

Gender and Water-related Guiding Protocols or Instruments

There are many international and regional protocols and other instruments that support the role of women and gender in water governance. This is an overview of some of the most prominent commitments made by governments to include women and gender issues in the water sector.

Water resources are one of the subject areas which emerged as essential for the next generation in **New Delhi** in 1990, where results and follow-up strategies of the International Drinking Water Supply and Sanitation Decade (1981-1990) were discussed. In the New Delhi outcomes document, no mention is made of gender, but women are mentioned several times. In relation to water management, the authors call attention to the phenomenon that, while the household is the level at which better water supply and sanitation are aimed, projects and programmes usually have the community as their lowest level of analysis and work. As part of water resources management, the document draws attention to the household level and to the roles of women, but only in a domestic capacity – as managers of the domestic water collection and waste disposal and also as educators of the children. Women's indigenous public roles remain unmentioned, as also are the responsibilities of men and the male-female relationships which co-determine water and waste management. The document recognises that too little is known about water management within the household.

The Dublin Principles (1992), which were developed at the International Conference on Water and the Environment, were endorsed by more than a 100 countries. The document forms the basis of good water management practice under the integrated water resource management approach. It recognises that *“women play a central part in the provision, management and safeguarding of water”* (Principle 3). It further states that *“acceptance and implementation of this principle requires positive policies to address women's specific needs and to equip and empower women to participate at all levels in water resources programmes, including decision making and implementation, in ways defined by them.”* Principle 20 states that *“women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development.”* In essence, it is expected that good water management practice would address gender issues at all levels of water institutions, including the international transboundary level. It acknowledges the pivotal role of women as providers and users of water and as guardians of the living environment, and advocates for this reality to be reflected in institutional arrangements for the development and management of water resources. The Dublin Statement mentions the central role of women in the provision, management and safeguarding of water. It calls for the pivotal role of women as providers and users of water and guardians of the living environment to be reflected in institutional arrangements for the development and management of water resources.

The Rio agreement **Agenda 21**, (1992) contains statements on women and sustainable development in its Chapter 24, and also contains a further chapter on water management (Chapter 18). It stresses existence of multi-sector interest in the utilisation of water resources and the mutual impacts that action in one sector can have on water availability, use and quality in other sectors. However, there is no mention of and clarity on questions around whose activities these are, what the impacts are and on whom. Chapter 18 identifies seven programme areas for action in the 21st century, and women feature in four of these seven programme areas, namely; integrated water resources development and management; drinking water supply and sanitation; urban development and food production and rural development. Women are not mentioned in relation to water resources assessment, water quality protection and climatic change.

The **SADC Treaty** (1992) and the **SADC Gender Protocol Policy Framework for Gender Equality in the Water Sector** are two instruments through which SADC commits to the principles of gender equality, gender mainstreaming and non-discrimination.

The **SADC Declaration on Gender and Development** (1997) (which evolved into the SADC Protocol on Gender and Development) aimed to promote closer regional cooperation and collective action as a means of fostering gender equality. It reaffirmed SADC's commitment to eliminating gender discrimination and mainstreaming gender issues in Southern Africa. It referred to an agreement to establish policy and institutional frameworks for advancing gender equality, to set up advisory systems with government and non-governmental organisations to monitor gender issues, and to create a Gender Unit within the SADC Secretariat.

The **Noordwijk conference** (1994) also stressed the more equitable involvement of women in decision making, management bodies and training. The Noordwijk political statement and action plan declares that *“water and sanitation programmes need to be based on partnerships involving all stakeholders (users - especially women, community associations, local, regional and central government, public and private sector agencies, non-governmental organizations.”* In the action plan, the participating governments pledged to *“improve partnership and participation and therefore ... involve local communities, user organizations, women and non-governmental organizations in the planning of, and decision making procedures about those systems.”* They also recommended *“developing plans to build up the capacity of all stakeholders, including empowerment of communities, in particular the women, through proper training and education at community level...”* Most of the provisions in the Statement of the Noordwijk conference give the undifferentiated community or household as the lowest level of water resources development and management, and single out women's shares in isolation from the contributions and responsibilities of men and from the changes in male-female relations. But two provisions in the Statement recognise that communities and households do not have homogenous sets of interests, needs and knowledge. Therefore, different interest groups in terms of age, sex and socio-economic status must be identified and given a proper say in local decisions and management.

