



ARTICLE 19



The Free Flow Principles: Freedom of Expression and Rights to Water and Sanitation

2014

International Standards Series

ARTICLE 19

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Preface

Water is essential to the well-being of humankind. It is critical for sustainable development and a basic requirement for the functioning of all the world's ecosystems. It is vitally important not only for the protection of human rights – such as the rights to life, health, dignity, a healthy environment, food and work – but also for securing social justice and for protecting cultural identity and diversity, equality and peace.

Although the rights to water and sanitation have been recognised as legally binding human rights under international law, significant work is required to ensure their realisation in practice at international, regional and national levels. Concentrated efforts are also needed to ensure a correct balance between the allocation of water for personal and domestic use and the use of water for the purposes of agriculture, energy production and industry. In addition, the availability of water resources must be considered in relation to sustainability and the protection of the environment, so that present and future generations may benefit from them.

The right to freedom of expression – the right to seek, receive and impart information and ideas of all kinds without frontiers – is a fundamental human right, necessary for individual self-fulfilment, self-realisation and autonomy and for the functioning of a democratic form of government. The right to freedom of expression is also an empowerment right: it allows people to claim other human rights, demand access to essential services and participate in decision-making affecting their lives. In short, freedom of expression is a key tool to the success of any efforts aiming at the realisation of the rights to water and sanitation.

These Principles recognise the positive relationship between the right to freedom of expression and information (freedom of expression) and the rights to water and sanitation. As such, they are founded on the following inter-connected aspects of the right to freedom of expression:

- **The right to know:** Information empowers people to pursue their rights to water and sanitation. This aspect of the right obliges governments and other duty bearers to proactively inform the population about issues relating to water and sanitation, water-related resources and management. It is the basis for transparency, accountability and good governance in all water and sanitation-related matters.

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- **The right to speak:** The freedom of the media and freedom of individuals to communicate information to the public is a key aspect of the right to speak. Individuals have the right to voice their or others' opinions and discuss matters relating to their rights to water and sanitation. Media and digital technologies make it possible to seek, impart and disseminate information and to critically assess the conduct of a state with regard to these rights.
 - **The right to be heard:** Individuals, human rights defenders, activists, independent civil society organisations, communities and groups must be able to participate in water and sanitation-related decision-making and to freely voice their concerns without fear of reprisals or discrimination. This aspect of the right also implies the adoption of special measures ensuring the right to freedom of expression for all people in society, especially women, vulnerable and marginalised populations, and those who are discriminated against on any protected grounds recognised in international law.

These Principles set out the minimum obligations of states and other duty bearers, including private entities, to protect and promote these rights. They seek to promote the free flow of information, transparency, accountability and good governance and civic engagement in related decision-making. As such, they apply to the water and sanitation sectors in a broad sense, covering water supply and sanitation, integrated water resources management and water for the purposes of the industry.

We call on individuals and organisations working towards the realisation of the right to freedom of expression and/or the rights to water and sanitation around the world to endorse these Principles and promote them in their work.

We also call on legislators, public officials, decision-makers, courts, public authorities, private bodies exercising public interest functions, and the private business sector, as well as development partners, media organisations and civil society, to bring these Principles into effect at all levels.

Background

These Principles are part of ARTICLE 19's International Standards Series, an ongoing effort to elaborate in greater detail the implications of freedom of expression in different thematic areas. Their development was motivated by a desire to encourage greater global consensus about the importance of the right to freedom of expression in the protection of economic, social and cultural rights.

These Principles are based on international law and standards, evolving state practice (as reflected, *inter alia*, in national laws and judgments of national courts), and the general principles of law recognised by the community of nations. In particular, they reaffirm the standards set out in Principle 10 of the *Rio Declaration on Environment and Development* (Rio Declaration) and in the *Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters* (Aarhus Convention). They also reaffirm standards drawn from international and comparative national practice, such as *The Public's Right to Know: Principles on Freedom of Information Legislation*; *The Johannesburg Principles on National Security and Freedom of Expression and Access to Information* and *The Tshwane Principles on National Security and the Right to Information*.

