



Backgrounder

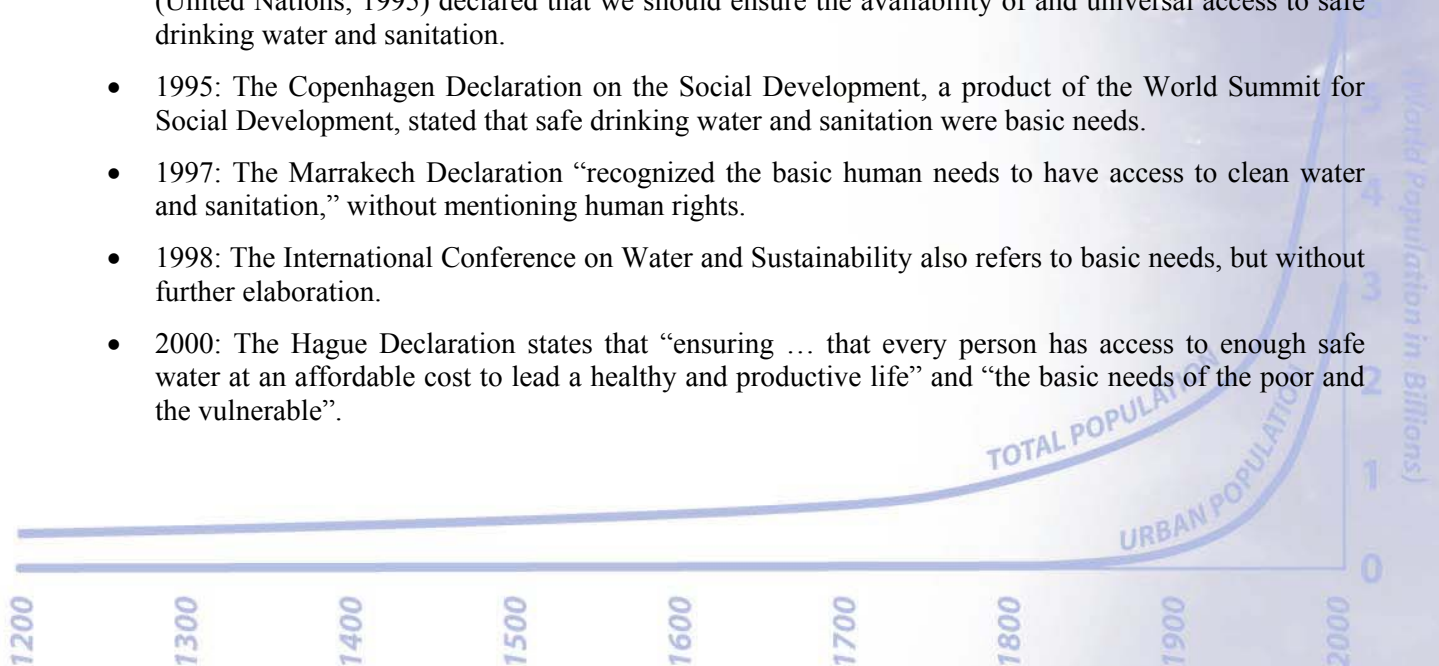
Water Rights

Water and sanitation is a human right.

- Various human rights have been recognised in international declarations, covenants and conventions and are supported by international legal instruments. The right to adequate water and sanitation are not central to any of these agreements, but are implicit in several, and the right to clean drinking water is explicit in the Convention on the Rights of the Child. Access to clean water and sanitation at an affordable price is also acknowledged in a number of other international statements in the water sector.
- Recognition that adequate water and sanitation are human rights does not imply that the public sector must be the provider of water and sanitation services. The International Covenant on Economic, Social and Cultural Rights, which sets out the basis of state responsibilities towards the realisation of the rights to health and to an adequate standard of living, does not rule out a central role for private enterprises. But it does require states to “take the necessary steps towards the progressive achievement of the right of everyone to an adequate standard of living, including access to water and sanitation”.

A chronology of water rights

- 1977: Access to safe water as a human right was suggested in the Mar del Plata Action Plan: “[A]ll peoples, whatever their stage of development and their social and economic conditions, have the right to have access to drinking water in quantities and of a quality equal to their basic needs.”
- 1990: The New Delhi Statement simply advocated that all should have access to water and not referring to human rights.
- 1992: The Dublin Statement states that “the basic right of all human beings to have access to clean water and sanitation at an affordable price”.
- 1995: The Beijing Declaration that followed the United Nations Fourth World Conference on Women (United Nations, 1995) declared that we should ensure the availability of and universal access to safe drinking water and sanitation.
- 1995: The Copenhagen Declaration on the Social Development, a product of the World Summit for Social Development, stated that safe drinking water and sanitation were basic needs.
- 1997: The Marrakech Declaration “recognized the basic human needs to have access to clean water and sanitation,” without mentioning human rights.
- 1998: The International Conference on Water and Sustainability also refers to basic needs, but without further elaboration.
- 2000: The Hague Declaration states that “ensuring ... that every person has access to enough safe water at an affordable cost to lead a healthy and productive life” and “the basic needs of the poor and the vulnerable”.





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WATER & SANITATION IN THE WORLD'S CITIES



- 2000: At the dawn of the 21st century, the issues of water supply and the rights to development were treated separately in the United Nations Millennium Declaration.
- 2002, June: The United Nations Commission on Human Rights, the Sub-Commission on the Promotion and Protection of Human Rights, published a report on water, endorsing the view that access to safe water and proper sanitation is indeed a human right.
- 2002, November: Finally, access to sufficient and safe drinking water was declared a human right by the United Nations. The declaration was made in the form of a clarification of the International Covenant on Economic, Social and Cultural Rights: "The human right to drinking water is fundamental for life and health. Sufficient and safe drinking water is a precondition for the realization of all human rights."

Provision of water and sanitation to the poor

- 1990: Provision of water and sanitation to the poor has been on the agenda since the New Delhi Statement, which summed up its agreements as "[s]ome for all rather than more for some"
- 1992: Agenda 21 pointed out that water resources management is much more significant to the poor, because good management can alleviate poverty and improve health and quality of life.
- 2000: The Copenhagen Declaration on the Social Development stated that the root causes of poverty lies in unfulfilled basic needs, which includes the provision of safe drinking water and sanitation.
- 2000: The Hague Declaration stated that threats to water resources hit the poor "first and hardest".
- The Bonn Declaration linked poverty, equitable and sustainable development and the role of water.

The push for recognition of access to safe water as a human right can be said to have been supported by the realization that water plays a crucial role in breaking the vicious cycle of poverty.

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