

Annual Report 2012



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- 106 Civil Society Organizations
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Time for a new water governance paradigm

WaterLex is celebrating in 2013 its third anniversary. Launching a new organization is always a challenge. Water stakeholders have progressively identified and respected our added-value and got acquainted with our organization. Although human rights protection and water governance systems are still far apart, in all these aspects WaterLex achieved valuable progress throughout 2012 to close the gap.

2012 was a year of contrasts for water governance. High expectations were raised by civil society organizations towards international gatherings such as the 6th World Water Forum (WWF) or the Rio+20 United Nations follow-up conference. On both occasions, governments missed opportunities to take innovative steps towards more integrated water resources management. Old models in favour of limited regulation are unfortunately still supported, although they have already proven to be the cause of groundwater pollution and overuse, as well as the lack of attention to vulnerable groups' effective access to safe drinking water. Today more than ever our world needs to embrace a paradigm shift towards sustainable water governance.

WaterLex successes in 2012 included expert contributions to the Governmental Blue Group (for its Declaration to the 6th WWF), the UNECE (for its Balance Score Card on water equity), but also civil society networks (cf. African NGO network on extractive industries). I also underline that we facilitated a first capitalization of UN

agencies practices for the realization of the human right to water, in the context of the Post 2015 agenda (cf. joint-publication effort *Shaping a New Water Governance*).

These successes are linked to the scaling up of WaterLex activities: our International Secretariat permanent staff grew in 2012 from 3 to 7. We moved the Secretariat office next to the Palais des Nations in Geneva. We adopted a new pluri-annual strategy 2013-2017 focusing on the human right to water and signed over 20 new partnerships.

This scaling up was only possible because of unprecedented donor commitment. I wish to express here my sincere thanks to the Swiss Cooperation Agency (SDC) which gave through its support a clear sign to other donors in terms of WaterLex credibility and future prospects.

We are celebrating in 2013 the UN International Year of Water Cooperation. WaterLex is committed to a number of events, trainings and mobilization efforts. We look forward to increasing the political support we received so far so as to build a unique momentum for a renewed water governance.

María Francisca Ize-Charrin
President of the Board



Old models in favour of limited regulation are unfortunately still supported, although they have already proven to be the cause of [...] lack of attention to vulnerable groups' effective access to safe drinking water.

An International Secretariat to coordinate a pool of experts

Since the beginning in 2010, WaterLex paid a close attention not to replace the expertise of its members, volunteers and consultants who are the credibility and backbone of WaterLex operational activities. The coordinating body, the International Secretariat, was therefore membered with young permanent professional staff in order to secure creative and dynamic project management.

Under the leadership of the Executive Director, the International Secretariat progressively designed with the Board Waterlex 2013-2017 Strategy and adapted its internal structure and policies to ensure efficient, transparent and accountable processes.

A Legal Desk to strengthen the rule of law

WaterLex structured its activities in two main branches. The first, the Legal Desk engages in

legal analysis of legal and policy frameworks, public and private standards to suggest viable harmonization proposals taking into consideration competing environmental, social and economic constraints. In this context, a flagship product is the WaterLex Legal Database (WLD) on the Human Right to Water and Sanitation, which is developed in partnership with 8 academic institutions and UN lead agencies in water governance.

An Operations Desk to empower water governance stakeholders

The second branch, which is institutionally reflected by the Operations Desk, strives to rephrase and adapt the work of the Legal Desk to the language and needs of the various water governance stakeholders. Through tailored national field assessments the organization iden-



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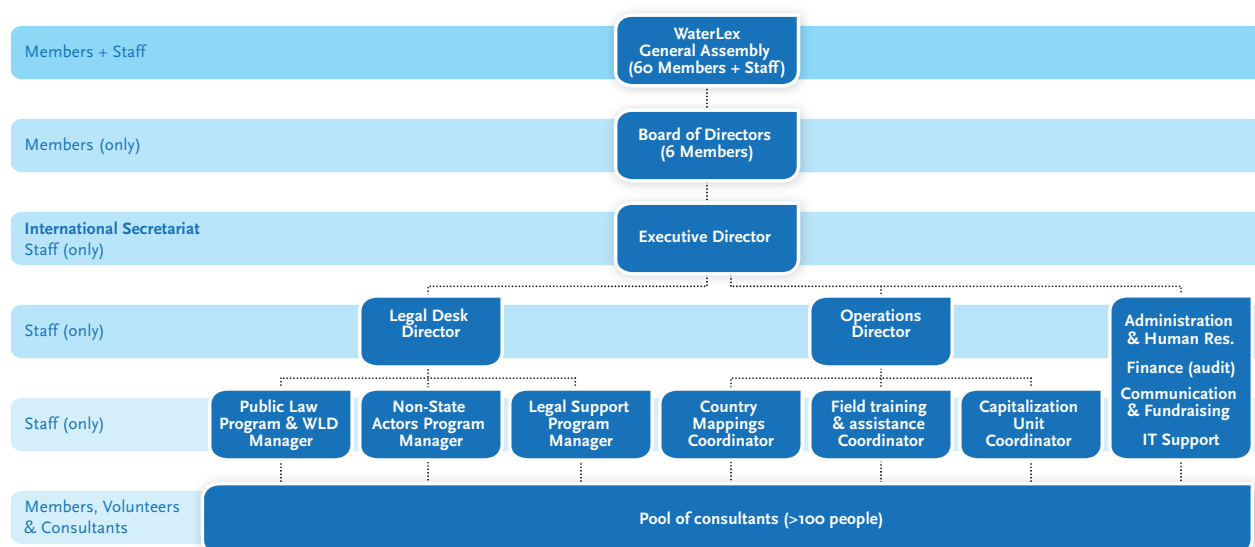


