



General Assembly

Distr.: General
12 September 2011

English, French and Spanish only

Human Rights Council

Eighteenth session

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

**Joint written statement* submitted by France Libertés :
Fondation Danielle Mitterrand, the WHRIA - Women's
Human Rights International Association, non-governmental
organizations in special consultative status, the Mouvement
contre le Racisme et pour l'Amitié entre les peuples, a non-
governmental organization on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[24 August 2011]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The right to water and sanitation threatened by our energy models: A year after recognizing this fundamental right, the states and the international community have to take up many challenges.

1. The necessity to enforce the right to water and sanitation

On September 24th 2010, during its 15th session, the Human Rights Council voted a resolution (A/HRC/15/L.14) ratifying the resolution voted on July 28th, 2010 by the General Assembly, which recognized universal right to water and sanitation as a fundamental right. Even if these considerations are late, it has enabled us to reconsider the significance of universal access to water and sanitation; one of the main challenges to be taken up by the States in accordance with the Millennium Development Goals. One of these objectives consists in reducing by half the number of people deprived of drinking water and basic sanitation by 2015. This cause is also defended by France Libertés, the Movement against Racism and for Friendship among Peoples and the Women's Human Rights International Association, which plead to implement universal right to drinking water and to recognize water as a global common good.

These resolutions establish a legal link between the right to water and the right to life. So the Human Rights Council and the General Assembly have implicitly subordinated the respect of the right to water to the respect of many international texts including the Universal Declaration of Human Rights and the International Covenant on economic, social and cultural rights. The Covenant's article No.11 provides that "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 States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent."

From now on, the right to water and sanitation is in line with these international texts and becomes legally binding for the States: they have to take appropriate measures to guarantee the realization of the right to water and ensure an effective international cooperation.

So as to celebrate the resolution's first anniversary, the General Assembly gathered in New York and recognized the urgent need to develop water and sanitation. Over one billion people don't have access to drinking water, over 2.5 billion people don't have access to sanitation and 5,000 children die every day because of it. France Libertés, the Movement against Racism and for Friendship among Peoples and the Women's Human Rights International Association support Secretary-General Ban Ki-Moon, who called on governments to integrate the right to water and sanitation in their constitutions and national legislation.

Moreover, France Libertés, the Movement against Racism and for Friendship among Peoples and the Women's Human Rights International Association praise the work of the independent expert on Human rights obligations related to safe drinking water and sanitation: when the General Assembly gathered in July 2011, Ms. Catarina de Albuquerque, special rapporteur on the human right to safe drinking water and sanitation, highlighted the situation was urgent and a strong political commitment was necessary to make these resolutions relevant to reach the Millennium Development Goals.

Indeed, these resolutions would go unheeded without political commitment; governments have to integrate the principles resulting from these resolutions in their legislation and establish systems that concretely implement the fundamental right to water and sanitation.

Current drought in the Horn of Africa reminds us the situation is serious in some parts of the world, often the most disadvantaged ones.

2. The necessity to introduce energy models respecting the right to water and sanitation

The situation is also urgent in the related field of energy, resulting in situations threatening human rights and the right to water. The number of hydroelectric dams is increasing, undeniably endangering the ecosystem and resulting in the forced displacement of indigenous people, threatening their survival. The destruction of our water resources is also the result of shale gas and oil extractions through hydraulic fracturing systems: these methods consume much water and generate gas leaks which make groundwater permeable and seriously endanger water quality. Moreover, the latest events in Fukushima show us that nuclear energy also contributes to polluting our water resources and to putting people's lives at stake.

Governments' efforts to ensure universal access to water and sanitation would remain ineffective if, in parallel, this kind of methods contaminating or destroying our rivers, seas, forests, and people, exist.

In order to recognize the right to water as a fundamental human right, it is necessary to establish new energy models offering a better protection of global natural resources and people who depend on it. The States have to react against the destructive exploitation of our ecosystem led in the name of profit and economic growth but going against the protection of fundamental human rights recognized on international level.

Regarding the coming international events taking place in 2012, the World Water Forum and the Earth Summit (Rio+20), the States and international organizations, must commit themselves to:

- Integrating the right to water in their constitutions and national legislations in order to recognize its status as a compelling and fundamental human right.
- Ensuring democratic, transparent and sustainable water governance, in order to protect the right of everyone to be informed, consulted and to give their consent on decisions which have an impact on their environment and health.
- Implementing universal right to water and sanitation and protecting people by adopting energy models more respectful of our environment. It means to commit not to supporting nuclear energy, not to setting up hydroelectric dams, not to exploring or exploiting shale gas and oil. In other words, stopping any exploitation activity of our natural resources that endanger ecosystems and threaten water quality.