



A Human Right 2 Water Policy Paper

Human Rights indicators for water and sanitation

KEY POLICY MESSAGES

- Indicators should be linked to the human rights commitments made by the responsible entities to human rights standards.
- Indicators need to be tailored to specific situations, preferably at county or municipal level, and they should be developed with local participation.
- Collecting disaggregated data is essential to developing effective indicators.

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Human rights indicators seek to measure the commitment to human rights standards of responsible entities, local governments, water and sanitation service providers, and water and wastewater authorities.

They also reflect the commitment of these actors to produce results.

The Human Rights-Based Approach attaches importance not only to programme outcomes, but also to the process by which those outcomes are achieved. Because of this, the development of human rights-based indicators plays a key role, because it allows for the evaluation of human rights compliance throughout the whole programme, throughout the evaluation of both processes and outcomes.

The human rights to water and sanitation (HRWS) are separate and distinct rights, and they should be monitored separately to take into account the specific challenges of each. It is necessary to identify the official that should be responsible for the use and evaluation of the indicators by asking the following questions:

- Who generates the information?
- Who collects the information?
- How is the information collected?
- Who analyses the information?
- Who reports/presents the information?

Each of these indicators targets the five criteria of the HRWS or one of the five cross-cutting human rights principles. The results indicate whether the fulfilment of that principle/criterion is adequate. If it is not adequate, efforts must be deployed to improve the situation by making the necessary legal and policy changes.

STEP-BY-STEP METHODOLOGY

GEOGRAPHICAL AREA

It is necessary to identify the geographical area in which the indicators will be developed, since each area has its own characteristics, needs, priority groups, strengths, and other elements to make it unique.



CRITERIA OF THE HUMAN RIGHTS TO WATER AND SANITATION

availability, accessibility, quality, affordability, and acceptability

HUMAN RIGHTS PRINCIPLES

non-discrimination, public participation, access to information/ transparency, accountability, and sustainability

It is also necessary to identify the duty-bearers and rights-holders in the selected area, to establish whether the use of indicators is needed and/or feasible. This study should be carried out locally and by actors who are familiar with the realities of the relevant river basin, state/county, or municipality.

Legal mapping. The mapping begins at the international level by identifying the international treaties and conventions applicable to the chosen area (humanright2water.org/country-legal-mapping). In theory they should be specified in the obligations of the national legal framework.



Japanese farmer

The mapping should be conducted at river basin level through to state/county and municipalities, always considering the applicable national legal framework. The analysis should also include the applicable public policies and/or plans that support the fulfilment of the HRWS.

It is through legal mapping that each of the guiding criteria of the HRWS and the cross-cutting principles can be analysed to see how they are integrated into the national legislation and be used as a systematic method to identify gaps in the law.

Priority populations. The Office of the High Commissioner of Human Rights (OHCHR) recommendation is to collect disaggregated data and to achieve this disaggregation, it is necessary to identify which are the vulnerable populations in the area and their level of inclusion in legislation, according to the guiding criteria and principles of the Human Rights-Based Approach.

DEVELOPMENT OF INDICATORS

The first question is “what needs to be measured?” The enjoyment of the HRWS by the rights holders should be measured, capturing a small number of outcomes that can be related to the status of the effective realisation of the HRWS and progress made by the duty bearer, i.e., the State, in fulfilling its obligations, must be assessed.

Indicators should be defined and elaborated based on the guiding criteria of availability,

accessibility, quality, affordability and acceptability, and on the cross-cutting human rights principles of non-discrimination, public participation, access to information, transparency, accountability and sustainability.

There are three types of indicators:

Structural Indicators reflect the ratification or adoption of legal instruments and the existence of the basic institutional mechanisms deemed necessary to facilitate the realisation of the human right in question. They need to focus primarily on the nature of domestic laws related to the right in question, i.e., whether they include international standards, and the institutional mechanisms that promote and protect the standards. Structural indicators should also examine the policy framework and strategies that are relevant to the HRWS.

Process indicators relate State policy instruments to milestones that become outcome indicators, which in turn can be related more directly to the fulfilment of human rights. State policy instruments cover all measures, including public programmes and specific interventions, that a State is willing to take to give effect to its commitments to attain outcomes identified with the realisation of the HRWS. By defining process indicators in terms of a concrete causal relationship, the accountability of the state to its obligations

can be better assessed. Process indicators are more sensitive to change than outcome indicators and therefore are better at measuring the progressive realisation of the right or reflecting the efforts of States parties to protect rights.

Outcome indicators reflect achievements, individual and collective, that indicate the state of realisation and provide a more direct measurement of the fulfilment of the human right. Since it consolidates the effects of various underlying processes over time (which may be measured by one or more process indicators), an outcome indicator is usually less likely to reflect momentary changes than a process indicator. Note that, more than one process may be responsible for the same result and the same process can affect more than one outcome. Sometimes a process indicator for one human right can be an outcome indicator in the context of another right.

INTERCONNECTIVITY OF INDICATORS
All three types of indicators are related to each other, and during their development/adaptation they should be interconnected, with outcome indicators following on from process indicators, and both derived from structural indicators. The following example under the criterion of accessibility demonstrates this pathway:

ACCESSIBILITY

Structural indicator	Are there any local regulations that guarantee access to sanitation services for specified vulnerable populations, identified in each context?
Process Indicator	Is there an institution that monitors access to sanitation services for vulnerable populations?
Outcome indicator	What is the percentage of the previously identified vulnerable population that has access to sanitation services?



Tea plantation in Munnar, Kerala, India

Developing effective human rights indicators can improve the monitoring and evaluation process, by shedding light on marginalised people and problems that could have been overlooked. Quality indicators will assist in diagnosing the issues that affect vulnerable groups, allowing stakeholders to provide effective solutions. Well-designed process indicators are key to establishing sustainable programmes for the progressive realisation of the rights.

A CHECK LIST FOR THOSE WHO DEVELOP INDICATORS

- Create separate indicators for water and sanitation.
- Ensure the indicators reflect the obligations of the responsible entity to respect, protect and fulfil human rights to water and sanitation.
- Identify and prioritise vulnerable groups as an essential component of your geographical analysis.
- Keep them as simple as possible, based on reliable sources, and limited in number.
- Derive process indicators from structural indicators. From these, develop the outcome indicators, which should also be interlinked with the process indicators.

REFERENCES

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