tifies for public administrations specific legal and stakeholder gaps. WaterLex offers a set of field assistance and training services to ensure the adequate empowerment of stakeholders.

A mutual reinforcement for systemic change

The mutual reinforcement between the two branches deserves to be highlighted. The Legal Desk continuously strives to adapt legal standards not only to national, and even local, geographic and hydrological contexts, but also varying human demands and dynamics. On the other side, the Operations Desk pays a specific

attention to enshrining its work in positive international and national laws and regulations. Legal Desk projects are justified by Operations Desks demands from the field, and conversely Operations Desks projects are justified by the legal implementation gaps identified by the Legal Desk. A mutual reinforcement which serves one goal: systemic change for the realization of the human right to safe drinking water.



OUR FIRST STEPS

2012 Milestones



January 2012 – Publication of a Feasibility Study on Decentralized Cooperation in Niger, in cooperation with Global Water Solidarity.



March 2012 – WaterLex takes part in the World Water Forum in Marseille, France, in association with the NGOs coalition Butterfly Effect. Launch of the WaterLex on the Human Right to Water and Sanitation.



23 July 2012 – Adoption by the African Commission on Human and Peoples' Rights of Resolution 224 on a Human Rights-Based Approach to Natural Resources Governance as drafted by WaterLex and its partners.



19 September 2012 – WaterLex launches its publication “Shaping a New Water Governance” during a side event at the UN Human Rights Council.



December 2012 – Constitution of the WaterLex Legal Database Scientific Committee.



“Access to sound legal information is crucial to allow the progressive realization of the human right to water and sanitation and assist all stakeholders in better understanding how to align their national and regional legal frameworks with this new commitment. In that respect, WaterLex’s endeavor to undertake a compilation of case law and to provide legislative and judicial information on this very topic online in the WaterLex Legal Database should be praised as highly valuable to the water community as a whole. This initiative should be strongly supported and encouraged so as to ensure its further development in 2013, the International Year of Water Cooperation.”

Eibe Riedel
UN Committee on Economic,
Social and Cultural Rights



COMPILING AND SHARING INFORMATION

A cooperation effort with academia and UN agencies to design operational tools for legal and policy practitioners: the WaterLex Legal Database

Bridging the information gap by providing all water governance actors with direct access to legal and political sources which are aligned with and contribute to the realisation of the human right to water and sanitation.

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Answering the need for sound legal information

Building on the heritage of COHRE's water and sanitation programme, the WaterLex Legal Database (WLD) on the Human Right to Water and Sanitation has been developed in order to constitute a worldwide reliable source of national, regional and international laws, policies and case law on water and sanitation, following a human rights classification. In addition to providing access to the original texts, the WLD selects the relevant excerpts which are in line with the criteria specifying the human right to water and sanitation obligations (i.e. access to information, participation, water quality, physical accessibility, affordability, etc.).

Structuring legal data according to human rights criteria

Indeed, pursuant to the recognition of the human right to safe and clean drinking water and sanitation by the UN General Assembly and Human Rights Council in 2010, it appeared necessary to provide impetus for the actual realisation of this right in order to achieve equitable and sustainable access to water and

sanitation for all. Stakeholders were expecting tools to assist them in better understanding how to align their national and regional legal frameworks with this new commitment.

In that respect, the purpose of the WaterLex Legal Database is to assist water actors in assessing how countries in the world have developed their legislation in compliance with this newly recognised right. The WLD pursues two main objectives:

- Compiling laws, policies and case law on water supply and sanitation, while providing free and direct access to full-text official documents (in English if available and/or original language);
- Monitoring the legal framework relevant to the implementation of the human right to water and sanitation; national and regional norms and case law are presented as specific measures contributing to the realisation of the human right to water.

