


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**Independent Expert on the issue of human rights obligations
related to access to safe drinking water and sanitation**

**'GOOD PRACTICES' RELATED TO ACCESS TO
SAFE DRINKING WATER AND SANITATION**



Questionnaire

**May, 2010
Vientiane, Lao PDR**

Description of the practice:

Name of the practice:

Community-Based Water Supply and Sanitation Pilot Project in Xieng Ngeun, Luangprabang Province, Lao PDR

Aim of the practice:

- i) Demonstration of how a communities can work with a water supply entity to acquire safe water and adequate sanitation that meet its needs
- ii) Demonstration of pro-poor connection charges and tariffs
- iii) Improved community awareness of environmental sanitation
- iv) Enhanced capacity of water utility and local artisans

Target group(s):

6,880 people (1,221 households)

Partners involved:

Local government, water utility and communities

Duration of practice:

2006 – 2008

Financing (short/medium/long term):

Short term/fast track

Brief outline of the practice:

There are four parts making up the scope of practice: Rapid assessment, Community based water and sanitation services to urban poor, Capacity Building and Policy Support, and Monitoring & Evaluation.

The scope includes an initial rapid assessment to address any ethnic or gender issues, poverty mapping, as well as assist in the development of a participatory framework. In conjunction with surveys and designs, work plans developed for all stakeholders, including implementation arrangements and procurement packages. In parallel with the implementation of the facilities, pricing policies and structures developed and implemented, billing and collection systems established, operation and maintenance systems implemented, community awareness programmes implemented, and a simple monitoring system put in place to monitor the sustainability of the system. In essence, a framework of sustainability developed.

The project is funded under UN-HABITAT financial assistance of US\$ 250,000 with counterpart contribution in kind from the local community and the Utility to the order of US\$ 500,000, total budget of US\$750,000

After practice intervention, 95% of people in Xieng Ngeun have access to adequate water supply, and over 90 % of people with access to adequate sanitation.

1. How does the practice meet the criterion of availability?

Explanatory note: Availability

Availability refers to sufficient quantities, reliability and the continuity of supply. Water must be continuously available in a sufficient quantity for meeting personal and domestic requirements of drinking and personal hygiene as well as further personal and domestic uses such as cooking and food preparation, dish and laundry washing and cleaning. Individual requirements for water consumption vary, for instance due to level of activity, personal and health conditions or climatic and geographic conditions. There must also exist sufficient number of sanitation facilities (with associated services) within, or in the immediate vicinity, of each household, health or educational institution, public institution and place, and the workplace. There must be a sufficient number of sanitation facilities to ensure that waiting times are not unreasonably long.

Answer:

The urban poor have been provided piped-water connection so the domestic requirement of water is met. The water supply is 24/7, and is from a gravity fed piped water system, with water tank, which has a capacity of 450m³/day to supply water to about 6,880 people in 8 urban villages in Xieng Ngeun town. Toilets are also provided to poor households through a revolving fund.

2. How does the practice meet the criterion of accessibility?

Explanatory note: Accessibility

Sanitation and water facilities must be physically accessible for everyone within, or in the immediate vicinity, of each household, health or educational institution, public institution and the workplace. The distance to the water source has been found to have a strong impact on the quantity of water collected. The amount of water collected will vary depending on the terrain, the capacity of the person collecting the water (children, older people, and persons with disabilities may take longer), and other factors. There must be a sufficient number of sanitation and water facilities with associated services to ensure that collection and waiting times are not unreasonably long. Physical accessibility to sanitation facilities must be reliable at day and night, ideally within the home, including for people with special needs. The location of public sanitation and water facilities must ensure minimal risks to the physical security of users.

Answer:

The water supply and toilets have been provided inside the household territory - so it is very easy for people (children, older people and disable people) to access to these facilities.

3. How does the practice meet the criterion of affordability?

Explanatory note: Affordability

Access to sanitation and water facilities and services must be accessible at a price that is affordable for all people. Paying for services, including construction, cleaning, emptying and maintenance of facilities, as well as treatment and disposal of faecal matter, must not limit people's capacity to acquire other basic goods and services, including food, housing, health and education guaranteed by other human rights. Accordingly, affordability can be estimated by considering the financial means that have to be reserved for the fulfilment of other basic needs and purposes and the means that are available to pay for water and sanitation services.

