Report of the Fourth Meeting of the International Network of Drinking-Water Regulators (RegNet)

Cape Town
24, 25 and 27 June 2011

Public Health and Environment
Water, Sanitation, Hygiene & Health
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1.0 Background

A number of WHO Member States, both developed and developing countries, have raised concerns about the status of drinking-water regulation. In order to address the global drinking-water and sanitation target under Millennium Development Goal (MDG) 7, the management of water supplies and the response to potential outbreak events of waterborne illness and drinking-water contamination events need to be improved. Regulations are a powerful tool available to governments that can be used to address risk assessment and management in the context of the MDGs. Regulations are, however, not always used to their maximum potential or to the best advantage of all stakeholders. Specific challenges raised by national experts on drinking-water supply and sanitation and by drinking-water regulators include:

- regulations tend to be developed from an engineering and operational perspective, neglecting the health perspective such as the exertion of authority for public health surveillance and associated responses;
- regulations may be non-existent, incomplete and/or outdated, even in some industrialized countries; and,
- there may be a lack of clarity regarding jurisdiction, legal mandates and authority, including gaps and overlaps.

The World Health Organization (WHO) International Network of Drinking-Water Regulators (RegNet) was established in response to requests from Member States to create a framework to share and discuss strategies that address the above issues and to explore and promote best practice in legislating for and regulating a variety of water quality management issues. The overall goal of RegNet is to increase access to safe drinking-water through the improvement of regulatory systems. WHO hosts this network and coordinates network activities.

There is significant attention to confidentiality in this network, in order to provide regulators with a space where they can discuss and share important issues, and where they can agree on the best way forward in particular situations, in the interest of public health. RegNet membership is currently by invitation only.

For the purpose of RegNet, a water regulator is defined as professional tasked with ensuring the safety of drinking-water by establishing and/or enforcing appropriate regulations and standards for drinking-water quality and/or providing independent surveillance of drinking-water quality at national and sub-national levels.

The network's objectives are as follows:

- provide a discussion forum to address challenges and share best practice in drinking-water regulation;
- share experiences in relation to the development and enforcement of regulatory frameworks for drinking-water quality, and of different approaches to specific issues requiring regulation;
- guide and share experiences on the role of regulators in supporting the implementation of water safety plans within a water safety framework;
- support the development of internationally recognized guidance on the regulation of drinking-water to improve public health protection;
- provide a connection with the periodic updates of the WHO Guidelines on Drinking-water Quality, from a regulatory perspective;
provide support and guidance to regulators wishing to create, update or amend a regulatory framework; and
advocate for the improvement of drinking-water regulations.

The inaugural meeting of RegNet was held in February 2008 in Geneva, Switzerland. The second meeting of the Network was hosted by the National Environment Agency of Singapore, 19 and 20 June 2009. The third RegNet meeting was held on 16 and 17 September 2010 in Montréal, Canada and was hosted by the First Nations and Inuit Health Branch, Health Canada. The reports of these meetings can be downloaded from www.who.int/water_sanitation_health/

The fourth RegNet meeting, reported on in the present document, was held on 24, 25 and 27 June 2011 in Cape Town, South Africa and was hosted by the Department of Water Affairs, Republic of South Africa. It was organized in conjunction with the 3rd Municipal Water Quality Conference (Cape Town, 27 June – 1 July 2011). This report presents meeting proceedings, conclusions and recommendations.

2.0 Introduction
The fourth RegNet meeting was designed to further the work undertaken by the Network through review and validation of progress achieved to date and the identification of additional areas for activity and next steps. The meeting also included a thematic day on the United Nations (UN) Human Right to Water and Sanitation. Drinking-water regulators from low-, middle- and high-income countries from around the world were in attendance, eleven in all, with the addition of eight observers from national and regional offices in South Africa and three WHO staff.

The objectives of the meeting included:
• to review RegNet activities from 2010-2011;
• a technical discussion on the roles and division of labour between regulators and public health professionals and the identification of potential Network activities related to this subject;
• to update current activities and discuss future involvement of RegNet regarding Water Safety Plan (WSP) activities;
• a country presentation on how drinking-water regulators engage with wastewater quality compliance, as a basis to discuss potential Network activities related to this subject;
• to discuss a strategic work plan with a focus on next steps beyond issue sheet development;
• a technical discussion on the challenges and opportunities associated with fragmented drinking-water regulations within the broader context of the regulatory landscape and the identification of potential Network activities related to this subject;
• to review new issue sheets developed since last meeting;
• a country presentation on the protection of WSPs from freedom of information-type legislation/requests, as a basis to discuss potential Network activities related to this subject;
• as part of a thematic day, to organize panel presentations and plenary discussion with a focus on the Human Right to water and sanitation;
• a RegNet group discussion on potential Network activities related to the Human Right to Water and Sanitation; and,
• to review the proposed 2011-2012 work plan and division of tasks.

The approved agenda is presented in annex 1.
3.0 Opening Session

Robert Bos (WHO) provided opening remarks, starting with a brief commemoration of Professor Kader Asmal, who had passed away in Cape Town at the age of 76 on Wednesday 24 June 2011.

As the first Minister of Water Affairs of South Africa in the post-apartheid era he had not only done remarkable work in the area of drinking-water supply and water resources management, but he had also played a key role in the formulation of the Constitution of South Africa, including its reference to the right to water and sanitation. Internationally, Professor Asmal had been the driving force behind the World Commission of Dams, and as its Chair he had been a strong advocate for better risk assessment and management in the planning of hydropower development.

Robert Bos then went on describing RegNet as a homogeneous network aimed at linking globally and impacting locally. Placing the work of the Network within a broader context he recalled the global challenges that we are currently faced with, including the fact that approximately 9% of global burden of disease is attributable to a lack of access to safe water and basic sanitation.

He drew the meeting’s attention to the recent World Health Assembly Resolution on Drinking-Water, Sanitation and Health (WHA64.24) which had been adopted by the World Health Assembly on May 24, 2011. This represented the first time in 20 years that the Assembly, WHO’s supreme policymaking body, adopted a resolution on water and sanitation. The main sponsor of the Resolution had been the French Government, but there had been broad support from other Member States and the Resolution had been adopted unanimously. In nature, this Resolution was much more forward looking than the one that had been passed in 1990.

The Resolution is attached as annex 3; special attention is called to operational paragraphs 7-9, addressed to Member States, which make specific reference to drinking-water regulation. The Resolution also requests the Director-General of WHO to formulate a water, sanitation and hygiene (WSH) strategy.

Robert Bos put to the group the question whether a RegNet strategy should be developed that would be included as a component of the overall WSH strategy. A similar approach was followed for the Household Water Treatment and Safe Storage Network and for the Small Communities Water Supply Management Network. This question led to a brief overview of some of the recent accomplishment by RegNet including participation at various meetings and contributions to various publications. Considering the solid basis provided by the RegNet outputs so far, it was agreed that there was indeed room for the formulation of a five-year RegNet strategy, also since this would then provide a basis for resource mobilization to implement some of the technical cooperation work between national regulators.

Ms Deborah Mochotli (South Africa) opened the meeting by welcoming participants to South Africa. She underlined the importance attached by the South African authorities to the equitable extension of drinking-water and sanitation services to the entire population, but also reminded the group of the challenges faced in this process. She expressed her pleasure that RegNet had accepted the invitation of the South African Government to hold its fourth meeting in Cape Town, where the following week the 3rd Municipal Water Quality Conference would also take place. At this Conference the 2011 Blue Drop and Green Drop prizes would be presented – these coveted prizes had become an important incentive to enhance the performance of municipal authorities throughout the country.
Following the opening remarks there was a round of introductions. The proposed meeting agenda and programme of work for the meeting were reviewed and approved by the group.

3.1 Proceedings

Leonardo Manus (South Africa) chaired the opening session. Subsequently, various other members of RegNet agreed to chair sessions and they will be identified reporting the proceedings. Both plenary and group discussions took place on various topics, with working groups reporting back to plenary.

Jennifer De France (WHO) served as the rapporteur for this meeting.

The following sections of the report provide a summary of the main points of discussions and recommendations for each item identified in the programme of work.

3.2 RegNet Progress Report

Objective: To review the RegNet work plan with members and document progress on network activities.

(a) Issue Sheets - Jamie Lafontaine (WHO)

Five issue sheets have been completed and published, as follows:
- How regulations can be used to protect public health in relation to drinking-water;
- Protecting drinking-water sources through regulations;
- Key elements;
- Water Safety Plans: Why are they important and how can their implementation be supported by regulations; and,
- Regulating for health aspects of plumbing in relation to water and sanitation.

