Social inclusion in the WASH Strategy 2016-2030 of the Dutch Ministry of Foreign Affairs

A guiding document

Watershed

Table of Contents

Acronyms and abbreviations

DGIS: Directorate-General for International Cooperation
HRWS: Human Rights to Water and Sanitation
IWRM: Integrated Water Resources Management
LNOB: Leave No One Behind
MDGs: Millennium Development Goals
MFA: Dutch Ministry of Foreign Affairs
MRR: Making Rights Real
SDGs: Sustainable Development Goals
UNGA: The United Nations General Assembly
WASH: Water, Sanitation & Hygiene

Introduction

Improved water resource management and access to water and sanitation for all is essential for eradicating poverty, building peaceful and prosperous societies and ensuring that 'no one is left behind' on the path towards sustainable development.

In line with the Sustainable Development Goals (SDGs) the Dutch Ministry of Foreign Affairs (MFA) is committed to ensure that in its efforts to achieve these goals "no-one is left behind". To achieve SDG 6 - "Ensure availability and sustainable management of water and sanitation for all" - the MFA has formulated its WASH strategy for 2016-2030 'Contributing to water, sanitation and hygiene for all, forever' outlining the Ministry's policy for the years to come. In this document the MFA explicitly identifies 'service delivery to *the poorest*' as one of the key issues it will address during the SDG timeframe. Further, this objective is translated into the systematic incorporation of a human rights approach (i.e. respecting, protecting and fulfilling the human rights to water and sanitation) in all stages of the programme development, implementation and monitoring. The objective is also translated into an explicit political commitment to Parliament to include a focus on and report about the position of women and vulnerable groups and the disaggregation of the results achieved in urban and rural areas. The WASH strategy is implemented through a number of partners, led by a range of partners.

These strategy goals are achievable, provided that exclusion and inequality are also addressed in policy implementation and practices. Otherwise, supported WASH programmes will fail to reach those most in need and who are likely to benefit most.

The objective of this document is therefore to provide recommendations which guide the MFA (DGIS department) – both at Head Quarter and at the Embassies and its implementing partners - on how to operationalise the commitment to social inclusion in the programming cycle of the WASH programmes they fund. This document has been prepared following a mapping study of socially inclusive approaches and strategies in WASH programming used by 9 different organisations from the sector,[1] and is also based on the results of the study day about social inclusion and gender, organised on February 12th 2019 by the MFA and on further literature review.

---

1 https://tinyurl.com/yxten3e6

Box 1 | **Billions are being left behind!**

Access to safe, affordable and reliable drinking water and sanitation services are basic human rights.

Billions still lack safe water and sanitation facilities, and people are being left behind for reasons related to their gender, ethnicity, culture and/or socioeconomic status, among others. Exclusion, discrimination, entrenched power asymmetries, poverty and material inequalities are among the main obstacles to fulfilling the human rights to water and sanitation and achieving the water-related goals of the 2030 Agenda for Sustainable Development.

The wealthy generally receive high levels of service at very low price, while the poor often pay a much higher price for services of similar or lesser quality.

Rapid urbanisation means that pockets of slum areas will continue to emerge. People living in informal settlements ('slums') with no formal physical address are regularly excluded from reticulated water and sanitation networks and therefore must rely on (usually more costly) alternatives, such as water vendors. While larger centralised water and sanitation systems provide opportunities for resource-sharing and economies of scale in high-density urban communities, less costly decentralised systems have been shown to be successful in smaller urban settlements. The basic principle in terms of selecting the most appropriate technologies is not one of 'best practice', but rather one of 'best fit'.

Equitable access to water for agricultural production, even if only for supplemental watering of crops, can make the difference between farming as a mere means of survival and farming as a reliable source of livelihoods.

Three-quarters of people living in extreme poverty live in rural areas. The vast majority of the rural poor are smallholder family farmers. While they constitute the backbone of national food supplies – contributing to more than half of the agricultural production in many countries – they themselves often suffer from food insecurity and malnutrition.

Refugees and internally displaced people often face barriers in accessing water supply and sanitation services.

By the end of the year 2017, an unprecedented 68.5 million people have been forcibly displaced from their homes as a result of conflict, persecution, or human rights violations. Another 18.8 million people were displaced by sudden-onset disasters – a situation that is likely to worsen because of climate change. Mass displacement places strain upon natural resources and water-related services at transition and destination points for both existing populations and new arrivals, creating potential inequalities and a source of conflicts among them.

Source: United Nations World Water Development Report 2019 "Leaving No One Behind"

Context

In history, water and sanitation governance has been marked by the following major steps globally and in the Netherlands:

▶ In 1992, the **Dublin Principles** stated that water has an economic value and in its competing uses should be considered as an economic good; water should be recognised as a scarce and vulnerable resource; participatory approaches to water resource management are needed; and women play a key role in water management. These principles framed the integrated water resource management (IWRM) approach.

