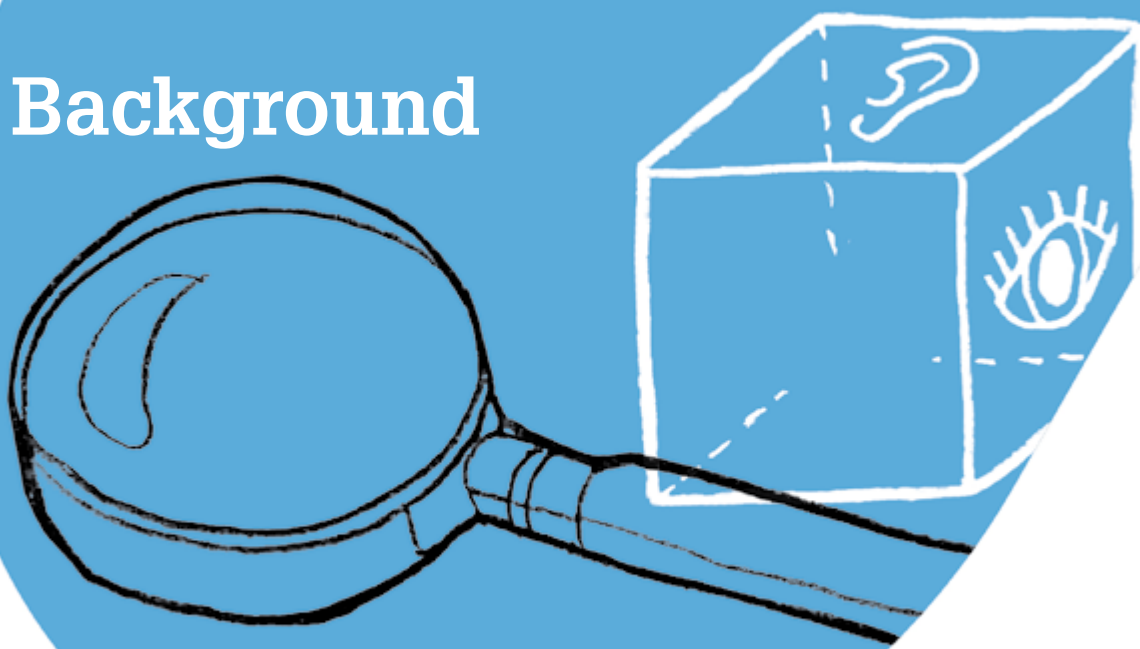


Making Rights Real

**Learning from the creation of a toolkit
to unlock the power of local government officials
through human rights**

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Background



In 2016, a group of organisations, all convinced that human rights are not just obligations but are inherently useful to achieving adequate water and sanitation services for all, came together to explore how to make rights more practical, more ‘user-friendly’. Much of the previous guidance on human rights – and the human rights to water and sanitation – still seemed too abstract, too legal and therefore not useful to practitioners. Most importantly, there was nothing suitable to make human rights understandable and useful for those people at the frontline of action on services, local government officials. This paper describes why and how these organisations developed the Making Rights Real initiative, creating a set of materials that introduces human rights thinking in an empowering and non-legalistic way to local government officials. This approach changes the way that local governments understand human rights, moving from a theoretical understanding that focuses on violations to a more active understanding of human rights that can be applied to everyday work. The approach taken by the initiative may also be useful for other economic, social and cultural rights, such as the rights to education, education or health.

The Making Rights Real materials are available at <http://www.righttowater.info/making-rights-real/>.

1 Making Rights Real is an initiative by WASH United, WaterAid, Rural Water Supply Network, Institute for Sustainable Futures (University of Technology Sydney), End Water Poverty and UNICEF.

1 Why have we developed the materials?

The Making Rights Real initiative made an active decision to increase the usability of the human rights to water and sanitation specifically for local government officials. The purpose is not to convince our 'end customer' that they need to understand the complexities of human rights. We want to show them how using human rights principles will assist them in improving services in their jurisdiction. The initiative builds on work done by the previous Special Rapporteur in her handbook on how to realise the human rights to water and sanitation, which addresses the responsibilities of government more generally.

There were many reasons why this was the most logical step to take.

Governments must act on their human rights obligations – and the frontline of this action are local government officials, specifically those who are responsible for services, health and community development. These officials are generally responsible for implementing nationally agreed policies and programmes, but struggle due to political interference and a lack of sufficient human, institutional and financial resources. Local government officials often do not have the knowledge or the power to make decisions and act on them. As a result, others, including NGOs and private sector providers, often intrude into what is a government responsibility by providing services without reference to government systems. While this does respond to existing needs, the services are often not appropriate, difficult to maintain or unaffordable for many households. The result is a messy, under-regulated service landscape that does not comply with human rights principles or standards.

