Strengthening accountability of States and partners through the Human Rights Council and Voluntary National Review processes to leave no one behind in SDG 6.
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Author of the report and roundtable organizer, Enrico Muratore Aprosio, Technical Expert -Leave No One Behind/ Equality and Non-Discrimination/Gender, with assistance from Tuane Linhares, Intern, WSSCC

Photo credit: ©WSSCC. Eileen Palmer, Enrico Muratore Aprosio, Francesca Nava, and Tuane Linhares.
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<tr>
<th>Acronym</th>
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<tr>
<td>CAL</td>
<td>Coalition of African Lesbians</td>
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<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of all Forms of Discrimination Against Women/Committee on the Elimination of Discrimination Against Women</td>
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<td>CESCR</td>
<td>United Nations Committee on Economic, Social and Cultural Rights</td>
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<tr>
<td>CRC</td>
<td>Convention on the Rights of the Child/Committee on the Rights of the Child</td>
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<tr>
<td>CREA</td>
<td>Creating Resources for Empowerment in Action</td>
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<tr>
<td>CRPD</td>
<td>Convention on the Rights of Persons with Disabilities/Committee on the Rights of Persons with Disabilities</td>
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<td>CSO</td>
<td>Civil Society Organization</td>
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<td>ESA</td>
<td>External Support Agencies</td>
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<td>FfD</td>
<td>Financing for development</td>
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<td>GC</td>
<td>General Comment</td>
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<tr>
<td>GLAAS</td>
<td>Global Analysis and Assessment of Sanitation and Drinking-water</td>
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<tr>
<td>HLPF</td>
<td>High-level Political Forum</td>
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<td>HRC</td>
<td>Human Rights Council</td>
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<td>ICESCR</td>
<td>International Covenant on Economic, Social and Cultural Rights</td>
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<td>ICJ</td>
<td>International Commission of Jurists</td>
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<td>ILGA</td>
<td>International Lesbian, Gay, Bisexual, Trans and Intersex Association</td>
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<td>ILO</td>
<td>International Labour Organization</td>
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<td>IOM</td>
<td>International Organization for Migration</td>
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<td>ISDS</td>
<td>Investor-state dispute settlement</td>
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<td>IUF</td>
<td>International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations</td>
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<td>JMP</td>
<td>Joint Monitoring Programme for Water Supply and Sanitation</td>
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<td>LGBTQ</td>
<td>Lesbian, Gay, Bisexual, Transgender, Intersex and Questioning</td>
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<td>LNOB</td>
<td>Leaving no one behind</td>
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<td>MAM</td>
<td>Mutual Accountability Mechanism (SWA Partnership)</td>
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<td>MFD</td>
<td>Maximizing Finance for Development (World Bank)</td>
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<td>MHH</td>
<td>Menstrual Hygiene and Health</td>
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<td>NGO</td>
<td>Non-governmental organization</td>
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<td>OHCHR</td>
<td>Office of the High Commissioner for Human Rights</td>
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<td>PPP</td>
<td>Public-private partnerships</td>
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<td>PSI</td>
<td>Public Services International</td>
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<td>SDG</td>
<td>Sustainable Development Goals</td>
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<td>SRHR</td>
<td>Sexual and Reproductive Health and Rights</td>
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<td>SRI</td>
<td>Sexual Rights Initiative</td>
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<td>SWA</td>
<td>Sanitation and Water for All</td>
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<td>UDHR</td>
<td>Universal Declaration of Human Rights</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNAIDS</td>
<td>Joint United Nations Programme on HIV/AIDS</td>
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<td>UNECE</td>
<td>United Nations Economic Commission for Europe</td>
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<td>UNFPA</td>
<td>United Nations Population Fund</td>
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<td>UNGA</td>
<td>United Nations General Assembly</td>
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<td>UNHCR</td>
<td>United Nations High Commissioner for Refugees</td>
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<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
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<td>UNOPS</td>
<td>United Nations Office for Project Services</td>
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<td>UNRISD</td>
<td>United Nations Research Institute for Social Development</td>
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<td>UPR</td>
<td>Universal Periodic Review</td>
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<td>VNR</td>
<td>Voluntary National Reviews</td>
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<td>WASH</td>
<td>Water, Sanitation and Hygiene</td>
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<td>WEHDI</td>
<td>Water Environment &amp; Human Development Initiative</td>
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<td>WHO</td>
<td>World Health Organization</td>
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<td>Water Supply and Sanitation Collaborative Council</td>
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On 22 October 2019, the Water Supply and Sanitation Collaborative Council (WSSCC) and the Office of the High Commissioner for Human Rights (OHCHR) jointly organised a roundtable on Interdependencies and mutual impacts between the human rights to water and sanitation and sanitation and hygiene in particular with other human rights, especially for specific left behind individuals and groups. Held in New York as a side event to the 74th session of the Third Committee of the United Nations General Assembly (UNGA), the roundtable marked the beginning of an innovative partnership between WSSCC and OHCHR aimed at mainstreaming the human rights-based approach in WASH policymaking, planning and programming at global, regional and country levels (particularly in the countries of WSSCC intervention). The aim of this partnership is to meaningfully celebrate the 10th anniversary of the recognition of the human right to water and sanitation by UNGA, through several joint activities.

To follow up on the recommendations made in New York, WSSCC and OHCHR organized a second roundtable: “Interdependencies between water and sanitation and other human rights: Strengthening accountability of States and partners through the Human Rights Council (HRC) and Voluntary National Review (VNR) processes to leave no one behind in SDG 6”. The roundtable, co-sponsored by the Permanent Missions of Singapore and Switzerland, was held at Palais Wilson (OHCHR Headquarters) in Geneva on 6 March 2020 as a side-event of the 43rd session of the Human Rights Council. This roundtable aimed at engaging with other UN human rights mechanisms, State and non-State actors, international development actors and CSOs representing key vulnerable groups who could not attend the New York roundtable. In New York, Leo Heller, the Special Rapporteur on the human rights to safe drinking water and sanitation had asked, ‘To what extent member countries and UN Country Teams have integrated in this period of time the framework of the human rights to water and sanitation in the implementation of SDG 6 and interrelated SDGs, including equality and non-discrimination and gender equity; inclusion, information, participation and accountability. And to what extent are member countries and UN Country Teams tracking progress for women, girls and those in vulnerable situations?’