Charges for services can vary according to type of connection and household income as long as they are affordable. Only for those who are genuinely unable to pay for sanitation and water through their own means, the State is obliged to ensure the provision of services free of charge (e.g. through social tariffs or cross-subsidies). When water disconnections due to inability to pay are carried out, it must be ensured that individuals still have at least access to minimum essential levels of water. Likewise, when water-borne sanitation is used, water disconnections must not result in denying access to sanitation.

Answer:

Water utility of Xieng Ngeun (Luangprabang) has prepared the new water tariff policy with a pro-poor focus and it has been adopted by the district authority. The water bill is based on the monthly water meter record. The first 10m³ of water for each HH with lower price will be applied so that the poor HH can afford.

4. How does the practice meet the criterion of quality/safety?

Explanatory note: Quality/Safety

Sanitation facilities must be hygienically safe to use, which means that they must effectively prevent human, animal and insect contact with human excreta. They must also be technically safe and take into account the safety needs of peoples with disabilities, as well as of children. Sanitation facilities must further ensure access to safe water and soap for hand-washing. They must allow for anal and genital cleansing as well as menstrual hygiene, and provide mechanisms for the hygienic disposal of sanitary towels, tampons and other menstrual products. Regular maintenance and cleaning (such as emptying of pits or other places that collect human excreta) are essential for ensuring the sustainability of sanitation facilities and continued access. Manual emptying of pit latrines is considered to be unsafe and should be avoided.

Water must be of such a quality that it does not pose a threat to human health. Transmission of water-borne diseases via contaminated water must be avoided.

Answer:

The poor people is served the treated water from WTP by water utility (Xieng Ngeun) with the quality meets the Lao PDR standard for drinking and domestic uses. The water quality is being checked periodically in accordance with Lao regulations.

The improved sanitation is provided to the poor HHs. The technical design of toilet had been checked by the competent authorities prior implementing.

5. How does the practice meet the criterion of acceptability?

Explanatory note: Acceptability

Water and sanitation facilities and services must be culturally and socially acceptable. Depending on the culture, acceptability can often require privacy, as well as separate facilities for women and men in public places, and for girls and boys in schools. Facilities will need to accommodate common hygiene practices in specific cultures, such as for anal and genital cleansing. And women's toilets need to accommodate menstruation needs.

In regard to water, apart from safety, water should also be of an acceptable colour, odour and taste. These features indirectly link to water safety as they encourage the consumption from safe sources instead of sources that might provide water that is of a more acceptable taste or colour, but of unsafe quality.

Answer:

The clean water supplied by practice has been met Lao standards for drinking and household water supply in color, odour and taste.

The toilet is also designed and constructed suitably, bearing in mind the local socio-economic conditions, living customs as well as land availability of residents. Care is taken that the facilities should be such that both men and women can use them.

6. How does the practice ensure non-discrimination?

Explanatory note: Non-discrimination

Non-discrimination is central to human rights. Discrimination on prohibited grounds including race, colour, sex, age, language, religion, political or other opinion, national or social origin, property, birth, physical or mental disability, health status or any other civil, political, social or other status must be avoided, both in law and in practice.

In order to address existing discrimination, positive targeted measures may have to be adopted. In this regard, human rights require a focus on the most marginalized and vulnerable to exclusion and discrimination. Individuals and groups that have been identified as potentially vulnerable or marginalized include: women, children, inhabitants of (remote) rural and deprived urban areas as well as other people living in poverty, refugees and IDPs, minority groups, indigenous groups, nomadic and traveller communities, elderly people, persons living with disabilities, persons living with HIV/AIDS or affected by other health conditions, people living in water scarce-regions and sanitation workers amongst others.

Answer:

The water supply and sanitation services have been provided to poor HHs selected through community participation. Poor households have been provided with the assistance of tapping into revolving fund for water and sanitation. This project is the first community based project in the urban sector in Laos, with a strong community participation.

