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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

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51/... The human rights to safe drinking water and sanitation

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities,

Recalling also the Vienna Declaration and Programme of Action, in which it is reaffirmed that all human rights are universal, indivisible, interdependent and interrelated, that human rights must be treated globally in a fair and equal manner, on the same footing and with the same emphasis, and that it is the duty of States to promote and protect all human rights, and in which the right to development is also reaffirmed,

Reaffirming all its previous resolutions on the human rights to safe drinking water and sanitation, inter alia, resolution 45/8 of 6 October 2020,

Recalling all previous General Assembly resolutions on the human rights to safe drinking water and sanitation, in particular resolution 64/292 of 28 July 2010, in which the Assembly recognized the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights, and resolution 76/153 of 16 December 2021,

Recalling also that States have the primary responsibility to ensure the full realization of all human rights and to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of their available resources,

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** State not a member of the Human Rights Council.



with a view to progressively achieving the full realization of the rights to safe drinking water and sanitation that are derived from the right to an adequate standard of living and are inextricably related to the right to the highest attainable standard of physical and mental health, as well as to the right to life and human dignity,

Recalling further the Programme of Action of the International Conference on Population and Development and the outcome documents of review conferences, and reaffirming the Beijing Declaration and Platform for Action, the outcome documents of the twenty-third special session of the General Assembly and the declarations adopted by the Commission on the Status of Women on the occasion of the tenth, fifteenth, twentieth and twenty-fifth anniversaries of the Fourth World Conference on Women,

Reaffirming General Assembly resolution 70/1 of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”, for the achievement of sustainable development in its three dimensions – economic, social and environmental – in a balanced and integrated manner, ensuring that no one is left behind, while referring in particular to Sustainable Development Goal 6, on ensuring the availability and sustainable management of water and sanitation for all, which reflects the interlinkages between achieving universal and equitable access to safe drinking water, sanitation and hygiene, including menstrual health and hygiene, while also striving to improve the quality and safety of water, reduce the number of people suffering from water scarcity, implement integrated water resource management at all levels, protect and restore water-related ecosystems and ensure special attention is paid to the needs and rights of women and girls,

Recalling all Human Rights Council resolutions on climate change and human rights and on human rights and the environment, including Council resolution 48/13 of 8 October 2021, as well as General Assembly resolution 76/300 of 28 July 2022, both entitled “The human right to a clean, healthy and sustainable environment”,

Recalling also that, more than 10 years after the recognition of the human rights to safe drinking water and sanitation and 7 years after the adoption of the 2030 Agenda for Sustainable Development, integrated approaches that support the practical realization of the human rights to safe drinking water and sanitation, in particular by tackling inequalities and ensuring that special attention is paid to the needs and rights of all women and girls, are more pertinent than ever before, also given the context of the coronavirus disease (COVID-19) pandemic,

Deeply concerned that the COVID-19 pandemic perpetuates and exacerbates existing inequalities, and that those disproportionately at risk are women, girls and persons in marginalized and vulnerable situations, recognizing the need to expand as a matter of utmost urgency access to adequate water and sanitation services, including for menstrual health and hygiene, and to ensure continued access to existing services in this regard, including sexual and reproductive health-care services, and gravely concerned that 2.3 billion people worldwide lack basic hand-washing facilities at home, which are urgently needed to prevent the spread of COVID-19 and other infectious diseases,

Looking forward to the convening of the United Nations Conference on the Midterm Comprehensive Review of the Implementation of the Objectives of the International Decade of Action, “Water for Sustainable Development”, 2018–2028, in New York from 22 to 24 March 2023, subsequently referred to as the United Nations 2023 Water Conference, noting its preparatory process, and calling for, inter alia, the acceleration of the achievement of the internationally agreed water-related goals and targets, including those contained in the 2030 Agenda,

Stressing the importance of highlighting the human rights dimension at the United Nations 2023 Water Conference, including by reflecting the importance of human rights across all segments and notably in the interactive dialogues, inter alia, through the active participation of the Special Rapporteur on the human rights to safe drinking water and sanitation and other relevant special procedure mandate holders and mechanisms of the Human Rights Council, such as the Social Forum, and by ensuring broad and inclusive civil society representation,

