



UNESCO, Human Rights and Water

With attention to the Human Right to Water

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1. Presentation

This paper presents a brief and general overview of UNESCO's work in human rights and water, outlining the main programs, projects and lines of work, with a view to identifying UNESCO's work related to water as a human right and facilitating future cooperation between UNESCO and the mandate of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation.

The paper has been prepared by UNESCO Etxea with the support of Water Assessment & Advisory Global Network in the context of preparation of the Right to Water Meeting with UNESCO and the independent expert on the right to water which will take place in Paris on 7 and 8 July 2009.

2. UNESCO and Human Rights

Human Rights are central to UNESCO's mandate. As proclaimed in its Constitution, the purpose of the Organization is: "to contribute to peace and security by promoting collaboration among nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms (...)". (Article 1, Constitution).

UNESCO was actively involved in the elaboration of the Universal Declaration of Human Rights, and, immediately after its adoption, proclaimed the importance of this Declaration for all UNESCO activities. The Organization assisted in drafting the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, as well as many other international human rights treaties. During more than half a century of existence, about sixty conventions, declarations and recommendations have been developed and adopted by the General Conference of UNESCO. The majority of these instruments are linked directly or indirectly with human rights (Complete list in Annex 1)¹. The organization has equally created monitoring mechanisms and a special procedure to consider alleged violations of human rights within its competence².

¹ From UNESCO Legal instruments website:

http://portal.unesco.org/en/ev.phpURL_ID=23772&URL_DO=DO_TOPIC&URL_SECTION=201.html#.

² Established by UNESCO's Executive Board in 1978. Individuals, groups of individuals and NGO may submit communications to UNESCO, whether victims themselves or with reliable knowledge of such violations. These communications are examined by the Committee on Conventions and Recommendations, a subsidiary body of

UNESCO has a constitutional mandate to contribute to the promotion of all human rights. It has special responsibility, however, with regard to certain rights, considered to be within UNESCO's competence:

- the right to education,
- the right to participate in cultural life,
- the right to freedom of opinion and expression, including the right to seek, receive and impart information,
- the right to enjoy the benefits of scientific progress and its applications.

In October 2003 the General Conference of UNESCO adopted without a vote the **UNESCO Strategy on Human Rights**³. The Strategy has a twofold objective: a) reaffirm the commitment of the Organization to the cause of promoting and protecting human rights; and b) identify priority areas of action with a view to increasing the impact and visibility of UNESCO's work in the field of human rights.

The Strategy presents a road map for the entire Organization for the years to come and aims to ensure a significant UNESCO contribution to the implementation of the United Nations Agenda for the 21st Century, the United Nations Millennium Declaration and the Millennium Development Goals. It was realized with support of Member States, OHCHR and ILO, as well as with leading human rights research and training institutions, NGO and UNESCO Chairs in Human Rights. The Strategy establishes the following areas of action:

1. Human rights mainstreaming

UNESCO's Strategy on Human Rights sets as a priority for the Organization the **integration of a human rights-based approach** in all its programs and activities, in line with the UN Reform Programme. In practice this means that all activities should contribute to the realization of human rights. It implies that basic human rights principles, such as equality in rights, participation and accountability, together with human rights standards, should guide the elaboration, implementation and evaluation of

the Executive Board, composed of representatives of 30 Member States. The Committee does not play the role of a judicial body, but instead tries to improve the situation of the alleged victims by establishing a dialogue with the governments concerned.

³ See Annex 2, UNESCO Strategy on Human Rights

all programmes. The promotion of human rights of women, equal gender opportunities and the equal participation of women in all spheres will be a priority⁴.

The basis for the mainstreaming efforts within UNESCO is the building of the capacities of its staff. Through training seminars, the production of training manuals and tools, it aims to increase their awareness and knowledge on human rights standards, challenges and trends and human rights-based programming as well as to have a clearer articulation of the human rights dimension of the Organization's work. UNESCO cooperates closely with other bodies, programmes and specialized agencies of the UN system.

