

Embedding and integrating a human rights-based approach into WaterAid programmes



What are these guidelines for?

This document is intended to:

- Guide WaterAid teams in understanding and applying the principles and aspirations of a human rights-based approach (HRBA) into WaterAid programmes.
- Build teams' confidence to go beyond addressing the symptoms to tackling the underlying causes of the inequalities that prevent the poorest and most marginalised people from realising their right to safe water, sanitation and hygiene (WASH).
- Set out the practical implications – both at organisational and programmatic levels – of integrating this approach.

It is the outcome of a three-year learning initiative between eight WaterAid country programmes across Africa and Asia. It reflects the insights gained in the course of this joint initiative into how WaterAid might contribute to eradicating extreme poverty through championing universal access to safe WASH as fundamental to progress in all areas of sustainable development.

It is the result of the joint efforts of: Grace Alupo, Cristian Anton, Binu Arickal, Tanko Yussif Azzika, Clarisse Baghnayn, Pascaline Lamien Bambara, Isabelle Barry, Mamata Dash, Mariame Dem, Ranjan Kumar Ghose, Louisa Gosling, Partha Hefazshaikh, Andrés Hueso, Sareen Malik, Bethlehem Mengistu, Lyndlyn Moma, Ibrahim Musah, Annie Msosa, Apollos Nwafor, Rabin Lal Shrestha, Robert Kampala, Phaniso Kunha, Paul Obura, Issaka Ouedraogo, Tom Palakudiyil, Amar Prakash, Ridjanirainy Randrianarisoa, Joseph Ssemanda, Tom Slaymaker, Edith Veromaminiaina and Lydia Zigomo.

The contribution made by Josantony Joseph, Samantha Hargreaves and Virginia Roaf deserves special mention. As advisors and mentors, they facilitated the learning and reflection all through the course of this initiative.

The document should be cited as WaterAid (2017). *Guidelines on embedding and integrating a Human Rights-Based Approach in WaterAid Programmes*. WaterAid, London.

Cover image: Community group at Gazaria UP of Fulchari sub-district involved in PRRB (power, rights, risks and barrier) analysis, Photo Credit: SKS Foundation

Executive summary

WaterAid believes that extreme poverty cannot be eradicated without universal access to safe WASH. WaterAid also recognises that achieving universal access to these basic services depends on identifying and addressing the reasons why the poorest and most marginalised people live without them.

Our experience has shown us that millions of people being forced to live without access to these basic services is due not only to a lack of resources and technologies, but is also a result of the inequitable power relations that exist in our world. An HRBA can help us analyse the issues around inequitable power relations that prevent the poorest and most marginalised people from realising their right to safe WASH.

This document sets out WaterAid's understanding of an HRBA to water and sanitation, and its relevance to the realisation of the organisation's vision of 'everyone, everywhere by 2030'. It provides guidelines for integrating the principles of an HRBA into programme design, and spells out some of the practical implications of adopting this approach, both at the operational and organisational levels.

Content summary

Chapter 1 highlights the relevance of an HRBA in the realisation of WaterAid's vision. It also briefly introduces the key elements of the human right to water and sanitation, as formally recognised by the UN in July 2010. Chapter 2 focuses on better understanding the approach itself by unpacking the process involved in the change it seeks to bring about. Chapter 3 then dwells on the steps involved in embedding the principles of an HRBA into WaterAid's programme intervention plans. This is followed by a discussion on how the impact of these interventions might be monitored and the tools that might help in this, in Chapter 4. Chapter 5 points to some of the implications for WaterAid as an organisation of going forward on this route.

The insights of an HRBA, especially the importance it places on processes that promote both the responsiveness of the duty-bearers to deliver and the empowerment of the rights-holders to hold the duty-bearers accountable, are critical to putting WaterAid's Global Strategy into action, especially the commitment to 'addressing inequalities as well as tackling the underlying causes of these inequalities'. We hope that this document provides guidelines on embedding the principles of an HRBA in translating WaterAid's strategic intentions into programmes that lead to empowerment and lasting change in the lives of poor and marginalised people, denied access to the basic services of safe WASH.

1 Introduction

Situating an HRBA within the WaterAid journey

Making water, sanitation and hygiene (WASH) services accessible to poor and marginalised people was WaterAid's founding vision, and has remained its goal and focus throughout its 35-year journey. What has changed over time, however, is the organisation's understanding of how it works towards the realisation of this goal as contexts change and new opportunities and challenges arise.

Understanding WaterAid's role

In WaterAid's early years, WASH poverty was seen as primarily a technical issue – the absence of wells, taps, and toilets. The effective response to such WASH needs not being met would be to make these facilities available. Investing in more taps and toilets therefore became the primary focus of WaterAid's programme intervention.

Although these micro-level interventions brought significant changes in the communities where WaterAid worked, it became clear that addressing the WASH needs of the many other communities in a country would require broader engagement with the whole sector through contributing to the development and reforms of policies and guidelines. Thus policy, advocacy and campaigning became an equal focus to investing in WASH facilities on the ground.

However, absence of good policies and guidelines was not the only limitation to effective delivery of WASH services. Other 'blockages' got in the way, such as: inadequate finances; inadequate skills to manage these finances and develop realistic plans; and inadequate systems for effective monitoring and for coordination. Hence 'sector strengthening' to remove these blockages became an integral part of WaterAid's work. This shifted our approach from focusing on incremental increases in user numbers to the systemic change that will pave the way for sustained universal access to these essential services.

A 2014 review of our efforts to mainstream equity and inclusion highlighted that sustained access to WASH services critically depended on the continued presence of the benevolent external agent. The review recommended that the next phase in the WaterAid journey should be shifting the focus from meeting the WASH needs of marginalised people through service delivery to empowering communities to recognise these services as their rights and demand them. The 2010 UN resolution recognising water and sanitation as human rights provided an added impetus to make this shift and integrate a rights-based approach into programmes.

An integral component of WaterAid's programmatic approach

The ultimate goal of WaterAid's programmatic approach is the progression from an exclusively service-delivery approach to one focusing also on the systemic change that will guarantee that these services are delivered equitably and sustainably.

The insights of the rights-based approach, especially the importance it places on processes that promote both the responsiveness and accountability of the duty-

bearers to deliver and the empowerment of the rights-holders to hold the duty-bearers accountable, are crucial contributions to our programmatic approach. They should therefore be central to putting WaterAid's Global Strategy into action, especially the commitment to 'addressing inequalities as well as **tackling the underlying causes** of these inequalities'. Hence, embedding the insights of a rights-based approach is an integral part of WaterAid's journey to realising its vision.

Key elements in the human rights to water and sanitation

The human rights to water and sanitation are derived from the right to an adequate standard of living and are closely related to the right to the highest attainable standards of physical and mental health, as well as the right to life and human dignity.

These specific human rights were formally recognised by the UN General Assembly in July 2010¹ and by the Human Rights Council in September 2010² by consensus. In 2013, and again in 2015, the UN General Assembly and the Human Rights Council reaffirmed recognition of the human rights to water and sanitation.³

The human rights to water and sanitation are now referred to in the plural, following the UN resolution in 2015. Distinguishing between these two rights makes it easier for states and other stakeholders to understand the distinct responsibilities, obligations and roles implicit in the realisation of each of them. This also reflects the reality that when water and sanitation are mentioned as one right, the political and cultural preference given to water often overshadows the importance of sanitation.

