
**STATE AND CIVIL SOCIETY CONSULTATION QUESTIONNAIRE FOR PREPARATION OF THE ANNUAL OVERVIEW OF
THE HUMAN RIGHTS SITUATION IN THE HEMISPHERE**

Chapter IV.A of the 2015 Annual Report

Article 59 of the Rules of Procedure of the Inter-American Commission on Human Rights (IACHR) indicates that in Chapter IV, Section A of the IACHR's Annual Report, the Commission will include "an annual overview of the human rights situation in the hemisphere, derived from its monitoring work, which shall identify the main tendencies, problems, challenges, progress and best practices of civil and political rights, and social, economic and cultural rights."

The objective of this questionnaire is to compile information from the States and civil society so that it can be considered in preparing Chapter IV.A of the IACHR's 2015 Annual Report. The issues addressed by the questionnaire are: (i) access to water (economic, social, and cultural rights), and (ii) the use of force.

The Commission invites the States and civil society to respond to the questionnaire by providing examples of the most emblematic issues that reflect structural patterns or obstacles, as well as best practices, during the course of 2015. In addition, it is asked that copies be attached of the statutory and regulatory frameworks, policies, and practices related to the issues to be addressed in the 2015 Annual Report. The deadline for submitting the information requested is September 15, 2015; the information should be sent to the following address:

Inter-American Commission on Human Rights – Organization of American States
1889 F Street, NW
Washington DC, 20006
CIDHGeografico@oas.org

The subject line in the email should read: Questionnaire Chapter IV.A - **name of the country.**

Access to Water

1. List the main provisions in the national and/or local laws and regulations, public policies, and programs that address the right to water in the country in question.
2. Indicate whether it is possible to measure the number of persons who lack sustainable access to drinking water nationally and/or locally. In particular, provide the respective statistics.
3. Specify existing measures for ensuring equal access, or access to at least basic levels of drinking water, especially in the case of persons and groups who have historically suffered discrimination. If applicable, note the main structural, social, and cultural challenges that prevent women from having equal access to water; in addition, identify whether there are specific groups of women and children who are at risk in terms of enjoyment of this right.
4. Describe the steps taken to ensure that natural water resources are protected from contamination.

5. Indicate the budget earmarked for drinking water supply and whether it can be accessed as public information.
6. Specify the nature of the institution responsible for planning the delivery of drinking water services, for evaluating and monitoring the infrastructure, and for management accountability.
7. Identify the measures adopted by the State to ensure the supply of drinking water, and indicate whether the access to this supply is paid or free. In the case of paid access, indicate if there are measures to ensure the continuity of the service, in particular as regards persons who have limited resources or would be unable to pay the fees.
8. Indicate if you are aware of public policies or proposed public policies to discourage excessive water consumption. In particular, indicate if water supply regulations promote or guarantee minimum basic access to the population, and charge additional costs for non-essential water use.

Provide information that makes it possible to quantify and compare the volume of drinking water to supply urban and rural areas; in the case of rural areas, indicate the supply to small producers as opposed to the large-scale use of agro-industry. Indicate whether you are aware of large scale projects for diversification of the water supply, and if so, whether there have been reports on the impact of such projects on local communities.

9. Identify measures or actions that have been adopted at the national level and that can be considered progressive or regressive in this area.
10. Indicate whether there are any active transparency mechanisms in place to keep the population continually updated on the quality of water and waterways that supply water treatment plants.
11. Describe best practices adopted in relation to access to water.

The Use of Force

1. Note the main provisions applied (including statutes, regulations, and protocols) in the use of force by state agents in the following contexts: (a) social protests and public demonstrations; (b) control of disturbances and riots; (c) detention centers and other institutions under the control of the State; (d) evictions of indigenous peoples from their homes or territories; and (e) states of emergency or states of siege. Indicate whether the information on this legal provision is accessible to the public, especially through government websites. In addition, specify whether there is any current initiative in this area, and if so, refer to its status and whether civil society has participated in developing it.
2. Indicate the authorities in charge of internal order and citizen security, their nature (civilian or military), and the entities to which they are attached.
3. Provide information on the equipment used by State agents, in particular equipment for use of force and for self-protection, which are provided to regular and specialized forces when they intervene in social protests and public demonstrations. Describe the least intrusive, non-lethal equipment they have to ensure citizen security, and the circumstances in which the different types of equipment are used.

4. Indicate the role and functions of private security firms related to the use of force in different contexts, and the methods and means they use, as well as government supervision over them. In addition, provide quantitative information on the number of private security agents, in comparison with state agents responsible for citizen security.
5. As regards the context in which force has been used, provide quantitative information for the last four months of 2014 and 2015 to date, specifying: (a) date and place; (b) methods and means employed; and (c) participation of State authorities, as well as private agents, if applicable.
6. If violent incidents have been reported, indicate the context and the number of persons injured and/or killed. Indicate whether these data have been broken down by sex, age, race, national origin, gender identity and sexual orientation, and if so, provide them.
7. In the context of social protests, indicate the measures implemented to ensure that journalists and other media workers are allowed to do their work of providing information, that they are not detained or threatened, and that their equipment and working tools are not destroyed or confiscated. In this regard, report on the existence of protocols in this area, and their application.
8. In the case of migrants and other persons in movement, indicate the procedures employed involving the use of force in border control operations, roundups, migrant detentions, and deportations, as well as the authorities responsible for carrying out those procedures.
9. Indicate practices and legal provisions related to the training of State agents on the use of force, based on standards pertaining to the use of force and human rights. In this regard, indicate whether measures have been implemented to analyze and prevent the use of force motivated by stigmatization of and/or discrimination against certain groups, such as students, indigenous peoples, women, Afrodescendants, and LGTBI persons, among others.
10. Describe best practices adopted in relation to the use of force.
11. Provide information on the number of complaints of improper use of force by State agents received during the last four months of 2014 and in 2015. In this respect, please provide information on: (a) the context in which such complaints of improper use of force were made; (b) the number of complaints filed; (c) the number of judicial and administrative investigations opened and their status; and (d) the number of convictions and acquittals. In the event that these investigations resulted in a conviction or penalty, report the number and type of convictions issued by State authorities and private security agents. Insofar as possible, specify when complaints were filed by victims such as journalists and/or human rights defenders, and provide data on the prevalence of excessive use of force according to the sex, age, race, national origin, gender identity, and sexual orientation of the persons targeted.
12. Indicate the legal liability of high-ranking officers for the use of force/firearms by security agents under their command.
13. Specify whether there are provisions, procedures, or mechanisms for facilitating and protecting public officials who expose or report the excessive use of force and/or police abuse, as well as irregularities in the investigation of such conduct and acts, so that they can be investigated.