The Geneva roundtable expanded on this question, to focus on monitoring and reporting and on maximizing use of Geneva global processes (Universal Periodic Review, UPR; human rights treaty bodies and special procedures), in parallel to Voluntary National Reviews held at the High-Level Political Forum (HLPF) in New York, to leave no one behind in the exercise of the human rights to water and sanitation (SDG 6) and all interrelated human rights (and SDGs). The Geneva roundtable also addressed the potential for increased accountability on progress for those furthest behind at regional levels, in the context of the UNECE–WHO/Europe Protocol on Water and Health. More specifically, the objectives of the roundtable were to:

1. With the participation of the Special Rapporteur on the human rights to water and sanitation, the Special Rapporteur on the right to education and CSO networks representing vulnerable groups in UN policy advocacy platforms (major groups and stakeholders’ groups).
2. Resolution 64/292 of 28 July 2010, acknowledging that access to clean drinking water and sanitation are essential to the realisation of all human rights.
3. Among them, WSSCC and OHCHR launched the Review of the status of the domestication of the human rights to water and sanitation, and measures to leave no one behind in WASH in eight countries in Africa, Asia and the pan-European region: India, Nepal, Kenya, Uganda, Mali, Nigeria, France and Serbia (also in partnership with WHO and UNECE); and support the Special Rapporteur on the right to education to produce a thematic report on the interrelations between the human rights to water and sanitation, including hygiene and menstrual hygiene and health, and education, which will be presented at UNGA in October 2020 in New York.
4. At the sad moment when the United Nations Office in Geneva (UNOG) cancelled all other HRC side events because of the unfolding COVID-19 epidemic.
(1) Explore further the interdependencies and mutual impacts between the human rights to water and sanitation, and sanitation and hygiene in particular, with other human rights, especially for specific left-behind individuals and groups, with a view to accelerating progress to leave no one behind in SDG 6 and interrelated SDGs at the country level; and Identify challenges and recommendations for strengthening coherence between Geneva (HRC) and New York (HLPF) processes and sectoral monitoring and reporting systems, to promote accountability for leaving no one behind (LNOB) in SDG 6 and the equitable enjoyment of the human rights to water and sanitation.

(2) Ultimately, the roundtable aimed at (a) establishing and strengthening linkages between WSSCC and CSOs representing key vulnerable groups in Geneva, enabling WSSCC to engage with these groups both in Geneva and in-country as part of its LNOB Agenda; (b) establishing linkages with other human rights mechanisms with a mandate linked to WASH to open the door for collaboration with mandates in the future; and (c) providing WSSCC with advice on how to link human-rights monitoring processes with sector-monitoring processes for WSSCC work on accountability.

Participants in the New York roundtable included CSO networks representing women, children and youth, older persons, persons with disabilities, indigenous peoples, educators and academics. The Geneva roundtable gave the floor to other key vulnerable groups and to organizations and networks representing the voice of the voiceless in Geneva-based processes (including sanitation workers, farmers, migrants and refugees, other groups of persons with disabilities, sex workers, LGBTIQ+ and persons living with HIV). Altogether, there were 50 participants, representing 38 organizations and two UN human rights bodies, 11 Permanent Missions; 12 UN organizations; two trade unions; 12 NGOs; and one academic institution.

This report provides a summary of the discussions in Geneva including key findings and recommendations. Considering the new global COVID-19 pandemic, the reflections and key messages of the roundtable assume today new dimensions. Past failures in realizing the human rights to water and sanitation for all put everyone at serious risk today. The capacity of national systems to adequately contain and respond to the pandemic is put into question when too many people have no access to water, soap, sanitation, housing and healthcare.

The last section of the report is dedicated to next steps: realizing the human rights to water and sanitation leaving no one behind in the context of the COVID-19 pandemic, and follow-up actions with organizations and networks representing vulnerable populations.

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5 CSOs representing homeless persons, sex workers, detainees and minorities were invited but could not participate. These groups are not adequately represented in Geneva-based human rights processes. The organizing team contacted local associations who seemed to be unaware of such processes and/or had no sufficient human resources/time/language skills to attend the roundtable.

6 Professor Olivier De Schutter, Member of the Committee on Economic, Social and Cultural Rights, and Professor Hilal Elver, UN Special Rapporteur on the right to food.

7 The two co-sponsors: Singapore and Switzerland plus the Permanent Missions of Germany, Kenya, Malaysia, Nepal, Norway, the Sovereign Military Order of Malta, Spain, Spain, Ukraine and the United Kingdom.

8 Secretariat, agencies and programmes including the organizers, WSSCC and OHCHR; ILO, IOM, SWA, UNAIDS, UNECE, UNFPA, UNHCR, UNOPS, UNRISD and WHO.

9 The International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco, & Allied Workers’ Associations (IUF) representing farmers, and the Major Group on Workers and Trade Unions, representing water and sanitation workers.

10 The Coalition of African Lesbians, CREA, the Danish Refugee Council, Handicap International, ICJ, ILGA, the International AIDS Society, PSI, SRI, UPR Info, WaterLex, WEHDI.

11 The Human Rights Center / University of Minnesota Law School.
We are pleased to join our efforts with WSSCC in this timely initiative, which is important for two reasons. First, because urgent action is needed to achieve SDG 6. Billions of people still lack access to safe water, sanitation and hand-washing facilities. Achieving universal access to even basic sanitation services by 2030 requires doubling the current annual rate of progress. Without significant progress in implementation, most countries will not have well-functioning integrated water resources management in place by 2030. Secondly, human rights are critical to that acceleration: they are not just something that you integrate because it is a box you need to check, but one of the most crucial tools to achieve the goals. Today’s meeting responds to the “Call to Action for Human Rights” made by the Secretary-General to place human rights at the centre of sustainable development.

Water and sanitation are not just basic rights in themselves: they are gateways to other human rights such as the rights to food, health, housing, livelihoods and education, and to peace and stability. The impact of our collective efforts will be greatest when we join forces and build on our various strengths. One important resource is the work of human rights mechanisms. They carry a wealth of information and data that can help identify groups already behind and those most at risk of being left even further behind. In turn, human rights mechanisms also need to benefit from the expertise of the WASH community, which will help them to make relevant, practical and feasible recommendations to advance the conversation.

The global campaign on leave no one behind, led by our office with UN Water, is a concrete example of how we ensure that efforts deliberately target the most vulnerable. The value of a human rights-based approach to water and sanitation that places people at the center becomes visible on the ground. Right now, our human rights advisor in Kenya is working on a pilot project that sets a baseline assessment on the status of the right to water in informal settlements around Nairobi. This is a joint initiative with local and UN partners, social justice CSOs, UNICEF, WHO, the Joint Monitoring Program (JMP), and others. This project involved interviews and focus group discussions with those communities, giving voice to rights holders themselves to illustrate the inequalities they face in accessing safe drinking water. Many of the issues that emerged illustrate the indivisibility of rights and the multiple challenges that underlie inequalities in access to safe drinking water. Gender, corruption, and a lack of security were all highlighted, as seen in one example of women who pay cash to men to escort them to water points at night.

By enabling the most vulnerable communities to participate in shaping the work done under SDG 6, we will better ensure that their rights are respected. To this end, we have also launched a surge effort in our work globally. This effort will look closely at how we can support our field presences in the areas of economic and social rights generally, with SDG 6 as an important focus. Today’s discussion is a welcome opportunity to exchange innovative ideas and experiences and explore how the human rights mechanisms and processes can help accelerate the rights-based implementation of SDG 6 and ensure no one is left behind.
We are privileged to have this relationship with OHCHR. Work to achieve SDG 6 is lagging, especially for those at the bottom. Lack of adequate water, sanitation and hygiene, with its links to the health of women and their empowerment, poses a great risk to the achievement not only of SDG 6, but all SDGs. Despite of the importance of this SDG, global progress is not keeping pace. More than one in two people do not have access to safely managed sanitation services at home. Nearly 10% of the world's population still practices open defecation. More than one in three persons globally does not have handwashing with soap at home. Given the current COVID-19 pandemic, this is a sobering statistic. In health centers, 70% of health workers do not routinely wash their hands with soap. We are encouraging women to give birth in health centers, and we are concerned about maternal and newborn health. If we carry on with business as usual, we will not realize a world with safely managed sanitation until the 22nd century. We are worried that national policies, strategies, plans and budgets simply do not consider those left behind with an increasing emphasis on mutual accountability between governments and partners.