It is therefore a practical tool aiming at providing **all water actors** with legal information to assist them in the conduct of their research projects, notably on country reporting and monitoring measures taken to implement socio-economic

rights. Besides, it allows the assessment of legislative gaps from other countries experience so as to monitor whether the human right to water and sanitation is effectively respected, protected and fulfilled by States worldwide a suggest the adoption of new norms accordingly.

A worldwide reference tool for legislation and case law

The WLD is expected to be the first reference tool worldwide for legislation and case law on the human right to water and sanitation and as such the first legal index for monitoring the realisation of this right. The WLD was officially launched at the 6th World Water Forum (Marseille, 2012) where it gained recognition as a key solution for water actors (see website for more information). An Advanced Search option has been made available in November 2012. Eventually, a Call for Cases has been undertaken by WaterLex so as to gather national, regional and international case law pertaining to the realisation of the right to water and sanitation. This initiative is taking place within the framework of the UN Decade Water for Life 2005-2015 and is the first of its kind worldwide. The compilation of case will result in a publication to be released in 2013. In a second phase, judicial data will be added to the WLD so as to gather legislative and judicial information online and free of charge on a common platform.

Developing an academic network to member the Scientific Committee

A Scientific Committee has been constituted to secure the scientific development of the project. It is composed of human rights, constitutional, environmental, health and water governance experts from high-level academic institutions selected across the five continents so as to ensure a geographically-balanced representation of all legal systems and traditions.

In December 2012, the Scientific Committee comprised the following academic centres:

- Argentina: Universidad de Buenos Aires, Facultad de Derecho, Cátedra de Derecho Constitucional del Doctor Raúl Gustavo Ferreyra
- India: Jawaharlal Nehru University, Centre for the Study of Law and Governance
- International: UNESCO IHP-HELP Water Centre on Water Law, Policy and Science (at the University of Dundee, United Kingdom)
- International: UNU Institute for Water, Environment and Health
- Singapore: National University of Singapore, Asia-Pacific Centre for Environmental Law
- South Africa: University of the Witwatersrand, School of Law
- Switzerland: Geneva Academy of International Humanitarian Law and Human Rights
- United Kingdom: University of Essex, Human Rights Clinic

Developing partnerships to interconnect related initiatives

Since WLD is as an evolving tool, based on iterative review and providing up-to-date information, WaterLex has been building a network of academic, civil societies and legal partners in order to ensure its ongoing updating process.

Moreover, WaterLex strives to establish contact with other organisations to interconnect existing water-related databases developed by CSOs or UN institutions in order to avoid overlap and ensure project consistency. Indeed, building bridges with initiatives such as the various FAO databases, WHO Global Health and Human Rights Database, WaterAid WASHwatch and ESCR-Net Caselaw to link them with the WLD is of utmost importance to WaterLex which will make the most of the 2013 International Year of Water Cooperation framework to develop partnerships in that respect.



Human rights and sustainable development: addressing challenges to prepare the Rio+20 Conference

Providing legal support to civil society networks and international legal bodies to strengthen an integrated approach to water governance in international law.

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2012 was a key milestone on the worldwide agenda for sustainable development. 20 years after the official recognition of the sustainable development paradigm, the Rio+20 Conference on Sustainable Development was to take stock of successes and lessons learnt, while refining the international governance framework and the paradigm itself. A key success for WaterLex was to accompany the refinement of the paradigm with the African Commission on Human and Peoples' Rights (ACHPR) by enshrining in law the interlinkages between human rights and sustainable development.

WaterLex impact strategy aimed at: 1/ fostering the political commitment for the right to water and sanitation at the 6th World Water Forum (6WWF) to strengthen the link between broader water management and human rights; 2/ advancing the international legal framework

for human rights to be a prerequisite of sustainable development at the level of regional law making bodies (cf. African Commission on Human and People's Rights).

Step 1 – Strengthening the political commitment for the human right to water: 6th World Water Forum

The World Water Forum is so far worldwide the unique place where political commitments at ministerial, parliamentary and municipality levels are negotiated in the field of water governance. Given the lack of attention given by the sector to human rights in past forums (cf. Istanbul 2009), civil society, in the aftermath of the UN resolutions, raised very high expectations about the 6th World Water Forum (6WWF) political commitments.

WaterLex advocacy strategy focused on three key fronts. Firstly, WaterLex was fully supportive of the implication of civil society in the organization of the event. Among the 90 NGOs constitutive of the Butterfly Effect, WaterLex joined the steering committee of the coalition and took the lead to facilitate civil society's impact on the political process, and especially the 6WWF Declaration. Secondly WaterLex supported member States of the UN Human Rights



Council Blue Group (i.e. those who are supportive of the right to water) with the drafting of their Declaration to the 6WWF. These actions contributed to ensure that the 6WWF Declaration, despite remaining insufficiencies, builds on the recognition of the human right to water and, even more important, acknowledges as a sector water as a **social good**.