Welcoming the work of the World Health Organization and the United Nations Children’s Fund through the Joint Monitoring Programme for Water Supply, Sanitation and

Hygiene, which has established an extensive global database and has been instrumental in developing global norms by which to benchmark progress, while taking into consideration the fact that official figures do not always capture all the dimensions of the human rights to safe drinking water and sanitation,

Welcoming also the fact that, globally, between 2015 and 2020, according to the Joint Monitoring Programme, the percentage of the population using safely managed drinking water increased from 70 to 74 per cent and the percentage of the population using safely managed sanitation services increased from 47 to 54 per cent, while bearing in mind that achieving universal and equitable access to safe drinking water and sanitation services by 2030 will require a fourfold increase in current rates of progress,

Deeply concerned that 2 billion people around the world lack safely managed drinking water services, including 1.2 billion people with basic services, 282 million with limited services, 367 million using unimproved sources and 122 million drinking surface water, while 3.6 billion people lack safely managed sanitation, including 1.9 billion people with basic services, 580 million with limited services, 616 million using unimproved facilities and 494 million practising open defecation,

Recognizing that sustained access to safe water, sanitation and hygiene facilities is essential to preventing infectious diseases, and that people without or with inadequate access to water, sanitation and hygiene facilities are at a much higher risk of contracting and passing on diseases,

Deeply alarmed that water, sanitation and hygiene-related diseases hit children the hardest, noting that child diarrhoea remains a leading cause of death in children under 5 years of age, and underscoring that progress on reducing child mortality, morbidity and stunting is linked to children's and women's universal and equitable access to safe drinking water and sanitation, that, in humanitarian emergencies and crisis, children suffer the most from interruptions in water and sanitation services and that, globally, 29 per cent of schools still lack basic drinking water services, while 28 per cent still lack basic sanitation services and 42 per cent lack basic hygiene services,

Deeply concerned that persons with disabilities, especially women, children and older persons, often face barriers in their access to water and sanitation facilities that are accessible and appropriate to their needs, which affects their ability to live independently and participate fully in all aspects of life, including education and employment, which is particularly concerning in situations of homelessness and humanitarian emergencies and crises,

Recognizing that, while the implications of climate change-related impacts and environmental damage, including worsening water scarcity, for the enjoyment of the human rights to safe drinking water and sanitation affect individuals and communities around the world, the consequences are felt most acutely by those segments of the population that are already in marginalized and vulnerable situations, such as people living in informal settlements, people living in small island States, and rural and local communities and people facing desertification, land degradation, drought and water scarcity, and recognizing also that Indigenous Peoples, because of their specific situation, may be among the first to face the direct consequences of climate change owing to their dependence upon and close relationship with the environment and its resources,

Taking note with appreciation of the report of the Special Rapporteur on the human rights to safe drinking water and sanitation entitled "Human rights to safe drinking water and sanitation of indigenous peoples: state of affairs and lessons from ancestral cultures",¹ and calling upon all States to consider the recommendations contained therein,

Noting that effective solutions to the risks of climate change require funding and the active involvement of communities in adaptation strategies, and that progressively realizing the human rights to safe drinking water and sanitation, especially for those living in situations of marginalization or vulnerability, is strongly linked to the health and sustainability of the aquatic ecosystems on which those populations depend,

Noting also that, in many parts of the world, women and girls shoulder the main burden of collecting household water and of care responsibilities, including those arising

¹ A/HRC/51/24.

from waterborne diseases, restricting their time for other activities, such as education and leisure, or for earning a livelihood,

Deeply concerned that women and girls are particularly at risk of and exposed to attacks, sexual and gender-based violence, harassment and other threats to their safety while collecting household water, when accessing sanitation facilities outside their homes or when, in the absence of adequate sanitation facilities, practising open defecation and urination, which limits their ability to move freely and safely in the public sphere,