The fulfilment of the rights to water and sanitation is integral to the realisation of several other human rights, and hence a precondition for true development. Thus unsafe water consumption and absence of basic sanitation and hygiene will compromise the efforts to assure basic nutrition and healthy living, and hence is a prerequisite to the realisation of the right to life and health as well as the right to food. In many cultures, fetching water is a task assigned to women and prevents young girls from attending school, thus undermining their right to education.⁴

The human rights to water and sanitation include specific obligations for states:

All human rights impose three types of obligations on states: they must respect, protect and fulfil human rights.

The **obligation to respect** the human rights to water and sanitation means that states may not prevent people from enjoying their human rights to water and sanitation, for example by selling land with a water source on it that is used by the local population without providing an adequate alternative source.

The **obligation to protect** the human rights to water and sanitation requires that states prevent third parties from interfering with people's enjoyment of the human rights to water and sanitation, for example by charging an unaffordable fee.

The **obligation to fulfil** the human rights to water and sanitation requires states to ensure that the conditions are in place for everyone to access water and sanitation, and to provide these services if necessary.

The obligation of states to guarantee that the human rights to water and sanitation are enjoyed without discrimination applies to all three obligations.

In addition, states must progressively realise the human rights to water and sanitation as quickly as possible, using the maximum available resources. This obligation includes the state's duty to raise adequate revenues, through taxation and other mechanisms, and to seek international assistance where necessary. The acceptance that the rights to water and sanitation can only be progressively realised does not mean it condones delaying indefinitely the fulfilment of these rights. It includes the requirement that realistic target-setting is undertaken, taking into account the resource constraints of each country.

The state also has the immediate obligation to ensure that human rights are realised in a participatory, accountable and non-discriminatory way. This can often lead to the need to amend or revise existing policies and legislation that directly or indirectly discriminates against particular individuals and groups.

The content of the human rights to water and sanitation.

The practical application of the right to water and sanitation must be guided by the following normative content:

Availability – Sufficient and continuous water for personal and domestic uses. Likewise, a sufficient number of sanitation facilities must be available.

Accessibility – Water and sanitation services must be accessible to everyone within, or in the immediate vicinity of, households, health and educational institutions, public institutions, public places and workplaces. Physical security must not be threatened when accessing facilities.

Quality – Water must be safe for consumption and other personal uses, with no threat to human health. Sanitation facilities must be hygienically and technically safe to use. To ensure hygiene, access to water for cleansing and handwashing at critical times is essential. Safe water refers to water that is free from all elements that constitute a threat to health.

Affordability – The price of sanitation and water services must be affordable for all, and so the fee charged, if any, must be such that it does not compromise the recipient's ability to pay for other essential necessities guaranteed in the bill of human rights, such as food, housing and healthcare.

Acceptability – Services, in particular sanitation facilities, have to be culturally acceptable. This may require, in some instances, gender-specific facilities, constructed in a way that ensure privacy and dignity.

2 Understanding HRBA

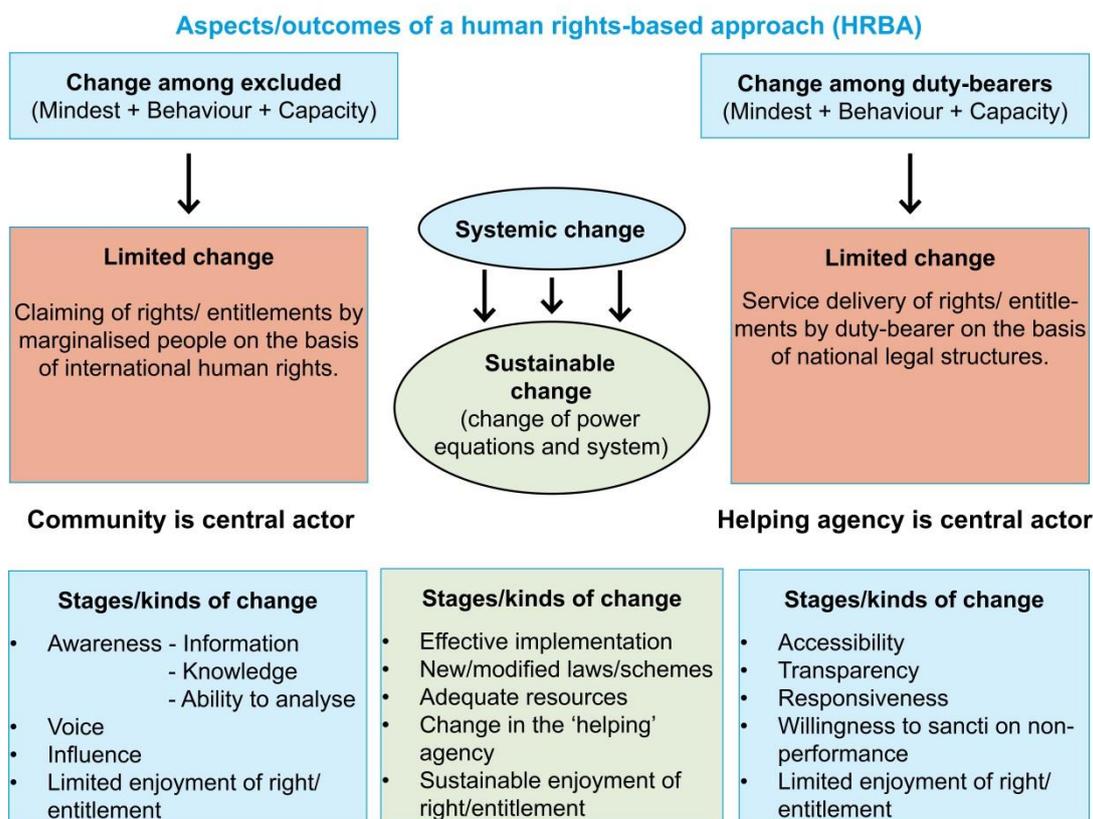
2a. Human rights-based approach

Everyone has the right to live with dignity. A human rights-based approach to development is rooted in the central idea of empowerment. It seeks to change the relationship between development actors and poor or vulnerable people from one of charity and powerlessness to one of obligation and rights. Use of the approach ensures everyone, including those living in poverty and groups often disadvantaged or vulnerable, are fully recognised as being part of any solution – this is application of WaterAid’s operational principle of ‘community based and community owned’. The central feature of a rights-based approach is the importance it places on the shift in the attitude with which people approach the state or other duty-bearers regarding their responsibility to fulfil entitlements to basic services such as WASH.

2b. The changes an HRBA seeks to bring about

Diagram 1 highlights three sets of changes the human rights-based approach seeks to bring about in three distinct yet related arenas – among the excluded, among the duty-bearers and in the system itself. These three arenas are indicated in the blue boxes at the top of the diagram.

Diagram 1: Aspects/outcomes of a human rights-based approach. Developed by Josantony Joseph.