The majority of citizens without access to basic sanitation and hygiene are also among those most left behind in the world. Data indicate that when we rank countries by the burden of people with below basic sanitation, countries with the greatest burden are those where most people are left behind. Whilst absolute poverty has declined in the last three decades, inequalities have increased. And while 2.1 billion people gained access to at least basic sanitation in the last two decades, seven out of 10 people still lacked those services in rural areas, and one third lived in least developed countries. The close linkage between being left behind and a lack of access to sanitation and hygiene highlights the need for a holistic view of the world that can have an impact upon how we address programming and how we invest. Addressing the underlying and overt factors to this widening inequality includes thinking about gender norms, the effects of climate change and working with health and education. This conversation must be translated into national programmes and budgets. Exploring the links between hunger, nutrition, and the rights to water, sanitation and hygiene is crucial when only a very small percentage of the world has soap at home to handwash after defecation or before touching food. Undernutrition and stunting are interconnected with water, sanitation and hygiene, particularly in rural areas. Working together is an evident path forward, but one that is not yet occurring with regularity.

We need to hear the voices of vulnerable groups and walk the talk at the country level. In India, a country which has had important successes in the sanitation field in the last five years, WSSCC worked with the Global Interfaith WASH Alliance and FANSA to consult with 14 vulnerable and disadvantaged groups to see to what extent the government's programmes had achieved specific impact for them. We found that their needs largely went unheard. The report of the consultations will feed into the Voluntary National Review of India in 2020. This is a very important step and we need to ensure that this level of engagement and inclusion is happening globally. It is high time that we stop talking and move to action. We are very grateful to OHCHR for helping us. To really make a difference in the next 10 years, we must be proactive in connecting the dots.
The Protocol on Water and Health: Inclusive processes for Human Rights and SDG implementation and reporting

Marco Keiner, Director of Environment Division, UNECE

The Protocol on Water and Health12 is a protocol to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) jointly serviced by UNECE and the WHO Regional Office for Europe. The Protocol on Water and Health is a unique international agreement protecting human health and well-being by preventing, controlling and reducing water-related diseases through sustainable water management. The Protocol is also the first legally binding agreement bringing together the environment and health communities. Its objective is ensuring the supply of safe drinking water and access to adequate sanitation for everyone, especially those who suffer from disadvantage and social exclusion. Irrespective of whether or not they are parties to the Protocol, all countries can benefit from publicly available tools and guidance developed under the Protocol. Inequities persist between rural and urban areas, wealthy and less wealthy people, and vulnerable and marginalized groups in the Pan-European region. This is an obstacle to the full realization of the human rights to safe drinking water and sanitation and further efforts are therefore needed. Under the Protocol, countries have taken concrete steps to ensure equitable access to water and sanitation and therefore progressively realize the human rights to safe drinking water and sanitation.

To ensure equitable access to water and sanitation and address geographical and price disparities as well as specific barriers faced by vulnerable and marginalized groups, including affordability, the Equitable Access Score-card supports countries and local authorities in establishing a baseline measure of the equity of access to water and sanitation. Countries can then identify and implement concrete actions to ensure equitable access. These processes are participatory, including and empowering CSOs, NGOs and national human rights institutions. Work under the protocol has been carried out in 11 countries of the Pan-European region. Countries must develop targeted national action plans to ensure equitable access to water and sanitation. The protocol requires governments to set intersectoral targets on water, sanitation and health that are regularly monitored and reviewed.

12 The Protocol on water and health is open for accession to countries in the Pan-European region. It now has 27 parties with over 15 other states actively involved, who are also considering accession.
The target-setting process is tailored to the country’s priorities, needs and socioeconomic and environmental contexts. Targets are set through an inter-ministerial process involving the public and are aligned with the SDGs relevant to water, sanitation and health. A Practical Guide for Joint Implementation on how to jointly implement the Protocol and the SDGs relevant to water, sanitation and health is available. Reporting on the achievements of the targets is mandatory for parties to the Protocol. Every three years parties submit National Summary Reports, prepared with the involvement of the public.\(^\text{13}\)

The Protocol reporting system can be used to report on the SDGs related to water, sanitation and health.\(^\text{14}\) Data collected under the Protocol has been used by global SDG 6 monitoring initiatives like the WHO/UNICEF Joint Monitoring Programme for Water Supply, Sanitation and Hygiene, and the UN Global Analysis and Assessment of Sanitation and Drinking Water (GLAAS). Data may also be used for human rights reporting. The information submitted by governments is publicly available and can be used to inform the UPR process.

The compliance procedure enables the Compliance Committee to receive communications from the public without the requirement of proving specific interest. This open mechanism can further public participation and accountability. The Committee also collaborates with the Special Rapporteur on the human rights to safe drinking water and sanitation.

Roles, differences and complementarities of UN human rights mechanisms: UPR, Treaty Bodies and Special Procedures and relevance for the human rights to water and sanitation

**Olivier De Schutter, Committee on Economic, Social and Cultural Rights (CESCR)**

In 2020 we celebrate the 10th anniversary of Resolution 64/292, but also the 18th anniversary of the 2002 General Comment No. 15 of the Committee on Economic, Social and Cultural Rights, which for the first time highlighted the right to water as part of international human rights. The right to water is not explicit in the International Covenant on Economic, Social and Cultural Rights. It was considered to be part of the right to an adequate standard of living (article 11). On this basis, CESC developed the right to water, already mentioned in General Comment number 6 (1995) on the rights of older persons.

In General Comment No°15 of 2002, CESC defined the right to water as entailing “everyone to sufficient, safe, physically accessible and affordable water for personal and domestic uses”, based on two existing rights: the right to food and the right to health. Today, we would link it more explicitly to the right to education: the absence of adequate sanitation facilities for girls is a major reason for absences and dropouts. The Committee on the Elimination of Discrimination Against Women (CEDAW) in General Recommendation No. 34 of 2016 on the Rights of Rural Women (para 42) has shown that school attendance by girls is curtailed by domestic chores, including fetching water, and the lack of adequate

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\(^\text{13}\) In past reporting cycles, seven states that are not parties to the Protocol also reported on a voluntary basis.

\(^\text{14}\) For instance, in Norway, information on ongoing work to achieve the national targets set under the Protocol was mentioned in reporting processes on both SDG 3 and SDG 6.
water and toilets in schools for menstruating girls. Even the right to work is curtailed, particularly in rural areas, as access to employment for women may be discouraged when they are imposed the chore of collecting water.

CESCR highlighted two specific issues. The first is the commodification of water. General Comment No°15, states that “water should be treated as a social and cultural good and not primarily as an economic good”. Economic affordability is a component of the right to water. “Water and water facilities and services must be affordable for all. The direct and indirect costs and charges associated with securing water must be affordable and must not compromise or threaten the realization of other Covenants rights.” General Comment No. 24 (2017) on State obligations in the context of business activities, recalls the duty of States to protect the right to water by controlling private sector supply.

