



# General Assembly

Distr.: General  
7 September 2012

English only

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## Human Rights Council

Twenty-first session

Agenda item 3

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

### **Written statement\* submitted by Franciscans International (FI), a non-governmental organization in general consultative status**

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

[24 August 2012]

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

## **Confronting poverty and stigmatization: Addressing water and sanitation issues**

### **Introduction**

Franciscans International (FI) welcomes the annual report of the Special Rapporteur (SR) on the human right to safe drinking water and sanitation, focusing on stigmatisation and discrimination and stresses on the inherent dignity of all human beings.

Despite the human right to clean drinking water and sanitation has been clearly recognised by the 2010 UNGA Resolution<sup>1</sup> widely supported by UN member states, little progress have been made towards the full implementation of this right, in particular by Kenya, Uganda, Ethiopia, Zambia, Tanzania, Zimbabwe, Malawi, and South Africa. The implementation of the UN Millennium Development Goals (MDGs), as well, falls short in these countries, in particular MDG 7C which sets the reduction by half the proportion of the population without sustainable access to safe drinking water and basic sanitation, by 2015.

With reference to the Report, FI would like to draw the attention of the SR on the situation of the mentioned group of African states where local communities suffer because they are deprived of the access to safe drinking water and sanitation. As a consequence, they are also denied of their right to adequate standard of living and are often excluded from the society.

The SR has indeed highlighted that, “people living in poverty face stigmatization and are frequently forced to exist at the margins of society.”<sup>2</sup> This prevents them to access basic services.

### **Background and current situation**

FI visited one of the biggest slum areas in Nairobi,<sup>3</sup> Kenya, called Mukuru. This area, houses over 600 000 people living tightly packed in shanties of about 3 square meters. These shanties are made of mud and iron sheets and 6 to 8 people live in each room in average.

Garbage and open sewages are everywhere and people dump waste in the open trenches and drainages. A nearby factory releases hazardous wastes, including polluted water, in the rustic canals surrounding the area. These canals flow into the Ngong River, which passes right in the middle of the slum.

Children play in and around the huge mounds of garbage and the polluted river and they easily contract pulmonary and skin diseases. There are cases of babies died due to diseases as a consequence of the lack of hygiene, coupled with the shortage of proper health care and nutritious food.

Proper toilet facilities are not in place. This is the major cause of what people call “flying toilets”. That is plastic bags used for defecation and then throws into ditches, on the roadside, or simply as far away as possible.

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<sup>1</sup> UNGA Res. A/RES/64/292.

<sup>2</sup> Report of the Special Rapporteur on the human right to safe drinking water and sanitation, A/HRC/21/42, para 35.

<sup>3</sup> This visit was done during a workshop on water and sanitation organized by FI in Nairobi, Kenya, May 2012 titled “empower vulnerable and marginalized groups in addressing water and sanitation issues”. 28 participants came from 8 Eastern African countries.

An association, Umande Trust, is building toilets also functioning as biogas digesters that can be used as fuel community cookers. Some other organisations are working on education and health fields.

The living condition in this urban area is appalling. Mukuru is just one out of the million places throughout the world where people live in extremely precarious living conditions.

Our organisation also collected direct testimonies of other African people who are deprived of their right to safe water and sanitation:

- “Ladies only rely on roof catchment water for their need. If the water finishes they go out to the pond to fetch water which is not safe for human consumption. This becomes a heavy exercise for women since they have to fetch enough water for all uses”. (Kenya);
- “Women rarely share their concerns and priorities about water and sanitation and they participate to a very small extent in community consultations.” (Uganda);
- “The biggest challenge is that there is a counted number of water boreholes and ponds. They are not enough to feed the community; both human beings and animals target the same source of water for basic use. Thus water is unsafe for human consumption since cows pass urine and other wastes in it. Human beings with unclean and unbandaged wounds walk in this water in search for clean water...60% of the people walk for a long distance in search for water for domestic use. (Kenya);
- The total population of Zambia is 13.8 million of which roughly 50 per cent are under the age of 14. Low life expectancy and high levels of poverty persist. Deforestation is growing on a rapid rate as the most people depend on trees for survival-businesses of selling charcoal and fire wood. In the recent months, people have experienced a lot of water pollution. On the 7th January 2012, 756 people in Mufulira, Kantanshi township drunk tap water alleged to have been contaminated with sulphuric acid from Mopani Copper mine and suffered abdominal pains and vomiting. (Zambia);
- “People are not getting sufficient clean water. Among the factors especially in my working area there is a problem of dry weather. It is a very hot area and the society and the herds suffer from water scarcity. There were wells and some springs which have been done by the Catholic Church and by the government but most of them are not functioning because they are out of order and demanding high amount of cost to maintain them. The women have to travel kilometres and kilometres to find water. This has a great difficulty on the life of women and children. They also die of water related diseases since it is not easy to get clean water.” (Ethiopia);
- My work mostly deals with carrying out fact finding researches on various issues. Water and sanitation was one of the major parameters considered in the research. Poor sanitation and hygiene is the greatest challenge related to slum. High burden of diarrhoeal and other preventable diseases are the result of poor sanitation and hygiene. The mortality rates are high as a result of the water related diseases. Ignorance of the citizens especially the slum dwellers that environment is an issue of concern; I think that is why most slum dwellers indiscriminately dump drainage channels and also construction of pit latrines in the catchment area of a protected spring”. (Uganda);
- I participated fully in raising awareness to people in rural areas: Daudi village, Mbulu District at Manyara Region. The biggest challenge is the poor town planning and settlement that affects water system, both clean and waste material. Climate change is affecting growth of forest and availability of water and is increasing to the problem of scrambling for water and deforestation. The society is not aware of the

use of environment for sustainable development, there is no care for future generation. The society lacks knowledge and material on water preservation (rainwater). (Tanzania);

