

# UNDP GoAL-WaSH, HRBA and SNV Programmes: Governance, Advocacy and Leadership for Water, Sanitation and Hygiene; Human Rights Based Approached to Water Governance; and SNV Safe Water for All

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## **BOSNIA AND HERZEGOVINA – OPTIONS FOR JOINT UNDP GOAL-WASH, UNDP HRBA and SNV SUPPORT**

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### **A1: The UNDP GoAL-WaSH Programme**

The 2006 UNDP Human Development Report, “*Beyond Scarcity: Power, Poverty and the Global Water Crisis*”, served to catalyze global attention to the global water crisis. This crisis means deprivation in access to water: the poor are systematically excluded from access by their poverty, by their limited legal rights or by public policies that limit access to the infrastructures that provide water for life and for livelihoods. While illustrating that chronic water stress does pose a significant threat to human development in many parts of the world, the HDR underscores that, first and foremost, the global water crisis is rooted in power, poverty and inequality, particularly for women. As the HDR title and contents suggest, the water crisis is not so much one of absolute scarcity but one of governance.

Now past the mid-point of the time frame for achieving the Millennium Development Goals, the world still faces serious challenges in achieving the water supply and sanitation (WatSan) MDGs: Over 900 million additional people need to gain access to an improved water source by 2015, and over 1,320 million need access to improved sanitation, if the WatSan MDGs are to be achieved. While the world as a whole is roughly on track to meet the water target, there are vast disparities in several regions (Sub-Saharan Africa, Arab States) and in individual countries in all regions. Similarly, while some regions (East Asia/Pacific, Latin America & Caribbean, and Arab States) are on or near to achieving the sanitation target, some regions (South Asia, Sub-Saharan Africa) and individual countries need significant acceleration if the sanitation MDG is to be met. Even if the WatSan MDG is met, it would still leave an additional 800 million people without access to safe water supply and 1.8 billion people without access to improved sanitation. This underscores that the rate of progress has to increase dramatically and much additional work will remain beyond 2015.

The WatSan targets are central to UNDP’s Sustainable Human Development mission. The HDR and analyses carried out by UNDP’s Water Governance Programme

provide ample evidence that access to WatSan services are a core driver for development:

- Sanitation, water resources management and supply services are all inextricably linked to the other MDGs, many of which *cannot* be achieved if WASH fail
- Investments in water resources development and management, including sanitation, have an average benefit to cost ratio of about 8:1
- Access to both water supply and sanitation explain far more of the variance (separately or together) in the Human Development Index than any other variable examined, including health, education, gender and access to modern energy services
- Successfully addressing the WatSan crisis could trigger the next major leap forward in human development.

UNDP's Water Governance strategy includes supporting countries address their water supply and sanitation needs through strengthened planning, financing and capacity development mechanisms so that they can achieve or exceed their WatSan MDGs by 2015.

To complement UNDP's water governance strategy, UNDP have initiated a specific global program, the UNDP GoAL-WaSH Program, focussing on water, sanitation and hygiene (WASH). It seeks to enhance MDG achievement by strengthening national governance, advocacy and leadership (GOAL), and support mainstreaming of WatSan into national development strategies (PRSP, etc.) and coordination of implementation action at country level.

The first stage of program development is to select a range of countries for UNDP WASH intervention. The criteria for country selection are:

1. Countries off-track to meet the WSS MDGs or should be performing at a significantly improved level
2. A country selection which form a globally balanced program with countries from every UNDP region
3. Countries where the program would complement existing UNDP projects and support one UN sector leadership
4. Expressed demand for support from lead government sector agencies.

An initial list of 12 countries was drawn up in a program inception report<sup>1</sup>. A consultant has been appointed to explore program development in each country. The steps to be undertaken include:

1. Undertaking or updating a WASH Sector Assessment to identify gaps and priority measures for sector support to meet the MDGs.
2. Identifying options for UNDP intervention, which draw on UNDP's comparative advantages and are consistent with UNDP GOAL-WASH objectives.
3. Through stakeholder consultation select a priority UNDP intervention
4. Develop a UNDP project document for this intervention.

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<sup>1</sup> The 12 country list currently stands at: Bosnia and Herzegovina, Djibouti, El Salvador, Madagascar, Mali, Mongolia, Nepal, Paraguay, Sierra Leone, Sudan, Tajikistan and Zambia.

This document presents step #2 above: on the basis of an assessment of gaps and priorities for sector support, identify options for UNDP intervention in Bosnia and Herzegovina. The assessment and project identification processes were carried out jointly by GoAL WaSH and UNDP HRBA Programme. A third partner in the development, financing and implementation of the recommended option is SNV.

