



Issue 162 | Sept 19, 2014 | Focus on WASH & Human Rights

This issue highlights the just-published handbook on WASH and human rights by Catarina de Albuquerque, the UN special rapporteur on the human right to safe drinking water and sanitation. Also included are studies from the UNC Water Institute; Human Rights Watch; fact sheets and position statements from the UN and UNICEF; country reports from the DRC, Haiti, and South Africa; and links to relevant websites.

Realising the Human Rights to Water and Sanitation: A Handbook, 2014. C de Albuquerque. ([Link](#))

This handbook is the product of six years of work by the first UN special rapporteur on the human rights to safe drinking water and sanitation. It explains the meaning and legal obligations that arise from these rights, translating the often complex technical and legal language into accessible information. The target audiences for this handbook are governments at all levels, donors, and national regulatory bodies. It provides information that will also be useful to other local, regional, and international stakeholders, including civil society, service providers, and human rights organizations.

Fact Sheet on the Right to Water, n.d. United Nations. | [Arabic](#) | [English](#) | [French](#) | [Spanish](#)

The roots of the current water and sanitation crisis can be traced to poverty, inequality, and unequal power relationships, and it is exacerbated by social and environmental challenges: accelerating urbanization, climate change, and increasing pollution and depletion of water resources. To address this crisis, the international community has increasingly recognized that access to safe drinking water and sanitation must be considered within a human rights framework.

Translating the Human Right to Water and Sanitation into Public Policy Reform.

Science and Engineering Ethics, Jan 2014. B Meier. ([Link](#))

The development of a human right to water and sanitation under international law has created an imperative to implement human rights in water and sanitation policy. Through 43 interviews with informants in international institutions, national governments, and NGOs, this research examines interpretations of this new human right on global governance, national policy, and local practice.

Examining the Practice of Developing Human Rights Indicators to Facilitate Accountability for the Human Right to Water and Sanitation. *Journal of Human Rights*

Practice, Mar 2014. B Meier. ([Link](#))

This policy note focuses on efforts to develop indicators for state reporting to human rights treaty bodies. It proposes an indicator development model as a basis for developing indicators that reflect the attributes of the right to water and sanitation, enlist key stakeholders in the policy making process, and have political relevance for state reporting.

Equity in Water and Sanitation: Developing an Index to Measure Progressive Realization of the Human Right. *International Journal of Hygiene and Environmental Health*, Jan 2013. J Luh. ([Link](#))

The authors developed an index to measure progressive realization of the human right to water and sanitation. While in this study they demonstrate its application to the nondiscrimination and equality component for water, the conceptual approach of the index can be used for all the different components of the human right.

Implementing an Evolving Human Right through Water and Sanitation Policy. *Water Policy*, Nov 2013. B Meier. ([Link](#))

Examining the opportunities created by this UN resolution, this article analyzes the implementation of the human right to water and sanitation through global water governance, national water policy, and water and sanitation outcomes. While obstacles remain at each step in the implementation of this right, the authors conclude that the UN resolution could have lasting effects on public health through rights-based water and sanitation policy.

Cleaning Human Waste: "Manual Scavenging," Caste, and Discrimination in India, 2014. Human Rights Watch. ([Link](#))

This report documents the coercive nature of manual scavenging. Across India, castes that work as "manual scavengers" collect human excrement on a daily basis, and carry it away in cane baskets for disposal. Women from this caste usually clean dry toilets in homes, while men do the more physically demanding cleaning of sewers and septic tanks.

Menstrual Hygiene Day Links Periods and Human Rights, 2014. A Klasing, Human Rights Watch. ([Link](#))

Handling periods (or "menstrual hygiene management" as experts call it) isn't the first thing one might associate with human rights. Yet the link between realization of rights for women and girls and menstrual hygiene management could not be clearer.

The Rights to Safe Water and Sanitation. 2014. UNICEF. ([Link](#))

UNICEF supports realization of the right to water and sanitation through an equity-focused approach.

The Availability, Accessibility, Acceptability and Quality (AAAQ) Framework and the Right to Water, 2014. M Jensen, Danish Institute for Human Rights. ([Link](#))

This issue paper explores a possible generic methodology for the operationalization of rights, exemplified through the right to water. The key aims of this methodology are: to identify the core normative dimensions of the right in terms of the criteria of availability, accessibility, acceptability, and quality (AAAQ) and to develop a framework on the basis of the AAAQ criteria that consists of specific standards, generic indicators, and generic benchmarks.

Global Water Scarcity: Health, Human Rights and Environmental Challenges, 2014. R Pink. ([Video](#))

Dr. Ross Michael Pink is a co-founder of Global Water Rights and has designed and taught

courses on water rights and development. His presentation at the University of Toronto focuses on global water scarcity with case studies from India, Indonesia, Mali, and Tibet.

