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Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council*

24/18.

The human right to safe drinking water and sanitation

The Human Rights Council,

Reaffirming all previous relevant resolutions of the Human Rights Council, inter alia, resolutions 7/22 of 28 March 2008, 12/8 of 1 October 2009, 15/9 of 30 September 2010, 16/2 of 24 March 2011, 18/1 of 28 September 2011 and 21/2 of 27 September 2012,

Recalling General Assembly resolution 64/292 of 28 July 2010, in which the Assembly 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,

Recalling also the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities,

Recalling further Human Rights Council resolution 22/5 of 21 March 2013, on the question of the realization in all countries of economic, social and cultural rights,

Recalling the relevant provisions of declarations and programmes with regard to access to safe drinking water and sanitation adopted by major United Nations conferences and summits, and by the General Assembly at its special sessions and during follow-up meetings, including Assembly resolution 66/288 of 27 July 2012, in which the Assembly adopted the outcome document of the United Nations Conference on Sustainable Development entitled “The future we want”,

* The resolutions and decisions adopted by the Human Rights Council will be contained in the report of the Council on its twenty-fourth session (A/HRC/24/2), Part One.

Recalling also General Assembly resolution 65/154 of 20 December 2010, establishing 2013 as the International Year of Water Cooperation and that strengthening international cooperation is crucially important in order to achieve the progressive realization of the human right to safe drinking water and sanitation for all,

Welcoming the proclamation of 19 November as World Toilet Day in the context of Sanitation for All, pursuant to General Assembly resolution 67/291 of 24 July 2013,

Recalling General Assembly resolution 65/1 of 22 September 2010, on the follow-up to the outcome of the Millennium Summit, in which Heads of State and Government committed to, inter alia, accelerate progress in order to achieve Millennium Development Goal 7, including by redoubling efforts to close the sanitation gap through scaled-up ground-level action, and Assembly resolution 65/153 of 20 December 2010, on follow-up to the International Year of Sanitation,

Bearing in mind the commitments made by the international community to achieve fully the Millennium Development Goals, and stressing in that context the resolve of Heads of State and Government, as expressed in the United Nations Millennium Declaration, to halve, by 2015, the proportion of people unable to reach or afford safe drinking water, and to halve the proportion of people without access to basic sanitation, as agreed in the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”) and the outcome document of the high-level plenary meeting of the General Assembly on the Millennium Development Goals entitled “Keeping the promise: united to achieve the Millennium Development Goals”,

Taking note of relevant commitments and initiatives promoting the human right to safe drinking water and sanitation, including the Abuja Declaration, adopted at the first Africa-South America Summit, in 2006; the Sharm el-Sheikh Final Document, adopted at the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, in 2009; the Colombo Declaration, adopted at the fourth South Asian Conference on Sanitation, in 2011; the Chiang Mai Declaration, adopted at the second Asia-Pacific Water Summit, in 2013; and the Panama Declaration, adopted at the third Latin American and Caribbean Conference on Sanitation, in 2013,

Recalling in particular paragraph 14 of Human Rights Council resolution 21/2, in which the Council encouraged the Special Rapporteur on the human right to safe drinking water and sanitation to continue to make contributions to the discussions on the United Nations development agenda beyond 2015,

Deeply concerned that approximately 768 million people still lack access to improved water sources and that more than 2.5 billion people do not have access to improved sanitation as defined by the World Health Organization and the United Nations Children’s Fund in their 2013 Joint Monitoring Programme update, and concerned that these figures do not fully capture the dimensions of water safety, the affordability of services, and the safe management of excreta and wastewater, as well as of equality and non-discrimination, and therefore underestimate the numbers of those without access to safe drinking water and sanitation, and alarmed that, every year, approximately 1.5 million children under five years of age die and 443 million school days are lost as a result of water- and sanitation-related diseases,

Reaffirming the importance of national programmes and policies in ensuring the progressive realization of the human right to safe drinking water and sanitation,

Affirming the importance of regional and international technical cooperation, where appropriate, as means to promote the progressive realization of the human right to safe drinking water and sanitation, without any prejudice to questions of international water law, including international watercourse law,

Recognizing that the human right to safe drinking water and sanitation entitles everyone, without discrimination, to have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use and to have physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure and acceptable, and that provides privacy and ensures dignity,

Recalling Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for special procedures mandate holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

1. *Welcomes* the recognition of the human right to safe drinking water and sanitation by the General Assembly and the Human Rights Council, and the reaffirmation by the latter that the human right to safe drinking water and sanitation is derived from the right to an adequate standard of living and 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;

2. *Also welcomes* the commitments of States regarding the human right to safe drinking water and sanitation made at the United Nations Conference on Sustainable Development on 22 June 2012;

3. *Further welcomes* the fact that, according to the 2012 Joint Monitoring Programme report, the Millennium Development Goal target relating to the reduction by 50 per cent of people without access to an improved water source was met five years before its deadline of 2015, and insists that much remains to be done on safety, equity, equality and non-discrimination issues;

