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**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL,
POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS,
INCLUDING THE RIGHT TO DEVELOPMENT**

**Information presented by the Network of African National Human Rights Institutions on
behalf of “A”-status national human rights institutions in Africa**

Note by the Secretariat

The Secretariat of the Human Rights Council hereby transmits the communication submitted by the Network of African National Human Rights Institutions on behalf of “A”-status national human rights institutions in Africa,* reproduced below in accordance with rule 7(b) of the rules of procedures described in the annex to Council resolution 5/1, according to which participation of national human rights institutions is to be based on arrangements and practices agreed upon by the Commission on Human Rights, including resolution 2005/74 of 20 April 2005.

* Reproduced in the annex as received, in the language of submission only.

ANNEX

Statement by the Network of African National Human Rights Institutions on behalf of “A” Status National Human Rights Institutions in Africa on the report of the Independent Expert on the issue of human rights obligations related to access to safe drinking water and sanitation

1. The Network of African National Human Rights Institutions (NANHRI), on behalf of “A” status African NHRIs¹, takes this opportunity to thank, sincerely, the Independent Expert on Water and Sanitation for ably and professionally demonstrating in her report the inextricable link between the right to water and sanitation on the one hand and economic, social and cultural rights, including the right to development on the other hand.
2. In the report, the Expert has illustrated that if the right to water and sanitation were realized, then such rights as the right to health, education, gender equality and the overall development of the human person would all be achieved as well. Indeed, as the Independent Expert has rightly pointed out, the right to sanitation is essential for the realization of a number of the Millennium Development Goals (MDGs), including the target of reducing by half the 2.5 billion people worldwide who lack access to sanitation by 2015.
3. Indeed, experience has shown that in schools where there is adequate sanitation for girls and boys, enrolment, retention, completion and transition are always high for the girls compared to situations where sanitation is not provided. This corroborates the point made by the Expert that “lack of access to sanitation has disastrous consequences for people’s education, health, economy, gender equality and the development of the human person overall.
4. The lack of water and sanitation in Africa where the Network and its member National Human Rights Institutions (NHRIs) operate is particularly acute. The situation is grave among the urban poor and among populations in the rural areas who have to live with the indignity of defecating in the bushes where their livestock graze and rivers from which they fetch water for domestic use meander downstream, all without any proper waste treatment and disposal systems.
5. This partly explains the high rates of water born diseases and mortalities that occur after flash or seasonal floods that happen in the low lying areas in Africa and deprive children of their right to life.
6. The preceding situation explains the unreserved support of the Network for the proposal to formally recognize the right to sanitation as a human right on its own merit.

¹ The following are NHRIs with A status : National Human Rights Council of Egypt, Commission on Human Rights and Administration of Justice of Ghana, Kenya National Commission on Human Rights, Malawi Human Rights Commission, National Human Rights Commission of Mauritius, Conseil Consultatif des Droits de l’Homme du Maroc, Office of Ombudsman of Namibia, Commission Nationale des Droits de l’Homme et des Libertés Fondamentales du Niger, Commission Nationale des Droits de la Personne du Rwanda, Comité Sénégalais des Droits de l’Homme, South African Human Rights Commission, Commission for Human Rights and Good Governance of Tanzania, Commission Nationale des Droits de l’Homme du Togo, Uganda Human Rights Commission, Zambia Human Rights Commission.

7. After reading the report, the Network is convinced that recognizing the right to sanitation as a human right would be the first step towards liberating humanity from the bondage of indignity and restoring the self-worth of the human person particularly the poor and vulnerable in the society.
8. The recognition will pave the way for National Human Rights Institutions, the civil society and other stakeholders to hold duty-bearers to account for their obligations to respect, protect and fulfill all human rights of which the right to sanitation is an interdependent and integral part.
9. With the recognition of the right to sanitation and the obligations identified, National Human Rights Institutions and non-State actors will put pressure to bear on the State as the primary duty-bearer to establish the necessary mechanisms for the realization of the right to sanitation.
10. The recognition will beam a proactive light on the gravity of the situation and galvanize international, regional, national and local support and resources for the fulfillment of the right to sanitation.
11. As a Network of National Human Rights Institutions in Africa, we will play our part by working with our member institutions so that relevant advice is given to the governments and local authorities in relation to their obligations to respect, protect and fulfill the right to sanitation.
12. The Network congratulates the Independent Expert on obligations on the right to water and sanitation for a job well done and appeals to this 12th Session of the Human Rights Council to give due consideration to the recommendations of the Expert on the right to water and sanitation.
13. As a Network, we pledge our unreserved commitment and support for the cause that this Session of the Human Rights Council as embarked on – the realization of the right to water and sanitation.