## **A2: The UNDP Human Rights Based Approach to Water Governance Programme**

Ever since the call of ex-Secretary General Kofi Annan in 1997 to mainstream human rights into all of the UN's work, scholars and development practitioners have been investigating both theoretical and practical dimensions of fulfilling the right to water. The adoption of *General Comment no. 15: The Right to Water* in November 2002 by the UN Committee that monitors the implementation of the International Covenant on Economic, Social and Cultural Rights (1966) (ICESCR), provided the key catalyst for real action. It created an enabling platform on which to adopt a Human Rights Based Approach (HRBA) to water. Subsequently, in 2003 various UN agencies met to develop a UN 'Common Understanding' on the HRBA, helping to achieve conceptual clarity on this new approach within both the UN and wider development community.

The HRBA constitutes 'a conceptual framework for the process of human development that is normatively based on international human rights principles<sup>2</sup> and standards and operationally directed to promoting and protecting human rights. It seeks to analyse inequalities which lie at the heart of development problems and redress discriminatory practices and unjust power distributions of power that impede development progress'<sup>3</sup>. The approach identifies rights-holders and their entitlements, alongside duty-bearers and their obligations, and considers beneficiaries active players in their own development. Human dignity is integral to the approach, as this requires the legal guarantee of human rights to avoid being threatened. In essence, the right to water means having reliable access to clean, drinkable water at an affordable price.

Applied to WSS and water governance, a HRBA requires the development of laws, policies, procedures and institutions progressively leading to the realisation of the right to water. It ensures the most vulnerable and marginalised groups are prioritised in projects, and emphasises their participation at every stage of the programming process, from the initial assessment to monitoring and evaluation. Moreover, it means empowering rights-holders to actively claim their entitlements and duty-bearers to fulfil their obligations. In terms of added-value, a HRBA to water governance improves accountability, has the potential to empower the powerless, achieves greater participation in decision-making, and through addressing inequalities and discriminatory practices at the heart of development problems, the HRBA leads to more sustainable and higher quality outcomes.

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<sup>2</sup> International Human Rights principles include, accountability and the rule of law; non-discrimination and equality; participation and inclusion; universality and inalienability; indivisibility; interdependence and interrelatedness.

<sup>3</sup> Office of the High Commissioner of Human Rights (2006), 'Frequently Asked Questions on a Human Rights-based Approach to development', p.15.

With this in mind, the new regional HRBA to Water Governance Programme for Europe and CIS was kick-started with discussions on the right to water within UNDP in 2007. Subsequently, at a workshop on Water and Health in Bucharest, May 2008, it was widely agreed that the programme would add value to the existing water governance portfolio. The programme's overall aim is to define new areas of opportunities in the RBEC region for the development of projects in the cross-cutting field of human rights and water governance, with the ultimate goal to bridge the gap between theory and practice with regard to the right to water. The programme is structured in three main phases, this document forming a component of phase 2:

- **Phase 1:** Individual country desk study assessments; TORs; and work plans (complete).
- **Phase 2:** In-depth country sector assessments and consultations vis-a-vis national stakeholders; development of project proposals; partner and resource mobilisation.
- **Phase 3:** Project inception and implementation, reporting, monitoring and evaluation.

Water **accessibility, affordability, allocation and quality** comprise the key focus areas of the programme.

### **A3: The SNV Safe Water For All Programme**

#### **SNV Project: Water Awareness Campaign**

**Country:** Bosnia and Herzegovina (BiH)

**Geographic area:** Central Bosnia Canton, Travnik Municipality

**Status of project:** active

#### **Background and Justification**

Improvement of the supply of safe potable water is one of the main development priorities in the canton of Central Bosnia and its municipal capital, Travnik. The canton population (about 55,000 of which 65% is rural) and the local government both suffer from four common illusions:

- There is a great deal of water in Travnik – so there is nothing to worry about;
- Water is a natural resource so it should be free;
- We are already careful about rational water consumption;
- We do not have to protect our resources, since we already drink safe water.

Water resources are indeed ample, but there are major problems of both water quality and reliability of supply. Sustainability also requires operation and maintenance, which are not free goods. Current attitudes accordingly do not bode well for the future sustainability of a clean, reliable and affordable water supply. The SNV mission is to make safe drinking water available for all the inhabitants of Travnik municipality.

There is a further important consideration. According to the norms of international human rights legislation it is the obligation of a duty bearer to inform claim holders of their rights and obligations. It is also the obligation of the duty bearer to establish and sustain mechanisms for the free, active and meaningful participation of citizens in public affairs on a non-discriminatory basis. SNV has already implemented several activities regarding the improvement of the current state of drinking water in Travnik and central Bosnia from this human rights perspective.