Scenario 1: Change **only** among the duty-bearers

It is possible for a particular project to focus only on working with those who have the duty (the state) or contract (private providers) to provide services, aiming to change their mindset so they start behaving in ways that will increase service delivery of WASH facilities to the excluded. If, however, the project focuses only on this aspect of the work, then even though the people begin to enjoy the entitlements/right to WASH, it is in effect 'given' to them, and it does not involve any change in power equations between the excluded and the duty-bearers. Therefore, the kind of change that is brought about is **limited**, in that it only lasts as long as those particular duty-bearers are in positions to offer such service-delivery.

Furthermore, if the change that is brought about is not brought into the 'system' (the system of governance in the state) then the change is also limited only to those geographical areas where such change has been effected, and is of no use to others outside this radius of influence. For both these reasons such change is not truly sustainable, and will not be enough to help WaterAid reach its goal of water and sanitation for everyone, everywhere.

Scenario 2: Change **only** among the excluded individuals and groups

The programme design may focus only on changing the mindset and the behaviour of excluded rights-holders, and increasing their capacity to claim their rights or entitlements. However, this approach by itself is limited because the benefits of such an approach would mean that the change of power equations that does occur would be limited to only that empowered group of excluded rights-holders and would not apply to other excluded people who are not within their spheres of influence. Hence this one-sided approach is not truly sustainable, since it requires a constant battle to ensure that the power equations do not shift back in favour of the duty-bearers/service-providers. Moreover, if the duty-bearers/service-providers do not have capacity to provide services, then empowering people to claim rights will not result in greater access.

Scenario 3: Change among the excluded, duty-bearers **and** in the system

The HRBA proposes that, if efforts are made on both sides, empowering the excluded and engaging with the duty-bearers plus bringing about changes in the system itself (for example in the laws, in the manner of implementation, in the schemes for WASH) then the result will be truly sustainable. There would be a change of power equations and changes in the duty-bearers, both of which are further embedded in changes in the system. Therefore, the outcome can spread far beyond the area in which the project has been implemented, and can last for as long as the system is in place, without depending on the 'goodness' of the duty-bearers or service-providers or on the 'pressure' from the excluded. The change in the system further binds through policies or regulatory framework, thus further entrenching a more people-favourable change in power equations.

2c. From access to empowerment

Underlying the human rights-based approach is the recognition that, beyond technical and financial factors, the power relations within a community are critical to whether basic rights such as those to education, food and WASH are enjoyed by all. That is, are people excluded from WASH (or any other basic) facilities primarily because of a lack of power rather than a lack of resources? Thus, even in a water-scarce village in a drought-prone area, a rich farmer is often able to irrigate his land, because, in addition to the financial resources for wells and pumps, he also has the (economic, social and political) power within the community to appropriate a disproportionate share of the available water. Therefore, a core feature of an HRBA is facilitating a process whereby the right-holders (people) are **empowered** to hold the duty-bearers (state or other service-providers) accountable to honour their human rights and legal entitlements.

2d. The road to empowerment

Empowering the rights-holders starts with gradually increasing improving their access to relevant and accurate **information** regarding service provision and their human rights and entitlements. This is transformed into **knowledge** (when the marginalised people internalise the information and apply it to themselves and their own situations), and then through **analysis** (when they start asking 'why?') into true **awareness**. This awareness is the foundation for a process of empowerment that helps the marginalised people to develop the ability to **raise their voices**, and finally to be strong enough to actually **influence or effect change**. It is to be noted that giving information alone does not empower, nor does it change power equations. Giving information, and then leaving it at that, may actually be more disempowering since people start feeling that 'even though we know we are being treated unfairly, there is nothing we can do about it'. Hence the need to understand that awareness too has a number of stages, as spelled out above.

For the duty-bearers to become accountable also requires a process of change. For them, the stages towards '**accountability**' include an increase in **accessibility**, greater **transparency**, prompter **responsiveness**, and a greater willingness to sanction those who do not fulfil their duties to marginalised people and other citizens.

An HRBA would therefore involve:

1. Empowering excluded individuals and groups so they can change power equations involving the power holders.
2. Creating an environment of accountability among duty-bearers and service-providers.
3. Working to embed these changes in the 'system' – that is, when systems of implementation are made more effective, and, where necessary, new laws, new schemes or modified versions of older laws or schemes are brought in with regard to respecting the right. That is, it becomes independent of the personal or political preferences of the individuals involved.

3 Embedding and integrating an HRBA into WaterAid programmes

Introduction

The efforts made to integrate the principles of an HRBA into WaterAid programmes are with a view to bring about the following three key outcomes: i) empowerment of the rights-holders; ii) accountability of the duty-bearers to the rights-holders; and iii) systemic change that will ensure WASH services are sustained over time. The starting point and the foundation of any intervention aiming to achieve these outcomes is the **human rights analysis** – a systematic effort to understand all of the different reasons (economic, social, cultural, structural) why so many people are still excluded from adequate access to WASH.

Such an analysis can be undertaken both at a macro level and at a micro level. In all countries there are certain population groups who are excluded from services because of where they live or the group they belong to, for example: people living in hard-to-reach rural areas or in urban slums; and members of discriminated-against minority groups. Within these groups there are also people who experience inequality and exclusion because of their individual identity – such as those based on sex or gender, age, disability and health conditions. Likewise, given WaterAid's specific mandate, a rights analysis at a macro level must subsequently zoom in on water and sanitation rights specifically.

A rights-based analysis seeks to identify the root causes of such exclusion. As elaborated in Section 2, underlying the rights-based approach is the recognition that, beyond technical and financial factors, the power relations in a community or society are a critical determinant of whether basic human rights such as those to education, food and WASH are respected. That is, people are excluded from WASH (or any other basic) services primarily because of a **lack of power** rather than a **lack of resources**. Hence a good understanding of the imbalances in the existing power relationships, as well as an idea around the changes to be brought about, is an essential pre-requisite of any sound programme planning and efforts to rectify these imbalances.

3.1 Methods and guiding questions for human rights analysis

A rights analysis can be carried out in different ways using techniques and processes that are best suited to specific contexts. A barrier analysis (see short [film hereⁱ](#) and [presentation here⁵](#)) or political economy analysis (see WaterAid [toolkit⁶](#)) are two such tools WaterAid teams are using. Given here are some guiding questions that could help find the answers to some of the key elements of rights analysis. It is important to recognise that there could also be other questions that arise in different contexts.

ⁱ www.youtube.com/watch?v=ao6HsrMVQtk

Guiding questions

- Who are the key excluded individuals, groups and sub-groups whose rights are most systematically being denied?
- What are the position and interests of the various stakeholders – that is, the institutions and the actors?
- What is the situation with regard to access of marginalised individuals and groups to resources of all kinds and power?
- What is the specific rights situation of marginalised groups you intend to work with? Who are they? Are there subgroups and categories within them?
- Which are the rights that are being denied?
- What is the situation in relation particularly to the rights to water and sanitation?
- How are these rights affected by other rights violations in relation to land, education, dignity, development and health in this context?
- What are the other ways in which rights-holders hold or do not hold power? For example, are they organised or are they still dealing with their issues individualistically?
- Who are the primary or secondary duty-bearers in relation to the rights being denied?
- Who in the community (especially among the excluded individuals and groups or those favourable to these groups) has knowledge of the government structures and legal entitlements or instruments? How does this operate in the locality, village or community?
- Which are the other organisations working on some of the rights questions in the area? What is their power and interest?
- What are the socio-cultural and political values, practices and beliefs that contribute to the problem, that is come in the way of realisation of rights?