And finally, WaterLex submitted a number of “Solutions” to current water governance challenges on the online platform. A key success was the selection by the organizers of the 6WWF of the WaterLex Online Legal Database as one of the key solution of the Forum to be disseminated.

Step 2 – Advancing the international legal framework: the African Commission’s Resolution on a human rights – based approach to natural resources governance

Moving from the water sector political commitments to broader harmonization of international law. WaterLex is convinced that international human rights law can play a constitutional role in the harmonization of legal frameworks.

On May 2012, on the eve of the Rio+20 Summit, WaterLex, with the United Nations Office for West Africa (UNOWA), gathered nearly 200 African NGOs to discuss the obligation of the State to respect their human rights commitments in natural resources governance. As a main outcome of this event, the Resolution on a human rights-based approach to natural resources governance, submitted by WaterLex with partner NGOs was, successively, adopted by the NGO Forum and by the African Commission on Human and Peoples’ Rights.

The ACHPR Resolution constitutes an international legal milestone that for the first time worldwide recognizes the interlinkages between human rights and sustainable development. In the instrument, the African Commission clearly

states that “in accordance with the Rio Declaration and African Charter principle of State sovereignty over natural resources, the State has the main responsibility for ensuring natural resources stewardship with, and for the interest of, the population and must fulfill its mission in conformity with international human rights law and standards” (emphasis added). Further, the Resolution calls upon States to adopt an international legal framework to sustainable development that recognizes the realization of human rights as a prerequisite for sustainability. Then, while revising the institutional framework for sustainable development, States must set up “independent monitoring and accountability mechanisms that ensure that human rights are justiciable and extractive industries and investors are legally accountable in the country hosting their activities and in the country of legal domicile”.

Rio+20: “The World We Want” and Human Rights

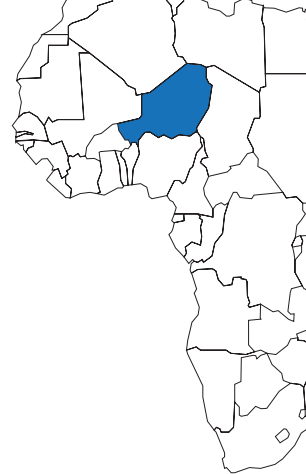
The preparation of the Rio+20 Summit was the occasion of an unprecedented mobilization of international human rights mechanisms and experts. In this context it is important to underline the mobilization of OHCHR, UN CESCR and 22 UN Human Rights Council Special Procedures mandate holders that came in addition to ACHPR contribution. All the recommendations reaffirmed the realization of human rights as a prerequisite to sustainable development.

In the end, the negotiations over the Rio+20 declaration have proven difficult and yet the Rio+20 outcome document “*The World We Want*” met two objectives: first States recognized the human right to safe drinking water; and secondly they acknowledged water as an underlying factor of economic, social and environmental sustainability.



The joint feasibility study run by WaterLex and the Hydraulics and Environment Ministry helped build a comprehensive picture of the legal framework and stakeholders concerned by the prospective national strategy for decentralized cooperation. This work, initiated under the World Water Solidarity initiative, not only gives access to a new source of financing, but also and foremost helps conceive new national and international solidarity mechanisms to facilitate universal access to water and sanitation in our country.

Issoufou Issaka
Minister of Hydraulics
and Environment of Niger



Securing decentralized cooperation's contribution to the human right to safe drinking water

Undertaking field assessments to support the design of a national strategy on decentralized cooperation in the water sector

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The management of water resources and services at the local level is a key element of good water governance. In many places of the world, decentralization of the water and sanitation sector faces significant challenges. The transfer of institutional, financial and technical competences to the local level is often limited. WaterLex, as a member of the Global Water Solidarity (UNDP) platform, contributes to fostering decentralized cooperation mechanisms, while providing an enabling framework that guarantees human rights and aid effectiveness.

Decentralized water cooperation: a financing mechanism supporting decentralization

International cooperation has considerably diversified in the water and sanitation sector over the last decade. Besides inter-state cooperation (referred to as Official Development Assistance (ODAs)), another form of public-public cooperation has developed at the local level. Decentralized cooperation consists of conventions among local governments and sub-national institutions, on a voluntary basis and as a gesture of solidarity for political, financing and technical support. The objective is to support decentralization by a **mutual learning** and **scaling up of municipalities' capacities**. A number

of European countries have developed decentralized cooperation regimes (starting with the 2005 French Oudin- Santini Law on decentralized cooperation).

