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Promotion and protection of human rights

Armenia, Austria, Belgium, Bulgaria, Central African Republic, Costa Rica, Côte d'Ivoire, Cyprus, Denmark, Estonia, Finland, Germany, Honduras, Iceland, Ireland, Italy, Jordan, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, North Macedonia, Portugal, Republic of Moldova, Slovenia, Spain, Sweden and Switzerland: draft resolution

The human rights to safe drinking water and sanitation

The General Assembly,

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

Recalling its resolutions [64/292](#) of 28 July 2010, in which it 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 [74/141](#) of 18 December 2019, entitled “The human rights to safe drinking water and sanitation”,

Reaffirming all previous resolutions of the Human Rights Council regarding the human rights to safe drinking water and sanitation, inter alia, Council resolution [45/8](#) of 6 October 2020,¹

Recalling the Universal Declaration of Human Rights,² the International Covenant on Economic, Social and Cultural Rights,³ the International Covenant on Civil and Political Rights,⁴ the International Convention on the Elimination of All Forms of Racial Discrimination,⁵ the Convention on the Elimination of All Forms of Discrimination against Women,⁶ the Convention on the Rights of the Child⁷ and the Convention on the Rights of Persons with Disabilities,⁸

¹ See *Official Records of the General Assembly, Seventy-fifth Session, Supplement No. 53A (A/75/53/Add.1)*, chap. III.

² Resolution [217 A \(III\)](#).

³ See resolution [2200 A \(XXI\)](#), annex.

⁴ Ibid.

⁵ United Nations, *Treaty Series*, vol. 660, No. 9464.

⁶ Ibid., vol. 1249, No. 20378.

⁷ Ibid., vol. 1577, No. 27531.

⁸ Ibid., vol. 2515, No. 44910.



Recalling also that the human rights to safe drinking water and sanitation 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,

Noting general comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights)⁹ and the statement on the right to sanitation of the Committee of 19 November 2010,¹⁰ and taking note of the reports of the Special Rapporteur of the Human Rights Council on the human rights to safe drinking water and sanitation,

Taking note of the *United Nations World Water Development Report 2020*, the outcome document of the High-level Panel on Water, entitled “Making every drop count: an agenda for water action”, the *Sustainable Development Goal 6 Synthesis Report on Water and Sanitation*, the outcomes and Ministerial Declaration of the eighth World Water Forum, held in Brasilia from 18 to 23 March 2018, and the Sustainable Development Goal 6 Global Acceleration Framework, as well as the publication of the United Nations Children’s Fund entitled “Reimagining WASH: water security for all”,

Reaffirming the responsibility of States to ensure the promotion and protection of and respect for all human rights, which are universal, indivisible, interdependent and interrelated, and must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Recalling the Programme of Action of the International Conference on Population and Development¹¹ and outcome documents of review conferences, reaffirming the Beijing Declaration and Platform for Action,¹² the outcome documents of the twenty-third special session of the General Assembly¹³ 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,¹⁴

Reaffirming its 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, and stressing the importance of monitoring and reporting on the implementation of the Sustainable Development Goals,

Recalling its resolution 71/222 of 21 December 2016, by which it proclaimed the period 2018–2028 the International Decade for Action, “Water for Sustainable Development”,

⁹ *Official Records of the Economic and Social Council, 2003, Supplement No. 2 (E/2003/22)*, annex IV.

¹⁰ *Ibid.*, 2011, *Supplement No. 2 (E/2011/22)*, annex VI.

¹¹ *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

¹² *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

¹³ Resolution S-23/2, annex, and resolution S-23/3, annex.

¹⁴ See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and E/2005/27/Corr.1), chap. I, sect. A; *ibid.*, 2010, *Supplement No. 7* and corrigendum (E/2010/27 and E/2010/27/Corr.1), chap. I, sect. A; *ibid.*, 2015, *Supplement No. 7 (E/2015/27)*, chap. I, sect. C, resolution 59/1, annex; and *ibid.*, 2020, *Supplement No. 7 (E/2020/27)*, chap. I, sect. A.