▶ In the beginning of the millennium, the **United Nations** stated that "the water crisis is essentially a crisis of governance and societies are facing a number of social, economic and political challenges on how to govern water more effectively" (UN, 2003)

▶ **The UN and Human Rights Council Resolutions on Water and Sanitation** in 2010. The United Nations General Assembly (UNGA) recognised that "the human right to water is indispensable for leading a life in human dignity. It is a prerequisite for realisation of other human rights". The right to water is also defined as the right of everyone to sufficient, safe, acceptable and physically accessible and affordable water for personal and domestic use. HRWS require States, as duty bearers to *respect*, *protect*, and *fulfil* those human rights. Individuals (rights-holders) can claim their rights and duty bearers must guarantee them without discrimination and on the basis of participation and accountability. The principle of sustainability means that these rights should be realised for present and future generations, which requires to take into account the natural environment. The principles and

normative content of the Human Rights to Water and Sanitation, the concept of Progressive Realisation, as well as States' obligations to respect, protect and fulfil the HRWS are further defined in Annex I of this document.

▶ **The UN Sustainable Development Goal (SDG) 6 on Ensuring the Availability and Sustainable Management of Water and Sanitation, Agenda 2015-2030.** In 2015, a Development Goal was dedicated to water and sanitation in a holistic manner covering entire hydrological cycle: SDG 6 "Ensuring availability and sustainable management of water and sanitation for all". The focus was broadened from drinking water supply and sanitation to integrated water resources approaches encompassing upstream and downstream water management while increasing efficiency of water use. SDG 6 reflects political commitments made by States in the form of goals and targets to be reached by 2030. One of the biggest critics of its predecessor, the Millennium Development Goals (MDG) Agenda, was that inequalities were not necessarily tackled in the process of reaching targets. Many countries reported to have reached certain targets while at the same time the gap between areas with and without services was widened. Also, access to water targets were often considered reached while the means of access were unaffordable or unsustainable.

▶ Earlier, the Netherlands has ratified treaties which implicitly include the HRWS[2], in addition to recently voting in favour of most UNGA resolutions on the HRWS.[3] Not only does it oblige the States to respect, protect and fulfil those human rights, but States, as funders of a development programme are also expected to comply with human rights standards and principles, as agreed upon under the treaties they have ratified[4], which includes the HRWS. More recently the UNGA called upon States to ensure the progressive realization of the HRWS for all "in a non-discriminatory manner while eliminating inequalities in access, including for individuals belonging to groups at risk and to marginalized groups", in addition to urging development partners (including donor agencies) to adopt a human rights-based approach when designing and implementing development programmes in support of national initiatives and plans of action related to the HRWS (A/RES/72/178).

---

2 Such as the Covenant on Economic, Social and Cultural Rights, or the Convention on the Rights of the Child, which contain an explicit clause on water, hygiene, as well as environmental sanitation.

3 Including resolution 70/179, which contains a definition of both the rights to water and sanitation. On the first UNGA resolution recognizing water and sanitation as a human right in 2010, the Netherlands abstained but clarified after the vote that it does support the recognition of that right as such and that the "target is for Dutch assistance to help to provide safe water and improved sanitation to 50 million people by 2015" (A/64/PV.108).

4 UN Special Rapporteur on the human rights to safe drinking water and sanitation, Development Cooperation, 2017, A/72/127; see also Committee on Economic, Social and Cultural Rights, General Comment No. 15, 2008, paras 31 and 34.

Concepts and Definitions

This section presents the concepts and definitions of the relevant key terms used in this document:

Equity is the principle of fairness. As such **Equity** becomes a moral imperative that is open to diverse interpretations. It therefore risks being left to the subjective sense of "fairness" of a given decision-maker or analyst. For this reason, the lack of legal clarity for the term 'equity' can dilute rights claims.[5]

Equality is a fundamental human right to equal opportunity. Equality means that everyone is equal before the law (treated equally). There is a legal obligation that ensures everyone can claim their rights. Equality recognizes that traditionally some people have been denied opportunities because of who they are, where they live, what they believe in, or because they live with disability (so called **'prohibited grounds'**). Human rights law requires equal access to basic services, but it does not mean providing everyone with the **same** service. **Equality** requires a focus on all groups in society experiencing exclusion and discrimination and requires the adoption of targeted measures (substantive equality) to support these groups when barriers persist to fully participate in processes that affect their enjoyment of rights.[6]

Emphasising on Equality instead of Equity in the language of the WASH sector helps to move from moral imperatives to legally binding concepts and will have a direct impact on accountability as well as sustainability of programmes and policies.

Social Exclusion describes a state in which individuals or groups are unable to participate fully in economic, social, political and cultural life, as well as the process leading to and sustaining such a state.[7] Exclusion in decision-making processes takes place at the different stages of programming: Needs and voices of particular groups of people are not considered at the policy level and in the development of strategies.

---

5 UN Special Rapporteur on the human right to safe drinking water and sanitation, Integrating non-discrimination and equality into the post-2015 development agenda for water, sanitation and hygiene, 2012, A/67/270, para. 29.

6 Catarina de Albuquerque, A Handbook, Booklet principles, page 19.

7 ibid, page 18.

