

## **Private Water Operators celebrate the recognition of the Human Right to water and sanitation by the United Nations General Assembly.**

**This resolution must be used to turn the Right into a Reality for the  
billions of people who do not enjoy proper water services**

**New York – July 29, 2010.** On July 28, 2010, the United Nations General Assembly recognised the Right to safe and clean drinking water and sanitation as a human right.

### **Background**

Private water operators have consistently supported the Right to Water and Sanitation for many years. They have stressed the need for this human right to be practical and to be implemented on the ground.

In March 2006, during the third World Water Forum, they issued an important statement through their international federation, AquaFed. This highlighted 3 essential steps necessary to implement the Right to Water and Sanitation locally and to make this right real and useful to all individuals:

1. Acknowledge the Human Right to Water and Sanitation and its content and obligations (Recognise)
2. Identify and empower the public authority in charge of overseeing and administering the local implementation of the Right to Water and Sanitation, its related duties and its means of action. (Organise)
3. Having a capable field operator, mandated and controlled by this public authority, to ensure delivery of the right to each individual concerned. (Implement)

The new resolution by the UN General Assembly is a major contribution to the first step which operators of all kinds welcome.

### **a) Private water operators throughout the world celebrate the recognition of the Human Right to Water and Sanitation by the United Nations General Assembly.**

*"For private water operators, this global recognition is an important milestone. Our members and our Federation have been working actively with the United Nations and many other stakeholders for a decade to ensure that the Right to Water and Sanitation is recognized, that it is practical and can be implemented. This UN resolution is welcomed because it is a stepping stone that should increase the commitment of national governments to ensuring that all their population enjoy the multiple benefits of having access to adequate water and sanitation services.*

*Access to safe clean water and sanitation is truly vital: it is essential for life and necessary for health, education, dignity, gender equality, employment, social and economic development and quality of life.*

*The UN Member States have now to work on the implementation of this human right. They have to empower appropriate public authorities, clarify their obligations and make sure that they mandate capable field operators to make this right effective for people" said Gerard Payen, President of AquaFed.*

### **b) Billions of people lack satisfactory access to safe water and sanitation. This makes the challenge even more important than stated in the resolution of the UN General Assembly .**

The UN resolution highlights the figure of 884 million people who lack "access to safe drinking water". This is a serious underestimation of the reality. These 884 million people **do not even have access to the minimal** level of access to water that is termed "access to improved water sources" in UN documents.

Far more people do not have sustainable access to safe and affordable water. Based on UN statistics 2.9 billion people are without access to tapwater at home. AquaFed estimates that the number of people who do not have a regular and safe supply of tap water in their homes every day is **close to 4 billion, or half the world's population**.

Faced with this challenge, professional water operators, hope that this political recognition of the Right to Water will encourage national governments to set more ambitious targets for access to water and sanitation.

**c) Private sector operators contribute to deliver the Right to Water every day. It is the core of their business.**

Every day throughout the world, private operators deliver reliable and high quality water services to hundreds of millions of people in developing and developed countries.

In the past fifteen years they have provided sustainable access to affordable safe water to tens of millions of people, mostly poor, in the areas designated by the responsible public authorities. They have increased the quality and the availability of the water used by hundreds of millions of people. They have provided connections to sewerage systems to tens of millions of people. Implementing the Right to Water and Sanitation is at the heart of their business.

*"Private operators make the Right to Water effective in real terms. They do this under the direction and control of public authorities. They are the instruments of public policy that ensure that the right is implemented on the ground. It is their job and they do it."* Mr Payen said.

**d) Private operators have contributed to the definition of the Right to Water and Sanitation**

To be meaningful to people who need water, the Right to Water and Sanitation must be more than an idealistic or ideological construct. It has to be clearly defined, the parties obligations must be precise, and it must be practical so it can be delivered on the ground. Private water operators have played a constructive role in the work of the UN Human Rights Council over the last 10 years to ensure this outcome. In particular, they brought the attention of the UN High Commissioner on Human Rights the lack of practical content of the Right to Sanitation in General Comment 15<sup>1</sup>, the reference document that defines the normative content of the Right to Water and Sanitation. This resulted in a specific report on the Right to Sanitation by the Independent Expert mandated by the UN Human Rights Council.

*"It is important that the right is practical. Those billions of people waiting to be provided with proper services can't afford to wait. They need the water itself and they need it now. This Right must be used to achieve that without delay."* Mr Payen concluded.

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*AquaFed is the International Federation of Private Water Operators. Open to companies and associations of companies of all sizes and from all countries, it aims to contribute to solving water challenges by making Private Sector know-how and experience available to the international community. It brings together more than 300 water companies that serve hundreds of millions of people in 40 countries.*

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<sup>1</sup> ("General Comment 15 to the International Covenant on Economical, Social and Cultural Rights).

## References / Links to relevant documents

### UN documents

1. General Comment 15 to the International Covenant on Economical, Social and Cultural Rights, the basic document that defines the normative content of the right to water and sanitation in international law.  
<http://www.unhchr.ch/tbs/doc.nsf/0/a5458d1d1bbd713fc1256cc400389e94?Opendocument>
2. Report of the UN-HRC Independent Expert on the Right to Sanitation  
<http://www2.ohchr.org/english/issues/water/iexpert/annual.htm>
3. Report of the UN-HRC Independent Expert on “non-State actors”  
<http://www2.ohchr.org/english/issues/water/iexpert/docs/A-HRC-15-31-AEV.pdf>

### AquaFed documents

4. AquaFed’s statement on the Right to Water ( Mexico World Water Forum - 2006)  
[http://www.aquafed.org/pdf/Operators\\_Right-to-Water\\_PR\\_Pc\\_2006-03-19.pdf](http://www.aquafed.org/pdf/Operators_Right-to-Water_PR_Pc_2006-03-19.pdf)
5. AquaFed ‘s submission on the Right to Water and Sanitation (2007 – to the UN-OHCHR)  
[http://www.aquafed.org/pdf/OHCHR\\_AquaFedSubmission1\\_20070412.pdf](http://www.aquafed.org/pdf/OHCHR_AquaFedSubmission1_20070412.pdf)  
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6. AquaFed’s statement on the need for more ambitious water policies (Istanbul World Water Forum – 2009)  
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7. AquaFed ‘s submission on the content of the Right to Sanitation ( 2009 - to the UN-Independent Expert)  
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8. Contribution of Private Water operators to access to water in developing countries – Press release – Sept 2009  
[http://www.aquafed.org/pdf/WBreport%20on%20PPPs\\_AquaFedPressRelease\\_EN\\_Pd\\_2009-09-30.pdf](http://www.aquafed.org/pdf/WBreport%20on%20PPPs_AquaFedPressRelease_EN_Pd_2009-09-30.pdf)
9. AquaFed ‘s submissions on the Right to Water and Sanitation and private operators (2010 – to the UN Independent Expert)  
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<http://www2.ohchr.org/english/issues/water/iexpert/docs/written-contributions/Aquafed6.pdf>
10. “What private operators do and don't do” (Istanbul World Water Forum – 2009)  
[http://www.aquafed.org/pdf/WhatOperatorsDo\\_AquaFed\\_Press%20Release\\_Final\\_Pd\\_ENG\\_2009-03-17.pdf](http://www.aquafed.org/pdf/WhatOperatorsDo_AquaFed_Press%20Release_Final_Pd_ENG_2009-03-17.pdf)