

Community based provision of water services through a human right to water lens

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The recognition of the Human Right to Water and Sanitation (HRWS) through UN General Assembly and Human Rights Council Resolutions in 2010 **entitles everyone to the provision of minimum standards of these essential services.**

Notwithstanding critics, HRWS maintains importance as a **strategy that influences governance and decision making** processes at many scales (*)

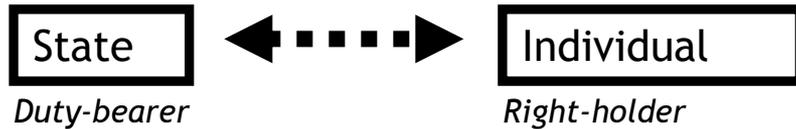
Nevertheless, **HRWS operational impact has to be further developed.** One of the key areas requiring research to advance HRWS operationalization is about measuring its fulfilment (**) (***).

(*) Miroso, O., & Harris, L. M. (2011). *Human Right to Water: Contemporary Challenges and Contours of a Global Debate. Antipode, 44(3), 932-949.*

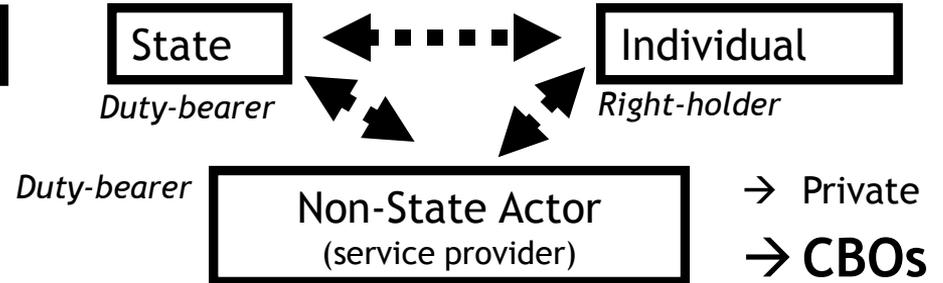
(**) Flores, O., Jiménez, A., & Pérez-Foguet, A. (2013). *Monitoring access to water in rural areas based on the human right to water framework: A local level case study in Nicaragua. International Journal of Water Resources Development, 29(4), 605-621.*

(***) Flores, O., Jiménez, A., & Pérez-Foguet, A. (2015). *Reporting progress on Human Right to Water and Sanitation through UN water global monitoring mechanisms. Journal of Water, Sanitation and Hygiene for Development, In Press, doi: 10.2166/washdev.2015.151*

Human rights (HR) compliance has been traditionally based on a bilateral relationship between the State and the individual (*)



Some Economic Social and Cultural Rights (ESCRs) are intrinsically linked to the provision and access to certain services → Wat & San supply can be transferred to a non-State actor (third actor)

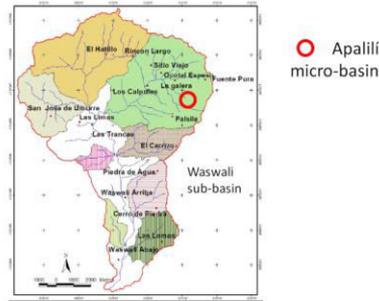


... little has been investigated about the ability of **CBOs** to comply with HR obligations, despite their relevant role in rural water and sanitation provision →

→ **PURPOSE:** The study examines the compliance with HRW when CBOs are responsible of service provision, considering the perspective of users (as right-holders)

(*) United Nations. (2010). Report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque. A/HRC/15/31.

- Water Law -620- recognize water as a Human Right.
- Government promotes the formalization of service provision through drinking water and sanitation committees (CAPS) in rural areas. (Law 722)
- Around 50% of rural people are supplied by CAPS in the whole country.



Local: 2 micro-basins (Cuspire & Apalilí)

- Jinotega & Matagalpa Departments
- North-Central region
- Long tradition of CBOs managing water services
- Among the poorest in the country.



○ Cuspire micro-basin

Micro-Basin	Department	Sub-Basin	Basin	Catchment surface (km ²)	Communities
Cuspire	Jinotega	Yali	Coco	19,3	8
Apalilí	Jinotega / Matagalpa	Waswali	Grande de Matagalpa	25,7	5

Primary data about Human Right to Water situation at community level:

- **Source of information:** 165 (out of 854 **households**) surveys (11 communities of the two micro-basins)
- Data collected in June'12