These issue sheets are presented in a RegNet folder and are also available for download at: [www.who.int/water_sanitation_health/dwq/regnet_kit/en/index.html](http://www.who.int/water_sanitation_health/dwq/regnet_kit/en/index.html)

Four additional issues sheets have been drafted, as follows:
- How to develop and improve regulations;
- Capacity building;
- How to establish health-based targets into regulations; and,
- How to regulate surveillance and monitoring.

In addition, an information sheet on RegNet has also been developed.

The above documents were reviewed in working groups during the meeting, additional information regarding the discussion and recommendations can be found in section 3.8.

(b) WHO-UNICEF Joint Monitoring Programme (JMP) Task-force Meeting – Jamie Lafontaine (WHO) and Luis Simas (Portugal)

WHO and UNICEF are responsible for the Joint Monitoring Programme on Water Supply and
Sanitation (JPM) which is the official mechanism for tracking and reporting on progress towards achieving the Millennium Development Goal (MDG) 7 drinking-water and sanitation target.

In order to strengthen its monitoring capacity, JMP has organized a number of Task Forces. A Task Force in Monitoring Drinking-water Quality met in Villiers-Morgon, France, in November 2010 and a number of RegNet members were invited to be part of the Task Force and to attend the meeting. Invited RegNet members included, Manuel Carrilho Alvarinho (Mozambique), Robert Gakubia (Kenya), Veronique Morisset (Canada), Marcus Rink (on behalf of DWI, UK) and Luis Simas (Portugal).

The Task Force discussions focused on improving the drinking-water quality component in monitoring and surveillance in countries, including the identification of proxy indicators. Luis Simas reported to the group on the proceedings and outcome of this meeting.

With respect to a possible role of national regulators in overall global monitoring, the following questions were considered:

- Can the results of routine surveillance and monitoring by national regulatory bodies be adopted and consolidated into global and regional data?
- What level of harmonization can be achieved between these national processes?
- Alternatively, can monitoring and surveillance methods applied by national regulatory bodies be adopted and integrated into JMP monitoring activities and how can experience and lessons learned be incorporated?
- What are the constraints and opportunities?
- Is there a role for the WSP quality assurance tool?

Main points of discussion during the JMP task group meeting included:

- the importance of clear institutional responsibilities;
- the national-level importance of water quality monitoring, as it allows regulators to identify and improve areas of weakness;
- the usefulness of quantitative water quality measurements as opposed to simple pass/fail tests;
- the frequent reliance by regulators on water suppliers to carry out their own testing and report results to the regulatory at specific intervals;
- the water quality monitoring systems regulators have at their disposal for verification of data generated by suppliers;
- the fact that systems may target areas where poor performance could be expected;
- the strong existing or potential links between national surveillance and Water Safety Plans;
- options for proxy indicators could be used for drinking-water safety;
- the options for timing and location of measuring parameters; and,
- what standards to apply.

At the Task Force meeting a number of benefits and challenges were identified related to the potential incorporation of regulatory reporting into the JMP.
Potential benefits to using regulatory reporting included:

- regulation is easily harmonized with national mandates, priorities and data collection systems;
- the incorporation of regulatory datasets is potentially cost-effective compared to add-on or dedicated surveys; and,
- using regulatory datasets can explicitly link with programmes to improve water quality management, and thus improve water quality, not simply report it.

Potential challenges to using regulatory reporting include:

- it may lead to a two-track system in JMP reports which lacks full transparency (i.e., regulatory data are already used in JMP reports for industrialized countries, where MICS and DHS surveys are not fielded);
- water supply regulation systems in many countries are not adequately developed to allow reliable reporting using globally consistent indicators; and,
- there is a real risk of missing out on those not using piped water, particularly those using unimproved and informal sources, and populations in rural areas.

Outcomes of the Task Force meeting recognized that the purposes of water quality monitoring are different at national and global levels. At national levels quantitative data are necessary to support and improve service delivery, while at international level pass/fail data may be adequate for tracking progress towards targets and making inter-country comparisons (e.g., *Escherichia coli*).

A sub-group of Task Force members was established to consider how regulatory data could be used for global monitoring purposes, and what kind of criteria should be introduced for acceptance of regulatory data. Members of the sub-group include Graham Alabaster, Jamie Bartram, Robert Gakubia (RegNet), Gareth Jones, Oliver Schmoll and Luis Simas (RegNet).

It was suggested that RegNet could provide some information to this sub-group regarding what types of data are available with regulators, and how such data could be validated or used for global reporting purposes.

The report of the Task Force meeting can be downloaded from the JMP web site www.wssinfo.org.

The opportunity offered by the Task Force meeting was used for a side session of RegNet members in attendance to develop an outline for the surveillance issue sheet. The draft was submitted to the 4th RegNet meeting for review.

Discussion

RegNet members agreed that information collected by regulators could be a source of information for the JMP. They also agreed to provide assistance to the sub-group established under this JMP Task Force in terms of determining what information is available and how it could be collected and reported on. There was an overall recognition that there are a number of challenges with global reporting that will need to be addressed, but also agreement that first steps need to be taken in order to begin the process and assess opportunities and challenges as the process moves on.
Recommendations

- RegNet to work with the JMP Task Force sub-group on the development of criteria for regulatory data for global monitoring.
- Luis Simas (Portugal), Robert Gakubia (Kenya) to continue liaising between the sub-group and RegNet.

(c) Update on post 2015 development of indicators – Robert Bos (WHO)

In 2009, WHO and UNICEF developed a strategy for their Joint Monitoring Programme on Water Supply and Sanitation (JMP) to intensify its measurements aimed at tracking and reporting progress towards achieving the Millennium Development Goal (MDG) 7 - drinking-water and sanitation target, up to 2015. As part of this JMP 2010-2015 Strategy it was agreed that JMP would serve as a platform for the development new indicators for the post-2015 (i.e. post-MDG) period. A first consultation was organized by WHO and UNICEF in Berlin, 3-5 May 2011, hosted by the German Government, to initiate the process of target setting and indicator development. Sixty five participants were in attendance, including representatives from bilateral agencies, the World Bank and regional development banks, sister UN-agencies, water and sanitation practitioners, professionals from academia and international NGOs, and regulators. An important item of discussion was that of the criteria included in the new Human Right to Water and Sanitation framework, as indicators for post-2015 monitoring. A full day discussion on targets and indicators was concluded on the final day with an agreement on a road map for their development. As the issue of post-2015 development targets is on the agenda of the September 2013 UN General Assembly, the roadmap foresees that the detailed work on developing targets and indicators has to take place in 2012. Involvement of RegNet members in specific working groups is foreseen and the Network will be kept informed of progress in this area.

(d) Regulatory Scan – Jamie Lafontaine (WHO)

David Drury continues to work on the development of the database of guideline values and WSP initiatives. To-date a draft report has been received on inorganic parameters. This report was posted to the virtual forum for comments by RegNet members.

Discussion

Pranav Joshi (Singapore) raised the point that the regulatory scan should not be a one-off exercise, because regulations change. Keeping the database up-to-date will require a sustained effort and perhaps we should allow countries to update their own information.

Leonardo Manus (South Africa) suggested that perhaps RegNet members should be asked to update their information prior to RegNet meetings. This could also be extended to completion of surveys or questionnaires.

Recommendations

- Jamie Lafontaine (WHO) to follow-up with David Drury regarding timelines for completion of reports on remaining parameters and WSP initiatives.
- RegNet members to review inorganic parameters report and table and provide comments to David Drury.
Questionnaire dealing with the process used for adopting water quality standards - Jamie Lafontaine (WHO)

WHO, the Food and Agriculture Organization of the United Nations (FAO) and l'Association française Eau, Irrigation Drainage will convene a seminar during the Stockholm World Water Week, 21-27 August 2011, to provide a range of views on processes used for adopting water quality standards, and for the development of criteria to decide which water quality is applicable to which use. A written questionnaire was provided to RegNet members to complete. The written questionnaire is meant to gather examples from countries that are willing to share the main arguments backing their choice of qualities of water needed for each use (i.e., drinking-water, treated water for irrigation and bathing water). Insights into this will enable authorities and stakeholders who have not yet done so, to form an opinion on the options and flexibility to gradually adjust their abstraction from the environment to the nature of their needs.