These Principles are the result of a process of study, analysis and consultation, overseen by ARTICLE 19, drawing on extensive experience and work by ARTICLE 19's regional offices and partner organisations in many countries around the world. The process of developing these Principles included a meeting of experts on freedom of expression and the rights to water and sanitation in London on 20 and 21 February 2014. It also included broader discussion around the draft that formed the basis of the London meeting.

¹ The term 'we' comprises all individuals and organisations who have endorsed these Principles.

SECTION 1

General principles

The background of the page is a dark blue color. It features several large, abstract, overlapping geometric shapes in a lighter shade of blue. These shapes include rounded rectangles, triangles, and irregular polygons, some with rounded corners and others with sharp edges. The shapes are arranged in a way that creates a sense of depth and movement, with some appearing to be layered on top of others. The overall aesthetic is modern and minimalist.

Principle 1: Right to freedom of expression and information

- 1.1. Everyone has the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, orally, in print, in the form of art, through print, broadcast or digital media or through any other media of his or her choice.
- 1.2. The exercise of the right to freedom of expression and information may be subject to restrictions only on grounds specified by international law. No restriction on freedom of expression and information may be imposed unless the state can demonstrate that the restriction:
 - a) Is prescribed by law: the law must be accessible, unambiguous, and worded with sufficient clarity and precision so as to enable individuals to foresee whether a particular action is unlawful.
 - b) Pursues a legitimate aim, namely the respect of the rights and reputations of others, the protection of national security or of public order (*ordre public*), or of public health or morals.
 - c) Is necessary and proportionate in a democratic society in pursuit of these interests.
- 1.3. States must not only refrain from interfering with the right to freedom of expression but are also required to adopt positive measures to ensure that individuals are able to effectively exercise the right between themselves. This means that states are obliged to protect the right to freedom of expression from interference by private parties but also to create a favourable environment for participation in public debate and the conditions for the free flow of information and ideas in society.

Principle 2: Rights to water and sanitation

- 2.1. The human rights to water and sanitation entitle everyone:
- a) To have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use.
 - b) To have physical and affordable access in all spheres of life to sanitation that is safe, hygienic, secure and acceptable and that provides privacy and ensures dignity.
- 2.2. States have an obligation to respect, protect and fulfil the rights to water and sanitation without discrimination, conforming to the following conditions:
- a) States must refrain from interfering directly or indirectly with any person's rights to water or sanitation without substantial justification.
 - b) States should ensure that no private party interferes with an individual's rights to water and sanitation without substantial justification. They are required to establish a regulatory system for service providers that includes mechanisms to ensure genuine public participation, independent monitoring and compliance with regulations.
 - c) States must take steps, to the maximum of their available resources and by all appropriate means, to achieve progressively the full realisation of the rights to water and sanitation, including through, among other things, the provision of public services. They are obliged to take steps that are specific, deliberate and targeted at realising these rights as expeditiously and effectively as possible. Such steps should be undertaken by states individually and through international assistance and cooperation, especially economic and technical ones.

Principle 3: Legal protection of the rights

- 3.1. States should become a party and give effect in their domestic legislation, through incorporation or otherwise, to all international and regional human rights treaties guaranteeing the right to freedom of expression and the rights to water and sanitation.
- 3.2. States should ensure that the right to freedom of expression and the rights to water and sanitation are protected in their domestic legal system by:
 - a) Enshrining them in domestic constitutional provisions or their equivalents, in accordance with international human rights law.
 - b) Adopting clear legal and policy frameworks for their protection, in full compliance with international standards and best practices.
 - c) Adopting specific and comprehensive legislation on access to information, guided by the principles specified in international law, in particular:
 - Access to water and sanitation-related information should be guided by the principle of maximum disclosure. Laws which are inconsistent with the principle of maximum disclosure should be amended or repealed;
 - Public bodies should be under an obligation to proactively publish key information relating to water and sanitation;
 - Public bodies should actively promote open government in the water and sanitation sectors;
 - Exceptions to the right to freedom of information should be clearly and precisely worded and subject to strict 'harm' and 'public interest' tests. This means that any refusal to disclose information must relate to limited legitimate aims; disclosure must threaten to cause substantial harm to that aim; and the harm to the aim must be greater than the public interest in releasing the information;
 - Requests for water and sanitation-related information should be processed rapidly and fairly and an independent review of any refusals should be available;