Privatization of water supplies is not per se prohibited. Nevertheless, private providers should be subject to strict regulations that impose public service obligations on them. This may include pricing policies or social tariffs allowing low-income households and families to a certain amount of water per household member. General Comment No. 24 stresses that basic economic, social and cultural rights may become less accessible as a result of privatization, and quality may be sacrificed to increase profits. This applies to education, housing, healthcare, and also to water, leading to new forms of social economic segregation. States must protect the right to water by regulating providers, ensuring genuine public participation and independent monitoring of compliance by the providers with the requirements imposed on them, imposing penalties for non-compliance. The Special Rapporteur on extreme poverty and human rights, in his 2018 report on privatization, asked if it is possible to privatize vital services while ensuring that the most vulnerable are not further disadvantaged15. The human rights community is exploring three directions to address that tension.

First, States may impose a sort of ‘clean hands’ doctrine on private companies under which they would only be able to claim their rights as investors to be protected from expropriation if they comply with human rights, including the right to water. General Comment No. 24 states that investment treaties may deny protection to foreign investors if they engage in conduct leading to a violation of the Covenant's rights16.

The second approach is to ensure that when faced with conflicting norms, States prioritize their duties under human rights treaties. Human rights treaties are special treaties protecting the rights of populations under the jurisdiction of States. Their specific nature makes them prevail over investment treaties that protect investors rights17.

Thirdly, States, before committing to protecting the rights of investors under trade or investment agreements, should ensure that such a commitment does not result in threats to human rights, particularly the right to water. General Comment No. 24 declares that State parties cannot derogate from obligations under the ICESCR in trade and investment treaties. They are encouraged to insert a provision explicitly referring to human rights obligations in treaties and to ensure that mechanisms for the settlement of investor-State disputes take human rights into account in the interpretation of investment treaties or investment chapters in trade agreements. In 2011, as the then Special Rapporteur on the right to food, I developed the Guiding principles on human rights impact assessments of trade and investment agreements for the Human Rights Council to avoid trade and investment agreements being drafted in ways that might create tension between investor rights and human rights.

There is also a growing trend towards remunicipalization. A 2015 report by the Transnational Institute shows that from 2000 to 2015, water services were recaptured by cities in 235 cases in 37 countries.

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15 The battle around the commodification of water started in situations where private investors opposed the local communities’ right to water, such as the Cochabamba episode in Bolivia in 1999–2000, when Aguas del Tunari, a subsidiary company of the US Corporation Bechtel, took over the management of the water supply and raised tariffs, leading to protests. This crisis ended in 2003 with the de-privatization of water-supply services—a warning from 20 years ago about the dangers that privatization and commodification of this essential service can bring about.

16 Urbaser S.A. and others versus Argentina (2018) is the first case in which an arbitration tribunal (established under the International Centre for the Settlement of Investment Disputes) has affirmed that companies might be subject to compliance with human rights obligations.

17 There are some precedents, particularly the Sawhoyamaxa Indigenous Community versus Paraguay judgment (2006), when the Inter-American Court of Human Rights stated that human rights treaties cannot be reduced to the status of trade agreements or investment agreements.
And beyond privatization on the one hand, and nationalization or municipalization on the other, we have an emerging trend towards water being managed democratically by local communities of water users. That solution is especially promising for participation.

After privatization, the second issue CESCR highlighted is that of the sustainable use of water. Sometimes pricing mechanisms are defined as a solution to avoid waste of water and even environmental issues. This reasoning is a trap. The right to water must be realized for present and future generations, which is directly related to the question of who has priority when increasing conflicts between different water users take place: personal use by households, for cooking and washing; agricultural use for irrigation; or industrial use. In a human rights approach, priority should go to allocating water to personal and domestic uses: priority should be given to water resources required to prevent starvation and disease to meet the core obligations of each of the Covenant rights. If water is treated as a commodity, those who can put money on the table command access to the resource, even though their needs may be less essential (like swimming pools using the fresh water that could be used for cooking and hand-washing in low-income households). Markets do not respond to needs. They respond to demand as expressed by the purchasing power of the wealthiest parts of the population. Markets create conditions for plutocracy and defending the human right to water is to defend water against the commodification and privatization of water without safeguards.

Interdependencies between the right to food and the human rights to water and sanitation. Tracking progress in the realization of the human rights to water and sanitation, SDG 6, and interrelated rights and goals for farmers. Recommendations for States and social stakeholders

Hilal Elver, UN Special Rapporteur on the right to food

The issue of water supply privatization directly links to the right to food. Similar issues can be addressed in terms of the right to food or the right to water. The key difference is that the right to food was already recognized as a human right in the 1948 Universal Declaration of Human Rights, where it was included as part of the right to an adequate standard of living. The right to food is also enshrined in the 1966 International Covenant on Economic, Social and Cultural Rights (CESCR). In 1999, CESCR released its General Comment No. 12 on the Right to Adequate Food. The 2004 Voluntary Guidelines to support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, also known as the Right to Food Guidelines, is another food rights document, both treat the rights to food and water as interdependent rights. Nonetheless, the regulation of the water sector is problematic when we know that globally, 70% of freshwater goes directly to agriculture. We are not talking about water used by subsistence farmers, but water for industrial agriculture, which may not be destined for human food production but for biofuel production or animal food production (soy). For instance, Argentina and Brazil use 90% of their water for the latter purposes.

Wherever there are food shortages, subsistence farmers struggle for water, competing with big farmers and other sectors. There is an important link between water, hygiene and nutrition. School feeding programmes might miss some of their objectives in the absence of water, soap and toilets. Availability of water for subsistence farming and
personal and domestic use, including hygiene, is conditioned by dams diverting water from local communities to industrial conglomerates, forcing people to relocate. Dams have once again become fashionable because of the ‘clean-energy race’, showing the linkages between the right to food, water and energy production.

And when we think of transboundary water sources, there is also a clear potential for conflict, as demonstrated by the dispute between Ethiopia and Egypt that resulted when Ethiopia decided to build a dam on the Nile river. The amount of water used for nutrition varies depending on diets, which tend to vary between developed and developing countries. Meat-eaters consume the equivalent of about 5,000 litres of water a day compared to the 1,000-2,000 litres used by people on vegetarian diets in developing countries.18

I would like to end by saying that the role of women is a key part of water and food politics. Access to resources for women remains a problem that is aggravated by traditional gender roles. In African countries, women spend 5–6 hours per day fetching water, and women and girls cannot go to school, do business or access paid employment, simply because there is no time left for other activities.

Discussion part one: strengthening participation of CSOs representing left behind populations in HLPF and HRC processes

Moderator: Paul Ladd, Director, UNRISD

Strengthening the participation in UN processes of those left behind in order to ensure that their demands are met, is not a challenge specific to water and sanitation. This challenge cuts across all SDGs and the entire human rights agenda. There has been progress in recent years within UN processes on how different groups can access policy makers and governments, for instance during the creation of SDGs. And yet, HLPF thematic reviews are not systematically including the voices of those being left behind, particularly with regards to characteristics such as age, gender and disability, which make access to these processes and having one’s voice heard difficult. Countries have undertaken the VNRs in different ways: some are inclusive, some are not. There is still room for improvement in HRC processes as well. Tell us how we can make them more effective.