In 2012, the Global Water Solidarity was officially set up to support the development of decentralized solidarity mechanisms worldwide. Hosted by UNDP, the Global Water Solidarity consists in a coalition of local, regional and national governments, public and private institutions and civil society organizations from Europe, Asia and Africa. These entities are working together to develop, replicate and scale up decentralized solidarity mechanisms (DSMs) and to support existing DSMs at national and regional levels.

Decentralized water cooperation: a national strategy for what?

Among the GWS members, WaterLex was mandated to realize the first *national* feasibility study on decentralized cooperation mechanisms building on the expertise of the organization on water governance frameworks. The objective of WaterLex is to promote the role of the national legal framework in: 1/ enshrining the roles and responsibilities of the different actors in devel-

**“All [water infrastructure] financing initiatives must be based on the fact that water is a human right,...”
(Dakar Declaration, 2012)**

oping and monitoring DSMs; and 2/ ensuring coherence between States and donors' intervention and set appropriate priorities at the national and local level. In other words, if decentralized cooperation takes place between sub-national institutions, there is both a need to ensure transparency and encourage DSMs.

The study in Niger was undertaken jointly with the Minister of water and environment. An action plan was established that associates the Ministry of territorial administration and the Ministry of water and environment.

**WaterLex contribution:
a human rights-based framework
for decentralized cooperation**

The GWS intends to uphold a benchmarking framework in which the minimum requirements for availability, quality, acceptability, accessibility, affordability, inclusiveness and sustainability of services are ensured.

WaterLex designed a methodology to assess the regulatory and institutional environment required for a human rights based decentralized water cooperation. Decentralized water cooperation lies at the interface of three regulatory areas: the water and sanitation sector; decentralization and territorial administration; and international cooperation.

An inventory of these three sectors in their convergence has been developed from feasibility indicators complying with the principles of

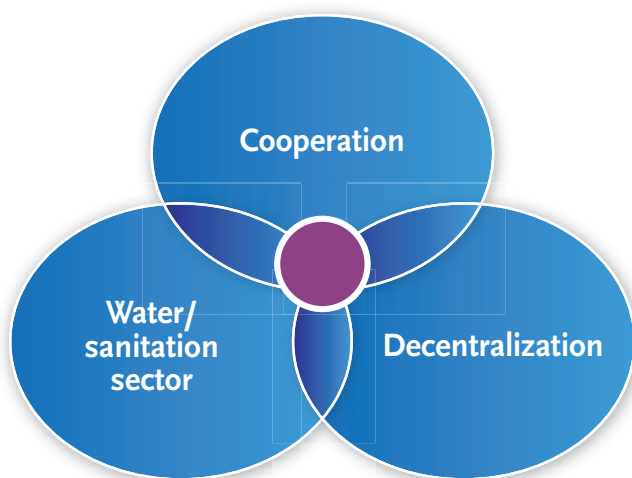
GWS labeling mechanisms of decentralized cooperation. These principles result from a combined reading of the principles of aid effectiveness and international human rights principles guiding the implementation of the right to drinking water and sanitation. DSMs are driven by the principles of universality, subsidiary, additionality, leverage and institutional, environmental, and financial sustainability.

The High Level Forum of Water and Sanitation in Africa: Innovative financing mechanisms in discussion

Niger is the first country having committed to set up a national strategy for decentralized water cooperation with the support of the Global Water Solidarity (GWS) platform. The initiative of Niger with GWS constituted a key first step to impulse a broader wave of public-public decentralized partnerships in Africa. The Minister of Water and Environment of Niger, Mr Issoufou Issaka, in his position of chair of Global Water Solidarity is also chair of Water and Sanitation for All in Africa (WSA).

WSA organized its second High Level Forum in December 2012 in Dakar. WSA High Level Forum aims at stimulating and catalyzing desirable change in the African WASH sector, focusing on better financing, innovation and moving from declarations to action. The Forum, that gathered ministries from the 22 member countries of the Water and Sanitation for Africa Platform, was dedicated this year to innovative financing mechanisms. The launch of the SANI-FND, gathering all investments in sanitation, was part of these new mechanisms at the level of WSA.

In this context, WaterLex, as a member of the Global Water Solidarity (GWS) platform, was invited to present its Niger feasibility study, as the first national feasibility study undertaken by the GWS to strengthen national strategies for decentralized cooperation in water and sanitation.





“Regional human rights mechanisms play a key role in advancing and interpreting international human rights law. On the eve of the Rio+20 Summit, the African Commission on Human and Peoples’ Rights adopted a Resolution on a Human Rights-Based Approach to Natural Resources Governance which reveals the role that human rights mechanisms can play to advance a legal framework for sustainable development. The work of WaterLex to foster and support the role of human rights mechanisms in that respect is commendable.”