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- Individuals and organisations should not be deterred from making requests for information by costs;
 - Meetings of public bodies in the water and sanitation sectors should be open to the public;
 - Individuals who release information on wrongdoing in the water and sanitation sectors should be protected.
- 3.3. States should provide for sufficient safeguards against the abuse of both the right to freedom of expression and the rights to water and sanitation. They should also provide for prompt, full and effective scrutiny of the validity of any restriction by an independent court, tribunal or other independent adjudicatory body as required by the rule of law. They should ensure that accessible and effective remedies are available when rights are violated: these should include pre-cautionary measures and non-judicial remedies, such as those awarded by dedicated regulators and agencies, national human rights institutions and/or ombudspersons.

Principle 4: Equality and non-discrimination

- 4.1. States should establish an institutional framework to protect and promote formal and substantive equality and non-discrimination. This framework should be fully implemented in a broad, inclusive way in relation to the rights to water and sanitation. All measures and decisions in the water and sanitation sectors should adequately address the needs of vulnerable, marginalised and discriminated against individuals while also removing the root causes of exclusion and inequality
- 4.2. States should adopt and implement an explicitly gender-sensitive approach to all decision-making relating to water and sanitation, in order to address the particular needs of women and girls and ensure that these are met.

Principle 5: Transparency and accountability

All international, regional, national and local decision-making in the water and sanitation sectors must be transparent and evidence-based. It must ensure respect for the right to freedom of expression and information and the rights to water and sanitation. Inter-governmental organisations and states should ensure that treaties and agreements relating to water and sanitation, multi-lateral, bi-lateral and others, are fully consistent with their international human rights obligations.

SECTION 2

The right to know and the rights to water and sanitation



Principle 6: Access to information relevant for realisation of the rights to water and sanitation

- 6.1. States should ensure that the public has access to reliable and accurate information about all matters relevant to the realisation of the rights to water and sanitation on the basis of pro-active disclosure. This should include, in particular:
- a) Information about quality, quantity, costs, and continuity of water supplies, services and facilities necessary for daily use by individuals and communities, including:
 - Information about the quality of drinking water, water safety and accessibility;
 - Information on available water supplies and water, sanitation and hygiene services and facilities, their frequency, methods of delivery and maintenance;
 - Information about emergency water supplies and services;
 - Water and sanitation tariffs, tariff structures and changes to these tariffs and structures.
 - b) Information relating to the management of the water and sanitation sectors, including:
 - Information relating to surface and ground water quality and quantity;
 - Information on budgets, revenues and expenditure in relation to water and sanitation;
 - Information on strategic maintenance issues in the water and sanitation sectors;
 - Information about financial aid programs and mechanisms relating to water and sanitation, including those aimed at marginalised and vulnerable groups;
 - National, regional and local strategies and plans of action relating to the universal delivery of water and sanitation;

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- Strategies, planning documents, agreements and frameworks relating to water management, including river basin plans, water allocation and decision-making processes;
 - Information on disaster risk reduction and response strategies and mechanisms addressing water and sanitation needs;
 - Information on sustainability measures aimed at preserving resources;
 - Information on contracting criteria, reasons for allocation, budgets, expenses and advertising contracts relating to the rights to water and sanitation.
- c) Information on all existing databases, records and information assets in water and sanitation sectors.
- d) Information relating to privatisation, concession, corporatisation, nationalisation, partnership and the contracting of essential water and sanitation services.
- e) Information relating to development and industrial projects affecting water and sanitation, such as:
- All contracts, concessions, memoranda of understating and related agreements;
 - Tendering, bidding and contract negotiations;
 - Progress reports on whole project cycles, including: planning, procurement, licensing, compliance with license conditions, conditions of implementation, monitoring and progress reports.
- f) All types of strategic and impact assessments, including environmental impact assessments (EIAs) and strategic environmental assessments (SEAs), social impact assessments and human rights impact assessments that may affect the rights to water and sanitation.
- g) Agreements with other states or measures affecting other states' access to essential water supplies from shared water resources and plans for sharing water between states.

