



The Islamic Republic of Pakistan

Realising the human right to water and sanitation

Introduction

In 2010, the United Nations General Assembly adopted a resolution on the human right to water and sanitation. This resolution is part of binding international human rights law, meaning that governments are legally required to progressively realise the right.

The government of the Islamic Republic of Pakistan has recognised this right officially by signing on to key international treaties, as well as establishing a number of domestic level policies and programmes on water and sanitation. While commendable efforts have been made given the difficulties faced in the country over the past decade, the government is not realising the right for all. This will never be fully realised while government fails to even reference the term 'right to water' in any policies, or the constitution.

Not enough has been done.

Access to water has improved significantly, with 91% of the population now with access to water – however the government has not worked to ensure the standards of the right have been realised, and are failing marginalised and vulnerable sectors of the population.¹ While many more families have access to water, it is often inconsistent and unreliable, with many facing the regular reality of having to go days without clean piped water. This results in families having to resort to using unsafe water, or forced

to buy water from vendors at highly overinflated prices, significantly impacting on their already very limited income and resources available. Access to water is also highly unequal.

Access to sanitation is of significant concern and is lagging behind, as only 64% of the population has access to sanitation facilities. Those most in need, vulnerable and marginalised groups such as women, children, the sick and the poor, have been left behind. These groups are forced to use unsuitable and unhygienic sanitation facilities, including having to resort to defecating in the open. This is causing very negative impacts on the population's health, safety and livelihoods.

The government must take further action to make effective change and improve people's lives. They must ensure all citizens throughout the country are able to access affordable and safe water, adequate sanitation, and therefore, have a better future.

This briefing highlights the problems evident in accessing improved water and sanitation in Pakistan.

It provides a set of clear demands from civil society who are calling for increased efforts and action from the government to meet its obligation to fully realise the right to water and sanitation.

The human right to water and sanitation

The resolution adopted by the United Nations General Assembly 'recognises the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights.' The human right to **water** entitles everyone to sufficient, safe, affordable and physically accessible water for personal and domestic use. The human right to **sanitation** entitles everyone to sanitation services that are physically accessible, affordable, safe, hygienic, secure, socially and culturally acceptable and which provide privacy and dignity.

¹ All data sourced from WASHwatch.org; July 2015

Positive progress

Recognition of the human right to water and sanitation

It is encouraging to see that the Pakistani government has recognised the human right to water and sanitation. Over the past two decades, they have done so by becoming signatories of a number of key international and regional declarations and treaties – each of which have further interpreted and defined the right to water and sanitation.²

1994

Pakistan signed the United Nations' (UN) Programme of Action of the Cairo International Conference on Population and Development.

2010

Voted in favour of the UN General Assembly resolution 64/292 and as a member of the Human Rights Council, adopted resolution 15/9 of September 2010, a legally binding commitment to the human right to water and sanitation.

1996

Signed the Habitat Agenda of the Second UN Conference on Human Settlements (Habitat II): *"Everyone has the right to an adequate standard of living for themselves and their families, including adequate food, clothing, housing, water and sanitation"*.

2011

As a member of the Human Rights Council, adopted resolution 16/2 of March 2011, reaffirming *"the right to safe drinking water and sanitation is derived from the right to an adequate standard of living"*.

Signatories to the Colombo Declaration of the Fourth SACOSAN – April 2011.

