

PUBLIC DEFENDER'S  
OFFICE OF GEORGIA

ACCESS TO WATER  
AND SANITATION IN  
PUBLIC SCHOOLS  
OF GEORGIA

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SPECIAL REPORT



2018

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## CONTENTS

Introduction .....	48
Research methodology .....	49
1. Right to water and sanitation .....	50
1.1 Right to water and sanitation in international human rights law .....	50
1.2. Components of the right to water and sanitation .....	52
1.2.1. Normative content .....	52
1.2.2. Procedural safeguards .....	54
1.3. Relation with other rights .....	56
1.4. Obligation of the State to ensure protection of the right .....	56
2. Right to water and sanitation in general educational institutions .....	58
2.1. Risks related to health care and possible damage .....	60
2.2. National legislation on access to water and sanitation in general educational institutions .....	61
2.3. Regulation of supervision over the quality and safety of water in public schools .....	63
3. Realization of the right to water and sanitation in practice .....	65
4. School monitoring results .....	70
4.1. Internal regulations in the field of water and sanitation .....	70
4.2. Access to water facilities and hygiene .....	71
4.3. Evaluation of the functioning of water and sanitation facilities in school .....	72
4.4. Situation in school toilets .....	75
4.5. Clean-up, disinfection and waste collection .....	77
4.6. Monitoring of water safety in school .....	79
4.7. Hygiene education in school .....	80
4.8. Measures needed for improving water, sanitation and hygiene norms in school .....	81
Conclusion .....	82
Recommendations .....	83
Annex #1: Photos showing the situation in the water facilities and toilets of public schools .....	85

## Introduction

Access to water and sanitation is an integral and essential part of human rights, as it plays an important role in life, health and decent development of a person. At the same time, access to water and sanitation is a necessary condition for realizing the principle of child's well-being.<sup>1</sup>

Access to adequate water, sanitation and hygiene in general educational institutions is a right enshrined in the law. According to the United Nations Committee on the Rights of the Child, the child's best interests should be based on his/her physical, emotional, social and educational needs; while safe drinking water, as well as proper sanitary-hygienic conditions, is essential for the realization of the right to life and health.<sup>2</sup> It should be noted that according to the World Health Organization (WHO), contaminated water prevents child's psycho-physical development.<sup>3</sup>

Although the UN Sustainable Development Goals (SDGs)<sup>4</sup> and the United Nations Committee on the Rights of the Child call on the States to ensure access to water and sanitary-hygienic conditions at the national level,<sup>5</sup> the above-mentioned remains a significant challenge.

The practice of the Public Defender, as a national human rights institution, shows that Georgia faces substantial challenges in terms of access to water and sanitation. Situation is especially problematic in educational institutions. According to the Public Defender's Parliamentary Report 2017, 94 public schools in Georgia are not supplied with water at all; water and sanitation standards are inspected only in small percentage of 2084 public schools across the country and the elimination of violations detected as a result of the inspection or the development of an effective response mechanism remain problematic.

Results of this monitoring also prove the difficult situation in schools. In particular, visits to public schools in 2018 revealed that drinking and technical water is less available in the majority of schools; water facilities and toilets are out of order and there is insanitary situation in some cases; school staff and students' lack of awareness of the right to water and sanitation, as well as the safety of water

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<sup>1</sup> Committee on the Rights of the Child, General Comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health (art.24), paragraph 2 (c).

<sup>2</sup> Concluding Observations on the Third Periodic Report of Georgia, Committee on the Rights of the Child 2008, &44.

<sup>3</sup> Guidelines for drinking-water quality, 4th edition, incorporating the 1st addendum, available at [http://www.who.int/water\\_sanitation\\_health/publications/drinking-water-quality-guidelines-4-including-1st-addendum/en/](http://www.who.int/water_sanitation_health/publications/drinking-water-quality-guidelines-4-including-1st-addendum/en/) [last accessed on 29.10.2018].

<sup>4</sup> Sustainable Development Goals, "17 Goals to transform our world", Goal 6: Ensure access to water and sanitation for all.

<sup>5</sup> Concluding observations on the third Periodic Report of Georgia, Committee on the Rights of the Child 2008, &46.



available at their school was also identified as a problem, which is particularly worth mentioning given that the safety of water has never been monitored in 71.3% of the inspected institutions.

The Public Defender's Office prepared the present report within the framework of the "Access to Human Rights to Safe Water and Sanitation" project of the Ministry of Foreign Affairs of Finland. The report reviews the right to access to water and sanitation, importance of its realization and challenges in this direction in Georgia.

### **Research methodology**

The Public Defender's Office used mixed method of research, which included desk research, examination of international and national legislation and inspection of the implementation of regulations and its control through monitoring public schools. Focus groups were organized for public school students as well.

The monitoring methodology was based on the guidelines developed by the United Nations High Commissioner for Human Rights,<sup>6</sup> such as obtaining reliable and accurate information, protection of confidentiality, reliability, impartiality, objectivity, sensitivity and professionalism.

At the initial stage of the monitoring, basic monitoring tools were developed, information was requested from the Ministry of Education, Science, Culture and Sport of Georgia and target educational institutions were sampled by the use of clustering method. For the objectives of the monitoring, small, medium-size and large schools were selected; public schools located in rural and mountainous areas were under particular focus. At the next stage, two-stage stratified sampling was determined as the quantitative sampling design. All of this made it possible to generalize the results, taking into consideration the specificity of schools.

Visits were made to 108 public schools. The monitoring was based on two types of tools developed within the framework of quantitative and qualitative methods: a questionnaire about visual examination of institutions and a questionnaire for interviewing representatives of school administrations; Within the scope of the research, focus groups were organized for students of V-VII grades; The internal regulations of general educational institutions, orders/decrees of school principals and other responsible persons and other relevant documents were also studied within the framework of the monitoring.

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<sup>6</sup> United Nations High Commissioner for Human Rights, Manual on Human Rights Monitoring, Professional Training Series No 7, Chapter 5, Main Principles, Geneva ISBN 92-1-154137-9.

## 1. The right to water and sanitation

### 1.1. The right to water and sanitation in the international human rights law

The human right to water and sanitation is recognized by many international documents. Although the Universal Declaration of Human Rights (1948), an important act developed at an early stage, does not directly refer to this right, the right to water can be interpreted in Article 25 of the Declaration: "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services..."

The International Covenant on Economic, Social and Cultural Rights (1966), which states that the States Parties recognize "the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing",<sup>7</sup> served as basis for the most comprehensive regulation of the right to water. Although like the Declaration, neither the Covenant includes any direct reference to the right to water, in November 2002, the right to water fell within the regulation indicated in General Comment No 15<sup>8</sup> of the Committee on Economic, Social and Cultural Rights and was defined as everyone's right to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use.<sup>9</sup>

Problems relating water and sanitation, considering the accompanying health and financial consequences, were clearly demonstrated in the second half of the twentieth century,<sup>10</sup> which, in turn, demonstrated the necessity for a more detailed legal framework. As a result, many international documents directly referred to the human right to water and sanitation.<sup>11</sup> It should be noted that the

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<sup>7</sup> International Covenant on Economic, Social and Cultural Rights, Article 11, para. 1.

<sup>8</sup> Office of the United Nations High Commissioner for Refugees (OHCHR), United Nations Human Settlement Programme (UN-HABITAT), World Health Organization (WHO), Right of Water, Fact Sheet No. 35, page 4, available at: <<http://www.ohchr.org/Documents/Publications/FactSheet35en.pdf>> last accessed on: 24.11.2018].

<sup>9</sup> Committee on Economic, Social and Cultural Rights (CESCR), General Comment N 15: Right to Water (Articles 11 and 12 of the Covenant), 20 January 2003, E/C.12/2002/11, para 2, available on the website: <[http://www2.ohchr.org/english/issues/water/docs/CESCR\\_GC\\_15.pdf](http://www2.ohchr.org/english/issues/water/docs/CESCR_GC_15.pdf)> [last accessed on 24.11.2018].

<sup>10</sup> Catarina de Albuquerque, Virginia Roaf, On the right track - Good practices in realizing the rights to water and sanitation, page 25, available on the website: [http://www.ohchr.org/Documents/Issues/Water/BookonGoodPractices\\_en.pdf](http://www.ohchr.org/Documents/Issues/Water/BookonGoodPractices_en.pdf) [last accessed on 24.11.2018].

<sup>11</sup> According to Article 14 of the Convention on the Elimination of All Forms of Discrimination against Women (1979), States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications; According to Article 24 of the Convention on the Rights of the Child (1989), States Parties shall take measures for combating diseases and lack of food, inter alia... provide sufficient nutritious food and clean drinking water, taking into view the environmental pollution risks and dangers.

According to Article 28 of the Convention on the Rights of Persons with Disabilities (2006), "States Parties recognize the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability, and shall take appropriate steps to safeguard and promote the realization of this right, including the following measure: To ensure equal access by persons with disabilities to

international community is not unanimous about the relationship between water and sanitation. Some international institutions consider the right to water and sanitation as one indivisible right. However, others believe that water and sanitation should be considered as two independent rights to avoid the dependence of their realization on political preferences.<sup>12</sup> The values mentioned in this document will be reviewed jointly, considering the close interrelation between the rights' normative contents.

Another important document in terms of the full realization of the right to water and sanitation is the Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes (London Protocol). According to the Protocol, the Parties shall set national and/or local goals for ensuring access to water and sanitation, water quality, water supply and sanitation systems and shall develop a monitoring system for achieving such goals.<sup>13</sup> In addition, the Parties shall take all appropriate actions to create legal, administrative and economic frameworks, within which the private sector can make its contribution.<sup>14</sup> Georgia initiated the process of ratification (mandatory recognition) of the London Protocol in March 2017, but by referring to the government reshuffle in December 2017, the Ministry of Environmental Protection and Agriculture decided that the process was to be resumed on the basis on a new governmental initiation. The Ministry has not applied for the resumption of the process so far.<sup>15</sup>

In addition, drinking water standards, monitoring system, information provision mechanisms and adoption of a relevant national legislation are stipulated by the EU Drinking Water Directive (98/83/EC) and the EU Directive (2000/60/EC, the so-called Framework Directive) establishing a framework for community action in the field of water policy. Georgia is obliged to fulfill the provisions of these Directives under the Association Agreement.<sup>16</sup> The Ministry of Environmental Protection and Agriculture of Georgia drafted a bill on Water Resources Management with the support of the United Nations Economic Commission (UNECE), which was to be submitted to the Parliament of Georgia before December 2018.<sup>17</sup>

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clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs.