Case study

In Malawi, WaterAid introduced an HRBA to two of the seven traditional authorities in Balaka district, in partnership with a local trust called National Initiative for Civic Education (NICE). A participatory community analysis of community vulnerabilities unearthed the issue of access to water through the Mpira Balaka water scheme. More than 150,000 people across all the seven traditional authorities that were supposed to be serviced by the Mpira Balaka Rural Piped Water System lacked access to safe water.

The initiative took the communities through a process of identifying relevant stakeholders in the scheme, their roles, interests and their power. Training was provided to citizens on their rights and responsibilities in relation to WASH. They were helped to review the factors and interests that led to the original decision on water sharing with Balaka town, and brought to realise that decision-making power should remain with the community, and not with external agencies. Support was also provided for continuous engagement of citizens with the identified stakeholders, including government.

For more information see [The human rights-based approach journey. WaterAid Malawi case study.](#)

3.2 Programme design

Having done the rights analysis and understood the factors that prevent universal WASH access, the programme intervention should be assessed on the basis of its likely contribution towards three elements of transformative change – empowerment, accountability, and systemic change – which are necessary if the right of everyone to sustainable water and sanitation is to be realised.

3.2.1 Will the programme lead to increased empowerment of marginalised people?

The empowerment people who have been excluded is an essential element of working towards bringing about systemic change. As elaborated in Section 2d, the road to empowerment passes through three distinct stages: **awareness**, **voice** and **influence**.

These aspects of empowerment are achieved most effectively when the excluded rights-holders are organised. Such mobilisation thus often lies at the very core of empowerment. Likewise, there is also the need to reflect on the action that evolves out of the empowerment of people who are excluded. Such reflections should lead to a new round of information and knowledge gathering, to inform new actions for change. Further, empowering marginalised groups takes time, so it is important to work with other actors, alliances and networks to gradually build knowledge, confidence and capacity among people who have always felt powerless.

The choice of the approaches and methods that are appropriate to the specific context to mobilise communities of marginalised people and facilitate their empowerment should be guided by the insights from the rights analysis. For example in some contexts the use of social mobilisation, grass roots activism or rooted advocacy to help people develop a collective voice to demand better services may be most effective. In others more effective methods might be providing training on social accountability mechanisms like budget tracking, citizens score cards, social audits, or using digital technologies to monitor the delivery of services and using the evidence to engage with government agencies to hold them to account.

Meaningful participation is a core principle of an HRBA. Participation in planning ensures that problems are defined locally and that local stakeholders actively participate in developing solutions rather than taking part in externally imposed projects. This requires access to information and empowering ways of facilitating community development.

Addressing inequalities within the group (gender, disability, ethnicity) is also critical to a rights-based approach to WASH programming, to ensure service provision reflects the human rights principles of equality, non-discrimination and participation. This is essential for achieving universal access. It requires practitioners to recognise diversity in communities and understand and challenge power dynamics

Guiding questions:

- Are we working in a way that empowers people in communities, helping them to develop a collective voice to strengthen their claims to rights, while ensuring that marginalised individuals and groups are also included?
- Is there clarity about who we should focus on empowering and why we are targeting that particular group? Community leaders? Youth groups? Natural leaders? Women's groups? Disabled persons? What have we learned about working with these different groups?
- What is the basis for the right(s) identified? Do they exist in national law, is there a legal precedent to draw on, or is it(are they) established in terms of international human rights law?
- What are the socio-cultural and political values, practices and beliefs that contribute to the problem and get in the way of realisation of rights?
- Do family and social pressures block a fair solution (especially in the case of the sub groups, for example women, within the larger group)?
- Do psychological issues and stigma play a role? Do people lack belief in their self-worth?
- Who are the primary and secondary duty-bearers in relation to the rights being denied or fulfilled?
- Will the legal system be an option to redress the rights violated and, if yes, has there been an in-depth legal analysis?
- Are there members in the community who have knowledge of how to go about engaging with the governance structures and claiming their legal entitlements?
- Is information about rights accessible to all? Do all members of the community have a real opportunity to participate?
- Are groups and sub-groups organised to claim their rights/advocate for change?
- In what ways is the capacity of excluded people increased through social networks and alliances?
- What is the exit or sustainability plan for the project? Empowering rights-holders is not a quick fix and withdrawing support can expose to a risk of backlash people who have been encouraged to raise their voice. In that case, how do we best support them after the end of the project?

Case study

In Madagascar the Platform for People with Disabilities (PFPH) worked with the support of WaterAid to highlight and address the gaps in the realisation of the rights of people with disabilities in Madagascar. The focus has been on engaging the Government on the National Inclusion Plan for people with disabilities, which includes WASH. This pilot project was designed to increase access to safe WASH for people with disabilities through an HRBA. It focuses on strengthening the capacities of rights-holders, as well as the capacity and political will of duty-bearers to fulfil their obligations towards the progressive realisation of rights. The project has strengthened the capacity of the PFPH to advocate for people's rights and engage with government on all areas of their rights, although an increase in actual WASH provision is limited by the Government's lack of capacity and resources.

www.wateraid.org/~media/Publications/RWSN-docs/7th-RWSN-forum-2016-paper.pdf?la=en

3.2.2 Will the programme lead to greater accountability and responsiveness of the duty-bearers to the excluded?

Engaging with the duty-bearers is as critical a component of human rights-based work as is working with the rights-holders. Programme intervention aimed at bringing about greater accountability and responsiveness of the duty-bearers would start with identifying who the duty-bearers are in a given place – parliament, government departments including regulatory departments, local government, private sector service providers, traditional leaders, etc – and, in the context of the household, men or the elders. These should be identified through a power analysis. In most situations, though, the government is the primary duty-bearer, and, considering the state's human rights obligations, ultimately the government is always the ultimate duty-bearer, even though the proximate duty-bearer could be some other private entity.

Governments do not have to provide everyone with WASH services themselves, but must ensure that everyone has access to WASH services in a way that fulfils the conditions mentioned earlier, that is the WASH services should be available, accessible, affordable, acceptable and safe. Even if the service is outsourced or delegated, the government must have a concrete plan to achieve universal access by mobilising and coordinating all available resources and actors, and must develop the enabling environment and monitoring and regulatory frameworks to make sure service providers respect human rights to water and sanitation, prioritising the needs of those individuals and groups who are vulnerable, marginalised or otherwise excluded.