2008

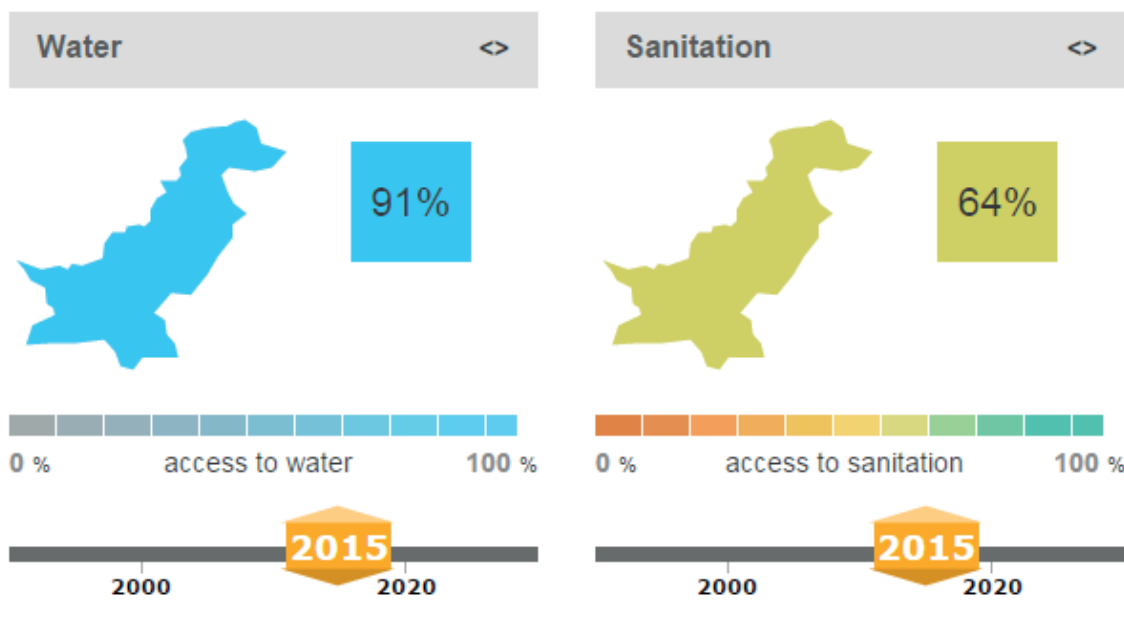
One of 8 countries unanimously signed on to the Delhi Declaration of the Third South Asian Conference on Sanitation (SACOSAN), which recognised that *"access to sanitation and safe drinking water is a basic right, and according national priority to sanitation is imperative"*.

2013

Adopted UN Human Rights Council resolution 24/18 and General Assembly resolution 68/157 - the first resolution where all UN Member States affirmed that the human right to safe drinking water and sanitation as legally binding in international law.

Signatories to the Kathmandu Declaration of the fifth SACOSAN – October 2013.

Realisation of the human right to water and sanitation



Current percentage of Pakistan's population with access to improved water and sanitation in 2015 ³

While the government has made certain progress, through policies and on-paper recognition of the human right to water and sanitation, the reality on the ground is that little has been done to improve people's lives.

Sector mismanagement

As of 2011, the Climate Change Division became the central focal point for coordinating action and implementation of the water, sanitation and hygiene sector in Pakistan. This governmental department became the custodian responsible for the management and implementation of a number of national level policies, including the National Environmental Policy 2005, National Sanitation Policy 2006, National Drinking Water Policy 2009, National Behavioural Communication Strategy and the National Climate Change Policy 2012.⁴ There are a number of other departments also responsible for water, sanitation and hygiene implementation; local governments and public health engineering departments steer implementation, provincial health departments provide leadership in hygiene, while the Education Department is responsible for water, sanitation and hygiene (WASH) in schools.⁵ The National Drinking Water Policy drafted in 2009, saw the government committing to providing access to clean, safe, affordable, sufficient drinking water for the nation. The policy went further to identify inequalities in accessing water, particularly highlighting the needs of women and children that had previously been ignored.

However, there have been long-standing problems in realising the commitments of these policies and plans. These are associated with the fact that provincial and municipal administrations are responsible for its implementation.⁶ This has resulted in a worsening situation over access to water and sanitation for the population. Local governments lack sufficient capacity to effectively and successfully manage the water and sanitation budgets, or to implement proper services for their constituencies.⁷ Families are still going without water or sanitation facilities. What is evident is that many groups are being left behind.

³ All data and graphics sourced in June 2015 from WASHwatch.org

⁴ United Nations Water Global Analysis and Assessment of Sanitation and Drinking Water (GLAAS), Pakistan 2013- 2014

⁵ Ibid

⁶ The provision and violation of water rights- the case of Pakistan- a human rights based approach', Development Policy research Centre, School of Humanities, Social Sciences and Law, Lahore University of Management Sciences, 2011. <http://bit.ly/1Cbd3PW>

⁷ Ibid

Assessment of delivery of targets

The 'traffic light' system has been designed to track and monitor overall progress governments are making according to specific commitments they have agreed to. The government of Pakistan was a signatory to the SACOSAN commitments made in 2011, and the data below reflects on progress made on these commitments up until 2013.

The colours indicate how much progress has been made



According to the 'traffic light' system, the government has not been awarded any green lights, which are to indicate good progress towards meeting commitments. Pakistan are currently the only country in South Asia not awarded any green lights, which shows that they are falling behind their regional neighbours.⁸ It also clearly reflects that they are not on track to meeting any of their commitments to improving access to water and sanitation, which is a significant worry. Several national plans have been created, but many of these have not been implemented, which is why they have failed to improve access significantly. The right to water and sanitation has not been fully realised.