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- 6.2. States should ensure that, in the event of any imminent threat to human health or the environment, whether caused by human activities or due to natural causes, all information which could enable the public to take measures to prevent or mitigate harm arising from the threat is disseminated as widely as possible. Such information must be effectively and immediately disseminated to communities and members of the public who may be affected.

Principle 7: Collection of information and data

- 7.1. Public bodies and other duty bearers should ensure that accurate, reliable and comprehensive information and data relating to the realisation of the rights to water and sanitation are collected on a regular basis and maintained in an organised and systematic manner.
- 7.2. Information and data relating to the realisation of the rights to water and sanitation should be made available in open and machine-readable formats, using commonly available, open source or free software tools. Public authorities and other duty bearers should ensure that the data can be processed, evaluated, published and reused without restrictions.
- 7.3. Data relating to the realisation of the rights to water and sanitation should be disaggregated to address particular needs of groups who are marginalised, vulnerable or discriminated against. It should also be disaggregated according to underserved areas, urban and rural disparities and upper and lower income quintiles.
- 7.4. Public authorities should develop indicators and benchmarks that monitor a state's progress towards the full realisation of the rights to water and sanitation. In doing so, states should obtain guidance from relevant international global agencies with experience in producing indicators on different aspects of human development, such as the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO); as well as proposals for indicators and benchmarks developed by experts and civil society.
- 7.5. Public and private bodies should ensure that environmental, social and human rights strategic and impact assessments relating to all industries and sectors affecting the rights to water and sanitation are conducted by independent and technically competent entities and are produced in a manner that are understandable to affected individuals and communities. They should also ensure that they implement adequate safeguards and mechanisms of control over such assessments.

Principle 8: Facilitating access to information relevant for the realisation of the rights to water and sanitation

- 8.1. States should ensure that all procedures for accessing information apply to information relevant for the realisation of the rights to water and sanitation. These procedures should ensure that requests for water and sanitation-related information are to be processed rapidly and fairly, that an independent review of any refusals and complaints mechanisms is available and that applicants are provided with assistance if necessary.
- 8.2. Information on water and sanitation issues contained in publicly accessible registers, files or lists should be available free of charge. Alternatively, the costs of obtaining relevant information should not be prohibitive and should never exceed the cost of producing or supplying a copy. Costs should be waived in public interest cases and for poor applicants who would otherwise be unable to cover the costs.

Principle 9: Measures to promote openness in water and sanitation sectors

- 9.1. Public bodies and other duty bearers should adopt and implement comprehensive measures that facilitate the sharing of information relating to the rights to water and sanitation and promote transparency in the water and sanitation sectors. They should refrain from activities that may impede the realisation of these rights, such as:
 - a) Imposing direct restrictions on access to information relating to the realisation of the rights to water and sanitation.
 - b) Withholding or intentionally misrepresenting information, including information on the commerce-related activities of private entities and industries that affect the rights to water and sanitation.
- 9.2. States should take steps to ensure that:
 - a) Legislation on national security, anti-terrorism, state secrets and other legislation and trade treaties restricting the free flow of information are reviewed for their compliance with international freedom of expression standards and amended and/or repealed as necessary. Any use of such legislation in relation to the realisation of the rights to water and sanitation must be strictly in line with international standards.
 - b) Commercial confidentiality does not jeopardise the transparency requirements provided for within the human rights framework. Public bodies and other duty bearers can only refuse to disclose information relating to the rights to water and sanitation on the basis of protecting public economy interests, trade secrets or legitimate commercial interests, if disclosure would be likely to cause serious harm to that legitimate interest and if the harm caused by disclosure outweighs the public interest benefit.
- 9.3. Public bodies and other duty bearers should be explicitly required to:
 - a) Allocate sufficient resources and attention to ensuring that their record-keeping on water and sanitation is adequate and that records are maintained in a manner which facilitates the right to information. In addition, to prevent any attempt to doctor or otherwise alter records, the obligation to disclose should apply to the records themselves and not just the information they contain.