Marginalisation is the social process of being confined to a lower social standing or to the outer limit – the margins – of society. Marginalised individuals often suffer material deprivation, and are excluded from information, services, programmes, and policies. People who are marginalised are often not consulted, they have little influence over decisions that affect them, their voices are not heard, and it is more difficult for them to claim their rights.[8]

Non-discrimination is the legal principle that prohibits any distinction, exclusion or restriction that results in either individuals or group of people not being able to enjoy or realise their human rights on an equal basis with others based on 'prohibited grounds'.

Inclusion is not just about improving access to services for those who are currently excluded but also supporting marginalised people **to engage in wider processes of decision** making to ensure that their rights and needs are recognised. In order to achieve **social inclusion**, one needs to recognise that people are different and need different support and resources to ensure that their rights are realised.[9]

Common barriers to inclusion manifest themselves through *social*, economic, political, physical, geographical and/or environmental factors.[10] Exclusion and discrimination may appear in **direct** and **indirect** ways: Sometimes people or groups of people are intentionally excluded or less favourably treated (discriminated) compared to others in similar situations for reasons related to the ones outlined above. Sometimes policies and practices seem to be neutral at face value, but in practice have the effect of exclusion.[11]

Exclusion, inequalities and discrimination take place at different levels.
Globally, certain regions or countries are particularly lagging behind in progress on adequate water and sanitation levels. In countries, there are disparities in access to water and sanitation services across different regions and groups of people. Discrimination and exclusion also takes place at the village, community and household level.

Water Security has become preeminent in face of the looming water crisis. UN Water (2013) defines water security as "the capacity of a population to safeguard sustainable access to adequate quantities of acceptable quality water for sustaining livelihood, human well-being, and socio-economic development, for ensuring protection against water-borne pollution and water-related disasters, and for preserving ecosystems in a climate of peace and political stability."[12]

> ✎ Box 2 | **Human rights to water and sanitation & Integrated Water Resources Management (IWRM)**
>
> **HRWS** are legally binding rights, obliging States to respect and protect these rights and fulfil these rights as quickly as possible, using all the resources available to them. Obligations include, for instance, ensuring that water is of good quality and available in sufficient amounts, for everyone on an equal basis. Sources of drinking water need to be protected from both over-abstraction and contamination by irrigation systems, mining companies or factories. Not only access to a toilet falls under the right to sanitation, also the treatment and disposal of faecal sludge, since the quality of water sources and sanitation practices are interlinked and interrelated.
>
> **IWRM** is a process, which promotes the coordinated development and management of water, land and related resources in order to maximize economic and social welfare in an equitable manner without compromising the sustainability of vital ecosystems.[13] It is based on principles adopted at the International Conference on Water and the Environment in Dublin, Ireland, in 1992, outlining "the equitable and efficient management and sustainable use of water and recognises that water is an integral part of the ecosystem, a natural resource, and a social and economic good, whose quantity and quality determine the nature of its utilisation".[14] IWRM is also included in the Sustainable Development Goals for water, The following targets of SDG 6.5 relate to IWRM:
> ▸ By 2030, implement integrated water resources management at all levels, including through transboundary cooperation as appropriate.
> ▸ Support and strengthen the participation of local communities in improving water and sanitationmanagement.

---

8   Louisa Gosling, Wateraid report Framework, Equity and Inclusion, 2009
9   Sara Ahrari, Leaving No One Behind in WASH Alliance programme Through adopting an Inclusion Lens, November 2016 page 4
10 Sara Ahrari, Leaving No One Behind in WASH Alliance programme Through adopting an Inclusion Lens, November 2016
11 Catarina de Albuquerque, A Handbook, Booklet Introduction, page 30: https://tinyurl.com/lpgflf5

---

13 Global Water Partnership: https://tinyurl.com/y6nu8gqc
14 ibid.

As pressures on the world's freshwater resources increase, many watercourses face both increasing freshwater scarcity and increasing pollution. Governments, service providers and other organisations face greater challenges in their efforts to promote sustainable water management practices that maximize economic, social and environmental welfare.[15] The many competing—and sometimes conflicting—demands give rise to questions of equality and justice, such as what would be considered to be a 'fair' or 'balanced' allocation of water for competing uses.[16] Abiding by the human rights to water and sanitation is not a question of an *approach* – it constitutes a legal obligation for States. Therefore, the human rights framework offers an important entry point for the questions of 'justice' within IWRM by offering broadly endorsed frameworks that set minimum standards for governance and defines the rights and obligations of different categories of stakeholders.[17] Together with other sources of international law, including for example international watercourse law, human rights law can help manage the uses of water and ecosystems.

Guidelines to address social inclusion in the implementation of MFA's WASH Strategy

In order to ensure that social inclusion is properly addressed in implementing the MFA WASH strategy, the supported programmes need to be designed, implemented and monitored to enhance the understanding on who does and does not have access to WASH services, who uses and benefits from the programmes, and the impact of the programmes on substantive equality and inclusion.