To support the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights.

0.5

The following sections examine details about each of the SACOSAN commitments made in 2013. While some progress has been made, it is clear that not enough has been done to realise the right, or to address inequalities in access.

Missing gaps

It is worrying that little progress has been made to establish WASH specific budget allocations within the national budget, leaving the sector under-resourced and failing to implement real increases in access.

2. To develop time-bound plans and to allocate and mobilise resources for delivering on all previous SACOSAN commitments.

0.5

4. Raise the profile of WASH in schools with the objective of ensuring that every new and existing school at every educational level has functioning, child friendly toilets, separate for girls and boys, with facilities for menstrual hygiene management.

0.5

⁸ Countries in South Asia include Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. Data on traffic lights taken from WASHwatch.org

Further gaps missing

The government has not set aside a minimum budget allocation of 0.5% of Gross Domestic Product (GDP) for sanitation and hygiene and are not taking the necessary steps to ensure everyone has access to sanitation facilities. This means that their national sanitation policy is not being carried out, as is evident with only 64% of the population able to access sanitation facilities.

6. Establish specific public sector budget allocations for sanitation and hygiene programmes.	0.5
7. Progressively increase allocations to sanitation and hygiene.	0.5
9. Develop harmonised monitoring mechanisms with roles and responsibilities clearly defined, using agreed common indicators which measure and report on processes and outcomes at every level including households and communities, and which allow for disaggregated reporting of outcomes for marginalised and vulnerable groups.	0.5
10. Include in monitoring mechanisms specific indicators for high priority measures such as WASH in schools, handwashing and menstrual hygiene.	0.5
12. Build and strengthen capacity for sanitation and hygiene implementation, including investing in higher education facilities, development of curricula, research and development, and knowledge exchange and partnership development.	0.5

Problem areas

As is evident by the traffic lights, it is clear that the government has not made a concerted effort to work progressively towards realising the human right to water and sanitation. Of particular concern is that they are failing to address the needs and improve the lives of the poorest and most marginalised, therefore perpetuating inequalities and failing those most in need.

1. Work progressively to recognise the right to sanitation in programmes and projects and eventually in legislation.	0
3. Design and deliver context-specific equitable and inclusive sanitation and hygiene programmes including better identification of the poorest and most marginalised groups in rural and urban areas, including transparent targeting of financing to programmes for those who need them most, taking into account the challenge of protecting the environment and responding to emergencies and climate change.	0
5. Establish one national body with responsibility for coordinating sanitation and hygiene, involving all stakeholders including, but not limited to, those responsible for finance, health, public health, environment, water, education, gender and local government at the national, sub-national and local levels.	0
8. Recognise the importance of people's own contribution to sanitation and to ensure that policies and programmes empower communities to invest in and control their own sanitation solutions while protecting the poorest.	0
11. Adopt participation, inclusion and social accountability mechanisms from planning through to implementation in all sanitation and hygiene programmes at the community level, particularly for the most marginalised areas and vulnerable groups.	0

Current access to improved water and sanitation

Over 90% of Pakistan's population is considered to have access to safe drinking water, but despite this high percentage on paper, the reality on the ground is very different. Access to water, but despite this sanitation varies dramatically across the country with very large rural-urban wealth-related inequalities. There is a clear preference in service provision favouring increased safe drinking water and sanitation to urban areas, whereas rural areas have been long neglected. Over the past decade, the government has also made more limited progress on improving access to sanitation; increasing this by only 16%; from 48% in 2005 to 64% in 2015.⁹

Negative impacts of poor water, sanitation and hygiene

Dramatic demographic changes over the last 30 years have led to a marked increase in urban and peri-urban populations, compounded by ongoing conflicts and humanitarian crises. These collectively have had dramatic negative impacts on the economic impact of poor sanitation and hygiene has resulted in an annual loss of nearly 4% of GDP in Pakistan.¹⁰ The sustainability of existing water supply systems is also a major issue. In many cases, pumps and systems have not been adequately maintained, rendering them unfit for use; so while some communities have facilities, they are unable to use them. Acute water shortages, as well as unreliable water provision, have resulted in many communities having no option but forced to buy water, often at very high costs. It also has caused an increase in water-borne diseases due to drinking dirty water, causing a rising disease burden for the country.