- b) Disseminate information in a variety of formats and through multiple channels of communication, including mass media, digital media, community-base media and traditional forms of communication, and ensure that it is available in non-technical and accessible language, a culturally sensitive format and that it is translated into local languages and/or adapted to the local context.
 - c) Provide comprehensive training to all relevant staff on openness and their obligations in provision of water and sanitation-related information to the public.
- 9.4. States should adopt and vigorously implement comprehensive legislation and other measures protecting individuals, including public and private sector employees, who release information about wrongdoing. They should ensure that whistleblowers on water and sanitation-related issues benefit from this protection.
- 9.5. States should establish systems of sanctions for those who fail to meet their obligations under the freedom of information framework or who otherwise obstruct access to information on issues relating to water and sanitation, including through the destruction of records and information systems or the manipulation and misrepresentation of information.
- 9.6. States should ensure that freedom of information requirements apply to private entities, in particular private businesses and multinational companies which operate in the water and sanitation sectors, and make sure that these entities do not restrict or limit individuals' access to information that is necessary for the realisation of their rights to water and sanitation.
- 9.7. States should further increase the free flow of information relevant to the realisation of the rights to water and sanitation through public campaigns and through the promotion and support of educational programmes and scientific research.

SECTION 3

The right to speak and the
rights to water and sanitation



Principle 10: Freedom of speech and the media

- 10.1. States should create an enabling environment for individuals to realise their right to freedom of expression in relation to the rights to water and sanitation, through a variety of means of communication, including traditional media, digital media, community media, social networks and mobile telephony.
- 10.2. States should adopt legal, regulatory and public policy frameworks for the media, including digital technologies, which promote their independence, diversity and pluralism, and thus, allow for independent investigation and reporting on issues relating to the rights to water and sanitation. Such frameworks, should, in particular, ensure that:
- a) Any regulation of the media is undertaken only by bodies which are independent of the government and of commercial and political interests, which are publicly accountable and which operate transparently.
 - b) The principle of editorial independence is guaranteed by law and respected in practice.
 - c) A wide range of independent media and ownership exists, allowing for pluralism and diversity of voices, viewpoints and languages within the media as a whole.
 - d) Different communities are able to freely access and use media and digital technologies for the production and circulation of content relating to the rights to water and sanitation, regardless of frontiers.
 - e) Public service and state media have a special obligation to provide information about, and permit, promote and inform debate on, the rights to water and sanitation and in doing so should ensure that they give voice to diverse points of view, issues and stakeholders.
 - f) Community media, including community radio, are able to operate and to engage in content production and the dissemination of information relating to the rights to water and sanitation and to promote and exchange information about related issues.

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- g) Vulnerable, disadvantaged and marginalised populations have equitable access to media resources, including training opportunities, and can use them in pursuit of their rights to water and sanitation.
 - h) Any restrictions on the use of minority or local languages that have the effect of discouraging or preventing media from specifically addressing the views or interests of communities, including those related to the rights to water and sanitation, should be repealed.
- 10.3. States should remove all restrictions to the free flow of information and discourse relating to the realisation of the rights to water and sanitation, through measures such as censorship, banning, blocking, and otherwise obstructing the dissemination of related information by the media and by other means.
- 10.4. States should refrain from influencing the content and means of dissemination of water and sanitation-related information by the media through financial and other means, including preferential treatment in state advertising and campaigns. The direct hiring of sole suppliers of information on water and sanitation issues must only occur in cases of emergency or extreme urgency, and those situations must be defined in the applicable provisions in order to prevent their abuse.

