



**The state of water
and human rights in the EU27:
a human rights-based approach
to water resilience**

May 2025



**UNITED NATIONS
HUMAN RIGHTS**
Regional Office Europe

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A human rights-based approach to water resilience

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I. Introduction

Water is essential to life and is indispensable for human survival and well-being. Access to water and sanitation is recognized by the United Nations as human rights – fundamental to everyone’s health, dignity and prosperity. Furthermore, the human rights to water and sanitation are fundamental prerequisites for the realization of a wide range of other human rights. These rights are intrinsically linked to the right to health, as well as the rights to adequate housing and food, among others.

The human right to water

The human rights to safe drinking water was recognized by the UN General Assembly ([resolution 64/292](#)) and the Human Rights Council ([resolution 15/9](#)), which derives from the right to an adequate standard of living, protected under, inter alia, article 25 of the Universal Declaration of Human Rights, and article 11 of the International Covenant on Economic, Social and Cultural Rights. Furthermore, the right to water is explicitly stipulated in various international human rights treaties (see Annex I).

The human right to sanitation

The UN General Assembly ([resolution 70/169](#)) and the UN Human Rights Council ([resolution 33/10](#)) recognized that water and sanitation are two distinct but interrelated human rights, while reaffirming that both rights are components of the right to an adequate standard of living.

To ensure the enjoyment of human rights, we must have access to water that is resilient—resilient to water scarcity, pollution, and other potential risks. To illustrate this, consider the example of a clean river that serves as a water source. When water is resilient from pollution, access to clean and affordable water becomes more feasible. Reduced pollution in the river minimizes the need for extensive treatment processes before the water reaches our homes. This efficiency translates into lower costs, which in turn can lead to introducing water tariffs that are affordable for people living in vulnerable situations and low-income population. Furthermore, the savings generated from such efficiencies could be reinvested into other areas, such as maintaining water infrastructure to prevent water leakage.

As the example illustrates, water resilience is closely related to the preservation of freshwater ecosystem and the degradation of the ecosystems directly impacts the enjoyment of human rights including the right to a healthy environment. The human right to water and the right to a healthy environment are interlinked and safe water is an element of the right to a healthy environment.

The human right to a healthy environment

The UN Human Rights Council ([A/HRC/RES/48/13](#)) and the UN General Assembly ([A/RES/76/300](#)) recognized that everyone, everywhere, has the right to live in a clean, healthy and sustainable environment. Safe, sufficient water and healthy freshwater ecosystems is one of the substantive components of the right to a safe, clean, healthy and sustainable environment. (See “Human rights and the global water crisis: water pollution, water scarcity and water-related disaster” [A/HRC/46/28](#)).

II. Water and international human rights

Water is fundamental to all forms of life. It is used for a variety of purposes in daily life, including drinking, sanitation, and hygiene. The water supply for each person must be sufficient and continuous for personal and domestic needs. These needs ordinarily include drinking, personal sanitation, washing of clothes, food preparation, and maintaining personal and household hygiene (CESCR, [General Comment no. 15](#), para. 12). In addition to these personal and domestic uses, water is used in various industrial activities. Furthermore, water is an integral component of the freshwater ecosystem such as rivers, lakes, wetlands, and groundwater. The specific uses of water - whether for consumption, waste management, or other functions - entail different implications for the realization and protection of human rights.

Overview of Part II. Water and international human rights

1. Drinking water – water used for consumption through beverages and foodstuffs
2. Water for personal and household hygiene - water used for personal cleanliness and maintaining hygiene within the household, including handwashing and cleaning
3. Water for domestic usage – water used for food hygiene, preparation of food stuffs, subsistence farming and religious purposes
4. Water for personal sanitation – water used to dispose human excreta (blackwater) and wastewater
5. Water for agriculture and other industrial purposes
6. Water as part of freshwater ecosystem

1. Drinking water

Snapshot – in this section

- Water is life and it is a human right. Water is crucial for survival, health, and maintaining human dignity. Without sufficient and safe water, humans cannot live a healthy life or fully exercise other human rights.
- The key components of the human right to water include availability (continuous and sufficient quantity of water), accessibility (physically accessible water source and services), affordability, quality and safety (water free from harmful contaminants), and acceptability (color, taste, and odor).
- The human right to water is closely linked to other rights such as the rights to life, sanitation, life, health, education, and a clean environment, among others.

1.1. What does the human right to water mean?

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.

- Availability

There must be a sufficient quantity of water available to fulfil the requirement of individuals and households for drinking. The supply must be reliable and continuous so that individuals can collect water when they require it. The quantity of water available for each person should correspond to World Health Organization guidelines (CESCR, [General Comment no. 15](#), para. 12(a)). Some individuals and groups may also require additional water due to health, climate, and work conditions.

- Accessibility

Water services must be physically accessible for everyone within or in the immediate vicinity of all spheres of their lives. In those cases where water is not accessible on the premises, the route to fetch water and the facility itself must be safe for all users, and the method of extracting water must be usable by all.

- Affordability

Affordable water does not mean that water services are provided free of charge. The tariffs charged should be reasonable and not compromise the exercise of other rights. When people cannot afford water for reasons beyond their control, the State needs to find ways to ensure such access. Disconnection of water services due to the inability to pay constitutes a violation of human rights.

- Quality

Water must be of sufficient quality to protect their health. Pollution of water by any means, including by agriculture, industry and wastewater must be prevented. Water must be safe and free from micro-organisms, chemical substances and radiological hazards that constitute a threat to a person's health.

- Acceptability

Water must be of acceptable colour, odour and taste.

1.2. How does drinking water impact human rights?

- Right to life

The human right to water is indispensable for leading a life in human dignity (CESCR, [General Comment no. 14](#), para. 1). Water is indispensable for life, and access to sufficient, safe, and clean water is necessary to prevent death from dehydration and to maintain health.

- Right to health

Access to safe and potable water and adequate sanitation is an underlying determinant of health and is part of the right to health in addition to timely and appropriate health care (CESCR, [General Comment no. 14](#), para. 11).

- Right to education

Integrating water and sanitation facilities into educational infrastructure as part of realizing the right to education. (See generally, CESCR [General Comment no. 13](#)). Children missing school to fetch water is a significant issue that impacts their right to education. In many regions of the world, children, particularly girls, are responsible for collecting water for their families, which often requires walking long distances. This responsibility can lead to missed school days and educational disruptions.

- Right to a clean, healthy and sustainable environment

Safe, sufficient water and healthy aquatic ecosystems are substantive elements of the right to a healthy environment, as recognized by regional tribunals, national laws and national jurisprudence (“Human rights and the global water crisis: water pollution, water scarcity and water-related disaster” [A/HRC/46/28](#), para. 35).

- Right of the child

Children are particularly susceptible to diseases related to water pollution. (“Human rights and the global water crisis: water pollution, water scarcity and water-related disaster” [A/HRC/46/28](#), para. 44). The Committee on the Rights of the Child warned States about the dangers posed by water pollution for children’s health, specifically agrochemicals, illegal mining and inadequate sewage treatment.

- Impact on women and girls

Access to safe drinking water is critical for ensuring gender equality and eliminating discrimination. Women and girls often bear the burden of collecting water, which affects their education, health, and safety. Ensuring access to safe drinking water helps promote gender equality and protects women and girls from gender-based violence.

- Indigenous Peoples, people of African descent, and local communities

In many countries, Indigenous Peoples, people of African descent and local communities have borne an unfair burden of water pollution related to industrial activities. The Committee on the Elimination of Racial Discrimination has reported on the devastating impacts of water pollution on Indigenous Peoples. Community-based water rights receive less attention than land rights, customary law and traditional knowledge are undervalued, and stewardship responsibilities are not recognized by States (“Human rights and the global water crisis: water pollution, water scarcity and water-related disaster” [A/HRC/46/28](#), para. 50; [CERD/C/CAN/CO/21-23](#); [CERD/C/GTM/CO/12-13](#); [A/HRC/42/37/Add.1](#)).

2. Water for personal and domestic hygiene (including food hygiene)

Snapshot - in this section

- Water is needed to maintain personal and domestic hygiene, including handwashing, bathing, laundry, and cooking.
- The key components of the human right to water include availability (continuous and sufficient quantity of water), accessibility (physically accessible water services), affordability, quality and safety (water free from harmful contaminants), and acceptability.
- Having access to adequate water for personal and domestic hygiene impacts various human rights, such as the rights to health, education, and reproductive health.

2.1. What is the relationship between water and sanitation (hygiene)?

- Handwashing

Hand washing with water and soap is a crucial practice for maintaining hygiene and preventing the spread of infectious diseases. Adequate hygiene with soap and water to prevent infection is especially important in controlling diseases like COVID-19 and other viral and bacterial infections (“Plan and vision for the mandate from 2020 to 2023” [A/HRC/48/50](#), paras. 56-60).

- Shower/bathing

When there is a lack of adequate water supply to households, people have to rely on other sources of water, outside of their homes, for their hygiene such as rivers for washing and bathing. Feminine hygiene management involves the use of water for various menstrual and reproductive health needs, which include water for washing and cleaning during menstruation (see generally, [Special focus on menstrual hygiene and the human rights to water and sanitation](#)).

- Laundry and cleaning

In situations with inadequate access to clean and safe water, many people are forced to rely on alternative, often untreated, water sources such as rivers, streams, ponds, or other natural bodies of water for various domestic tasks, including laundry.

- Cooking and food hygiene

Water is an essential element in food preparation, playing a crucial role in maintaining food hygiene and ensuring food safety. It is used throughout the entire food handling process, from washing raw ingredients to removing contaminants such as dirt, pesticides, and harmful bacteria.

2.2. What does the human right to sanitation (hygiene) mean?

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.

- Availability

Water must be continuously and sufficiently available for personal hygiene and other domestic uses, which includes cooking, preparation of food, laundry, and cleaning. Facilities meeting hygiene

requirements must be available wherever there are toilets or latrines, where water is stored and where food is prepared and served. These are required particularly for hand-washing, menstrual hygiene, the management of children's faeces and the preparation and consumption of food and drink.

- **Accessibility**

Hygiene facilities must be physically accessible for everyone within or in the immediate vicinity of each household, health or educational institution, public institutions and places, and the workplace. Ideally, they should be located adjacent to toilets. Access to hygiene facilities should be secure and convenient for all users, including children, elderly persons, persons with disabilities, women, including pregnant women, and chronically ill people.

- **Affordability**

Use of hygiene facilities and services must be available at a price that is affordable to all people. The main costs, other than for installation, are associated with supplying water, soap and cleaning products for hand-washing, food hygiene, home hygiene and washing clothes, among others.

