WATER, BUSINESS AND HUMAN RIGHTS

Based on UN guiding principles for business and human rights, businesses have the responsibility to respect human rights. WaterLex engages with partners to develop tools enabling businesses to play their part in addressing water challenges.

CONTEXT
In the 13 years since the UN Millennium Declaration, global perspectives on water and sanitation have shifted as **water and sanitation have been recognised as human rights under international law**. In November 2002, the committee in charge of monitoring and interpreting the International Covenant on Economic, Social and Cultural Rights (ICESCR) dedicated its General Comment no. 15 to the right to water. In an assessment of existing human-rights law, it declared that access to water was an integral part of the rights to life and health:

“The human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses. An adequate amount of safe water is necessary to prevent death from dehydration, to reduce the risk of water-related disease and to provide for consumption, cooking, personal and domestic hygienic requirements.”

The UN Human Rights Council in 2011 unanimously endorsed the **Guiding Principles on Business and Human Rights**. Increasing numbers of States and businesses are taking steps to put into practice its three pillars: the State duty to protect human rights, the corporate responsibility to respect human rights, and the right of victims to access an effective remedy. However, important implementation challenges remain.

WATERLEX POSITION
In 2015, WaterLex is beginning to interact with businesses. The biggest direct consumers of freshwater, they have a major impact on both water quantity and water quality. WaterLex can effect change by creating sustainable solutions and clarifying legal frameworks, which in turn enable businesses’ compliance with human-rights standards, including those associated with the human right to water and sanitation (HRWS) and interconnected rights, such as the right to food and the right to a healthy environment.

To help realise these rights and achieve its mission to improve water governance worldwide, WaterLex collaborates with a variety of actors. The **Business and Human Rights Programme** aims to create an enabling environment for positive actions in water governance by providing support on the laws, policies, strategies, institutions, and water-related norms and processes necessary for the realisation of rights. The first step is to establish a factual baseline to enable constructive discussion. The next step is to seek a common understanding among actors, including their risks and responsibilities. Finally, WaterLex seeks to empower actors. Then change can occur through multi-stakeholder commitment and judiciary monitoring.

BUSINESS CASE
There is a sound **business opportunity** for companies which act responsibly on issues related to water and sustainable development: better water security and enhanced community reputation. Companies, communities and private individuals lay claim to freshwater resources and often assume they are for the common good. A business developing new or significantly large uses of water must demonstrate that it is doing so above and beyond traditional legal compliance.

Increasingly, businesses are obliged to comply also with human rights standards. From a business perspective, there are multiple **risks** related to water that can have an impact on the company: **physical** (water quantity, e.g., scarcity or flooding, and water quality); **reputational** (impact on a company’s brand); **operational** (capacity of government to manage water effectively and sustainably); **risks in the value chain** (human rights and sourcing risks).
HOTEL AND TOURISM INDUSTRY COMPLIANCE WITH HRWS

On 28 July 2010, through Resolution 64/292, the UN General Assembly explicitly recognised the human right to water and sanitation (HRWS) and acknowledged that clean drinking water and sanitation are essential to the realisation of all human rights. The resolution calls upon States and international organisations to provide financial resources, capacity-building and technology-transfer to help countries (especially developing countries) to provide safe, clean, accessible and affordable drinking water and sanitation for all.

Hotel and tourism companies have an opportunity to do better business in areas where local populations’ access to clean water and sanitation is at risk. A company can work with government and the community to ensure the local environment’s capacity to meet the basic-minimum physical and water-quality demands. This project seeks to support the hotel and tourism industry in playing an important role in guaranteeing the HRWS, and to provide guidelines for broader sustainable water management. Using these guidelines, hotel and tourism businesses can secure their long-term future in a changing world by becoming responsible actors in the local economy and environment.

The three-phase project will ...

i) perform initial research and produce a set of guidelines for human rights compliance in water management of industry investment, development and operations;
ii) incorporate those guidelines into criteria for environmental and quality assessment;
iii) provide training and educational material on water-related issues in hotel and tourism operations.

The risk analysis regarding the HRWS will be performed by WaterLex with the support of THISD (The Tourism & Hospitality Institute for Sustainable Development) on the basis of the Guidelines on the HRWS and Water Stewardship (GHWS). A full Water Footprint & Risk Analysis performed by Aquasis Solutions will complement the assessment. The calculations, taking into consideration the water consumed and wastewater released, provide a rough estimate of potential environmental impacts linked to freshwater use. The goal of this calculation is to:

- Determine the quantity of water and the environmental and social impacts that could be potentially offset by the water-footprint mitigation project;
- Identify which locations in an area of interest are most vulnerable to water risks and most suitable for the implementation of water-footprint mitigation projects;
- Identify water-risk hotspots and combine the water-scarcity index and water-quality benchmarks with environmental and social-impact assessments and climate risk analysis at local level, and potentially beyond.

For more information, please contact:

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