Stressing the importance of monitoring and reporting on the implementation of the internationally agreed Sustainable Development Goals and targets, including the Goal on ensuring the availability and sustainable management of water and sanitation for all, in particular since, as shown in the Summary Progress Update 2021 on Sustainable Development Goal 6, the world is off track to ensure by 2030 sustainable management of water and sanitation for all, which also serves as a crucial enabler for achieving other Sustainable Development Goals,

Recalling the designation, pursuant to General Assembly resolutions [47/193](#) of 22 December 1992 and [67/291](#) of 24 July 2013, of 22 March as World Water Day and 19 November as World Toilet Day, which are important opportunities to promote, among other issues, awareness of the human rights to safe drinking water and sanitation and of the remaining challenges in this regard,

Recalling also the Rio Declaration on Environment and Development of June 1992¹⁵ and its resolution [66/288](#) of 27 July 2012, entitled “The future we want”, and emphasizing the critical importance of water and sanitation within the three dimensions of sustainable development,

Noting the relevant commitments and initiatives promoting the human rights to safe drinking water and sanitation made at recent regional and subregional conferences and meetings,

Taking note with appreciation of the organization of the United Nations Conference on the Midterm Comprehensive Review of the Implementation of the Objectives of the International Decade for Action, “Water for Sustainable Development”, 2018–2028, in New York from 22 to 24 March 2023, subsequently referred to as the UN 2023 Water Conference, and its preparatory process, including its preceding regional and global preparatory meetings and the 2021 high-level meeting on water, in accordance with modalities resolution [75/212](#) of 21 December 2020, and calling for, inter alia, accelerating the achievement of the internationally agreed water-related goals and targets, including those contained in the 2030 Agenda for Sustainable Development, including Sustainable Development Goal 6, and promote the implementation of the objectives of the water action decade,

Affirming the importance of continually improving the availability of high-quality, accessible, timely and reliable disaggregated data on progress related to safe drinking water and sanitation services in households, educational settings, health-care facilities, workplaces and other settings, including public places, as an indispensable means for States to plan for, implement and monitor the progressive realization of the human rights to safe drinking water and sanitation for all without discrimination,

Welcoming the fact that the number of countries with estimates available for indicator 6.1.1 of the Sustainable Development Goals on safely managed drinking water services has increased from 96 to 138, representing an increase in the proportion of the global population with data available from 34 per cent to 45 per cent, and for indicator 6.1.2 on safely managed sanitation services has increased from 84 to 120 countries, representing an increase in the proportion of the population with data available from 48 per cent to 81 per cent,

Welcoming also the work of the World Health Organization and the United Nations Children’s Fund in the 2021 update published by their Joint Monitoring Programme for Water Supply, Sanitation and Hygiene on household drinking water,

¹⁵ *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

sanitation and hygiene,¹⁶ taking note of the baseline reports and progress updates for the provision of safe drinking water and sanitation in educational settings and in health-care facilities, as well as the expansion of databases to include information on types of facilities used and the level of service received, including accessibility, availability and quality, and estimates on inequalities disaggregated by rural and urban, subnational regional and wealth quintile for an increasing number of countries, and noting the fact that it has an extensive global database and has developed global norms to benchmark progress, including most recently on affordability, while taking into consideration the fact that official figures very often do not fully capture all the dimensions of the human rights to safe drinking water and sanitation,

Welcoming further 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,

Deeply concerned that, more than 10 years after the adoption of resolution 64/292, 2 billion people 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,

Deeply concerned also that the coronavirus disease (COVID-19) pandemic perpetuates and exacerbates existing inequalities, and that those disproportionately at risk are women, girls and persons in 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 management, 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 is urgently needed to prevent the spread of COVID-19 and other infectious diseases,

Recognizing that hygiene, including hand hygiene, and access to adequate water and sanitation services are essential for preventing the emergence and spread of infectious diseases that can have a negative impact on the enjoyment of all human rights, and highlighting in this regard the importance of urgent universal and equitable access to safe drinking water and sanitation, including through enhanced investment, as a crucial aspect of pandemic preparedness and response,

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, including in times of conflict and natural disaster, and acknowledging that people living in countries affected by armed conflict and natural disasters and in countries particularly vulnerable to the adverse effects of climate change, as well as people living in refugee camps, including in refugee host countries, are more likely to lack access to basic drinking water and to basic sanitation than people living in unaffected countries, while acknowledging the efforts of refugee host countries in improving the situation of people living in refugee camps,

Deeply concerned also that achieving universal and equitable access to safe water and sanitation services by 2030 will require a fourfold increase in current rates of progress,

¹⁶ World Health Organization and United Nations Children's Fund, *Progress on Household Drinking Water, Sanitation and Hygiene 2000–2020: Five Years into the SDGs* (Geneva, 2021).