Svetlana Boincean, International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco, and Allied Workers’ Associations (IUF)

18 On average, it takes 1,790 litres of water to grow 1 kg of wheat compared with 9,680 litres of water for 1 kg of beef.
Some 450 million waged agricultural workers across the world work in the fields at high temperatures, without drinking water, or with only unsafe water, at risk of their lives. Problems exist in developed and developing countries. States must engage the responsibility of employers to supply safe drinking water. If employers do not provide water, workers have to sometimes drink from the rivers and fall sick. However, often these workers do not even appear in healthcare statistics. The right to water is linked with the right to fair employment conditions and health and safety responsibility in the workplace.

David Boys, Deputy Secretary-General, Public Services International (PSI), Major Group on workers and trade unions

New forms of public-private partnerships promoted by SDG Financing for development, G20, World Bank, OECD, and other agencies, allow private investors to receive money from institutional investors, pension funds, insurance funds, and sovereign wealth funds—including those managed by private equity asset managers and the whole shadow banking system. These sources of finance allow the private investors to enter into public service infrastructure and provision. The World Bank’s Maximizing Finance for Development (MFD), instructs governments to first invite private finance to build and operate public infrastructure. The International Chambers of Commerce or the World Economic Forum, the Investor state dispute settlement (ISDS)\(^1\) and other investor protections are given special status in the UN \(^2\). At the same time, we see restrictions on both trade union and workers’ rights and NGO access in many countries. The voice of the people is no longer welcome.

Carlos Carrion-Crespo, Specialist, public services, utilities, telecommunications, ILO

ILO’s tripartite representation model gives 50% of the votes to states, 25% to workers organizations, and 25% to employers’ organization. The informal sector, the vast majority of the world’s working population, is not adequately represented. ILO works with WHO, the World Bank and WaterAid to recognize, formalize and organize waged farmers, sanitation workers, night soil collectors, sewer cleaners, toilet cleaners, etc. and women and girls engaged in water fetching in Africa and Eastern Europe, particularly in the Roma population. ILO is a treaty-based organization with a system for reporting to supervisory bodies. Conventions\(^3\) require that governments impose duties on employers to ensure access to WASH, and that employers comply with them. This mechanism allows to evaluate employer actions which are private in nature, not only government actions.

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19 The ISDS is a mechanism contained in investment and trade agreements that allows an investor of a state party to bring a claim against another state party that is hosting the investment, if that state has allegedly breached a standard in the agreement. ISDS was originally envisaged to protect investors from arbitrary state abuse. Today, some fear ISDS may chill social and environmental regulation by allowing corporations to sue governments when regulations negatively impact investments.

20 UNECE is pushing People-first Public-Private Partnerships (PPPs) to ensure that ‘people’ are at the centre, and improve the life of the communities, particularly those fighting poverty, by creating local and sustainable jobs, to fight hunger and promote well-being, gender equality, access to water, energy, transport, and education for all, and social cohesion and justice without discrimination.

21 Among ILO conventions, ten require access to water and sanitation in the workplace. The Indigenous and Tribal Peoples Convention, 1989 (No. 169) requires consultations regarding water resources.
Giulia Russo Walti, Permanent Mission of the Sovereign Order of Malta

Water and sanitation are human rights, not privileges. We are concerned with people who are least able to help themselves: children, women, elderly people, people with disabilities, refugees and displaced persons. Water and good hygiene practices are key to maintaining a healthy life, so our global relief agency, Malteser International, is active in water supply and hygiene promotion in the poorest communities.

Todd Howland, Chief, Economic, Social & Cultural Rights Branch, OHCHR

Some years ago, Buenaventura, a city in Colombia with a majority of Afro-Colombians, saw an enormous social upheaval, due to a lack of water, sanitation and health care. But it is hard for the UN to interact directly with cities: our relation is with member states. LNOB challenges our business model and how we interact with those who have been left behind because of political differences in the making of policy choices. UN entities need to interact at different levels: municipal, departmental or national. It is key for human rights mechanisms to help the UN and States to reach people left behind when you have tensions between different political levels.

Ishani Ida Cordeiro, Representative, Creating Resources for Empowerment in Action (CREA) India/ Sexual Rights Initiative (SRI)

We were asked to represent the voiceless, but our constituencies have a loud voice and are the ones who should be in the room, not their representatives. I also want to stress the impacts of the criminalization of sex workers. In criminalizing identities and professions, we hinder their access to their rights, including water and sanitation, and push them further to the margins.

22 The UN Habitat Global Water Operators’ Partnerships Alliance (GWOPA) and the UNCTAD Trade and Development Report, 2019 on Financing A Global Green New Deal, deal with these matters.
The UPR has significant potential for CSO participation. States must organize consultations to prepare the report, and after the review, build a plan of action to implement recommendations, involving civil society. The UPR creates many entry points for civil society, and the number of recommendations on economic and social rights is increasing thanks to the engagement of civil society, through their advocacy work with different stakeholders.

Discussion part two: strengthening inclusive accountability processes for monitoring and reporting on sanitation and hygiene at country level

Moderator: Rose Alabaster, Director, WEHDI. WSSCC Steering Committee Member

The corporate capture of public functions and sector governance mechanisms at national level is critical to the human rights to water and sanitation. We need political accountability and political leadership. There are different business models for delivering water and sanitation, but it is important to consider that the obligation still rests with governments, which need sufficient capacity to negotiate and draft contracts with the private sector and investors. If governments are not familiar with what needs to go into the contracts, they will not be able to prioritize and target through their service delivery models the groups and areas socially and economically left behind. We need to ensure that those capacities to negotiate and draft these contracts are available to create government obligations.

To strengthen accountability, we also need to engage more with Parliamentarians, as they discuss and monitor policies, legal frameworks and financing. But who are the accountability targets? We seldom speak about donors, but they must be included in the accountability framework. Governments need support to identify the groups, determine baselines, map implementation status, to have targeted interventions for those left behind. Without such work, business as usual will prevail. National human rights institutions also need to have enhanced capacities to understand the different sectors. They are not specialized in water and sanitation and thus we need to integrate and incorporate them into our programme planning.

We also need to strengthen countries’ capacities to have integrated planning processes. We need multipurpose indicators and data defined across sectors to integrate planning. This will lead to less duplication of effort and greater shared outcomes. How do the agencies that are monitoring the SDGs integrate the human rights principles and criteria into such monitoring? I would like to hear recommendations from organizations representing vulnerable groups.

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23 Under the Hanoi Declaration, MPs committed to strengthening the national ownership of SDG realization through laws and policies.
In addition to the commodification of water, I am concerned about the commodification of people. Origins and status determine whether or not you are taken seriously as a member of your community or are left behind. Women are undervalued in society and as a result they are less likely to have access to the critical services that they need. In informal settlements in Kenya and in South Africa, people are criminalized and not gaining access to water as they should because they are not seen as human beings of equal value, even if the right to water is recognized in constitutions, legislation, policies and planning. SWA launched the Mutual Accountability Mechanism (MAM), which not only recognizes government leadership, but also aims at ensuring that other partners—including NGOs, the private sector and external support agencies—are being held accountable. As a multi-stakeholder partnership with over 200 partners, we work with countries and partners who implement accountability mechanisms such as the VNR, the UPR, and regional mechanisms such as the African Ministers’ Council on Water (AMCOW).