Rosa Maria Ortiz
Inter-American Commission
on Human Rights

Shaping a new water governance: a review of UN agencies' activities to further the realization of the human right to safe drinking water

Raising awareness about good practices of inter-governmental agencies to improve consistency in world water governance.

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An event at the UN Human Rights Council

A major achievement for WaterLex in 2012 was the writing and communication of its first policy report on water governance: "Shaping a new water governance – Inter-governmental agencies' contribution to the realization of the human right to water". WaterLex chose to release this report in the follow-up process of the Rio+20 United Nations Conference on Environment and Development that was held in June 2012. The Report was presented during a side-event at the Human Rights Council organized by WaterLex with the support of the Missions of Ecuador, Costa Rica, Spain and Germany.

The event took place at the Palais des Nations in Geneva on 19 September 2012. Both the timing and location of the first presentation of the Report were strategic opportunities for WaterLex to bring forward its mission: bringing water governance issues to human rights' experts. In September 2012, while an intergovernmental working group was just starting to work on defining a new set of goals for the development agenda beyond 2015, WaterLex presented a coherent vision for a human rights-based water governance.

A report for post-2015 MDG and SDG negotiations

The Report is a contribution to the discussions about the post-2015 Sustainable Development Goals for water as it evaluates the Millennium Development Goals (MDGs) related processes and analyses the general coherence of these targets with human rights obligations, as well as the way the United Nations (UN) System has been coordinating and monitoring these targets.

Recalling that limited progress was made in Rio regarding the creation or strengthening of a global water governance framework, and underlining that no UN organization has the leadership on water and sanitation, the Report explores to which extent the human rights framework helps to coordinate the work of UN agencies in the water sector. The Report puts into perspective two parallel developments that happened over the last decade at the UN. The first important reform was the creation in 2003 of UN-Water, an inter-agency mechanism created to improve coherence and coordination of UN agencies' work in the water sector. It is composed of funds and programs such as UNDP, UNEP, UNICEF and UN-Habitat, specialized agencies such as FAO, UNESCO, WHO or the

World Bank, regional commissions (UNECE), convention secretariats such as the secretariat of the framework convention on Climate Change and other entities within the UN system (e.g. United Nations University). The second big development was the efforts to “mainstream” human rights at the UN in order to improve coherence and efficiency of the UN system. A milestone in this regard was the adoption in 2003 by UN agencies, funds and programs – including many UN-Water agencies- of the “UN Common Understanding on the Human Rights-Based Approach to Development Cooperation”.

Suggesting human rights-based approach to water governance

Crossing these two developments, the Report constitutes a preliminary study of a human rights-based approach to water governance through a first compilation of good practices of UN agencies in integrating human rights in their standard-setting, capacity-building and monitoring activities. The publication has benefited from feedbacks, conversations, reviews, critiques and suggestions from various experts from international organizations. We received contributions and good practices from FAO, UNDP, OHCHR, PAHO, UNECE, WHO and the World Bank.

While retracing the history and the legal foundations of the recognition of the human right to safe drinking water, the first part of the Report underlined the contribution of UN agencies. Indeed, many UN agencies came to explicitly recognize the human right to water or more specifically the human right to safe drinking water in their policies and action plans. The right to water was mentioned for different purposes and in different contexts according to the specific mandate of the agency or programs. These declarations are an illustration of the centrality of water issues to many UN agencies.

Presenting its Report at the Human Rights Council, WaterLex contributed to human rights experts' efforts to strengthen the relationship

between human rights and the environment. In 2012, WaterLex welcomed the Human Rights Council resolution appointing an independent expert on human rights and the environment few months preceding the Rio +20 Conference.

Moving beyond the strict human right to safe drinking water

The central message of the Report is indeed that the realization of the human right to safe drinking water and sanitation requires consideration of overall water resources management and more specifically the protection of water resources as sources of drinking water. Moving beyond the strict human right to safe drinking water, and building upon the interdependence and interrelation of all human rights, the Report highlighted the centrality of access to water resources for the realization of the right to food, the right to livelihood or the right to sustainable development. The Report recalled that the basis for a human rights-based approach to water governance was established in General Comment 15 interpreting the “right to water” in the general context of the international covenant on economic, social and cultural rights and the International Bill of Human Rights. Internationally recognized human rights encompass various obligations relating to water resources governance.

The Report was reviewed by 4 water governance specialists: Stephen C. McCaffrey (University of the Pacific), Jérôme Delli Priscoli (US Army Corps of Engineers, Institute for Water Resources), Eibe Riedel (Graduate Institute – University of Geneva) and Melvin Woodhouse (University of Dundee).

Indeed, many UN agencies came to explicitly recognize the human right to water or more specifically the human right to safe drinking water in their policies and action plans.