This in most situations will require a shift in mindset among those with power. Governments must recognise that they have an obligation to reach everyone, even

the most marginalised. And they must be accountable for making this happen. They will often have to resist pressure to divert scarce resources to more powerful groups. WaterAid can work to strengthen political will, motivation and capacity to ensure services reach everyone and are sustained. The way in which this happens will depend on the context. Where governments are generally willing to provide services to all but lack capacity and resources then WaterAid's focus may be more on strengthening the sector processes. This will usually be at the district level (DWA). The question to ask is whether the project or programme has explored whether such a lack of capacity could be a barrier to rights-holders' enjoyment of rights. The following are the areas where the duty-bearers may need to increase their capacities:

- Understanding of their roles and responsibilities, and particularly the necessity to prioritise the needs of those individuals and groups who are least able to help themselves, or who may historically have been excluded from access to services.
- Having the knowledge and capacity to implement rights
- Having the power and courage to act
- Being clear about the roles and responsibilities and overlaps between government agencies

Where governments have the capacity and resources to ensure everyone has access to services, but lack political will to reach the excluded individuals or groups, WaterAid programmes may focus more on advocacy, campaigning and supporting civil society to hold governments to account.

The shift needed to work for greater accountability.

WaterAid has always carried out advocacy and campaigning activities to raise awareness among politicians and government departments of WASH as a political priority. This can be very effective in raising the public profile of WASH in the short term. However from a human rights-based perspective it is important that people themselves advocate so that pressure to provide services is sustained over the long term. Resources are always limited and continuous pressure is needed to maintain the investment need for services to keep running and to reach everyone.

WaterAid and partners have also strengthened government capacity by helping to develop national policies and guidance on WASH services, developing capacity on different areas of sector strengthening such as planning, coordination, budgeting, and sector monitoring, and providing services to population groups that are marginalised or hard to reach where governments do not have adequate funds or capacity to reach them. We also help by developing and modelling different approaches for service delivery.

These approaches all help to strengthen the government's role in ensuring services are sustainable and reach more people. However they do not necessarily change the power relationship between people and the state, nor do they make the government more accountable to the people. WaterAid is often considered by government as a donor or service-provider. In many cases the government may effectively use the

support and funds provided by WaterAid to fill gaps without taking any responsibility for ensuring services reach everyone and are sustained, for example with adequate management and maintenance programmes.

In a human rights based-approach, therefore, the additional goal is that WaterAid must support governments to become more accountable to people, including the most marginalised. WaterAid interventions must push governments to fully acknowledge that they have the obligation as duty-bearers to ensure everyone has services, with a focus on those who cannot manage to access services without support, and take ultimate responsibility for mobilising all resources (including those provided by WaterAid) to reach everyone with sustainable services.

WaterAid should also help to strengthen engagement with communities and marginalised groups to increase accountability. This requires a relationship with government that clearly focusses on improving government systems, processes and leadership rather than delivering short-term projects.

Greater accountability can be verified in the emergence of one or more of the following attributes in the conduct of the duty-bearers:

- 1 Accessibility:** This means that the excluded people can engage with (speak/meet) these duty-bearers easily.
- 2 Transparency:** This means that the duty-bearers are willing to share information on schemes and programmes or other entitlements or budgets, etc, whenever asked for by the excluded people, and could even go beyond that by offering such useful and necessary information even before they are asked for it.
- 3 Responsiveness:** This means that the duty-bearers are willing to take actions that respond to the needs and demands of the excluded people without any pressure being brought on them.
- 4 Willingness to sanction:** This means that duty-bearers are willing to sanction those under them in the hierarchy when they fail to carry out their duties to in a just manner regarding service provision, and particularly those individuals and groups who have been excluded. This requires a robust complaints procedure, so that individuals and groups can complain effectively if they do not gain access to services.

Such an increase in accountability should ideally be reflected both in the structures set up to ensure the rights of the excluded and in the people who run these structures.

Guiding questions:

- Are the governance structures (easily) accessible, transparent and responsive to community members, and what is the extent of the excluded people's knowledge in relation to these structures? What are the obstacles or hindering factors that prevent these if they are not sufficiently present?
- Are the duty-bearers aware of their responsibilities to realise rights? What is the best way to make them aware, and when?
- Are duty-bearers responsive to the demands claims and inputs of citizens, communities and CSOs?
- Is there adequate political willingness to recognise excluded people's rights?
- Which state institutions and actors are barriers to rights advancement?
- What capacity or other barriers exist within responsible institutions?
- Are there any laws/policies/schemes that contribute to the problem by protecting the interests of some individuals over others?
- How can WaterAid engage with local government, or assist in supporting the relationship between NGOs, CSOs, communities and local government?
- Are we clear what critical engagement looks like in each context?
- Is adequate government money budgeted to meet the objectives of the policy or law?
- Is there a regulatory framework for service provision to hold service providers to account?
- Is there an adequate complaints procedure?
- Is the WASH budget transparent and can people influence both how it is developed and monitor whether/how it is used?

Example

WaterAid Bangladesh initiated HRBA-ALI in two Union Parishads in northern Bangladesh in June 2013, partnering with a local NGO – SKS Foundation. The project took a system strengthening approach to the challenges of rural water supply, focusing on capacitating key institutions the community identified as being important to rural life, then enabling these institutions and the community to improve water services as part of their reinvigorated activities. The four key institutions identified on the basis of consultation with the community were the Union Parishad, Digital Centre, School Management Committees and community clinics. These institutions are custodians of the most pressing issues identified by the community – social safety net allowances, health, education, water and sanitation, equal pay, and transport and communication. The project focused on strengthening systems of accountability within existing institutional bodies, and supporting citizens to become more informed of their rights.

The multiple points of entry have created a network of change points within the project area. This includes increased and fairer distribution of water point subsidies, and indirect impact through more informed and capacitated institutions that are working to improve water supply in schools and clinics. The focus on process and procedures as opposed to hardware installation or service targets is central to this.

For more information see [Driving change – piloting a human rights-based WASH project in Bangladesh](#).

3.2.3 Does the programme aim to bring about changes in the system itself?

Systemic change can be said to occur when the change is brought into the system – for example, the process leads to the development and implementation of new or better existing policies, laws or programmes, new monitoring systems, new or better allocated budgets, new ways of claiming benefits etc, and the changes introduced go well beyond a limited geography and affect a greater number of people. Unlike in the case of a ‘localised change’, which is limited to the particular area where the programme interventions are made (for example a village or group of villages, or urban slum), the outcome of systemic change can spread far beyond the area in which the project has been implemented, and can last for as long as the system is in place, without depending on the ‘goodness’ of the duty-bearers/service-providers and/or on ‘pressure’ from the excluded people. The change in the system further encourages even more changes among the duty-bearers/service-providers and the excluded people, thus reinforcing further a more people-favourable change in power equations.

Improved governance – how a state is organised in order to ensure that its constituents follow its established processes and policies – is an essential element of systemic change. In most democracies this includes the elected members (legislature), the appointed officers at all levels right till the village level (executive) and the appointed judges (judiciary). It is the primary means of maintaining oversight and accountability. In the real world, governance arrangements and systems are

usually manipulated to help the powerful preserve their power, and hence very often there is need to **transform** governance in favour of the excluded.

Good governance is therefore not a static state but an ever-evolving, dynamic one, and can continue to occur only when rights-holders are empowered to claim their rights and are willing to remain ever-vigilant in this regard and hold the state accountable. Of course good governance also requires the state to have the capacity and will to be accountable and transparent. Developing, strengthening or revitalising the systems and structures for ensuring meaningful participation of people in decision-making and in holding government and service-providers to account, therefore, must be a central objective of any WaterAid programme intervention. Change and transformation at this level will take time, and the nature of WaterAid's contribution to this will also change.