Menstrual hygiene and health (MHH) and sexual and reproductive health and rights (SRHR) of women and girls in marginalized communities, who suffer from so many forms of intersectional discrimination, is one crucial component of human rights to water and sanitation. When it comes to access to WASH, these are the people who are left behind. We need to identify who is left behind and have disaggregated data. These communities are invisible to decision makers and are unable to gain a seat at the table. We need to work with communities, grassroots organizations and municipalities to have the data necessary to provide tailored responses to their needs, including the needs of refugee and migrant women.

In addition to parliamentarians, we must engage across ministries, health infrastructures and facilities, but also the finance sector. And we must use the UPR. The UPR is a peer-to-peer evaluation, but it opens a crucial space for civil society to position the specific needs of key populations in the review. The relevance that member states attribute to this process is demonstrated by the high-level representation and the size of the delegations attending national reviews. We must work together to feed the LNOB agenda into UPR recommendations.

24 Since 2002, UNFPA delivers dignity kits: menstrual pads, soap, underwear and other essential supplies that help women and girls to maintain their health, their hygiene and sense of dignity.
The Global Analysis and Assessment of Sanitation and Drinking-Water (GLAAS) focuses on four areas: governance, human resources, monitoring and financing. One of the core aspects of global monitoring is that we are all co-custodians of the means of implementation of SDG 6.a and 6.b, which are often left aside, but that are actually core to the monitoring of SDG 6 in its entirety. On data disaggregation and evidence, the 2019 GLAAS report dedicates a chapter to what governments and development partners are doing and the measures taken to leave no one behind. The survey covered 115 countries asking questions to Governments about gaps, highlights and measures in place. Another survey administered to 30 external support agencies (ESA) explored where they are allocating resources, their priorities, and if gaps are being filled between what governments need and what ESAs are doing. We also looked at whether measures to extend services to poor populations by income groups actually exist in policies and plans. Usually, policies include these measures, but we are not really walking the talk in terms of monitoring progress for those furthest behind and financing such progress. The results are actually consistent across high-income to low-income countries. Therefore, it is not about the money, but about prioritization. And who is holding governments accountable? Are we holding each other accountable here? The WSSCC platform, the SWA partnership have that role, and all of us should use those data at all levels, national, district, and regional and global.

The Protocol on Water and Health creates an accountability mechanism for countries in the Pan-European region. The challenge is to get more members of the public engaged in the process. States have the obligation to engage the public in target setting and reporting, but very few environmental NGOs are engaged. So, it is crucial to bring the mechanism set by the Protocol on Water and Health to the attention of human rights NGOs and vulnerable groups and learn from them how we can help them to engage.

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25 International Cooperation and Capacity-Building. “By 2030, expand international cooperation and capacity-building support to developing countries in water- and sanitation-related activities and programmes, including water harvesting, desalination, water efficiency, wastewater treatment, recycling and reuse technologies.”

26 Stakeholder participation. “Support and strengthen the participation of local communities in improving water and sanitation management.”
Amanda Hodgeson, Representative, Coalition of African Lesbians (CAL)/ Sexual Rights Initiative (SRI)

People are speaking, but not in the ways in which we can hear them. People don’t have access to government. But they also don’t have access to NGOs and civil society. So instead of trying to adapt the ways in which people speak to us, perhaps we need to adapt the ways in which we listen to them and extend beyond what we know and understand. Geneva is far from the field. Treaty Bodies, the UPR and Special Procedures are excellent to reach people on the ground, but that’s where it stops. You come, extract data, write wonderful reports, challenge governments, but there’s no feedback loop. And then I agree that people are undervalued by governments. During apartheid, resources for water, electricity, sanitation, and education were earmarked for white people only. Now this is left to post-colonial governments across the African continent to extend those resources to the entire population, against colonial and foreign debt.


It has been a learning experience to hear from the different players in this sector what they are doing, how they are supporting governments and ensuring that the interests of those left behind are considered. Kenya has legislative and regulatory frameworks in place to ensure the right to water, but walking the talk is difficult. The ministry of water and sanitation and Kenya’s National Human Rights Commission developed a framework for monitoring the realization of the rights to water and sanitation in Kenya. Governments must be held to account, but also the other actors in this space: donors, development partners, and implementing partners should be accountable to governments. We see people coming from abroad going directly to a community, starting a project and not even engaging with the county leadership or the communities to see their priorities. Most governments don’t have the capacity to negotiate with the private sector, so supporting them to build this capacity is something that we would very much welcome, and we request your support as we move forward.
Sue Coates, Executive Director, a.i., WSSCC

Achieving SDG 6 while leaving no one behind is a highly complex, multi-faceted, political, social, economic and financial process. Because it is so complex, we sometimes forget to walk the talk with respect to those left behind. But these unheard voices are loud. We need to move out of the palaces of Geneva. WSSCC is changing. We are going to become a fund, and in so doing we must not just facilitate government access to financing, but also ensure that voices are loud and are heard in the right place at the right time. And that also requires financing. I look to the partnership with OHCHR and to all of you. We need a wider network to go beyond WASH organizations. It is crucial to push UN organizations to work with social movements and the wider society to make sure that these processes actually ensure the necessary feedback loop.

Todd Howland, Chief, Economic, Social & Cultural Rights Branch, OHCHR

The UN needs to recognize the importance of civic space and be more comfortable with interacting with loud and angry people. If we are not able to work with activists and accompany them, to understand how to use our system, and help them get the changes they want, then we are failing in the promise of leaving no one behind. If we continue at the same rate, we will complete SDG 6 in the 22nd century. But today’s meeting has highlighted that there is a growing understanding of the special nature of human rights treaties as an important tool to put people first and change priorities. The legal framework is there: we need to get people to take it seriously. But the reality is that 70 per cent of fresh water goes to industrial agriculture; the second most important use of water is for energy; and water for personal use is only third. We have a long way to go to change the interests that built this ranking, despite legal obligations to put water for personal use as the first priority.

We must encourage member states and partners to use the UPR and the Human Rights Council more proactively, to show good practices and create the type of South-South, North-South cooperation necessary to address problems such as the understanding of what to prioritize in budgets, and ensuring government and donor accountability. In order to make progress, we need to understand why people are protesting and how the State should set up its national human rights institutions with adequate capacity and mandates to respond to violations of economic and social rights so that people have access to remedies for their grievances. We need to focus on data disaggregation and understand, not only by numbers, but both politically and socially, why there are people left behind. And what do those numbers mean and how do we need to change our processes and programmes to address the political and social factors that prolong this issue. I want to make a call of action to redouble our efforts and make the radical transformations needed to understand and do what is required to achieve these goals by 2030.
Conclusions

The following conclusions are drawn from the interventions made at the roundtable:

Advancement on SDG 6, particularly 6.2, is lagging, especially for those left behind. There is a close linkage between being left behind, lacking sanitation and hygiene, and the exclusion of the most vulnerable communities from adequate services. This poses a great risk to the achievement not only of SDG 6 but of all SDGs. Water and sanitation for all are not just basic rights themselves, but the gateways to other human rights and to peace and stability.