Deeply concerned also that women and girls, including women and girls with disabilities, often face particular barriers in their enjoyment of the rights to safe drinking water and sanitation and that the lack of access to adequate water and sanitation services, including for menstrual health and hygiene, especially in schools and other educational settings, workplaces, health centres and public facilities and buildings, negatively affects gender equality, the empowerment of women and girls and their enjoyment of human rights, including the rights to food, education, health and safe and healthy working conditions, as well as the right to participate in public affairs,

Deeply concerned further that widespread silence and stigma surrounding menstrual health and hygiene mean that women and girls often lack basic information thereon and are excluded and stigmatized and thus prevented from realizing their full rights and potential,

Deeply concerned about the lack of access to adequate water and sanitation services and its dramatic consequences for the overall health situation in humanitarian emergencies and crises,

Alarmed about the fact that, according to the *Sustainable Development Goals Report 2022*,² scarcity of water could displace an estimated 700 million people by 2030 and that displaced people, including people living in refugee camps, are more likely to lack access to basic drinking water and to basic sanitation, while acknowledging the efforts of refugee host countries to improve the situation of people living in refugee camps,

Deeply alarmed by indiscriminate attacks and attacks deliberately targeting civilian objects in armed conflict, which may injure personnel and damage civilian infrastructure that is critical to safe drinking water and sanitation,

Affirming the importance of national programmes and policies in ensuring the progressive realization of the human rights to safe drinking water and sanitation, and affirming also the importance of regional and international cooperation and technical assistance, where appropriate, as a means to promote the progressive realization of the human rights to safe drinking water and sanitation,

Recognizing the important role that civil society plays at the local, national, regional and international levels and the positive, important and legitimate role played by human rights defenders, including environmental human rights defenders, in the promotion and protection of the human rights to safe drinking water and sanitation,

Recalling the Guiding Principles on Business and Human Rights, which underscore the responsibility of all business enterprises to respect human rights, and emphasizing that non-State actors, including business enterprises, both transnational and others, should comply with their responsibility to respect human rights, including the human rights to safe drinking water and sanitation, including by cooperating with State investigations into allegations of abuses of the human rights to safe drinking water and sanitation and by progressively engaging with States to detect and remedy abuses of the human right to safe drinking water and sanitation,

Emphasizing that a lack of access to safe drinking water, sanitation and hygiene underlies severe human costs and major economic losses, and affirming that affordability, accessibility, availability and quality, as human rights criteria ensuring the realization of the rights to safe drinking water and sanitation, require, inter alia, that water, sanitation and hygiene facilities and services are within the safe physical reach of all sections of the population without discrimination of any kind, are accessible at a price that is affordable to all and are physically accessible, inclusive and appropriate for persons with disabilities,

² United Nations publication, 2022.

Stressing the importance of achieving universal access to safe, affordable and adequate drinking water, sanitation and hygiene by 2030, and of identifying adequate and new sources of funding, including innovative sustainable financing and enhanced investment,

Stressing also the importance of monitoring and reporting on the implementation of the Sustainable Development Goals and targets, including Goal 6,

1. *Reaffirms* that the human right to safe drinking water entitles everyone, without discrimination, to have sustained access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use, and that the human right to sanitation entitles everyone, without discrimination, to have physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure, socially and culturally acceptable and that provides privacy and ensures dignity, and also reaffirms that both rights are components of the right to an adequate standard of living;

2. *Calls upon* States:

(a) To take measures to ensure the progressive realization of the human rights to safe drinking water and sanitation, applying a gender-responsive and inclusive approach that respects, protects and fulfils all human rights of women and girls and responds to the needs of all women and girls in diverse situations and conditions as agents and beneficiaries of change;

(b) To accelerate the cross-sectoral implementation of the internationally agreed Sustainable Development Goals and targets, including Goal 6, on ensuring the availability and sustainable management of water and sanitation for all, including by working collaboratively with all stakeholders in a coordinated manner, consistent with their obligations under international law and taking into account the outcome of the United Nations 2023 Water Conference;

(c) To promote both women's leadership and their full, effective, equal and meaningful participation in decision-making on water and sanitation management and to ensure that a gender perspective is mainstreamed into all water and sanitation programmes;

