



'The Human Right to Water and Water Quality: a case based approach'

World Water Week, Stockholm, **Thursday September 9 from 14:00-17:30**

Convened by ACRA, Both ENDS, Swedish Water House, UNDP, UNESCO Extéa – UNESCO Basque country, and WaterLex

MEDIA STATEMENT

Freshwater is a precious resource, which according to the United Nations Environment Programme-UNEP currently carries the unfortunate honour of being the world's most severely degraded resource. Freshwater is of immense importance as a prerequisite for life itself, as a habitat and as a key input for human development and economic activity. In this context it is logical that in a world of unequal water distribution and mounting water scarcity, more and more effort should be devoted to securing good governance and legal protection of water's life support functions.

Thankfully, since the landmark year 2002 and the release of General Comment no. 15 by the Committee on Economic Social and Cultural Rights, there has been a veritable snowballing of both international and national law in response to the growing recognition that safe water is a human right. More than 160 nations have ratified the International Covenant on Economic Social and Cultural Rights (ICESCR), and some 60 nations have introduced, or are in the process of introducing, national legislation that recognises access to safe water as a human right.

On the 28th of July 2010, history was made by the General Assembly of the United Nations by adopting a resolution¹ recognising the human right to safe drinking water and sanitation. The resolution not only recognises these rights, but stresses that they are essential for the full enjoyment of life and for all human rights. This resolution embraces a wide range of water and sanitation related issues, such as availability, quality, affordability, accessibility and acceptability.

While affirming and defining the right to water and sanitation is one thing, ensuring the realisation of this right in practice is quite another. Hence all stakeholders involved have to move from words to action, focusing on the outstanding challenges in the realization of the right for the billions who still do not have access to water and sanitation.

The full realisation of the right to water and sanitation requires a great variety of conditions to be in place. Ensuring that these conditions are met is the key challenge of water professionals and organizations focussing on water. As we seek to advance the right to water, we discover key social and political catalysts (such as the governance

¹ I.e. 122 votes in favour, 41 abstentions and no votes against.

setting and the voice of civil society) that help to ensure the realisation of the right in a range of different contexts.

The human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses. A key element of the human right to water is the water quality prerequisite that water used for personal or domestic uses should be – among other things - free from micro-organisms and chemical contaminants that constitute a threat to individual health, thus embracing the work of professionals working in the realm of water quality and Integrated Water Resource Management (IWRM). At the same time, even in the context of conflicting and competing demands on water resources, human rights law is clear in determining that water for personal and domestic uses, i.e. for realising the right to water, has priority in relation to other water uses.

This presents an interesting and challenging window between various professional disciplines. The goal of our joint session during the 2010 Stockholm Water Week is to explore commonalities with regard to the specific implications of the human right to water and sanitation mainly (but not exclusively) for the management of water quality, by clarifying general legal obligations and by exploring a range of cases in different settings from four different continents, i.e. Bosnia-Herzegovina, Ecuador, Indonesia and Tanzania.

In this side event, we will demonstrate the validity of a number of principles. First of all, the Human Rights-Based Approach (HRBA) provides a useful and comprehensive framework from which to analyse water and sanitation issues and holds the potential to support and strengthen the Millennium Development Goal approach. In other words, while the concept of the 'right to water' requires a focus on law, it is not just an effort to define normative standards (cf. World Health Organization quality standards), it is also about procedural rights, which ought to be clarified and illustrated so as to demonstrate how the realisation of rights should be managed in practice. Furthermore, the actual realisation of these rights is dependent on the governance structure and the quality of interactions between the state and civil society against the background of each particular social, political and economic setting.

Secondly, it is therefore of key importance to continue to promote national case studies that serve to highlight the key areas in which the implementation of the right to water and sanitation can be improved in each setting through a HRBA.

Last but not least, the right to water imposes a range of 'upstream' demands on those impacting upon water resources, thus there are strong relationships between the right to water and IWRM. Most obviously, there are strong links between access to safe drinking water and the need to provide adequate sanitation: in fact, these two are so interlinked that the General Assembly recognized the right to water **and** sanitation². Ensuring that everyone has access to adequate sanitation is not only fundamental for human dignity, but is one of the principal mechanisms for protecting the quality of drinking water supplies and resources.

² Emphasis added