- The local community is affected by shortage of water supplies for long period of time. People end up drinking river water which is not treated or polluted. The community is affected greatly by pollution from the industrial sites. Lake Chivero has high level of nutrients in the water because of raw effluent, domestic and industrial waste discharged into it. Yet, it supplies drinking water to Harare.” (Zimbabwe);
- In many African societies, the division of labour is generally centred on gender differences. Women care for the family, ensure the availability of sufficient food and water. In Africa, water is not a man’s business. In both rural and urban areas, from informal settlement slums to the villages up country, women have dominated the use of water domestically throughout their cultural ancestry. Yet, water sources are a tremendous challenge for women in the global South. (Kenya).

### Conclusions

Despite the fact that some governments have made significant progress regarding the MDGs, too many people still suffer from discrimination and stigmatization and “the lack of access to essential services is a symptom, while the root causes lie in stigmatization.”<sup>4</sup>

The situations mentioned above denounce several problems related to water and sanitation, especially the situation of the women, the stigmatization of the poor, sanitation issues, and the pollution of water.

In many countries water is, culturally, a woman’s business. In both rural and urban areas, the women spend up to a quarter of their time collecting and carrying water, often of poor quality. They walk long distances in search for water for domestic use, but they often face its scarcity.

Just rarely they are part of decision making processes regarding integrated resource water management. Women are culturally on charge of providing water, but rarely share their concerns or participate in community consultations regarding water issues. As mentioned in the report, “power relationships result in the marginalization and exclusion of certain groups and individuals from decision-making processes, access to resources and services, and the ability to shape social life.”<sup>5</sup>

The dignity of all human beings and particularly of those who are poor is important, given the widespread human tendency to denigrate and stigmatize the poor. People living in poverty, due to economic, social and cultural factors are facing humiliation, shame, and denial of their rights.

The improper town planning and the proliferation of slum settlements can lead to inner feeling of stigmatization and discrimination. Stigmatization is often embodied in the policies and the legislation, carried out by the institutions mirroring societal attitudes.

Local communities face poor sanitation and hygiene conditions. People in some areas, still, have no choice than throwing away human excreta contained in plastic bags into ditches or along the roads. In the same areas it is common to see children playing in the garbage and the human excreta. Poor sanitation and hygiene are the greatest challenges for the slums.

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<sup>4</sup> Id. Para 22.

<sup>5</sup> Id. Para 17.

Most slum dwellers indiscriminately dump drainage channels and also build pit latrines in the catchment area of a protected spring due to the ignorance or uncared behaviour.

The access to safe drinking water is compromised by different factors: pollution and domestic animals. These conditions put the life at risk for the adults and especially for children. Poor health and frequent illness lead to lower productivity and lower income. Child malnutrition is rampant, worsened by water-related illness. The mortality rate is high as a result of water related diseases. Some slum areas crossed by rivers are polluted by industrial factories. Or in other cases, the location of the slums illustrates the hierarchical frame of the society, namely the powerful and the wealthy is above and the poor below. Thus, the slums are receiving the garbage from above through the rain, the drainage. Slums are the garbage of the society.

Franciscans International would like to emphasize that social justice is the fundamental prerequisite of a human rights based approach. All people have the right to water. Water is not and should not be a commodity; it is a common good that should be preserved from contamination, pollution, commercialization and human greed; water is essential to sustain Mother Earth and its inhabitants.

We recommend the Governments of Kenya, Uganda, Ethiopia, Zambia, Tanzania, Zimbabwe, Malawi, and South Africa to:

- Implement the existing National Action Plans on Water and Sanitation, with particular attention to mainstream gender equality in all programs and actions related to water and sanitation, so as to effectively respond to women's specific needs and empower them to be part of the decision making processes at all level;
  - Organize awareness raising campaigns at national and local levels about water and sanitation challenges faced by some segments of the population (i.e. people living in slum and rural areas), with the aim to prevent social discrimination and stigmatization;
  - Plan and implement projects, eventually in partnership with private sectors, to build sanitation facilities in disadvantaged areas of the country and guarantee the full participation of the population concerned to ensure the sustainability of the projects;
  - Conduct awareness raising campaigns addressing people living in disadvantaged areas in order to promote the importance of saving and efficiently managing water rain to improve their health and their quality of life, in particular Ethiopia;
  - Facilitate the dialogue between the population affected by industrial wastes and all businesses involved so as to holistically address the issue of the contamination of water - in particular in Kenya, Zimbabwe, and Zambia - and comply with the obligation to protect.
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