Deeply concerned further that women and girls often face, especially in humanitarian emergencies and crises, including in times of armed conflict or natural disaster, particular barriers in accessing water and sanitation and hygiene services, as well as menstrual health and hygiene management, and that they shoulder the main burden of collecting household water and of care responsibilities, including those arising from waterborne diseases, in many parts of the world, restricting their time for other activities, such as education and leisure, or, for women, for earning a livelihood,

Deeply alarmed that water, sanitation and hygiene-related diseases hit children the hardest, while 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 and that, in humanitarian emergencies and crises, including in times of armed conflict or natural disaster, children suffer the most from interruptions in water and sanitation services,

Deeply concerned that persons with disabilities, especially children, often lack universal and equitable access to safe and sustainably managed drinking water and sanitation services and face barriers in accessing water and sanitation facilities that are accessible and appropriate to their needs, which has an impact on 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,

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 the delivery of essential services to the civilian population,

Deeply concerned that widespread silence and stigma surrounding menstruation and menstrual health and hygiene mean that women and girls often lack basic information and education thereon, whether in school or out of school, and are excluded and stigmatized, that the enjoyment of their human rights, including the right to enjoyment of the highest attainable standard of physical and mental health, can be negatively affected and that they are thus prevented from realizing their full potential,

Deeply concerned also that the lack of access to adequate water and sanitation services, including for menstrual health and hygiene management, especially in schools and other educational settings, workplaces, health centres and public facilities and at home, negatively affects gender equality, the empowerment of women and girls and their enjoyment of human rights, including the right to education and the right to the enjoyment of the highest attainable standard of physical and mental health, and recognizing the specific hygiene needs of women and girls during menstruation, and that women have specific hygiene needs during pregnancy, childbearing and rearing and throughout the life course,

Deeply concerned further 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 and when accessing sanitation facilities outside their homes or, when lacking adequate sanitation facilities, practising open defecation and urination, limiting their ability to move freely and safely in the public sphere,

Deeply concerned that non-existent or inadequate sanitation facilities and serious deficiencies in water management and wastewater treatment can negatively affect water provision and sustainable access to safe drinking water and that, according to the *United Nations World Water Development Report 2021*, an estimated 80 per cent of the world's wastewater is released into the environment without treatment,

Affirming the importance of regional and international cooperation, where appropriate, as a means to promote the progressive realization of the human rights to safe drinking water and sanitation, with the understanding that it has no bearing on the issues of international water law, including international watercourse law,

Expressing concern that climate change increases the frequency and intensity of both sudden-onset natural disasters and slow-onset events, and that these events have adverse effects on the full enjoyment of all human rights, including the human rights to safe drinking water and sanitation, and recalling the need to accelerate action on mitigation, enhance adaptive capacity, strengthen resilience and reduce vulnerability to climate change, including through resilient water and sanitation systems,

Recalling the commitment to step up efforts on all fronts to tackle desertification, land degradation, erosion and drought, biodiversity loss and water scarcity, which are seen as major environmental, economic and social challenges for global sustainable development and for the realization of the human rights to safe drinking water and sanitation,

Recognizing that, while the implications of climate change-related impacts and environmental damage 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 vulnerable situations, such as people living in informal settlements, people living in small island States and rural and local communities, and recognizing also that indigenous peoples, because of their specific situation and nature, 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,

1. *Reaffirms* that the human rights to safe drinking water and sanitation, as components of the right to an adequate standard of living, are essential for the full enjoyment of the right to life and all human rights;

2. *Also reaffirms* that the human right to safe drinking water entitles everyone, without discrimination, to have 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, while reaffirming that both rights are components of the right to an adequate standard of living;

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

4. *Reaffirms* 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 cooperation, to the maximum of their available resources, to progressively achieve the full realization of the rights to safe drinking water and sanitation by all appropriate means, including, in particular, the adoption of legislative measures for the implementation of their human rights obligations;

5. *Calls upon* States:

(a) To ensure the progressive realization of the human rights to safe drinking water and sanitation for all in a non-discriminatory manner while eliminating inequalities in access, including for individuals belonging to groups at risk and those who are marginalized on the grounds of race, gender, age, disability, ethnicity, culture, religion and national or social origin or on any other grounds;

(b) To prioritize as a matter of urgency the provision of safe drinking water and sanitation services that are accessible to all, including persons in vulnerable situations, especially in densely populated, impoverished and rural areas, as a means of enhancing pandemic preparedness and preventing the ongoing spread of infectious diseases such as the COVID-19 pandemic;

(c) To implement the internationally agreed Sustainable Development Goals and targets,¹⁷ including the Goal on ensuring the availability and sustainable management of water and sanitation for all, consistent with their obligations under international law;

(d) To take into consideration the New Urban Agenda,¹⁸ which envisages cities and human settlements that fulfil their social function, the full realization of the right to adequate housing as a component of the right to an adequate standard of living, without discrimination, and universal access to safe and affordable drinking water and sanitation;

(e) To ensure access to safe and affordable drinking water and adequate and equitable sanitation and hygiene for all women and girls, as well as for menstrual hygiene management, including for hygiene facilities and services in public and private spaces;