▶ Sufficient resources (human and monetary) need to be available to address social inclusion in the implementation of the MFA's WASH strategy.
▶ A thorough situation analysis is needed to understand the situation on the ground- who is excluded? Who is included? Why?
▶ An inclusive practice is planned from the start of the programme, embedding it in the aims, indicators and outcomes.
▶ Continuous monitoring needs to be done to ensure the most disadvantaged people are no longer excluded, and are accessing and using services. What works and what does not work, needs to be documented as evidence to inform (future) programme implementation.

15 https://tinyurl.com/y3c2cdfx
16 https://tinyurl.com/y3vh9p4x
17 ibid.

▶ At the end of the programmes and post interventions it should be evaluated how far the programmes have been effective in embedding inclusive practices, and if not, what the problems were.

The following section provides guidance on the "what", "why", "how" and "tools" for achieving inclusive practices throughout the five stages of the programme cycle (see figure 1). These guidelines can be used by different departments of MFA whether in the Hague or in Embassies to guide their discussions with implementing partners during different phases of the programme cycle (for instance through adaptation in beoordelings memorandi (BeMo's)). The implementing partners can use the guidelines to improve social inclusion in their programmes.
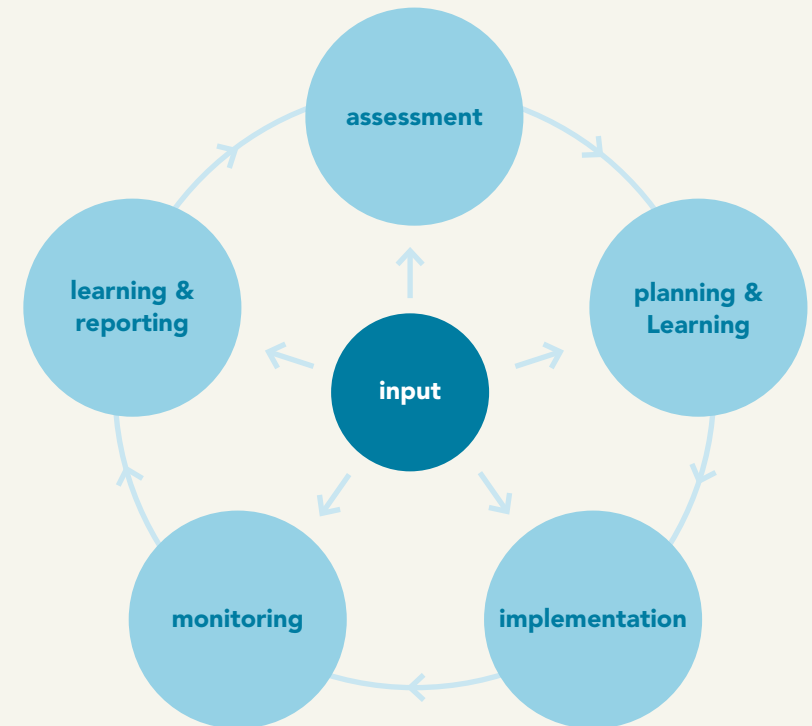

Figure 1. The programme cycle

Input

(?)

What

It is essential that MFA pays special attention to ensure availability of *kno-who*, *resources* and *dedicated capacity* to address social inclusion in its programmes at different levels . Therefore, all the MFA staff and staff of part-ner organisations who are involved in different stages of programme/policy development, implementation and monitoring of MFA WASH strategy need to be familiar with and have sufficient capacity to implement the **Principles** and **Normative Content** of the HRWS (see annex I), to understand the bar-riers to inclusion in different contexts, know how to identify those who are excluded, even when they are invisible, and plan dedicated activities and budget to facilitate their inclusion in different stages of the programme.

Why

Inclusive practices in WASH programmes are needed to fulfil MFA's com-mitments towards the "Leave No One Behind (LNOB)" agenda of SDG 6 and to contribute to the realisation of the HRWS as elaborated in the WASH policy 2016-2030.

How

The following questions can be used as guidance for this stage:

1. Do all the relevant MFA staff and staff of partner organisations have sufficient knowledge and capacity to address LNOB and HRWS in the implementation of the WASH strategy? What is the evidence (how do we know)?
2. Are (new) relevant MFA staff and staff of partner organisations being reg-ularly assessed on their knowledge on HRWS and LNOB and their capac-ity to implement them? What is the evidence (how do we know)?
3. Are there sufficient resources available and being used to ensure that rel-evant MFA staff and staff of partner organisations have sufficient knowl-edge on HRWS and LNOB and capacity to implement them? What is the evidence (how do we know)?
4. Are private companies and other implementing partners well-equipped to exercise due diligence while operating, uphold responsibility to re-spect human rights and act in line with the Dublin principles for IWRM and the SDG 6.5 goals for IWRM?
5. Are relevant MFA staff in countries, well-equipped to engage in discus-sion with their government counterparts to address implementation of HRWS and LNOB in WASH? What is the evidence (how do we know)?

Enhanced collaboration with organisations who have expertise in promot-ing/implementing HRWS and LNOB in WASH or wider sectors can be help-ful if answers to any of the above responses are negative.