- **Safety**

Hygiene facilities, such as hand-washing stations or disposal units for sanitary products, must be safe to use and easy to clean. Sanitation facilities must ensure access to safe water for hand washing, menstrual hygiene, and anal and genital cleansing.

2.3. How does water for sanitation (hygiene) impact human rights?

- **Right to health**

In addition to clean drinking water, adequate sanitation is an underlying determinant of health (CESCR, [General Comment no. 14](#), para. 4). The absence of proper sanitation and hygiene can have significant negative impacts on public health, particularly contributing to the spread of infectious diseases. For instance, the lack of clean water for cooking is a major problem that leads to the spread of food-borne pathogens and inadequate handwashing with soap after using the toilet or before handling food, can contribute to the spread of infections like diarrhea and respiratory diseases.

- **Reproductive health and impact on women**

Poor menstrual hygiene due to lack of water is associated with an increased risk of reproductive health issues such as vaginal infections, urinary tract infections, and reproductive tract infections. For women and girls, maintaining proper hygiene during menstruation and in daily reproductive health management is essential for preventing such conditions (see generally, [Special focus on menstrual hygiene and the human rights to water and sanitation](#)).

- **Right to education**

Many girls are unable to manage their menstruation and are forced to drop out of school because toilets in schools are not equipped with menstrual hygiene facilities or not properly maintained. Workplaces without adequate sanitation facilities expose women to the same problem, exacerbating economic and social inequalities. Various UN Human Rights Council resolutions addressed menstrual hygiene management highlighting the impact of inadequate hygiene facilities on the human rights of women and girls, affecting their health, education, and participation in society ([A/HRC/RES/47/4](#), [A/HRC/RES/56/11](#), [A/HRC/RES/47/4](#)).

3. Water for domestic usage (subsistence agriculture, cultural practices)

Snapshot - in this section

- Water is essential for various domestic uses such as subsistence farming, where it supports crop cultivation, livestock hydration, and for cultural practices as water holds spiritual and cultural significance, often tied to the identity and practices of communities.
- The human right to water ensures that this water is available, accessible, affordable, and of sufficient quality for health protection.
- Access to water for domestic purposes affects other rights, including the rights to food, adequate living standards, cultural, among others and negatively impact the livelihoods of Indigenous Peoples and rural communities, particularly those involved in farming and fishing.

3.1. What is water for domestic usage?

- Subsistence farming and small-scale farming (including livestock water)

Subsistence farming is a type of agriculture where farmers focus on growing enough food to meet the needs of themselves and their families. It is characterized by small-scale farming where the primary objective is self-sufficiency rather than producing crops for sale or trade is essential for growing crops, raising livestock, and maintaining overall farm productivity.

- Cultural and spiritual activities/practices

In many Indigenous cultures, the role of women as carriers and stewards of water is linked to their role as life-givers. They have a sacred mission to care for water for present and future generations. Water is therefore essential to the identity of Indigenous women, their cultural traditions, spiritual practices, knowledge and wellness (“Human rights to safe drinking water and sanitation of Indigenous Peoples: state of affairs and lessons from ancestral cultures” [A/HRC/51/24](#), para. 29).

- Other domestic usages not related to basic needs

Domestic usage of water that is not directly related to livelihood includes activities and facilities primarily for personal comfort, leisure, or aesthetic purposes, rather than for meeting basic needs. These include, among others, water used to fill and maintain swimming pools for recreational purposes, water used in fountains, ponds, or other garden water features, water used for landscaping, or water used for washing cars or other vehicles at home (“Plan and vision for the mandate from 2020 to 2023” [A/HRC/48/50](#), paras. 12-13).

3.2. What does the human right to water (domestic usage) mean?

Similar to the contents of human right to water introduced above (Section 1.1), the human right to water encompasses water used for domestic uses. According to international human rights law, water used for domestic purposes should be available, accessible, affordable, acceptable and of sufficient quality to protect health.

3.3. How does water for domestic usage impact human rights?

- Right to food

Safe and sufficient water is vital for realizing the right to food, particularly for poor and marginalized people engaged in subsistence or small-scale farming and fishing. As salinity in water and soil increases due to more intense droughts, storm surges and rising volumes of water extraction, agricultural yields fall, causing the world to lose enough food each year to feed 170 million people (“Human rights and the global water crisis: water pollution, water scarcity and water-related disaster” [A/HRC/46/28](#), para. 32).

- Right to an adequate standard of living

The enjoyment of the human right to water, particularly water for domestic uses such as subsistence farming impacts people’s livelihood. The International Covenant on Economic, Social and Cultural Rights affirms that no people shall be deprived of its means of subsistence and States parties should ensure that there is adequate access to water for subsistence farming and for securing the livelihoods of Indigenous Peoples. (CESCR [General Comment no. 15](#), para. 7).

- Right to culture

Water is often integral to the cultural identity of Indigenous Peoples and rural communities. It is not only a physical resource but also holds spiritual and cultural significance, as seen in the practices and traditions that revolve around water sources. For instance, water is used for different traditional and cultural uses, such as fisheries and religious ceremonies such as the puberty ceremony (“Visit to USA by Special Rapporteur on human rights to water and sanitation” [A/HRC/18/33/Add.4](#), para. 68).

- Rights of Indigenous Peoples, people living in rural areas and peasants

Peasants and other people working in rural areas have the right to equitable access to water and water management systems, and to be free from arbitrary disconnections or the contamination of water supplies (article 21 of the [United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas](#)). Indigenous Peoples have unique cultures, customs, practices and leadership structures, including with regard to their relationship with water and waste, which must be considered and respected in policies, programmes and service provision (“Visit to Mexico by Special Rapporteur on human rights to water and sanitation” [A/HRC/36/45](#), paras. 48-53).

4. Water for agriculture and other industrial purposes (productive use)

Snapshot - in this section

- Water plays a critical role in both agricultural and industrial activities. Water is also vital for energy generation, including hydropower, and for large-scale industrial projects. Water as a coolant is extensively used for cooling nuclear reactors and digital infrastructure.
- The increasing demand for water for economic development often creates competition, leading to overexploitation of water and/or water diverted for economic purposes over water for human consumption, particularly for those in vulnerable situations.
- The prioritization of water usage for industrial and domestic needs can negatively impact human rights, particularly the rights to water, food, and an adequate standard of living.

4.1. What is the relationship between water and industry?

- Water for irrigation

Adequate water supply for irrigation ensures that crops can be grown to meet the food needs of the population. Irrigation accounts for about 70 per cent of global freshwater use. For instance, 80 per cent of water in Tunisia is used for irrigation, which has led to unsustainable exploitation of water resources and subsequently poses a risk to water availability ([A/HRC/54/32/Add.1](#)). Water shortages related to reduced rainfall are problematic for small-scale farmers who do not have access to water for irrigation. About 11 per cent of cropland and 14 per cent of pastureland experience recurring droughts, while more than 60 per cent of irrigated cropland is highly water-stressed (“Human rights and the global water crisis: water pollution, water scarcity and water-related disaster” [A/HRC/46/28](#), para. 33).

- Water for generating energy

Water is significantly interconnected with energy. These two elements influence each other in profound ways. For instance, water is essential for extracting and processing fossil fuels and generating hydropower. Conversely, energy is crucial for extracting water from underground sources and for its distribution, treatment, and purification (Report by the Special Rapporteur on the human rights to water and sanitation on “Water and Energy Nexus”, forthcoming).

- Water as coolant for artificial intelligence and nuclear reactors

Water and artificial intelligence also influence each other. AI can be used in water management, offering benefits like improved efficiency and water quality monitoring. However, water is also used to cool artificial intelligence infrastructure as well as nuclear reactors. Water is an ideal coolant, and it can absorb large amounts of heat with minimum temperature change.

- Water in other large-scale industrial projects

Throughout the stages of their lifecycle, megaprojects have a long-lasting impact on various aspects of society, including human lives, the economy and the environment. In particular, the extensive usage of land required for the implementation and the massive exploitation of water sources may have dire consequences for the availability and quality of water and, in general, for the way the population accesses water and sanitation services (see generally, “Impact of mega-projects on the human rights to water and sanitation” [A/74/197](#)).

4.2. How does water for domestic usage differ from water for economic development?

Water for domestic usage and water for economic development differ fundamentally in their purpose, priority, and impact on human rights and the environment. As illustrated in previous sections, water for personal and domestic use is essential for basic human survival and well-being and a fundamental human right, as it is necessary for health, hygiene, and dignity. Water for economic development is water is used for productive activities that contribute to economic growth, such as in agriculture (irrigation), industry (manufacturing, energy production), and infrastructure projects. While these projects generate economic benefits, they are not strictly necessary to sustain human life or provide water needed by communities in vulnerable situations to produce their own food (“Plan and vision for the mandate from 2020 to 2023” [A/HRC/48/50](#), para. 14).

4.3. How does water for agriculture and industrial usages impact human rights?

- Human rights to water and sanitation

Priority in the allocation of water must be given to the right to water for personal and domestic uses; however, in the case of megaprojects, priority is often given to their own requirements, to the detriment of populations relying on the resources concerned. The impact on the availability of water for individuals has been illustrated in several existing megaprojects, as the priority of allocation was given to the operation of the project. Examples of such practices are: hydraulic fracturing or “fracking”, intensive agriculture, energy production, industrial production or projects diverting water originally used for drinking or domestic purposes to other residential areas or infrastructures (“Impact of mega-projects on the human rights to water and sanitation” [A/74/197](#), para. 20).

- Right to food

People may not be deprived of its means of subsistence, States parties should ensure that there is adequate access to water for subsistence farming and for securing the livelihoods of Indigenous Peoples (CESCR [General Comment no. 15](#), para. 7).

- Right to an adequate standard of living

The right to an adequate standard of living encompasses including adequate food, clothing and housing, and to the continuous improvement of living conditions, all of which are intrinsically linked to the availability and accessibility of water. When water resources are diverted or overexploited for economic activities, the ability of marginalized communities to meet these basic needs is jeopardized, undermining their human rights.

5. Water related to sanitation: wastewater

Snapshot - in this section

- Sanitation extends beyond the use of toilets to include the treatment and safe disposal of wastewater, which consists of domestic, industrial, and agricultural effluent.
- Wastewater, if not properly treated, poses significant risks to human health and the environment, as it often contains harmful pathogens, chemicals, and pollutants. Pollution from untreated sewage, industrial activities like mining, and agricultural runoff can contaminate water sources, impacting water quality and exacerbating waterborne diseases.
- The human right to sanitation means that wastewater facilities should be available and accessible – both physically and financially.
- Inadequate wastewater management impacts the enjoyment of the human rights to water, health, and a healthy environment.

