

70th session of the UN General Assembly

Human Rights to Water and Sanitation

As the UN General Assembly continues its deliberations on the human rights to safe drinking water and sanitation, we the undersigned organizations call on UN Member States to further the understanding of these human rights and bring them in line with the realities of implementation.

Plural: Rights to water and sanitation

We support the current draft resolution for negotiation, contained in UN document A/C.30/70/L.55¹, which uses the plural to refer to the human rights to safe drinking water and sanitation, as opposed to the singular human right to safe drinking water and sanitation. There is a pressing need to ensure adequate attention to sanitation, which is often lacking from both states and donors. For example, while the water target under the Millennium Development Goals (MDG) was formally met in 2010, sanitation was one of the most off track MDG targets, along with the reduction of maternal and child mortality. The global MDG target 7c on sanitation – in itself a very modestly formulated target – was missed by 9%, representing almost 700 million people. Today, more than 2.4 billion people do not have access to improved sanitation, which safely separates human waste from human contact. Affirming the distinct nature of the two rights to water and sanitation will help advance specific focus on sanitation.

The inclusion of the plural in the draft resolution in this manner does not expand States' human rights obligations on water and sanitation. Water and sanitation are distinct rights derived from the right to an adequate standard of living and both are integral components of the realization of many other human rights, in particular the right to health. The use of the plural reflects the accurate understanding of the right to an adequate standard of living, which contains a number of different rights that are recognized and treated as individual rights, including the rights to food and housing.

Reaffirming the definition of the rights

The proposed resolution further provides guidance to States by reaffirming the definition of the rights as adopted by the Human Rights Council in 2014 to state that they "entitle everyone, without discrimination, to have access to sufficient, safe, acceptable, physically accessible and affordable water



¹ Available here: http://www.un.org/ga/search/view_doc.asp?symbol=A/C.3/70/L.55

for personal and domestic use and to have physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure, and socially and culturally acceptable and that provides privacy and ensures dignity.” This clear language regarding the contents of the rights to water and sanitation is drawn from definitions set out by the UN Committee on Economic, Social and Cultural Rights. Its inclusion has regrettably been opposed by some States in past negotiations. The proposed resolution should be adopted with the inclusion, in full, of this important clarifying language, as it is consistent with the definitions propounded by the relevant treaty body, elected by States to elaborate the meaning of the International Covenant on Economic, Social and Cultural Rights. Reflecting the authoritative definition of these rights will serve as guidance to States to develop policies and programs that fully reflect their obligations related to the rights to water and sanitation.

Such clarification is of particular importance at this year, as the contents of the rights to safe drinking water and sanitation should be clear to States as they implement the 2030 Agenda for Sustainable Development.

The human rights to water and sanitation are interrelated and interdependent on other human rights, and the draft resolution reaffirms that States have the primary responsibility to ensure the full realization of all human rights. States, in particular state parties to the International Covenant on Economic, Social and Cultural Rights, must take steps – and not as currently contained in the draft, only ‘endeavor’ to take steps – individually and through international assistance and cooperation, especially economic and technical, to the maximum of their available resources, to progressively achieve the full realization of the rights to water and sanitation.

We the undersigned organizations call on UN Member States to take action to ensure that the human rights to water and sanitation are implemented in practice. The adoption of a strong resolution at the UN General Assembly is an important message in this regard.

Signatories:

Amnesty International

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ARTICLE 19

Blue Planet Project

Center for Women's Global Leadership, Rutgers University

Clean Water for North Carolina

Council of Canadians

End Water Poverty

European Federation of Public Service Unions (EPSU)

Fivas-The Association for International Water Studies

FLOW (For Love Of Water)

Franciscans International

Freshwater Action Network Mexico

Freshwater Action Network South Asia

German Toilet Organization

Global Justice Clinic, New York University School of Law

Human Rights Watch

Institute for Strategic Research and Development Studies, Visayas State University

International Human Rights Clinic, Santa Clara University School of Law

IRC

KRuHA - Indonesia

Loretto Community

Medical Mission Sisters

People's Health Movement

Public Services International (PSI)

Robert F. Kennedy Human Rights

Sisters of Charity Federation

Sisters of Mercy (NGO), Mercy International Association: Global Action

Swarna Hansa Foundation

U.S. Human Rights Network

Viva con Agua

VIVAT International

WASH United

The Water Institute at the University of North Carolina at Chapel Hill

WaterAid

Welthungerhilfe

World Relief Deutschland