A request for input into a questionnaire on the process used for adopting water quality standards was posted to the RegNet Virtual Forum. Several RegNet members had already submitted inputs in support of this initiative. Additional inputs and participation from those RegNet members who have not yet reacted is requested. Additional information including a questionnaire template and example of a completed questionnaire have been made available.

Discussion

RegNet members felt that the terminology in the questionnaire was confusing and not well defined. For example, is bathing water the same as recreational water? Why include wastewater for irrigation and not just wastewater? Should the questionnaire also take into consideration grey water recycling?

There was also a comment regarding the question 4, relating to “what are the most important” parameters. The group felt that it would be difficult to identify the most important as this would depend on a number of factors and was highly subjective and contextual. The fact that parameters are included in legislation means that they are important.

The group also felt that the purpose for collecting this information was not clear. There was concern about how the comparison of parameters from one country to the next would be communicated. For example, if one country has a lower limit than another, there should be some context provided to explain why this is so.

The question relating to the comparison to WHO guidelines could be completed by the group requesting the information and does not need to be completed by RegNet members.

RegNet members felt that they could provide this type of information, however, that clarification was first required on the above points.

Recommendation

• Jamie Lafontaine (WHO) to obtain additional information and clarification regarding the questionnaire and to raise issues identified by RegNet members with the group requesting the information before proceeding any further with engagement from RegNet members.
3.3 Technical discussion: Roles and division of labour between regulators and public health professionals – chaired by Jamie Lafontaine (WHO)

Objective: Through presentations and associated plenary technical discussions, for RegNet members to identify potential RegNet activities related to the above issue.

The use of regulations as they relate to drinking-water are essential instruments in protecting health and achieving safe drinking-water, both in developed and developing countries. Often, there may be overlap or competing priorities between drinking-water regulators and local public health professionals with regard to issues related to public health; additionally, there may be a lack of clarity related to legal mandates, authorities, roles and responsibilities caused by gaps and overlaps in regulations. In a context of decentralized governance, where boundaries between resource allocation and operation may be fuzzy, and where different sub-sectors have been decentralized to different degrees and levels, the lack of clarity about decision-making processes and scope of responsibilities for regulation and public health action may be exacerbated.

RegNet members from South Africa (Leonardo Manus and Mariette Swart), the United Kingdom (Claire Pollard) and Singapore (Pranav Joshi) presented on the roles and responsibilities of professionals in traditional drinking-water regulating roles vis-à-vis those of professionals operating in the local public health context. Their presentations are posted on the RegNet Virtual Forum.

The common theme that emerged from the three presentations was that despite the different roles and division in labour amongst the various regulators and public health professionals all parties shared a common objective which is to secure the safety and quality of drinking-water supplies.

Best practices used in achieving this objective included:

- identification of clear roles and responsibilities set out in legislation and development of guidance materials to clarify these roles and responsibilities (e.g., Joint DWI/HPA Drinking Water Safety Guidance to Health and Water Professionals 2009) – the roles and responsibilities need to be defined between different sectors and between different levels of governance;
- the development of close working relationships between water suppliers, health professionals and local authorities, with a focus on drinking-water quality incidents and emergencies, and Water Safety Planning;
- the inclusion of public health professionals in the development of drinking-water quality standards; and,
- establishing collaborative working relationships between regulators, water companies and health protection agencies on areas for inclusion in research programmes.

Discussion

The main points resulting from the discussion were that RegNet should provide guidance in the form of case studies on the procedures for linking health problems with drinking-water quality. Guidance materials developed by various countries relating to the roles and responsibilities of regulators and public health professionals should also be shared among members of the Network via the Virtual Forum.
Peter Mutale (Zambia) requested information from the Network on how to determine the number of samples required when sampling for water quality. Pranav Joshi (Singapore) suggested that this should be based on the risk assessment developed through a WSP.

Lee Yew Koon (Malaysia) raised the point that publishing of water quality data can be a sensitive issue. In many cases, the public is not satisfied if samples don’t meet the standards 100% of the time. In Malaysia, water suppliers do not want to share water quality data.

Network members discussed the fact that when the public is not accustomed to receiving drinking-water quality results it is important to ensure that effective public education and awareness strategies on drinking-water quality issues are in place prior to making the data public.

Claire Pollard (UK) mentioned the Water Framework Directive being adopted in the European Union, for catchment protection, removal of pollutants, etc., related to water being abstracted for drinking-water. The principles of the framework may be useful for other countries with issues in linking up with other stakeholders such as the environmental and economic regulators.

Pranav Joshi also raised the emerging issues of the production of desalinated water on ships/vessels. These are often difficult to inspect and Singapore is in the process of developing a surveillance framework for such an industry based on the current regulations for piped drinking-water. He requested that RegNet members provide him with any information (e.g., existing guidelines or regulations) they may have.

Recommendations

- RegNet members to share existing guidance documents related to this issue via the Virtual Forum
- Claire Pollard (UK) to develop a case study on the roles and responsibilities of professionals in traditional drinking-water regulating roles vis-à-vis those of professionals operating in the local public health context based on the UK context
- Posting of RegNet Virtual Forum discussions on the following topics:
  - public reporting (Lee Yew Koon)
  - formula for calculation of number of samples required (Peter Mutale)
  - desalinated water on ships (Pranav Joshi)

3.4 Water Safety Plans – Jennifer De France (WHO)

Jennifer De France provided an update to RegNet members regarding WHO activities in supporting Water Safety Plans (WSPs).

The presentation focused on the various resources WHO is developing to support WSPs. As regulators have an important role to play in water safety planning (e.g. through communication and advocacy with water suppliers, and potentially through audit of WSPs), particularly in light of the changing role of regulators with evolving regulatory frameworks supporting WSPs, these tools and resources are relevant to regulators as well.

Details on the WSP Quality Assurance (QA) tool were provided. RegNet participants were notified of the WSP QA Tool at the last RegNet meeting (see Report of the Third Meeting) and therefore, summaries of updates made since that last meeting were given. It was also highlighted that the tool could potentially be used by regulators to support their audit of WSPs. Next steps
were identified, which included publication of the multi-language version of the tool and convening and facilitation of workshops.

Jennifer De France provided RegNet members with updates on several other WSP initiatives, including development of standardized training materials and WSPs and investment planning. RegNet participants were additionally informed that some resources that were under development at the time of the last RegNet meeting had been published, including the RegNet issue sheet on WSPs and the document, Water Safety in Buildings. Other WSP initiatives being led by the Small Community Water Supply Network (WSP Risk Assessment Tool and WSP Manual) and WSP scale-up work through the WHO/AusAID Water Quality Partnership for Health were discussed. Of particular relevance, was the work related to external assessment and audit/certification of WSPs.

Following the presentation, RegNet members shared their experiences in audit/certification of WSPs, challenges encountered during WSP implementation and provided updates on resources being developed at the national level. Participants were asked to identify areas of work related to WSPs they wanted to support or initiate. It was suggested by Jennifer De France that RegNet could participate in the development of the WSP Risk Assessment Tool for small supplies. Additionally, RegNet members expressed interest in participating in the development of guidance tools for the auditing/certification of WSPs.

Recommendations

- Pranav Joshi (Singapore) to be included as part of the Risk Assessment Tool working group
- Provide input, as appropriate, on the development of guidance materials for the auditing/certification of WSPs

3.5 Country presentation: How drinking-water regulators engage with wastewater quality compliance – Leonardo Manus (South Africa)

Wastewater is key risk for drinking-water quality in South Africa. This was a key driver for the development of Wastewater Risk Abatement Plans (W2RAP). W2RAP focuses on public health and natural resources protection and addresses the most eminent hazards, risks and controls that may apply along the value chain. Emphasis is on wastewater planning and management, not on testing, with documentation and communication being key component of the process. The South African Water Research Council (WRC) is developing a guide for the development of W2RAPs – to be released at 3rd Municipal Water Quality Conference.

Discussion

During the last Stockholm World Water Week, there was discussions about Sanitation Safety Plans (SSPs), and a suggestion that Water and Sanitation Safety Plans should be combined. However, the issue is that there are different target audiences for sanitation and water, although they are inextricably linked. WHO should think about context of WSPs/SSPs and about how to split them up in a rationale way. WHO and RegNet should learn from the experiences in South Africa.
Recommendations

- Consider expanding mandate of RegNet to include wastewater/sanitation, with clearly defined goals, objectives, etc.
- Jamie Lafontaine (WHO) to liaise with Leonardo Manus (South Africa) to gather additional information on WRAPs.

