



## SUMMARY REPORT

### 6<sup>th</sup> MEETING OF THE EXPERT GROUP ON EQUITABLE ACCESS TO WATER AND SANITATION (24-25 March 2021)

#### *Key messages:*

- **The 10 years of work of the Expert Group on Equitable Access to Water and Sanitation have delivered guidance tools that are well regarded by the international community.** For example, the Equitable Access Score-Card has been applied in [12 countries](#). The EU Commission confirmed at the meeting that those guidance tools can be used by EU member countries to discharge some of their obligations under the new EU Drinking Water Directive.
- **Work on equitable access to water and sanitation remains relevant.** Over 4 million EU citizens do not have access to water networks; and over 30 million people in the pan-European region do not have access to basic sanitation. The COVID-19 pandemic has highlighted the importance of universal access to water and sanitation and the promotion of handwashing practices. The new [EU Drinking Water Directive 2020/2184](#) sets out a number of obligations and recommendations regarding access to water for EU member states; this new legislation will also influence neighbouring countries.
- **Specific work on affordability is a high priority for all stakeholders.** Trends in the sector point towards an increase in the cost of provision of water and sanitation services (driven partly by environmental protection requirements) and new approaches to tariff-setting (with the emergence of national regulatory agencies). Less than 1% of recommendations on the progressive realisation of the human rights to water and sanitation relate to affordability. Efforts are being made by WHO and UNICEF to address definitional and measurement challenges. Work by OECD and the European Commission shows that some groups of people in some countries face unaffordable water bills, and many other groups of people in most countries could pay more. The economic and social impacts of the COVID-19 pandemic and the blunt sector-based policy responses (disconnection bans, free water) have increased the tension between affordability and financial sustainability objectives. There is an increasing concern that traditional sector-based policy instruments (such as Increasing Block Tariffs, IBTs) may be in fact regressive. There is a clear consensus that affordability of water and sanitation services is not a water sector issue, but rather a social protection issue that requires mobilising actors and policy instruments beyond the water sector.
- **Meeting participants welcomed the preparation of the brochure on good practices on ensuring equitable access to water and sanitation and endorsed its [draft outline](#).** The brochure will rely heavily on individual contributions from members of the expert group, which will be facilitated by the Secretariat. Several countries have already responded to the call for contributions and objectives and several international organisations have expressed their willingness to contribute. A full final draft of the brochure will be ready by end of June 2021.



## REPORT

The 6<sup>th</sup> Meeting of the Expert Group took place under a virtual format on 24<sup>th</sup> and 25<sup>th</sup> March 2021. The meeting was Co-Chaired by **Ms. Marta Vargha** (National Public Health Centre, Hungary) and **Ms. Beatrice Jedor** (Ministry of Solidarity and Health, France). A total of [69 participants](#) joined the meeting, including representatives from 23 governments (Armenia, Azerbaijan, Belarus, Croatia, Czech Republic, Denmark, Estonia, France, Germany, Hungary, Latvia, Lithuania, Malta, Moldova, Montenegro, Netherlands, Poland, Portugal, Romania, Serbia, Slovenia, Spain, Ukraine), the European Commission, water and sanitation service providers (AquaPublica, EurEau), civil society organisations (Earth Forever, Ecopartnership, French Water Partnership, Journalists for Human Rights, WECF), research centres (EC-JRC, IRC) and international organisations (OECD, OHCHR, UNECE, WHO), as well as independent experts.

The overall objective of meeting was to support countries in their efforts to ensure equitable access to water and sanitation by providing a platform to exchange experiences in developing situational analyses, defining action plans and implementing concrete measures. The specific objectives of the 6<sup>th</sup> meeting were:

- To take stock of the implementation of the current programme of work on equitable access to water and sanitation.
- To exchange experiences and lessons learned from self-assessments of equitable access to water and sanitation.
- To share information about actions taken to ensure equitable access to water and sanitation in the new COVID-19 context.
- To exchange information on related topics, in particular the equity dimension in the revised EU Drinking Water Directive, which entered into force in January 2021.
- To launch the preparation of the brochure on good practices to ensure affordability of water and sanitation issues and start gathering input for its completion.