### **Approach**

Complementary to other SNV activities in Travnik and Central Bosnia area (notably, interventions targeting the accessibility and availability of safe drinking water for all, especially the marginalised rural population), this project has been designed to raise the awareness of claim holders/water consumers on the one hand and duty bearers/water service agencies on the other of their rights and responsibilities concerning the use and supply of drinking water. According to the Water Losses Detection Plan in the urban area of Travnik municipality (previously facilitated by SNV), less than 50% of the water users registered on the public water system are paying for water supply services. This is jeopardizing the sustainable, efficient and effective provision of this service. Further analysis indicates that the population is not informed or fully aware of the consequences of their attitudes, and that most of them have a completely inappropriate understanding of the issues. They are also generally uninformed on legal obligations deriving from the relevant international, EU and national legislation. Following an analysis of the situation, SNV has decided to design a campaign which targets the rights and obligations of water consumers/claim-holders, and which also confronts the popular illusions regarding water.

### **Objectives**

- Raise awareness at local community level about their rights and duties regarding drinking water issue for both duty-bearers and claim-holders
- Encourage a dialogue among various water stakeholders
- Support the inclusion of marginalized groups.

### **Expected Results:**

- The Awareness Campaign will make an impact on the major actors and enable them to approach their rights and responsibilities properly
- Raised awareness, behaviour and attitude changes of relevant water stakeholders in regard to mentioned water myths
- Increased percentage of payment together with increased percentage of inhabitants provided with safe drinking water in municipality

**Expected duration: 2009-2013**

**Approximate budget: 200.000 €**

## **B: OPTIONS FOR UNDP GOAL-WASH INTERVENTION IN BOSNIA AND HERZEGOVINA**

### **Two Possible Options**

The sector assessment shows that despite its rich endowment of water resources, both entities face serious problems in meeting the MDGs, in particular in the rural areas. Section A.4.3 above states that:

‘The lack of local level capacity (a primary constraint) and resources (a secondary constraint) to develop and deliver effective services are the major inhibiting factors for Municipalities. Water supply and sanitation are frequently neglected in local communities, and a corresponding civic culture of responsibility is wholly undeveloped. Very often, attempts at tackling water and sanitation problems lag behind all other infrastructural initiatives (traffics, buildings, electrification etc).

An increase in investment in the water and sanitation sector, with the appropriate upgrading of municipal capacities to fulfil their responsibilities is accordingly a first step towards satisfying drinking water and sanitation demands. Alongside this, efforts are needed to build more responsible popular attitudes towards the payment of water tariffs and the control of pollution’.

There is also a specific human rights need which has arisen as a consequence of the recent civil war for access to basic services by vulnerable minorities. Significant amongst these are internally displaced persons. With the complex and diffused responsibilities for water supply amongst the many political and administrative levels and institutions, an intervention here would also be appropriate. Accordingly the following two project options are proposed.

### **Option 1    Water Rights and Responsibilities Awareness Campaign: GoAL WaSH/HRBA/SNV Joint Project**

B&H is a water rich country with grave problems affecting water supply. The infrastructure is old and crumbling, and water utilities are for the most part heavily indebted. Waste water management is broadly ineffective, and groundwater pollution has given rise to serious concerns over water quality. Access can also be unreliable. The problem is particularly acute outside the major urban areas, where a typical municipality may have two-thirds of its water customers in rural areas. In the face of these serious challenges, local government is struggling to perform. It is generally true that it is neither meeting citizens’ legitimate expectations for access to clean and reliable water supplies, and nor is it properly accountable. There are many convergent causes for this state of affairs. The complex politico-administrative arrangements which have emerged following the state of conflict, and are indeed the price of peace, have made it difficult to determine effective responsibilities for service delivery. The civic culture of respect for the natural environment, and the awareness of the rights and responsibilities of citizens (rights holders) in relation to the obligations of public

sector (duty bearers), are very poorly developed. Most citizens appear unaware of the cost chain in water supply and believe it is common property that should be a free good, and are similarly unaware of the major problems of water pollution.

From the points of view of approaching water governance both from a human rights based perspective, and from the perspective of promoting effective government leadership, an awareness campaign providing information and mobilizing civic consciousness around the rights and responsibilities of access to clean and reliable water and sanitation could make a useful contribution. The specific activities of such a project would include:

- Identify one or more municipalities (depending on budgetary resources) which are facing major problems in terms of their ability to provide safe and reliable water to the inhabitants for whom they are responsible;
- Review the legislative framework and regulatory procedures (at all relevant levels) within which the targeted local government(s) operate to fulfil their duties regarding service delivery in the WSS sector;
- Review the ownership and management structures of institutions supplying drinking water;
- Assess the nature of the constraints facing the public water utilities in the selected project areas;
- Conduct an attitude survey on the public understanding of the rights and responsibilities of both rights-holders and duty-bearers regarding water both as a component of the natural resource base, and as a consumer good;
- Select primary target groups, and design an awareness campaign based on the findings of the previous activities;
- In consultation with the appropriate authorities, implement the campaign in the selected region(s);
- Assess the outcomes and impacts of the campaign;
- Provide recommendations on how the awareness campaign might be improved and extended on a sustainable basis.