2. Advancing human rights in an era of globalization

a) Promotion of policy-oriented research

The UNESCO Strategy on Human Rights defines that the research will focus on "...the content, nature of obligations, state of implementation, indicators and justiciability of human rights within UNESCO's fields of competence, including economic, social and cultural rights, and taking into account regional and sub-regional priorities and the need to ensure the equal participation of women and men in economic, social and cultural spheres...". Proposed action includes identification and dissemination of "good practices" in the implementation of human rights⁵.

b) Human rights education

UNESCO works in the monitoring of human rights education (HRE) as part of the right to education in Member States; mainstreaming HRE into national education systems and Education for All national plans of action; and publication of "good practices", including innovative pedagogical approaches. UNESCO also works for the dissemination of knowledge on human rights:

- Promotion of human rights through the UNESCO/Bilbao Prize for the Promotion of a Culture of Human Rights⁶.
- Promotion of education for human rights, peace and democracy through UNESCO Chairs⁷.

⁴ UNESCO Strategy on Human Rights, p. 4.

⁵ UNESCO Strategy on Human Rights, p.7, para. 22.

⁶ This Prize has been made possible through the collaboration of UNESCO Etxea.

- Publication and dissemination of books, manuals and training materials on challenges and obstacles to the full enjoyment of human rights and major international human rights instruments.

3. Strengthening partnerships

The implementation of the UNESCO Strategy on Human Rights relies on the further deepening of its cooperation with partners within and outside the UN system and the building of new partnerships with various actors working in the field of human rights. UNESCO states that it will reinforce its cooperation with, inter alia, United Nations Charter- and treaty-based human rights monitoring bodies, with a view to achieving a better coordination of human rights activities and ensure their greater impact. “The increased cooperation with treaty bodies, thematic special rapporteurs and representatives is also a priority⁸”.

A close liaison already exists on a vast number of issues with the OHCHR, with which a Memorandum of Understanding was signed in 2003, while the interaction with the Committee on Economic, Social and Cultural Rights has been growing stronger over the years.

3. UNESCO and Water

This section will outline the work of the UNESCO water network (the so called UNESCO “Water Family”) and identify the efforts and contributions especially relevant in relation to water as a human right.

UNESCO is committed to implementing the international water agenda, consisting primarily on promoting the know-how on integrated water resources management and achieving the Millennium Development Goals and the targets laid out in the Johannesburg Plan of Implementation (Agenda 21). UNESCO also serves as lead agency for the UN Decade on Education for Sustainable Development (2005–2014).

⁷ More information: http://portal.unesco.org/shs/en/ev.php-URL_ID=3523&URL_DO=DO_TOPIC&URL_SECTION=201.html.

⁸ UNESCO Strategy on Human Rights, p.12

UNESCO's major programmatic documents- the biennial Programme and Budget (34C/5) and the Medium-Term Strategy 2008-2013 (34 C/4) reflect the main lines of action related to water for the forthcoming years (see Annex 3).

UNESCO's work in the water sector is built on the following pillars: The International Hydrological Programme (IHP), The UNESCO-IHE Institute for Water Education, the associated regional and international Centres around the world, UNESCO Water-related Chairs and the World Water Assessment Programme (WWAP).

1. International Hydrological Program (IHP)

The IHP is UNESCO's international scientific cooperative programme in water research, water resources management, education and capacity-building, and the only broadly-based science programme of the UN system in this area. It is an instrument used by the Member States to improve their knowledge of the hydrological cycle and to increase their capacity to administer and to better operate their water resources.

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Address: UNESCO HQ, Paris, France
Director: András Szöllösi-Nagy Director, Division of Water and Secretary of IHP.
José Alberto Tejada-Guibert Deputy Secretary IHP
Shahbaz Khan Chief of Section, Water Education and Training and Water Ethics and Governance.

The planning and supervision of the execution of IHP are ensured by the Intergovernmental Council. The Council is composed of 36 UNESCO Member States elected by the General Conference of UNESCO every two years.

Objectives

- to develop techniques, methodologies and approaches to better define hydrological phenomena
- to improve water management, locally and globally
- to act as a catalyst to stimulate cooperation and dialogue in water science and management
- to assess the sustainable development of vulnerable water resources

- to serve as a platform for increasing awareness of global water issues.