The governance and supply management of water and sanitation is allocated to provincial councils and corporations, but is actually further devolved to an even lower level of district administration. Local authorities have failed to implement policies, due to severely limited budgets and a lack of capacity, and so have failed to fulfill their commitments to their constituencies. As it currently stands, Pakistan is off-track to meet the Millennium Development Goal (MDG) target to increase the population accessing improved sanitation to 67%. This is very worrying as it does not bode well for the country's ability to meet the upcoming Sustainable Development Goals (SDGs), which has a dedicated goal on water and sanitation. The government therefore will perpetuate current problems and inequalities.

National level policies have not prioritised addressing the needs and inequalities experienced by marginalised groups. There are no targeted policies focused on ensuring equal access to groups such as women, children, slum dwellers, minorities, or those living in rural areas, amongst others. Both the National Sanitation Policy and National Drinking Water Policy make no reference or inclusion of any vulnerable or marginalised groups as priority target groups for improved access. Persons with disabilities are also totally ignored, as is menstrual hygiene and its management. Open defecation free villages, towns and districts are also not explicitly prioritised within the government's agenda, and there is no evidence found in any government document. Demand for sufficient clean drinking water is far outweighing the supply and availability for the population, which is creating major short falls over access, particularly affecting specific vulnerable and marginalised groups. These gaps remain, with no solutions or programmes under consideration at government level to provide improved services.

⁹ WASHwatch.org

¹⁰ The economic impacts of inadequate sanitation in Pakistan, Water and Sanitation Programme, 2012.

Those most affected

Children

- According to the Pakistan Council of Research in Water Resources, child mortality rates due to poor water conditions are 101 per 1000 children under the age of five, while diarrheal infections kill over 2 million a year.¹¹ As a result of poor water and sanitation, it is estimated that 97,900 people die every year. The child mortality rate for the country in 2013 was estimated at 42%, with sanitation and water related diseases responsible for 60% of the total cases in Pakistan.¹²
- A lack of adequate drinking water facilities in schools is one of the contributing factors for low enrollment and high drop-out rates of children from schools. In rural areas, only 64% of government primary schools have drinkable water facilities, with only 47% with usable toilets.¹³

Women and girls

- School drop-out rates of girls is also very high and of high concern, as this is predominantly due to poor sanitation facilities. Without access to proper toilets, women and girls are forced to either wait for nightfall to defecate in the open, or have to use unsanitary toilet facilities. This increases their exposure to highly risky situations, such as sexual harassment, infections, as well as its negative impact on their dignity.
- Rural women are particularly adversely affected by this reality, as access to sufficient water and sanitation is far lower in rural areas, where a large percentage of the population lives in. It was estimated by the Pakistan National Nutritional Survey (2011) that while 66% of the population lived in rural areas, only 32% had access to piped water.¹⁴ This forces women to spend hours sourcing and carrying water to their homes, very seriously affecting their livelihoods.

Internally displaced people

- Pakistan has been crippled by the continuation of warlike politics since 2001, with the battle against terrorism significantly impacting the country and its people. It has also suffered from many severe natural disasters. Both of these have led to millions have led to millions of displaced people, many of whom are still living in camps found around the country. These internally displaced people are deprived of their basic rights, particularly the right to water and sanitation. Millions face the daily reality of not having sufficient access to drinkable water, or any sanitation facilities. When water is available, it often is harmful to their health. This group faces worsening daily living conditions, and is increasingly vulnerable and neglected.

¹¹ Rasheed, June 2015, <http://bit.ly/1LaBnqt>

¹² 'Violations of the Right to Water and Sanitation in Pakistan', The Institute for Social Justice Pakistan, <http://bit.ly/1HAXMhi>

¹³ Ibid

¹⁴ Ibid

Unequal access

Urban access ¹⁵

- There has been an improvement in access to water and sanitation in urban areas over time. As of 2015, it was estimated that 93.8% of the urban population were able to access improved water. This is a progressive improvement by the government, however access to sanitation falls behind, with only 83% able to access improved sanitation.
- Despite these increases, this does not explain the reality people face on the ground. Access to water is often very irregular, with people forced to go for days without access, or pay for private water supplies at extremely high costs.
- Currently, Pakistan has a relatively low urbanised population, however urbanisation rates are increasing dramatically, particularly as a result of political instability, terrorism, and natural disasters. Slums and informal settlements are increasing dramatically quickly. So if problems over access are not addressed as soon as possible, the government will fail an ever-increasing population.