The Making Rights Real initiative aims to put the local government officials back in the driving seat: Using human rights principles, even in difficult circumstances, can help government officials to achieve better results in terms of reducing inequalities and ensuring services work sustainably for everybody. In many cases, human rights principles are part of what government actors should be doing already. Clarifying human rights principles, namely access to information, participation, accountability, equality and non-discrimination and sustainability, can help them to fulfil their mandate of realising services for all.

We are also convinced that while it is important to educate and empower individuals and communities on their human rights, it will never be sufficient. Government actors have obligations to realise human rights. Empowered communities can demand action from their local government – but if governments do not know how to respond to these demands effectively, communities will not receive the support that they need.

The aim of the initiative, therefore, is to create materials that provide clear information and a course of action on how government actors can use human rights to improve services in their area. The purpose is to introduce human rights in a positive way, for example by clarifying concepts such as ‘accountability’ as an issue of transparency, openness and the fulfilment of obligations that will help to overcome challenges of service provision, rather than a legalistic understanding that leads to human rights often being perceived as a threat.



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2 How have we developed the materials?

How the materials are developed is as important as the content. Unless the experiences and realities of the target users are understood, the materials themselves may miss their mark. So much has been written about the human rights to water and sanitation from various different standpoints. But for the first time, this content is being specifically targeted at local government officials with an approach that can be replicated across different regions, countries and contexts.

The initiative made a conscious decision not to try to comprehensively educate local government officials on the human rights to water and sanitation in all their complexity. Instead, this initiative focuses on what individuals responsible for water and sanitation services need to know about the rights in order to improve the work that they are doing.

Each country and each local jurisdiction within a country will have vastly different needs and approaches to the delivery of water and sanitation services for all. This is a given. Yet the aim of this initiative is to be able to approach any local government official in any country. We therefore needed to understand local government officials' perceptions of human rights and undertook a series of interviews.²

The research was the basis of collaboration with a communications agency, C3. With them, we used methods from marketing and communication to design the materials targeted at local government officials. The most important task was to describe in a very personal and tangible way the challenges and motivations of a 'typical' local government official and to then define what they need to know to empower them to act more in accordance with human rights. For the definition of what they need to know, we used a stereotypical, standard government process of planning, budget, implementation and monitoring. This was used as a framework into which human rights could be inserted as relevant for local government officials.

Targeting a 'typical' local government official carries risks: Context matters and challenges, needs and approaches are extremely varied. We realised early on that we could not create a typology of contexts and design for these specifically. Therefore, the materials needed to be useable in any context.

² Read this paper for a summary of the research: Achieving universal and equitable access to water, sanitation and hygiene (WASH) for all – practitioner perspectives and perceptions, Keatman, T. et. al. (2016)

In using marketing techniques, we identified local development practitioners as ‘influencers’ who would be best placed to use the materials with local government officials. Firstly, they are able to situate the materials within the specific local context, thereby giving them more relevance. They understand how government systems work locally and have an established relationship of trust with local government officials that allows them to raise often difficult issues.



3 How can these materials be used?

The materials are designed to be used by local development practitioners who aim to influence government to use human rights in their work. The materials consist of an introductory pocket guide, a manual with more detailed information and an overview sheet that situates human rights in local government processes.

The primary purpose is to enable influencers to shape the conversations they have with local government officials more in the direction of human rights. In doing so, local development practitioners are free to choose how they use the materials – they may want to print them out and share them, or they may want to use them as background material for themselves.

These materials can be used for a variety of different situations, where introducing human rights thinking into government planning processes would be productive in realising services to everyone, ‘leaving no-one behind’.

For example, they can be used for general discussions on how human rights principles and standards can help local government officials to strengthen their work. Transparently communicating plans to the local population and ensuring their participation can ensure that services meet their diverse needs and thereby make services more inclusive. This will ultimately be to the benefit of the local government official, who is responsible for implementing national policies and plans.

These materials can also be used to discuss and resolve particular challenges. This might include, for example, raising awareness of how difficult it can be for people with disabilities to access services. This type of discrimination is often overlooked because little information is collected regarding the physical accessibility of services. Once identified, government officials can plan how to overcome them.

The materials will be introduced to local government officials by local (district-based) development organisations that are already working with local governments, often on issues of social justice and development. Larger development organisations or governments will be the conduits to bring the materials to the local development organisations.