3.6 Strategic work plan discussions – next steps beyond issue sheet development - chaired by Luis Simas (Portugal)

For this agenda item RegNet members divided into working groups to discuss potential workplan activities which could be undertaken by RegNet. Following the working group discussions groups reported back to plenary. The main points of the discussion are summarized below.

Membership

The issues of succession planning and consistency in membership were raised during the discussions. When RegNet members move out of the position in the structure of their national government that makes them eligible for RegNet membership, they should inform the Secretariat and recommend a suitable substitute. This procedure should be clearly communicated in the designation letter for RegNet membership. In order to achieve progress on RegNet objectives consistency in membership is required. New members should be informed of the in principle requirement to attend Network meetings and actively contribute to the Network’s activities.

There continues to be a need to expand RegNet membership, especially in certain geographical areas, while still ensuring continuity and confidentiality. These areas include South America and Eastern Europe.

Communication – Internal/External

The RegNet Virtual Forum is the main channel for communications between Members during the period between RegNet meetings. Currently, the forum is not being used to its full potential and there is a low response rate from members to questions posted to the forum.

In order to increase the effectiveness of the Virtual Forum as a means of distributing information it should be made more accessible. Consideration should be given to creating one area that is open to a wider audience, in addition to the one that is open to RegNet members only. Also, priority postings to the Virtual Forum should be followed-up with e-mail alerts to highlight the importance of input from Members.

Additionally, information could be shared through a RegNet newsletter. Resource implications for the development of the newsletter should be taken into consideration, as there would be a requirement for contributions to the newsletter from RegNet members. RegNet members agreed that a quarterly electronic update could be useful to fill the gaps between meetings.

Consideration should also be given to other modes of communication, such as RegNet members periodically posting twitter-type updates (character limited) to the Virtual Forum.

Members expressed the need to develop better branding/marketing of RegNet as it is a global reference point for regulation. One suggestion was to consider better RegNet visibility at international events like Stockholm World Water Week and Singapore International Water Week.
Collaboration

Collaboration with other networks should be explored as there are potential synergies within the various networks’ objectives and activities. There is increasing RegNet involvement in workshops and conferences and there was some concern raised over duplication of efforts. Closer collaboration among the networks could help to ensure efficient use of resources.

RegNet members identified that there are existing regional regulators networks (e.g., Latin America, Europe). Members felt that linking with the regional regulators networks would be of benefit to RegNet. This could include inviting observers from other networks to RegNet meetings. It was also suggested that RegNet could be used to catalyze the formation of regional network of regulators in South East Asia, North America and Africa.

Issue Sheets/Case studies

Members were concerned that the Network may be producing too many issue sheets. This may result in a dilution of the information being developed. In order to avoid this, attention should be paid to ensuring proper referencing of existing issue sheets and other reference documents. Recommendations for new issue sheets should be vetted against existing issues sheet to avoid duplication or dilution of information.

A suggestion was made that Network members should review issue sheets prior to RegNet meetings in order to ensure that they contain the most up-to-date and relevant information. Any issues identified would then be raised during the meeting.

The Virtual Forum should be used to encourage active participation in development of issue sheets and case studies. It was also suggested that case studies be posted as a catalyst for discussions.

In developing issue sheets and case studies the Network should collaborate with other groups especially when the subject of the issue sheet overlaps with other areas of expertise.

Two additional topics for issue sheets/case studies included quality of service, and how regulators respond to major outbreaks.

RegNet members discussed the need for a distribution strategy for the issue sheets. The strategy should include potential avenues for dissemination at the regional and national levels.

Webinars could be investigated as a potential vehicle for the sharing of information contained in the issue sheets. The term webinar is short for Web-based Seminar, a presentation, lecture, workshop or seminar that is transmitted over the Web. RegNet members could potentially organize a webinar, in collaboration with WHO or other RegNet members on a specific issue sheet topic. Invitations could then be sent to relevant stakeholders requesting their participation in the webinar. Webinars can include polling and question & answer sessions to allow full participation between the audience and the presenter.

Lastly, members felt that it was important to give recognition to those who contributed to the development of the issue sheets. This should be done through acknowledgements on the issue sheets.
Other Potential Activities

Another potential RegNet activity discussed was that of facilitating technical exchanges. For example, the Drinking Water Inspectorate (UK) and the Department of Water Affairs (South Africa) completed an exchange and both parties found the exercise very useful and more hands-on than simply sharing information on the Virtual Forum. It was suggested that perhaps Argentina would benefit for a technical exchange with RegNet members to assist in the development of their new regulations.

In order to help ensure that RegNet members are actively participating in implementing RegNet activities it was suggested that future agendas include time for members to report on Network related activities.

Member raised the issue of needing to find resources for additional activities, recognizing that Health Canada funding of the Network may not always be sufficient or available. The Bill and Melinda Gates Foundation was one suggestion as a potential source of funds, especially related to post 2015 monitoring and affordability indicators.

Members suggested that a small working group should be created to develop a five-year RegNet strategy.

In order to facilitate the work on RegNet activities work streams could be developed and responsibility assigned to members with timelines and a lead member. Examples of work streams could include issue sheets, JMP monitoring, Water Safety Plans, etc.

Please refer to section 3.11 for a detailed breakdown of activities based on the above strategic work plan discussion.

3.7 Technical discussion: Challenges and opportunities associated with fragmented drinking-water regulations within the broader context of the regulatory landscape – chair by Jamie Lafontaine (WHO)

Objective: Through presentations and associated plenary technical discussions, for RegNet members to identify potential RegNet activities related to the above issue.

Regulations as they relate to drinking-water are essential instruments in protecting health and achieving safe drinking-water, both in developed and developing countries. Often, drinking-water regulations are developed under the authority of different pieces of legislation. A number of different government departments/agencies may be responsible for the development, implementation and enforcement of these regulations. There may be a lack of clarity regarding legal mandates, authorities, roles and responsibilities, caused by gaps and overlaps in regulations. At the same time, the implementation of drinking-water regulations may be hampered, subject to modifications or over-ruled because regulations from other government sectors are not harmonized or compatible. Such other sectors may be environment, economics and finance.

The presentations by RegNet members from Argentina, Kenya, Malaysia and Portugal focused on fragmented drinking-water regulations within the broader regulatory landscape (e.g., environment, economics, health) and the institutional aspects of the links between the various regulatory bodies. They covered opportunities and constraints of operating within this context and recommendations of whether and, if so, how RegNet can contribute to improving the situation.
The PowerPoint presentations have been posted on the RegNet Virtual Forum.

The common theme in the presentations was the need for a collaborative and coordinated approach among all parties involved in the regulatory landscape for water services. One of the main challenges is the number of parties involved (e.g., municipal, provincial, federal governments, NGOs, private water suppliers) without one single party having the sole responsibility.

Best practices, identified by the presenters, in order to facilitate collaboration and coordination in fragmented regulatory systems include:

- inter-governmental and inter-jurisdictional communication;
- clear governance structure;
- timely sharing of data between parties and 3rd party access;
- flexibility (e.g., one-size fits all approach does not work);
- promotion of transparency and effective partnerships with stakeholders;
- clear delegation of enforcement powers;
- clear policy direction and comprehensive regulations (easily understood); and,
- respecting mandates.

Presenters also shared with the group challenges related to economic regulation in specifically with regard to sustainability of water service, asset management and affordability.

Discussion

Members felt that RegNet could benefit from developing some guidance materials on economic regulation. This could include items such as tariffs and different models of management (public, private, public and private). It was also identified that RegNet would need the assistance of economic regulators in the development of the proposed guidance materials.

Luis Simas (Portugal) volunteered to work with his economic counterparts to develop a case study on economic regulation related to water services. This would include information on the development of indicator based on Portugal’s second generation of indicators.

Pranav Joshi (Singapore) reminded the group that primary objective of RegNet is not related to issues of economics. RegNet focuses on water safety – this is RegNet’s objective.

Robert Bos (WHO) agreed and explained that in reality economics sometimes may override the water safety aspect. He also mentioned that the document Valuing Water, Valuing Livelihood: A guidance document on social cost-benefit analysis of drinking-water interventions, with special reference to small community water supplies will be launched soon. This guidance document includes a global risk assessment of the costs and benefits of small community water supplies. Also a CD-ROM on costing of water supplies, including a spreadsheet tool, will be available shortly. Robert suggested that maybe an issue sheet is too limited for the issues RegNet wants to raise and that a booklet with case studies may be more appropriate.