5.1. What is wastewater?

- Wastewater as part of sanitation

Sanitation does not stop simply with the use of latrines or toilets but includes the treatment and safe disposal or re-use of faeces, urine, and associated wastewater. Wastewater can be defined as “a combination of one or more of: domestic effluent consisting of blackwater (excreta, urine and faecal sludge) and greywater (kitchen and bathing wastewater); water from commercial establishments and institutions, including hospitals; industrial effluent, stormwater and other urban run-off; and agricultural, horticultural and aquaculture effluent, either dissolved or as suspended matter” (“Wastewater management in the realization of the rights to water and sanitation” [A/68/264](#), para. 8).

- Wastewater from households

Domestic wastewater refers to water which flows from toilets, sinks and showers, is included in this description of sanitation insofar as water regularly contains human excreta and the by-products of the associated hygiene (“Human rights obligations related to access to sanitation” [A/HRC/12/24](#), para. 63).

- Wastewater from other sources

In addition to the direct link to sanitation and household wastewater, wastewater from other sources, including the industrial and agricultural sectors are an important dimension as contamination from those sources has a significant impact on water quality, and the impact of domestic wastewater cannot be considered in isolation. As long as wastewater is generated, whether it be from agriculture, industry, or settlements, and is not confined and appropriately treated, human rights will be at risk of being violated (“Human rights obligations related to access to sanitation” [A/HRC/12/24](#), para. 23).

5.2. How does pollution from wastewater affect people and the environment?

Where a sewer system does exist, treatment of wastewater does not necessarily take place before it is discharged into bodies of water. In some cases, only part of the sewer system may be connected to a wastewater treatment plant, whereas the rest is discharged into watercourses without treatment. Even when connected to a treatment plant, this does not always guarantee continuous and sufficient treatment (“Wastewater management in the realization of the rights to water and sanitation” [A/68/264](#),

para. 73). Some 80 per cent of global wastewater goes untreated, containing everything from human waste to highly toxic discharges. Untreated urban discharges, together with toxic pollution from mining, industry and even agriculture not only damage the health of ecosystems but also the public health of those living downstream (“Plan and vision for the mandate from 2020 to 2023” [A/HRC/48/50](#), para. 45).

- Contamination from agriculture

Agriculture is the largest water user, hence producing significant amounts of water polluted with pesticides and fertilizers. It contributes to water pollution mainly as a non-point polluter: residues of agricultural production percolate to groundwater aquifers and streams in a manner that is extremely difficult to trace, quantify or regulate. Moreover, livestock rearing poses problems in terms of the disposal of faeces and urine high in nitrate and phosphate, and partly pharmaceuticals (“Wastewater management in the realization of the rights to water and sanitation” [A/68/264](#), para. 35)

- Industrial water pollution

No other resource is more affected by the extent and level of degradation of quality and quantity owing to unsound management of hazardous substances and waste from extractive industries than water. Substances seep, leech and drain into water systems, contaminating not only the water reservoirs of the population living in the immediate area around the mine, but also of communities living hundreds of kilometres downstream (“Human rights and extractive industries” [A/HRC/21/48](#), para. 39 and “Wastewater management in the realization of the rights to water and sanitation” [A/68/264](#), para. 39).

Activities of the fossil fuel industry to recover shale gas and other unconventional reservoirs have increased through the use of hydraulic fracturing (or fracking), in which a mix of water and chemicals is injected at high pressure into a well to extract underground resources, such as oil, natural gas and geothermal energy (“Wastewater management in the realization of the rights to water and sanitation” [A/68/264](#), para. 41).

5.3. What does the human right to sanitation (wastewater facilities) mean?

- Availability

A sufficient number of sanitation facilities has to be available. The necessary structures have to be put in place to ensure the availability of services, such as sufficient personnel able to construct, maintain and manage the delivery.

- Accessibility

Sanitation facilities and services must be physically accessible for everyone within or in the immediate vicinity of all spheres of their lives, particularly at home, but also in educational institutions, the workplace, prisons, and public places.

- Affordability

Wastewater charges should be affordable to the population, including the most disadvantaged, and at the same time must raise appropriate charges from polluters and implement and enforce the “polluter pays” principle (“Wastewater management in the realization of the rights to water and sanitation” [A/68/264](#), para. 85 (g)).

- Quality

States must develop a holistic approach to curbing pollution and improving water quality that addresses the different sources of contamination, including sewage, sludge and septage, that covers all sectors, including households, agriculture and industry, and that combines the dimensions of prevention, management and reuse (“Wastewater management in the realization of the rights to water and sanitation” [A/68/264](#), para. 85 (a)).

5.4. How does wastewater impact human rights?

- Human right to water

Water safety is a central component of the human right to water, and large volumes of unmanaged wastewater compromise the availability of safe water). In addition, (“Human rights obligations related to access to sanitation” [A/HRC/12/24](#), para. 33).

- Right to health

Without proper sanitation, human excreta contaminate drinking water sources, affecting water quality and leading to disastrous health consequences. Many water-related diseases are in fact faeces-related diseases, which transmitted through contact with or ingestion of water contaminated with faeces (“Wastewater management in the realization of the rights to water and sanitation” [A/68/264](#), paras. 13 and 14).

- Right to a healthy environment

The lack of adequate wastewater management and pollution control can severely affect the environment by contaminating water bodies, soil, and air. Untreated or inadequately treated wastewater often contains harmful chemicals, pathogens, and nutrients that can lead to water pollution, harming aquatic ecosystems and threatening biodiversity. Pollutants can disrupt ecosystems, cause algal blooms, and deplete oxygen levels in water, making it uninhabitable for marine life. Additionally, polluted water can spread diseases, further deteriorating public health.

6. Freshwater ecosystem

Snapshot - in this section

- People depend on freshwater for survival and daily life. The human right to a healthy environment is intrinsically linked to the availability of safe and sufficient water, as ecosystems such as rivers, lakes, and aquifers play an essential role in maintaining water quantity and quality.
- Climate change poses a significant threat to freshwater ecosystems, altering precipitation patterns, increasing droughts and floods, and affecting groundwater and surface water resources. This, in turn, jeopardizes the enjoyment of human rights to water, health, food, and a healthy environment, especially for vulnerable populations.
- Degradation of freshwater ecosystems further impacts human rights by reducing water availability, deteriorating water quality, and threatening the livelihoods of communities dependent on aquatic resources, thus highlighting the need for integrated strategies to safeguard freshwater resources for current and future generations.

6.1. What is a freshwater ecosystem?

Freshwater or aquatic ecosystems – wetlands, rivers, lakes, springs and aquifers – help to sustain the global hydrological, carbon and nutrient cycles. These ecosystems are among the world’s most biologically diverse environments and contribute to sustaining life by purifying polluted water, buffering flood flows, shielding coastlines, controlling erosion, storing carbon and replenishing groundwater. Safe, sufficient water and healthy aquatic ecosystems are substantive elements of the right to a healthy environment, as recognized by regional tribunals, national laws and national jurisprudence. (See generally, “Human rights and the global water crisis: water pollution, water scarcity and water-related disaster” [A/HRC/46/28](#)).

6.2. How does climate change impact the freshwater ecosystem?

Climate change will impact the freshwater ecosystem on multiple levels. The primary driver of climate change is the warming of the earth’s atmosphere, due to the accumulation of greenhouse gases caused by human activity. The increase in temperatures will have as a direct consequence on the water cycle. Climate change is causing increased rainfall in some regions and reduced rainfall in others, along with more extreme weather events such as droughts, storms, and heatwaves. It is also accelerating desertification, reducing snow and glacier mass, and contributing to rising sea levels, all of which disrupt water systems, ecosystems, and human livelihoods (see, [Special thematic report on climate change and the human rights to water and sanitation](#) and “Plan and vision for the mandate from 2020 to 2023” [A/HRC/48/50](#), paras. 51 – 55).

- Changing patterns of precipitation

On a global scale, rising temperatures will lead to increased evaporation of surface water. This means that more water from the water cycle will be held in the atmosphere, and average precipitation will increase. In addition to changes at local and regional levels, the amount of precipitation falling at once

will become increasingly unpredictable and variable over the year. While the average global yearly precipitation is expected to increase, precipitation is not necessarily going to become more frequent, but rather more intense.

- Drought

Periods of drought, during which precipitation is greatly reduced and water sources are depleted, are predicted to become longer and more frequent in certain regions of the world which already face overall dry conditions, and dry seasons.

- Floods

Climate change is projected to increase flood hazards over more than half the planet, both through increased heavy rainfall, and increases in the intensity and frequency of cyclones, hurricanes and tropical storms. These risks can be exacerbated particularly in small catchment areas and drainage basins, as larger basins have more capacity for integrating sudden increases in river flows.

- Deglaciation

In regions where rivers are fed by glacier meltwater, climate models analysed by the IPCC predict an increase in river flows, followed by a reduction after the exhaustion of ice as a regulator of river flows. The seasonality of the river flows will change. Spring melt floods will become smaller, and without regulation of these snow masses and glaciers, runoff will depend on rain, rather than snow.

- Temperature rise

Higher temperatures lead to higher evaporation from water bodies, higher evapotranspiration from vegetation, and greater water needs, both for drinking water supplies and especially for irrigation. This has consequences: lower flows in rivers and less infiltration into aquifers, as well as increasing urban and irrigation demands.

- Sea-level rise

Sea-level rise predicted because of climate change will threaten access to water and sanitation on low-lying coastal areas for two main reasons. First, it will increase the vulnerability of infrastructure in low-lying coastal areas to flooding. Compounded with higher sea levels and more intense storms, storm surges may reach further inland at faster speeds. In addition, rising sea levels could cause the intrusion of saltwater into coastal aquifers.

- Groundwater storage aquifers

Climate change may impact groundwater stores directly through less infiltration (due to degradation of vegetation cover, erosion and increase in the proportion of runoff against infiltration); but the main risks of aquifer degradation come above all from the expansion and intensification of groundwater exploitation as well as from processes of contamination from land-use and economic activities, rather than climate change.