Principle 11: Access to the means of communication

- 11.1. States must promote and adopt necessary measures – to the maximum of their available resources – to ensure universal and affordable access to the means of communication and to the reception of media services, including digital technology and mobile telephony.
- 11.2. States should support the use of digital technologies in the realisation of the rights to water and sanitation, especially by:
 - a) Ensuring the necessary infrastructure exists for access to all means of communication, including digital technologies and mobile telephony, taking measures to ensure their maximum geographical reach.
 - b) Using digital technologies to report on water and sanitation issues, to access related information, to submit applications, forms, complaints and grievance redress mechanisms, to organise consultations on water and sanitation issues and provide helplines.
 - c) Promoting digital literacy skills so that a wide range of individuals understand the benefits of digital technologies in the realisation of the rights to water and sanitation.

SECTION 4

The right to be heard and the rights to water and sanitation

Principle 12: Ensuring protection and combating impunity

- 12.1. States should ensure that journalists, human rights defenders, activists, and others who exercise their right to freedom of expression – both online and offline - in relation to the rights to water and sanitation can work safely without the fear of physical violence, intimidation, harassment or arbitrary arrest and detention, indiscriminate abuse in criminal and civil proceedings or threats of such acts. In particular, they should:
- a) Put in place comprehensive measures of protection for those individuals and groups who are likely to be targeted for what they say. This should happen whenever this is a recurring problem identified as a cause of concern by such individuals and groups.
 - b) Ensure that all attacks and forms of intimidation are subject to independent, speedy and effective investigations and prosecutions and those responsible are held accountable.
 - c) Ensure that victims have access to appropriate remedies.
- 12.2. State officials should unequivocally condemn attacks committed in reprisal for the exercise of freedom of expression and should refrain from making statements that are likely to increase the vulnerability of those who are targeted or likely to be targeted.
- 12.3. States should implement protection measures and create a safe environment for the media and civil society. This should include:
- a) Fully implementing standards and guidelines provided by relevant international actors with experience in providing protection mechanisms and measures, including UN human rights bodies (such as special procedures of the Human Rights Council), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Office of the United Nations High Commissioner for Refugees (UNHCR), the Red Cross and civil society organisations. These standards should include, most notably, the *United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity*.
 - b) Collaborating and consulting with stakeholders, especially civil society organisations, the media and national human rights institutions.

Principle 13: Enabling peaceful protest on water and sanitation issues

- 13.1. States should ensure a safe and enabling environment for individuals and groups to voice their opinions, concerns and demands relating to the rights to water and sanitation, individually and collectively through peaceful protests, in conformity with their international human rights obligations and commitments.
- 13.2. State authorities, especially law enforcement officials, should refrain from using their powers to prevent individuals and groups from protesting on water and sanitation-related issues. They must avoid using force during peaceful protests, and should ensure that, where force is absolutely necessary and proportionate, no one is subject to the excessive or indiscriminate use of force.

Principle 14: Ensuring public participation

- 14.1. Decision-making relating to the rights to water and sanitation must be democratic and transparent and must represent the needs of those affected. States should support the active, free and meaningful participation of individuals, communities and groups representing them in decision-making processes relating to water and sanitation – at national, regional and local levels – by;
- a) Ensuring that consultation processes are not merely superficial or limited to overall information sharing, but are conducted in good faith and provide real and meaningful opportunities to freely and actively influence decisions. This should include ensuring that:
- All related information is communicated in an efficient manner, at the start of the decision-making and throughout the process at an appropriate time, through multiple channels and using culturally appropriate procedures;
 - Meetings are organised in the locality of those affected and in locations that can be easily accessed;
 - Two-way translations for local languages are provided and jargon or highly technical terms are avoided;
 - Participation begins at the start of the process or project and sufficient and reasonable time is allocated at every stage for the public's participation;
 - Individuals, communities and groups are able to submit in writing any observations, information, suggestions, proposals, counter-proposals, analyses or opinions which they believe are relevant;
 - Funds are appropriately spent on interventions that are needed and which strengthen the capacity of individuals, communities, groups and civil society to engage;
 - When a decision is taken, the results of public participation are duly taken into account and the public is informed promptly of the decision. The decisions should also explain why particular options were chosen over others;
 - Appeal mechanisms are available for affected communities if they believe that their opinions were not fairly considered.

