

## **WCC-2012-Res-098-EN**

### **The human right to water and sanitation**

AWARE that humans depend on ecosystems and natural resources for their survival and to meet their basic needs such as food, housing and health;

ALSO AWARE that water is fundamental for life and that it should be made accessible and affordable in sufficient quantity and quality for safe drinking, bathing, cleaning, cooking and sanitation;

RECALLING that human rights are internationally recognized and generally enforceable standards which are universal and inalienable, interdependent and indivisible, equal and non-discriminatory;

ALSO RECALLING that the right to water and sanitation can be seen as a component of other existing fundamental human rights (right to life, health, food, self-determination, adequate standard of living, housing, education);

ACKNOWLEDGING the numerous provisions in international law which recognize the need to ensure physical accessibility, safe quality and quantity of water in order to secure other human rights, such as the United Nations General Assembly Resolution 64/292 on the human right to water and sanitation, and General Comment 15 of the United Nation's Economic, Social and Cultural Rights Committee;

AWARE that the international community set out the objective of halving by 2015 “the proportion of people who are unable to reach, or to afford, safe drinking water” in paragraph 19 of the Declaration establishing the United Nation's *Millennium Development Goals* and of halving by 2015 the proportion of people who do not have access to basic sanitation (World Summit on Sustainable Development, Johannesburg, 2002);

ALSO AWARE of international conventions which explicitly recognize the need to ensure the human right to water and non-discrimination against the most vulnerable and marginalized groups of society, in particular women, especially in rural areas, as reflected in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979) and children as included in the Convention on the Rights of the Child (1989);

CONSCIOUS of the explicit recognition of the human right to water regionally, such as in the European Council of Environmental Law (ECEL) Resolution on the right to water (2000), and nationally, such as in the Constitutions of Bolivia, Ecuador and Uruguay, in particular in relation to indigenous communities;

CONSIDERING that human rights cannot be fully secured in a degraded or polluted environment and that the right to water which focuses on an environmental resource, not only supports the establishment of already accepted human rights but also environmental principles;

CONVINCED therefore that the recognition of the right to water should have a positive impact on the respect of international environmental provisions that relate to the protection and management of water (mismanagement and/or depletion of surface and groundwater resources);

OBSERVING that agriculture and industrial production require huge quantities of water and that such activities are not components of the human right to water (which covers basic human needs), appropriate ecosystem management has an important role in the provision of water for safe drinking, bathing, cleaning, cooking and sanitation;

EMPHASIZING that water management should take into account the fulfilment of basic human needs to meaningfully strengthen and uphold any right to water and sanitation;

ALSO EMPHASIZING that at local level, ‘nature-based’ solutions to water management are often easiest, cheaper, most cost effective, and replicable for implementation by local communities;

EMPHASIZING FURTHER that water governance capacity should be understood as the competence of a society to ensure the development of sustainable water resources and the implementation of effective water management by means of transparent, coherent, and cost effective policy law and institutions (e.g. for progress on safe water supply and sanitation services, for integrated water resource management, etc.);

CONVINCED that due to the interdependence of natural resources and in order to promote biological diversity and resilience to climate change, maintaining safe water supplies relies on the health of land and ecosystems and thus requires the integrated management of water, land and coastal areas;

ALSO CONVINCED of the vital role of ecosystem services in securing access to and maintaining the quality and quantity of water (e.g. wetlands can store and filter water and forests help to regulate water flow);

RECOGNIZING the *IUCN Policy on Conservation and Human Rights for Sustainable Development* and the substantial work done by IUCN:

- a. on building capacity for water management and good governance of natural resources;
- b. on demonstrating implementation of sustainable water management, including support for improved arrangements for water governance; and
- c. in particular, on work towards the adoption of a rights-based approach (RBA) as an underlying strategy for conservation action throughout the Union, e.g. need for equity as there continues to be major disparities in terms of access to water amongst regions;

CONCERNED that water is becoming a scarce resource and that in light of global challenges, such as climate change, growing population, increased consumption, recurrent contamination and pollution of water sources, mismanagement and the development of industrial infrastructure, the distribution of water is increasingly unequal, which in turn also exacerbates poverty;

NOTING that according to current data, 884 million people do not have access to the UN recommended amount of freshwater per person per day (20–50 litres) that is necessary for meeting basic needs (drinking, cooking, cleaning, etc.);

FURTHER NOTING that according to the WHO/UNICEF Joint Monitoring Programme (JMP) for Water Supply and Sanitation, despite improvements in access to safe drinking water, (decrease from 1.2 billion to 884 million people without access) the number of people who still lack access to basic sanitation has increased (2.4 to 2.6 billion, one billion of these being children); and

COMMITTED to IUCN’s vision of “a just world that values and conserves nature” and mission to ensure that “any use of natural resources is equitable and ecologically sustainable”;

***The World Conservation Congress, at its session in Jeju, Republic of Korea, 6–15 September 2012:***

1. CALLS ON IUCN's governmental and non-governmental Members as well as non-member States and non-State actors to:
  - a. recognize the value of working towards the realization of the right to water and sanitation for sustainable development and in view of securing water resources for future generations, ensuring access to safe and affordable drinking water and basic sanitation for all citizens;
  - b. respect, protect, promote and fulfil the human right to water by, *inter alia*: establishing effective policies and strategies; promoting the realization of the procedural human right to water (right to information, just administrative action, public participation, access to courts of justice to obtain redress against violations, injuries or damages carried out by private multinational companies);
  - c. ensure governments support access to water of sufficient quality and quantity;
  - d. provide financial resources, for research, capacity building and technology transfer to assist countries to provide safe, clean, accessible and affordable drinking water and sanitation for all;
  - e. multiply efforts to implement existing commitments as set out in relevant international, regional and national instruments;
  - f. recognize the importance of ecosystem services to the viability of programmes for the access to water for basic needs and sanitation by national and local governments;
  - g. promote understanding of responsibilities and synergies between the human right to water and the conservation of water for the needs of nature; and
  - h. strengthen the capacity of society to manage water resources through appropriate legal and institutional frameworks as well as effective policies (water governance capacity); and
2. REQUESTS the Director General in collaboration with IUCN Commissions, Members and other relevant partners in line with the One Programme approach, to:
  - a. develop knowledge products which promote the fulfilment and the practical implementation of the right to water to be considered at the next IUCN World Conservation Congress;
  - b. work towards delivering action on the ground, giving special attention to the integrated management of water resources, land and coastal ecosystems; and
  - c. strengthen governance arrangements by:
    - i. engaging the private sector to recognize the right to water and sanitation, and to assist in its achievement;
    - ii. implementing the provisions set forth in this recommendation in light of the *IUCN Policy on Conservation and Human Rights for Sustainable Development* ;
    - iii. enhancing coordination, consensus and capacity building on activities or programmes which relate to rights;

- iv. promoting and reinforcing water governance capacity at all levels (local, such as the community-based level, to national) as a means of empowering and enabling people to implement the human right to water and sanitation services;
- v. providing effective access to justice and courts; and
- vi. promoting adequate information and democratic participation within the process of governing and managing water resources and services.

State and agency Members of the United States abstained during the vote on this Motion for reasons given in the US General Statement on the IUCN Resolutions Process.