✎

Tools

The "Making Rights Real (MRR)" consortium has developed practical tools[18] to show local government officials how human rights can improve the way water and sanitation services are planned, delivered and maintained, which can be useful for MFA staff and the staff of the partner organisations.

Assessment

(?)

What

The assessment phase which includes context/situation analysis, pro-gramme baseline, gender and social inclusion assessment, climate vul-nerability assessment, etc. needs to cover elements for research and pro-gramme design, data collection tools, and methodologies to give a clear picture of the issues at hand and ensure that social inclusion is properly addressed in the implementation of MFA's WASH strategy.

Why

It is fundamental to understand the current situation on the ground to iden-tify the disadvantaged and excluded people and to ensure that they are not left behind in the programme designs and plans. The *principle of participa-tion in relation to the HRWS* requires that they need to be included through participation from the start of the programme cycle. To ensure inclusive prac-tice, it is crucial that they are empowered to contribute actively to the pro-gramme design. Without this participation, exclusion will continue through the programme cycle.

How

Although there are multiple prohibitive grounds of discrimination, pover-ty usually figures quite prominently. Women and girls regularly experience discrimination and inequalities in the enjoyment of their human rights to water and sanitation (HRWS) in many parts of the world. Ethnic and other minorities, including indigenous peoples, migrants and refugees, often ex-perience discrimination, as can religious and linguistic minorities. Disability, age and health status can also be factors to be left behind. People with

---

18 https://tinyurl.com/y6z5oqsu

physical, mental, intellectual or sensory impairments are disproportionately represented among those who lack access to safe drinking water and sanitation. Differences in property, tenure, residence, and economic and social status, geographical zones (rural-urban, contaminated areas) can also lead to discrimination.

These do not necessarily constitute an exhaustive list of such specific disadvantaged groups or individuals in vulnerable situations, and it is important to note that some people may suffer from multiple forms of discrimination (intersectionality) .The following questions can be used as guidance to identify the excluded groups and the root causes of their exclusion in the assessment phase:

1. What needs to done to identify excluded groups, even when they are largely invisible?
2. Who is likely to be left behind (excluded groups) (what is the evidence)?
   ▶ **From what:**
     - access to safely managed water services?
     - use of safely managed water services ?
     - access to basic water services?
     - use of basic water services ?
     - non-drinking water resources uses?
     - access to safely managed sanitation services?
     - use of safely managed sanitation services ?
     - access to basic sanitation services?
     - use of basic sanitation services?
     - access to hygiene products and facilities?
     - use of hygiene products and facilities?
     - access to affordable and quality WASH market and supply chain?
     - Dignity in WASH jobs?
     - participation in relevant decision making processes on WASH?
     - participation in decision making processes on the use of the water resources?
     - other benefits resulted from improved WASH services and water resource management?
   ▶ **In which settings (where):** rural, urban, pre-urban, informal settings, institutions (schools, health centres, workplaces), those disproportionably affected by extreme weather events (including droughts and floods, cyclones, other adverse effects of climate change, etc.) and disasters (i.e. earthquakes), etc.?
   ▶ **At which scale:** majority of the population or the smaller percentages known as last mile

   ▶ **With what socio-economic characteristics?** Lowest wealth quantile, women, minority groups, etc.
   ▶ **By whom/what:** Power relations, other family members, other community members, result of policy/law?
3. What are the *barriers* to their inclusion and structural/root causes of their exclusion?
4. If the data on the barriers to inclusion and root causes of exclusion is not available, how could they be identified?

It is important to realise that as sometimes the barriers to inclusion are rooted in the countries' laws, policies, regulations and institutional practices, it is possible that "excluded" groups are invisible in the official records and reports produced by the governments. It is therefore crucial that an independent study will be done to answer the above questions.

Tools: There are a number of tools and guidelines from different organisations which can be used in this stage, such as:
   ▶ Methods used by Unicef and WHO's Joint Monitoring Programme, to monitor inequalities: https://tinyurl.com/y2za3tsv
   ▶ WASH Bottleneck Analysis Tool (BAT): https://www.washbat.org/
   ▶ Barrier Analysis: https://washmatters.wateraid.org/publications/how-to-conduct-a-wash-barrier-analysis
   ▶ The Washington Group Short Set of Questions on Disability: https://tinyurl.com/y6wow5uq
   ▶ Political Economy Analysis: https://tinyurl.com/y685rr79

Planning & Design

What
During this stage, it will be elaborated how the programme intends to address the social inclusion informed by the information gathered during the assessment phase. The aims, objectives, activities, indicators, outputs, outcomes, impact, budget and resources need to be set to be able to solve the issues identified during the assessment phase, as much as possible.

Why
Planning for substantive equality and inclusion is crucial to ensure that programmes incorporate approaches that work towards access and use of services by all. The needs of all community members, including marginalised groups, should be reflected through the aims and objectives from the start of a programme. Use, as well as access, should be carefully embedded into all aspects of planning to achieve inclusive practices. Evidence has shown that even where people theoretically have access to services, they are often unable or unwilling to use them.