<sup>12</sup> Catarina de Albuquerque, Virginia Roaf, On the right track - Good practices in realizing the rights to water and sanitation, page 27, available on the website: [http://www.ohchr.org/Documents/Issues/Water/BookonGoodPractices\\_en.pdf](http://www.ohchr.org/Documents/Issues/Water/BookonGoodPractices_en.pdf) [last accessed on 24.11.2018].

<sup>13</sup> Ibid, page 48.

<sup>14</sup> Ibid.

<sup>15</sup> Letter №01/10850 of 20 March 2018 of the Ministry of Foreign Affairs.

<sup>16</sup> Association Agreement between Georgia on the one hand and the European Union, European Atomic Energy Community and Member States on the other hand, Article 302.

<sup>17</sup> Letter of 24 April 2018 of the Ministry of Environmental Protection and Agriculture.



On 25 September 2015, the UN Member States developed Sustainable Development Goals (SDGs)<sup>18</sup> to eliminate poverty, protect the planet and ensure peace and well-being for everyone. Each goal includes targets that should be performed until 2030.

The Agenda for Sustainable Development once again recognizes the right to safe drinking water and sanitation and marks out Goal 6 on ensuring universal availability and sustainable management of water and sanitation among 17 goals. The mentioned goal includes six targets:

- Achieve universal and equitable access to safe and affordable drinking water for all
- Achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations
- Improve water quality by reducing pollution, eliminating dumping and minimizing release of hazardous chemicals and materials, halving the proportion of untreated wastewater and substantially increasing recycling and safe reuse globally
- Substantially increase water-use efficiency across all sectors and ensure sustainable withdrawals and supply of freshwater to address water scarcity and substantially reduce the number of people suffering from water scarcity
- Implement integrated water resources management at all levels, including through transboundary cooperation as appropriate
- Protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes

The Agenda also includes two additional targets for the performance of the above-mentioned goal:

- Expand international cooperation and capacity-building support to developing countries in water- and sanitation-related activities and programmes, including water harvesting, desalination, water efficiency, wastewater treatment, recycling and reuse technologies
- Support and strengthen the participation of local communities in improving water and sanitation management.

## 1.2. Components of the human right to water and sanitation

### 1.2.1. Normative content

The normative content of the right to water and sanitation includes the following elements: availability, quality, acceptability, accessibility and affordability.<sup>19</sup>

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<sup>18</sup> Transforming our world: the 2030 Agenda for Sustainable Development, UN General Assembly, 21 October 2015, A/RES/70/1, available on the website: <[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/70/1&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E)> [last accessed on 24.11.2018].

- *Availability* - The water supply for each person must be sufficient and continuous for personal and domestic uses. These uses ordinarily include drinking, personal sanitation, washing of clothes, food preparation, personal and household hygiene. The quantity of water available for each person should correspond to the World Health Organization (WHO) guidelines.<sup>20</sup> Some individuals and groups may also require additional water due to health, climate and work conditions.<sup>21</sup>

Supply needs to be continuous enough to allow for the collection of sufficient amounts to satisfy all needs, without compromising the quality of water.<sup>22</sup> It has been estimated that all domestic needs can be met with about 100 litres per capita per day.<sup>23</sup>

In addition, human rights law requires that there be a sufficient number of sanitation facilities with associated services to ensure that waiting times are not unreasonably long.<sup>24</sup>

- *Quality* – The water required for each personal or domestic use must be safe, therefore free from micro-organisms, chemical substances and radiological hazards that constitute a threat to a person's health.<sup>25</sup>

Sanitation facilities must be hygienically safe to use. This means that they must effectively prevent human and animal, including insect, contact with human excreta. Furthermore, facilities must ensure access to safe water and soap for hand-washing. Hygiene considerations, such as menstrual hygiene and anal and genital cleansing, also have important safety dimensions.<sup>26</sup>

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<sup>19</sup> Report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque, UN General Assembly, 1 July 2010, A/HRC/15/31/Add.1, para. 15, available at: <[http://www2.ohchr.org/english/bodies/hrcouncil/docs/15session/A.HRC.15.31.Add.1\\_en.pdf](http://www2.ohchr.org/english/bodies/hrcouncil/docs/15session/A.HRC.15.31.Add.1_en.pdf)> [last accessed on 24.11.2018].

<sup>20</sup> Information is available on the website: <<http://apps.who.int/iris/bitstream/handle/10665/254637/9789241549950-eng.pdf?sequence=1>> [last accessed on 26.11.2018].

<sup>21</sup> Committee on Economic, Social and Cultural Rights (CESCR), General Comment N 15: Right to Water (Articles 11 and 12 of the Covenant), 20 January 2003, E/C.12/2002/11, para 12, available on the website: <[http://www2.ohchr.org/english/issues/water/docs/CESCR\\_GC\\_15.pdf](http://www2.ohchr.org/english/issues/water/docs/CESCR_GC_15.pdf)> [last accessed on 24.11.2018].

<sup>22</sup> Report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque, UN General Assembly, 1 July 2010, A/HRC/15/31/Add.1, para. 19.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid, para. 18.

<sup>25</sup> Committee on Economic, Social and Cultural Rights (CESCR), General Comment N 15: Right to Water (Articles 11 and 12 of the Covenant), 20 January 2003, E/C.12/2002/11, para 12.

<sup>26</sup> Report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque, UN General Assembly, 1 July 2010, A/HRC/15/31/Add.1, para. 22.

- *Acceptability* - Water should be of an acceptable colour, odour and taste.<sup>27</sup> As for sanitation, acceptability will often require separate facilities for women and men in public places, and for girls and boys in schools.<sup>28</sup>
- *Accessibility* – Water and water facilities and services have to be accessible to everyone without discrimination. Water, and adequate water facilities and services, must be within safe physical reach for all sections of the population. Sufficient, safe and acceptable water must be accessible within, or in the immediate vicinity, of each household, educational institution and workplace. All water facilities and services must be of sufficient quality, culturally appropriate and sensitive to gender, life-cycle and privacy requirements. Physical security should not be threatened during access to water facilities and services.<sup>29</sup> The same requirements apply to sanitation facilities.<sup>30</sup> Regular maintenance and cleaning are essential to ensure continued access to sanitation and water facilities.<sup>31</sup>
- *Affordability* - Sanitation and water facilities and services must be available for use at a price that is affordable to all people. Paying for construction, maintenance of facilities, and treatment of water and disposal of faecal matter must not limit people's capacity to acquire basic goods and services, such as food, housing, health services and education. Affordability does not necessarily require services to be provided free of charge. However, when people are unable, for reasons beyond their control, to gain access to sanitation or water through their own means, the State is obliged to find solutions for ensuring this access.<sup>32</sup>

### 1.2.2. Procedural safeguards

Apart from the above-mentioned elements, the following criteria must be met in order to ensure full realization of the right in question: non-discrimination, participation, accountability, information accessibility and sustainability.<sup>33</sup>

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<sup>27</sup> Committee on Economic, Social and Cultural Rights (CESCR), General Comment N 15: Right to Water (Articles 11 and 12 of the Covenant), 20 January 2003, E/C.12/2002/11, para 12.

<sup>28</sup> Report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque, UN General Assembly, 1 July 2010, A/HRC/15/31/Add.1, para. 26.

<sup>29</sup> Committee on Economic, Social and Cultural Rights (CESCR), General Comment N 15: Right to Water (Articles 11 and 12 of the Covenant), 20 January 2003, E/C.12/2002/11, para 12.

<sup>30</sup> Report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque, UN General Assembly, 1 July 2010, A/HRC/15/31/Add.1, para. 30.

<sup>31</sup> Ibid, para. 31.

<sup>32</sup> Ibid, para. 34.

<sup>33</sup> Ibid, para. 37-39.

- *Non-discrimination* - Water and water facilities and services must be accessible to all, including the most vulnerable or marginalized sections of the population, in law and in fact.<sup>34</sup> These sections include nomadic and traveller communities, people living in rural or deprived urban areas, prisoners and other detainees, victims of natural disasters, persons living in disaster-prone areas, and those living in arid or semi-arid areas or on small islands.<sup>35</sup>
- *Participation* - Participation must be active, free and meaningful and thus needs to go beyond mere consultation and provision of information. It requires a genuine opportunity to express demands and concerns and influence decisions.<sup>36</sup>
- *Accountability* - Realization of this right requires that the roles and responsibilities of actors involved (including service providers) be clearly outlined. Coordination between the entities involved should be ensured as well.<sup>37</sup>
- *Information accessibility* - In the context of the right to water and sanitation, it is particularly important to spread information through awareness-raising, including regarding the importance of safe sanitation.<sup>38</sup> Furthermore, publication of information about the location of water reservoirs and supply in the cities and rural areas contributes to the improvement of accessibility of water resources. In addition, proactive publication of information about water resources (location, use, quality, investments and other issues) facilitates participation of a broader community in the improvement of services.<sup>39</sup>
- *Sustainability* - Water contamination and over-extraction must be avoided in order to ensure continued access to safe and sufficient water.<sup>40</sup>

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<sup>34</sup> Committee on Economic, Social and Cultural Rights (CESCR), General Comment N 15: Right to Water (Articles 11 and 12 of the Covenant), 20 January 2003, E/C.12/2002/11, para 12.

<sup>35</sup> Report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque, UN General Assembly, 1 July 2010, A/HRC/15/31/Add.1, para. 45.

<sup>36</sup> *Ibid*, para. 49.

<sup>37</sup> *Ibid*, para. 60.

<sup>38</sup> *Ibid*, para. 63.

<sup>39</sup> Institute for Development of Freedom of Information (IDFI), Implementation of the UN Sustainable Development Goal 2030 (Special publication of Open Government Partnership), page 23, available at: <<https://idfi.ge/public/upload/Meri/OGP-Geo.PDF>> [last accessed on 24.11.2018].

<sup>40</sup> Report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque, UN General Assembly, 1 July 2010, A/HRC/15/31/Add.1, para. 66.