WaterLex – Projects List 2012

Starting Period	Duration	Activity Type	Project Title	Partners
January 2012	1 year – ongoing maintenance	Legal desk (1.1. WLD Project)	WaterLex Legal Database on the Human Right to Water and Sanitation	University of Essex, University of Dundee, SCCL.
March 2012	3 weeks	Legal Desk (1.3. Standard Setting & Harmonization)	WaterLex Declaration for Marseille, “The Implications of Human Rights Law on International Water Law”	
January 2012	4 months	Legal Desk (1.3. Standard Setting & Harmonization)	Panel on Extractive Industries and Human Rights – NGO Forum preceding the 51 st Session of the African Commission on Human and Peoples Rights	African NGO Group on Extractive Industries-United Nations Office for West Africa (UNOWA), Legal Resources Center (LRC)
June 2012	3 months	Legal Desk (1.3. Standard Setting & Harmonization)	21 st HRC – Side event, “The Future of Water in the United Nations”	Permanent Missions of Ecuador, Costa Rica, Spain and Germany
Sept. 2011	6 months	Legal Desk (1.4. Expert Position & Mandates)	6th WWF – Integrating the human right to water in the 6th WWF agenda	NGO Coalition “Butterfly Effect”
August 2012	Ongoing	Legal Desk (1.4. Expert Position & Mandates)	UNECE – Expertise for the UNECE equity scorecard	UNECE
August 2012	Ongoing	Legal Desk (1.4. Expert Position & Mandates)	Global Water Solidarity-Expertise for the GWS work	UNDP
Sept. 2012	3 months	Operations Desk (2.1. Country Mapping)	Niger – Feasibility Study decentralized solidarity mechanisms.	Global Water Solidarity-UNDP
March 2012	6 months	Operations Desk (2.2. Field Assistance & Training)	Togo: follow-up of the situation analysis + setting up of the Water Cluster PWYP Coalition	Friends of the Earth-Togo
Sept. 2012	1 week	Operations Desk (2.2. Field Assistance & Training)	UN Human Rights Training 2012	Franciscans International, CCIG, UNESCO Etexa
Feb. 2012	11 months (stand-by, upon funding)	Operations Desk (2.2. Field Assistance & Training)	Guidelines & E-Module – The Human Right to Water and Sanitation in Emergency Situations	Action Against Hunger Spain, CERAH
January 2012	24 months	Operations Desk (2.3. Capitalization & Tools)	A Toolkit for Development Practitioners – Integrating a HRBA to WASH	SDC and AGUASAN.
Feb. 2012	6 months	Operations Desk (2.3. Capitalization & Tools)	WaterLex report – “Shaping a New Water Governance”	UNDP, UNECE, WHO etc.

Financial Statements

REPORT OF THE STATUTORY AUDITORS ON THE LIMITED STATUTORY EXAMINATION TO WATERLEX, GENEVA

As statutory auditor, we have examined the accompanying financial statements (balance sheet and income/expense statement) of WATERLEX for the year ended 31 December 2012.

These financial statements are the responsibility of WATERLEX management. Our responsibility is to perform a limited statutory examination of these financial statements. We confirm that we meet the licensing and independence requirements as stipulated by Swiss law.

We conducted our examination in accordance with the Swiss standard on the limited statutory examination. This standard requires that we plan and perform a limited examination to identify material misstatements in the financial statements. A limited statutory examination consists primarily of inquiries of company personnel and analytical review. However, the testing of operational processes and the internal control system, as well as inquiries and further testing procedures to detect fraud or the legal violations are not within the scope of this examination.

Based on our limited statutory examination, nothing has come to our attention that causes us to believe that the financial statements referred to above do not comply with Swiss law and the organization's articles of incorporation.

WATERLEX negative net assets of CHF 102'988.90 is due to a recognized debt of CHF 110'000 with Mr. Jean-Benoit Charrin for his time spent in 2012 as Executive Director- International Secretariat of WATERLEX. This debt will be settled when cash is available.

Geneva, 4th March 2013

CCCG SA

Minh Duc Do	Laure Cuérel
Expert-réviseur agréé	Réviseur agréée

Enclosure : Financial statements as at 31 December 2012

PERIOD RANGING FROM 01 JANUARY 2012 UNTIL 31 DECEMBER 2012

Financial Statements

WaterLex is funded through public subsidies, donations and mandates. All funds are allocated to activities which are aligned with the organization's Vision and Mission. All accounts were audited externally and internally and were unconditionally approved.