The Right to Sanitation: Time to Delink from the Right to Water. *Human Rights Quarterly*, Aug 2014. K Ellis. ([Abstract](#))

Within the human rights arena, water and sanitation are very often presented as linked together. This article examines the historical roots of this linkage as well as its manifestation at both the international and domestic level in countries that have formally recognized a right to water and sanitation. The analysis leads to a conclusion that a continuation of the linkage is not historically warranted, nor does it offer clear advantages for realization of a right to water or a right to sanitation.

The Free Flow Principles: Freedom of Expression and Rights to Water and Sanitation, 2014. ARTICLE 19. ([Link](#))

The right to freedom of expression is a fundamental human right, necessary for individual self-fulfillment, self-realization, and autonomy and for the functioning of a democratic form of government. Freedom of expression is key to the success of any efforts that aim at the realization of the rights to water and sanitation.

Can Water Be a Human Right? *Appeal*, 19(131) 2014. K Snell. ([Link](#))

The human right to water was recognized in the 2002 CESCR General Comment 15 as well as in a 2010 UN General Assembly Declaration. While a human right to water may appear attractive as a means of preventing waterborne disease and ensuring adequate supply of water for basic domestic needs, many questions are raised when one considers how a declaration of the right translates into an actual legal entitlement.

COUNTRY REPORTS

DRC – In Search of Clean Water: Human Rights and the Mining Industry in Katanga, DRC, 2014. A Montejano. ([Link](#))

This report begins by setting out the context in the Katanga Province and providing an overview of the human right to water. It then assesses, firstly, whether mining companies comply with the national mining regulations, stressing also the importance of the UN Guiding Principles on Business and Human Rights and taking the concept of human rights due diligence as a benchmark; secondly, the performance of the DRC vis-a-vis its international human rights obligations, emphasizing the participation of state-owned companies in the mining sector; and lastly, the role of the home states of the polluting companies and their extraterritorial obligations regarding the protection of the human right to water in the DRC.

Haiti – Cholera as a Grave Violation of the Right to Water in Haiti, 2014. S Dávila-Ruhaak. ([Link](#))

This report on cholera in Haiti provides a case study of strategies used and difficulties faced by victims seeking accountability and remedies for right-to-water violations perpetrated by nonstate actors.

South Africa – Report on the Right to Access Sufficient Water and Decent Sanitation in South Africa, 2014. South African Human Rights Commission. ([Link](#))

This report provides an overview of the state of access to water and sanitation in South Africa. It provides the framework for the commission's work on water and sanitation by looking at the status quo. It gives an overview of the impact that a lack of access to water and

sanitation can have one one's life and dignity and one's ability to access other human rights. The section ends with an analysis of the state of national and provincial access to water and sanitation in the country.

USA – United Nations Says Turning Off Poor Detroiters' Water Violates Human Rights. *Huffington Post*, June 2014. K Abbey-Lambertz. ([Link](#))

Detroit has been shutting off water to customers who reportedly can't afford to pay their bills, and United Nations experts said Wednesday it's a violation of human rights. The UN responded after a coalition of activist groups submitted a report to its Human Rights Office of the High Commissioner detailing water shutoffs and extreme consequences for families in the city who can't afford to pay their bills and have had to go without water.

WEBSITES

UN Special Rapporteur on the Human Right to Water and Sanitation – ([Link](#))

The UN Human Rights Council in March 2008 initially established the mandate of the special rapporteur on the human right to safe drinking water and sanitation as the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation. Catarina de Albuquerque took up the mandate in November 2008. As special rapporteur, Ms. de Albuquerque carries out thematic research, undertakes country missions, and works with development practitioners on the implementation of the rights to water and sanitation.

Rights to Water and Sanitation – ([Link](#))

Use this site to find out more about why water and sanitation as human rights are key to achieving universal access to safe water and sanitation. Also, find out about what progress has been made in getting the rights recognized and what impact the implementation of the right has made so far.

United Nations – The Human Right to Water and Sanitation. ([Link](#))

Links to UN resolutions and reports on WASH and human rights.

WASHplus Weeklies highlight topics such as Urban WASH, Indoor Air Pollution, Innovation, Household Water Treatment and Storage, Hand Washing, Integration, and more. If you would like to feature your organization's materials in upcoming issues, please send them to Dan Campbell, WASHplus Knowledge Resources Specialist, at dacampbell@fhi360.org.



About WASHplus - WASHplus, a five-year project funded through USAID's Bureau for Global Health, supports healthy households and communities by creating and delivering interventions that lead to improvements in access, practice and health outcomes related to water, sanitation, hygiene (WASH) and indoor air pollution (IAP). WASHplus uses at-scale, targeted as well as integrated approaches to reduce diarrheal diseases and acute respiratory infections, the two top killers of children under five years of age globally. For information, visit www.washplus.org or email: contact@washplus.org.

