

March 16, 2015

## **Global Water Justice Survey Regarding Means of Implementation and Indicators**

**Prepared by the Mining Working Group at the UN and the Blue Planet Project and Italian Committee for Global Water Contract ( CICMA)**

### **Background**

This September the United Nations will launch its Sustainable Development Goals (SDGs). Last year, 300 water justice groups called on States engaged in drafting the SDG text to explicitly recognize the human right to water and sanitation and demanded that the targets associated with water and sanitation be grounded in a human rights framework. Within this process, through our collective lobbying we won a few battles and also lost a few.

Throughout this process, water justice groups have demanded people-centered and human-rights-based goals and targets. As Member States begin discussions on indicators and means of implementation, we are demanding that these indicators and means of implementation be grounded in a human rights framework that prioritizes water for people and the planet. Indicators speak to how the goals and targets are to be interpreted, and thus, what type of development is carried out. *What* is measured and *how* subsequently guide the implementation of the goals and targets. Thus, as we prepare the next stage of our campaign, we are inviting you to provide input to the preliminary proposed indicators<sup>1</sup> and means of implementation so we can present your views to Member States at the UN.

**In order to guide you in this process, you will find below a summary of the concerns and demands we made last year.**

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<sup>1</sup> A set of global indicators will not be formally adopted until 2016. The indicators will be used to measure progress that has been made towards fulfilling respective sub-targets. Those decided at the UN level will be global in nature; Member States will later develop national indicators based on their own interpretations of the targets and national capacities. The UN Statistical Commission and related agencies are tasked with creating the global indicators, which will be a phased process. They have prepared a preliminary set of indicators as of February 2015, which we have used in this consultation. The February 2015 set of preliminary indicators will serve as a building block for the presentation a more refined technical report on draft indicators that will be presented to Member States just prior (approximately March 18, 2014) to the third session of inter-governmental negotiations, on goals and targets. As we understand the process right now, indicators will not be formally negotiated in this Post-2015 Intergovernmental Negotiation session; however, they will be discussed and will likely inform any negotiations on goals and targets.

## **Summary of concerns and demands submitted to the Open Working Group**

### **A) Explicit recognition of the human right to water and sanitation**

An early version of the Open Working Group (OWG) text contained an explicit reference to the human right to water and sanitation, which is missing from the final version. Despite the call for the explicit recognition of water and sanitation as a human right from the Women's Major Group, the NGO Major Group, the Youth and Children's Major Group, the Workers and Trade Unions Major Group and the Indigenous Peoples Major Group (in addition to 300 groups largely working outside the "major group" process) and many States, the OWG took the approach recommended by a handful of States to "mainstream" human rights within the document rather than naming it explicitly. In this "mainstreaming" process, some elements of the human right to water and sanitation were included but other important elements were omitted. And the human right to water and sanitation was not explicitly named.

### **B) Concerns and demands regarding water and sanitation services**

In three submissions to the OWG consultations in 2014, we raised concerns regarding the omission of important elements of the normative content of the human right. Namely, the targets called for water and sanitation services to be "safe and affordable" without calling for access to sufficient, acceptable and accessible water and sanitation services. This selective reference to human rights principles is inconsistent with the human rights obligations of states. For the SDG process to require governments to provide safe and affordable services without ensuring that those services are available in sufficient quantities, that they are accessible to or acceptable in relation to the needs of vulnerable and marginalized communities is counter-productive.

We also demanded that the targets require water and sanitation services to be provided at home, schools, health centres, refugee camps and public areas, but this was not included in the final draft.

Finally, we insisted that the target calling for the "doubling" of wastewater treatment and recycling be applied to "publicly operated" services. The UN Sustainable Development Agenda should not be used to promote expansion of private for-profit water and sanitation services. Instead, we must ensure that the goals are aimed at building capacity for better public services that serve the interests of all.