### 1.3. Relation with other rights

The right to water and sanitation is a necessary precondition for the realization of other rights, such as rights to education, adequate housing, health, life, labour rights, prohibition of cruel, inhuman and degrading treatment or punishment, etc.<sup>41</sup> Furthermore, the mentioned right represents a necessary element for eliminating discrimination and ensuring gender equality.

The right to water and sanitation clearly falls within the category of the guarantees essential for securing an adequate standard of living, particularly since it is one of the most fundamental conditions for survival.<sup>42</sup> The right to safe water and sanitation is inextricably related to the right to health. Contaminated water and lack of sanitation cause diarrhea and other deadly diseases. Fetching water from remote springs is a heavy burden for women and children. Lack of water and sanitation in household also leads to the problem of physical insecurity. In similar cases, women and children have to use not-separated toilets or defecate outside, which increases their risks of being harassed or otherwise assaulted.<sup>43</sup>

Naturally, water and sanitation are closely linked with other important economic, social and environmental issues, due to which, these components are included in other Sustainable Development Goals as well: Ensuring access to basic services is one of the targets (1.4) of Goal 1 (End poverty in all its forms everywhere); Goal 3 (Ensure healthy lives and promote well-being) is to be attained through ending communicable diseases (task 3.3) and reducing the number of deaths and illnesses from contamination of water (3.9); one of the targets of Goal 4 (Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all) is to provide nonviolent, inclusive and effective learning environments for all.

### 1.4. Obligation of the State to ensure the protection of the right

According to Article 2 of the International Covenant on Economic, Social and Cultural Rights, each State Party undertakes to take steps, to the maximum of its available resources, with a view to achieving progressively the full realization of the right to water and sanitation, by all appropriate means, including particularly the adoption of legislative measures. According to the Committee on

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<sup>41</sup> Office of the United Nations High Commissioner for Refugees (OHCHR), United Nations Human Settlement Programme (UN-HABITAT), World Health Organization (WHO), Right to Water, Fact Sheet No. 35, page 12.

<sup>42</sup> Committee on Economic, Social and Cultural Rights (CESCR), General Comment N 15: Right to Water (Articles 11 and 12 of the Covenant), 20 January 2003, E/C.12/2002/11, para. 3.

<sup>43</sup> Office of the United Nations High Commissioner for Refugees (OHCHR), United Nations Human Settlement Programme (UN-HABITAT), World Health Organization (WHO), Right to Water, Fact Sheet No. 35, pages. 12-13.



Economic, Social and Cultural Rights, the right to water, like any human right, imposes three types of obligations on States parties: obligations to respect, obligations to protect and obligations to fulfil.<sup>44</sup>

- Obligations to respect

The obligation to respect requires that States parties refrain from interfering directly or indirectly with the enjoyment of the right to water. The obligation includes, *inter alia*, refraining from engaging in any practice or activity that denies or limits equal access to adequate water; unlawfully diminishing or polluting water, for example through waste from State-owned facilities or through use and testing of weapons.<sup>45</sup>

- Obligations to protect

The obligation to protect requires States parties to prevent third parties from interfering in any way with the enjoyment of the right to water. Third parties include individuals, groups, corporations and other entities as well as agents acting under their authority. The obligation includes, *inter alia*, adopting the necessary and effective legislation. Where water services are operated or controlled by third parties, States parties must ensure proper supply of water, for which, monitoring system, genuine public participation and imposition of penalties for non-compliance should be provided at the normative level.<sup>46</sup>

- Obligations to fulfil

The obligation to fulfil can be disaggregated into the obligations to facilitate, promote and provide. The obligation to facilitate requires the State to take positive measures to assist individuals and communities to enjoy the right to water and sanitation. The obligation to promote obliges the State party to take steps to ensure that there is appropriate education about the hygienic use of water, protection of water resources and methods to minimize water wastage. States parties are also obliged to fulfil (provide) the right when individuals or a group are unable, for reasons beyond their control, to realize that right themselves by the means at their disposal.<sup>47</sup>

The obligation includes, *inter alia*, adopting a national water strategy and plan of action to realize this right; ensuring that water is affordable for everyone; and facilitating improved and sustainable access to water, particularly in rural and deprived urban areas.<sup>48</sup>

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<sup>44</sup> Committee on Economic, Social and Cultural Rights (CESCR), General Comment N 15: Right to Water (Articles 11 and 12 of the Covenant), 20 January 2003, E/C.12/2002/11, para. 20.

<sup>45</sup> *Ibid*, para. 21.

<sup>46</sup> *Ibid*, para. 23-24.

<sup>47</sup> *Ibid*, para. 25.

<sup>48</sup> *Ibid*, para. 26.

## 2. The right to water and sanitation in general educational institutions

Particular attention should be paid to the realization of the right to water and sanitation in general educational institutions. Since children often face obstacles in terms of realizing this right, the State has a commitment to take special measures. One of the urgent measures is to supply drinking water to all educational institutions.<sup>49</sup>

The United Nations Sustainable Development Goals (SDGs) emphasize the importance of ensuring non-violent, inclusive and effective learning environments for all (Goal 4). The following indicator is used to determine whether the relevant task has been accomplished (4.a.1): The number of schools with availability of: 1. Drinking water; 2. Single-sex basic sanitation facilities; 3. Basic hand-washing facilities.<sup>50</sup>

Access to water and sanitation is closely related to the concept of safe school,<sup>51</sup> which includes 4 indicators:

- Introduce and develop a health-oriented school policy;
- Ensure access to safe water and sanitation;
- Introduce education promoting hygiene and health of students, by developing proper skills;
- Ensure access to health and food facilities in school.<sup>52</sup>

In 2012, UNICEF developed a global initiative - WASH – aimed at ensuring water, sanitation and hygiene in schools.<sup>53</sup> The strategic document aims at improving the situation of safe drinking water and proper sanitary facilities as well as hygiene education in school. In order to facilitate the implementation of the above-mentioned strategy, water, sanitation and hygiene standards were developed, which provide for specific measures for achieving economic and social results.<sup>54</sup>

### • Prevention of diseases

Diseases associated with the lack of water, sanitation and hygiene are important challenges for the developing countries. According to the World Health Organization, 88% of diarrheal diseases are caused by unsafe drinking water, improper sanitation and hand hygiene. There are frequent cases, when schools do not have drinking water or sanitary facilities, or similar facilities are not of

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<sup>49</sup> Committee on Economic, Social and Cultural Rights (CESCR), General Comment N 15: Right to Water (Articles 11 and 12 of the Covenant), 20 January 2003, E/C.12/2002/11, para. 16.

<sup>50</sup> Information is available on the website: <<https://undocs.org/A/RES/71/313>> [last accessed on 24.11.2018].

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

<sup>53</sup> UNICEF, Water, sanitation and hygiene (WASH) at school, page 3, available at: <[https://www.unicef.org/publications/files/CFS\\_WASH\\_E\\_web.pdf](https://www.unicef.org/publications/files/CFS_WASH_E_web.pdf)> [last accessed on 24.11.2018].

<sup>54</sup> UNICEF, Water, sanitation and hygiene (WASH) at school, page 6.

appropriate quality/quantity. This problem is especially common in rural schools. As a result, taking into consideration the intensity of physical contact between people in these institutions, dangerous environment is created for the health of school children and staff, which is further exacerbated by children's particular vulnerability to similar hazards.

- **Education**

Water safety is directly related to the development of the child's learning skills; the helminthic infections caused by water impede physical development and cognitive skills of children; in addition, diarrhea, malaria and other infections are one of the main reasons for which children miss school. The problem is related to the health of teachers as well, which ultimately affects the learning process.

- **Gender and disabilities**

Inadequate water, sanitation and hygiene conditions at school have a significant impact on children, especially those with disabilities. The absence of toilets accessible for children with disabilities often prevents them from going to school. In addition, the absence of proper, unisex and protected toilets and hand-washing facilities often force parents to refrain from sending their children to school. These circumstances are especially problematic for girls during their menstrual cycles, which in some cases forces them to drop out during sexual maturity.

- **Impact on the community**

Children who have access to adequate water, sanitation and hygienic conditions have more opportunities to integrate hygiene education into their everyday life and change the hygienic behavior of their family members or a broader community.

Hygienic behavior that children learn at school belongs to the skills that they will maintain in the adulthood and convey to their children.

According to the guidelines developed by the World Health Organization and UNICEF, access to water, sanitation and hygiene should meet the following standards:<sup>55</sup>

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<sup>55</sup> John Adams, Jamie Bartram and others, Water, Sanitation and Hygiene Standards for Schools in Low-cost Settings, pages-18-25, available at: <[http://www.who.int/water\\_sanitation\\_health/publications/wash\\_standards\\_school.pdf](http://www.who.int/water_sanitation_health/publications/wash_standards_school.pdf)> [last accessed on 24.11.2018].

Quantities (per person per day)	Water facilities and access to water	Toilets	Hygiene promotion; Disease control;
<ul style="list-style-type: none"> <li>• 5 litres of drinking water</li> </ul>	<ul style="list-style-type: none"> <li>• Reliable water points, with soap or a suitable alternative in toilets and kitchens</li> </ul>	<ul style="list-style-type: none"> <li>• One toilet per 25 girls and one toilet for 25 female members of the staff;</li> <li>• One toilet plus one urinal per 50 boys, and one toilet plus one urinal for 50 male members of the staff.</li> </ul>	<ul style="list-style-type: none"> <li>• Hygiene education is part of the school curriculum;</li> <li>• Positive hygiene behavior is promoted</li> </ul>
<ul style="list-style-type: none"> <li>• 10–20 litres for conventional flushing toilets</li> </ul>	<ul style="list-style-type: none"> <li>• Reliable drinking-water points accessible for staff and schoolchildren at all times.</li> </ul>	<ul style="list-style-type: none"> <li>• Accessible to persons with disabilities</li> <li>• Male and female toilets are completely separated</li> <li>• Located no more than 30 m from all users</li> <li>• Toilets have handwashing facilities close by</li> </ul>	<ul style="list-style-type: none"> <li>• Development of skills for controlling disease-transmission</li> <li>• Prevention and minimization of density of disease vectors</li> </ul>
<ul style="list-style-type: none"> <li>• 1.5–3.0 litres for pour-flush toilets</li> </ul>			

## 2.1. Risks related to health care and possible damage

School, given its function to educate children, plays a major role in the development of personal hygiene skills among children. It should be taken into consideration that the function of educational institutions is not only to educate children, but take care of their health and promote healthy lifestyle



in them. School is obliged to provide staff, teachers and students with the best possible environment for life and health. This cannot be done in improper and anti-sanitary conditions; anti-sanitary environment gradually becomes a norm for a child, while drinking insufficient water has a negative impact on child's health, including his/her cognitive activity. Studies show that even moderate dehydration weaken child's cognitive ability, especially his/her short-term memory and concentration skills.<sup>56</sup>

Limited access to toilets and improper conditions in toilets lead to a variety of threats - first of all, health problems. The child's central nervous, immune, reproductive and other systems are in the process of development and environmental impacts may inflict irreversible damage to children at certain stages of development. The use of toilets in similar conditions during cold weather can cause inflammatory diseases of the urinary tract, which may significantly affect the child's body. Non-protection of hygiene by girls during their menstrual cycles may also cause inflammatory processes of genitourinary system. Studies also show that washing of hands with soap and water in schools is much more effective, since it destroys bacteria, which is the most effective way of preventing infectious, parasitic and other diseases and helps reduce morbidity of children.<sup>57</sup>

## 2.2. National legislation in the field of access to water and sanitation in general educational institutions

Even though the United Nations Sustainable Development Goals (SDGs) and the Committee on the Rights of the Child (CRC) call on States to provide equitable access to water and sanitation at the domestic level,<sup>58</sup> implementation of the above-mentioned in the national legislation and in practice is problematic and needs significant improvement.

