Realizing the Human Rights to Water and Sanitation

Work of UN Special Rapporteur on the human rights to safe drinking water and sanitation
Mandate of the Special Rapporteur

- Mandate created in 2008
- Léo Heller appointed in 2014
- Annual reports: Human Rights Council & General Assembly
- Minimum 2 country missions per year
- Respond to allegations of human rights violations
- Facilitate the provision of technical assistance in the implementation of the HRtWS, including cooperation with relevant stakeholders
- Contribute to SDGs with special regard to the elimination of inequalities, and the full realization and sustainability of the HRtWS.
Annual reports

• Focus on central and cross-cutting themes with important consequences for the realisation of the HRtWS
• Annual frequency provides good dynamism to develop on subjects of current and forthcoming relevance

Affordability
• Points out different types of expenses for WSS and difficulties in measuring household expenditure on these services
• Emphasizes importance of monitoring more than service tariffs

Development cooperation
• Highlights need for national ownership and control over development in the processes of planning, implementation, and monitoring.

Gender equality
• Women’s participation must be a part of monitoring efforts to ensure services are acceptable and meet their needs
• Draws attention to importance of monitoring intra-household inequalities

Service Regulation
• Independent regulatory frameworks are essential for implementation of the human rights to water and sanitation.
Country missions

- Country missions allow for in-depth legal, regulatory and policy reviews
- Other UN human rights mechanisms are informed of relevant cases affecting the HRtWS
- More than consider indicators, **qualitative assessments** are made possible through interviews with authorities and field visits, often interviewing populations living in most vulnerable conditions, unserved or underserved.

Portugal in 2016

- (-) Insufficient amount of disaggregated information (e.g. covering disadvantaged groups like Roma)
- National regulator (ERSAR) performs regular assessment of affordability of WSS based on average municipal incomes
Communications (allegation/other letters)

Special Procedures may issue communications to States and other entities (e.g. business corporations) to address alleged human rights violations and other situations of concern to human rights.

Strengths/possibilities

• Intervention to individual human rights violation cases.
• Increasingly used but still weak popularity compared with other human rights as an accountability mechanism.
• Help actors on the ground and community groups to reclaim their human rights.
• Spreading awareness of violations of the HRtWS through internet and social media
SDGs endorse the human rights based approach

- “A world where we reaffirm our commitments regarding the human right to safe drinking water and sanitation and where there is improved hygiene” (“Transforming Our World”)

Goal 6: Ensure availability and sustainable management of water and sanitation for all

- Target 6.1 By 2030, achieve universal and equitable access to safe and affordable drinking water for all.

- Target 6.2 By 2030, achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations.
Key issues for the human rights to water and sanitation related to SDGs

Equality
- Who are these 2.1 billion people who do not have safely managed water and the 4.5 billion people who lack safely managed sanitation?

Affordability
- Do you have to compromise your other human rights such as health, education and food to pay for water and sanitation?

Participation
- Who are making decisions on your solutions?

Accountability
- Who are accountable for implementation or non-implementation of SDGs?
Thank you!
For further information...

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