

EXPERT CONSULTATION - AGENDA

*States' Human Rights Obligations in the Context of
Private Sector Participation in Water and Sanitation Services Provision*

**Mandate of the Independent Expert on the issue of human rights obligations
related to access to safe drinking water and sanitation**

**Château de Bossey, Bogis-Bossey (Geneva)
24 to 26 January 2010**

SUNDAY, 24 JANUARY 2010

Arrival of participants in Geneva

Meeting at the Geneva Office of the Friedrich-Ebert-Stiftung	16.30
6 bis, Chemin du Point-du-Jour, 1202 Geneva	

Joint transfer to the venue

Dinner	19.30
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MONDAY, 25 JANUARY 2010

Session 1: Opening	9.00 – 10.30
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Catarina de Albuquerque and Türkan Karakurt

- Welcome and objective of the consultation
- Introduction of participants
- Bringing open questions to the table and adding in missing aspects

Coffee Break	10.30 – 11.00
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Session 2: Decision-Making & Contract Negotiation	11.00 – 12.30
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- *What are procedural requirements for participation and transparency in the decision-making process?*
- *What role do IFI and donor conditionalities play and how do they link to human rights?*
- *Is a Human Rights Impact Assessment a necessary pre-condition? How can HRIA methodologies best be made use of in the context of PSP?*
- *How can power differentials be addressed? Are there any experiences that suggest suitable measures? What is an appropriate role for international organizations and development cooperation in that context?*

Lunch	12.30 – 13.30
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Session 3: Extending Services to the Poorest and Most Marginalized **13.30 – 15.00**

- *How can policies be combined to actually extend services to the ‘hard-to-reach’?*
- *Are connection subsidies a feasible and appropriate measure? What other measures can be made use of?*
- *What is the appropriate role for small-scale providers? Should they be accepted as reality and hence their activity be regulated? How can it be ensured that services meet human rights standards?*
- *How can the lack of security of tenure and associated challenges be addressed?*
- *What are other challenges in the context of extending services?*

Coffee Break **15.00 – 15.30****Session 4: Regulation & Beyond** **15.30 – 17.00**

- *What standard setting for water and sanitation services is required from a human rights perspective?*
- *What are suitable mechanisms to monitor compliance with standards?*
- *What social policies are necessary to ensure the realization of the rights to water and sanitation? What has proven to be effective in reaching the poorest and most marginalized?*
- *What institutional set-ups have proven suitable to ensure independence of the regulator?*
- *How can regulatory capacity be strengthened?*
- *Should small-scale providers be regulated? How can effective regulatory standard-setting and oversight be extended to such a decentralized and fragmented sector?*

Session 5: Accountability & Enforcement **17.00 – 18.30**

- *Looking at the broader context, what institutional and structural requirements have to be met?*
- *To what extent can the necessary structures and institutions be regarded as an actual pre-condition for PSP? Would that rule out PSP in too many instances?*
- *With small-scale providers, enforcement of regulation represents an exacerbated challenge. What experiences have proven successful in that regard?*
- *What are effective measures to ensure integrity and deter, detect and sanction corruption?*

Dinner **20.00****TUESDAY, 26 JANUARY 2010**

Session 6: Consolidation **9.00 – 10.30**

- *What can (realistically) be set as pre-conditions?*
- *Should States be advised to refrain from PSP if certain preconditions are not met?*
- *Are most pre-conditions for PSP equally relevant for public provision? If so, how can human rights concerns in the provision of services be most adequately addressed?*

Coffee Break **10.30 – 11.00****Session 7: Consolidation** **11.00 – 13.00****Lunch** **13.00 – 14.00**