Paragraph 4 of Article 35 of the **Constitution of Georgia**<sup>59</sup> calls on the State to support educational institutions in accordance with the procedure established by law.<sup>60</sup> The right to education is enshrined in the new edition of the constitution<sup>61</sup> as well; in particular, paragraphs 1 and 2 of Article

<sup>56</sup> Edmonds CJ and Jeffes B. "Does having a drink help you think? 6-7-Year-old children show improvements in cognitive performance from baseline to test after having a drink of water." *Appetite*. 53(3): 469-472, 2009. See also D'Anci KE, Constant F and Rosenberg IH. "Hydration and cognitive function in children." *Nutrition Reviews*. 64(10 Pt 1): 457-464, 2006. See also Benton D and Burgess N. "The effect of the consumption of water on the memory and attention of children." *Appetite*. 53(1): 143-146, 2009.

<sup>57</sup> Information is available on the website: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3037063/> [last accessed on 03.11.2018].

<sup>58</sup> See footnote #6-#12.

<sup>59</sup> Consolidated version of 23.03.2018.

<sup>60</sup> Information about 2018 is available on the website: <https://matsne.gov.ge/ka/document/view/30346?publication=35> [last accessed on: 26.11.2018].

<sup>61</sup> Constitutional Law of Georgia on the Amendments to the Constitution of Georgia, 23.03.2018.

27 support provision of general education in accordance with the law. The right to education recognized by the Constitution implies facilitation of proper functioning of educational institutions, including access to water and sanitation in school. The above constitutional regulation calls on the State within the negative obligation not to interfere arbitrarily or unlawfully with this protected area, while within the positive obligation, the State should promote access to safe and proper physical environment and protection of hygiene in educational institutions and thus effective implementation of the right to general education.

**According to subparagraph “e” of paragraph 3 of Article 7 of the Law of Georgia on General Education**, the Ministry of Education, Science, Culture and Sport of Georgia shall provide safe environment in public schools with the increased voucher and additional funds; according to paragraph 9 of Article 9 of this Law, school is obliged to create a safe environment for health, life and property on its and/or adjacent territory.

According to the **Law of Georgia on Water**, a unified state policy should be pursued in the field of water protection and use. In addition, the priority area of the law is the rational use of water resources in view of the present and future generations' interests and sustainable development principles. The law also reinforces the necessity of access to drinking water and the primacy of primary satisfaction of this right, as well as the requirements of prevention of adverse effects of water and liquidation of negative consequences.<sup>62</sup> However, the law does not properly reflect the international standards necessary for the realization of the right to water, which is why it is necessary to carry out legislative changes in this direction, including to reflect the international standards reviewed in the present document in the draft law on Water Resources Management as much as possible and to timely adopt the draft law.<sup>63</sup>

In 2001, on the basis of the Order # 308/N of the Minister of Labour, Health and Social Affairs of Georgia on **“Approving the sanitary rules and norms for the arrangement, equipment and working mode of preschool and general educational institutions”**, mandatory standards were adopted on water, sanitation and hygiene in public schools. However, since then, the document has not been updated and the obligations of the State and general educational institutions have not been separated.

According to subparagraphs 1 and 2 of paragraph 9 of Article 3 (2.4.3) of the rules, “the general educational institution shall have drinking, agricultural, anti-fire and hot water supply systems, sewerage and water pipelines that comply with construction norms. In addition, educational institutions should necessarily have central water supply and sewerage systems. According to subparagraph 5 of the same paragraph, “Hot water shall be supplied to food facilities, shower, hand-washing facilities and medical facility of educational institutions”. In accordance with subparagraph

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<sup>62</sup> Law of Georgia on Water, Article 4, subparagraphs c, e.

<sup>63</sup> See subchapter 1.1.

11 of paragraph 4 of Article 3, "If there is no central water supply or heating system, a water-pressure tank and boiler systems shall be placed in the utility zone of general educational institutions".

Despite the above-mentioned regulations, the basic provisions of the document cannot meet international standards, or the challenges and needs of public schools. The technical regulations require significant changes, especially in the areas of sanitation and hygiene. The national legislation does not say anything about international requirements, such as students' right to have access to information on water safety, teaching of hygiene in public schools, focusing on the protection of the use of water resources, etc. It is particularly important that the legislation does not regulate students' engagement in the sanitary days, etc.

Inter alia, it should be noted that according to paragraph 40 of Article 5 of the above-mentioned rules, there should be toilets for boys and girls with lockable doors on each floor of educational institutions. The World Health Organization indicates that the location of toilets in schools should be carefully chosen in order to ensure enough privacy and reduce the risks of violence, including sexual abuse; In addition, the publication prepared by the World Health Organization directly refers to the necessity for lockable doors - "Toilets should be locked from the inside (in order to ensure the user's security)". Consequently, the above-mentioned rules actively interfere in the safeguards against the violation of privacy and security of students.

### 2.3. Regulation of supervision over drinking water quality and safety in public schools

The World Health Organization (WHO) recommends that the potential health risks associated with drinking water be assessed by a relevant supervisory body, which implies a systemic inspection programme that may include audit, analysis, sanitary inspection and other aspects.<sup>64</sup> Water supply infrastructure, storage reservoirs and water distribution systems with or without pipeline should be supervised as well.<sup>65</sup>

Article 10 of the Law of Georgia on Water determines the competences of state agencies in the field of regulation of water-related relations, while Article 12 determines the competences of self-governing bodies. According to the law, it is the central authorities' competence to improve the normative framework of protection and rational use of water and to supervise its implementation,<sup>66</sup> while it is the competence of local self-governing bodies to supervise the protection and rational use of water of local significance, as well as to measure and record the quantity of used water.<sup>67</sup>

<sup>64</sup> World Health Organization, Water, Sanitation and Hygiene Standards for Schools in Low-cost Settings, 2003, 1.

<sup>65</sup> Ibid.

<sup>66</sup> Ibid. Article 10 (subparagraphs a, b)

<sup>67</sup> Ibid Article 12 (subparagraphs a, b, c)



According to paragraph 1 of Article 3 of the Georgian Government's Decree No 58 on Technical Rules for Potable Water, "the internal control and monitoring of potable water quality shall be carried out by the water supplier", while according to Article 4, "the potable water quality control and monitoring scheme, frequency, indicators and number of samples shall be determined by a relevant state body in accordance with the law"; In addition, potable water should be tested in an independent accredited laboratory, as prescribed by law.

According to the Technical Regulation - General Rules of Food/Animal Food Hygiene approved by Decree No 173 of the Government of Georgia on 25 June 2010, when producing food, business operators shall use water, the quality of which meets the requirements of the Georgian legislation; ***the above-mentioned is controlled by the Food Safety Agency during planned or unplanned inspection of school canteens.<sup>68</sup> Therefore, it is particularly problematic to monitor water safety in schools which do not have canteens.*** In addition, given that the Agency carries out annual monitoring within its authority in a small percentage of schools, systemic and regular monitoring of water safety is not implemented in most public schools.

According to the Ministry of Education, Science, Culture and Sport of Georgia,<sup>69</sup> the monitoring and coordination department monitored the education process and environment in 92 public schools in the 2016-2017 academic years, although this type of inspection does not imply the examination of microbiological contamination of drinking water.

In connection with this issue, it is important that according to the Ministry of Education, Science, Culture and Sport of Georgia,<sup>70</sup> the school administration should ensure preventive examination of water safety on its own initiative annually. However, the monitoring carried out by the Public Defender and the present research show that some representatives of school administration do not have information about similar obligation at all and/or cannot carry out such inspection due to the lack of financial resources.

It should also be noted that a memorandum was signed between the Ministry of Regional Development and Infrastructure, the Ministry of Education, Science and Culture and the municipalities of Georgia in 2018, according to which, municipalities should ensure implementation of infrastructure projects of public schools, including for improving the situation of access to water and protection of sanitary-hygienic norms in public schools. In addition, it is problematic that no adequate financial or tangible resources were timely handed over to the municipalities for addressing the needs of general educational institutions in this direction.

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<sup>68</sup> LEPL Food Safety Agency correspondence N 09/2633; 05/04/2018.

<sup>69</sup> Correspondence N MES 6 18 00290575, 05/04/2018.

<sup>70</sup> Correspondence N MES 41701363888, 07/11/2017.



### 3. Realization of the right to water and sanitation in practice

After studying and analyzing the official information received from the Ministry of Education and Science and the National Food Agency, it has become clear that pre-school and secondary educational institutions have limited access to safe water resources, which in some cases cause problems in terms of hygiene and sanitation.

According to the Ministry of Education, Science, Culture and Sport of Georgia, as of 2017, drinking and technical water was not available in 94 public schools<sup>71</sup> (see table N1), while in a considerable number of schools, the water system operated only outside the building (in the yard), which violates the requirements of both international and national laws and poses a threat to the health of children and school personnel.