(d) To ensure access to safe and affordable drinking water and adequate and equitable sanitation and hygiene for all women and girls, including for menstrual health and hygiene, including hygiene facilities and services in public and private spaces, and to address the widespread stigma and shame surrounding menstruation and menstrual health and hygiene by promoting educational and health practices in and out of schools in order to foster a culture in which menstruation is recognized as healthy and natural and by ensuring access to factual information thereon;

(e) To take measures to empower all women and girls for preparedness in humanitarian emergencies and crises, notably in times of armed conflict or natural disaster, by ensuring access to water and sanitation services and related information in accessible formats and implementing gender-responsive policies, plans and programmes that address, inter alia, effective menstrual health and hygiene and adequate access to and disposal options for menstrual products, without compromising their rights, safety and dignity;

(f) To reduce the time spent by women and girls in collecting household water and to protect women and girls from being physically threatened and assaulted, including from sexual violence, when accessing sanitation facilities outside their homes or practising open defecation and urination, and to promote safe public spaces and improve the security and safety of women and girls through gender-responsive rural and urban planning and infrastructure;

(g) To take steps to ensure that water and sanitation facilities and services are accessible for persons with disabilities and apply the principles of universal design in accordance with the Convention on the Rights of Persons with Disabilities to meet the needs of persons with disabilities, especially women and children;

(h) To progressively eliminate open defecation by adopting policies to increase access to sanitation, including for individuals in the most vulnerable and marginalized situations;

(i) To raise international awareness of the issue of waterborne diseases, in particular cholera and child diarrhoea, which can be prevented through safe drinking water and adequate sanitation and hygiene, and to engage in partnerships with relevant stakeholders to implement projects aimed at scaling up access to safe water and sanitation in developing countries;

(j) To enhance efforts to substantially reduce the share of untreated wastewater released into the environment and to ensure that plans and programmes for improving sanitation services take into account the need for appropriate systems for the treatment of wastewater produced, including that containing antibiotic-resistant bacteria and antibiotic resistance genes, and the disposal of infant faeces, with the aim of reducing the risks to human health, drinking water resources and the environment, acknowledging the potential of wastewater reuse;

(k) To provide for effective accountability and regulations mechanisms for all water and sanitation service providers, including private sector providers, to ensure that they respect human rights and do not cause or contribute to human rights violations or abuses;

(l) To provide financial resources and support capacity-building and technology transfer in a sector-wide approach to help countries, at their request, in particular developing countries, to provide safe, clean, accessible and affordable drinking water and sanitation for all, and to recognize the need for and implement integrated water resources management to ensure sustainable and equitable use of water and the protection of ecosystems;

(m) To effectively respond to health and humanitarian crises and their consequences by, inter alia, enhancing efforts progressively to realize the human rights to safe drinking water and sanitation;

(n) To develop an adequate and effective framework for integrated water resources management, including groundwater resources, through enhancing knowledge and data, institutional capacity, laws, regulations and their enforcement, policy and planning, stakeholder participation and appropriate financing, and to ensure that their policies and plans are fully implemented and that the resources remains available for future generations, in order to ensure water supply and management for an adequate standard of living;

3. *Welcomes* the work of the Special Rapporteur on the human rights to safe drinking water and sanitation, and takes note with appreciation of his reports;

4. *Decides* to extend the mandate of Special Rapporteur on the human rights to safe drinking water and sanitation for a period of three years, and requests the Special Rapporteur to continue to report on an annual basis to the Human Rights Council and to submit an annual report to the General Assembly;

5. *Requests* the Special Rapporteur, with a view to promoting the progressive realization of the human rights to safe drinking water and sanitation at the United Nations 2023 Water Conference, to actively engage in collaboration with States and other stakeholders in the preparatory process to ensure that the human rights dimension is adequately reflected in the agenda and outcome of the Conference, and to ensure broad and inclusive civil society representation;

6. *Encourages* all Governments to continue to respond favourably to requests by the Special Rapporteur for visits and information, to follow up effectively on the recommendations of the mandate holder and to make available information on measures taken in this regard;

7. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the resources and assistance necessary for the effective fulfilment of the mandate;

8. *Decides* to continue the consideration of this matter under the same agenda item at its fifty-seventh session.