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UNESCO's Social and Human Sciences Sector  
UNESCO's Natural Sciences Sector  
UNESCO Etxea-UNESCO Centre Basque Country

# The Human Right to Water

Presentation of the outcome of the international experts' meeting on the right to water



# 1. Legal basis

- Large number of **international** human rights treaties
- Entitlements to access to water and sanitation under **international humanitarian law**.
- References in **regional** human rights and environmental treaties.
- Recognition in key international **political declarations and resolutions**
- **Human Rights Council resolution on the mandate of an Independent Expert** on the issue of human rights obligations related to access to safe drinking water and sanitation

## 2. The context

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- Almost 900 million people lack access to safe drinking water
- 2.5 billion - 40% of the world's population - have no access to improved sanitation

# 3. The impact

- Unclean water and poor sanitation are the world's **second biggest killer of children**
- Each year **443 million school days are lost** due to sickness caused by poor water and sanitation.
- **Millions of women and young girls collect water** for their families every day
- Huge economic losses  
**1 US \$ spent on sanitation generates benefits of 9 US \$**



# 4. Content of the Right to Water

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The human right to water entitles **everyone** to **sufficient, safe, acceptable, physically accessible, and affordable** water for **personal and domestic uses**.

## ***a. Availability***

Water supply must be continuous and sufficient for personal and domestic uses, including drinking, personal sanitation, washing of clothes, food preparation, personal and household hygiene.

## ***b. Quality***

Water must be safe and should be of an acceptable colour, odour and taste.



### ***c. Physical accessibility***

Water must be within safe physical reach for all sections of the population, within, or in the immediate vicinity, of each household, educational institution and workplace.

Physical security should not be threatened during access to water facilities and services.

### ***d. Economic accessibility***

Water facilities and services must be affordable for all.

### ***e. Non-discrimination***

Water facilities and services must be accessible to all, in law and in fact, without discrimination.

Special attention to those individuals and groups who have traditionally faced difficulties in exercising this right, including women, children, minority groups, indigenous peoples, etc.

### ***f. Access to information***

The right to seek, receive and impart information concerning water issues.

# 5. Some Innovative Policies

## Brazil

Participatory decision-making systems such as

- The Division of sanitation in the slums of Guarulhos
- The “conference mechanism”

## South Africa

Legal framework recognizing the right to water, and establishing and implementing the national water policy:

- abolishment of private ownership of water
- guarantee of 6 000 liters of water per month per household
- adjustment of water rates according to the use of water and the user’s socio-economic status

# 5. Some Innovative Policies

## Belgium

Regional and municipal authorities guarantee a basic right of access to water and sanitation through:

- A minimum amount of water available at a low price
- Various mechanisms such as: progressive pricing plan, taxes, Social Fund, refunds for poor, etc.

## Philippines

- Water Code 1976

Recognition of the right to water

Water permits for water uses beyond domestic purposes

- Indigenous Peoples Rights Act 1997


Recognizes, protects and promotes the rights of indigenous peoples



# 6. Suggestions

- States must comply with their human rights obligations related to water and sanitation, taking fully into account human rights principles of non-discrimination, gender equality, accountability and participation of all stakeholders. Special attention to poor and disadvantaged.
- Concrete targeted measures shall be taken to empower all individuals and groups to exercise their rights. States shall establish legal frameworks encompassing mechanisms of access to information, participation, and access to remedies related to sanitation and the right to water.
- Water and sanitation services must be affordable to all. States and all relevant actors shall utilize creative ways to include the poorest and most marginalized segments of society.

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- Governments, development cooperation agencies, international financial institutions, and private donors shall prioritize investments in basic drinking Water and sanitation services for all, applying a human rights-based approach.
  - Disaggregated indicators backed by reliable data sources are required to set benchmarks and effectively monitor progress towards the realization of the right to water, and to enable States to identify and assess disparities in the access and use of water and sanitation services by groups that have traditionally experienced discrimination.



- Through its scientific and educational efforts, UNESCO shall further promote the right to water and continue to collaborate with the mandate of the independent expert on the issue of human rights obligations related to access to water and sanitation.

- UNESCO shall encourage Member States through its dedicated programs to generate an annual report identifying all vulnerable and marginalized groups in their territories with regard to access to water and sanitation, and monitor the improvement of access to and availability of water and sanitation to those identified groups.

- All stakeholders are encouraged to work with a human rights based approach and collect and share good practices on human rights obligations related to safe drinking water and sanitation.



**Thank you for your  
attention**



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