At the same time, water contamination cannot be timely detected and prevented at general educational institutions; no effective response mechanism has yet been provided either. Water supply systems are out of order, while the water safety, sanitation or hygiene are not effectively or systematically monitored in a considerable number of institutions.

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<sup>71</sup> Correspondence #4329/18; 15.03.2018 of the Ministry of Education and Science.

Table N1: Public schools where drinking or other water is not available

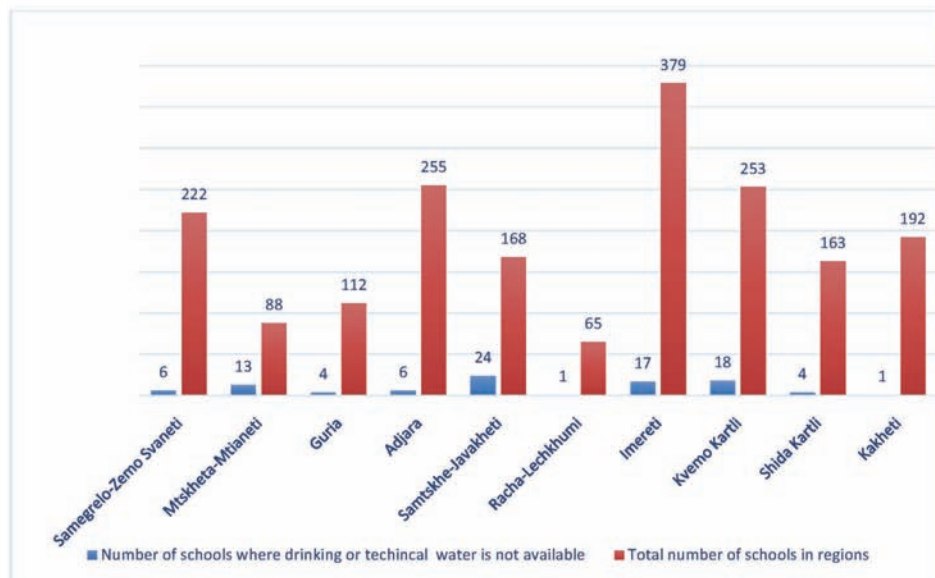




Table N2 – Public schools, where central water supply system is functioning only in the yard

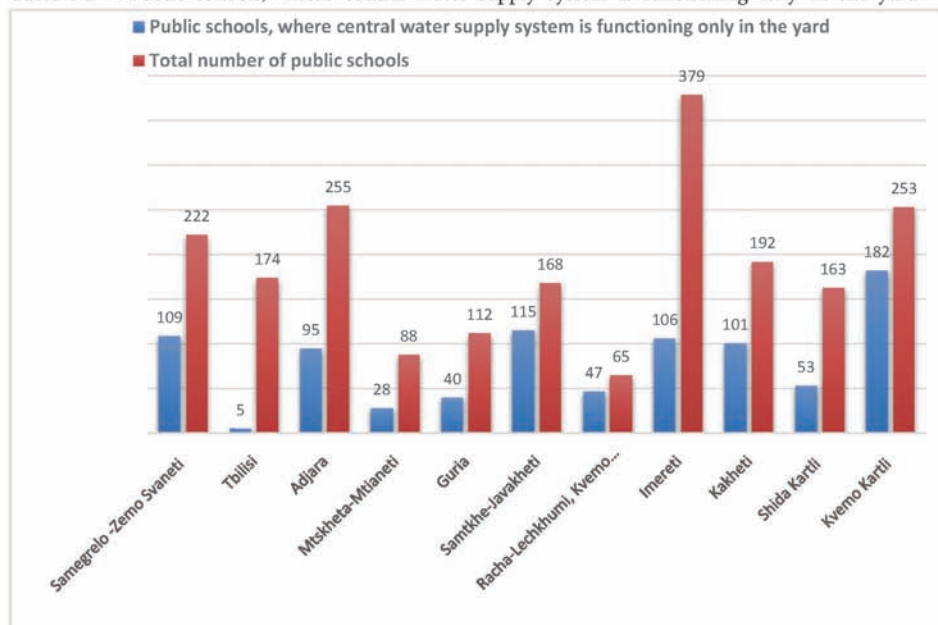


Table N3 – Public schools supplied with well or borehole water

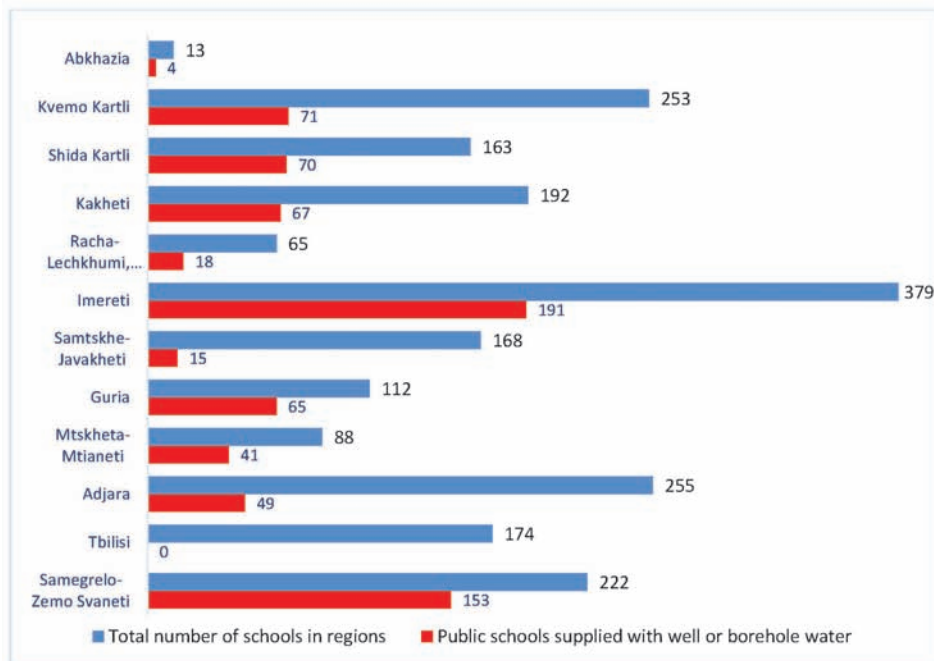
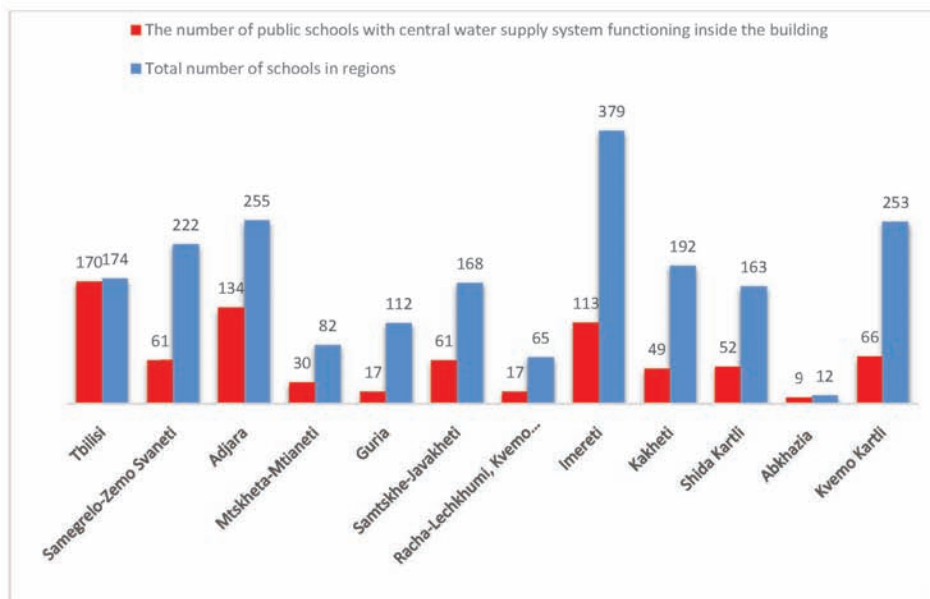


Table N4 – The number of public schools with central water supply system functioning inside the building



According to the information provided by LEPL Food Safety Agency of the Ministry of Environment Protection and Agriculture of Georgia, in 2016 -2017, 60 samples of water taken from public schools were checked within the framework of an adequate, accredited laboratory examination. As a result, in 2016, 20 samples turned out to be inconsistent with the requirements of drinking water regulations, while in 2017 (according to the data of 9 months), cases of water contamination were detected in 11 schools.<sup>72</sup> The above-mentioned indicates an epidemiological unreliability of drinking water, caused by ineffective decontamination of water.

According to the results of drinking water laboratory examination, the inconsistency with the Drinking Water Technical Regulation was mainly related to microbiological disorders. In particular, drinking water contained coliform bacteria, *E. coli* and *Streptococcus faecalis*.<sup>73</sup> It should also be noted that the majority of sanitary-microbiological disorders were identified in the distribution network of rural, centralized water supply systems.

<sup>72</sup> LEPL Food Safety Agency letter N16389/17, 13.11.2017.

<sup>73</sup> *E. Coli* -*Escherichia coli*, a representative of normal microflora of humans and animals; causes purulent-inflammatory processes, septicemia; existence of this bacteria in water and food indicates faecal contamination. *Streptococcus faecalis* – D group streptococcus causes septic processes in the body.

#### 4. School monitoring results

For the purposes of the present research, the protection of the right to water and sanitation was monitored in 108 general educational institutions in 6 regions of Georgia (Adjara, Samegrelo-Zemo Svaneti, Kakheti, Samtskhe-Javakheti, Racha-Lechkhumi and Kvemo Svaneti, Kvemo Kartli), in small, medium-size and large schools, in urban and rural areas, including highlands.<sup>74</sup>

The monitoring showed that the physical arrangement of public schools and sanitary-hygienic conditions were less oriented to the child's needs. Access to water, proper functioning of toilets and water facilities, protection and improvement of hygienic norms still represent serious challenges.

The data given in the chapter below reflect the needs and problems relating to access to water, sanitation and hygiene in the schools of Georgia.