For example, the materials may be endorsed and promoted by an organisation with a national base, such as UNICEF or WaterAid, or by the national government, and introduced through existing local partners or government structures. In Orissa, India, WaterAid's local partners are currently testing these materials as they complement work that they have already been doing with local government to integrate human rights into their work.

In countries where the human rights to water and sanitation are recognised in both law and policy, the national government can introduce these materials via the district governments to local government officials who are implementing government policies and plans. Where local development organisations are in a position to work with local government officials, the impact can be strengthened further.

Due to their nature, these tools will not fit naturally with organisations that are service delivery focussed, as the content requires an understanding of advocacy. As the aim of these materials is to put the responsibility for ensuring services for all back into the hands of government there could be a direct conflict of interest for those development organisations that are accustomed to being the de facto decision-maker (and in some cases, service delivery mechanism) for local areas.

These materials are designed to guide discussions with local government officials, encouraging them to better understand their roles and responsibilities with respect to reaching all members of society with water and sanitation services, using the tools available to them.

There are many tools that are available to local government officials that can be used in conjunction with these materials in order to improve their own action and planning processes. For example, a baseline survey, which is a common tool used by many district councils, will provide information on exclusion if care is taken in the collection and analysis of data to look more closely at particular groups who are often excluded due to who they are, where they live or what they do for a living.

These tools are designed to complement other approaches and to lead local government officials to questions that they may otherwise not ask relating to discrimination, the elimination of inequalities and how they can hold themselves and others accountable for the work that they do. Whether or not human rights language is used, these materials promote the use of human rights, as well as the message of no-one left behind as envisaged within the Sustainable Development Goals.



4 What has been the reaction to the materials so far?

This has been an ambitious initiative, with an equally ambitious timeline. While the purpose of the materials is to make human rights useful for local government officials, we did not know at the beginning how to achieve this. In addition to doing thorough research, we had planned to develop different prototypes and test them. This was not possible within the year that was initially planned for this initiative. While we have sought and received helpful feedback in the consultations that we organised, these were not yet testing scenarios where the materials were put to use in practice.

The materials therefore remain a prototype that is already providing us with lessons that we want to take into further iterations. We will continue working to create materials that organisations can adapt, beyond translating them into local languages, to make them relevant to the environment that they are working in. So far, the materials have been tested in Ghana, Burkina Faso and India and further research is being planned in Kenya. We have received both very positive feedback and critical food for thought.

The materials are engaging, and they present the complex human rights content in a new and comprehensible way. Many organisations aim to use human rights, but struggle with the complexity of them. They find the approach we have taken very helpful.

Because of the different shape and look of the materials, people are interested in them and engage with them physically as well as intellectually. However, this more interesting format has also led to problems with printing and presentation.