The **opening session** featured **Ms. Joelle Carmes** (Deputy-Director General, General Directorate of Health, Ministry of Solidarity and Health, France), **Mr. Tamas Pandics** (Head of Department, National Institute of Public Health, Hungary), and Ms Sonja Koeppel (Co-Secretary of the Protocol on Water and Health). **Ms. Carmes** praised the work of the Expert Group since its inception in 2011, highlighted that the self-assessment tool developed by the Expert Group had facilitated actions in 12 countries, and confirmed that France will continue to support the work of the Expert Group. **Mr. Pandics** reminded participants that Hungary has a constitutional obligation to ensure universal access to water and sanitation, highlighted the synergies of the work of the environment and health communities, and pointed out that the COVID-19 pandemic highlights the importance of ensuring universal access to water and sanitation services. **Ms. Koeppel** introduced the Protocol as a legal instrument as well as an effective framework for cooperation for over 20 years, highlighted that equitable access has



a special focus in the Protocol, and pointed out that 30 million people in the pan-European region still do not have access to basic sanitation.

**Session 1** focused on reviewing progress on ensuring equitable access to water and sanitation in the pan-European region. **Ms. Diane Guerrier** (UNECE Joint Secretariat of the Protocol on Water and Health) introduced the [Protocol on Water and Health as well as the work on equitable access to water and sanitation, explained how the expert group works, and detailed the knowledge products and guidance tools developed by the expert group](#). She highlighted the work completed since the previous meeting of the expert group (June 2018): [Serbia's Action Plan](#), [Belarus' Self-Assessment](#), the new publication [The Human Rights to Water and Sanitation in Practice](#), and activities carried out to promote the different outputs of the expert group. Ms Guerrier also highlighted the recent evolution of the global and regional context, including the 10 years of the Human Right to Water and Sanitation, the COVID-19 pandemic, and the revision of the EU Drinking Water Directive.

**Ms. Alena Drazdova** (Ministry of Health, Belarus) presented the [experience of Belarus in carrying out a self-assessment](#), including both the process and the results. She explained that the Belarus self-assessment was launched in 2018, was carried out in parallel with the process of setting the Protocol targets for Belarus, focused on two regions, was prepared with the support of a national expert, and included intense discussions. Among the conclusions of the self-assessment, she highlighted the lack of tools to raise awareness, the low integration in local authority planning, and the lack of a system to access finance. A report was released in 2020 that included recommendation on the four areas covered by the self-assessment, as well as guidance on how national authorities (including ministries of labour, health, interior, and trade) could use the results of the self-assessment. She highlighted that the COVID-19 pandemic has slowed down the implementation of the follow-up actions, such as a seminar planned for March 2020.

The session concluded with a **tour-de-table** where nine countries detailed specific measures implemented to address inequities during the COVID-19 pandemic and recovery period. Some of the actions reported focus on general issues such as: improvements of information systems regarding water quality data (Azerbaijan, France, Portugal), awareness-raising campaigns on handwashing (Azerbaijan, North Macedonia), and enhancement of inter-institutional coordination (Serbia). Other actions address specific dimensions of equitable access, such as investments in rural areas in Romania or in overseas departments in France to address geographical disparities; improvement of water and sanitation in schools in Serbia, or disconnection bans in Azerbaijan and Portugal to address affordability concerns.

Some participants reflected on related issues prompted by the COVID-19 pandemic. In Latvia, which is a rich country, COVID-19 has not affected significantly the work on water and sanitation. In Bulgaria, one of the reaction to COVID-19 was the closures of public toilets by some local governments, which has a negative impact in terms of equitable access, and the continued increase in WASH tariffs may have had a negative impact in terms of affordability.



Portugal highlighted that the COVID-19 pandemic has brought about an economic and social crisis that prompted a number of measures to address affordability concerns (including in some municipalities extended deadlines for payments and even the provision of free water) but that looking forward there is a need to address both affordability and financial sustainability concerns.

**Session 2** focused on the equity dimension of the [revised EU Drinking Water Directive \(DWD 2020/2184\)](#) adopted in December 2020 and entered into force on 12 January 2021.

**Mr. Michel Sponar** (Deputy Head of Water Industry and Marine Environment Unit, DG Environment, EU Commission) presented [the revised EU DWD](#), which had not been updated for 20 years. The new EU DWD adopts a whole water cycle approach and addresses several shortcomings. One of the focus areas is access to water (4.5% of the EU population is not connected to water networks) and a new article 16 includes a number of obligations and recommendations. Obligations include, among others, identifying people without access, assessing the possibility to improve, and taking measures to ensure access by vulnerable and marginalised groups. A database of measures should be in place by 2029. The responsibility for implementing the EU DWD rests with the EU member states. Access to sanitation services will be dealt with in the upcoming revision of the EU Urban Wastewater Treatment Directive.