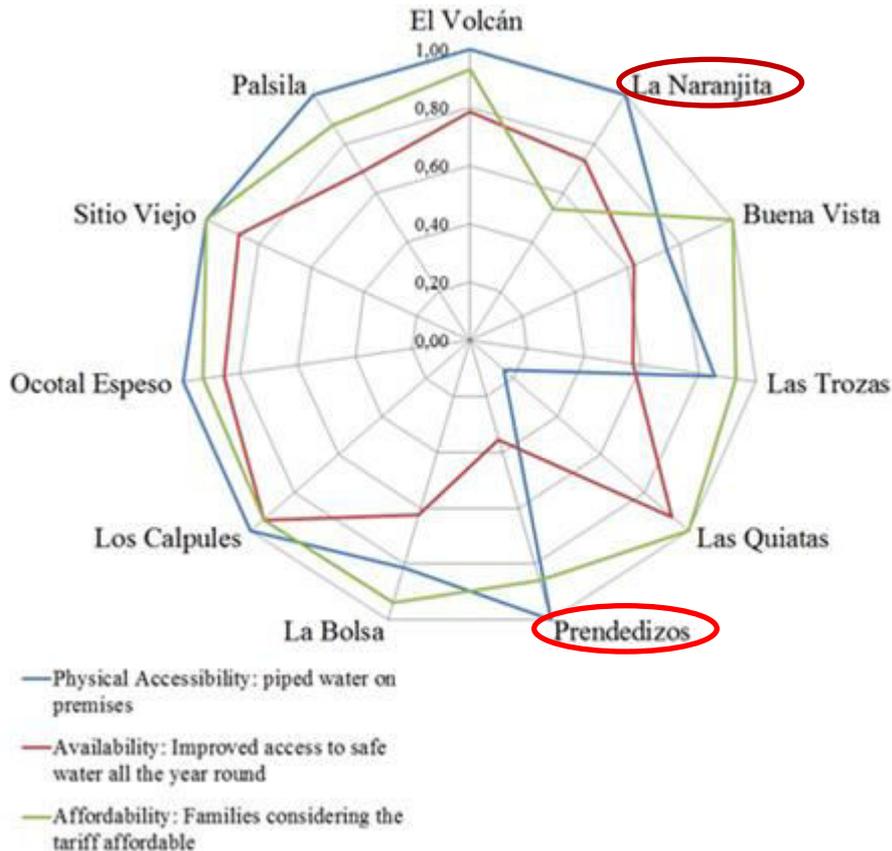
We apply a method developed elsewhere (*) to define sample size for **small populations**

- Estimated **in situ** based on the real population of communities (for a given precision, and confidence level)
- Ensures an **appropriate balance** between the **resources** required for data collection and the **accuracy** of the results for decision making at the local level

(*) Flores Baquero, Ó., Jiménez, A., & Pérez-Foguet, A. (2015). *Measuring disparities in access to water based on the normative content of the human right*. *Social Indicators Research*, in press. doi: 10.1007/s11205-015-0976-8

	Criteria	Indicators
Normative	Availability	Improved access to safe water all the year round
	Physical Accessibility	Piped water on premises
	Affordability	Tariff affordable (perception)
	Quality	Not addressed
	Acceptability	Not addressed
Cross-cutting		(*)
	Participation	<p>Low: Contribution by a) Cash b) Labour c) Materials</p> <p>Middle: a) Supervision b) & c) Decisions during project execution</p> <p>High: decisions during service delivery stage a) investment on repairs, b) new connections & c) disconnections</p>
	Accountability (downward)	Families a) considering formal written operational rules exist, b) considering regular meetings occur, and c) feeling informed about system operation
	Non-discrimination	Not addressed

(*) Based on Prokopy, L. S. (2005). *The relationship between participation and project outcomes: Evidence from rural water supply projects in India*. *World Development*, 33(11), 1801-1819.



(+) Overall, most households consider to have physical access to improved sources of water at all times and at affordable rates. However (-):

Seasonality (availability)

- *Prendedizos* but also others...
- Families using unimproved sources of water during some times of the year →
→ negative health impacts (*)

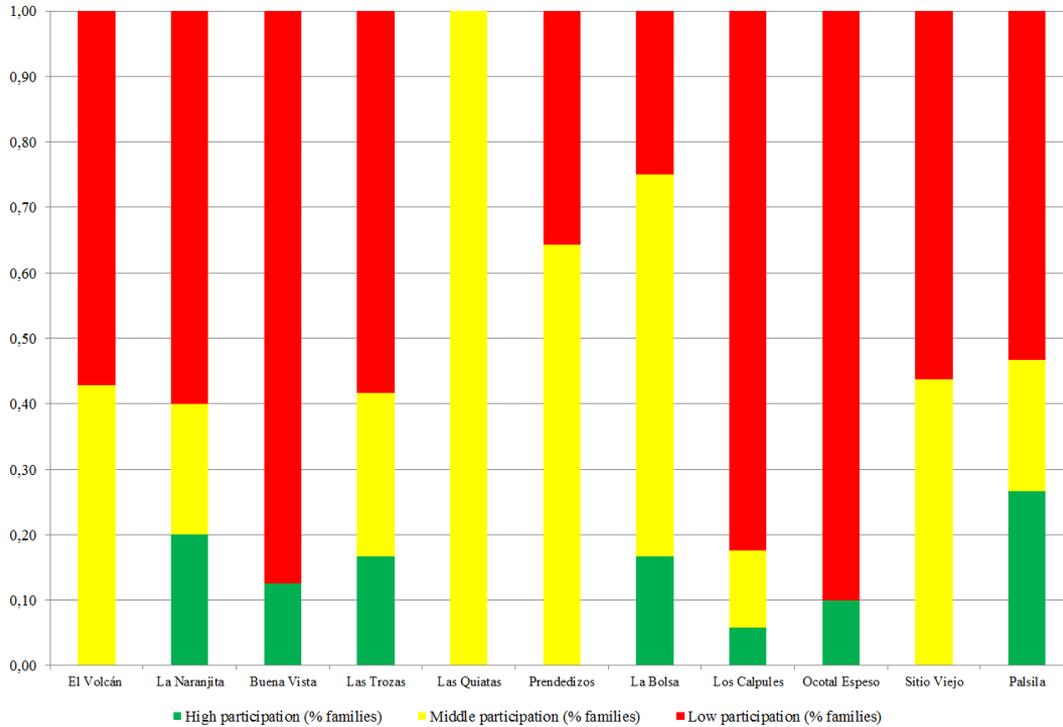
Trade-off between Sustainability & Affordability:

- *La Naranjita*
- 1 out of 2 consider tariff unaffordable →
→ It was designed paying special attention to financial sustainability which has resulted in tariffs significantly higher than other neighboring communities

(*) Hunter, P. R., Zmirou-Navier, D., & Hartemann, P. (2009). Estimating the impact on health of poor reliability of drinking water interventions in developing countries. *Science of the Total Environment*, 407(8), 2621-2624.

Four // Lowest level of participation

RESULTS



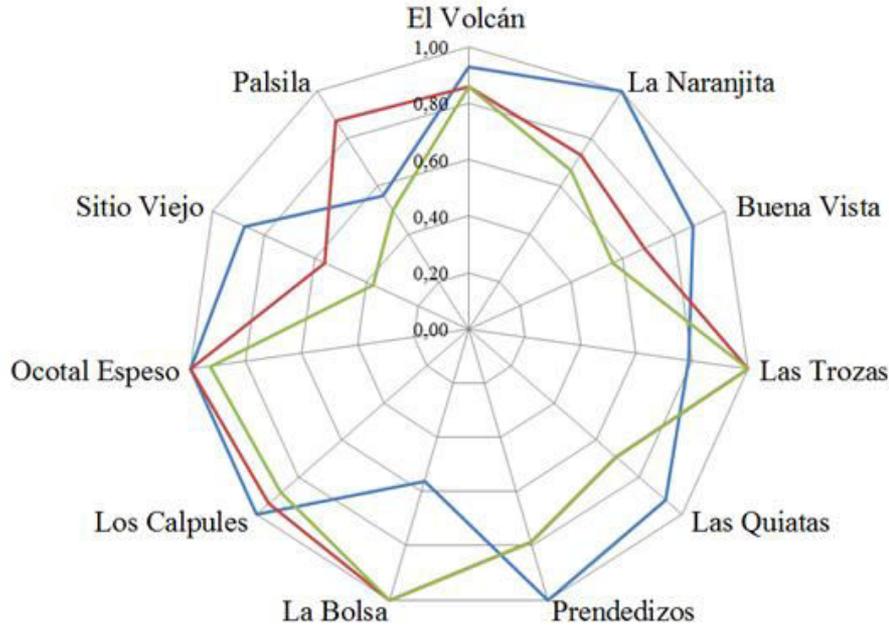
Most of the families have contributed on labour or even cash.

Only some families show positive answers according to middle participation indicators

Only a few express that important decisions about operation of the system were discussed and decided collectively.



Low level of participation



More than 3 out of 4 families consider that formal operational rules exist, regular meetings occur and feel informed about systems operations...

... Nevertheless, just a few of them think that relevant decisions are discussed and decided collectively (previous slide)

- Families considering formal written operational rules exist
- Families feeling informed about system operation
- Families considering regular meetings occur

1. Cross-cutting: The Study suggests and proves that CBOs' obligations related to participation and accountability:

- Could be **evaluated through right-holders' perceptions** → as they offered pertinent insights
- Are often the **most disregarded aspects**
 - It could help explaining the low performance (*) (**) of community based infrastructures in the long term and, therefore, the lack of compliance with the HRW
 - It could be explained by models of intervention (State and NGOs)

2. Normative: The perspective offered by HRW allows to enhance the trade-off between financial sustainability and the capacity to meet human right to water obligations (affordability).

3. Policy implications: This kind of analysis offers new insights into:

- **Reporting/monitoring** human rights compliance at local level
- Identifying **priority actions for decision making** (beyond new infrastructure construction or even rehabilitation) at decentralized level → as CBOs usually need support to fulfil their responsibilities.

(*) Madrigal, R., Alpízar, F., & Schlüter, A. (2011). *Determinants of Performance of Community-Based Drinking Water Organizations*. *World Development*, 39(9), 1663-1675.

(**) Ostrom, E. (2007). *A diagnostic approach for going beyond panaceas*. *Proceedings of the National Academy of Sciences*, 104(39), 15181-15187.

Thanks for your attention

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