Balance sheet (in CHF)

Assets	2011	2012
Current Assets		
Bank CHF	21,238	6,155
Bank EUR	620	-40
Prepaid expenses	–	1,568
Petty cash	200	29
Subtotal	22,057	7,711
Non-current Assets		
Rent deposit	–	2,100
Trademark	16,982	24,059
Subtotal	16,982	26,159
Total Assets	39,040	33,870

Liabilities and net Assets	2011	2012
Current Liabilities		
Payable	–	110,000
Withholding Tax	–	723
Members' current account	11,624	12,560
Accrued expenses	22,650	13,575
Subtotal	34,274	136,859

Net Assets		
Accumulated surplus	31,900	4,765
Surplus/Deficit for the Year	-27,135	-107,754
Subtotal	4,765	-102,989
Total Liabilities and net Assets	39,039	33,870

Income Statement (in CHF)

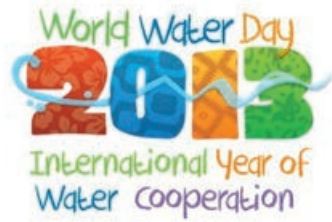
Expenditure	2011	2012
Personnel		
Salaries and benefits	–	105,197
Consultant fees	46,020	223,466
Voluntary consultant fees	255,300	102,500
Sub-total	301,320	431,162
Operations		
Travel	13,756	15,734
Printing	374	11,027
Web hosting	320	352
Office supplies	2,145	1,009
Audit fees	4,000	10,949
Bank charges	162	717
Office rent	–	5,950
Website design & IT Support	8,410	37,179
Insurance	–	-238
Exchange loss	1,079	–
Sub-total	30,246	82,679
Total Expenditure	331,566	513,842

Income

Donations	15,765	104,288
Consultants in kind contributions	255,300	102,500
Other in kind contributions	2,850	10,000
Public Subsidies	20,515	188,190
Mandates	10,000	–
Bank Interests	1	13
Other Revenue	–	1,097
Total Income	304,431	406,087
Surplus / Deficit of the Year	-27,135	-107,754

SEIZING OPPORTUNITIES

Project Prospects for 2013



UNESCO and UN-Water are celebrating in 2013 the International Year of Water Cooperation. WaterLex will be organizing several events in cooperation with civil society organizations at the level of the African Commission on Human and People's Rights (ACHPR) and with governments at the level of the UN Human Rights Council.



The WaterLex Toolkit for the Realization of the Human Right to Water and sanitation is designed to provide cooperation agencies and development practitioners working in the field with tools and good practices studies to integrate a human rights-based approach in their Project Cycle Management. In 2013, WaterLex will carry out training and field-testing workshops in Moldova and Nicaragua.



WaterLex will further its research activities in 2013 by releasing a compilation of national, regional and international case law highlighting judicial decisions pertaining to the realisation of the human right to water and sanitation. This initiative is taking place within the UN Decade Water for Life 2005-2015 and is the first of its kind.



WaterLex will start engaging in transparency work as a condition of realizing the human right to water. In this regard a strategic partnership with WIN has been signed. Several small projects including a white paper and training material are planned.

WaterLex wishes to take this opportunity to thank all its partners who have supported the organization and helped successfully launch its projects:

(in alphabetical order) ACRA – Cooperazione Rurale in Africa e America Latina • African Civil Society Network on Water and Sanitation (ANEWS) • AGUASAN – International Association for Water Law (Italy) (AIDA) • Swiss Community of Practice • BothENDS • Bread for all (BfA) • Brot für die Welt – WASH United • Butterfly Effect NGO Coalition • EarthJustice • Franciscans International (FI) • Freshwater Action Network (FAN) • Friedrich Ebert Stiftung (FES) • Friends of the Earth Togo • Global Network for Disaster Reduction (GNDR) • Green Cross International (GCI) • Global Network for the Study of Human Rights and the Environment (GNRE) • Global Water Solidarity • Henry Dunant Foundation Latin America • Initiatives of Change (IoC) • International Catholic Center of Geneva (ICCG-CCIG) • International Environment Forum (IEF) • International Environmental Law Research Center (IELRC) • Pierre Lanthemann – Southern African Legal Information Institute (SAFLII) • Software Development Services • Simavi • Swedish Water House (SWH) – Stockholm International Water Institute (SIWI) • Swiss Development Cooperation Agency (SDC) • Swiss Federal Institute for Comparative Law (SICL) • UNESCO Etexa-UNESCO Centre Basque Country – Basque Country Center • United Kingdom Department for International Development (DFID) • United Nations Development Program (UNDP) • United Nations Economic Commission for Europe (UNECE) • United Nations Educational Scientific and Cultural Organization (UNESCO) – World Water Assessment Program (WWAP), United States of America Department of State • University of Dundee – UNESCO Center for Water Law • University of Essex – Human Rights Clinic • WASH Advocacy Initiative • WaterAid • World Council of Churches (WCC) • World Health Organization (WHO) • World Water Council (WWC) • World Wide Fund for Nature (WWF).

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