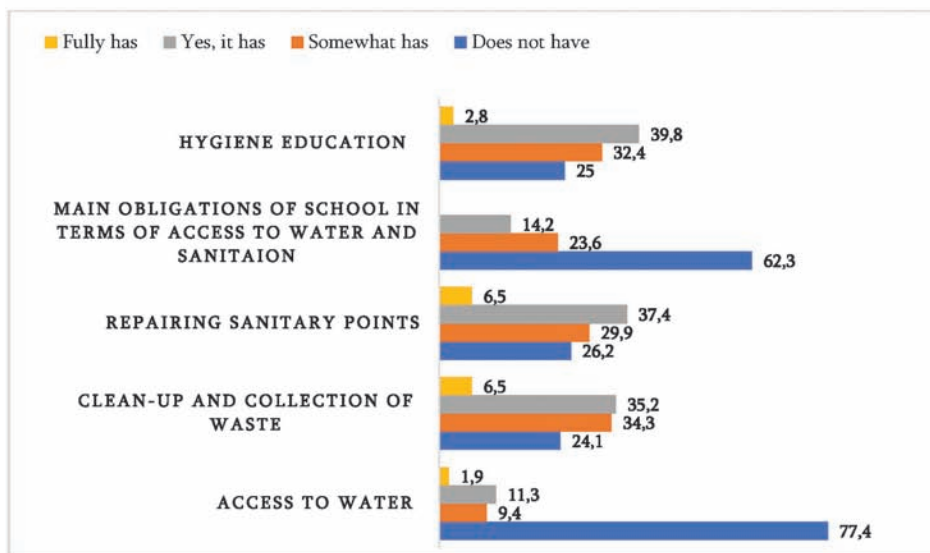
##### 4.1. Internal regulations in the field of water and sanitation

Interviews with representatives of school administrations show that internal regulations of educational institutions do not cover the major responsibilities of school in the field of access to water and sanitation. In particular, most of the inspected schools (77.4%) do not have special internal regulations relating to access to water. Small percentage of schools have regulations that generally concern the institution's obligations relating to access to water and sanitation ("Somewhat has", "No, does not have" - 37.8%, "Yes, it has" - 62.3%).

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<sup>74</sup> For details see chapter on Research Methodology.

Table N5 – Does the school have special regulations for: (%)



#### 4.2. Access to water facilities and hygiene

Results of visual examination of public schools revealed problems relating to water facilities and hygiene, including the absence of a canteen, medical room and central water supply system.

As a result of the monitoring carried out by the Public Defender, a number of public schools were identified, ***which have no drinking or technical water at all***. This creates problems both for children and school staff, especially for cleaners, since in similar cases, ***they have to fetch water from the yards or public water facilities located several kilometers away***. In such conditions, ***children are not able to drink enough water, wash their hands, etc.***

It also became clear that the ***absence of a canteen is a particularly serious problem in rural and small schools***, due to which, children often have to go to nearby shops during classes and buy food there; no food safety can be controlled in similar cases.

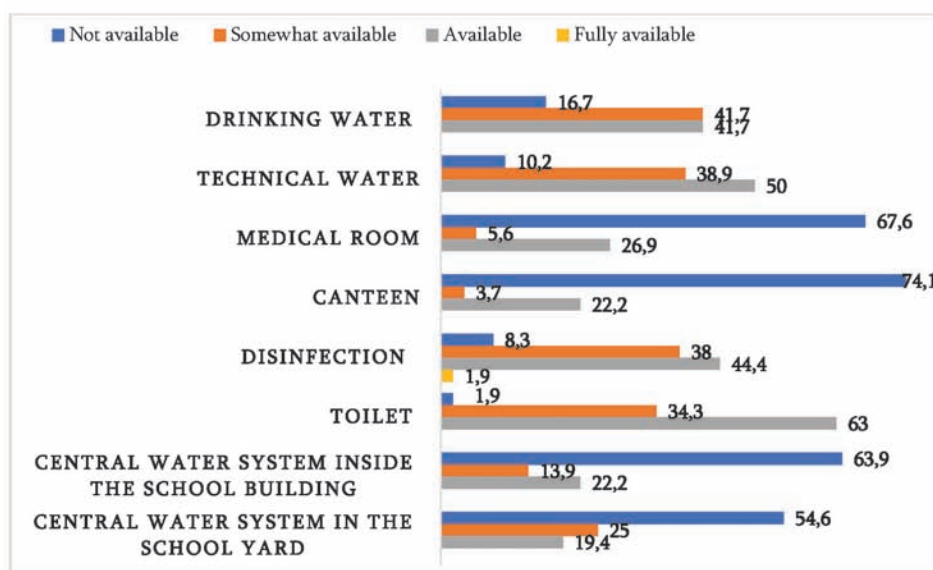
In some cases, the information received from school administrations differs from the results of visual examination; lower percentage of representatives of school administrations named lack of access to drinking water as a problem (11 schools). However, the list of problems named by them is interesting: ***well water is not suitable for drinking and children have to bring drinking water from home;***



*intermittent water supply; coloured drinking water caused by bad weather; delayed supply of water due to freezing in winter, etc.*

Visual examination showed that most of the inspected schools did not have: canteen (74.1%); medical room (67.6); central water supply system inside the school building (63.9%); central water system in the school yard (54.6%):

Table N6 - The following is available in the institution (%):



#### 4.3. Evaluation of the functioning of water and sanitation facilities

Differences were observed between the information received from representatives of school administrations and the results of visual examination in terms of evaluation of school water facilities. Specifically, in some cases, the description of water facilities by representatives of school administrations was more positive than the results of visual examination. However, in some schools, representatives of school administration named the following problems: *incompatibility of water points with modern standards; non-isolated toilets and the toilets that need to be repaired (inter alia, many toilets do not have doors, or taps are out of order); sewerage system is not functional, the*

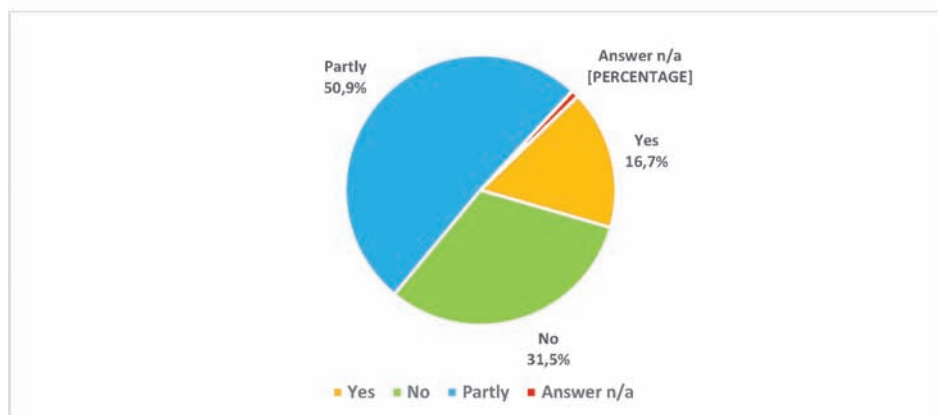




*sewerage system of rural schools are often in need of being cleaned and rehabilitated; the toilet booths do not have proper flushing system; lack of funds for the arrangement of toilets, etc.*

According to the monitoring results, sanitary facilities are functional, technically effective and clean only in 18 (16.7%) out of 108 public schools.

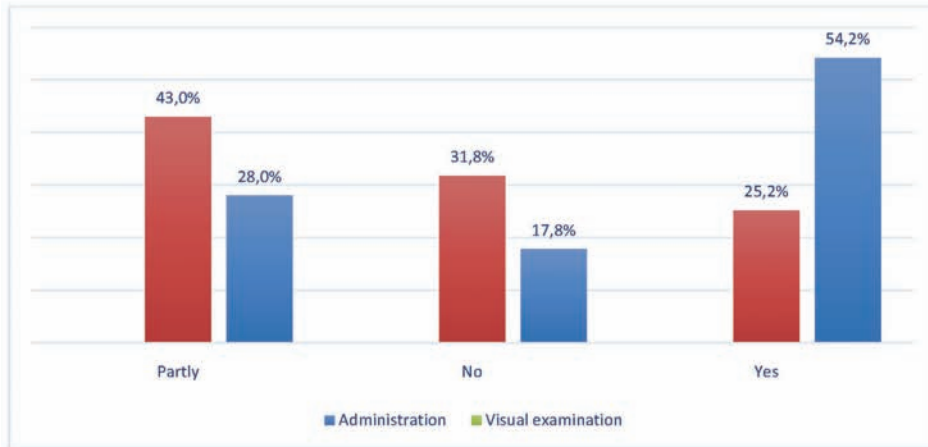
Table N7 - School sanitary facilities are functional, technically effective and clean



According to the geographical location of public schools, the following types of differences were identified: Washing sinks and canteens are more available for schoolchildren in cities than in rural areas: (washing sinks are available: city - 90.9%, village - 69.8%; canteens are available and properly functional: city - 71.4%, village - 19.3%).

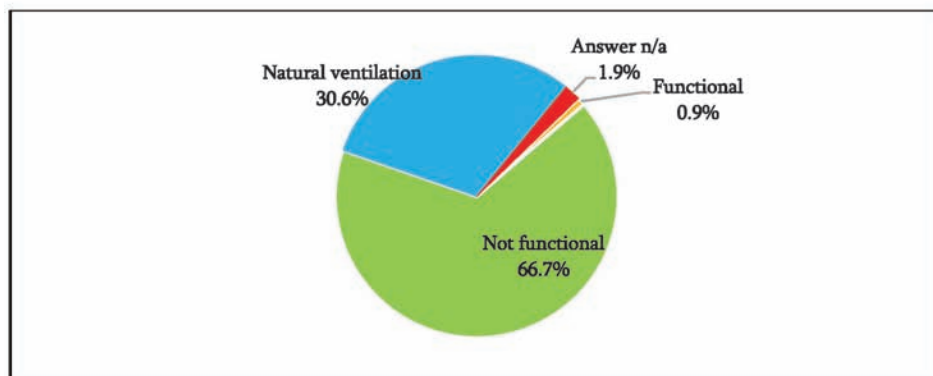


Table N8 - School water supply facilities are functional and technically in order



In addition, visual examination showed that the majority of schools did not have ventilation systems (66.7%), while about one third of schools had natural ventilation (30.6% - 33 schools). The problems of natural and artificial ventilation causes anti-sanitary smell in the toilets and nearby areas.