Guiding questions

- What does systemic change look like in the given context? When does a temporary change in practice become systemic?
- Is systemic change a realistic goal? What are the interim steps? Who else and what other processes are contributing to strengthening governance systems and accountability?
- Does the programme plan to assist the excluded people to change the governance system in such a way that governance works in favour of them, and with particular reference to the area or issue around which the proposal or programme has been built? See existing WaterAid guideline on sector governance.
- What opportunities exist within the governance system and which specific arrangements need to change to enable enjoyment of rights? What are the hindering factors that prevent this? Does the programme address this dimension?
- Is there any mechanism through which evidence gathered on actual violations of the rights of the excluded people feeds into decisions about resource allocation?
- Are legal frameworks in place that guarantee enjoyment of human rights?
- What opportunities are available within the system for excluded groups to participate in decision-making processes and to hold duty-bearers to account – with redress for violation of rights?
- What mechanisms exist for monitoring realisation of WASH rights for excluded groups?

Case study

In Burkina Faso an HRBA aims to ensure access for poor and marginalised people to safe WASH in a sustainable manner by raising community awareness to claim their rights and increase accountability and responsiveness of authorities to meet demands. Integrated into a two-year pilot programme that started in 2014, the approach has already reaped a number of successes including the integration of the right to WASH in the national constitution, a key recommendation made during the national water forum. Locally, an HRBA has empowered authorities and staff of relevant partner organisations in Burkina Faso to raise communities' awareness of their right to WASH as well as to strengthen the commitment of both the right-holders and duty-bearers through influencing policy processes. WaterAid will keep its advocacy efforts on the right to access and scaling up of an HRBA.

For more information see

rwsnforum7.files.wordpress.com/2016/11/full_paper_0154_submitter_0242_nwafor_apollos.pdf

3.2.4 Integrated programme: responding to needs, realising rights.

WaterAid's vision is a world where everyone, everywhere has safe WASH. Whatever the approach WaterAid chooses to adopt, the ultimate test is whether we are effective in transforming the lives of the poorest and most marginalised people by improving access to safe WASH. In practice this involves addressing the various blockages that prevent excluded people from accessing these services, and understanding the underlying reasons why these blockages persist, even in those situations where effective solutions to technical blockages exist and some sections of the population do not lack access to WASH.

The human rights-based approach draws attention to the reality that, beyond technical and financial factors, the imbalances in access to power and resources are also a critical reason why the poorest people live without these basic WASH services. Hence an effective solution to equitable and sustainable WASH access would require that measures to address technical blockages and meet the need for financial and human resources are accompanied by processes, as pointed out in Section 3c, that bring about changes in three critical arenas: among the excluded; the duty-bearers; and the system itself. Although all three sets of changes are desirable, in practice it may not be feasible or necessary to be working on all three aspects at once. The rights and power analysis can inform and guide which types of interaction or what sequencing of different interventions would be most strategic in any given context. For example in some countries the political climate makes it risky to work directly on mobilising or empowering communities in a way that may be seen to be adversarial or challenging to governments. In that case it may be more effective to focus on strengthening government systems and service provision with a strong steer on accountability.

What is critical is to make sure that there is a 'strategic logic' to the sequencing of change activities in the programme. In other words, the proposed programme must be able to show how the different activities or projects put forward in the proposal build on each other and how they together lead to the desired change objectives –

www.wateraid.org/ppa

WaterAid is a registered charity: Australia: ABN 99 700 687 141. Canada: 119288934 RR0001. India: U85100DL2010NPL200169. Sweden: Org.nr: 802426-1268, PG: 90 01 62-9, BG: 900-1629. UK: 288701 (England and Wales) and SC039479 (Scotland). US: WaterAid America is a 501(c) (3) non-profit organization

systemic change and change in power equations that assures equitable and sustainable access to WASH. It also implies that the programme design should make clear which actors (for example excluded people, facilitating civil society agencies, duty-bearers, other individuals or groups or entities) are expected to play which roles at different stages in this programme.

Recognising that the programme might not achieve systemic change on its own, it is important to ask whether the programme is working towards this in concert with other programmes and change efforts of others. The programme needs to identify the different actors who have obligations, responsibilities and roles in the successful realisation of the change ambitions, and to identify what needs to be done with whom, and what each of these stakeholders would have to do to bring about change.

4 Monitoring the process of embedding an HRBA

Introduction

The nature and extent of the changes being brought about among the different actors – rights-holders, duty-bearers, partner staff and WaterAid staff – as well as on the ground can be used as good indicators of the progress being made in embedding an HRBA in a given programme intervention. During the course of the Action Learning Initiative, the following four **qualitative changes** stood out: i) increase in understanding of an HRBA; ii) internal changes; iii) increase in capacity and skills; and iv) relational changes. The changes brought about could be seen as a progressive movement along a continuum in the following four areas:

- a) **Increase in the understanding of the HRBA:** relates to the increase in understanding of what an HRBA means in practice. Without this basic internalised understanding, communities and field workers/partnering agencies would be jumping in and facing risks or expecting results that are unreasonable.
- b) **Internal or individual cultural and behavioural change:** refers to how different actors behave, and includes mindset changes, cultural changes such as a change in gender stereotypes, and changes within each of the four groups of actors. It will also include a realisation that these basic needs are truly human rights.
- c) **Increase in capacity and skills** of all four groups of actors – the kinds of capacities and skills that need to be developed in the intervening agencies (partner agencies and WaterAid staff) as well as among the rights holders and duty-bearers.
- d) **Relationship and relational change:** would be applicable to the relationship between each of the four actors with reference to each of the other three. In other words it would be important to ask whether the project intervention was leading to better accountability and change of power relations between the different actors.

Progressive movement along the above four continuums by the different actors, it is expected, would lead to the following two **quantitative changes** on the ground:

- e) **Institutional or systemic change.** This refers to relevant laws, regulations, policies and institutions that have been modified or newly instituted, leading to better accountability mechanisms and demonstrating an increased focus on the rights of marginalised and vulnerable people. Such an

increased focus would be expressed in state-mandated participatory processes in which the excluded themselves are involved in decision-making or in monitoring etc.

f) **Sustainable services to people who have been excluded.**

This relates to the actual services that are made available specifically to people who have been excluded and not just to the community in general. This focus on people who have been excluded is almost the only way to know if there is a change in power equations and systemic change.

It is important to acknowledge that in HRBA verifiable indicators are more difficult to identify because indicators related to change of power equations and behavioural change etc are often intangible. With this caveat, and on the basis of insights offered by other groups, here are some examples of indicators that could be used to gauge whether a programme is moving in the desired direction of change. In all the examples it is important to remember:

- a) That it must be possible to show that the results pointed to as indicators can, at least to some extent, be attributed to the efforts invested through the concerned programme.
- b) That the frequency of such activities that are being used as indicators and whether their frequency is increasing over the time-span of the program are both crucial aspects of such monitoring indicators.