The participation of all stakeholders in policy formulation and the development of efficient and accountable sector organizations was one of the five principles for the new policy consensus on water resources identified by the **OECD/DAC conference in Paris** (1994). A unified and cross-sector approach in the development and management of water resources requires that all stakeholders are involved and that the differences in roles, needs and rights are generally understood. Stakeholders do not only include the higher and lower level authorities and the water companies, industrial users and male farmers, but also *“include the landless, the poor, women and indigenous people.”* These groups have their own specific water and water-related land use, and their needs and interests tend either to be left out completely or taken as being represented by those in authority. The conference further stated that involving women first requires gender desegregation, so that the particular roles, needs and rights of women can be distinguished from those of men and become more visible to policy makers and planners. It recommends making gender-sensitive inventories of all user groups and their roles, responsibilities and rights a standard procedure in all water resources development and management actions. More insights into gender, class and ethnic or religious divisions make it possible to consult, plan and manage water resources more effectively and with a better developmental impact. Gender and class-sensitive analysis will also reveal gender and class inequalities in current legal frameworks, such as land and water rights and membership and voting rights of water user associations, and in sector policies.

The Beijing Platform for Action (1995) highlighted environmental issues as one critical area of concern: *“gender inequalities in the management and safeguarding of natural resources and in the safeguarding of the environment.”* Three strategic objectives were agreed: (a) to involve women actively in environmental decision making at all levels; (b) to integrate gender concerns and perspectives in policies and programmes for sustainable development, and (c) to strengthen or establish mechanisms to assess the impact of development and environmental policies on women.

The **Second World Water Forum** (2000) noted that in addition to being prime users of domestic water, women use water in their key role of food production. It also noted that women and children are most vulnerable to water related disasters. The forum concluded that women's involvement in water and sanitation would increase water governance. Since women bear the brunt of the burden of poor management, they can be capacitated and empowered through greater and more effective participation.

The **Southern African Water Vision** (2000) which promotes *equitable and sustainable utilisation of water for social and environmental justice, regional integration and economic benefit for present and future generations.*

The **Millennium Summit** (2000) meetings and policy statements were concerned with a broad spectrum of goals from poverty eradication to environmental sustainability. The **Millennium Development Goals** adopted at the Millennium Summit emphasised goals on the support of gender equality and empowering women, and to ensure environmental sustainability. One of the fundamental targets for the goal on ensuring environmental sustainability is to halve the proportion of people without access to safe drinking water and basic sanitation by 2015.

The policy Statement from the **Conferences on Fresh Water** (2001) in Bonn, emphasised the need for a gendered approach involving both men and women, while also suggesting that in order to achieve this, women's roles in water-related areas require strengthening.

The **Johannesburg Plan of Implementation of the 2002 World Summit on Sustainable Development** includes agreements by governments to “*support capacity building for water and sanitation infrastructure and services development, ensuring that such infrastructure and services meet the needs of the poor and are gender sensitive.*” Commitments were made to promote women's empowerment and emancipation and incorporate gender equality in all the activities specified in Agenda 21, the Millennium Development Goals and the Plan of Implementation of the Summit. Since the Millennium Summit, it has become increasingly recognised that women should play an imperative role in water management and that this responsibility can be improved through the approach of gender mainstreaming. Gender mainstreaming is justified in water and sanitation, for reasons of efficiency and effectiveness – a gender sensitive approach helps to ensure that supplies are provided and managed more sustainably. Gender mainstreaming helps to empower women and thus furthers broader goals of parity within society and contributing to poverty alleviation and social inclusion.

In 2002, the **United Nations Committee on Economic, Social and Cultural Rights adopted General Comment 15 on the right to water**, but it was not politically recognised until 2010. General Comment 15 defined the right to water as: “*the right of everyone to sufficient, safe, acceptable and physically accessible and affordable water for personal and domestic uses.*” Drawing on a range of international treaties and declarations, the United Nations Committee also stated “*The right to water clearly falls within the category of guarantees essential for securing an adequate standard of living, particularly since it is one of the most fundamental conditions for survival.*” On 28 July 2010, the United Nations General Assembly adopted a **resolution on the human right to access clean water and sanitation**. In the key provisions of the resolution, the General Assembly declares “*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.*” As a result, the human right to water was incorporated in legally binding human rights agreements. Consequently, governments have the responsibility to provide all its citizens with access to safe water. These obligations also require Member States to ensure access to adequate sanitation and to protect the quality of drinking water supplies and resources.