6.3. How does the degradation of freshwater ecosystems impact human rights?

- Human rights to water and sanitation

Climate change will have various impacts on the freshwater ecosystem which will in turn impact the enjoyment of the human rights to water and sanitation. Specifically, climate change will have impact on

all normative content of the human rights to water and sanitation ([Position paper: Climate Change and the Human Rights to Water and Sanitation](#)):

- Availability: Water availability will be threatened by increased water scarcity and competition for resources.
 - Quality: Water quality will decline through overexploitation of groundwater and increased concentration of pollutants.
 - Accessibility: The accessibility of water and sanitation services will be threatened through widespread damage and infrastructure due to flooding and extreme events
 - Affordability: The affordability of water services may decline as increased competition between uses of water leads to rising costs.
 - Acceptability: Under increasing stress, it is likely that the cultural acceptability of water and sanitation services is not prioritized and is in some cases ignored.
- Right to healthy environment

The health of people, especially those living in poverty, is closely related to the health and ecological status of the rivers or aquifers from which they receive water. Therefore, the health of those ecosystems has an impact on the enjoyment of the human rights to water and sanitation. Degrading or breaking the sustainability of rivers, wetlands and aquifers also endangers other human rights by affecting fishing and the livelihoods of riverine communities. It can also seriously affect the sustainability of the deltas and beaches on which many people's lives depend ("Plan and vision for the mandate from 2020 to 2023" [A/HRC/48/50](#), para. 42).

Conversely, healthy biodiversity and ecosystems help to support the right of access to clean and safe water. Increased forest areas significantly improve water flow regulation by reducing runoff and providing greater water storage. Diverse animals, plant and algae species help to draw excess nitrogen and phosphorus from aquatic ecosystems. Bivalve molluscs, which filtrate large amounts of water in both marine and freshwater environments, can play a particularly important role in water purification. ("Biodiversity" [A/HRC/34/49](#), para. 21).

- Right to health

Environmental hygiene, as an aspect of the right to health encompasses taking steps on a non-discriminatory basis to prevent threats to health from unsafe and toxic water conditions. For example, States parties should ensure that natural water resources are protected from contamination by harmful substances and pathogenic microbes. Likewise, States parties should monitor and combat situations where aquatic ecosystems serve as a habitat for vectors of diseases wherever they pose a risk to human living environments (CESCR [General Comment no. 15](#), para. 8).

- Right to food

Genetic diversity within species increases the yield of commercial crops, and species richness in freshwater fisheries is associated with greater productivity ("Biodiversity" [A/HRC/34/49](#), para. 19). Safe and sufficient water is also vital for realizing the right to food, particularly for poor and marginalized people engaged in subsistence or small-scale farming and fishing. As salinity in water and soil increases due to more intense droughts, storm surges and rising volumes of water extraction, agricultural yields fall, causing the world to lose enough food each year to feed 170 million people

(“Human rights and the global water crisis: water pollution, water scarcity and water-related disaster” [A/HRC/46/28](#), para. 32).

- Rights of the child and rights of future generations

The Committee on Economic, Social and Cultural Rights outlines that “States parties should adopt comprehensive and integrated strategies and programmes to ensure that there is sufficient and safe water for present and future generations”, including by “assessing the impacts of actions that may impinge upon water availability and natural-ecosystems watersheds, such as climate changes, desertification and increased soil salinity, deforestation and loss of biodiversity” (CESCR, [General Comment no. 15](#), para. 28).

The Committee on the Rights of the Child recognizes the principle of intergenerational equity and the interests of future generations, to which the children consulted overwhelmingly referred. While the rights of children who are present on Earth require immediate urgent attention, the children constantly arriving are also entitled to the realization of their human rights to the maximum extent. Beyond their immediate obligations under the Convention with regard to the environment, States bear the responsibility for foreseeable environment-related threats arising as a result of their acts or omissions now, the full implications of which may not manifest for years or even decades (CRC [General comment No. 26](#), para. 11).

III. Specific issues relating to human rights and water in the EU27

Specific issues related to water and impact on human rights are drawn from the concluding observations and reports of international human rights mechanisms from the period of 2019 to 2025.¹ The international human rights mechanisms are composed of treaty bodies, Universal Periodic Review and special procedures of the UN Human Rights Council:

- **The human rights treaty bodies**, which are committees of independent experts, whose mandates emanate from the nine core human rights treaties and one optional protocol. With the support from OHCHR, the treaty bodies: (1) consider reports submitted by State parties detailing how they are implementing the treaty; (2) adopt general comments interpreting the treaty provisions, and organize discussions on themes related to the treaties; and (3) consider complaints (communications) from individuals alleging that their rights have been violated by a State party, provided that the State has accepted the complaints procedure.
- **The Universal Periodic Review (UPR) of the UN Human Rights Council** is a State-led mechanism that conducts a peer review of the human rights situation of each UN Member State once every 4.5 years. It is carried out by the UPR Working Group of the Human Rights Council. In each review, the State under review reports on the actions it has taken to improve its human rights situation and overcome challenges to the enjoyment of human rights. It also receives recommendations from UN Member States for improvement. In addition to the national reports of States under review, the UPR is informed by compilations of stakeholder information and United Nations system reports.
- **The special procedures of the UN Human Rights Council** are independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective. As of November 2024, there are 46 thematic and 14 country mandates. With the support of OHCHR, special procedures undertake country visits, act on individual cases of alleged violations and concerns of a broader nature by sending communications (letters of allegation) to States and other entities; contribute to the development of international human rights standards; and engage in advocacy.

Overview of Part III. Specific issues relating to human rights and water resilience in EU27

1. Impact of climate change (including disaster risk management and climate change adaptation)
2. Water quality and pollution
3. Access to water and sanitation facilities
4. Water affordability
5. Leave no one behind
6. Leave no places behind
7. Environmental human rights defenders (Water rights defenders)

¹ The focus of this period is to align with the review period of the report on the implementation of the Water Framework Directive and the assessment of the implementation of the Floods Directive.

1. Impact of climate change

1.1. Disasters including drought, floods

States parties should take steps to ensure that groups facing difficulties with physical access to water, such as older persons, persons with disabilities, victims of natural disasters, persons living in disaster-prone areas, and those living in arid and semi-arid areas, or on small islands are provided with safe and sufficient water (CESCR, [General Comment no. 15](#), para. 16 (h)).

Portugal

- The Committee on Economic Social and Cultural Rights raised concern that the environmental consequences of climate change are already having a considerable impact on the enjoyment of economic, social and cultural rights in the State party, including owing to an increase in the occurrence of heatwaves, wildfires and drought. (CESCR 73rd session (2023) [E/C.12/PRT/CO/5](#), para. 28).
- The Committee on Economic Social and Cultural Rights recommends that the State party take all measures necessary for adaptation to climate change and to protect the environment, and address environmental degradation accordingly, taking into account its effects on economic, social and cultural rights. Measures could include fire prevention through the implementation of climate-smart and fire-smart land management such as afforestation and reforestation, farmland recovery and agroforestry, and the use of fuel reduction and fuel-conversion techniques that promote less flammable and more resilient types of land cover. The Committee also recommends that the State party adopt food systems that protect the rights of farmers, including migrant farmworkers, and the environment. (CESCR 73rd session (2023) [E/C.12/PRT/CO/5](#), para. 29)

Italy

- The Committee on Economic Social and Cultural Rights is concerned that the increasing severity and occurrence of droughts in recent years has made small-scale farmers increasingly vulnerable to aggressive land purchases by large farming businesses or developers (CESCR 72nd session (2022) [E/C.12/ITA/CO/6](#) para. 49).
- The Committee on Economic Social and Cultural Rights is concerned that the environmental consequences of climate change have a considerable impact on the enjoyment of economic, social and cultural rights in the State party, including an increase in the number and severity of heatwaves that have disproportionately affected the health of older persons, sea-level rise, degradation of arable land, droughts, storms and lack of freshwater resources (CESCR 72nd session (2022) [E/C.12/ITA/CO/6](#), para. 51).
- The Committee on Economic Social and Cultural Rights recommends that the State party take all the adaptation measures necessary to protect the environment and address environmental degradation, taking into account its effects on economic, social and cultural rights. Such measures could, for example, take the form of concrete, detailed and locally oriented contingency planning for heatwaves, including action plans for homes for older persons, water-rationing, the expansion of drip irrigation techniques, dike-building, and

storm-proofing of public and private buildings (CESCR 72nd session (2022) [E/C.12/ITA/CO/6](#), para. 52).

France

- In line with its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee on the Elimination of All Forms of Discrimination against Women recommends that the State party ensure that women are equally represented and participate meaningfully in the development of legislation, policies and programmes on climate change, disaster response and disaster risk reduction. It also recommends that the State party integrate a gender perspective into such plans and policies, including its foreign policies, and ensure that women, in particular rural women, women with disabilities, and refugee and migrant women, are consulted in their development and implementation. It further recommends that the State party take measures to increase access to resources, livelihoods and water supplies that withstand climate change for all women, including those in all French overseas territories. (CEDAW [CEDAW/C/FRA/CO/9 \(CEDAW 2023\)](#), para. 44)

1.2. Resources allocation for climate change adaptation

The use of maximum available resources is essential for effective climate change adaptation. States should mobilize and allocate adequate resources to support adaptation efforts, particularly for communities most vulnerable to climate impacts. This includes investing in sustainable infrastructure, enhancing resilience in agriculture, and ensuring access to clean water and sanitation. The International Covenant on Economic, Social and Cultural Rights (ICESCR) obligates States to take appropriate steps, to the maximum of their available resources, to achieve progressively the full realization of rights such as adequate housing, food, water, and sanitation. In simple terms, progressive realization can be defined and dissected by asking questions such as: where do you stand now, what are the challenges, what steps need to be taken to overcome those challenges, in what time frame and mobilizing what resources? Under international human rights law, this is translated into the States' duty to take steps to progressively realize rights which constitute States' binding obligation (see generally, "Progressive realization of the human rights to water and sanitation" [A/HRC/45/10](#)).

Poland

- While noting the existence of national adaptation plans for climate change, the Committee on Economic Social and Cultural Rights is concerned about reports that the resources allocated for climate change adaptation measures are insufficient to adequately address the impact of climate change, such as floods, drought, wildfires and crop failures, on the enjoyment of economic, social and cultural rights (CESCR 76th session (2024) [E/C.12/POL/CO/7](#), para. 42).
- The Committee on Economic Social and Cultural Rights recommends that the State party strengthen its national climate change adaptation plan to address the adverse impacts of climate change on economic, social and cultural rights, with enhanced disaster management

measures and adequate financial resources. In this regard, the Committee recalls its general comment No. 12 (1999) on the right to adequate food (CESCR 76th session (2024) [E/C.12/POL/CO/7](#), para. 43).