Empowerment of people who are excluded

The indicators selected must offer evidence of people who are excluded becoming more **aware** of their rights (in the fullest sense as explained), and consciously willing to act on this, which would be shown by their willingness and ability to demand accountability from duty-bearers and service-providers, or for that matter, even from their own community leaders and institutions. It is important to recognise that people who are excluded from services are not always excluded by the authorities, but often by others in the community. This cannot be resolved by empowering people who are excluded, but through awareness-raising among the 'included' or majority population. Men must be involved in working on and understanding/accepting the empowerment of women, for example, or able-bodied people in the acceptance of people with disabilities. Some examples of how such empowerment could be gauged are:

- Number of collective actions taken by people who have been excluded through associations, self-help groups and so on that have led to increased access to knowledge, services, assets and choice.
- Number of activities excluded people initiate on their own, and carry through, in accessing or at least beginning to access various rights or entitlements.
- Number of activities in which excluded people interact directly with duty-bearers without the support of the intervening facilitating agency.
- Number of vulnerable and excluded people accessing more appropriate services and public goods.

- Number or proportion of people who are marginalised, vulnerable or otherwise excluded from engaging in 'mainstream' social and cultural forums, such as water and sanitation committees.

Empowerment of people in general regarding the state

The same kind of indicators (with suitable changes) can be created with reference to the empowerment of other citizens or groups, including facilitating agencies, in their dealings with duty-bearers. For instance:

- How much of a public or media discourse has been initiated – (for example when the issue is brought up and discussed again and again in print or electronic forums (for example TV, social networks) – over the period of the programme's implementation that repeatedly raises the issues of the human rights to water and sanitation.
- Increase in at least x% of CSOs that are participating consistently and adding value to dialogue and decision-making platforms or processes at all levels by the end of the programme.
- Number of other groups that have taken up the same issues as the programme is working on – and how consistently they have done this.
- Number of corruption cases recorded by advice and legal action centres and other CSOs of particular relevance to poor people with regard to the issue taken up in the programme and as a result of this programme.

Increase in accountability and responsiveness of duty-bearers:

- Evidence of increased availability and access to sector information at appropriate levels.
- Evidence of regular meetings between duty-bearers and excluded people.
- Evidence of relevant information being provided pro-actively by the duty-bearers.
- Government systematically involving people in constructive decision-making processes resulting in legal regulatory frameworks in accountability and responsiveness.
- Positive changes in budgets allocated to public services and goods for vulnerable and excluded groups.
- Number of legal or administrative pro-poor measures proposed and adopted in which CSOs have influenced content.
- Duty-bearers deliver accessible services.

Increase in capacity of various stakeholders (duty-bearers, excluded people, others):

- A comparison with baseline information (if or hopefully collected at the beginning of the programme) on the increase in knowledge or capacity levels of duty-bearers, excluded people, etc
- Requests by duty-bearers for assistance in carrying out their duties (the frequency or increase in such interactions would be one of the crucial aspects of this indicator)

- Number of capacity-building efforts and number of officials trained for better management and provision of services.

Systemic and sustainable change

These changes could probably be verified through these and other similar kinds of indicators, with the necessary proviso that they must **at least partially** be the direct result of the programme, since it is rare that such results are solely the result of any one programme effort.

- Increased access by people to the decision-making processes of government through invitations to, for example, present positions and take part in commissions.
- Evidence of the establishment of policies and practices reflecting pro-poor changes and recommendations due to efforts made through the programme. For example, number of legal or administrative pro-poor measures proposed and/or adopted in which the programme (excluded/CSOs) have influenced content.
- Increased budget allocation (in water and sanitation) for vulnerable and excluded groups.
- Evidence of increased availability and access to sector information at appropriate levels, for example number of key information documents available to the media and public in a timely manner.
- Increased system-embedded opportunities for people to influence and determine policy and legislation (for example state appointment of watchdog committees with civil society participation).
- Evidence of the state's ratification of relevant international conventions affecting human rights, particularly those that affect poor people.
- Better implementation systems established with regard to the issue(s) taken up.
- Improved implementation of the policies that are designed to meet the needs and provisions of services and public goods for vulnerable and excluded groups (for example number of vulnerable and excluded people accessing more appropriate services and public goods).

Results framework

To track the progress being made through a given programme, all the selected indicators appropriate for that programme can be brought together into a results framework.

For an example of a results framework, see [Monitoring the process of embedding HRBA: the Results Framework \(An example from WaterAid Bangladesh\)](#).

Monitoring tool

WaterAid's Common Approach to PMER of Advocacy provides a useful set of tools to capture the progress in a particular intervention, and the changes being brought about.

www.wateraid.org/what-we-do/our-approach/research-and-publications/view-publication?id=726bea4b-4e05-45c7-add0-683c8fa5d028

5 Organisational implications of embracing an HRBA

Embedding an HRBA into WaterAid's programme has important implications for the way in which we work. It calls for change within ourselves as an organisation in order to achieve the external change that we want to contribute to – systemic change, sustainable transformation, affecting the balance of power and politics, etc. It has implications for how we work, our partnerships and our understanding of our own role as an organisation in relation to the communities we support and serve, our partners and duty-bearers (government and service-providers). It has implications for how WaterAid undertakes analysis, implements programmes, develops advocacy work, engages in discussions on the role of INGOs in international development and monitors progress and outcomes.

The change we seek: from 'needs met' to 'rights realised'. The ambitious goal of 'everyone everywhere' demands that our targets and plans go beyond adding a few more million to the number of people whose WASH needs have been met, to contributing to the transformation of countries' entire systems, so that the people living beyond the operational areas where WaterAid and its partners work can also enjoy the human rights to water and sanitation, and they continue to enjoy them long after WaterAid partners have left the area.

Programme design and implementation: from 'access' to 'empowerment'. How we design programmes would also change. The planning of programmes should help us move from an exclusively service-delivery approach focussed on access to basic services by excluded people to a programmatic approach which focuses also on the systemic change which will guarantee that these services are delivered in an equitable and sustainable manner. The systemic change the programmatic approach seeks to bring about necessarily incorporates the principles of an HRBA, especially the importance given to the analysis of power equations between the rights-holders and duty-bearers because this would have a critical bearing on action required in a specific context.

For example, we would have to take the right to access information, right to participation and right to development much more seriously, meaning that communities are no longer 'beneficiaries' but agents of change and therefore co-designers of programmes. Critically, with an HRBA, it is essential to consider the gap between participation and economic and social power. Participation alone does not necessarily 'empower' the marginalised. For a programme to contribute to systemic shifts in power relations to benefit the most marginalised requires challenges to more than just inequalities in access to WASH. Therefore, issues like economic democracy could become a concern and ways to address this in the programme design will need to be explored.

Analysis: from the 'operational' to the 'systemic'. The current analysis we use focuses on the blockages and barriers that impede our operations on the ground, and is unlikely to result in the transformational social change we are

envisioning to contribute towards across our operational areas. The analysis needs to support the framework of change that centres on empowerment of the community and the effectiveness of the government (and service-providers). A critical understanding of the dynamics of constantly shifting power is central to bring about sustainable change in access to WASH. Such a **systemic** change alone will lead the state (the duty-bearers) taking responsibility to ensure that WASH (and other basic) services reach everyone in a country. An analysis of power relations between the community and the state, within the community itself and other relevant parties, is critical to guide our work.