Themes

- Global changes and water resources
- Integrated watershed and aquifer dynamics
- Land-habitat hydrology
- Water and society
- Water education and training

Two of these themes are especially relevant to the right to water: *Global changes and water resources*, concerned with how climatic and human-induced changes will affect the world's water resources and studies global distribution of resources: water availability and water quality.

The theme *Water and Society* focuses on the relationships between people and water resources- attitudes, relationships, concepts and beliefs in order to provide guidelines for managing water resources in an equitable, sustainable and ethical manner. Amongst the aims of this theme are:

- to provide public awareness of the causes, impacts and trends in water scarcity and pollution
- to study the relationship between safe water supply and appropriate public health sanitation as a contribution to poverty alleviation
- to ensure both human and environmental security aspects of water resources
- to more fully understand social and ethical views of water users and incorporate indigenous knowledge in water management.

The focal areas are: Water, civilization and ethics; Value of water; Water Conflicts; Human security in water-related disasters, and degrading environments and public awareness raising on water interactions.

Relevant publications in this theme include the **“Water and Ethics Series”** that consist in 12 publications and **“Best Ethical Practice in Water Use”⁹**, which discusses examples in water resource development, local governance, use of traditional

⁹ http://portal.unesco.org/shs/en/ev.php-URL_ID=4382&URL_DO=DO_TOPIC&URL_SECTION=201.html

knowledge, gender equity, and transboundary water management across five case studies from Africa, Asia and Latin America.

It is important to note that the International Hydrological Programme collaborates closely with UNESCO's Sector for Social and Human Sciences, through the **Ethics of Science and Technology Programme** and the World **Commission on the Ethics of Scientific Knowledge and Technology (COMEST)**, so as to propose guidance on the ethical use and governance of freshwater resources¹⁰.

From Potential Conflict to Co- Operation Potential initiative

Launched in 2001 and housed within WWAP/IHP, the programme focuses on developing the capacity of decision-makers, diplomats, water professionals and other key partners to anticipate prevent and resolve water conflicts. Drawing on case-studies of successful cooperation, it seeks to change the culture of freshwater management from one of competition to one of collaboration and mutual assistance and understanding¹¹.

Quo Vadis Aquifers

The IPCC recognized that there has been very little research on the potential effects of climate change on groundwater resources. UNESCO-IHP and the United Nations University's Institute for Environment and Human Security have launched the Quo Vadis Aquifers project to tackle this link between groundwater degradation and human security from research, capacity development and networking perspectives¹².

2.- Institute for Water Education (UNESCO-IHE)

Located in the city of Delft (the Netherlands), the Institute was established in 2003, and carries out research, education and capacity building activities in the fields of water, environment and infrastructure. The Institute is the largest water education

Host: UNESCO/ Division of Water Sciences

Address: Westvest 7 2611 AX Delft – The Netherlands

Web: www.unesco-ihe.org/

Email: info@unesco-ihe.org

Rector: Richard Meganck

¹⁰ More information on : http://portal.unesco.org/shs/en/ev.php-URL_ID=1373&URL_DO=DO_TOPIC&URL_SECTION=201.html

¹¹ More information: <http://www.unesco.org/water/wwap/pccp/>

¹² http://portal.unesco.org/science/es/ev.php-URL_ID=6650&URL_DO=DO_TOPIC&URL_SECTION=201.html

facility in the world, and the only institution in the UN system authorised to confer accredited MSc degrees.

The functions of the Institute include:

- Serving as an international standard-setting body for postgraduate water education programs and continuing professional training;
- Building human and institutional capacities through education, training and research;
- Setting up and managing networks of educational and water sector institutions and organizations worldwide;
- Functioning as a 'policy forum' for UNESCO Member States and other stakeholders;
- Providing advice on water education to partner organizations and other members of the UN water family.

UNESCO-IHE provides a wide range of services to a variety of target groups in developing countries and countries in transition.

Education

In 2008, the Masters Programme in Water Management offered four specialisations: Water Resources Management, Water Services Management, Water Conflict Management and Water Quality Management. The Water Conflict Management specialisation is conducted in conjunction with UNESCO Paris¹³.

