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 (**)(***)


INTRODUCTION

One // Rationale

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).

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

State

Duty-bearer

Individual

Right-holder

Non-State Actor

(service provider)

Duty-bearer

→ Private

→ CBOs

... 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)

Two // Case study: Nicaragua

- 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.
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

### Three Criteria and Indicators

**METHODOLOGY**

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Indicators</th>
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<tbody>
<tr>
<td><strong>Normative</strong></td>
<td></td>
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<tr>
<td>Availability</td>
<td>Improved access to safe water all the year round</td>
</tr>
<tr>
<td>Physical</td>
<td></td>
</tr>
<tr>
<td>Accessibility</td>
<td>Piped water on premises</td>
</tr>
<tr>
<td>Affordability</td>
<td>Tariff affordable (perception)</td>
</tr>
<tr>
<td>Quality</td>
<td>Not addressed</td>
</tr>
<tr>
<td>Acceptability</td>
<td></td>
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</tbody>
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**Cross-cutting**

<table>
<thead>
<tr>
<th>Participation</th>
<th>Low: Contribution by a) Cash b) Labour c) Materials</th>
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<tbody>
<tr>
<td></td>
<td>Middle: a) Supervision b) &amp; c) Decisions during project execution</td>
</tr>
<tr>
<td></td>
<td>High: decisions during service delivery stage a) investment on repairs, b) new connections &amp; c) disconnections</td>
</tr>
<tr>
<td>Accountability(downward)</td>
<td>Families a) considering formal written operational rules exist, b) considering regular meetings occur, and c) feeling informed about system operation</td>
</tr>
<tr>
<td>Non-discrimination</td>
<td>Not addressed</td>
</tr>
</tbody>
</table>

Normative criteria show higher scores than the cross-cutting ones

**RESULTS**


(+): 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.

Lowest level of participation

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.
Four//Accountability variables score significantly higher

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)
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 NGDOs)

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.


Thanks for your attention

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