

The Right to Water

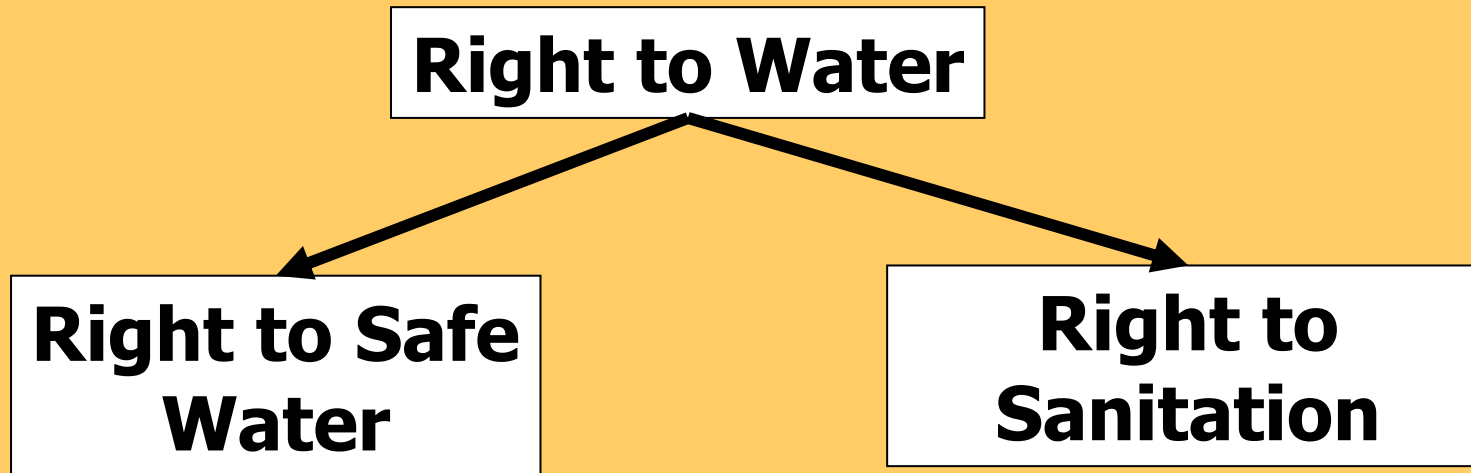
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AquaFed

The Right to Water



Content of Right to Water detailed in 2002 by the UN Sub-Commission on Human Rights in a “General Comment” to the relevant international treaty.

Does the Right to Water Hinder or Help?

- Some governments fear the commitment or cost implications.
However, the Right exists in international law and is embedded in many national laws
- Is RtW helpful in developing access to water & sanitation (MDGs)?
 - Some say yes and use it to push governments
 - Others push the RtW with different political agendas: Anti-globalisation, Anti-private, Anti-trade, Global public good

What counts is implementation in the field

What counts is Implementation

- Having a "Right" but no water is useless
- Three steps to implementation
as suggested by AquaFed at the Mexico World Water Forum (see www.aquafed.org):
 - **Declaring the right**
 - **Identifying the authorities in charge and their obligations**
 - **Organising implementation by an operator (public or private)**

The political issue at UN level

- The 2002 General Comment is legally binding but has not been endorsed politically.
- At the UN Level, many governments are reluctant to recognise the Right to Water
- The matter has been brought to the UN Human Rights Council for political endorsement

The UN Human Rights Council process

- UN-OHCHR submitted a good report to UN-HRC
(*What input from UN Water?*)
- HRC will deliberate on the matter in March 2008
- Potential decisions:
 - Political endorsement of the 2002 General Comment 15
 - Appointment of a UN Special Rapporteur
- 60th anniversary of UN Human Rights Universal Declaration in December 2008

What role for UN Water?

- Should UN Water have an official position supporting the Right to Water?
- Should UN Water contribute officially to the Human Rights Council debate?
- What could UN Water do to contribute to clarifying the Right to Sanitation?
- How could UN Water use the Right to accelerate implementation?