



HUMAN RIGHTS COUNCIL - 46th SESSION

Interactive dialogue with the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment

(4 March 2021)

Mr. David R. Boyd, Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment:

Summary of the report: [A/HRC/46/28](#)

- The report focuses on **water pollution, water scarcity, water-related disasters, and damage to healthy freshwater ecosystems** and how these issues have direct impacts on a wide range of human rights, including the rights to life, health, water, sanitation, food, an adequate standard of living, development, culture, and the rights of the child.
- The adverse consequences of these issues **affect the vulnerable populations** the most and contribute to **higher inequality** and **socioeconomic exclusion**.
- It is necessary for all States to adopt a **seven-step process** to employ a **rights-based approach** to water governance. This process includes i) Preparing a state-of-the-water assessment ii) Conducting a legal mapping initiative iii) develop/revise water related plans to incorporate a rights-based approach iv) implement water-related plans and enforce water-related laws, regulations and standards v) evaluate progress and strengthen actions to ensure that human rights are fulfilled
- The **role of businesses is key** as they must **fulfil their rights-related responsibilities** to contribute to and support efforts to ensure safe and sufficient water for all.

The Special Rapporteur further elaborated on the fact that the pandemic has exposed and exacerbated inequalities with regards to water related issues and emphasized that **wealthy countries have to provide development assistance in water to poorer countries** as the level of development cooperation in this field has drop significantly in the past years. Moreover, it is key that this investment is made both in **water and sanitation systems** as well as in **renewable energies**.

Additionally, countries must adopt **coordinated national environmental and water plans** that are **linked to climate** change and make **legislative and constitutional changes** to establish **water as a fundamental right**.

Furthermore, countries must commit to **reducing their greenhouse emissions**, improve green practices and prohibit activities that contribute to climate change like fracking and coal mining.

Lastly, countries must **commit to the protection of environmental/human rights defenders** which are currently under constant threat, through concrete plans on the ground.

Interactive Dialogue

The majority of the speakers commended the report made by the Special Rapporteur. They emphasized the need to address **water security challenges and water scarcity**, the significance of **protecting ecosystems** and the importance of recognizing the **interdependence of water pollution/water scarcity and fundamental rights**.

Furthermore, several countries coincided with the SR on the fact that **a right-based approach is necessary** when adopting measures to fight these issues. Also, that the impact of water scarcity and water pollution exacerbate inequalities which end up **affecting vulnerable communities** the most.

Panama, Finland on behalf of the Baltic countries, Palestine, and Switzerland highlighted that the report needed further elaboration on the link between water and security, namely, armed conflicts and civil wars.



Russia, Ukraine, Georgia, Azerbaijan, and Armenia established that the report should refer specifically to the fact that other countries are using **water as a weapon** to deprive populations of this essential resource including **targeting water reservoirs** and **polluting water resources with chemicals**.

Finally, most countries mentioned the importance of **international and interregional cooperation** to promote the water right, of developing **inclusive dialogues with stakeholders** to build comprehensive water plans, and of **developing measures to protect environmental rights defenders**. All this with the purpose of ensuring that **water security in a holistic manner remains a priority** for all countries.

Delegations that took the floor during the Interactive Dialogue (62 country delegations):

Finland (on behalf of the Baltic countries, European Union, Cameroon (on behalf of the African Group), Costa Rica (on behalf of Costa Rica, Honduras and Uruguay), Jamaica, Monaco, Germany, Palestine, Malaysia, France, Slovenia, Togo, Philippines, Libya, Ecuador, Russia, Iraq, Indonesia, Senegal, Maldives, Saudi Arabia, Armenia, Marshall Islands, Venezuela, Morocco, India, Namibia, Gabon, Iran, Switzerland, Republic of Korea, Pakistan, United States of America, Egypt, Peru, Cameroon, Spain, Nepal, Algeria, Uruguay, Austria, China, Azerbaijan, Luxembourg, Fiji, Botswana, Ethiopia, United Kingdom, Sudan, Cuba, Cyprus, Bangladesh, Cote d'Ivoire, Panama, Djibouti, Georgia, Kenya, Ukraine, Chile, Mauritius, El Salvador, Sierra Leone.

Other observers: **FAO** (Water as a priority), **UNICEF** (Guaranteeing a water secure future for children), **UNESCO** (Importance of capacity building in Africa and Latin America, water disaster e-learning platform in Africa).

Non-Governmental Organizations (NGOs) that took the floor during the Interactive Dialogue (11):

Franciscans International, Global Initiative for Economic, Social and Cultural Rights, Universal Rights Group, Make Mothers Matter, Earthjustice, VIVAT international, Lutheran World Federation, Women's Centre for Legal Aid and Counseling, Asian-Pacific Resource and Research Centre for Women (ARROW), Conselho Indigenista Missionário CIMI.

The representatives of the NGOs called the attention of the Council on the fact that the pandemic has **exacerbated the negative effects of water pollution mostly on the rights of vulnerable populations** for which effective protection has to be guaranteed, specially: refugees, indigenous people, people with disabilities, women and girls, among others.

Additionally, NGOs emphasized key issues such as: a lack of legislation in countries that fails to address the **right to water as a fundamental right**; the importance of recognizing the **interdependence between healthy environments and the enjoyment of human rights**; the importance of **accountability and evaluations processes** with regards to water plans; the importance of **gender equality** in this field; and lastly, that countries increase the **protection measures to environmental rights defenders**.

A specific country remark was made towards **India** regarding the **climate crisis** in the country and the **increasing number of natural disasters** (floods and cyclones) in 2020.

To watch full ID with the SR on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, refer to UN Web TV [part 1](#), [part 2](#).