Cyprus

- Noting the existence of national adaptation plans for climate change, the Committee on Economic Social and Cultural Rights is concerned that the resources allocated may be insufficient to adequately prevent the negative impacts of climate change on the enjoyment of economic, social and cultural rights, in particular regarding water supply and drought preparedness, which may disproportionately affect persons with disabilities, persons affected by poverty, older persons, persons with health issues, peasants, fisherfolk and outdoor and/or agricultural workers (CESCR 76th session (2024) [E/C.12/CYP/CO/7](#), para. 45).
- The Committee on Economic Social and Cultural Rights recommends that the State party redouble its efforts to prevent and mitigate the negative effects of climate change, including by ensuring that food and water prices remain affordable for groups and persons in vulnerable situations and that nursing homes and hospitals are adequately equipped to ensure the health of older persons and patients [...] The Committee further recommends that the State party significantly increase the resources dedicated to building the resilience of its economy, in particular the agriculture, fisheries and tourism sectors, and society to water scarcity and to environmental shocks. This could include, for example, expanding tree-planting programmes, constructing desalination plants and increasing the number and capacity of wastewater treatment plants (CESCR 76th session (2024) [E/C.12/CYP/CO/7](#), para. 46).

2. Water quality/pollution

2.1. Contamination of drinking water supply

The water required for each personal or domestic use must be safe, therefore free from micro-organisms, chemical substances and radiological hazards that constitute a threat to a person's health (CESCR, [General Comment no. 15](#), para. 12(b)).

Estonia

- The Committee on Economic, Social and Cultural Rights is concerned at the excessive content of fluoride and boron in the water in 7.2 per cent of the water supply systems in the State party. It is also concerned at the significantly high radon content in groundwater in northern Estonia, which is reported to be closely associated with incidents of various kinds of cancer among the affected population and may put workers charged with cleaning the filters at a high risk of negative health consequences (CESCR [E/C.12/EST/CO/3 \(CESCR 2019\)](#), para. 40).
- The Committee urges the State party to take immediate action to:
 - (a) Ensure that the content of fluoride and boron in the water remains below the limit in all water supply systems in the State party;

- (b) Provide all people exposed to radon-contaminated water with alternative drinking water sources as well as appropriate health care, and put in place surveillance and treatment programmes for chronic diseases known to be caused by radon;
- (c) Revisit legal regulations on radon in drinking water to ensure compliance with European Union and World Health Organization standards;
- (d) Rigorously enforce existing laws on water treatment and effectively monitor compliance (CESCR [E/C.12/EST/CO/3 \(CESCR 2019\)](#), para. 41).

France

- The Committee takes note of the National Strategy to Prevent and Reduce Poverty (2018–2022) but regrets the insufficient information provided on the impact of the strategy on reducing poverty, in particular among children. The Committee also takes note of the Five-Year Housing First and Combating Homelessness Plan (2018–2022) but remains concerned about: (c) Limited access to safe drinking water, and the pollution of water with chlordecone in some of the overseas territories, in particular Guadeloupe, contributing to the public health emergency (CRC/C/FRA/CO/6-7 (CRC 2023), para. 41).
- Information reçue concernant la contamination par le chlordécone dans les Antilles françaises. c'est un sujet de préoccupation important pour les procédures spéciales et les organes de traités des Nations unies depuis un certain nombre d'années ([FRA 2/2024](#)).

Italy

- The Special Rapporteur is seriously concerned by the magnitude of the pollution with perfluoroalkyl and polyfluoroalkyl substances – also known as “forever chemicals” because they persist and do not degrade in the environment – in certain areas of the Veneto Region. More than 300,000 people in the region have been impacted by water contamination with these chemicals, including drinking water. Residents in the area have suffered serious health problems, such as infertility, miscarriages and several forms of tumours, among others ([A/HRC/51/35/Add.2](#), para. 27).
- For several decades, the chemical company Miteni produced perfluoroalkyl and polyfluoroalkyl substances in Trissino (Vicenza) and released its wastes without adequate controls, polluting surface waters, underground waters and the food chain, affecting areas of Verona, Vicenza and Padua. While those in charge of the company seemed to be aware of the waste releases and resulting pollution, they did not offer adequate protection measures to their workers, nor did they disclose information about the gravity of the pollution to them or to the public. According to information received, the contamination occurred mainly in groundwaters in an area of over 200 square kilometres. To date, no effective site remediation has been carried out in the most affected areas, even though Miteni’s production ceased in 2018 and remediation has been requested since 2016 ([A/HRC/51/35/Add.2](#), para. 28).

Spain

- Information received regarding the abusive growth of irrigation for productive purposes in certain areas of the country, which generates processes of overexploitation and

contamination of aquifers used by the population as sources of drinking water for human consumption ([ESP 4/2022](#)).²

2.2. Contamination of water sources (river and groundwater)

States parties should ensure that natural water resources are protected from contamination by harmful substances and pathogenic microbes. (CESCR, [General Comment no. 15](#), para. 8). States parties should adopt comprehensive and integrated strategies and programmes to ensure that there is sufficient and safe water for present and future generations. Such strategies and programmes may include: (b) reducing and eliminating contamination of watersheds and water-related eco-systems by substances such as radiation, harmful chemicals and human excreta (CESCR, [General Comment no. 15](#), para. 28).

Italy

- The best known example is the “*terra dei fuochi*” (“land of fires”) case in Campania, where contaminating products are dumped in rural areas, burned or poured into rivers. The severity and long-term consequences of environmental crimes involving the illegal disposal of waste on agricultural land and the contamination of waters have a significant impact on the planet and the people exposed to them. The Special Rapporteur is concerned by this situation, in particular regarding the process of remediation of contaminated land, the lack of support for smallholders who continue to be affected by criminal activities, and the citizens whose health has been compromised. In November 2018, the Minister of the Environment signed a protocol on urgent action for the “*terra dei fuochi*” to provide a concrete response to the phenomenon of waste burning in the region of Campania.= ([A/HRC/43/44/ADD.5 \(SR Food 2020\)](#), para. 68).

Portugal

- The Committee on Economic, Social and Cultural Rights is concerned by the lack of an integrated and adequate network of wastewater management installations for mixed municipal waste. It is further concerned by pesticide contamination in surface and groundwater in the country, with a concentration of pesticides exceeding the acceptable rates (CESCR 73rd session (2023) [E/C.12/PRT/CO/5, para. 30](#)).
- The Committee on Economic, Social and Cultural Rights recommends that the State party guarantee access for all to safe drinking water and sanitation without discrimination. In particular, the State party should take measures to provide safe drinking water to the few communities that still lack it and invest further in urban wastewater management in accordance with its international obligations (CESCR 73rd session (2023) [E/C.12/PRT/CO/5, para. 31](#)).

² Unofficial translation from original Spanish text.

3. Access to water and sanitation facilities

Water, and adequate water facilities and services, must be within safe physical reach for all sections of the population. Sufficient, safe and acceptable water must be accessible within, or in the immediate vicinity, of each household, educational institution and workplace. Physical security should not be threatened during access to water facilities and services (CESCR, [General Comment no. 15](#), para. 12(c)).

Bulgaria

- The Committee on Economic, Social and Cultural Rights is concerned about the large number of persons who live in inadequate housing conditions in the State party, in some cases without access to sanitation and water facilities. The Committee urges the State party to ensure the provision of sanitation and water services where they are currently lacking (CESCR 71st session (2022) [E/C.12/BGR/CO/6](#), para. 35 and 36).

France

- During the Universal Periodic Review, France received related recommendations (UPR [A/HRC/54/5 \(UPR 2023\)](#)):
 - 45.185 Take measures to improve water sanitation conditions and ensure continued and safe access to sanitary facilities for all (Vanuatu)
 - 45.187 Ensure water and sanitation are available, accessible, affordable and of adequate quality for all persons across the territory of France (Ireland)

3.1. Access to water in overseas territories

Water and water facilities and services have to be accessible to everyone without discrimination, within the jurisdiction of the State party (CESCR, [General Comment no. 15](#), para. 12(c)).

France

- The Committee on Economic, Social and Cultural Rights is concerned about the shortage of safe drinking water in certain regions, particularly in the overseas territories, especially Guadeloupe. It is also concerned about water pollution, including from the use of pesticides, particularly in French Guiana, Guadeloupe and Martinique, which has led to serious health problems among the population and a lack of access to safe drinking water (CESCR 74th session (2023) [E/C.12/FRA/CO/5](#), para. 46).
- The Committee on Economic, Social and Cultural Rights urges the State party to:
 - (a) Redouble its efforts to guarantee access to safe drinking water for the entire population, in particular the most disadvantaged and marginalized groups and those living in the overseas territories and areas affected by water scarcity;

- (b) Ensure effective protection of water resources, in particular by combating the harmful effects of pollution caused by economic activities;
- (c) Develop a long-term strategy to ensure that the inhabitants of French Guiana, Guadeloupe and Martinique have access to uncontaminated water and food (CESCR 74th session (2023) [E/C.12/FRA/CO/5](#), para. 47).
- The Committee on the Rights of the Child draws attention to target 1.3 of the Sustainable Development Goals and recommends that the State party: Provide children in both metropolitan France and the overseas territories, in particular Mayotte, with an adequate standard of living, urgently supply the population of Guadeloupe with drinking water, pending the effective and complete repair of water and sanitation systems, and grant redress and compensation to all children who have been harmed, in particular children affected by chlordecone contamination ([CRC/C/FRA/CO/6-7 \(CRC 2023\)](#), para. 42).
- The Committee on the Elimination of All Forms of Discrimination Against Women notes with concern: (a) Women's limited access to drinking water in Guadeloupe and the limited effectiveness of the water plan for overseas territories to support the creation and modernization of infrastructure ([CEDAW/C/FRA/CO/9 \(CEDAW 2023\)](#), para. 37),
- Additional information we have received regarding the dilapidated drinking water supply network, the pollution of water resources, and potential reprisals for meeting human rights defenders in Guadeloupe I([FRA 1/2024](#)).³

3.2. Prioritization of water

Priority in the allocation of water must be given to the right to water for personal and domestic uses. Priority should also be given to the water resources required to prevent starvation and disease, as well as water required to meet the core obligations of each of the Covenant rights (CESCR, [General Comment no. 15](#), para. 6).

Finland

- Information received concerning the alleged violation of the human right to safe drinking water in the departments of Montevideo and Canelones because of the water crisis that has affected the availability and safety of water for human consumption and use in those areas. Despite this crisis and its serious impact on the enjoyment of the human rights to safe drinking water, productive and commercial use of water resources reportedly continue being prioritized. In this regard and as per the information received, the activity of UPM Kymmene Oyj, a company domiciled in the territory of your Excellency's Government has continued business as usual without taking any measures to reduce the large amounts of water consumption ([FIN 1/2023](#)).