Robert also informed the Network that affordability indicators will be part of post 2015 indicators discussion and hopes that some RegNet members can contribute to this work.
Luis Simas (Portugal) suggested that it would be useful to provide information on methodology for example ‘how to do’ instructions with indicators. He also mentioned that quality of service regulation, including asset management, could be issue sheet.

**Recommendations**

- RegNet members (Luis Simas, Helgard Muller, Peter Mutale) to develop guidance materials (i.e., booklet with case studies) on how to implement economic regulatory frameworks
- Luis Simas (Portugal) to develop an issue sheet on measuring quality of service (indicators, targets)

**3.8 Review of new issue sheets developed since last meeting** – chaired by Claire Pollard

For this agenda item, RegNet members were divided in working groups to review the draft issue sheets that had been developed since the last RegNet meeting. Groups then reported back to plenary regarding their suggestions.

**Capacity development**

“Capacity”, in terms of regulations, is required in a number of domains, including, but not limited to:

- legal infrastructure – such as laws and codes of practice
- institutional infrastructure - such as regulatory and training institutions and certifying bodies
- physical infrastructure - such as organized water and wastewater treatment facilities and laboratories
- financial resources – that adequate funding is available to implement, maintain and support regulations
- human resources - people and their knowledge and skills, including:
  - capacity of those subject to regulation – the population/industries being regulated are informed of their roles and responsibilities and are able to comply with regulations
  - regulator capacity – regulatory bodies are trained and resourced to work with those subject to regulation toward compliance

In order to provide focused guidance information the issue sheet should focus on development of capacity of those subject to regulation. Consideration should be given to renaming the issue sheet “Developing human resources capacity to protect public health”?

Most of the issue sheets that have already been developed touch on the issue of capacity development within their specific context.

All of the examples in the current draft issue sheet are Canadian examples. These need to be replaced with examples from other countries.
Surveillance

The group reviewing this issue sheet felt that there needed to be a clear definition of surveillance in the context of drinking-water regulation, as opposed to the public health definition of surveillance.

There was mention of the fact that the original text of the issue sheet included the concept of “monitoring and surveillance” and that perhaps this should be re-incorporated into the text. The group felt that this issue sheet requires a significant re-write.

Implementing and Improving Regulations

The group reviewing this issue sheet suggested that there be clear definition for terms, such as private versus public water supplies. They also suggested that a section be added on benchmarking that includes the identification of performance indicators as well as audit procedures.

Section 5, on the identification of regulatory options (or frameworks) should be expanded to include topics such as regulation, independent bodies (arm’s length), government corporations and incentive based approaches. Luis Simas (Portugal) offered to provide the group with a slide on regulatory frameworks that could assist in developing text for this section.

Lastly, the group also suggested that *Regulation of Water and Wastewater Services – An International Comparison*, Rui Cunha Marques, IWA Publishing, 2010 should be included in the reference section of the issue sheet.

Health-based targets

There was a general impression in the group that this issue paper would not link up to the reality in many countries. While the 3rd edition of the WHO Drinking-water Quality Guidelines had introduced the risk-based approach to water quality management, in many countries the matter was still dealt with based on surveillance of fixed water quality standards at a specific point in the process. The WHO Guidelines old-style are still in vigour in many national legislations.

With its focus on promoting water safety planning, with its integrated risk assessment and risk management process along the source-to-tap chain, this issue sheet would seem in first instance more useful for water providers than for regulators.

It was also felt that in countries with a relatively short tradition in drinking-water regulation, regulatory flexibility, as implied by the health-based target approach, would not be helpful in establishing a sound regulatory practice. This issue was also linked to the principle of progressive realization as contained in the human right to water and sanitation.

As for the contents of the draft, it was suggested that the concept of tolerable burden of disease (i.e., the globally recommended value of $10^{-6}$ DALYs lost as an additional risk resulting from a risk factor) be explained up front in detail.

It should also be explained that the four distinct types of health-based targets are presented in a ranked order, i.e. if tolerable burden of disease and guideline values for chemical hazards cannot be used, then performance targets and next specified technology targets kick in.
In this connection it was recommended that Figure 1 in the fact sheet on Health-based Targets in the World Water Day 2010 folder be inserted here, to clarify the ranking.

Among the criteria to be considered when developing health-based targets, the economic criteria should be added.

In conclusion, the working group felt the further development of this issue sheet was premature and that the subject of health-based targets and their importance for regulation be put on the agenda for the 2012 RegNet meeting.

3.9 Country presentation: Protection of WSPs from freedom of information-type legislation/requests – Donald Reid (Canada)

Donald Reid gave a presentation describing the situation in Alberta where WSPs are considered public records and are therefore available to the public under freedom of information legislation. Donald Reid wanted to know from the Network if in other countries there were certain aspects of WSPs that are not disclosed to the public as they may pose security threats (e.g., location of critical control points).

Discussion

Claire Pollard (UK) explained that the situation is similar in the UK with respect to FOI requests; however, they do not release information on WSPs on the grounds that these are ‘owned’ by the water companies and it is not for us to release. Additionally, DWI would not provide any information on drinking water systems such as locations of critical assets within the infrastructure (treatment works names and national grid references) for reasons of national security.

Recommendations

RegNet members to provide Donald Reid with any information regarding how the release of WSP information is handled in their countries so as to not release sensitive information.

3.10 Panel presentations and plenary discussion: Human Rights Symposium – Access to Water and Sanitation Services

The South Africa Department of Water Affairs hosted a symposium consisting of panel presentations and a plenary discussion on the UN Human Right to Water and Sanitation. There were approximately forty attendees at the symposium. A copy of the agenda for the symposium can be found in Appendix 1. Copies of the presentations can be found on the RegNet Virtual Forum. The symposium included presentation on both the international and South African perspectives on the Human Right to Water and Sanitation.

3.11 Group discussion – potential Network activities related to the Human Right to Water and Sanitation.

Brief introductions to the Human Right to Water and Sanitation had been given during the morning’s symposium, and these served as the basis for a plenary group discussion on the specific activities RegNet may initiate in this connection.
Luis Simas (Portugal) referred to discussion that had been held in the Association of European Drinking-water regulators which had recognized the adoption of the resolutions on the human right to water and sanitation as an important step in the process of achieving universal access to safe and clean drinking-water. He proposed that a Network statement be prepared on the subject. Such a statement should focus on the regulatory interpretation of the human right to water and sanitation, in other words, what are the key issues it raises for regulators and what are its implications for regulators.

Other RegNet members raised issues of definition: what is meant by safe, how to explain different prices for the same quality of drinking-water, what is the interpretation of “access” and how is the broad concept of sustainability narrowed down to a meaningful focus in this context?

Peter Mutale (Zambia) raised the issue of targeting the poor, and in order to do so: how to define the poor. The eThikwinie example presented in the morning seminar had pointed to the diversity in the poverty definition by different governments and the expense incurred by applying any definition to identify the poor. In eThikwinie eventually the definition had been guided by the value of people’s houses.

There were several words of caution from RegNet members. Some countries had not even signed up to the right to water and sanitation, others required ratification through their parliament. There was a clear sequence of events, starting with the incorporation of the right to water and sanitation into national policies and strategies, the implementation of these policies and strategies and only then the implementation of regulatory mechanisms. Therefore to have a very specific statement would not be appropriate as regulators should not overstep their jurisdiction and drive the process towards integration of the human right to water and sanitation.

There was also a request to place this issue, and in particular the follow-up to the Berlin Consultation on Post-2015 Monitoring of Water and Sanitation (3-5 May 2011) within the overall RegNet programme – its priority vis-à-vis other RegNet programme components should be clearly ranked.

It was clarified that the resolutions on the Right to Water and Sanitation with respect to safety referred to the WHO Drinking-water Quality Guidelines, but the guideline values presented in this document were what the name indicates: guidelines values, not absolute, binding values. Indeed, Member States were encouraged to adopt a flexible approach based on health-based targets, and this flexibility would have to be reflected in the human right criteria. On the other hand, the Water Safety Plan concept with its focus on incremental improvement seems quite congruent with the human rights principle of progressive realization.

It was also clarified that the right to water and sanitation does not imply that water is free, and that it does not exclude the private sector from participating – simply, any private sector undertakings will have to fit the regulatory framework established by governments, and the onus is on governments to show they comply with the progressive realization towards the human rights obligations.