Rural access ¹⁶

- There are large inequalities evident between the country's urban and rural populations. While it is clear that the government is falling behind on meeting sanitation needs of the overall population, this is starkly evident in rural areas where only 51% of the population have access to improved sanitation. This forces a very large percentage of people to find alternative solutions, which have dramatic impacts on their livelihoods. A clear indication of this is an increased rate of open defecation, which has very negative consequences for all communities, as it results in contaminated water sources, a rise in water-borne diseases, and is increasingly worrying for the safety and security of women.
- In 2012, it was estimated that 89% of Pakistan's rural population were able to access improved water. This is a significant improvement, however again the numbers fail to show the reality of the situation in the country. Rural poverty is extremely high in Pakistan, with the majority of the population living on or below the poverty line. This has significant implications on the lives of rural populations, especially affecting their ability to access water and sanitation.
- Due to the severity and repeats of recent floods and natural disasters, much infrastructure has been damaged. This has directly affected water supplies, as well as ruining people's livelihoods. Rural water resources are also very poor, as these are predominantly arid areas. There is vastly unequal distribution of assets evident in rural Pakistan, which is a major cause of poverty in these areas.¹⁷

To date ...

Access to water and sanitation is an internationally recognised human right, however the Pakistani government has not officially recognise this in their constitution. This means that citizens cannot hold their government accountable to ensuring that this right is realised in full throughout the country. Unequal access is a crisis of governance that must be addressed.

¹⁵ All data from WASHwatch.org, as of July 2015

¹⁶ Ibid

¹⁷ 'Enabling rural poor people to overcome poverty in Pakistan', International Fund for Agriculture Development, 2014. <http://bit.ly/1CyDv6d>

Decreased resourcing for water and sanitation

WASH VS. OTHER EXPENDITURE DATA	
Total WASH expenditure ¹	
2010–2012	544.32 M.USD
Expenditure as a % GDP	
Education ²	2.21
Health ²	3.05
WASH ³	0.2

Water, sanitation and hygiene budget expenditure in Pakistan (2014) ¹⁸

It is estimated that the total WASH Budget in Pakistan from 2010 to 2012 was \$544 million (United States Dollar - USD). In a comparative assessment of public expenditures, expenditure on WASH was only 0.17% of GDP. This shows that WASH expenditure is significantly lower than other sectors, is not being prioritised by government, and is not receiving sufficient budget necessary to meet the needs of the people.¹⁹ Access to improved water and sanitation is key to better health and improved livelihoods, so improving access would help improve all other sectors. Major inequalities exist between rural and urban budget allocations and service delivery that are also of utmost importance for government to address.

There are a number of other stakeholders financing and providing water, sanitation and hygiene services in Pakistan, in conjunction to the national and provincial governments. These include a number of international organisations such as UNICEF, UN-HABITAT, the World Bank, WaterAid Pakistan, and the International Rescue Committee amongst many others. WASH receives just 1.2% of the total official development assistance received by Pakistan (2013 figures), but this does amount to \$42.8 million (USD), which forms a very significant contribution to the overall budget covering services in the sector. This adds to the complication of assessing the success of the government's plans, how their budget is being spent, and determining if people's access is being improved over time. What is clear is that the government is not fulfilling their commitments.

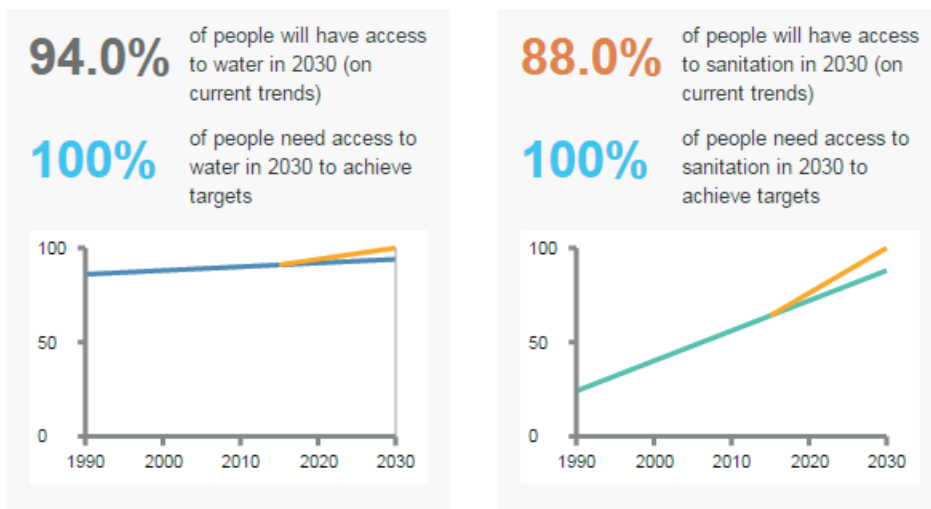
¹⁸ GLAAS report 2014 Country Profiles. Accessed July 2015 <http://bit.ly/1gbLaCW>