Table N9 – Functioning of ventilation in sanitary facilities



#### 4.4. Situation in school toilets

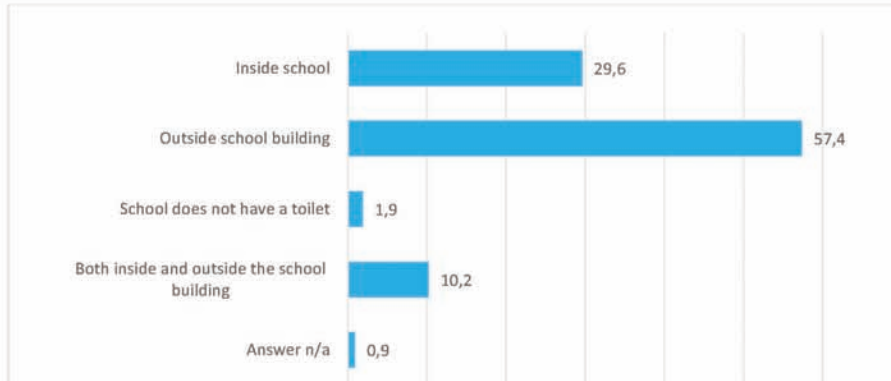
Monitoring of physical environment and sanitary points in schools made it clear that *water points are often functioning in anti-sanitary conditions; waste collection, as well as cleaning and washing of toilet booths, is often delayed; toilet infrastructure is old, toilet booths do not have doors or windows in a number of schools; toilets are damaged and face the threat of being collapsed. Due to these problems, school staff and children try to avoid using school toilets.*

Situation in most toilets is anti-sanitary and there is a lack of soap, paper, hand-washing tap, etc. Only 44.4% of the inspected toilets had soap, 26.9% - hand paper, 25.9% - flushing system. Monitoring also revealed various cases of non-functional flushing system, anti-sanitary situation, specific smell, etc.

Visual examination showed that, in some cases, toilet booths were located outside the school building, especially in rural and mountainous areas (57.4%). Toilet booths were located both inside and outside the building in 11 schools.



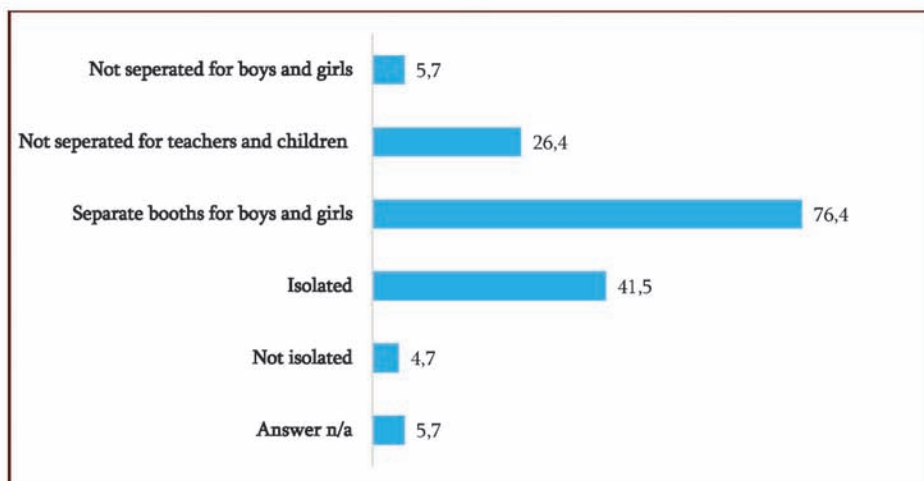
Table N10 – Where is a toilet booth located? (%):



Visual examination showed that most schools had separate toilet booths for girls and boys (76.4%). Non-separated toilets for children and teachers were found in 76.4% of schools.



Table N11 – Arrangement of toilet booths (%):



Note: It was possible to choose more than one option for this question.

#### 4.5. Clean-up, disinfection and waste collection

According to the interviewed staff, water points are daily cleaned in most schools (98 schools - 90.7%); in 78.7% of schools (85 schools), classrooms are cleaned by cleaners. However, visual examination showed that the cleaning of food facilities, medical rooms and other rooms intended for children was barely recorded (95 schools - 88%).

It was also revealed that **waste was burned in the yards of rural schools, or were kept in the building for weeks. Several schools throw waste in nearby rivers.** According to the interviewed staff, the persons responsible for cleaning and waste collection are:

- In toilets and canteens, they are mainly technical personnel (cleaner, technical coordinator, watchman, canteen personnel, housekeeper, lessor, administrator);
- In classrooms and corridors, main responsible persons are cleaners and technical coordinators (91-95%), but sometimes they are helped by teachers/mentors and students;
- In sport halls, cleaners (approximately 80%) and sport teachers (approximately 18%);
- In other areas, cleaners and technical coordinators (76%) and sometimes: watchmen, canteen personnel, housekeepers, lessors, administrators, teachers/mentors, students and yardmen.

Another important challenge is that the *school staff do not have relevant information on how and how often school items, classrooms, toilets and other school areas should be cleaned up, or disinfected*. According to the interviewed cleaners and members of administrations, they mainly use chlorine (72.2%) and laundry powder, or special liquid and chlorine together (14.8% - 16 schools) as disinfectants. *Desks, chairs and classroom items are chlorinated in some schools, while low-budget schools cannot afford to buy washing or disinfecting products.*

Table N12 Disinfectants available in schools - (%)

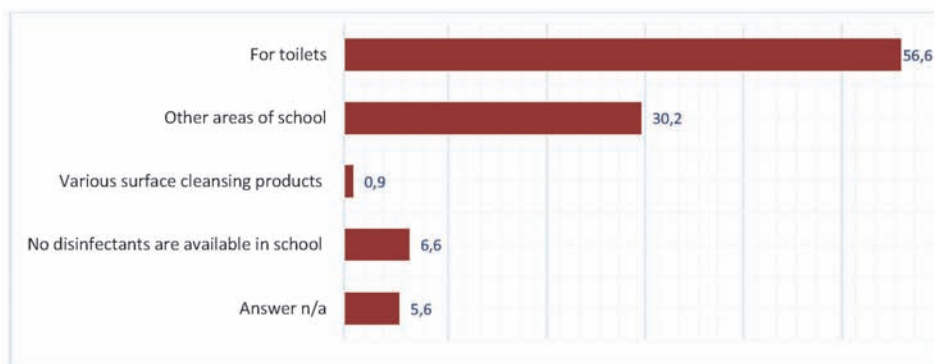


Table N13 – Periodicity of disinfection (%):

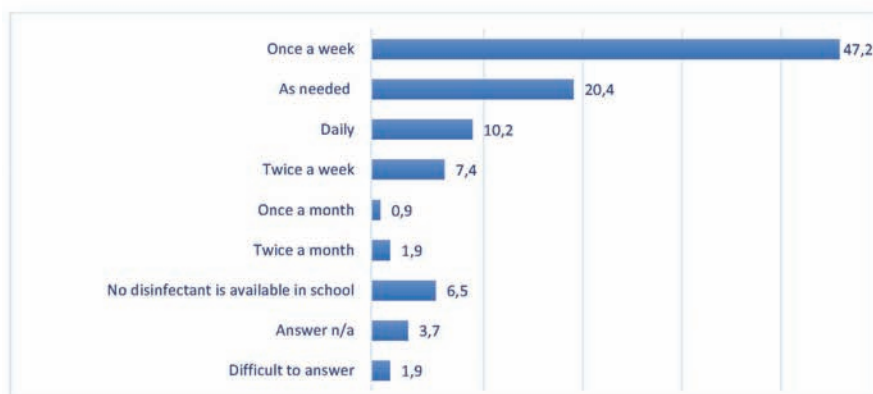
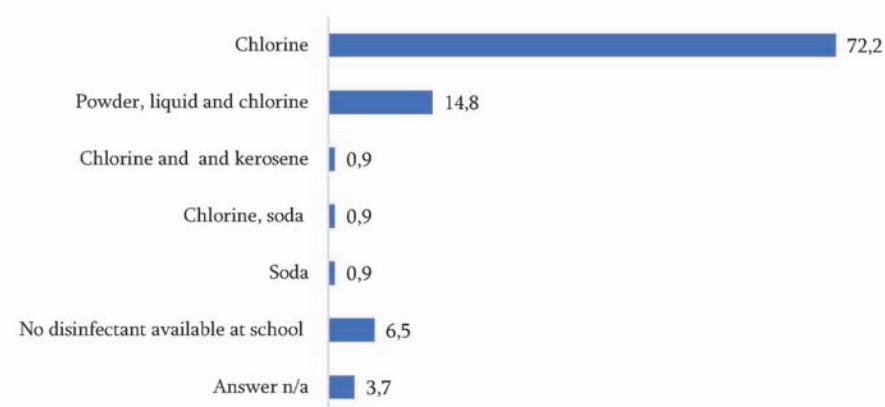




Table N14 – What kind of disinfectants are available at your school?

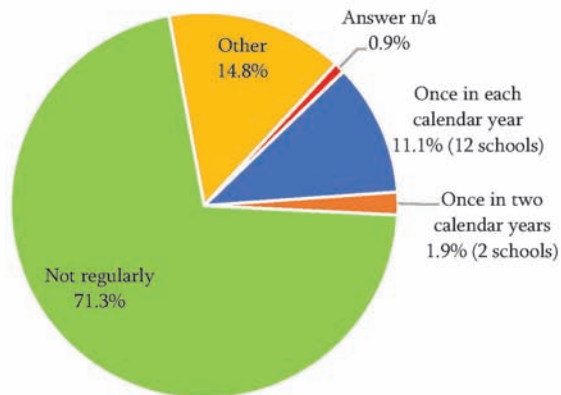


#### 4.6. Monitoring of water safety in school

The monitoring results shows that in the majority of schools, water safety have been irregularly monitored or have not been monitored at all (71.3%), in 12 schools – monitoring is carried out once a year and/or had been carried out during the past year. Water turned out to be safe in 16 inspected schools.

Monitoring of water safety in school differs according to regions. Public schools cannot afford to examine the microbiological safety of water available in their school in accredited laboratories on their own initiative, due to the territorial inaccessibility or financial problems. In addition, school administration is not properly informed of how water safety should be examined or which agency is responsible for it.