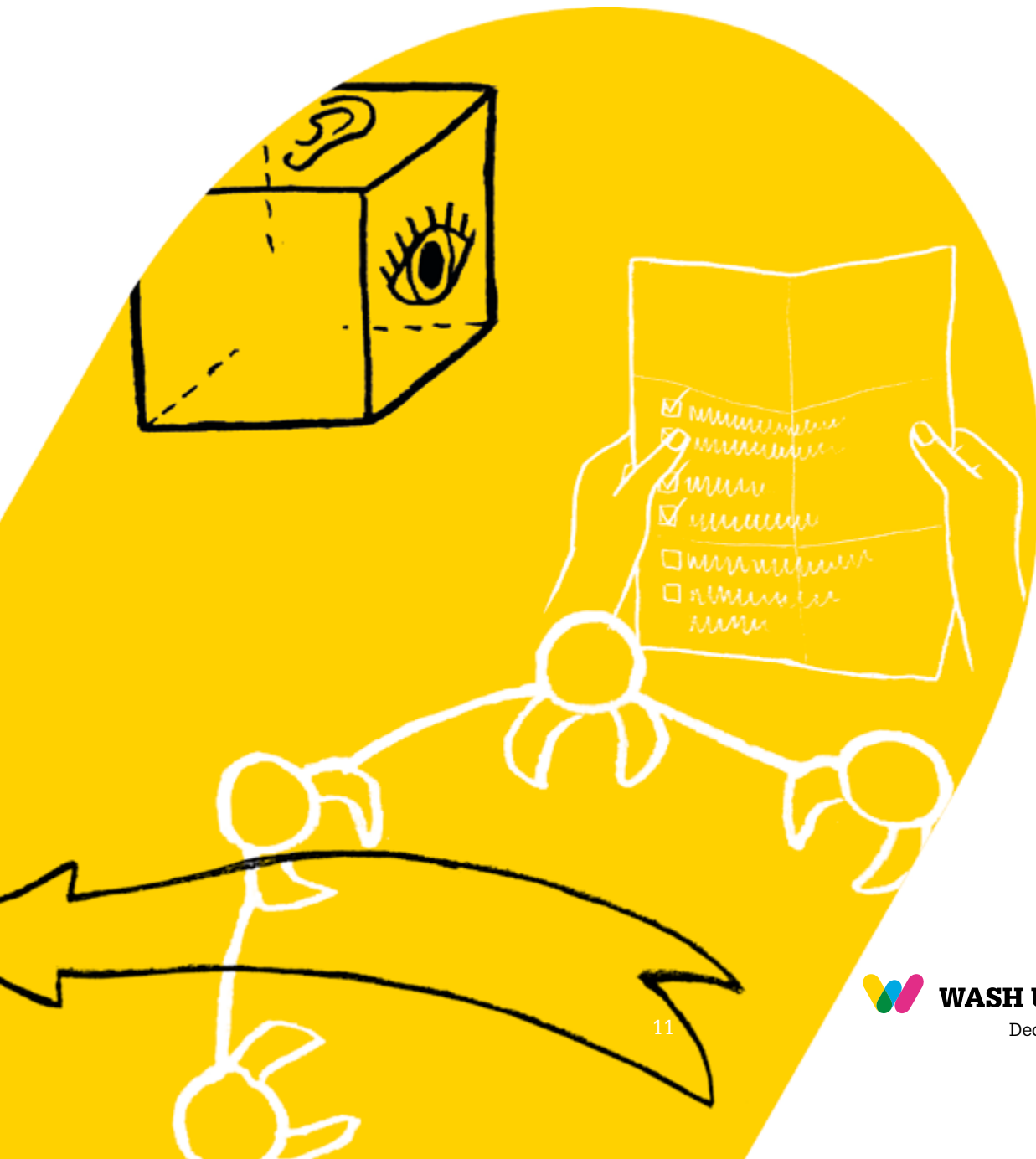
We have received feedback that the translation into local languages and local terminology may not be enough to make them engaging for local government officials, and that they need to be adapted to local contexts even more.



As more partners start to use the materials, we are also learning to what extent partners are able to use the materials without introduction, and how much detailed support may still be needed to build the capacity of the partners to engage local government officials with the materials.

This suggests that the aim to make the materials largely context-independent has therefore not been as successful as we would have wished, and that we need to work on making the materials more adaptable, without losing the simplicity of the content.

The question then remains – how can we improve the materials, and how can we make them more adaptable, and therefore more appealing and more useful for the local context.



5 How can we improve the materials? Our next steps

Simplicity!

We believe we have come a long way in breaking down the complexity of human rights and presenting only those aspects that can empower local government officials to act differently, thereby improving the way they work.

But this set of three different materials and instructions for use is still too complex, and some partners, particularly those that are not as well versed in human rights, are struggling to understand how to use them and how to situate them within their local context. We are working closely with partners who are using the materials and this is crucial for us to learn and enable us to take the next steps.

One of these next steps is to make the materials in their design even simpler, so that their use is intuitive for development partners.

Contextualisation!

Our aim is to have materials that can work ‘everywhere’, yet context is crucial to ensure relevance. We can’t hope to create materials for every context, so we need to find a way to enable development partners situate the materials in their own local context.

There are two ways of making this possible, and we aim for both: Partners should be able to change the materials themselves. For example, a change in the text from ‘local government official’ to ‘Sarpanch’ (a village level official in India) can go a long way to make the local government official pay attention. Partners should also be able to combine the materials with other resources. For example, in India partners used the materials to begin a discussion on the lack of accessibility of sanitation for people with disabilities – and then used guidelines on disability inclusive WASH designs to help the government officials understand how they can address the problem.



Support!

As an initiative, we must find a way to work with partners at a distance and with limited resources. We therefore need to create a support system that enables partners to overcome the hurdles they encounter but does not require country visits and detailed one-on-one support from the organisations involved in the initiative.



Quality control!

Allowing partners to adapt the materials carries the risk that misconceptions about human rights seep into the materials. We therefore need to design a system whereby partners can adapt and contextualise as they see fit, while showing a 'stop' sign in case human rights principles or standards are changed and become technically wrong.

WASH United works to create a world where everyone drinks safe water, uses adequate sanitation and practices handwashing with soap at critical times, and where all women and girls are empowered to manage their menstruation hygienically, safely, with confidence and dignity. In order to achieve this goal, access to water, sanitation and hygiene (WASH) infrastructure, services and products needs to go hand in hand with a change in awareness, attitudes and behaviours. WASH United develops innovative solutions for advocacy and behaviour change communication.