Advocacy: from ‘explaining’ to ‘changing’ the system. To realise the vision of universal access by 2030 we will be required to change our influencing approach and the way we advocate, so that the narrative we are promoting matches our ambition. WaterAid has ample space to be more ‘political’ in its approach to evidence-based advocacy and campaigning. The traditional approach of issue-based advocacy and lobbying we have employed has not fully taken on the realities of power and change, which an HRBA can facilitate. The policy-level changes required to address the needs and rights of the voiceless communities require more than research, information and resourcing those that hold the power. For transformational change to be realised our advocacy approach needs to be directed at realising change at all levels – responsiveness on the part of the duty-bearers, empowerment of the excluded and transformational change in the system itself.

WaterAid’s role: from ‘donor’ to ‘facilitator’. Mobilising the resources for WASH delivery has been central to WaterAid’s history, and many still look upon us primarily as a donor. WaterAid staff and partners are used to being seen as providers for and champions of poor people, providing services where nobody else does. This may be driven by feelings of empathy for excluded people and the desire to help. Although this is positive, it can result in sustaining the sense of dependency and powerlessness of the most marginalised. An HRBA requires a more empowering way of working with people. This may initially feel less satisfying to WaterAid staff and partners who are used to providing services; it can also be slow to bring results. However, experience shows that over time it is more effective and also more satisfying, enabling the development of a more equal relationship with communities.

In the context of the transformational change we seek, however, an even more crucial role is for WaterAid to be a facilitator and catalyst with both government and non-government partners. To be able to do this, WaterAid must understand the power relations between different actors and interests, and try to influence those dynamics, continually upholding the central responsibility of government to deliver WASH services. Being a facilitator also entails on the one hand supporting the government and other duty-bearers with the capacity to deliver – hence the importance given to ‘sector-strengthening initiatives’ – and, on the other, enabling the rights-holders to understand their rights as well as their responsibilities to ensure an accountable and responsive system of delivery. For WaterAid staff this would entail a re-look at the way they understand their own role – facilitator, catalyst, and sometimes challenger of the status quo –

and new competencies to work in an empowering way that promotes rights, equality and non-discrimination, meaningful participation, and knowledge of social accountability methods, as well as analytical and influencing skills and a politically nuanced understanding of decision-making and policy processes.

In many cases WaterAid has a reputation in countries as a donor or a service-provider. Existing partners and partnerships can reinforce this role, so WaterAid needs to develop relationships that support the systematic development of participation and accountability and empowerment of people. The mindset and capacity of the partner is also intrinsic to the success of rights-based projects. HRBA project partnerships may require more support than do conventional partnerships, especially in nurturing staff capacity and a mindset that would be open to experimentation, and encourage revision and lesson-learning.

Monitoring and evaluation: A shift towards an HRBA could in some ways require stronger monitoring and evaluation. If an HRBA reinforces WaterAid's sense of accountability first and foremost to communities, to the marginalised people, then effectiveness, efficiency, equity and economy of our work would also be areas of focus for monitoring and evaluation. Therefore, monitoring and evaluation systems would need to be better able to monitor and assess shifts in knowledge, skills and attitude at the level of individual rights-holder, while fostering accountability, responsiveness, and transparency at the duty-bearer or power-holder level, and systemic shifts in the exercise of power at the micro, meso and macro levels.

Partnerships beyond WASH. To take forward an HRBA to WASH we can start from the current partnerships we have. However, we must also start to forge alliances, partnerships and coalitions with organisations that engage on issues beyond WASH, with social movements and the media. The critical element is for us to continue to focus on WASH as an entry point for development, but at the same time be aware that many related and complex factors affect human and economic development, including access to WASH. In this SDG era, the importance of collaboration with others who also seek to address the underlying causes of extreme poverty by altering power relations preventing poor and powerless people from demanding their rights to basic services is critical to WaterAid's effectiveness in contributing to the 'eradication of extreme poverty' and 'leaving no one behind'.

Fundraising. WaterAid currently raises funds using messages that predominantly 'sell' the alleviation of WASH poverty, often without deeper exploration of the structural reasons for poverty and the processes necessary to find solutions that ensure individuals and groups can access water and sanitation in a sustainable manner and can enjoy their human rights more broadly. Changing the messaging to incorporate exploring structural inequalities with WaterAid donors both in-country and in developed countries will require a new way of communicating with individuals and donor organisations.

Looking into funding sources and the track records of the organisations and individuals WaterAid accepts money from also becomes critical. Few pools of funding exist that are not in some way linked to the political economies of dispossession. Hence, embracing an HRBA will require WaterAid to have a more robust ethical position regarding which funds it is willing to accept. For example, an HRBA may induce WaterAid to reflect more critically on the relationship between accumulation and dispossession and the role of mega donors in undermining democratic values. Likewise, it could call for the reviewing of some of the clauses of donor contracts in a way that would recognise that some of the changes being sought would take a longer time, and therefore be prepared to accept 'intermediate' results' that will be beyond the expectations of short duration donor contracts.

References

¹ UNGA (2010). *Resolution: The human right to water and sanitation*. (A/RES/64/292).

² HRC (2010). *Resolution: Human rights and access to safe drinking water and sanitation*. (A/HRC/RES/15/9).

³ UNGA (2013). *Resolution: The human right to safe drinking water and sanitation*. (A/RES/68/157), and HRC *Resolution: The human right to safe drinking water and sanitation* (A/HRC/RES/24/18).

⁴ CESCR (2010). *General comment No. 15: The right to water*, (E/C.12/2002/11), para. 3; CESCR, *Statement on the right to sanitation*, (E/C.12/2010/1).

⁵ WEDC and WaterAid. *Equity and inclusion in WASH provision - using the social model of exclusion*. Available at http://wedc.lboro.ac.uk/resources/learning/EI_WASH_Social_model_of_exclusion_v3.pdf (accessed 28 Sep 2017).

⁶ WaterAid (2016). *Political Economy Analysis toolkit*. Available at www.wateraid.org/what-we-do/our-approach/research-and-publications/view-publication?id=e8fe3f84-2ef0-4105-b90b-489646e5ffb3 (accessed 28 Sept 2017).

Further reading

Office of the United Nations High Commissioner for Human Rights

www.ohchr.org/Documents/Publications/FAQen.pdf

De Albuquerque C (2014). *Realising the human rights to water and sanitation; A Handbook by the UN Special Rapporteur*. Available at www.righttowater.info/wp-content/uploads/BOOK-7-PRINCIPLES-22FEB.pdf

HRBA Portal

<http://hrbaportal.org/faq/what-is-a-human-rights-based-approach>

Wikipedia

https://en.wikipedia.org/wiki/Rights-based_approach_to_development

UNFPA/UNFP – Practical Implementation Manual and Training Materials

http://hrbaportal.org/wp-content/files/UNFPA_HRBAto-Programming_2014.pdf

WaterAid (2012). *Rights based approaches to increasing access to water and sanitation*. WaterAid discussion paper.

WaterAid/ Freshwater Action Network (2011). *Learning from experience. Rights and governance advocacy in the water and sanitation sector*.

www.freshwateraction.net/learningfromexperience