Business as usual means we will not reach universal safely managed sanitation until the 22nd century. Urgent change is needed, using a rights-based approach, working across sectors, and enabling the most vulnerable communities to have a say in shaping SDG 6 strategies to achieve the goals ensuring that their rights are respected, and reducing gender, social, economic and other forms of inequalities. We must step up, systematize and sustain efforts to hear the voices of vulnerable groups at country level and globally.

One important resource is the work of human rights mechanisms that developed the content of the human rights to water and sanitation. Our discussion highlighted two key risks: the first is the commodification of water. Water is primarily a social and cultural good, and a human right, not a commodity. When water is treated as a commodity, wealthier users command access to the resource. Privatization is not per se prohibited, but States must ensure strict regulations.

The second risk is the unsustainable use of water. The right to water must be realized for present and future generations, but regulating the sector is problematic because of the current corporate capture of public functions and sector governance mechanisms. Most governments do not have the capacity to negotiate with the private sector, so the UN and partners need to support governments and ensure that such capacity is in place.

It is necessary to promote political leadership and accountability across sectors and levels. The role of Parliaments and National human rights institutions, local authorities, cities and municipalities, national and local data collection systems is crucial. The UN and partners need to strengthen the States’ capacity to do integrated planning and develop multipurpose indicators defined across the sectors, at national and local levels.

States are the primary duty-bearers for the realization of the human rights to water and sanitation, as much as those left behind are the priority rights-holders. But accountability goes beyond governments to include donors, development partners, external support agencies, that should by mutually accountable, and ultimately accountable to rights holders.

In many countries the voice of the people is not listened to, and even increasingly restricted and criminalized. States, the UN and partners must protect the civic space, listen to the voices of people and include them in decision-making processes in a meaningful manner. They need to identify who is left behind, invisible to decision makers, by working with grassroots organizations, municipal and local authorities, gather disaggregated data on those communities, and define, with their participation, policies, strategies, plans and programmes tailored to their needs (with specific targets and budgets and their inclusion in the monitoring frameworks). In addition to their inclusion in national and sub-national processes, it is also key to support the participation of vulnerable groups in UN monitoring and accountability mechanisms relevant to SDGs and human rights. They include:
In the WASH sector,

- The Global Analysis and Assessment of Sanitation and Drinking-Water (GLAAS) showed that States and external support agencies do not really walk the talk in monitoring progress for those furthest behind and financing such progress, both in high-income and low-income countries.

- Sanitation and Water for All developed the Mutual Accountability Mechanism, recognizing government leadership, while ensuring that other actors are also held accountable, including CSOs, the private sector and external support agencies.

At global levels,

- UN human rights mechanisms constitute the paramount global legal accountability systems based on international human rights law. They include the UPR, special procedures and treaty bodies (the most relevant to WASH being: CESC, CEDAW, CRC and CRPD). Their reporting systems (particularly under the UPR) require that States organize national inclusive processes to produce their national reports, and also open several doors to civil society and other actors’ submissions of information and advocacy interventions. WASH actors must work together with human rights and other actors including unions and CSOs representing the most vulnerable groups to supplement UPR recommendations with WASH and leave-no-one-behind agendas. We must also ensure the feedback loop and make sure that organizations and groups who made contributions to the accountability processes receive feedback on the outcomes of the reviews to inform the broader public and follow up on the implementation of specific WASH and cross-sectoral LNOB-related recommendations.

- Like Treaty Bodies, ILO is a treaty-based organization that is focused on workers’ rights. The ILO supervisory system allows to evaluate compliance by employers (private actors), not only by governments. ILO promotes inclusion, participation and accountability through the tripartite representation model, pushing for the visibility of most vulnerable workers.

- The Voluntary National Reviews (VNR) are a global political accountability system, based on Agenda 2030 and the SDGs. SDGs are explicitly human rights-based and universal. Human rights principles, including equality, non-discrimination and gender, right to identity and legal status, inclusion, access to information, participation, accountability and redress, cut across all SDGs and form an integral part of the realization of SDG 6 and 10 and every other SDG, leaving no one behind. But differently from the UPR, States are not mandated to submit periodic reports and are free to choose if and when they want to report. While inclusive national processes are recommended by Agenda 2030, VNR processes are not systematically including the voices of those being left behind. The contribution of the UN Country Team in India to the VNR report of India, with UN agencies working with NGOs and CSOs to organize consultations of vulnerable population groups is a positive example of the UN walking the LNOB talk, interfacing between government and CSOs and vulnerable populations. UNCTs should be technically supported to systematize LNOB consultations as part of the support given to States in the VNR and UPR processes.

- Regional accountability mechanisms such as the mechanism established under the Protocol on Water and Health can also play a crucial role to promote inclusion and accountability for progress for those furthest behind and contribute to SDG reporting. The challenge is to engage more members of the public and NGOs in these processes.
Key messages and recommendations

• The voices of the invisible are key in bringing about transformative changes for the 2030 Agenda. We need to move out of the palaces of Geneva and learn how to see the invisible and hear drowned-out voices. The UN needs to work with Member States as well as with activists and accompany them, to understand how to use the UN monitoring and accountability systems to help them achieve the changes that they want.

• The water, sanitation and hygiene sector needs to access more and more sustainable financing if we are to achieve SDG 6 by 2030, especially in times where WASH is a key response to COVID-19 and key to prevention of future pandemics. At the same time we need to put mechanisms in place to ensure that all voices are heard in the right place at the right time. This also requires financing. Financing for SDG 6 and interrelated SDGs and human rights requires not only financing for service extension. A series of preconditions needs to be met and funded if we want to achieve services for all, such as:
  1) Identification/mapping of those left behind;
  2) Inclusion of those left behind in identity and legal status (issuance of identity documents) and in government data across sectors; data disaggregation and data management;
  3) Information, capacity building and inclusion in policymaking, planning, budgeting and monitoring processes, including by funding the physical participation of legitimately selected and adequately trained delegates/representatives of the various vulnerable and marginalized population groups.
  4) Capacity building for public officials and for CSOs for holding participatory, inclusive processes to shape strategies for service extension.

Member states, UN agencies, CSOs and unions should make use of UPR and the UN treaty-body mechanisms in a more proactive fashion and bring the people from LNOB groups to the table, not just their representatives. States and CSOs have growing understanding of the importance of human rights mechanisms as an important tool to achieve change, focus on individuals and allow to change the way priorities are usually established, putting people first in plans and budgets.

• WSSCC, OHCHR and all participants commit to redouble efforts and make the radical transformations needed to achieve SDG 6 for all, and all SDGs, by 2030.

Next steps: realizing the human rights to water and sanitation leaving no one behind in the context of the COVID-19 pandemic, and follow-up actions with organizations and networks representing vulnerable populations and the rest of partners

On 12 March, WHO declared the COVID-19 outbreak a pandemic. WASH forms an integral part of the response to the COVID-19 pandemic, and, from the beginning, WSSCC has been collaborating with WASH and non-WASH actors to leave no one behind in national, sub-national and community responses to COVID-19. WSSCC also readjusted its LNOB global policy programmes to meet the needs of the new situation and to support the inclusion of the most vulnerable groups and individuals in WASH decision-making.

By way of feedback to participants of the roundtable, some of these activities are briefly highlighted below.