¹⁹ Ibid

The road ahead

Based on current trends, the government will fall short of increasing access to water and sanitation for all population groups by the end of the SDGs in 2030. At the current rate of progress, the government will only increase access to sanitation for 88% of the population by 2030, thereby still leaving a significant group without access. Marginalised and vulnerable groups will still be without safe, sufficient and sustainable water and sanitation. **This is not acceptable; the water and sanitation crisis is one of governance, and transformation is critical.**

If the government does not dramatically improve WASH budget allocation and effective implementation of improved service delivery, it will fail to meet its legally binding commitments. They will fail to address the needs of its population. This needs to change.



This briefing clearly shows that government must dramatically increase its commitment to realising the human right to water and sanitation.²⁰ This will be done by prioritising adequate and sustainable budget allocation and expenditure. It must ensure that all levels of government, right down to local and district authorities, have sufficient capacity to ensure effective implementation and increased service delivery. **The government must reverse systemic inequalities to ensure no one is left behind, and deliver on their obligation to fully realise the human right to water and sanitation.**



²⁰ All graphics and data from WASHwatch.org, as of July 2015

Key demands

To ensure that poor and marginalised communities across Pakistan are not left behind, civil society led by Khairpur Rural Development Organisation (KRDO) and the Integrated Regional Support Program (IRSP) are calling on the government of the Islamic Republic of Pakistan to improve the current situation.

National level actions needed:

- The human right to water and sanitation must be included in the constitution of Pakistan. The Parliament of Pakistan needs to lead the approval of constitutional amendments to ensure these changes are made.
- The government must prioritise the local implementation of the human right to water and sanitation, and make this a reality for all citizens.
- Water, sanitation, hygiene and menstrual hygiene must be included in national plans as separate priority issues, along with dedicated implementation plans to improve access.
- A separate government Ministry needs to be established at the national level in order to comprehensively monitor the progress provincial governments make in improving people's access to water, sanitation and hygiene.
- Water and sanitation programmes and policies must prioritise improving the lives of the poor and vulnerable and target them directly.
- All actors must prioritise the prevention of poor water and sanitation related diseases in a systemic and sustainable way, rather than investing in short-term emergency responses.
- Increase budget allocation and priority focus to the WASH sector and ensure that the budgeted allocation is released timely and is managed effectively and efficiently.
- Hygiene education, and particularly menstrual hygiene, needs to be included in all school curricula.

Provincial level actions needed:

- It is urgent that water and sanitation policies must be prepared and approved by Provincial Cabinets and implemented as soon as possible.
- A separate Ministry or Department should be established focusing on water, sanitation, hygiene and menstrual hygiene at the province level.
- The allocation of additional resources must occur to ensure the implementation of effective sanitation and hygiene education in communities and schools.
- Ensure even and fair distribution of WASH resources to guarantee available and sustained WASH services throughout provinces.
- Local and district authorities must have increased capacities to effectively implement policies and provide sufficient, sustainable WASH service delivery.

In conclusion

The Islamic Republic of Pakistan must fulfil their obligation to progressively realise the human right to water and sanitation. Working together in partnerships, we can achieve the right for all citizens in Pakistan to have access to safe, affordable, available, accessible, acceptable and good quality water and sanitation.



This briefing has been developed by Khairpur Rural Development Organization (KRDO) and Integrated Regional Support Program (IRSP), in collaboration with End Water Poverty in August 2015. It is part of a series for the Keep Your Promises campaign, offering critical advocacy opportunities for civil society to hold their governments accountable to the realisation of the human right to water and sanitation.

End Water Poverty is a global civil society coalition, campaigning to end the water and sanitation crisis. End Water Poverty is funded by WaterAid and the Dutch WASH Alliance.

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