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

(g) To address the widespread stigma and shame surrounding menstruation and menstrual 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, including for men and boys, addressing the negative social norms around the issue, as well as ensuring universal access to hygienic products and gender-sensitive facilities, including disposal and waste management options for menstrual products, while recognizing that women's and girls' attendance at school, university or, for women, work can be affected by negative perceptions of menstruation and lack of means to maintain personal hygiene, such as safe water, sanitation and hygiene facilities in schools, public places and, for women, the workplace;

(h) To promote both women's leadership and their full, effective and equal participation in decision-making on water and sanitation management and to ensure that a gender-based approach is adopted in relation to water and sanitation programmes;

(i) To reduce the time spent by women and girls in collecting household water, in order to address the negative impact of inadequate water and sanitation services on girls' access to education and the full enjoyment of their right to education, including through improved public services and infrastructure;

(j) To promote safe public spaces and improve the security and safety of women and girls through gender-responsive rural and urban planning and infrastructure when accessing sanitation facilities outside their homes or practising open defecation and urination;

(k) To protect women and girls from being physically threatened or assaulted, including from sexual violence, while collecting household water and when accessing

¹⁷ See resolution [70/1](#).

¹⁸ Resolution [71/256](#), annex.

sanitation facilities outside their home or when having to practise open defecation and urination, including through promoting safe public spaces and improving the security and safety of women and girls through gender-responsive rural and urban planning and infrastructure;

(l) 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 children with disabilities;

(m) To progressively eliminate open defecation by adopting policies to increase access to sanitation, including for individuals who are vulnerable or marginalized;

(n) 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 engaging in partnerships with relevant stakeholders to implement projects aimed at scaling up access to safe water and sanitation in developing countries;

(o) To apply broad and inclusive participatory approaches, consulting and coordinating with local communities and other stakeholders, including organizations of women, girls, persons with disabilities and broader civil society, and the private sector, on adequate solutions to ensure sustainable, equitable and non-discriminatory access to safe drinking water and sanitation;

(p) 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 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;

(q) To identify patterns of failure to respect, protect or fulfil the human rights to safe drinking water and sanitation for all persons without discrimination and to address their structural causes in policymaking and budgeting within a broader framework, while undertaking holistic planning aimed at achieving sustainable universal access, including in instances where the private sector, donors and non-governmental organizations are involved in service provision;

(r) To provide for effective accountability 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;

6. *Calls upon* States and international organizations to provide financial resources and support capacity-building and technology transfer to help countries, at their request, in particular developing countries, to provide safe, clean, accessible and affordable drinking water and sanitation for all;

7. *Calls upon* non-State actors, including business enterprises, both transnational and others, to 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 rights to safe drinking water and sanitation;

8. *Stresses* the important role of the international cooperation and technical assistance provided by States, specialized agencies of the United Nations system and international and development partners, as well as by donor agencies, urges

development partners to adopt a human rights-based approach when designing and implementing development programmes in support of national initiatives and plans of action related to the rights to safe drinking water and sanitation, and invites regional and international organizations to complement efforts by States to progressively realize the human rights to safe drinking water and sanitation in accordance with their respective mandates;

9. *Calls upon* Member States, in order to effectively respond to and achieve sustainable, inclusive and resilient recovery from health crises such as the COVID-19 pandemic and their consequences, to urgently, inter alia, enhance efforts to realize the human rights to safe drinking water and sanitation, as well as ensure access to hand-washing and hygiene, and, by 2030, implement integrated water resources management, at all levels, including through transboundary cooperation, as appropriate, in order to ensure a sustainable supply of water for life, agriculture and food production and other ecosystem services and other benefits,

10. *Also calls upon* Member States to expand international cooperation and capacity-building support to developing countries in water- and sanitation-related activities and programmes, including water harvesting, environmentally sustainable desalination technologies, water efficiency, wastewater treatment, recycling and reuse technologies;

11. *Further calls upon* Member States to enhance global partnerships for sustainable development as a means to achieve and sustain the Goals and the targets of the 2030 Agenda for Sustainable Development, and highlights that the 2030 Agenda marks a paradigm shift towards a more balanced and integrated plan of action for achieving sustainable development that reflects the universality, indivisibility and interdependence of all human rights;

12. *Reaffirms* that the high-level political forum on sustainable development, under the auspices of the General Assembly and of the Economic and Social Council, has the central role in overseeing follow-up and review at the global level of the Sustainable Development Goals, and encourages Member States to share their experiences and best practices;

13. *Decides* to continue its consideration of the question at its seventy-eighth session.