While in countries like Zambia and Malaysia the process of policy formulation still needed to be initiated. In South Africa the right to water and sanitation was enshrined in the Constitution and examples of the consequences of this had been given in the morning seminar. In Kenya, the Constitution features the right to water and sanitation since 2010, but it had been part of national policy since 2007, so adding it to the Constitution had been a political statement more than
anything else. For the community of drinking-water regulators a generic RegNet statement will be very helpful, in clarifying issues and spelling out priorities, and it will encourage further networking between regulators in different countries.

It was decided that the process of formulating a generic RegNet statement on this subject would be initiated by the Secretariat and that it be made available to all RegNet members for comments and additions on the RegNet virtual forum.


The following table contains a summary of the recommendations made through the meeting and during the workplan discussion.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Person Responsible</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>JMP and Regulator Reporting</strong></td>
<td>Luis Simas, Robert Gakubia</td>
<td>RegNet to work with the JMP Task Force sub-group on the development of criteria for regulatory data for global monitoring.</td>
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<td></td>
<td></td>
<td>to continue liaising between the sub-group and RegNet.</td>
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<tr>
<td><strong>Regulatory Scan</strong></td>
<td>Jamie Lafontaine</td>
<td>RegNet members</td>
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<tr>
<td>Follow-up with David Drury regarding timelines for completion of reports on remaining parameters and WSP initiatives.</td>
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<tr>
<td><strong>Regulatory Scan</strong></td>
<td>RegNet members</td>
<td>Review inorganic parameters report and table and provide comments to David Drury.</td>
</tr>
<tr>
<td><strong>Water Quality Standards Questionnaire</strong></td>
<td>Jamie Lafontaine</td>
<td>Obtain additional information and clarification regarding questionnaire and raise issues identified by RegNet members.</td>
</tr>
<tr>
<td><strong>Regulators/Public Health Professionals</strong></td>
<td>RegNet members</td>
<td>Share existing guidance documents related to this issue via the Virtual Forum</td>
</tr>
<tr>
<td><strong>Regulators/Public Health Professionals</strong></td>
<td>Claire Pollard</td>
<td>Develop a case study on the roles and responsibilities of professionals in traditional drinking-water regulating roles vis-à-vis those of professionals operating in the local public health context based on the UK context</td>
</tr>
<tr>
<td><strong>Virtual Forum Discussions</strong></td>
<td>Public reporting - Lee Yew Koon</td>
<td>Posting of RegNet Virtual Forum discussion topics</td>
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<tr>
<td>Activity</td>
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<tr>
<td><strong>Water Safety Plans</strong></td>
<td>Pranav Joshi</td>
<td>Pranav Joshi</td>
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<tr>
<td>RegNet member to participate on Risk Assessment Tool working group</td>
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<tr>
<td><strong>Water Safety Plans</strong></td>
<td>RegNet members</td>
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<tr>
<td>Provide input, as appropriate, on the development of guidance materials</td>
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<td>for the auditing/certification of WSPs.</td>
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<tr>
<td><strong>Sanitation Safety Plans</strong></td>
<td>WHO – RegNet Secretariat</td>
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<tr>
<td>Consider expanding mandate of RegNet to include wastewater/sanitation,</td>
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<td>with clearly defined goals, objectives, etc.</td>
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<tr>
<td><strong>Sanitation Safety Plans</strong></td>
<td>Jamie Lafontaine, Leonardo Manus</td>
<td>Information collected from South</td>
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<tr>
<td>Gather additional information on WJRAPs.</td>
<td></td>
<td>Africa.</td>
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<tr>
<td><strong>RegNet Membership</strong></td>
<td>Jamie Lafontaine</td>
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<tr>
<td>Revise RegNet designation letter to reflect member responsibilities</td>
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<td>including active participation and assigning of replacements.</td>
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<tr>
<td><strong>RegNet Membership</strong></td>
<td>Robert Bos, Jamie Lafontaine</td>
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<tr>
<td>Invite new members to join RegNet from South America and Eastern Europe.</td>
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<tr>
<td><strong>Communication</strong></td>
<td>Jamie Lafontaine</td>
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<tr>
<td>Investigate possibility of having an open access section to the Virtual</td>
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<tr>
<td>Forum</td>
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<tr>
<td><strong>Communication</strong></td>
<td>Jamie Lafontaine</td>
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<tr>
<td>Develop a quarterly RegNet newsletter</td>
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<tr>
<td><strong>Communication</strong></td>
<td>RegNet members</td>
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<tr>
<td>Bi-annual update reports via the Virtual Forum (Twitter-type)</td>
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<tr>
<td><strong>Communication</strong></td>
<td>Robert Bos, Jamie Lafontaine</td>
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<tr>
<td>Consider raising the profile of RegNet</td>
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<tr>
<td><strong>Collaboration</strong></td>
<td>Jamie Lafontaine</td>
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<tr>
<td>Establish linkages with other Networks</td>
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<tr>
<td><strong>Collaboration</strong></td>
<td>Robert Bos, Jamie Lafontaine</td>
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<tr>
<td>Assist in the creation of regional regulator networks (South East Asia,</td>
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<td>North America, Africa)</td>
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<tr>
<td><strong>Issue Sheets</strong></td>
<td>Surveillance, Ivy Chan</td>
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<tr>
<td>Revise draft issue sheets</td>
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<tr>
<td>Issue Sheets</td>
<td>Develop issue sheet on quality of service</td>
<td>Luis Simas</td>
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<tr>
<td>Issue Sheets</td>
<td>Develop distribution strategy for issue sheets</td>
<td>Robert Bos, Jamie Lafontaine</td>
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<tr>
<td>Technical Exchanges</td>
<td>RegNet to facilitate a technical exchange with Argentina to assist in the development of their new regulations</td>
<td>Oscar Pintos, Jamie Lafontaine</td>
</tr>
<tr>
<td>Funding</td>
<td>Investigate potential funding opportunities to support RegNet activities</td>
<td>Robert Bos</td>
</tr>
<tr>
<td>RegNet 5 Year Strategy</td>
<td>Form a working group to develop a 5 Year RegNet Strategy</td>
<td>Jamie Lafontaine</td>
</tr>
<tr>
<td>Economic Regulation</td>
<td>Develop guidance materials (i.e., booklet with case studies) on how to implement economic regulatory frameworks</td>
<td>Luis Simas, Helgard Muller, Peter Mutale</td>
</tr>
<tr>
<td>Freedom of Information</td>
<td>Provide information on how issues related to security and WSP release of information to the public are handled to Donald Reid</td>
<td>RegNet members</td>
</tr>
<tr>
<td>Human Right to Water and Sanitation</td>
<td>Develop a RegNet statement on this subject for comments and additions on the RegNet Virtual Forum</td>
<td>Jamie Lafontaine, RegNet members</td>
</tr>
</tbody>
</table>
Tour of Kloofnek Water Treatment Plant

On Sunday 12 June 2011, the South African host arranged for a tour of the Kloofnek Water Treatment Plant located near Table Mountain. Peter Flower, Bulk Water Branch Manager, gave a presentation on Water Supply to Cape Town Over the Years. RegNet members were then given a tour of the facility.

Venue RegNet meetings in 2012 and 2013

In order to allow better planning, the Secretariat proposed to consider a discussion on options for venues for RegNet meetings in 2012 and in 2013. Linking the RegNet meeting to another relevant event which would be attended by RegNet members as well would help reduce the costs.

Oscar Pintos offered to explore the possibility of hosting the meeting in Argentina (Buenos Aires) or in any of the other Latin American countries with members in the ADERASA (acronym for Asociación de Entes Reguladores de Agua Potable y Saneamiento de las Américas), the Association of Latin-American regulators. In this case, an opportunity to organize the meeting together with a meeting of ADERASA would be pursued, and involvement of the Pan-American Health Organization and the Inter-American Development Bank would be an important objective. Such a meeting would require simultaneous interpretation English/Spanish.

Luis Simas offered to explore the possibility of hosting the meeting in Portugal. He pointed out that the International Water Association (IWA) Congress would be held in Lisbon in 2014, so that may also be taken into consideration.