**Mr. Oliver Schmoll** (Programme Manager, Water and Climate, European Centre for Environment and Health, WHO-Europe) explained how the [work of the Protocol on Water and Health supports the implementation of the EU DWD and mapped the linkages between the equity work and other work under the Protocol](#).

**Mr. Oliver Loebel** (Secretary General, Federation of European Water Utilities – EurEau) provided a [water utilities perspective on the equity aspects of the EU DWD](#). He highlighted the need to ensure sustainable financing through the 3Ts sources of financing (tariff revenues, tax-funded subsidies, and transfers); the role of water operators in implementing the social policy aspects of the EU DWD; and the high accessibility levels in the EU (96% for drinking water; 87% for wastewater treatment plants). Regarding accessibility, he recalled the role of water operators in connecting more users and installing public fountains, and warned that demographic trends (depopulation of rural areas) pose a challenge. Regarding affordability, he identified the need of pollution control at source to avoid costly treatment (and its impact on affordability) calling for the polluter-pays schemes when pollution cannot be avoided, and described how water operators are involved in social schemes in Belgium, Italy, France, and Spain.

**Ms. Marta Vargha** (National Public Health Centre, Hungary) and **Ms. Natasha Dokovska** (Journalists for Human Rights, North Macedonia) reflected on the challenges and opportunities in implementing the equity aspects of the EU DWD. **Hungary**, as an EU member state, has to respond to the [new obligations brought by the EU DWD](#) regarding improving access and promoting tap water. Challenges relate to data gaps (e.g. regarding users of private wells), reaching to some vulnerable and marginalised groups (the lowest access rates



are in low income micro-regions with slums), and affordability (in particular the cost of connection). Response actions are organised around three areas: strategies and regulations, infrastructure development, and information and guidance. The National Water Strategy addresses affordability concerns. **North Macedonia** is not an EU member state but EU directives have [an influence](#). Monitoring of drinking water quality and investigations of failures to comply are already aligned with EU legislation. The Rulebook on Drinking Water will be revised to align with the EU DWD.

*[In Day 2 of the workshop, following a query from several EU member states, Mr Bert Leemans (EU Commission) confirmed that, while each EU member state is responsible for how to comply with the new EU DWD obligations, tools developed under the Protocol on Water and Health (such as the Equitable Access Scorecard) could be used to discharge some of those obligations.]*

**Session 3** focused on establishing the ground for the new work of the Expert Group on affordability. **Ms. Guerrier** presented [the concept of affordability of water and sanitation services and provided an overview of the past work on affordability carried out by the Expert Group](#).

**Mr. Rio Hada** (Team Leader; Economic, Social and Cultural Rights, OHCHR) pointed out that less than 1% of the recommendations regarding the progressive realisation of the human rights to water and sanitation focus on affordability, a key one being to ensure that targeted measures reach deserving users. He highlighted that tools developed under the Protocol on Water and Health have made officials more aware of the issues, that the self-assessments supported by the Protocol are not just technical exercises but human rights exercises, that we need a more granular understanding of affordability issues, and that affordability is a social protection issue.

**Mr. Richard Johnston** (Technical Officer, WHO/UNICEF Joint Monitoring Programme for Water Supply Sanitation and Hygiene, WHO) focused on how to monitor affordability. He pointed out that it is not easy to define and measure affordability, particularly under a human rights approach. It is easier in advanced countries where the cost of a basic level of service is known and the welfare system guarantees a minimum income level. In other countries, there is a need to calculate the cost of a future basic level of service. Short term policy responses to the COVID-19 pandemic have included free water and disconnection bans, which are having an impact on financial sustainability of service provision. Regular reporting on affordability under the Protocol on Water and Health would be very helpful, and next year's regional workshop could provide a forum to exchange experiences for example about the use of Increased Block Tariffs (IBTs) which, contrary to conventional wisdom, are not really pro-poor.

**Mr. Xavier Leflaive** (Principal Administrator, Environment Directorate, OECD) pointed out the need to acknowledge the tensions between affordability and financial sustainability as different policy objectives, and that and that the non-connected poor pay a high cost of water.