• Following the organization by WSSCC of the India SDG 6 LNOB consultations for the VNR report of India (16–18 December 2019, see page 7), WSSCC decided to support FANSA to hold online consultations with 1,200 sanitation workers and persons with disabilities on the impacts on these groups of the national COVID-19 response, to influence short and long-term COVID-19 response strategies and consider the rights of these persons. Two reports (one emergency phase report and a longer-term response report including social and economic impacts) will be produced to contribute to the UNCT India efforts to
support the government of India to leave no one behind in the response to COVID-19.

• Following up on the recommendations received at the New York roundtable in October 2019, and in partnership with OHCHR, WHO and UNECE, WSSCC launched the Review of the status of the domestication of the human rights to water and sanitation, and measures to leave no one behind in WASH in eight countries in Africa, Asia and the pan-European region (France, India, Kenya, Mali, Nepal, Nigeria, Serbia and Uganda). The review will result in eight country reports, a comparative report and an LNOB WASH best practices manual based on UN SDG LNOB guidance, showing gaps, challenges and best practices in leaving no one behind in the realization of the human rights to water and sanitation, and the relevance of these efforts for effective cross-sectoral responses to COVID-19 and other future WASH-related epidemics. The publications will be publicly presented at the next session of the Human Rights Council in September 2020.

• Again, following up on the recommendations received at the New York roundtable in October 2019, and always in partnership with OHCHR, WSSCC hired two consultants to support the UN Special Rapporteur on the right to education to produce and disseminate a thematic report on Interrelations between the human rights to water and sanitation, including hygiene and menstrual hygiene and health, and education. The study will also consider the impacts of the COVID-19 pandemic on the human rights to education, water and sanitation. The report will be finalised by August and presented in October 2020 at the UNGA Third Committee in New York.

• On 23 April 2020, WSSCC partnered with SWA and WaterAid to co-organize the online dialogue on eliminating inequalities in the WASH response to COVID-19. To follow up on the online dialogue and give the floor specifically to representatives of vulnerable groups across the globe on how responses are affecting them, WSSCC and partners will organize follow-up online roundtables on ‘Identifying and including the most vulnerable in the WASH response to COVID-19’. The objective will be to identify recommendations for States, UN agencies, development partners and donors to adequately address the specific challenges and needs of the left-behind groups and communities in response efforts. The roundtable sessions will also see the participation of human rights mechanisms to frame the discussions from the human rights perspective.

Building on the participation of CSO Major Groups and Stakeholders groups, NGOs, trade unions and other civil society networks and organizations representing vulnerable and marginalized communities and groups (including women, children and youth, older persons, persons with disabilities, indigenous peoples, education and academia, sanitation workers, farmers, waged agricultural workers, migrants and refugees, sex workers, LGBTIQ+ and persons living with HIV in the two roundtables organized by WSSCC and OHCHR in New York and in Geneva, WSSCC and its partners will follow up in the course of May 2020 with all of them to ensure that they provide significant input (including by helping to mobilize their country networks) to the LNOB country reviews and to the report of the UN Special Rapporteur on the right to education, and participate in the LNOB in COVID-19 response dialogue and other LNOB activities by WSSCC, OHCHR, SWA, WHO, UNECE and other partners.
Annex - List of Participants

Organizers

Water Supply and Sanitation Collaborative Council (WSSCC)

- Sue Coates, Executive Director, a.i
- James Wicken, Head, Global Policy, Advocacy and Innovation Unit
- Enrico Muratore Aprosio, Technical Expert, EQND, Gender and LNOB
- Tuane Linhares, Intern, Global Policy, Advocacy and Innovation Unit
- Eileen Palmer, Communications Officer, Corporate Communications and Media, Communications and Advocacy
- Francesca Nava, Intern, Corporate Communications and Media

Office of the High Commissioner for Human Rights (OHCHR)

- Peggy Hicks, Director, Thematic Engagement, Special Procedures, and Right to Development Division
- Todd Howland, Chief, Economic, Social & Cultural Rights Branch
- Rio Hada, Senior Human Rights Officer

Permanent Missions to the United Nations in Geneva

- Adriana Gil Martínez, Permanent Mission of Spain
- Azreey Abu Kasim, Permanent Mission of Malaysia
- Eunice Sin, First Secretary, Permanent Mission of the Republic of Singapore
- Giulia Russo Walti, Permanent Mission of the Sovereign Order of Malta
- Jenny Nelson, Permanent Mission of the United Kingdom
- Marco Pangallo, Attaché on Multilateral Affairs, Permanent Mission of the Sovereign Order of Malta
- Mari Kvelvane Johansen, Permanent Mission of Norway
- Nadine Walter, Permanent Mission of the Federal Republic of Germany
- Natallia Tsyhulova, Second Secretary, Permanent Mission of Ukraine
- Vijay Raj Tandukar, Second Secretary, Permanent Mission of Nepal

UN Human Rights Experts

- Olivier De Schutter, Member, Committee on Economic, Social and Cultural Rights
- Hilal Elver, UN Special Rapporteur on the right to food

United Nations Secretariat, agencies and programmes

- Carlos Carrion-Crupo, Specialist: Public services, utilities, telecommunications, ILO
- Antonio Torres, Global WASH Coordinator, IOM
- Virginia Roaf, Senior Adviser to the CEO, SWA
- Richard Burzynski, Senior Advisor (Strategic Information for global LGBTI advocacy), UNAIDS
- Marco Keiner, Director of Environment Division, UNECE
- Diane Guerrier, UNECE
- Nataliya Nikiforova, UNECE
- Ruben Escalante-Hasbún, UNFPA
- Monica Ferro, Director, UNFPA
- Emmett Kearney, Senior Global WASH Officer, UNHCR
- William Axelson, Deputy Director, Geneva Office, Europe and Central Asia Region, UNOPS
- Paul Ladd, Director, UNRISD
- Fiona Gore, Team Leader WASH monitoring (UN-Water GLAAS), WHO
Federations/ Academia /Networks representing vulnerable groups

Water and sanitation workers/Major Group on workers and trade unions
• David Boys, Deputy Secretary-General, Public Services International (PSI)

Farm Workers
• Svetlana Boincean, International Officer agriculture/plantations, International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco, and Allied Workers’ Associations (IUF)

Refugees
• Sara Marie Bergh-Hanssen, Program Assistant, Danish Refugee Council

Persons with disabilities
• Marco Kirschbaum, Director, Handicap International

LGBTIQ+ community
• Gabriel Galil, ILGA World
• Ishani Ida Cordeiro, SRI Representative, Sexual Rights Initiative (SRI), Creating Resources for Empowerment in Action (CREA) India
• Amanda Hodgeson, Representative SRI Sexual Rights Initiative (SRI), Coalition of African Lesbians / South Africa

Persons living with HIV
• Nelli Bazarova, Officer, HIV Programmes and Advocacy, International AIDS Society

Other participants
• Rose Osinde-Alabaster, Co-founder and Director, Water Environment & Human Development Initiative (WEHDI)
• Imanol Aguilera, WaterLex
• Gabriella Casanova, Legal Adviser, International Commission of Jurists
• Nicoletta Zappile, Programme manager, UPR Info
• Amanda Lyons, Executive Director and Professor, Human Rights Center / University of Minnesota Law School
• Jen Davison, Post-graduate research assistant
• Amanda Labriola, Post-graduate research assistant