³ Unofficial translation from original French text.

4. Affordability of water (including water disconnections)

Water, and water facilities and services, must be affordable for all. The direct and indirect costs and charges associated with securing water must be affordable, and must not compromise or threaten the realization of other rights stipulated in the International Covenant on Economic, Social and Cultural Rights (CESCR, [General Comment no. 15](#), para. 12(c)(ii)). To ensure that water is affordable, States parties must adopt the necessary measures that may include, inter alia: (a) use of a range of appropriate low-cost techniques and technologies; (b) appropriate pricing policies such as free or low-cost water; and (c) income supplements. Any payment for water services has to be based on the principle of equity, ensuring that these services, whether privately or publicly provided, are affordable for all, including socially disadvantaged groups (CESCR, [General Comment no. 15](#), para. 27) .

The right to water includes the right to maintain access to existing water supplies necessary for the right to water, and the right to be free from interference, such as the right to be free from arbitrary disconnections (CESCR, [General Comment no. 15](#), para. 10). An arbitrary or unjustified disconnection or exclusion from water services or facilities constitutes violation of the obligation to respect (CESCR, [General Comment no. 15](#), para. 44(a)).

Belgium

- The Committee on Economic, Social and Cultural Rights is concerned at the increase in water bills in all regions of the State party. It is particularly concerned at the practice of cutting off water or limiting household water supply, including by the use of flow limiters in the Flemish and Walloon region (CESCR 75th session (2024) [E/C.12/BEL/CO/5](#) , para. 44).
- The Committee on Economic, Social and Cultural Rights recommends that the State party ensure that water remains affordable for households and that it consider establishing a social tariff for water. It also recommends that a minimum supply of water and sanitation services, taking into account household size, be guaranteed, including when water flow limiters are used in the Walloon and Flemish regions (CESCR 75th session (2024) [E/C.12/BEL/CO/5](#) , para. 44).

Spain

- Information received regarding the situation of residents of the informal settlement “Cañada Real Galiana”, in particular 1,812 children, affected by power cuts during months marked by low temperatures ([ESP 6/2020](#)).⁴

⁴ Unofficial translation from original Spanish text.

5. Leave no one behind

5.1. Refugees, asylum-seekers, internally displaced persons and returnees

All forcibly displaced persons (those who are forced to move, within or across borders— mainly internally displaced persons, refugees, asylum seekers and migrants in vulnerable situations while en route, at borders, at reception and at destination) are equally entitled to the human rights to safe drinking water and sanitation irrespective of their current location and the status bestowed on them, and even in cases where they are considered ineligible for international refugee protection (See generally, [A/HRC/39/55](#)). Refugees and asylum-seekers should be granted the right to water on the same conditions as granted to nationals (CESCR, [General Comment no. 15](#), para. 16).

Belgium

- Information received regarding the continued deterioration of the reception system for asylum seekers in Belgium since 2021, which has reportedly led to thousands of asylum seekers, including families and children, being homeless, living on the streets and in informal camps in precarious and unsanitary conditions ([BEL 1/2023](#)).⁵

Bulgaria

- The Committee on the Elimination of Racial Discrimination is concerned about reports of asylum-seekers and migrants, including children and persons in vulnerable situations, being left near the borders of Bulgaria in dire conditions, without being offered access to asylum procedures or emergency assistance, such as the provision of food, water and shelter ([CERD/C/BGR/CO/23-25 \(CERD 2023\)](#), para. 28).
- The Committee on the Elimination of Racial Discrimination recommends that the State party take the necessary measures to strengthen its efforts to ensure, in cooperation with its regional and international partners, decent living conditions in all reception and detention centres for migrants and asylum-seekers, by providing adequate health-care services, water and sanitary conditiond ([CERD/C/BGR/CO/23-25 \(CERD 2023\)](#), para. 29).

France

- During the Universal Periodic Review, France received related recommendations (UPR [A/HRC/54/5 \(UPR 2023\)](#)):
 - 45.186 Increase efforts to provide safe drinking water, sanitation services and emergency shelter for migrants (Sri Lanka);
 - 45.342 Guarantee access to drinking water for all the populations of the overseas departments and regions, and migrants and asylum-seekers in the north of France (Costa Rica);

⁵ Unofficial translation from original French text.

- In Toulouse, the Special Rapporteur visited a former office building occupied by more than 300 migrants and refugees, including women and single-parent families. Though the complex had running water and electricity, there were persistent sewage problems due to insufficient sanitation facilities. (“Visit to France by Special Rapporteur on right to adequate housing” [A/HRC/43/43/ADD.2](#), para. 42).

Lithuania

- While noting the challenges faced owing to the influx of asylum-seekers and migrants, the Committee on Economic, Social and Cultural Rights remains concerned by: reported incidents of the continued expulsion of asylum-seekers and migrants by the State party without reviewing their individual situations, including the practice of pushback operations, whereby asylum-seekers and migrants, including children and persons in vulnerable situations, have been left near the border in dire conditions, without access to asylum procedures or emergency assistance, such as the provision of food, water and shelter (CESCR 73rd session (2023) [E/C.12/LTU/CO/3](#), para. 14).

Spain

- Information received on the situation of deprivation of liberty, overcrowding and unsanitary conditions faced by asylum seekers during and after the formalization of their application for protection, in the service rooms of Adolfo Suárez Madrid-Barajas Airport ([ESP 2/2024](#)).⁶

Italy

- During harvest season, large groups of workers move from one part of the country to another to fill the market demand for labour. In particular, migrant workers, who are never provided with housing by their employers, need to arrange temporary settlements, which are characterized by the absence of electricity, access to water and sanitation, safety and basic services (“Visit to Italy by Special Rapporteur on the right to food” [A/HRC/43/44/Add.5](#), para. 49).

⁶ Unofficial translation from original Spanish text.

5.2. Roma and travellers

Whereas the right to water applies to everyone, States parties should give special attention to those individuals and groups who have traditionally faced difficulties in exercising this right. In particular State parties should take steps to ensure that nomadic and traveller communities have access to adequate water at traditional and designated halting sites (CESCR, [General Comment no. 15](#), para. 16 (e)).

Bulgaria

- During the Universal Periodic Review, Bulgaria received related recommendations ([A/HRC/46/13 \(UPR 2020\)](#)):
 - 134.208 Intensify efforts to ensure that Roma communities, particularly those affected by the mandatory COVID-19-related quarantines, have access to public health services and information, adequate water and sanitation, as well as provisions of food, medicines, hygiene products and health care, with specific consideration given to the needs of women and girls (Finland)

France

- While the Committee on Economic, Social and Cultural Rights takes note of the measures adopted by the State party to deliver the right to housing, it reiterates its concern at the persistent shortage of adequate housing. The Committee is particularly concerned by: The inadequate number of halting sites for Travellers and the living conditions in these sites, which are often located in insalubrious areas outside towns where there is no access to basic services such as water and sanitation (CESCR 74th session (2023) [E/C.12/FRA/CO/5](#), para. 42).

Slovakia

- The Committee on Economic, Social and Cultural Rights is deeply concerned that in a high-income country, large numbers of Roma people, particularly those in segregated communities, lack permanent access to clean water (arts. 2, 11 (1) and 12 (1)). The Committee reiterates its previous recommendation that the State party take the necessary steps to provide all members of its population, including those living in rural areas, with adequate and safe water and sanitation services. It draws the State party's attention to its general comment No. 15 (2002) on the right to water. (CESCR 71st session (2022) - [E/C.12/SVK/CO/3](#), paras. 33 and 34).
- During the Universal Periodic Review, Slovakia received related recommendations ([A/HRC/41/13 \(UPR 2019\)](#)):
 - 121.178 Implement more inclusive policies on the inclusion of the Roma, for example in education and housing with better access to basic services such as water, sanitation and electricity (Spain);

- 122.140 Continue efforts to improve the living conditions of Roma and particularly ensure the right to drinking water for everyone as laid down in the Constitution of the Republic of Slovenia (Germany);
- 122.139 Step up its efforts to provide safe drinking water and sanitation services to the Roma population who live in informal settlements (Chile);
- 122.138 Further the understanding that anti-Gypsyism is a driver for social exclusion of Roma and Sinti, and strengthen efforts to improve their living conditions, for example by adopting measures to ensure their access to drinking water, sanitation and electricity (Austria);
- 122.121 Continue to strengthen efforts to promote and protect the rights of minorities in an integrated, comprehensive and inclusive manner, especially by improving their access to key social services, such as housing, education, and safe drinking water and sanitation (Thailand);
- The Committee on the Elimination of Racial Discrimination notes that the State party has taken measures to improve housing for Roma communities, including the action plan for the priority area on housing in the Strategy for Equality, Inclusion and Participation of Roma by 2030. However, it remains particularly concerned that: (a) Roma people continue to live in settlements where basic facilities such as sanitation, drinking water, electricity, sewage systems and waste disposal are lacking ([CERD/C/SVK/CO/13 \(CERD 2022\)](#), para. 26).

Slovenia

- Members of Roma communities in Slovenia referred to the ongoing difficulties encountered in obtaining any legal status for their settlements, when exercising voting rights, in their access to drinking water, sanitation and electricity, and more generally to employment, housing and public services. Despite some progress and a willingness of State authorities to conduct new initiatives and take measures to address these challenges, discrimination and prejudice from the majority community, including some municipal authorities, continue to hamper concrete improvements on the ground (“Visit to Slovenia by Special Rapporteur on minority issues” [A/HRC/40/64/ADD.1](#), para. 34).
- Given the extremely serious wide-ranging consequences of the discriminatory denial of access to drinking water, sanitation and social services in general, and the subsequent effects in areas such as education and employment, State authorities should play a much more direct and proactive role if Slovenia is to comply fully with its international and constitutional human rights obligations with regard to the Roma minority. The prohibition of discrimination is in itself clearly a sufficient legal imperative to allow the State to intervene in areas of municipal competence, particularly sanitation and water (“Visit to Slovenia by Special Rapporteur on minority issues” [A/HRC/40/64/ADD.1](#), para. 38)/
- The situation on the ground must be appreciated in order to reach a better understanding of the obstacles that members of the Roma face in some communities. For example, there have been reports of water cisterns installed in 2016 in one settlement by national authorities to ensure access to drinking water. Since the cisterns were not always filled regularly, people were forced to use water from a polluted stream for drinking or bathing. The results were predictable, given that children are particularly susceptible to diarrhoea and skin rashes. Lack of water undermines the ability to maintain basic hygiene, especially in cold weather. The Special Rapporteur heard reports that this was in fact one of the factors contributing to discrimination against Roma children, who consequently avoided schools in more than one community (“Visit to Slovenia by Special Rapporteur on minority issues” [A/HRC/40/64/ADD.1](#), para. 40).

