



OHCHR Contribution to European Commission's Call for Evidence on the revision of the Water Framework Directive

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The Office of the United Nations High Commissioner for Human Rights (OHCHR) Representation Office for European Union welcomes the opportunity to contribute to the targeted revision of the WFD which aims to address regulatory barriers while maintaining strong environmental and health protections.

We note that the potential revision is taking place within the EU’s broader efforts to secure critical raw materials (CRM) under the RESourceEU Action Plan. While these initiatives aim to strengthen economic resilience and advance the green transition, they may also place increased pressure on water resources through intensified extraction and industrial activities. This highlights the need to ensure that any regulatory changes do not weaken existing environmental protections or result in adverse human rights impacts.

Large-scale projects present a dual challenge: although they can contribute to economic development and improved livelihoods, they may also undermine a wide range of human rights including the human rights to water and sanitation and the human right to a healthy environment. Their impacts are often wide-ranging and disproportionately affect vulnerable groups, particularly Indigenous Peoples—whose ways of life are closely connected to water—as well as rural communities (see “Impacts of mega-projects on the human rights to water and sanitation” [A/74/197](#)).

The EU Water Framework Directive (Directive 2000/60/EC) is the main EU law for water management. It establishes an integrated approach to protect, manage and restore water bodies across the EU — rivers, lakes, transitional waters and groundwater — so that they achieve good ecological and chemical status. Its primary objectives are environmental and sustainability-oriented, addressing water quality, ecosystem health and pollution prevention.

In this context, international human rights law provides an essential normative framework. 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. The global water crisis—driven by pollution, scarcity, and water-related disasters—negatively impacts a wide range of human rights, such as the rights to life, health, food, and sanitation, with vulnerable and marginalized groups bearing the heaviest burden (see “Human rights and the global water crisis: water pollution, water scarcity and water-related disaster” [A/HRC/46/28](#)).

Against this background, OHCHR urges the European Commission to adopt a human rights-based approach to water governance in the revision of the Water Framework Directive. Such an approach requires building from reviewing water management solely through an environmental lens and

adding to it a rights-based approach to water governance that translates state obligations into concrete legal and policy measures, including the protection of vulnerable and marginalized groups.

Building on OHCHR’s briefing note on “The state of water and human rights in the EU27: A human rights-based approach to water resilience [full document](#), [summary](#)”, which emphasizes a human rights-based approach to strengthen water resilience and highlights issues of affordability, contamination, and access for marginalized populations, OHCHR provides the following **three** recommendations:

Recommendation 1: Address the human rights implication of water pollution, water scarcity, water-related disasters and the degradation of aquatic environment.

The global water crisis—comprising pollution, scarcity, and water-related disasters—adversely impacts a broad spectrum of human rights. Because water is “the lifeblood of human beings” its mismanagement impacts the following rights:

- Right to life: Contaminated water and scarcity cause nearly 2 million preventable deaths annually, with a devastating impact on children under five.¹
- Right to health:
 - Physical health: Unsafe water is linked to diseases such as cholera, dysentery, hepatitis A, and typhoid. Pollution also exposes people to endocrine-disrupting chemicals that harm reproductive health and contributes to antimicrobial resistance.
 - Mental health: Water insecurity causes psychological distress, including anxiety, depression, and PTSD resulting from floods and droughts.
- Right to food: Sufficient water is critical for small-scale farming and fishing. Salinity in water and soil reduces agricultural yields significantly, while droughts and floods destroy crops and topsoil, jeopardizing food security for millions.
- Rights of the child: Beyond the high mortality rate, early exposure to nitrates from agricultural run-off can stunt growth and impair brain development. Additionally, water-related diseases can affect a child’s nutritional status and cognitive development.
- Rights of women and girls: Women often bear the burden of managing household water. Scarcity forces them to travel further, increasing their risk of exposure to violence, and water-related illnesses in the family limit their opportunities for education and employment.
- Rights of Indigenous Peoples: Industrial activities often result in the pollution of indigenous territories, violating rights to health, food, and a healthy environment. Furthermore, water-related infrastructure like dams can destroy sacred sites, devastating their cultural rights.
- Right to adequate standard of living: The water crisis sabotages the global economy and exacerbates poverty, making it difficult to achieve an adequate standard of living.

¹ See [A/HRC/46/28](#), para. 12, footnote 10

- **Right to a safe, clean, healthy, and sustainable environment:** In the context of human rights and environmental protection, the scope of water extends far beyond the mere provision of safe drinking water and sanitation to encompass the health of entire freshwater ecosystems, including wetlands, rivers, lakes, springs, and aquifers.

For further guidance:

- See report by the UN Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment “Human rights and the global water crisis: water pollution, water scarcity and water-related disaster” ([A/HRC/46/28](#))
- See OHCHR’s briefing note on “The state of water and human rights in the EU27: A human rights-based approach to water resilience [full document](#), [summary](#))”

Recommendation 2: Ensure the full and effective realization of the human right to water by adopting a holistic approach that incorporates all of its normative elements—availability, quality, accessibility, affordability, and acceptability. This requires avoiding a fragmented or overly narrow focus on accessibility alone and explicitly integrating the affordability dimension.

In this regard, social and economic considerations should be strengthened. While the Water Framework Directive promotes the principle of cost recovery for water services, it also allows Member States to take into account the social, environmental, and economic impacts of such recovery. This provision provides a clear legal basis for addressing affordability concerns and ensuring that water services remain accessible to all, particularly vulnerable and marginalized groups.

For further guidance:

- See OHCHR’s briefing note on “The state of water and human rights in the EU27: A human rights-based approach to water resilience [full document](#), [summary](#))”
- See report by UN Special Rapporteur on the human rights to water and sanitation on “Affordability and the human rights to water and sanitation” ([A/HRC/30/39](#))

Recommendation 3: Ensure that human rights impact assessments are systematically conducted at all stages of large-scale projects, functioning as an ongoing learning process to guide decision-making and improve outcomes for future projects.

Preventing environmental harm is essential, as once environmental harm occurs, damage is often irreversible and its consequences for human health and well-being can be permanent. Environmental, social and human rights impact assessments are a critical tool in this regard, as they help identify and mitigate potential risks before harmful activities begin. These assessments form a part of State obligation under international law. Specifically, States’ obligations to respect, protect and fulfil human rights – including the human right to a clean, healthy and sustainable environment - entail the

obligation to prevent significant environmental harm by public and private actors. Environmental, social and human rights impact assessments are mandatory under customary international law.²

Environmental, social and human rights impact assessments must proactively assess whether, and under what conditions, the proposed activity or project – potentially posing a risk of significant harm to the environment, the climate, biodiversity or human rights – should receive government approval. The criteria to decide whether a project requires an impact assessment should be based on the potential risk that it creates to the environment and human rights. Therefore, exemptions by States must be made only on the basis of best-available science, with an adequate analysis of proportionality, opportunity and need.

For further guidance:

- See report by UN Special Rapporteur on the human rights to environment on “Framework for environmental, social and human rights impact assessments and the right to a clean, healthy and sustainable environment” ([A/80/187](#))
- See report by UN Special Rapporteur on the human rights to water and sanitation on “Impacts of mega-projects on the human rights to water and sanitation” ([A/74/197](#))

² International Court of Justice, “Obligations of States in respect of climate change”, advisory opinion, 23 July 2025, paras. 136 and 297.