### **C) Concerns and demands regarding water quality, quantity and resource management**

With regards to water scarcity, we have called for the emphasis to be placed on watershed protection measures that recognize a hierarchy of use prioritizing basic

human needs, local consumption and healthy ecosystems. We denounced the narrow focus on efficiency, which on its own will fail to safeguard scarce supplies for basic needs and ecosystems.

We also raised concerns about the restoration of ecosystems being limited to ecosystems and aquifers providing “water-related services” as this falls into the logic of market-based environmentalism that seeks to commodify nature.

We shared our apprehensions regarding the emphasis on Integrated Water Resources Management (IWRM) as a target without any acknowledgement of the many negative experiences worldwide with IWRM in communities where it has been used as a mechanism to deregulate, provide multinationals with greater access to decision-making at the basin level and exclude local users and in particular subsistence farmers, the majority of whom are women.

## **GLOBAL WATER JUSTICE SURVEY ON INDICATORS AND MEANS OF IMPLEMENTATION**

### **PART 1: Assess the “List of proposed preliminary indicators,” developed by the UN Statistical Commission in February 2015**

Ahead of the third session of the Post-2015 Intergovernmental Negotiations, which will take place from March 23-26 and focus on Goals and Targets, the UN Statistical Division has put together a preliminary list of proposed indicators with the input of specialized agencies and entities of the wider United Nations System such as the UNDP and UN Water.

These indicators are listed below in the left-hand column. Also listed below are health-related indicators provided by the WHO, which are limited to the two water and sanitation related targets.

Target	UN Statistical Commission Proposed Indicators	WHO proposed indicator	Your comments
<p><b>Target 6.1 By 2030, achieve universal and equitable access to safe and affordable drinking water</b></p>	<p>Proposed Indicator 1: Percentage of population using safely managed drinking water services</p>	<p>Percentage of population using 'basic' drinking-water</p> <p>Percentage of population with 'basic' handwashing facilities with soap and water at home</p> <p>Percentage of pupils enrolled in primary and secondary schools providing basic drinking water, basic sanitation, handwashing facilities with soap and water, and menstrual hygiene management facilities</p> <p>Percentage of beneficiaries using health facilities providing basic drinking-water, basic sanitation, and washing facilities with soap and water, and menstrual hygiene management facilities</p> <p>Percentage of population using a 'safely managed' drinking water service</p>	
<p><b>Target 6.2 By 2030, achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and</b></p>	<p>Proposed Indicator 2: Population with a hand washing facility with soap and water in the household</p>	<p>Percentage of population practicing open defecation</p> <p>Percentage of population using a 'safely managed' sanitation service</p>	

<p>those in vulnerable situations.</p>			
<p><b>Target 6.3 By 2030, improve water quality by reducing pollution, eliminating dumping and minimizing release of hazardous chemicals and materials, halving the proportion of untreated wastewater and increasing recycling and safe reuse by [x] per cent globally.</b></p>	<p>Proposed Indicator 1: Percentage of waste water safely treated Proposed Indicator 2: Percentage of receiving water bodies with ambient water quality not presenting risk to the environment or human health</p>		
<p><b>Target 6.4 By 2030, substantially increase water-use efficiency across all sectors and ensure sustainable withdrawals and supply of freshwater to address water scarcity and substantially reduce the number of people suffering from water scarcity.</b></p>	<p>Proposed Indicator 1: Water Stress Proposed Indicator 2: Water Productivity</p>		
<p><b>Target 6.5 By 2030, implement integrated water resources management at all levels, including through transboundary</b></p>	<p>Proposed Indicator 1: Status of IWRM Implementation Proposed Indicator 2: Availability of operational arrangements for transboundary basin management</p>		

cooperation as appropriate			
<b>Target 6.6 By 2020, protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes</b>	Proposed Indicator 1: Change in wetlands extent over time (% change over time)		

## Part 2: Global Water Justice preliminary indicators

The Blue Planet Project- CICMA and Mining Working Group at the UN have prepared [this preliminary list of indicators](#). Given that process and strategy are important to us, we are proposing not only outcome-based indicators, but also strategy and process-based indicators that will emphasize public participation in decision-making, the use of maximum available resources for the realization of the human right to water and sanitation and other key elements<sup>2</sup>.

