

# Five Years Later: Continuing the **fight for the Human Right to Water** and Sanitation at the UN

by Meera Karunanathan



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On July 28, 2010, a landmark United Nations resolution put to rest a global dispute about whether water and sanitation should be recognized as a human right. After blocking attempts to have the right officially recognized for years, Canada and the United States were caught by surprise when Bolivia introduced resolution 64/292, affirming unequivocally that all people everywhere have a right to clean, safe drinking water and sanitation, and that this right is connected to the realization of all other human rights.

The states refusing to vote in favour of the resolution were outnumbered. Reluctant to make public their opposition, they simply abstained as history unfolded in favour of the activists and organizations that had campaigned for more than a decade to achieve this victory.

On the fifth anniversary of the United Nations resolution on the Human Right to Water and Sanitation, the Blue Planet Project (BPP) was once again at the General Assembly, pleading with decision makers from around the world not to forget the commitments they made five years ago. The human right to water and sanitation had become a point of contention among member states negotiating the final documents of the Post-2015 Development Agenda.

The Post-2015 Development Agenda will determine the shape of international development for the next 15 years. The agenda includes 17 Sustainable Development Goals (SDGs), including one on water and sanitation. It was launched

in September when the Millennium Development Goals expired.

The BPP was invited to participate in the discussions by the NGO Mining Working Group, a coalition of primarily faith-based groups working at the UN to promote environmental and human rights as they relate to extractive industries. When the Mining Working Group discovered that Business and Industry were planning to position themselves as experts on water and sanitation within consultation processes set up for the Post-2015 Development Agenda, group members asked the BPP to intervene.

Together with the Mining Working Group, we warned UN member states that unless the agenda was rooted in a human rights-based framework, a water and sanitation goal would pave the way for greater commodification of water and sanitation services and freshwater supplies as the water scarcity crisis deepens. The Millennium Development Goals failed to meet the needs of the most marginalized communities because, among other weaknesses, it failed to hold states accountable to human rights obligations. Instead, it set up numerical quotas that allowed states to score easy points by improving the conditions of those who already enjoyed access rather than reaching those most in need. The private sector, which sees the SDGs as a channel for reaching new markets, has little economic incentive to serve poor communities.

In June 2015, a group of 624 organizations worldwide signed on to a petition

urging member states to honour their commitments by explicitly naming the Human Right to Water and Sanitation in the Post-2015 Development Agenda. In the final hours of negotiations, despite a last-minute effort by the United States to block our campaign, we prevailed.

While we continue to have strong concerns and reservations regarding some components of the agenda, ensuring that the goals and targets relating to water and sanitation are rooted in the human rights framework is a vital first step in establishing people and local communities as “rights holders” rather than clients or aid recipients. Additionally, it establishes the obligations of states as duty-bearers that cannot pass off their obligations to private corporations.

As we continue to press for stronger mechanisms to hold corporations benefiting from the development agenda accountable, we hope the human right to water and sanitation will serve as an instrument to challenge and prevent corporate abuses of freshwater resources. Most importantly, we will use it to insist that governments put people at the centre of decisions regarding water resource distribution. As the former Special Rapporteur on the Human Right to Safe Drinking Water and Sanitation has noted in relation to tensions arising from a call for increased energy production within the development agenda, a human rights-based approach requires states to prioritize the water needs of people over industrial consumption.

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