In 2003, the United Nations General Assembly proclaimed (resolution 58/217) and the period 2005 to 2015 as the **International Decade for Action, Water for Life**, and called for a focus on the implementation of water-related programmes and projects, “*whilst striving to ensure women's participation and involvement in water-related development efforts....*”

During the **Pan-African Implementation and Partnership Conference on Water (PANAFCON)** (2003), African water ministers committed to ensure that gender concerns are taken into account. This would be done through a recognised process of consultation with the African Ministers' Council on Water (AMCOW), on issues of policy formulation in all sectors of water, sanitation, human settlements, agriculture and food security, including

harmonisation of policies and laws and the domestication of international treaties, in order to create equity and equality by 2005. This commitment relates to the target set in the African Water Vision 2025.

The **SADC Regional Integrated Strategic Development Programme** (2003) acknowledges that gender mainstreaming and women empowerment are integration and development enablers, and member states are encouraged to give effect to it.

SADC governments adhere to the **Solemn Declaration on Gender Equality in Africa** (2004) through which they reaffirmed their commitment to gender equality as enshrined in the Constitutive Act of the African Union Article 4 which refers to the need for the “*promotion of gender equality*.” The Solemn Declaration, inter alia, refers to the acceleration of the implementation of gender-specific economic, social, and legal measures aimed at combating HIV and AIDS, ensuring the full and effective participation and representation of women in peace processes, the expansion and promotion of gender parity, and the active promotion and protection of all human rights for women and girls.

The **African Union Gender Policy** (2009) is the gender policy framework in which SADC operates. *“It aims to establish a clear vision and make commitments to guide the process of gender mainstreaming and women empowerment to influence policies, procedures and practices which will accelerate the achievement of gender equality, gender justice, non-discrimination and fundamental human rights in Africa.”*

The **African Ministers' Council on Water (AMCOW) Policy and Strategy for Mainstreaming Gender in the Water Sector in Africa** (2011) was developed in the context of the African Union's efforts to support gender mainstreaming. The policy serves as a guiding framework to mainstream gender in sector policies, programmes, actions and investments. Countries are expected to tailor implementation of gender mainstreaming based on the realities of their local contexts. The Strategy aims to enhance accountability and encourage adherence to commitments and minimum standards for gender mainstreaming.

The **African Charter on Human and People's Rights of Women in Africa** (2011) guarantees comprehensive rights to women including the right to take part in the political process, to social and political equality with men, to control of their reproductive health and to end female genital mutilation.

The **African Water Vision 2025** (2012) calls for an “*equitable and sustainable use and management of water resources for poverty alleviation, socio-economic development, regional cooperation, and the environment*.” Targets to achieve the vision include the mainstreaming of gender in water resources management, with the vision calling on women to take on key positions and functions in decision making on water issues and for stakeholder involvement in water resources management by, in particular, women and

youth. The vision encourages 30 percent gender mainstreamed national water policies by the end of 2005 and 100 percent gender sensitive national water policies by 2015.

The Rio+20 (2012) presented an opportunity to renew Member States' water resources commitments and to propose more ambitious goals and targets. The proposed goals had to address the current disparity in the implementation of national water strategies, including existing gaps in water management such as women's participation, gender mainstreaming, and implementing the human right to water and sanitation. Water had to be integrated into the two main stated themes for Rio +20 of the green economy and the institutional framework for sustainable development, and made a priority area in the framework for action. The green economy framework had to recognise that water is a finite resource and that all water users, including women, had to be included in its management. The Women's Major Group's inputs to the Rio+20 identified CEDAW as critical – including in collection and use of gender analysis and sex-disaggregated data; improved institutional gender capacity; consultation with networks of gender experts partnering with women's organisations; and user-friendly involvement mechanisms that would enable grassroots women to participate in global, national and local dialogues.