Target	Strategy-based indicators	Process-based indicators	Outcome-based indicators	Your comments
<b>Target 6.1 By 2030, achieve universal and equitable access to safe and affordable drinking water</b>	<p>1. Use addressed of maximum available resources to realize the human right to water and sanitation for all</p> <p>1.b Quantity/ instruments of public finance resource to realize the human right to water and sanitation for all</p> <p>2. Existence of</p>	<p>1.) Level of recognition of the management of community (collective) water system</p> <p>2. Priority level of National public management of water and sanitation services</p> <p>3. Extent of public participation in decision-making (including women, indigenous peoples and other marginalized groups)</p>	<p>1. Percentage of community management</p> <p>2. Percentage of public national management of water and sanitation services</p> <p>1. Percentage of population with access to safe, affordable, sufficient acceptable and accessible water and sanitation services (including percentage of women and marginalized communities who are excluded)</p>	<p><i>CICMA believes that it is appropriate to raise the level of indicators to support the human right to water by introducing some parameters of implementation set forth in the Draft 2nd Optional Protocol to the Covenant ICESCR</i></p>

<sup>2</sup> This approach is recommended by scholars Meier et al:  
[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2273707](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2273707)

	<p>national plans for the realization of the human right to water and sanitation</p> <p>3.Existence of national Found to guarantee access water to poor families</p> <p>4. Existence of regulatory system for public o private water and sanitation service providers to affordable and equal access to safe, acceptable and sufficient water and appropriate sanitation</p>	<p>4) absence of discrimination of any kind to access to water and sanitation</p> <p>5. Existence of mechanisms of monitoring and compliance with regulations for water and sanitation services</p> <p>6. Level of assistance to promote public or community based services for water and sanitation services</p> <p>7.Adoption of national measures to prevent over-consumption and to promote efficient water use</p>	<p>2.Percentage of population dying from waterborne diseases</p> <p>3. Affordability of water services: - Number of water shut-offs to lower income communities - Cost to income ratio for services</p> <p>4 Percentage of marginalized and disadvantaged farms and vulnerable groups beneficiary of priority plan in access to water resources for their basic needs.</p>	
<p><b>Target 6.2 By 2030, achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations.</b></p>	<p>1.Use of maximum available resources to realize the human right to water and sanitation for all 1.b Quantity instruments of public finance resource to realize the human right to water and sanitation for all</p> <p>2. Existence National plans for the realization of the human right to water and sanitation</p> <p>3.Existence of national Found to guarantee access towater to poor families</p>	<p>1. Extent of public participation in decision-making (including women, indigenous peoples and other marginalized groups)</p>	<p>1. Percentage of population without access to safe, affordable, adequate, acceptable and accessible sanitation services and hygiene (including percentage of women and marginalized communities who are excluded)</p> <p>2.Level of distance in metres (no more than 1000 m) of access to water and sanitation services at rural level ;</p>	
<p><b>Target 6.3 By 2030, improve</b></p>	<p>1. Regulatory capacity of states to prevent</p>	<p>1. The application of free prior and informed consent</p>	<p>1. Percentage of waste water safely treated</p>	