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- b) Using mechanisms, such as mediation and other processes, which aim at reaching consensus on water and sanitation-related issues.
 - c) Encouraging the development of water councils, watershed boards and committees at a local level. These should include the broadest possible range of participants and stakeholders. If possible, members of such bodies should be given the right to review and influence respective budgets and the authority to enforce decisions.
 - d) Ensuring that independent and autonomous regulatory bodies in the water and sanitation sectors - and watershed boards committees, where they exist - are inclusive and gender-balanced and include representatives from a wide range of stakeholders, including representatives of vulnerable and marginalised groups.
 - e) Ensuring that environmental, social, human rights and cultural impact and strategic assessments give due consideration to the concerns of all those affected and to holders of traditional knowledge and practices.
 - f) Facilitating access of civil society organisations – registered and unregistered - to funding and resources, including from foreign or international sources, without prior authorisation or other undue impediments, as well as removing other undue restrictions on civil society organisations, so that they can effectively take part in democratic process and support efforts to full realisation of the rights to water and sanitation.
 - g) Publicising the process of reporting to international and regional human rights bodies and engaging the public in the preparation of these reports through a variety of means. These should include consultations organised by national human rights bodies, with a view to increasing their impact on the realisation of the rights to water and sanitation.

- 14.2. States should take effective steps to ensure that women are fully included in decision-making processes concerning water and sanitation. They should promote gender-sensitive participatory processes that both empower women and raise awareness of gender issues amongst men.
- 14.3. States should actively promote the participation of individuals and groups who are vulnerable, marginalised, disadvantaged and discriminated against, in particular indigenous people, refugees and internally displaced people, in the decision-making processes relating to the rights to water and sanitation. They should ensure that these individuals and groups are provided with the necessary information and skills to participate meaningfully.



SECTION 5

Other actors

Principle 15: Roles and responsibilities of other actors

- 15.1. **Inter-governmental organisations**, including international financial institutions, and United Nations and regional bodies and funds, should:
- a) Comply with international human rights standards on freedom of expression and the rights to water and sanitation and ensure that their development co-operation does not lead to impediments for human rights.
 - b) Ensure transparency in all their decision-making processes and activities.
 - c) Further recognise the importance of the right to freedom of expression for the realisation of the rights to water and sanitation and use the opportunity presented by the review of state reports on states' obligations under international treaties to remind states of their obligations to protect these rights.
- 15.2. **Private sector** bodies should adopt corporate social responsibility standards which recognise the importance of freedom of expression and transparency for the development agenda. In particular, they should implement *United Nations Guiding Principles on Business and Human Rights* as minimum standards for their corporate social responsibility policies and should join multi-stakeholder initiatives, such as the *Extractive Industries Transparency Initiative* and the *Construction Sector Transparency Initiative*.
- 15.3. International, state and private **donor agencies** should consider a more systematic integration of freedom of expression, freedom of the media and freedom of communication within the funding policies and strategies that relate to the rights to water and sanitation. They should ensure that their funding programmes explore ways to strengthen the interaction between good governance and freedom of expression and the rights to water and sanitation, for example through capacity building for journalists and other stakeholders who report on water and sanitation issues, through support for investigative and qualitative journalism, or through the support and use of digital technologies for water and sanitation issues.

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- 15.4. **Media organisations** should recognise the role they can play in framing issues of public importance and helping to satisfy the public's need for information, including those relating to the rights to water and sanitation. They should draw attention to and expose any violations of the rights to water and sanitation and provide platforms for inclusive public debate about related issues, reflecting a diversity of views and perspectives.
- 15.5. **Civil society organisations** that run water and sanitation services and facilities should operate in a transparent and accountable manner and follow the same freedom of information standards that are applicable to public bodies and other duty bearers.

Appendix: Contributors

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