Research

In 2008 research strategies were developed in the following sub-themes¹⁴:

- The global imperative of good governance;
- The involvement of the private sector, and private capital, in water services provision and the strategic management thereof;
- The increasing scarcity of the water resource and the need for increased allocation efficiency and demand management;
- The impact of climate change on water users and water using activities and adaptation approaches for local communities;
- Conflict prevention, mediation and resolution.

¹³ See Annex 4, Annual Report 2008, p.18.

¹⁴ Annual Report 2008, p. 18.

In 2008 research projects included:

- Water system innovation in dry-land agro ecosystems for sustainability and livelihood improvement in Tanzania and South Africa
- Characteristics of partnerships in the water and sanitation sector
- Formal water rights for informal communities (Ghana, Mozambique)

Project activities

- Technology Enabled Universal Access to Safe Water (TECHNEAU)¹⁵
- EXACT: Small-scale Water Treatment Facilities for Domestic Use and Artificial Recharge with Surface Water¹⁶
- WaterNet: Building Capacity for water Resources management in Southern Africa¹⁷
- SWITCH: Sustainable Water Management Improves Tomorrow's Cities' Health¹⁸

3.- UNESCO Water Centers

A network of 13 Centers and scientific institutions of research and training around the world operate under the auspices of UNESCO, and conform the network of collaborating institutions of the International Hydrological Program and HELP (Hydrology for the Environment, Life and Policy). Established in 1999, HELP addresses the core themes of UNESCO's IHP by establishing a global network of basins to improve the links between hydrology and the needs of society. These institutions are in charge of research in areas such as: water studies of arid and semi-arid zones, law, policy and science, risk management, erosion and sedimentation, urban drainage among others.

Particularly interesting in relation to water as a human right is the **Center of Water Law, Policy and Science**, of the University of Dundee, UK, which is part of the IHP HELP programme. The Centre provides advisory services in international and national water law and policy and considers that if water law is to effectively implement integrated water resource management and help the international community reach international development targets three essential elements must be considered: water

¹⁵ More information on the project web site: www.techneau.org.

¹⁶ <http://www.unesco-ihe.org/Project-activities/Project-database/EXACT-Small-scale-Water-Treatment-Facilities-for-Domestic-Use-and-Artificial-Recharge-with-Surface-Water>

¹⁷ <http://www.unesco-ihe.org/Project-activities/Project-database/WaterNet-Building-Capacity-for-water-Resources-management-in-Southern-Africa>

¹⁸ <http://www.unesco-ihe.org/Project-activities/Project-database/SWITCH-Sustainable-Water-Management-Improves-Tomorrow-s-Cities-Health>

rights, frameworks for allocation, and institutional mechanisms¹⁹. The complete list of Centres is shown below:

UNESCO Water Centers

IHP-HELP Centre for Water Law, Policy and Science University of Dundee	p.k.wouters@dundee.ac.uk	United Kingdom
	www.dundee.ac.uk/water/index.php	
European Regional Centre for Ecohydrology	mzal@biol.uni.lodz.pl	Poland
	www.erce.unesco.lodz.pl/	
International Centre for Water Hazard & Risk Management	charm@pwri.go.jp	Japan
	www.icharm.pwri.go.jp/	
International Centre on Qanats & Historic Hydraulic Structures	icqhs@yahoo.com	Iran
	www.qanat.info/	
International Research & Training Centre on Erosion & Sedimentation	irtces@public.bta.net.cn	China
	www.irtces.org/english.asp	
International Research & Training Centre on Urban Drainage	irtcud@hikom.grf.bg.ac.yu	Serbia
	http://hikom.grf.bg.ac.yu/IRTCUD/index.html	
Regional Centre on Urban Water Management	info@rcuwm.org.ir	Iran
	www.rcuwm.org.ir/	
Regional Centre on Urban Water Management for Latin America and the Caribbean	rogalvis@univalle.edu.co	Colombia
	N/A	
Regional Centre for Shared Aquifer Resources Management	osalem@qwalibya.org	Libya
	N/A	
Regional Centre for Training and Water Studies of Arid and Semi-arid Zones	dalnagar@trainingcenter-eg.com	Egypt
	N/A	
Regional Humid Tropics Hydrology & Water Resources Centre for South-East Asia Pacific	dirhtc@water.gov.my	Malaysia
	http://htc.water.gov.my/	
Water Centre for Arid and Semi-arid Zones of Latin American and the Caribbean	gsoto@cazalac.org	Chile
	www.cazalac.org	
Water Center for the Humid Tropics of Latin America and The Caribbean (CATHALAC)	www.cathalac.org/	Panamá