Table N15 – Water safety is monitored in school: (%)



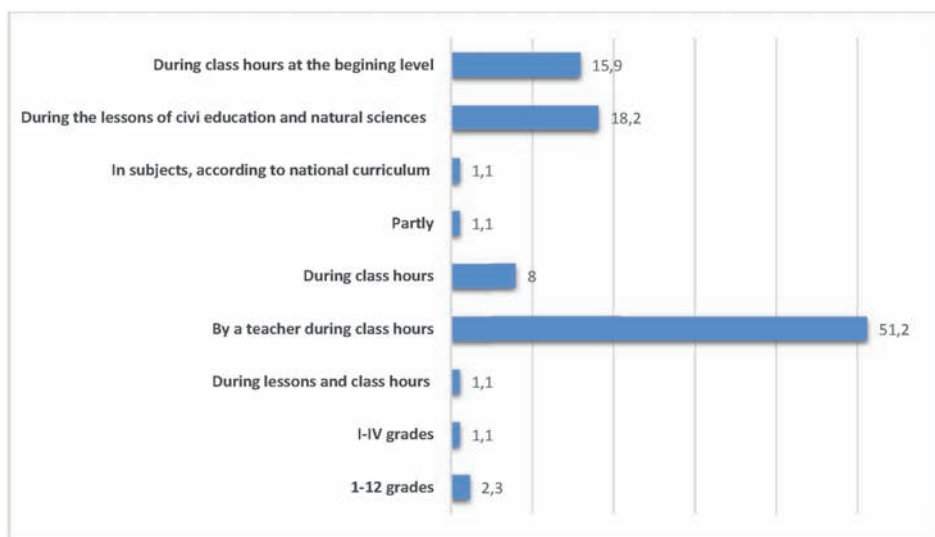
#### 4.7. Hygiene education in school

12 out of the 96 interviewed respondents representing school administration (11.1%) indicated that hygiene issues were not taught in their school. In schools, where such issues are part of the education process (88.9%), education methods and types differ according to school levels and subjects. It was mainly revealed that the issues of hygiene are discussed with children by teachers during class hours:





Table N16 – At which level and how are hygiene issues taught in school? (%):

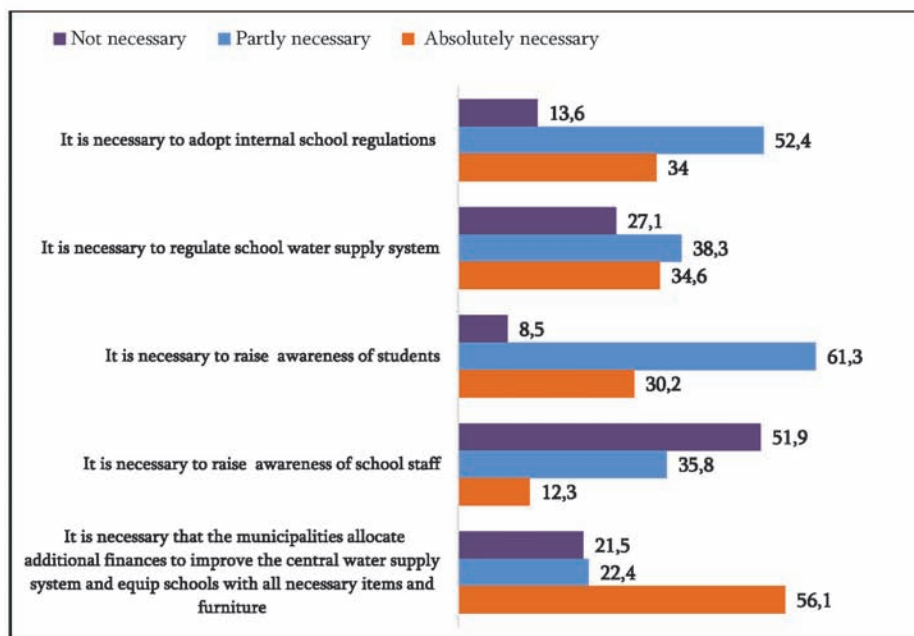


Focus groups held for children revealed that they mainly have general information on water safety and hygiene norms; children's information on access to safe water is mainly superficial; children are often themselves involved in the cleaning process.

#### 4.8. Measures needed for improving water, sanitation and hygiene norms

In the course of the research, representatives of school administrations were asked to name the measures needed for improving water, sanitation and hygiene norms at their school. Respondents named awareness raising as the least needed measure ("Not needed" - 51.9%; although 35.8% named it as partly needed). As for the most needed measure, representatives of school administrations named children's awareness raising - 91.5% ("Partly needed" and "Fully needed" (61.3%)), as well as allocation of additional finances by the municipality for improving central water supply system and school items - 78.5% (named as "Fully needed" by - 56.1%, which is the highest figure compared with other measures' "Fully needed" option).

Table N17 – What measures should be taken to improve water, sanitation and hygiene norms in your school? (%)



*Note: "Other" included the following: Sewerage system needs to be fully changed; school needs to be repaired; water supply should be provided inside the building; toilets need to be located inside the building; hygiene instructions should be posted on the wall.*

## Conclusion

Although the national legislation and international regulations oblige the State to promote equitable access to water and sanitation, the protection and strengthening of this right in Georgia's public schools remains a serious challenge.

Problems in this direction are mainly related to the less favorable learning environment, lack of access to water and sanitation and improper infrastructural environment. The monitoring carried out by the Public Defender's Office shows that the school environment and infrastructural conditions, access to water and sanitary-hygienic situation are alarming in schools and need to be urgently addressed, which should be one of the most important priorities of the responsible state agencies.

## Recommendations

### To the Government of Georgia

- Update the technical regulations on water, sanitation and hygiene for public schools in accordance with the principles of Water, Sanitation and Hygiene (WASH);
- Evaluate the efficiency of available mechanisms on access to and quality of drinking water and plan relevant changes for introducing an effective and systemic supervision mechanism in public schools, including by devising a special programme and rules for regular monitoring of water safety;
- Actively control the elimination of violations identified as a result of the inspection of water and sanitary norms in public schools within reasonable terms.

### To the Ministry of Education, Science, Culture and Sport of Georgia

- Ensure timely control of the provision of water pipelines, water quality and access to drinking water in the educational institutions through cooperation with local municipal bodies;
- Regularly organize awareness raising campaigns for children, parents and school staff with regard to access to and rational use of water resources, sanitation and hygiene norms;
- Ensure that issues of rational use of water resources, sanitation and hygiene norms are actively integrated into the curriculum in a format understandable to children;
- Promote development/update of internal documentation and regulations on water, sanitation and hygiene in public schools.

### To the local self-government bodies

- Promote the improvement of water supply system and water quality, focusing on access to water for the population, especially children, living in rural and mountainous areas;
- Identify all public schools with problems of access to water and poor sanitation/hygiene conditions in the toilets, plan measures for solving the mentioned problems in the mentioned schools.



დანართი 1: საჯარო სკოლებში წყალმომარაგების ობიექტებისა  
და საპირფარეშოების მდგომარეობის ამსახველი ფოტომასალა  
ANNEX #1: PHOTOS SHOWING THE SITUATION IN THE  
WATER FACILITIES AND TOILETS OF PUBLIC SCHOOLS

სსიპ მესტიის მუნიციპალიტეტის სოფელ ბეჩოს საჯარო სკოლა









სსიპ მესტიის მუნიციპალიტეტის სოფელ გუშალის საჯარო სკოლა













სსიპ მარტვილის მუნიციპალიტეტის სოფელ ჯოღაშის საჯარო სკოლა







სსიპ მარნეულის მუნიციპალიტეტის სოფელ ყულარის საჯარო სკოლა  
(დემო ყულარის კორპუსი)



ქვემო ყულარის საჯარო სკოლის კორპუსი









სსიპ მარნეულის მუნიციპალიტეტის სოფელ იმირის საჯარო სკოლა





სსიპ შუახევის მუნიციპალიტეტის სოფელ ბუთურაბულის საჯარო სკოლა



სსიპ ხელვაჩაურის მუნიციპალიტეტის სოფელ ერგანს საჯარო სკოლა







სსიპ ქობულეთის მუნიციპალიტეტის სოფელ ბობოყვანის საჯარო სკოლა



ამბროლაურის მუნიციპალიტეტის სსიპ ნიკორწმინდის საჯარო სკოლა



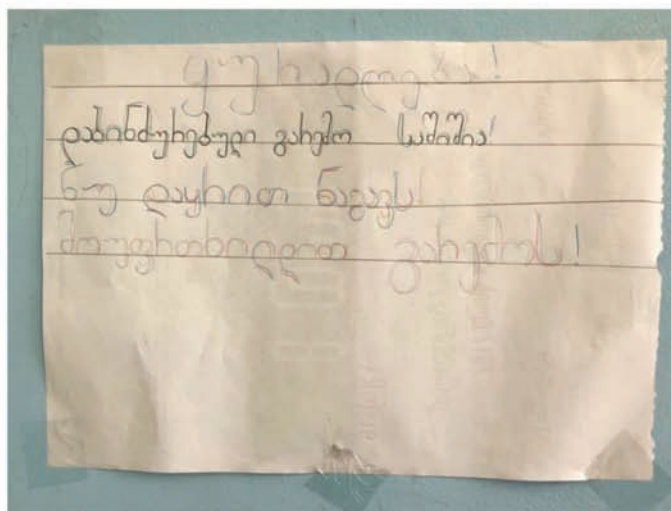
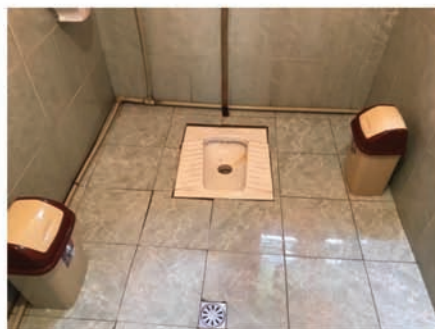




ჩოლურის საჯარო სკოლა



ლენტეხის მუნიციპალიტეტის სსიპ სასაშუალო საჯარო სკოლა



სსიპ დედა ლენტიხის საჯარო სკოლა



სოფელ ლილიუხის საჯარო სკოლა



ონის მუნიციპალიტეტის სოფის საჯარო სკოლა







ამბროლაურის მუნიციპალიტეტის სსიპ ჭრებალოს საჯარო სკოლა







საქართველოს სახალხო  
დამცველის აპარატი



PUBLIC DEFENDER'S  
OFFICE OF GEORGIA