5.3. Women

Many of the challenges to achieving gender equality in access to water, sanitation and hygiene are well documented: where water is not available in the home, women and girls are primarily responsible for water and hygiene at the household level and bear the greatest burden for collecting water (See generally, “Gender equality in the realization of the human rights to water and sanitation” [A/HRC/33/49](#)). Women are not excluded from decision-making processes concerning water resources and entitlements. The disproportionate burden women bear in the collection of water should be alleviated (CESCR, [General Comment no. 15](#), para. 16 (a)).

Romania

- Access to an adequate standard of living is a challenge in poverty-affected rural areas in Romania, where social goods and services are generally of low quality. This has a severe impact on women and girls in vulnerable situations – mainly Roma women, who generally have limited access to opportunities and resources – affecting their health and safety. In some rural areas largely inhabited by Roma, lack of water, clean toilet facilities, sewage and electricity has persisted for years. The dire poverty in some rural areas, the poor income levels of local governments and the need for more financial support (from the central Government) for child protection and social services constitute barriers to ensuring an adequate standard of living for all Romanians (“Visit to Romania by Working Group on Discrimination against Women and Girls” [A/HRC/47/38/ADD.1](#), para. 31).

5.4. Indigenous Peoples

Indigenous Peoples’ access to water resources on their ancestral lands is protected from encroachment and unlawful pollution. States should provide resources for Indigenous Peoples to design, deliver and control their access to water (CESCR, [General Comment no. 15](#), para. 16 (d)).

Sweden

- During the Universal Periodic Review, Sweden received related recommendations (UPR [A/HRC/44/12 \(UPR 2020\)](#)):
 - 156.263 Continue developing measures to ensure that affected Sami communities are consulted and can participate in line with the free, prior and informed consent principle on issues related to land rights, water and resources (Austria)

6. Leave no places behind

6.1. Rural areas (including access to water of women in rural areas)

Access to traditional water sources in rural areas should be protected from unlawful encroachment and pollution. Deprived urban areas, including informal human settlements, and homeless persons, should have access to properly maintained water facilities. No household should be denied the right to water on the grounds of their housing or land status; (CESCR, [General Comment no. 15](#), para. 16 (c)). States parties should ensure that the allocation of water resources, and investments in water, facilitate access to water for all members of society. Inappropriate resource allocation can lead to discrimination that may not be overt. For example, investments should not disproportionately favour expensive water supply services and facilities that are often accessible only to a small, privileged fraction of the population, rather than investing in services and facilities that benefit a far larger part of the population (CESCR, [General Comment no. 15](#), para. 14).

Romania

- The Committee on Economic, Social and Cultural Rights notes the efforts of the State party to increase access to clean drinking water and sanitation. However, the Committee remains concerned that the rates of access to sanitation and water in 2022 were about 59 per cent and 74 per cent, respectively, with disparities between urban and rural areas (art. 11). The Committee recommends that the State party continue its efforts to ensure the realization of the rights to water and sanitation, in particular in rural areas (CESCR 75th session (2024) [E/C.12/ROU/CO/6, paras 38 and 39](#)).
- During the Universal Periodic Review, Romania received related recommendations ([A/HRC/54/7 \(UPR 2023\)](#)):
 - 109.103 Take targeted measures to close the urban-rural divide with respect to access to
 - 109.99 Promote specific measures to reduce the gap between urban and rural areas, especially regarding the human rights to housing, food, water and sanitation, health, work and education (Plurinational State of Bolivia);
 - 109.98 Put in place definite anti-poverty policies and measures, to reduce inequality between rural and urban areas and to increase access to social housing, clean water and sanitation (Mauritius);

Estonia

- The Committee on the Elimination of All Forms of Discrimination Against Women notes with concern that rural women, who account for 30 per cent of the female population, face limited access to basic infrastructure, including electricity, water, transport and communications, in the State party ([CEDAW/C/EST/CO/7 \(CEDAW 2024\)](#), para. 37).

6.2. Informal settlement

Many residents in informal settlement live in overcrowded, insecure dwellings, without water and sanitation, fearful of eviction and subject to preventable life-threatening illnesses. The term “informal settlements” refers not only to the displaced homeless encampments and modalities, such as squats in abandoned buildings, improvised homes in containers, tents or boats or shacks made of whatever materials that can be scavenged, but it also includes long-established informal communities consisting of durable housing of bricks and mortar ([A/73/310/Rev.1](#), para. 7). Informal settlements are usually home to undocumented population, including persons who are stateless. Those living in areas that are not recognized or registered as official residences do not benefit from formal water and sanitation services and must resort to informal provisions ([A/HRC/42/47/Add.1](#), paras. 44 – 48).

France

- The Special Rapporteur was struck by the appalling conditions that she observed in an informal settlement in Marseilles, where she visited a Roma settlement of 120 people in which no water or sanitary services were provided by the Government. The community siphoned water from a fire hydrant and had no toilets or showers on site, though health-care services were available and children attended the local school (“Visit to France by Special Rapporteur on adequate housing” [A/HRC/43/43/Add.2](#), para. 41).

Italy

- People living in the ghettos explained how the *caporali*, who often are former victims of exploitation from the same ethnic group as those being exploited, exercise control over every aspect of their lives and demand high costs for accommodation, transport and basic services, such electricity and gas. Water tanks supplied by the region of Apulia are often insufficient for the needs of the population, resulting in a lack of water and sanitation services (“Visit to Italy by Working Group on the issue of human rights and transnational corporations and other business enterprise” [A/HRC/50/40/Add.2](#), para. 27).

Spain

- In Huelva, workers are living in a migrant settlement in conditions that rival the worst the Special Rapporteur has seen anywhere in the world. They are kilometres away from water and live without adequate sanitation or legal access to electricity. Many have lived there for years and can afford to pay rent but said that no one would accept them as tenants. They are earning as little as 30 euros per day and have almost no access to any form of government support. One person said, “When there’s work, Spain needs migrants, but no one is interested in our living conditions.” According to civil society, 2,300–2,500 people live in similar conditions during the strawberry season. In 2018–2019 the strawberry crop in Huelva was worth 533 million euros (“Visit to Spain by Special Rapporteur on extreme poverty and human rights” [A/HRC/44/40/ADD.2](#), para. 74).

Romania

- The Committee on Economic, Social and Cultural Rights takes note of the information on the implementation of the National Housing Strategy for the period 2022–2050 and the review of the legislative framework on housing and informal settlements. It also notes the information provided by the delegation of the State party on the legislative framework on evictions. Nevertheless, the Committee is concerned about: among others, substandard living conditions in informal settlements, which include inadequate access to safe drinking water, sanitation facilities, electricity, public transportation and other basic services (CESCR 75th session (2024) [E/C.12/ROU/CO/6, para. 36](#)).
- The Committee on Economic, Social and Cultural Rights recommends that the State party: Adopt measures to address the large number of households who are in arrears with their utility bills, including by ensuring that the pricing policy on utility services, in particular electricity and gas, are based on human rights principles (CESCR 75th session (2024) [E/C.12/ROU/CO/6, para. 37](#)).

6.3. Places of detention

Prisoners and detainees are provided with sufficient and safe water for their daily individual requirements, taking note of the requirements of international humanitarian law and the United Nations Standard Minimum Rules for the Treatment of Prisoners (CESCR, [General Comment no. 15](#), para.16 (g)).

United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), and recommends that the State party, inter alia, ensure that detainees are provided with adequate material and hygienic conditions, including sufficient natural and artificial light; adequate sewerage systems and sanitary installations, including toilets and showers.

Greece

- The State party should: (a) Continue to make efforts to improve conditions of detention so as to ensure full compliance with the Covenant and relevant international human rights standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules), while ensuring that asylum-seekers, refugees and migrants are treated with dignity and humanity. It should also ensure that persons held in all places of deprivation of liberty have adequate access to food, clean water, sanitation, feminine hygienic products and healthcare ([CCPR/C/GRC/CO/3 \(CCPR 2024\)](#), para. 25).

7. Environmental human rights defenders (Water rights defenders)

Environmental human rights defenders include “individuals and groups who, in their personal or professional capacity and in a peaceful manner, strive to protect and promote human rights relating to the environment, including water, air, land, flora and fauna” (“Situation of human rights defenders” [A/71/281](#)). They include all individuals and groups, including all those who identify as human rights defenders, who work to protect and promote the human right to a clean, healthy and sustainable environment, on which a vast range of other human rights depend, for present and future generations. Environmental human rights defenders are often stigmatized, criminalized, threatened and killed for their work to protect our planet and may face increased risks based on intersecting patterns of discrimination, exclusion, and marginalization.

France

- Information received regarding water storage projects that have been developing in France since the 1990s (“mega-basins”), the excessive use of force against their opponents during demonstrations, as well as the criminalization of human rights and environmental organizations. Mega-basins are the subject of protests due to their potential environmental and social impact, as well as from the point of view of respect for the rights to food, water, a clean and healthy environment, freedom of peaceful assembly and association ([FRA 5/2023](#)).⁷

⁷ Unofficial translation from original French text.

IV. A human rights-based approach to water resilience

Overview of Part IV. A human rights-based approach to water resilience

1. What is a human rights-based approach to water resilience?
2. What tools exist to protect human rights and enhance water resilience?
3. Ways to implement a human rights-based approach to water resilience

1. What is a human rights-based approach to water resilience?

A human rights-based approach involves identifying people and communities (rights-holders) impacted and addressing the requirements for those people and communities to enjoy their human rights associated with water resilience (entitlements) which includes their right to meaningful participation, among others. In addition, a human rights-based approach includes steps that duty-bearers (both States and non-States) should take to protect human rights associated with water resilience. Human rights demand that States prioritize action to improve the lives and livelihoods of the most disadvantaged people. There are seven key steps, detailed below, that States must take to apply a human rights-based approach to water governance (“Human rights and the global water crisis: water pollution, water scarcity and water-related disaster” [A/HRC/46/28](#), para. 61):

- 1) prepare a state-of-the-water assessment including water quality, sources of pollution, water supply, users of water, and impacts on human rights, human and ecosystem health, with a particular focus on vulnerable and marginalized groups;
- 2) conduct a legal mapping initiative to ensure that the human rights to water, sanitation and to a healthy environment are incorporated in water and wastewater laws, regulations, standards and policies, and ensure that these instruments prioritize human rights in allocation decisions and to identify and correct gaps and weaknesses;
- 3) develop or revise water-related plans to incorporate a rights-based approach;
- 4) implement water-related plans and enforce water related laws, regulations and standards; and
- 5) evaluate progress and, if necessary, strengthen actions to ensure that human rights are fulfilled.