¹⁹ www.dundee.ac.uk/water/index.php

4. - UNESCO Water-related Chairs

UNESCO Chairs deal with training and research activities and cover all major fields within UNESCO's competence. The principal beneficiaries of this programme are institutions of higher learning in developing countries and countries in transition. At the present time 13 UNESCO Water-related Chairs exist, that include different thematic areas related to Water, as can be seen below:

UNESCO Chair in Water Resources	info@ucwr-sd.org	Sudan
	www.ucwr-sd.org/	
UNESCO Chair in Water Management	N/A	Lesotho
	N/A	
UNESCO interdisciplinary Chair in Sustainable Water Resources Management	N/A	Morocco
	N/A	
UNESCO Chair in Geohydrology	N/A	South Africa
	N/A	
UNESCO-EOLSS Chair in Wadi Hydrology	N/A	Jordan
	www1.ju.edu.jo/WERSC/index.htm	
UNESCO Chair on Water, Women and Development	N/A	Brazil
	N/A	
UNESCO Chair in Water in Desert and Arid Zones	N/A	Libya
	N/A	
UNESCO Chair in Water Resources	speizer@lei.isu.ru	Russian Fed.
	http://olddesign.isu.ru/english/facs/kaf_wr/main.htm	
UNESCO Chair and the international network of water-environment centre in the Balkan	http://www.inweb.gr/	Greece
	N/A	
UNESCO Chair in Environment and Water Resources	N/A	U.A.E.
	N/A	
UNESCO Chair in Sustainable Water Management	N/A	China
	N/A	
UNESCO Chair on Water Resources Sustainability	N/A	Guatemala
	N/A	
UNITWIN Mediterranean Network UNESCO-UNU- City of Cannes Chairs on water resources, sustainable development & peace	caruba@unice.fr	France
	www.unice.fr/H2O/	

5. - World Water Assessment Program (WWAP)

Founded in 2000 and hosted by UNESCO, the WWAP is the flagship program of UN-Water. Its main function is to monitor freshwater issues in order to provide recommendations, develop case studies, enhance assessment capacity at a national level and inform the decision-making process.

Host: UNESCO/ Division of Water Sciences

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Director: Mr. Olcay Unver, Coordinator Mrs.

Michela Miletto, Deputy Coordinator

Objectives

- Assess the state of the world's freshwater resources and ecosystems;
- Identify critical issues and problems;
- Develop indicators and measure progress towards achieving sustainable use of water resources;
- Help countries develop their own assessment capacity;
- Document lessons learned and publish a World Water Development Report.

The program is handled from the division of Water Sciences at UNESCO headquarters in Paris, but receives support for the development of the Report from almost all Agencies, Programs and Commissions of the UN system, affiliated institutions and almost the totality of UN States Members.

World Water Development Reports

The **World Water Development Report (WWDR)** is published every three years with the aim to provide an authoritative picture of the state of the world's freshwater resources.

It is important to note that the WWAP reports make explicit reference to the right to water. The first report, published in **2003**, "**Water for People, Water for Life**" raises the close relationship between water, sanitation and health, and how the satisfaction of basic needs covers the human rights sphere. The report outlines General Comment

No.15 and describes it as a "milestone for human rights"²⁰. It goes through the definition of the right to water, the State obligations it entails, the importance of GC 15 and the recognition of the right to water in international treaties. It also states that "despite the fact that the right to water has been internationally recognized as a human right, one sixth of the world's population is still without water, and two fifths are without sanitation"²¹.

