

## PANEL DISCUSSION

Organised by  Foundation for  
**GAIA**

facilitated by  **PACE**



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**In parallel with the 21st session of the Human Rights Council**

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# **Water and Development**

## **a human rights perspective**

**Wednesday, 14<sup>th</sup> September, 2011**

**11:00-13:00, Room XXIV**

**Palais des Nations, Geneva**

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## Access to safe drinking water and sanitation

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Having access to safe drinking water and sanitation is central to living a life in dignity and upholding human rights. Yet billions of people still do not enjoy these fundamental rights. The rights to water and sanitation require that these are available, accessible, safe, acceptable and affordable for all without discrimination. These elements are clearly interrelated. While access to water may be guaranteed in theory, in reality, if it is too expensive, people do not have access. Women will not use sanitation facilities which are not maintained or are not sex segregated. Having a tap which delivers unsafe water does not improve one's access. Human rights demand a holistic understanding of access to water and sanitation.

In July 2010, the General Assembly adopted a resolution, which “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” ([GA res 64/292](#)). Subsequently, the Human Rights Council, in September 2010, affirmed this recognition and clarified that the right is derived from the right to an adequate standard of living ([HRC res 15/9](#)). Taking into account these developments, the Human Rights Council, in March 2011, extended the mandate on water and sanitation, and changed its title to Special Rapporteur on the human right to safe drinking water and sanitation ([HRC res 16/2](#))

Overview of the mandate at <http://www.ohchr.org/EN/Issues/WaterAndSanitation/SRWater/Pages/Overview.aspx>

Annual reports can be viewed at

<http://www.ohchr.org/EN/Issues/WaterAndSanitation/SRWater/Pages/AnnualReports.aspx>

## Adverse effects of the movement and dumping of toxic and dangerous wastes

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The illicit traffic and dumping of toxic and dangerous products and wastes pose a serious threat not only to the environment, but also to the enjoyment of internationally-protected human rights – the right to life, the enjoyment of the highest attainable standard of physical and mental health, the rights to clean water, food, adequate housing and safe and healthy working conditions, the right to information, the right to participation and freedom of association, and other human rights enshrined in the Universal Declaration of Human Rights and other international instruments. [E/CN.4/1996/17](#)

States are responsible for the fulfillment of their international obligations concerning the protection of, *inter alia*, the right to health, food, adequate housing, information, freedom of association and protection and preservation of the environment, and are liable in accordance with international law. States must guarantee that the rights be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

States Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (170 States) have to take appropriate measures to ensure that the generation of hazardous wastes is reduced to a minimum and that adequate disposal facilities for the environmentally sound management of hazardous wastes are available. States must also ensure that the persons involved in the management of hazardous wastes take such steps as are necessary to prevent pollution due to hazardous wastes and other wastes arising from such management and, if such pollution occurs, to minimize the consequences thereof for human health and the environment. States must further reduce the transboundary movement of hazardous wastes to a minimum consistent with the environmentally sound and efficient management of such wastes.

Overview of the mandate at <http://www2.ohchr.org/english/issues/environment/waste/overview.htm>

Annual reports can be viewed at <http://www2.ohchr.org/english/issues/environment/waste/annual.htm>