The Secretariat welcomed both proposals and will further explore the implications and feasibility of each.
Annex 1

Proposed agenda for the Fourth Meeting of the
International Network of Drinking-Water Regulators
Cape Town, South Africa, 24 -25 and 27 June 2011

- Opening
- Introduction of participants, designation of Chair and rapporteurs
- Approval of proposed agenda and programme of work
- RegNet progress report 2010-2011
- Technical discussion: *Roles and division of labour between regulators and public health professionals*
- Water Safety Plans (WSP) – Update on current activities and discussions of future involvement of RegNet regarding WSP activities
- Country presentation: *How drinking-water regulators engage with wastewater quality compliance*
- Strategic work plan discussions – next steps beyond issue sheet development
- Technical discussion: *Challenges and opportunities associated with fragmented drinking-water regulations within the broader context of the regulatory landscape*
- Review of new issue sheets developed since last meeting
- Country presentation: Protection of WSPs from freedom of information-type legislation/requests
- Panel presentations and plenary discussion: Human Rights Symposium – Access to Water and Sanitation Services
- Group discussion – potential Network activities related to the Human Right to Water and Sanitation.
- Review of 2011-2012 work plan and division of tasks
- Closure
Programme of Work
24 June, 2011

8:30 – 9:00  Registration

Session Chair  Leonardo Manus (South Africa)

9:00 – 9:10  Opening of meeting and welcome to participants

9:10 – 9:20  Opening remarks
Robert Bos, Coordinator, Water, Sanitation and Hygiene (WSH), World Health Organization (WHO)

9:20 – 9:25  Introduction of participants; designation of Chair and rapporteurs

9:25 – 9:30  Approval of proposed agenda and programme of work

9:30 – 10:30  RegNet progress report 2010-2011, including:
- General update on Network activities
  Jamie Lafontaine, Technical Officer, WHS, WHO
- Debrief of meeting in Morgon, France regarding the JMT
  Luis Simas, Director, Drinking Water Department, Portugal
- Debrief of meeting in Berlin, Germany regarding JMP post MDG targets
  Robert Bos, Coordinator, WSH, WHO

10:30 – 11:00  Break

Session Chair  Jamie Lafontaine (Canada/WHO)

11:00 – 11:30  Plenary discussion - RegNet progress report 2010-2011

Technical discussion: Roles and division of labour between regulators and public health professionals

11:30 – 11:45  Leonardo Manus, Director, Department of Water Affairs, South Africa

11:45 – 12:00  Claire Pollard, Deputy Chief Inspector (Science & Strategy, Drinking Water Inspectorate, United Kingdom

12:00 – 13:00  Lunch – provided by host country

13:30 – 13:15  Pranav S. Joshi, Senior Manager, Drinking Water Unit, Environmental Health Department, National Environment Agency, Singapore

13:15 – 14:30  Plenary discussion and formulation of follow-up action

14:30 – 15:00  Break
15:00 – 15:15  **Water Safety Plans (WSP) – Update on current activities**  
Ms. Jennifer De France, Technical Officer, WSH, WHO

**Session Chair:**  Pranav Joshi (Singapore)

15:15 – 16:00  Discussions of future involvement of RegNet regarding WSP activities

16:00 – 16:15  **Country presentation:** how drinking-water regulators engage with wastewater quality compliance  
Leonardo Manus, Director, Department of Water Affairs, South Africa

16:15 – 16:45  Plenary discussion

16:45 – 17:00  Wrap-up
Programme of Work  
25 June, 2011

Session Chair   Luis Simas (Portugal)

9:00 – 9:15  Summary of previous day's discussions and agreement on next steps

9:15 – 10:00  Working Groups - Strategic workplan discussions – next steps beyond issue sheet development

10:00 – 10:30  Break

10:30 – 11:00  Working Groups – report back to plenary

Technical discussion -  Challenges and opportunities associated with fragmented drinking-water regulations within the broader context of the regulatory landscape

11:00 – 11:15  Lee Koon Yew, Executive Director, National Water Services Commission, Malaysia

11:15 – 11:30  Luis Simas, Director, Drinking Water Department, Portugal

11:30 – 11:45  Oscar Pintos, Ente Regulador de Servicios Sanitarios (ENRESS) and Asociación de Entes Reguladores de Agua Potable y Saneamiento de las Américas (ADERASA), Argentina

11:45 – 12:00  Robert Gakubia, Chief Executive Officer, Water Services Regulatory Board, Kenya

12:00 – 13:00  Lunch -provided by host country

Session Chair  Dr. Claire Pollard (UK)

13:00 – 14:00  Plenary discussion and formulation of follow-up action

14:00 – 14:30  Break

14:30 – 15:00  Working groups – Review of issue sheets developed since last meeting

15:00 – 15:30  Working groups – report back to plenary

15:30 – 15:45  Country presentation: Protection of WSPs from freedom of information-type legislation/requests  
Donald Reid, Drinking Water Specialist, Provincial Programs Section, Environmental Operations Division, Alberta Environment, Canada

15:45 – 16:15  Plenary discussion

16:15 – 16:30  Wrap-up and closing remarks
Programme of Work
27 June, 2011

09:00 - 14:30 Human Rights Symposium – Access to Water and Sanitation Services
Panel presentations and plenary discussion*

14:30 - 15:00 Break

Session Chair Robert Bos (WHO)

15:00 – 15:45 Group discussion – RegNet members discuss potential Network activities related to the Human Right to Water and Sanitation

15:45 – 16:45 Review of 2011-2012 work plan and division of tasks to RegNet members
Jamie Lafontaine, Technical Officer, WHS, WHO

16:45 – 17:00 Closing of meeting

* Please refer to the Human Rights Symposium agenda for additional information.
Human rights are rights inherent to all human beings, whatever our nationality, place of origin, sex, ability, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated and indivisible.

**WATER IS LIFE**

**DIGNITY!**

**SANITATION IS DIGNITY!**

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**WHAT ARE THE HUMAN RIGHTS FOR WATER & SANITATION ACCESS?**

**WHO ARE THE EFFECTED GROUPS?**

**ARE WE ACHIEVING WHAT IS EXPECTED OF US – BOTH INTERNATIONAL & IN SOUTH AFRICA?**

**ARE THE BENCHMARKS BEING REACHED?**

**WHAT ARE THE CHALLENGES?**

**WHAT ELSE NEEDS TO BE DONE?**

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**AGENDA**
Monday 27th June 2011 - 09.00 to 14.30
(8.15am – 9.00am – Arrival, Registration and Coffee)

1 Welcome & Introduction (DWA: Mr H Muller: Act DDG) (09.00-09.10)

2 Panel Presentations and Plenary Discussion (09.10 – 14.30):

Reports from different disciplines highlighting challenges in meeting the UN’s objectives

Chairperson:………. Billy Twala

Introduction.................................................................................................(09.10 – 09.20)

Presentation 1..............................................................................................(09.20 – 09.40)
Presentation 2..............................................................................................(09.40 – 10.00)
Presentation 3..............................................................................................(10.00 – 10.40)
(Break for tea between 10.40 and 11.00)
Presentation 4..............................................................................................(11.00 – 11.20)
Presentation 5..............................................................................................(11.20 – 11.40)
Presentation 6..............................................................................................(11.40 – 12.00)

(Lunch 12.00 and 12.45)

3 Plenary Discussion...................................................................................... (12.45 – 14.15)
(Facilitator : Billy Twala)

4 Closure ......................................................................................................(14.15 – 14.30)
(Robert Bos (World Health Organisation))
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Annex 2

SIXTY-FOURTH WORLD HEALTH ASSEMBLY WHA64.24

Agenda item 13.15 24 May 2011

Drinking-Water, Sanitation and Health

The Sixty-fourth World Health Assembly,

Having considered the report on strategies for the safe management of drinking-water for human consumption;

Recalling the Declaration of Alma-Ata on Primary Health Care and the various resolutions stressing the role of improving safe drinking-water, sanitation facilities and hygiene practices in primary health care, environmental health, prevention of waterborne diseases, protection of high-risk communities, infant and young child nutrition, including resolutions WHA39.20, WHA42.25, WHA44.28, WHA45.31, WHA35.17, WHA51.28 and WHA63.23, as well as resolutions EB128.R7 and EB128.R6 containing respectively draft resolutions on cholera: mechanisms for control and prevention, and on eradication of dracunculiasis;

Recalling further target C of Goal 7 (Ensure environmental sustainability) of the Millennium Development Goals, which calls for reducing by half the proportion of the population without sustainable access to safe drinking-water and basic sanitation by 2015, and the importance of this target for the achievement of other Goals, particularly Goals 4 (Reduce child mortality), 5 (Improve maternal health) and 6 (Combat HIV/AIDS, malaria and other diseases);

Recognizing that between 1990 and 2008 an estimated 1.77 billion people gained access to improved sources of drinking-water and 1.26 billion gained access to improved sanitation, but deeply concerned that by the end of 2008, 884 million people still lacked access to improved water sources and over 2.6 billion people did not have access to improved sanitation;