The second WWAP report "**Water, A Shared Responsibility**" published in **2006**, dedicates a brief section to the right to water within Chapter 2, dedicated to Water Governance ²². It refers to General Comment 15, comments on a few examples of recognition and enforcement by States, and explains the importance of this recognition and its consequences: recognizing water as a human right can have a significant impact on national water law, policy, advocacy and development programmes. It can also be a way of promoting an enhanced effort by the international community and local governments to improve water resources management and to meet the MDG on water and sanitation. Finally, explicitly acknowledging a human right to water can help to place water issues higher up on political agendas around the world. The section also goes through concerns and challenges in relation to the right to water and cases demonstrating there is a legally enforceable right to water²³.

Finally, the most recent report "**Water in a Changing World**", published in **2009**, includes a small box on the right to water. It refers to specific cases of countries that have recognized water as a human right through their constitutions and jurisprudence (i.e. Uruguay, South Africa). However, it doesn't recognize it like in previous WWDR, but merely refers to "some countries identify access to water as a human right in their constitution ..." and ends with: "The long-term viability of this approach, however, remains unclear"²⁴. The last reference to the human right to water in WWDR III is also significant : "...Nongovernmental organizations advocate for water as a human right, charging governments with responsibility for service provision and users and beneficiaries for use that ensures long-term social, economic and environmental sustainability"²⁵.

²⁰ WWDR I, 2003, p. 121

²¹ WWDR I, 2003, p. 123

²² WWDR II, 2006, P. 63

²³ WWDR II, 2006, pp. 63-65.

²⁴ WWDR III, 2009, p. 248

²⁵ WWDR III, 2009, p. 294.

The Millennium Development Goals and Water

WWAP is contributing to the Task Force on Water and Sanitation, with the involvement of the WWAP coordinator as a task force member. For each MDG, WWAP has identified main related challenges, publications and events²⁶.

Indicators

One of WWAP's tasks is the development and implementation of a comprehensive set of indicators, which would provide the information required for assessing the state of water resources and help in monitoring progress towards sustainable management.

WWDR 1 included an extensive compilation of information, drawn from multiple sources, documenting the state of water, the resource and its uses. Many agencies and individuals opened their formal and informal archives to share information. More than 160 indicators were reported on, ranging from the global quantum of water available and withdrawals for human use to compliance with water quality standards for key pollutants and governance mechanisms to support water management.

The number of indicators presented in the second edition of the report declined to 62 because there was no systematic process for updating the data used for most of the indicators presented in the first report. Water supply and sanitation has been an exception: the WHO and UNICEF Joint Monitoring Programme has systematically addressed the challenge.

In WWDR 3, 58 indicators have been updated. While the third edition of the report contains much important information, it remains impossible to provide information on the evolution of key indicators. Several actions are planned to address this gap: UN-Water has created the Task Force on Indicators, Monitoring and Reporting, and the World Water Assessment Programme has established the Expert Group on Indicators, Monitoring and Data/Metadata Bases to support this work²⁷.

Relevant indicators related to the right to water include those within the following topics: health (including indicators on access to safe drinking water, sanitation, mortality rate of children under age 5); governance (including indicators on access to information,

²⁶ http://www.unesco.org/water/wwap/facts_figures/mdgs.shtml

²⁷ Pp.298-301

participation and justice); valuing and charging for the resource (water sector share in total public spending, ratio of actual to desired level of public investment in drinking water supply, ratio of actual to desired level of public investment in basic sanitation, rate of cost recovery, water charges as percentage of household income). Annex 5 presents the full list of indicators of WWDR 3.

6. World Water Day

UNESCO has been the leading agency responsible for World Water Day (WWD) coordination on the following occasions:

- WWD 2000: Water for the Twenty-first Century.
- WWD 2006, dedicated to the theme 'Water and Culture'²⁸.
- WWD 2009, on Transboundary Waters.²⁹

4. UNESCO and human rights obligations related to access to water and sanitation

UNESCO's views on human rights obligations related to equitable access to safe drinking water and sanitation were expressed in the contribution sent to Ms Louise Arbour in the framework of the OHCHR consultation on this issue³⁰.