How
To overcome exclusion, any environmental, institutional and attitudinal barriers needs to be carefully addressed in the planning. The relevant excluded people identified in the assessment phase needs to be consulted and their participation in decision making processes needs to be ensured. The following questions can be used to further guide the planning and design phase of the programme cycle:

1. How can right holders and duty bearers be strengthened in their roles and responsibilities to improve social inclusion in the WASH programme? What dedicated actions are needed for this?
2. How to overcome the inequalities in terms of service delivery levels for those who are currently excluded?
3. Are the WASH services/products affordable for those who need it?
4. How to overcome the inequalities in terms of benefits from use of the water resources, also in extreme events such as drought and flood, quality of water received, or permits to extract water for those who are currently excluded?
5. How to address the root causes and structural barriers for participation in decision making and engage all the relevant stakeholders in the processes? Often women, girls and those in disadvantaged situations need to be supported to empower themselves to fully participate in the decision making processes which requires necessary planning and budget.

6. How to determine the required levels of participation and to address the challenges of ensuring "effective" participation of the beneficiaries and the most excluded people in decision making processes?
7. How would programme aims, objectives, outputs, outcomes, activities, targets and key performance indicators reflect the needs and views of the disadvantaged groups (i.e. women and girls, people with disability, low income households, etc.)?
8. What specific policy goals and targets needs to be set for social inclusion?
9. How are these translated into the Theory of Change, logical framework, results chains etc.?

One dilemma that programmes might face during the design period, is that selecting a specific region or target countries can mean leaving other regions behind. Engaging in discussions with other programmes and ensuring proper coordination and aid harmonisation can help all the regions and countries in need to be covered.

Another challenge for implementing organisations is that investing in poor areas and/or in vulnerable situations comes with higher risks, while the return on investments might be expected to be lower. This might make the implementing partner reluctant in addressing these issues, while committing themselves to a "Sustainability Clause".

Tools
For this phase, different tools such as problem and solution[19] tree analysis, factor analysis, theory of change, etc. can be used. Some tools from the Assessment phase can be used to, like the WASH Bottleneck Analysis Tool (BAT) from Unicef: https://www.washbat.org/.

Implementation

What
The objectives and activities which were designed need to be properly implemented. The implementers need to have sufficient understanding and commitment to address the social inclusion in their WASH programmes.

Why
Those who are implementing the programme/policies, need to be familiar with the HRWS and the concept of LNOB. In addition, they need to have the right mind-set/attitude and capacity to implement them, and be held accountable to do so. Otherwise, the plans will not materialise.

19 https://tinyurl.com/lk7wbq3

How

The following questions can be used as guidance during this phase:

1. Who will implement the planned interventions? Do they have a policy on LNOB and HRWS? What is their capacity for implementing the HRWS principles (see Annex I)?
2. What specific guidelines to address social inclusion into WASH and Water Resource Management programmes are available to the programme/project team?
3. What measures are to be introduced to remedy shortcomings?
4. What practical interventions does the programme approach include to ensure that those excluded are reached and meaningfully participate?
5. Are all the relevant stakeholders participating or included, including all the (local) governments and those who are often excluded in the implementation?
6. Do the contractual agreements include certain clauses on how to address social inclusion in the implementation of the programme?
7. How are the main challenges/limitations of putting social inclusion strategies into practices addressed during the implementation?
8. Are the special needs of the disadvantaged groups sufficiently addressed when organising consultation meetings and or dissemination of processes (i.e. time, location and accessibility of the meeting place, language of the meeting, etc.) to ensure the principles of transparency and access to information?

✏ Tools

Different tools such as Multi-stakeholder dialogue, public participation,[20] as well as different capacity strengthening tools can be used for this phase. Further, meaningful partnership with organisations representing marginalised groups is an effective manner to ensure that their needs/voices are integrated in the implementation of the WASH strategy.

Monitoring

? What

Monitoring involves regular data collection and analysis to ensure progress of a programme over time. Relevant indicators and key performance indicators need to be developed to ensure that the programme continues to be effective in addressing social inclusion and identifying any weaknesses.

Why

Monitoring is crucial to inclusive practice to check the access, use, quality and benefits for disadvantaged groups, targeted by the WASH programmes. A key part of monitoring is seeking feedback from different stakeholders, in particular from the disadvantaged groups that the programme has targeted. Important is also to use information to improve programmes to ensure inclusive practice is sustained.