<p><b>water quality by reducing pollution, eliminating dumping and minimizing release of hazardous chemicals and materials, halving the proportion of untreated wastewater and increasing recycling and safe reuse by [x] per cent globally.</b></p>	<p>polluting, eliminating, dumping and minimizing the release of hazardous chemicals and materials</p> <p>2.Application at national at local levels of Precaution principles</p>	<p>for developments impacting a community water supply/indigenous water resources</p> <p>2. Access to/existence of restorative justice for communities whose health and livelihoods have been impacted by water contamination</p>	<p>2. Percentage of population receiving water bodies with ambient water quality not presenting risk to the environment or human health</p> <p>3. Level of water quality: culturally acceptable in quality, free from micro-organism, chemical substances and radiological hazards</p>	
<p><b>Target 6.4 By 2030, substantially increase water-use efficiency across all sectors and ensure sustainable withdrawals and supply of freshwater to address water scarcity and substantially reduce the number of people suffering from water scarcity.</b></p>	<p>1. Availability of water quality and quantity data</p> <p>2. National policy to discourage and subject to environmental impact assessment practices of water grabbing and activities, as fracking or dams, that can deny or limit equal access to adequate water and sanitation</p>	<p>1. The existence of mechanisms to ensure basic needs, local consumption and ecosystems are prioritized within resource allocation strategies</p> <p>2. Priority mechanisms in water distribution for essential personal and domestic use for community rather than industrial, agricultural, or other purposes in order to guarantee access to water as a human right</p>	<p>1. Availability of water to meet basic needs including water and sanitation and local food production</p>	
<p><b>Target 6.5 By 2030, implement integrated water resources management at all levels, including</b></p>			<p>1.Inclusion of marginalized and vulnerable communities within water resource management bodies</p>	

through transboundary cooperation as appropriate				
<b>Target 6.6 By 2020, protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes</b>	<p>1. Regulatory capacity of states to ensure the protection of ecosystems</p> <p>2. Existence of/access to restorative justice for communities who have been impacted by the loss of wetlands and destruction of watersheds</p> <p>3. National policy to discourage and subject to environmental impact assessment practices of water grabbing and activities, as fracking or dams, that can deny or limit equal access to adequate water and sanitation</p>	<p>1 Extent of public participation in decision-making (including women, indigenous peoples and other marginalized groups)</p> <p>2. National mechanism to prevent third parties, including individuals, groups and corporations from interfering in any way with the enjoyment of the right to water and sanitation.</p>	Change in wetlands, glaciers, aquifers, and surface water over time	

### PART 3: OWG PROPOSED MEANS OF IMPLEMENTATION

In 2013 and 2014 the Open Working Group comprised of Member States produced draft goals and targets to be negotiated at the Post-2015 Intergovernmental Negotiations of the General Assembly. Within this text, there were a few limited proposals for means of implementation (MOI). Please provide your feedback regarding the targets and means proposed below.

<b>OWG proposed Means of Implementation</b>	<b>Proposed indicators</b>	<b>Proposed indicators</b>	<b>Your comments</b>
By 2030, expand international cooperation and capacity-building support to developing countries in water- and sanitation-related activities and programmes, including water harvesting, desalination, water efficiency, wastewater treatment, recycling and reuse technologies		Percentage of public budget allocated for international cooperation and capacity building aimed at ensuring universal access to water and sanitation services	
Support and strengthen the participation of local communities in improving water and sanitation management. Proposed indicator		Extent of community participation in decisions regarding appropriate, sound and environmentally safe technologies  Enabling legislation to ensure community consent for local developments  Existence of mechanisms for community participation in decisions regarding resource allocation	

#### **Part 4: Global Water justice proposed means of implementation**

Global water justice groups in collaboration with major groups proposed the means of implementation listed below. Please provide your feedback on the MOIs and indicators listed below.

<b>Means of implementation</b>	<b>Proposed indicators</b>	<b>Your comments</b>
Ensure public financing for universal access to public water and sanitation services	Percentage of GDP allocated to water and sanitation services	
Protect water and sanitation services from liberalization through loan conditionalities, trade	Existence of loan conditionalities, foreign investment protection	

agreements and investment treaties	agreements, trade policies that impose private participation, in water and sanitation	
Recognize indigenous and community rights to empower frontline communities in the protection of watersheds	Recognition and application of free prior and informed consent: - number of violations of FPIC	
Enable international and regional cooperation in knowledge and technology transfer through public-public partnerships	Amount of public spending on public-public partnerships  Number of public-public partnerships	