Two additional actions must be taken at every step of the process:

- 6) building human, financial and institutional capacity; and
- 7) informing and ensuring the full and effective participation of the public, particularly women and vulnerable and marginalized groups.

Where human rights violations or abuses related to water governance occur, States must provide rights-holders with access to justice and effective remedy.

2. What tools exist to protect human rights and enhance water resilience?

- **The normative content of the human rights to water and sanitation: Explanations and Guiding Questions ([EN](#) | [FR](#) | [ES](#))**

This document explains elements of the human rights to water and sanitation using the normative content (availability, accessibility, affordability, quality and acceptability). The document furthermore introduces guiding questions to assess the element of the human rights to water and sanitation to identify the negative impact on human rights to water and sanitation.

- **Key Messages on advancing a human rights-based approach to desertification, land degradation and drought ([EN](#))**

The document highlights the significant environmental challenges posed by desertification, land degradation, and drought, and their impact on human rights. It emphasizes the need for effective measures to combat these issues, highlighting the importance of integrating human rights into the implementation of the UN Convention to Combat Desertification. It also points out that those most affected by desertification, land degradation and drought are those already in vulnerable situations, as well as those who depend on nature for their livelihoods. Desertification, land degradation and drought worsen existing societal inequalities and discrimination, deepening vulnerability and increasing the risk of human rights harm.

- **Key Messages on human rights and climate change ([EN](#))**

The document highlights the essential obligations and responsibilities of States and other duty-bearers, including businesses, and their implications for climate change-related agreements, policies, and actions. It emphasizes key considerations for climate action to foster policy coherence and help ensure that climate change mitigation and adaptation efforts are adequate, sufficiently ambitious, non-discriminatory and otherwise compliant with human rights obligations. It points out that climate change impacts an array of human rights. States must take effective measures to prevent and redress these climate impacts, and therefore, to mitigate climate change, and to ensure that all rights-holders have the necessary capacity to adapt to the climate crisis.

- **Key Messages on Human Rights and Loss and Damage ([EN](#))**

The document describes human rights obligations related to loss and damage from climate change. It addresses the application of international human rights law to the adverse effects of climate change, including extreme weather and slow-onset events resulting from anthropogenic greenhouse gas emissions. Climate change negatively impacts various human rights, such as the rights to a healthy environment, food, water, health, housing, and more.

- **Key Messages on human rights and biodiversity ([EN](#) | [FR](#) | [ES](#))**

The document highlights the key human rights obligations and responsibilities with respect to biodiversity-related agreements, policies, strategies and actions. It outlines the critical connection between human rights and biodiversity. They address the ongoing sixth mass extinction caused by human activities such as land use change, climate change, pollution, overexploitation, and invasive species. It highlights the importance of protecting and restoring biodiversity for achieving the Sustainable Development Goals, preventing pandemics, and ensuring human rights such as the

right to a healthy environment, food, clean air and water, health, culture, and life. The document also underscores the disproportionate impact of biodiversity loss on persons, groups, and peoples in vulnerable situations, and outlines the obligations and responsibilities of States, businesses, and organizations to address biodiversity while respecting, protecting, promoting and fulfilling human rights.

- **Key Messages on human rights and hazardous substances** ([EN](#) | [FR](#) | [ES](#))

The document highlights the human rights obligations and responsibilities of States and other duty-bearers, such as businesses, to prevent and remedy the harmful effects of hazardous substances. It points out the severe impact of pollution, the leading cause of premature death in the developing world. Pollution disproportionately affects persons, groups, and peoples in vulnerable situations due to historical and ongoing discrimination, racism, and power imbalances. The document highlights the need for legal accountability for those responsible for hazardous substances and the necessity of robust international and national measures to prevent future harm. It underscores the importance of global action to minimize the adverse effects of hazardous chemicals and wastes throughout their lifecycle, from production to disposal, on human rights.

- **Key Messages on human rights, the environment, and gender equality** ([EN](#) | [FR](#) | [ES](#))

The document highlights the key human rights obligations and responsibilities of States and/or other actors with respect to gender and the environment. It explores the intersection of human rights, environmental crises, and gender equality. The devastating and interlocking environmental emergencies harm human rights, with differential effects on the basis of gender. However, even while experiencing differential and disproportionate impacts of environmental harms, many women are leaders in environmental action – as managers of resources and advocates of sustainable lifestyles – and staunch defenders of land, water, nature, and communities.

- **Guidelines on the effective implementation on the right to participate in public affairs** ([EN](#) | [FR](#) | [ES](#))

Article 25 of the International Covenant on Civil and Political Rights recognizes the right to participate in public affairs, including the following three elements: (a) the right to take part in the conduct of public affairs; (b) the right to vote and to be elected; and (c) the right to have access to public service. This document refers to a number of basic principles that should guide the effective implementation of the right to participate in public affairs. Various dimensions of that right are covered, with a focus on participation in electoral processes, in non-electoral contexts and at the international level, and recommendations have been formulated.

- **United Nations Disability Inclusion Strategy: Consulting Persons with Disabilities** ([EN](#))

The document provides guidance on how to consult with and actively involve persons with disabilities and their representative organizations in all disability-specific and general decision-making processes across the UN's work to enhance the participation of persons with disabilities to reach programmatic and operational goals and leave no one behind. This document provides guidance on how to make participation of persons with disabilities meaningful.

3. Ways to implement a human rights-based approach to water resilience

There are several ways to implement a human rights-based approach to water resilience including ensuring that national policies recognize water as a human right, facilitating meaningful participation, and raising awareness among stakeholders.

3.1. Technical assistance on policy implementation

- Provide expert analysis and advice to governments to integrate human rights into law and policy on water resilience at the national level including transposition of EU policy on water.
- Develop country-specific materials to serve as guidelines for States to respect, protect and fulfil human rights to water, sanitation and a clean, healthy and sustainable environment in the context of water resilience.
- Facilitate knowledge-sharing sessions and provide an evaluation framework to local governments to assist them in their implementation of recommendations that the UN Human Rights Council mechanisms made on the human rights to water and sanitation.

3.2. Facilitating participation

- Assist in identifying relevant stakeholders, including people in vulnerable situations and marginalized peoples and facilitate pre-consultation workshops to ensure that those people have a clear understanding of the consultation topics, enabling them to meaningfully participate in water-related decision-making processes.
- Facilitate pre-consultation workshops to local governments and related stakeholders to inform them of the human rights to water, sanitation, a healthy environment and share good practices on the ways to have constructive dialogue with stakeholders during consultation.
- Facilitate dialogues and other consultation processes between local government and the impacted population, gathering input and feedback to inform decision-making and ensure that the voices of the affected communities are considered.

3.3. Training, capacity building and raising awareness

- Provide training and capacity-building sessions for policymakers, local government representatives, and water service providers to ensure the integration and application of human rights to water, sanitation and a healthy environment in water provision projects and its implementation.
- Provide training and capacity building session for civil society organizations to enhance their ability to systematically monitor and document the implementation of the human rights to water, sanitation and a healthy environment. This includes assessing the quality of water, budget allocation, expenditure, and affordability of water and sanitation services.
- Conduct advocacy and awareness raising campaigns to: 1) address business-related adverse impact on the human rights to water, sanitation and healthy environment by monitoring these impacts, advocate with the government for their mitigation and raising the voices of the affected communities in order for these impacts to be addressed and 2) address inequalities in water governance including the disproportionate impact of water pollution on people in vulnerable situations by monitoring these impacts, advocating with the government for their mitigation and raising the voices of the affected communities.

V. Conclusion: why a human rights-based approach?

Water is an interconnected system where all components are intricately interlinked and impact one another. As introduced in Part I, human and human activities are both integral to the water system and also depend on such a system. At the same time, the health of the water ecosystem also relies on a broader environmental context, including soil quality, vegetation, biodiversity as well as human activities such as pollution and contamination from agriculture and industry. Building water resilience therefore involves a wide range of components that are at the interconnection between water, environment and society.

A human rights-based approach offers a holistic approach to water resilience by integrating human rights principles into the governance of water resources and its distribution.

From a human rights perspective, water resilience is not only about accessibility and availability of water but also about ensuring that water resources are sustainably managed so that people enjoy their right to a healthy environment, including future generations to rely on water resources. By focusing on the interdependence between people and the environment, a human rights-based approach addresses the needs of people including future generations and the environment, when addressing water resource management to strengthen water resilience.

A human rights-based approach calls for a phased approach to progressive improvements in managing wastewater and controlling pollution, with a focus on improving the lives of the most disadvantaged, who are often hardest hit by contamination.

The human rights framework also provides practical guidance in managing wastewater and controlling water pollution. They offer a flexible framework that demands that States prioritize addressing the most urgent and serious impacts on human rights, whether they stem from domestic, industrial or agricultural water contamination.

A human rights-based approach emphasizes that access to clean water is essential for health, education, and livelihoods, highlighting the need for policy and action that prioritize groups in vulnerable situations.

Access to clean water is essential for a healthy life, as it is a key determinant of health and a critical factor in human well-being. Polluted water from unsafe sources leads to dehydration and waterborne diseases, which disproportionately affect older adults due to age-related physiological changes and children due to their body composition. Additionally, clean water supports better education, especially for girls. In regions where water access is limited, girls often spend hours fetching water, time that could otherwise be used for studying or attending school. Furthermore, affordable access to clean water improves livelihoods, as many low-income households are forced to choose between purchasing water or buying other necessities like clothing or sanitary products. Ensuring affordable and sufficient water access for these households can significantly improve their standard of living.

Annex I – explicit references to human rights to water and sanitation found in international human rights treaties

The International Covenant on Economic, Social and Cultural Rights (art.11)

The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.

The Convention on the Elimination of All Forms of Discrimination against Women (art. 14 (2))

States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:
(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

The Convention on the Rights of the Child (art. 24)

States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures: (c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

The Convention on the Rights of Persons with Disabilities (art. 28(2)(a))

States Parties recognize the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability, and shall take appropriate steps to safeguard and promote the realization of this right, including measures: (a) To ensure equal access by persons with disabilities to clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs;

The International Covenant on Civil and Political Rights (arts. 6, 7 and 26)

Depriving individuals or groups of access to safe drinking water and sanitation is incompatible with the right to life (art. 6), the right to be free from cruel and inhuman treatment (art. 7) and the right to non-discrimination (art. 26) in the ICCPR.