If a co-financing arrangement can be entered into with SNV, a major NGO with extensive on-the-ground experience in B&H, then additional project components which would be of major assistance to the municipalities could be:

- Support for preparation of a plan for the detection of water losses and the repair of the distribution network
- Training for local government officials and staff of the local Utility companies in management, technical and HRBA aspects of water supply.

It is recommended that the chosen project option be fully integrated into the UNDP/UNICEF Joint Programme entitled 'Economic Governance – Securing Access to Water through Institutional Development and Infrastructure'. This programme is due to have a National Programme Manager and Coordinator, 70% of whose time will be spent on the UNDP programme and 30% coordinating activities between UNICEF and UNDP, and a Chief Technical Advisor for 15 months from the date of implementation. Given this management structure, it does not make sense to hire an additional project manager for the GOAL Wash/HRBA component; this will only ensure the chosen project is not integrated. Rather, an expert on the HRBA in the

water sector should be recruited as soon as is feasibly possible, to support the National Programme Manager and ensure HRBA is fully integrated into the UNDP/UNICEF Joint Programme component.

SNV would also be an appropriate organization to support with the execution of the activities outlined.

## **Option 2 Promoting Water Service Delivery for Internally Displaced Persons (IDPs): Joint GoAL WaSH/HRBA Project**

B&H is in a state of consolidation following a lengthy, painful and disruptive civil war. This consolidation is necessarily multi-dimensional. On the one hand a culture of behavioural norms must be built which can give substance to the European Union Water Framework Directive (2000) to which B&H is committed; and on the other government and its institutions must be accountable to citizens in meeting their basic human rights. As a consequence of the civil war there is a particular group who in many cases have a markedly lower order of access to public goods and services than others. This is the large number of IDPs (estimated to be of the order of 125,000 in number, being approximately 3 percent of the population) who are diffused throughout the country. Their inequitable access to water, one of the most basic of human needs, is a particular case in point. It is of course true that this is part of a wider problem of the creation of an affordable, accessible, reliable and clean water supply in B&H. But as this is an obvious and specifically vulnerable group comprising a very diverse range of people it may be a useful starting point from which further more wide-ranging activities may grow.

From the points of view of approaching water governance both from a human rights based perspective, and from the perspective of promoting effective leadership by government, an intervention targeted on IDPs which aimed to investigate the specific problems they face in WSS and make recommendations to ameliorate these, could make a useful contribution. The specific activities of such a project would include:

- In consultation with the appropriate authorities, select one or more designated areas to undertake a survey;
- Identify and train local personnel specifically including IDPs in survey activities;
- In collaboration with IDPs, design and implement a survey covering the full spectrum of opportunities and constraints faced by IDPs in respect of their access to water and sanitation services;
- Analyse and assess the survey results, with particular attention to legal and regulatory issues, and the nature and variety of constraints on access;
- Make recommendations to the appropriate authorities on possible ameliorative action.



## Assessment of Options

The following table provides a summary concept for each of the options, including an assessment against 4 selection criteria.

Option	Gap/ Problem to be addressed	Project Object- ives	Main Activities	Selection Criteria			
				Level of strategic import- ance	Prosp- ects for Impact	Level of Demand	Fit with UNDP Program
Option 1: Water Rights and Responsibilit ies Awareness Campiagn	Lack of civic responsibility for water usage and payment, and of awareness of rights of access to water	Assist local water authorities to improve water supply, increase cost recovery, and respond to access needs	Jointly with SNV train and equip local water authorities to improve management and supply of water; mount awareness campaign on rights and responsibilities for water usage	Innovative linkage of access to water as basic human right with improved municipal service	Good	Strong by local government and water utilities	Fit with UNDP/UNDAF support for MDG achievement  Linkage with UNDP HRBA programme  Pro-poor policies and sustainable livelihoods  SNV project implementation
Option 2: Promoting Water Service Delivery for IDPs	Low levels of water access by large vulnerable group	Streamline regulatory procedures and promote ease of access to safe water supply	Investigate constraints on access to basic services and design and promote ameliorative measures	Promote the effective integration of IDPs and increase equality levels of access	Good in selected areas	Medium	Pro-poor policies and sustainable livelihoods  Linkage with UNDP HRBA programme

## Recommendation on Options

On the basis of the selection criteria, Option 1 is recommended.

It may be possible to include components of Option 2 in Option 1, subject to the agreed process whereby target municipalities are selected.