He recalled the findings of a recent OECD/EC report, in particular that while affordability is an issue in some countries for some groups, in most countries most people could pay more. The selection of policy instruments to address affordability concerns should take into account three governance issues: access to data (water utilities do not know who should be targeted), transaction costs (tariff re-design is a complex process), and transparency (sophisticated tariffs often blur the price signal). As pointed by a previous speaker, IBTs are regressive in many cases and assume that poorer households could use less water than wealthier households, which is often not the case. Social tariffs have high informational demands. Targeted social protection measures would be preferable, as they have a lower administrative cost, but require the existence of a “social policy infrastructure”. Fiscal instruments with the largest base should generally be the preferred way of financing of social protection measures.

**Mr. Milo Fiasconaro** (Executive Director, Aqua Publica) highlighted that affordability is not just a water sector issue, and that social protection measures should be funded by the public budgets. The policy context for ensuring affordability is changing. First, there is a growing awareness that current solutions to address affordability may not work well, as different groups have different needs, and that volumetric tariffs may not be equitable. For example, in Brussels households with an immigrant background consume more bottled water for cultural reasons, while rich households often consume less water as they have more water-efficient appliances. Second, the tariff-setting landscape has evolved in recent years, from being primarily a local-level issue to becoming a national-level issue with the emergence of regulators (which increasingly have an universal access mandate). Third, the legal framework is also evolving, with the new obligations set by the revised EU DWD. Overall, there is a trend towards expanding the perimeter of responsibilities of water operators (now including energy efficiency or environmental protection) which results in an increase in the cost of provision, as well as an increase in the urban/rural divide.

**Session 4** focused in the preparation of a brochure on good practices in ensuring affordability. **Mr. Roberto Martín Hurtado** (UNECE consultant) presented the [concept, process and outline of the brochure](#). The objectives of the brochure are to raise the profile of affordability issues among policymakers, to enhance the understanding of how affordability concerns can be addressed, and to inspire and further promote further action on ensuring affordability. The primary target audience is ministries responsible for water and sanitation services, social protection and finance; but also including water regulatory authorities, local authorities, and service provider. The brochure will be less than 20 pages long and be structure around introductory sections (Why does affordability matter? What is affordability? What policy options are available?), good practice sections (Adopting a strategic approaches, Implementing tariff measures, Implementing social protection measures), and concluding sections (How can affordability be financed? What to do now?). After a rapid literature review, the next steps are to identify and gather good practices with support from Expert Group members (early April), prepare a first draft for review by Expert Group member (early May 2021) and develop a final draft of the brochure (early June 2021).



Expert Group members presented actions taken in recent years to address affordability concerns. In **France** by law water and sanitation services have to be affordable, financially sustainable, and non-discriminatory. Since 2013, the Law Brottes has allowed experimentation by 50 local authorities, each using a unique set of measures, with support from the Ministry of Ecology. One of the conclusions is the difficulty in identifying and reaching beneficiaries, and the links to vulnerable and marginalised groups. **Armenia** has conducted an assessment of the impact of water and sanitation tariffs on vulnerable and marginalised groups, and developed a recommendation for social tariffs. The emergence of a single provider for water and sanitation services, with a single tariff for the whole country, has helped to address affordability concerns in areas with a high-cost of provision. **Portugal** has adopted a strategic approach that includes the application of an affordability indicator at different geographical levels, which has helped to identify specific areas where affordability concerns are higher and should be the focus of specific actions. In **Bulgaria**, some water consumers face a heavy burden as tariffs have recently increased by 3 or 4 times, and a 2004 Ordinance forces them to pay for water that their neighbours consumed but did not pay. The new water and sewerage cost (which has been in preparation since 2010 and is currently in the parliament) sets the affordability threshold at 2.5% of average household income, but given the high income inequality in Bulgaria this threshold may not be adequate. Making sure that water operations optimise costs would be a key element to ensure affordability.

Expert Group members endorsed the outline of the brochure, and recommended the use of visual elements and providing clarity regarding the implementation of measures.

In the **concluding session**, the meeting Co-Chairs thanked the presenters and participants for their contributions, and Ms Guerrier reminded expert group members to send back to the Secretariat by 7<sup>th</sup> April 2021 the questionnaire distributed in advance of the meeting (particularly sections 3 and 4) as that information would be key for the good development of the brochure.

**All presentations and documents of the meeting are available on the event webpage at:**  
<https://unece.org/environmental-policy/events/sixth-meeting-expert-group-equitable-access-water-and-sanitation>