"Water has always been an important component of UNESCO's science programmes and became the principle priority of the Natural Sciences Sector in 2001", the Assistant Director General for Natural Sciences expressed in this letter to the High Commissioner. "Through its water programmes, the Organisation provides the necessary scientific and educational backbone upon which water professionals and politicians build the decisions they make in order to respect, protect and fulfill the right to equitable access to safe drinking water"³¹.

As stated in this contribution, UNESCO considers that the right to equitable access to safe drinking water is explicitly or implicitly provided in existing legal texts, such as the CEDAW, Convention on the Non- navigational uses of International Watercourses, UN GA

²⁸ <http://www.unesco.org/water/wwd2006/>

²⁹ http://www.unesco.org/water/water_celebrations/

³⁰ Annex 6, UNESCO contribution to OHCHR study on human rights obligations related to equitable access to safe drinking water and sanitation.

resolution that reaffirms that “in the full realization of the right to development [...] the rights to food and clean water are fundamental human rights [...]”, and General Comment 15. It also refers to the MDG to underline the importance of the right to equitable access to safe drinking water, to UNESCO’s Director General’s declaration on the occasion of World Water Day and the launching of WWDR 2: “We need to recognize that access to clean water is a fundamental right...” and a reference to the right within WWDR 2. UNESCO has also supported the writing process of the draft articles on the law of transboundary aquifers; draft article 5 states: “...in weighing different utilizations of a transboundary aquifer, special regard shall be given to vital human needs”.

In relation to how UNESCO has integrated human rights obligations related to access to safe drinking water and sanitation into its programmes, the contribution to the OHCHR report considered that the focus lays mainly on: training and education, providing decision makers with the data they need to provide their people with an access to safe drinking water, and developing scientific knowledge. As examples, UNESCO’s contribution refers to courses within UNESCO’s From Potential Conflict to Co-operation Potential project; the Masters Degree in Water Governance and Conflict Prevention, which includes a lesson on the human right to water; the assessment of internationally shared aquifers and the development of a Global Groundwater Information System (GGIS); and the “Quo Vadis Aquifers?” initiative.

In this paper, UNESCO considers the following as “best practices” related to access to safe drinking water and sanitation:

- UNESCO IHE Institute for Water Education has developed an arsenic removal technology available at almost no cost everywhere in the world.
- The “Groundwater for Emergency Situations” initiative, aimed at identifying groundwater bodies to be mobilized immediately after disasters as a source of drinking water.
- The publication “Some Examples of Best Ethical Practice in Water Use”, which summarizes as fundamental ethical principles human dignity, participation, human equality, water as common good, transparency and universal access to information, empowerment and equity, amongst others.

5. Other relevant actors of the UNESCO family

Numerous civil society organisations form the larger UNESCO family – UNESCO Associations, Clubs, Federations, Centres and Friends. Though independent and non-governmental, they collaborate with UNESCO in different fields of action. Amongst them, several strong UNESCO Centres have emerged during the last decades. The World Federation of UNESCO Clubs Centres and Associations- WFUCA established in 2003 the “Internationally Recognized UNESCO Centres”³². Some of these count with relevant work on water and human rights and collaborate with UNESCO in these issues, like UNESCO CAT, UNESCO Centre Catalunya and UNESCO Etxea, UNESCO Centre Basque Country.

UNESCO Etxea, UNESCO Centre Basque Country

UNESCO Etxea has developed a program on **Water and Sustainable Development** and a specific one on the **Human Right to Water**, aimed at the advancement of knowledge, promotion and protection of water as a human right, at the local, national and international levels.

UNESCO Etxea has closely collaborated with WWAP in both **2nd and 3rd WWDR**, including case studies of the Basque Country in both reports, and has promoted an **innovative financial initiative** of MDG 7, target 10 with a right to water approach.

The organisation has participated in the **OHCHR consultation** in relation to the study of human rights obligations related to equitable access to safe drinking water and sanitation and collaborated in the process resulting in the creation of the **independent expert’s mandate** on this issue.

UNESCO Etxea has published the book **"The Human Right to Water: Current Situation and Future Challenges"**, in collaboration with the United Nations Office to Support the International Decade for Action ‘Water for Life’ 2005-2015, bringing together representatives from the UN, academics and NGOs to reflect on the current situation and future ways of recognizing and defending the human right to water. The book has been published in Spanish and English and will soon be translated into Portuguese.