Noting the multiple health benefits and economic advantages of a broad public health approach through the expansion of access to safe drinking-water and sanitation, integrating household interventions, a more effective use of resources and the early incorporation of health considerations in the planning and design of water resources development, and recognizing the importance of pursuing these issues for the achievement of strategic objective 8 of the Medium-term strategic plan 2008–2013;

Recalling the International Decade for Action, “Water for Life” 2005–2015, proclaimed by the United Nations General Assembly in resolution 58/217; the International Year of Sanitation, 2008, declared in resolution 61/192; as well as the follow-up resolution 65/153, calling upon all Member States to support the global effort to realize “Sustainable sanitation: the five-year-drive to 2015”; and also recalling that water quality was the theme of the United Nations World Water Day 2010;

Recalling further the United Nations General Assembly resolution 64/292, which recognizes 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” and the Human Rights Council resolution (A/HRC/RES/15/9) affirming that the “human right to safe drinking-water and sanitation is derived from the right to an adequate standard of living and inextricably related to the right to the highest attainable standard of physical and mental health, as well as the right to life and human dignity”;

Noting with interest the efforts made to improve access to safe drinking-water, basic sanitation and to promote good personal and domestic hygiene practices that contribute to a sustainable approach to fight sanitation- and water-related diseases such as cholera and diarrhoea, which claimed the lives of 2.5 million people in 2008, among which 1.3 million children under the age of five;

Also noting the water, sanitation and hygiene components in the seven-point strategy agreed by WHO and UNICEF for comprehensive diarrhoea control, which include the promotion of hand washing with soap, household water treatment and safe storage and community-wide sanitation promotion;

Noting that millions of people are exposed to dangerous levels of biological contaminants and chemical pollutants in their drinking-water partly due to inadequate management of urban, industrial or agricultural wastewater;

Recognizing WHO’s major normative role in issues of water and health, its key role in monitoring progress regarding water supply and sanitation as well as its promotional and capacity-building roles for Water Safety Plans, Sanitation Safety Plans, water and sanitation in health care, schools and other public buildings and settings, and safe management of medical waste;

Noting that global driving forces, including population growth, urbanization and climate change, are expected to affect significantly the availability and quality of access to water and sanitation services and of freshwater resources and the need for water resources development for other purposes, which in themselves carry potential health risks, and noting that a response to these trends requires an intersectoral approach mainstreaming health and environmental issues in national sectoral policies through integrated water resources management and strengthened institutional arrangements to prevent and reduce the incidence of sanitation- and water-related diseases;

Noting that over the last decade almost two billion people were victims of natural disasters, including floods and droughts, that act as key contributors to sanitation- and water-related diseases; also recognizing the need, in emergency situations, to develop prevention tools and specific actions for supplying drinking-water and sanitation as well as the leading role of both WHO in the Health cluster and UNICEF in the Nutrition and WASH (Water, Sanitation and Hygiene) clusters in emergency operations,

1. URGES Member States:

(1) to develop and strengthen, with all stakeholders, national public health strategies, so that they highlight the importance of safe drinking-water, sanitation and hygiene as the basis for primary prevention, based on an integrated approach of sectoral planning processes, policies, programmes and projects regarding water and sanitation, guided by an effective interministerial coordination mechanism at appropriate level, designating clear responsibilities across relevant
ministries and institutions;

(2) to promote new approaches to community education, empowerment, participation and awareness creation involving actively their leaders and civil society, with a view to having a specific impact, particularly on women, children, youth, indigenous people and vulnerable and the poorest people, acknowledging and encouraging good practices;

(3) to ensure that national health strategies contribute to the realization of water- and sanitation-related Millennium Development Goals while coming in support to the progressive realization of the human right to water and sanitation that entitles everyone, without discrimination, to water and sanitation that is sufficient, safe, acceptable, physically accessible and affordable for personal and domestic uses;

(4) to strengthen the intersectoral policy frameworks and institutional mechanisms for integrated management of water- and sanitation-related health hazards and risks, including health impact assessment, strategic extension of drinking-water and sanitation systems and services, and environmental management to protect health in water resources and wastewater management projects;

(5) to mobilize their efforts, in consultation with bilateral and multilateral partners and in close coordination with responsible local authorities, to prioritize and implement the reduction of disparities which exist between urban, periurban and rural areas as regards access to drinking-water at home as well as from other improved sources, improved sanitation facilities and hygiene;

(6) to offer appropriate facilities for access to safe drinking-water, sanitation and hand washing with soap in health care establishments, schools and other public buildings and settings, as well as advocacy and training tools on safe water, sanitation and hygiene practices for those who operate and use these establishments;

(7) to improve cooperation between the appropriate authorities and stakeholders, including in transboundary settings, to establish, implement and maintain efficient systems for assessing water quality, regularly communicating relevant, easily accessible information and responding to water quality issues;

(8) to ensure, in particular, the sustainability of comprehensive and harmonized national and/or local water and sanitation-related monitoring systems and early warning tools in order to prevent and control sanitation- and water-related diseases as well as to develop emergency preparedness and action plans, particularly in case of natural disasters and humanitarian emergencies;

(9) to work to strengthen, as necessary, the establishment, implementation and quality control of water safety plans and contribute to the development of sanitation safety plans, in collaboration with the WHO collaborating centres, WHO-hosted networks (drinking-water regulators, operation and maintenance, household water treatment and safe storage, management of small-community water supplies) and associations in official relations with

2. REQUESTS the Director-General:

(1) to continue calling the attention of the international community and decision-makers to the importance of primary prevention as a key goal, and the major impact of safe drinkingwater,
sanitation and hygiene on global public health, national economies, and the achievement of the Millennium Development Goals;

(2) to formulate a new, integrated WHO strategy for water, sanitation and health including a specific focus on water quality and monitoring issues, and on promotion of sanitation and hygiene behaviour change taking into account context-specific requirements with a view to encouraging the establishment of preventative measures as well as rapid analysis techniques to guarantee the quality of drinking-water and avoid adverse health impacts of water resources development;

(3) to strengthen WHO’s collaboration with all relevant UN-Water members and partners, as well as other relevant organizations promoting access to safe drinking-water, sanitation and hygiene services, so as to set an example of effective intersectoral action in the context of WHO’s involvement in the United Nations Delivering as One initiative, and WHO’s cooperation with the United Nations Special Rapporteur on the human right to safe drinking-water and sanitation with a view to improving the realization of the human right to water and sanitation;

(4) to strengthen the WHO/UNICEF Joint Monitoring Programme capacities to fulfil its mandate of monitoring progress towards the international drinking-water and sanitation development goals, and to serve as a platform for a generation of new sanitation and water indicators, including water quality and other relevant parameters at appropriate levels;

(5) to continue supporting existing regional initiatives such as the United Nations Economic Commission for Europe’s Protocol on Water and Health which is an instrument of reference for safe water management and the protection of human health and encourage the creation of similar instruments dedicated to sustainable water management and reduction of sanitation- and water-related diseases in other regions, as well as continue to encourage relevant regional initiatives such as the WHO/UNEP Libreville Declaration on Health and Environment (2010) or the WHO Parma Declaration on Environment and Health (2010);

(6) to develop, in coordination with bilateral and multilateral partners, Member States’ capacities by providing guidelines and technical support to develop, implement, monitor and evaluate national action plans for the sustainable management, operation and maintenance of safe drinking-water supply and sanitation systems and services;

(7) to further support Member States’ capacities in building and maintaining adapted information and monitoring systems in order to facilitate the appropriate and streamlined reporting to relevant global monitoring mechanisms including the WHO World Health Statistics, the WHO/UNICEF Joint Monitoring Programme for Water Supply and Sanitation and the UN-Water Global Analysis and Assessment of Sanitation and Drinking-Water;

(8) to increase technical assistance to countries by facilitating training and adult learning programmes for staff in charge of maintaining catchments, treatment and distribution facilities, water and sanitation networks and for staff and laboratories in charge of water quality monitoring, while encouraging the dissemination of best practices for household water treatment, especially where central water treatment or water supplies are deficient or not available;

(9) to promote partnerships for risk reduction in drinking-water installations and safe supply of drinking-water and methods to gather and disseminate the best practices and experiences in
increasing access to safe drinking-water, sanitation and personal and domestic hygiene, in particular for the poorest populations, in health emergencies or during natural disasters;

(10) to report on progress in implementing this resolution, through the Executive Board, to the Sixty-sixth World Health Assembly.

Tenth plenary meeting, 24 May 2011
A64/VR/10