How

Monitoring should take place on several levels to ensure inclusive practice. Participation of targeted disadvantaged groups in decision making processes to overcome barriers to their inclusion needs to be carefully monitored. Technology, products and service adaptations should also be monitored to ensure they are of high quality, accessible and used by all. The following guiding questions can be used for monitoring:

1. What are the programme's specific goals and targets for social inclusion?
2. How would the progress towards these goals and targets be measured?
3. What indicators and methods are needed to track social inclusion?
4. Are the collected data disaggregated for different dimensions of exclusion/inclusion, prohibited grounds of discrimination (i.e. gender, wealth, geographical location (i.e. rural/urban), physical or mental impairments, etc.)?
5. Is the monitoring process inclusive and does it capture the feedback of disadvantage people in particular those who are invisible and excluded?
6. Did those who were supposed to benefit from the programme, benefit as planned?
7. Do targeted disadvantaged people get the opportunity to be involved as active participants in decision-making processes (e.g. speaking at meetings, direct communication with service provision regarding their needs)?
8. Has the community formed a deeper respect and understanding for disadvantaged people/groups? Has the programme contributed to decreasing stigma and discrimination and increased appreciation of their capacities and contributions?
9. Is there progress on reaching out to those who are marginalised?
10. Is the programme being steered with a view to decrease inequalities?
11. Are there any unwanted impacts of addressing social inclusion (i.e. increased violence against the disadvantaged)?[21]
12. Are the conditions for participation and inclusion being structurally improved?

---

20 https://tinyurl.com/yxvqsy4v

21 Some evaluation of CLTS interventions have shown increase violence towards "poor households" who could not afford to build their latrines, which should be prevented.

13. Are there effective complaint mechanisms in place which are accessible to and used by women and disadvantaged people/groups?

It should be noted that while MFA's WASH policy has set the target to reach 30 million people with sustainable access to safe water and 50 million with sustainable sanitation, it would encourage the implementing organisations to set specific targets if MFA gives the example by further specifying the targets for instance by setting a specific percentage of the targeted population to be from the lowest wealth quantile, and or rural/urban areas. This would follow the international trend to monitor WASH services at different wealth quantile levels, eg. in JMP reports for different countries.

Tools
Focus group discussions, mapping of WASH services, community/users score cards, accessibility and safety audits, are among the tools which can be used for monitoring phase. Other tools could be: the Sanitation Monitoring Toolkit (Unicef) and the Gender and WASH monitoring tool (PLAN).

Learning and reporting

What
Regular reflection on and drawing lessons from what has worked/not worked in reducing inequalities and improving the access to and use of WASH services by those who were previously excluded, is essential to generate evidence.

Why
Evidence is needed to improve the effectiveness of the inclusive WASH programming and to influence changes in practice and policy across the WASH sector and wider development for inclusive approaches. The learnings should be documented and shared via different reports. There is also a political commitment to Dutch parliament to report about:
▶ The position of women and vulnerable groups
▶ The disaggregation of results in urban and rural areas

Results and learning from WASH programmes needs to be reported. This needs to be translated in relevant MFA reports such as Annual report, Annual Budget report and Resultatenrapportage website[22].

22 http://www.osresultaten.nl/

How
The following guiding questions can be used to facilitate learning process:
1. How do we learn from experiences and monitoring results of "inclusive" actions in WASH and Water Resource Management (WRM)?
   a. Are both outcomes and processes being monitored and evaluated?
   b. Are experiences being monitored, documented and shared? Are experiences of disadvantaged people or groups integrated in all aspects of this process?
   c. Are best and bad practices on inclusion being collected and shared?
2. Is there a feedback mechanism towards targeted disadvantaged groups, which has been jointly developed and agreed?
3. How are the evidences used to inform and improve policies and practices for addressing social inclusion in WASH and WRM?

Tools
Different participatory methods and tools such as case studies, photovoice[23], photo stories and most significant change[24] can be used to document the lessons learnt.

Summary of recommended actions

Unless exclusion and inequality are explicitly and responsively addressed in both policy and practice, WASH interventions will continue to fail to reach those most in need and who are likely to benefit most, as it is envisioned in MFA WASH strategies. The below recommendations are the summary of the actions that can be taken by MFA staff and their implementing partners:
▶ *Commit!* to take action for people left behind and focus on addressing their needs.
▶ *Think!* Transformative by balancing power, interests and participation in decision-making and outlining the expected results for the targeted individuals and groups left behind.
▶ *Engage!* In policy dialogue, advocating for access to water and sanitation, and emphasise on LNOB in discussions and collaboration with other partners.
▶ *Integrate!* In programmes and/or develop specific programmes for the left-behind groups.
▶ *Enhance!* information systems and the production of disaggregated data that reveal the challenges.

23 https://tinyurl.com/y6jdusoy
24 https://tinyurl.com/y2vq2xdf

Annex 1 | Principles and normative content of the human rights to water and sanitation

Table 1 | Human rights principles as explained in the Manual of the Human Rights to Safe Drinking Water and Sanitation for Practitioners[25]

Equality and non-discrimination:	"within the established legal/regulatory frame-works public authorities/service providers have to ensure that no barriers exist to access by marginalised or vulnerable individuals or population groups, in a consultative process with such individuals/groups and government authorities."
Accountability:	"providers' monitoring systems, complaints mechanisms, options for dispute resolution and transparency of budget and operations need to comply with legal requirements."
Sustainability:	is a fundamental principle for the realization of human rights, which seeks to ensure that human rights can be realized for both present and future generations. "drinking water and sanitation services should be economically, socially and environmentally sustainable, and this requires a long-term vision on investment and resource use in operation and maintenance, and the use of early-warning indicators for risks to sustainability that would imply regression in the human rights status."
Participation:	"all actions must provide meaningful opportunities for community engagement, in particular for those usually under-represented. Information is only the start of community engagement, which is essential to comply with the human rights criteria."
Access to information and transparency:	"public participation can only be meaningful in the presence of full access to information on the relevant technical details of water and sanitation services, and on budget and operations."

