



Call to action for the human right to safe drinking water and sanitation

We, the undersigned organizations, are deeply concerned that the 6th World Water Forum plans to adopt a Ministerial Declaration that fails to commit States to the realization of the human right to safe drinking water and sanitation. The 6th World Water forum is held under the slogan “It’s time for solutions and commitments.” Yet the draft Ministerial Declaration falls short of commitments that virtually all UN Member States have already made.

Instead of reaffirming the human right to safe drinking water and sanitation as authoritatively recognized by the United Nations General Assembly, the Human Rights Council and the World Health Assembly (resolutions A/RES/64/292, A/HRC/RES/15/9, A/HRC/RES/16/2, A/HRC/RES/18/1 and WHA 64/24) and committing States to the realization of this fundamental human right, the draft Ministerial Declaration of the 6th World Water Forum in its current form only commits signatories to implement “human rights obligations relating to access to safe and clean drinking water and sanitation”. This language leaves open the issue of whether access to safe drinking water and sanitation is a human right. The language thereby leaves room for States to individually determine whether their human rights obligations require them to realize the right to safe drinking water and sanitation for all.

The Ministerial Declaration of the 6th World Water Forum will not be legally binding; nor will it carry the political and moral authority of a United Nations resolution adopted in accordance with transparent, participatory and democratic United Nations rules and procedures. However, a Ministerial Declaration containing retrogressive language on the right to safe drinking water and sanitation would still set a negative precedent, which a small number of States will use to try to undermine progress on the right to safe drinking water and sanitation at the United Nations level and in other international processes.

Therefore, we urge the States participating in the 6th World Water Forum to explicitly and unequivocally *reaffirm* their prior commitment to the right to safe drinking water and sanitation and to insist on the following amendments to the draft Ministerial Declaration:

In paragraph 3, the second half sentence currently reads as follows:

“[...] we commit to accelerate the full implementation of the human rights obligations relating to access to safe and clean drinking water and sanitation by all appropriate means as a part of our efforts to overcome the water crisis at all levels.”

In paragraph 30, the first bullet point currently reads as follows:

“The acceleration of the implementation of human right obligations relating to access to safe drinking water and sanitation for everyone’s well-being and health, in particular for the most vulnerable, and improving wastewater management.”

In both paragraphs, the phrase “human right obligations relating to access to safe drinking water and sanitation” should be replaced by “the human right to safe drinking water and sanitation”.

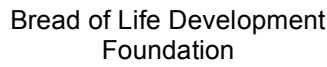
France has been an active supporter of the human right to safe drinking water and sanitation at the international level for many years, demonstrated inter alia by its membership in the so-called “Blue Group” of States. We therefore urgently call upon *the French Government* as the host of the Forum to follow up on its earlier support of the right to safe drinking water and sanitation and bring the Ministerial Declaration in line with the language on the right to safe drinking water and sanitation agreed by the United Nations.

In case such an amendment should not be possible, we call upon all Ministers participating in the 6th World Water Forum ***not to sign*** the Ministerial Declaration in order to prevent conflicts with commitments regarding the human right to safe drinking water and sanitation made by their governments at the United Nations level and/or in other international processes.

“Time for solutions” is the overarching theme of the 6th World Water Forum. The human right to safe drinking water and sanitation is of fundamental importance to build the political will required to accelerate progress towards making safe drinking water and adequate sanitation for all people a reality.

If the Ministerial Declaration coming out of the 6th World Water Forum should indeed fail to unequivocally reaffirm the human right to safe drinking water and sanitation and to commit States to its realization, the Forum will clearly have failed to even begin to meet its aspiration of providing solutions for the billions of people living without sustainable access to safe drinking water and adequate sanitation.

The Undersigning Parties



FIAN Burkina



Human Rights First Society, Saudia Arabia



Near East Council of Churches-
Jerusalem & the West Bank



The Global Initiative
for Economic, Social and Cultural Rights



WASH Advocates
Safe drinking water and sanitation for all



water for people



Water Pressure Group



WATER IS RIGHT
FOUNDATION



Annex

At the United Nations level, since September 2010, the United Nations Human Rights Council has adopted three resolutions without a vote which recognise the right to safe drinking water and sanitation as a human right derived from the right to an adequate standard of living. As the right to an adequate standard of living is contained in the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of the Child, the Human Rights Council resolutions therefore affirmed that the right to water and the right to sanitation is legally binding.

In May 2011, the World Health Assembly, the decision-making body of the World Health Organization (WHO), adopted by consensus a resolution which urged States to ensure that national health strategies support “the progressive realization of the human right to water and sanitation that entitles everyone, without discrimination, to water and sanitation that is sufficient, safe, acceptable, physically accessible and affordable for personal and domestic uses”. The resolution was accepted by all WHO members, with the exception of the United Kingdom which disassociated from parts of the resolution as it does not recognise the right to sanitation.

With the exception of the United Kingdom and South Sudan, all UN member States have at least once joined one declaration or resolution recognising the right to safe drinking water and sanitation.

The ‘Blue Group’ is an inter-regional group of States formed at the UN Human Right Council with the objective of promoting action on water and sanitation. It includes Bangladesh, Brazil, Bolivia, Croatia, Egypt, France, Germany, Morocco, Slovenia, Spain and Uruguay.