



No. 52101/ 515

PERMANENT MISSION OF THAILAND
GENEVA

The Permanent Mission of Thailand to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, Human Rights Council and Special Procedures Division (HRCSPD) and with reference to the latter's note dated 5 February 2010 encouraging all stakeholders to submit their good practices related to access to safe drinking water and sanitation to be considered as part of the report by Ms. Catarina de Albuquerque, the Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation, has the honour to forward herewith answers provided by the Government of Thailand to the questionnaire, which was attached to the above-mentioned note. A copy of the document in the .pdf format was also forwarded to the email address: iewater@ohchr.org.

The Permanent Mission of Thailand to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights, Human Rights Council and Special Procedures Division (HRCSPD) the assurances of its highest consideration.



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- 8 JUL. 2010

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GOOD PRACTICES RELATED TO ACCES TO SAFE DRINKING WATER AND SANITATION

THAILAND

Description of the practice:

Name of the practice:

Quality Monitoring for Tap Water Project (2009)

Aim of the practice:

To assess the current condition of tap water and provide clean tap water in all urban and rural villages throughout the country.

Target group(s):

All people with access to tap water in all provinces.

Partners involved:

Bureau of Food and Water Sanitation, Ministry of Public Health; Provincial Public Health Offices; Health Promoting centers.

Duration of practice:

Every year (from March to April).

Financing (short/medium/long term):

Annual budget financed by the Bureau of Food and Water Sanitation.

Brief outline of the practice:

Tap water from 140 randomized urban and rural villages in 19 provinces is tested annually at the Ministry of Public Health. Information pertaining to the characteristics of sampled villages is obtained from the Tap Water Survey. The current condition of tap water is assessed. Suggestions for improving the quality of water are given to related agencies.

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 practice fits well with this criterion as the purpose of the project is to provide a sufficient supply of safe tap water in all villages throughout the country.

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 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:

All villages in Thailand are in proximity of basic amenities such as tap water. The project will help ensure that the quality of tap water meets acceptable standard as determined by the Ministry of Public Health.

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:

The project makes no explicit mention of any cost-related control. Tap water in Thailand is however available at a very affordable price. The First Economic Stimulus Package of the current government also provides free tap water for those households whose monthly consumption of tap water does not exceed 30 cubic meters.

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:

This criterion is highly in accord with the purpose of the project. Tap water will be sampled and tested annually to ensure that it meets an acceptable standard set by the Ministry of Public Health.

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 project attempts to provide tap water that is of acceptable standard, e.g. color, odor, taste, and mineral content.

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 project attempts to ensure that the quality of tap water in urban and rural areas is of acceptable standard. It is however found that the tap water consumed by rural villages is of lower quality compared to that consumed by urban communities. The discrepancy may partly be explained by the fact that the sources of water used in the production of tap water are different, depending on the geographical location of the villages and natural water sources these villages are in proximity to.

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:

Concerned agencies (e.g. agents working at the Metropolitan and Provincial Waterworks Authority Office) are allowed to participate in the assessment process via the Tap Water Survey, which includes questions such as the source of water used in the production of tap water, the current condition of the water distribution system, as well as the sanitization process.

The Ministry of Public Health also set up a water quality surveillance program in many villages where local volunteers are trained to monitor the quality of the water and report any incidents to waterworks system operator in the area for further action.

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:

The practice ensures higher accountability of the agents at the Metropolitan and Provincial Waterworks Authority in monitoring the quality of tap water supplied.

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:

The project helps maintain the quality of tap water for household uses and consumption and reduce the incidence of many water-borne diseases.

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 practice is financially sustainable as the budget used to finance the project is from the annual budget of the Bureau of Food and Water Sanitation. The practice is also in accord with the Constitution of Thailand that protects the rights of access to basic infrastructure of all Thai people.

Final remarks, challenges, lessons learnt

The challenge remains in the standardization of the quality of tap water in urban and rural area. As mentioned previously, the discrepancy of the quality depends in part on the geographical location of villages. This requires, for example, that more financial and human resources are direct towards the improvement of tap water quality in the rural area. Following the recently promulgated Decentralization Act in Thailand, Local Administrative Organizations (LAOs) are also responsible for the provision and maintenance of basic infrastructure in the area; this poses further challenge to the standardization of tap water quality due to the difference in resources available to each LAO.

Submissions

In order to enable the Independent Expert to consider submissions for discussion in the stakeholder consultations foreseen in 2010 and 2011, all stakeholders are encouraged to submit the answers to the questionnaire at their earliest convenience and no later than 30th of June 2010.

Questionnaires can be transmitted electronically to iewater@ohchr.org (encouraged) or be addressed to

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

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Please include in your submissions the name of the organization submitting the practice, as well as contact details in case follow up information is sought.

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

For more information on the mandate of the Independent Expert, please visit

<http://www2.ohchr.org/english/issues/water/lexpert/index.htm>