Table 2 | The normative content categories of the human rights to water and sanitation[26]

Availability:	Water and sanitation must be available for everyone in the household, educational institution and workplace or their immediate vicinity, in sufficient quantity and on available on a continuous basis, for personal and domestic use; which includes drinking, personal sanitation, washing of clothes, food preparation and personal and household hygiene.
Physical accessibility:	Infrastructure must be constructed and located in a way so that facilities are safely accessible for everyone at all times. Including for people with particular needs.
Acceptability:	Water and sanitation services must take into account the cultural needs and preferences of users, participation is therefore crucial. Water must be of an acceptable colour, odour and taste for each personal or domestic use. The facilities must also be acceptable for usage, especially concerning personal hygiene. Facilities must also provide for the privacy and dignity of users.
Affordability (also called economic accessibility):	Direct and indirect costs for water and sanitation and associated hygiene must be affordable for everyone. Paying for water and sanitation services must not limit one´s capacity to pay for other essential goods or services, such as food, housing, education or medicines, and must ensure people are not forced to resort to other, unsafe alternatives. The human rights to water and sanitation do not call for services to be free of charge.
Quality:	Water must be safe for human consumption and for personal and domestic hygiene, and therefore must be free from micro-organisms, chemical substances and radiological hazards that constitute a threat to a person's health. Sanitation facilities must be hygienically and technically safe to use. Sanitation facilities must provide hygiene facilities for washing hands with soap and water and must enable menstrual hygiene management for women and girls.

25 https://tinyurl.com/y4hgs4os More detailed principles can be found in another handbook: https://tinyurl.com/yyqqjkgd

26 See https://tinyurl.com/y3z66aom

Progressive realisation of the rights to water and sanitation
States must progressively realise the rights while using their maximum available resources.[27]
This means that:
1. Rights can only be achieved over time – it is not possible to provide everyone with water and sanitation by tomorrow.
2. States must work in such a way that the human rights to water and sanitation will be fully realised for everybody as fast as possible using all the resources they have available to them.
3. *Principle of non-retrogression*: Progressive realisation demands that services improve. Any intentional or non-intentional step backwards in the enjoyment of the human rights to water and sanitation is a retrogression, and therefore prohibited.[28] This relates to the principle of '**sustainability**': **Once citizens enjoy services, these services must not deteriorate or break down**;
4. While the Covenant provides for the progressive realisation of the HRWS, certain obligations are of immediate effect, including that of non-discrimination (GC 15, para 17)

The obligation to respect, protect and fulfil human rights
States are obliged by international legal instruments to respect, protect and fulfil human rights:
▶ **Obligation to respect**: The obligation to respect requires States to refrain from interfering directly or indirectly with the enjoyment of the rights to water and sanitation. For example, States should refrain from

polluting water resources; arbitrarily or illegally disconnecting water and sanitation services.
▶ **Obligation to protect**: The obligation to protect requires States to prevent third parties from interfering with the rights to water and sanitation. This means that States must adopt regulation or other measures to ensure that private actors – including companies and individuals – do not violate the human rights to water and sanitation of people. For example, States should ensure that companies do not contaminate or extract unsustainable amounts of water from sources people rely on for their basic needs, or that providers do not compromise the equal and affordable access to sufficient safe drinking water of the people they serve.
▶ **The obligation to fulfil** the human rights to water and sanitation requires States to ensure that the conditions are in place for everyone to enjoy the human rights to water and sanitation. This does not mean that the State has to provide the services directly, or for free, but it should create an **enabling environment**. The obligation to fulfil requires States to adopt appropriate legislative, administrative, budgetary, judicial, promotional and other measures to fully realise the rights to water and sanitation.
The human rights to water and sanitation with the specific obligations also apply outside the States' own borders. International assistance should be provided in a manner that is consistent with these human rights obligations, and must be sustainable.[29] Development assistance, provided by multi-lateral, bilateral or through non-government organisations can assist receiving States in accordance with their human rights obligations, through implementing a rights-based approach in their programs and funding.

---

27   Article 2 of the International Covenant on Economic Social and Cultural Rights (ICESCR).
28   Committee on Economic, Social and Cultural Rights, General Comment No. 3: The Nature of States parties obligations, 1990

29   Committee on Economic, Social and Cultural Rights, General Comment No. 15: The Right to Water (Arts. 11 and 12 of the Covenant) Adopted at the Twenty-ninth Session of the Committee on Economic, Social and Cultural Rights, on 20 January 2003 (Contained in Document E/C.12/2002/11) para 34

Notes

Contributing to water, sanitation, and hygiene for all, forever
12 August 2019