7. How does the practice ensure active, free and meaningful participation?

Explanatory note: Participation

Processes related to planning, design, construction, maintenance and monitoring of sanitation and water services should be participatory. This requires a genuine opportunity to freely express demands and concerns and influence decisions. Also, it is crucial to include representatives of all concerned individuals, groups and communities in participatory processes.

To allow for participation in that sense, transparency and access to information is essential. To reach people and actually provide accessible information, multiple channels of information have to be used. Moreover, capacity development and training may be required – because only when existing legislation and policies are understood, can they be utilised, challenged or transformed.

Answer:

All process of provision of water supply and sanitation services to the poor HHs had been implemented with the community's participation. The list of poor HHs, who is benefited in this project, had been selected by community. The selection of appropriate design was also conducted in participation with the community. Community also participated during the construction period in form of in-kind contribution.

8. How does the practice ensure accountability?

Explanatory note: Accountability

The realization of human rights requires responsive and accountable institutions, a clear designation of responsibilities and coordination between different entities involved. As for the participation of rights-holders, capacity development and training is essential for institutions. Furthermore, while the State has the primary obligation to guarantee human rights, the numerous other actors in the water and sanitation sector also should have accountability mechanisms. In addition to participation and access to information mentioned above, communities should be able to participate in monitoring and evaluation as part of ensuring accountability.

In cases of violations – be it by States or non-State actors –, States have to provide accessible and effective judicial or other appropriate remedies at both national and international levels. Victims of violations should be entitled to adequate reparation, including restitution, compensation, satisfaction and/or guarantees of non-repetition.

Human rights also serve as a valuable advocacy tool in using more informal accountability mechanisms, be it lobbying, advocacy, public campaigns and political mobilization, also by using the press and other media.

Answer:

As mentioned above, all activities in this project had been monitored not only by provincial competent authorities but by UN-HABITAT and community during implementation to make sure that the accountability of actors at all time. The project was also audited by an independent auditing firm to ensure that the project financing disbursements are transparent.

9. What is the impact of the practice?

Explanatory note: Impact

Good practices – e.g. laws, policies, programmes, campaigns and/or subsidies - should demonstrate a positive and tangible impact. It is therefore relevant to examine the degree to which practices result in better enjoyment of human rights, empowerment of rights-holders and accountability of duty bearers. This criterion aims at capturing the impact of practices and the progress achieved in the fulfilment of human rights obligations related to sanitation and water.

Answer:

1. Enhance harmonization in society and communities
2. The poor has their voice in community
3. Changed livelihood of the poor through empowerment for their self-making decision
4. Improve living conditions of the poor: time is now being used more productively by the poor and the women.
5. Cleanness and tidiness of poor community areas

10. Is the practice sustainable?

Explanatory note: Sustainability

The human rights obligations related to water and sanitation have to be met in a sustainable manner. This means good practices have to be economically, environmentally and socially sustainable. The achieved impact must be continuous and long-lasting. For instance, accessibility has to be ensured on a continuous basis by adequate maintenance of facilities. Likewise, financing has to be sustainable. In particular, when third parties such as NGOs or development agencies provide funding for initial investments, ongoing financing needs for operation and maintenance have to be met for instance by communities or local governments. Furthermore, it is important to take into account the impact of interventions on the enjoyment of other human rights. Moreover, water quality and availability have to be ensured in a sustainable manner by avoiding water contamination and over-abstraction of water resources. Adaptability may be key to ensure that policies, legislation and implementation withstand the impacts of climate change and changing water availability.

Answer:

The strong community participation ensures social sustainability. The provincial water utility has established a district branch in Xieng Ngeun to oversee operations and maintenance ensuring institutional and technical sustainability. Now that the utility recovers 100% of operations and maintenance costs is an enabling factor for financial sustainability.

Final remarks, challenges, lessons learnt

Lessons learnt:

Involvement of communities in project implementation ensures sustainability and cost-effective delivery. The project has also been instrumental in forming an excellent triad of partnership amongst community, utility and local government.

Although it might be challenging to have community working closely with water utilities, but the experience of Xieng Ngeun has shown that this can be achieved, and the outcomes and impacts are indeed very positive. A socio-economic impact study conducted in Xieng Ngeun has shown the positive impacts of the project.

The Independent Expert would like to thank you for your efforts!

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