4. *Regrets* the fact that, according to the 2013 Joint Monitoring Programme update, the Millennium Development Goal target on sanitation still is one of the most off-track of the United Nations development agenda, and calls upon all Member States to continue to support the global effort to realize the goals of the advocacy campaign “Sustainable sanitation: the five-year drive to 2015”;

5. *Encourages* Member States to intensify global partnerships for development as means to achieve and sustain the Millennium Development Goal targets on water and sanitation;

6. *Welcomes* the work of the Special Rapporteur on the human right to safe drinking water and sanitation, the comprehensive, transparent and inclusive consultations conducted with relevant and interested actors from all regions for her thematic reports and the undertaking of country missions, and notes with interest the announcement of the development of a handbook on implementing the human right to safe drinking water and sanitation;

7. *Also welcomes* the annual report of the Special Rapporteur submitted to the General Assembly on integrating non-discrimination and equality into the post-2015 development agenda for water, sanitation and hygiene,¹ takes note with appreciation of her proposal to integrate the progressive reduction and elimination of inequalities into the post-2015 agenda, and encourages further discussion on how to possibly integrate these issues in the elaboration of the post-2015 agenda;

8. *Notes* the recommendation contained in the report of the High-level Panel of Eminent Persons on the Post-2015 Development Agenda, commissioned by the Secretary-

¹ A/67/270.

General,² listing water and sanitation among the indicative goals in the post-2015 development agenda, and also takes note of the report of the Secretary-General entitled “A life of dignity for all: accelerating progress towards the Millennium Development Goals and advancing the United Nations development agenda beyond 2015”,³ in which the Secretary-General recognized the human right to safe drinking water and sanitation as one of the foundations for a decent life;

9. *Also notes* the discussion on water issues, especially on water and sanitation, at the third session of the Open Working Group on Sustainable Development Goals, held from 22 to 24 May 2013;

10. *Calls upon* States to integrate the human right to safe drinking water and sanitation and the principles of equality and non-discrimination into the post-2015 development agenda;

11. *Welcomes* the annual report of the Special Rapporteur submitted to the Human Rights Council on sustainability and non-retrogression in the realization of the human right to safe drinking water and sanitation,⁴ and takes note of its potential relevance to the post-2015 development agenda;

12. *Recalls* that safe drinking water and sanitation must be progressively made available for present and future generations, without discrimination, and that the provision of services today should safeguard the ability in the future to realize the human right to safe drinking water and sanitation;

13. *Calls upon* States:

(a) To incorporate the principle of sustainability into measures adopted to realize the human right to safe drinking water and sanitation, during times of both economic stability and economic and financial crisis;

(b) To prioritize appropriately funding for maintenance and operation to achieve and maintain sustainability and prevent retrogression in service provision, and to ensure, in an appropriate manner, independent regulation and monitoring of the water and sanitation sectors, as well as accountability mechanisms to deal with practices that undermine the progressive realization of the human right to safe drinking water and sanitation;

(c) To undertake 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;

14. *Reaffirms* that States have the primary responsibility to ensure the full realization of all human rights and must take steps, nationally and through international assistance and cooperation, especially economic and technical, to the maximum of their available resources, to achieve progressively the full realization of the right to safe drinking water and sanitation by all appropriate means, including in particular the adoption of legislative measures in the implementation of their human rights obligations;

15. *Stresses* the important role of international cooperation and the technical assistance provided by States, specialized agencies of the United Nations system and international and development partners, as well as by donor agencies, in particular in the timely achievement of the relevant Millennium Development Goals, and urges development

² *A New Global Partnership: Eradicate Poverty and Transform Economies Through Sustainable Development* (United Nations, New York, 2013).

³ A/68/202, para. 11.

⁴ A/HRC/24/44.

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 right to safe drinking water and sanitation;

16. *Decides* to extend, for a period of three years, the mandate of the Special Rapporteur on the human right to safe drinking water and sanitation as set out in Human Rights Council resolutions 7/22 and 16/2;

17. *Encourages* the Special Rapporteur to continue to make contributions to the discussions on the United Nations post-2015 development agenda, with special regard to the integration of the elimination of inequalities and to the full realization and sustainability of the human right to safe drinking water and sanitation;

18. *Requests* the Special Rapporteur to continue to report, on an annual basis, to the Human Rights Council and to submit an annual report to the General Assembly;

19. *Encourages* the Special Rapporteur to facilitate, including through engagement with relevant stakeholders, the provision of technical assistance in the area of the implementation of the human right to safe drinking water and sanitation;

20. *Encourages* all Governments to continue to respond favourably to requests by the Special Rapporteur for visits and information, to follow up effectively on the recommendations of the mandate holder and to make available information on measures taken in this regard;

21. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the resources and assistance necessary for the effective fulfilment of the mandate;

22. *Decides* to continue its consideration of this matter, under the same agenda item and in accordance with its programme of work.

*35th meeting
27 September 2013*

[Adopted without a vote.]