³² Centre Pour L’UNESCO Louis François (Troyes, France), Centro UNESCO de Andalucía (Granada, Spain), Centre UNESCO de Catalunya (Barcelona, Spain), Centro UNESCO di Firenze (Florence, Italy), Centro UNESCO de Montevideo (Montevideo, Uruguay), Centro UNESCO di Torino (Turin, Italy), UNESCO Center for Women and Peace in the Balkan Countries (Thessaloniki, Greece), UNESCO Centrum Nederland (Amsterdam, Netherlands) and UNESCO Platform Vlaanderen (Koksijde, Belgium).

UNESCO Etxea promotes the human right to water in relevant international fora like **EXPO Zaragoza 2008** and **World Water Forum 2009**, where it has organised several roundtables on the issue, and actively participates in the Water Group within the **Spanish NGO Coordinator**, which advocates for water as a human right within Spanish Development Cooperation policies.

Conclusion

UNESCO has a clear human rights mandate as expressed in its Constitution. UNESCO focuses on those rights where the organization has a clear comparative advantage and expertise, which are the rights considered to be within UNESCO's competence: the right to education; the right to participate in cultural life; the right to freedom of opinion and expression, including the right to seek, receive and impart information; and the right to enjoy the benefits of scientific progress and its applications.

Even though UNESCO does not explicitly or systematically address the right to water and sanitation or consider it as one of the rights within its competence, UNESCO counts with very important experience in the field of water, with relevant programs, projects, resources, publications, associated Water Institutes, Chairs, and Centres all over the world, as has been outlined in this paper.

In 2003 the 190 Member States of UNESCO reaffirmed their dedication to further strengthening the human rights dimension of its activities with the adoption of the UNESCO Strategy on Human Rights. Through this, UNESCO is committed to integrating a human rights-based approach into all its programmes. All activities should contribute to the realization of human rights and human rights principles should guide the elaboration, implementation and evaluation of all programmes. The Strategy equally stresses the need to strengthen UNESCO's partnerships, including the OHCHR, treaty bodies and thematic special rapporteurs. It is in line with this Strategy that UNESCO Etxea believes UNESCO could further work on water from a human rights approach and cooperate with the mandate of the independent expert on human rights obligations related to access to equitable safe drinking water and sanitation.

It is important to note that UNESCO has explicitly recognized the right to water and sanitation on several occasions, notably in two World Water Development Reports, (although has stepped back from clear recognition in the third one), UNESCO Director General speeches like "Right to Water as a Human Right", on the occasion of the

Summit of Nobel Peace laureates³³, and UNESCO's contribution to the study of the OHCHR on human rights obligations related to equitable access to safe drinking water and sanitation. We consider this last document a very important reference for further work on this issue.

UNESCO is undertaking relevant work in the field of water that can be very useful to the promotion and protection of water as a human right, especially regarding work on access to water and sanitation, water quality, water resources management, governance, and access to information. UNESCO's work on water and ethics, the assessment of the state of water resources worldwide, the development of relevant indicators and the existence of a specific UNESCO Center for Water Law, Politics and Science, who develops an entire area devoted to water rights, represent significant contributions to water as a human right and its implementation.

UNESCO's work in water is not only based in headquarters but as we have seen, many UNESCO Centres and Institutes and Water-related Chairs work in many different countries in a variety of issues relating to water. UNESCO counts in this sense with the capacity to mobilize important resources in all the world regions.

We look forward to the Right to Water Meeting in Paris on 7 and 8 July in order to further learn about UNESCO's past, present and future work related to access to safe drinking water and sanitation and promoting the collaboration with the mandate of the independent expert on this issue. We will equally work for the dissemination of the results of the meeting in the framework of UNESCO's General Conference, in order to advocate for the right to water in both UNESCO's technical and political spheres.

³³ Annex 7, Address by Mr Koichiro Matsuura, Director-General of UNESCO, on the occasion of the Summit of Nobel Peace laureates.