



Human Rights Council takes strong action on water, climate change and toxic waste

7 October 2011/Geneva: The United Nations Human Rights Council has taken great strides to ensure national water governance better considers human rights, and has also taken into account national concerns over the effects environmental degradation is having on human rights, according to environmental nongovernmental organizations Green Cross International and WaterLex.

Among resolutions adopted in Geneva last week by the Human Rights Council at its [18th Session](#), three were passed dealing with water, climate change and toxic waste. "Considered all together the three resolutions contribute to a more integrated approach to water governance through a human rights perspective," [WaterLex](#) and [Green Cross International](#) said in a joint statement issued today.

The resolutions share common concerns, raised by Member States, on the impact environmental degradation is having on human rights, including access to safe-drinking water, which the Human Rights Council [recognized](#) as a basic human right in 2010.

- Resolution L.1 on the Human Right to Safe Drinking Water and Sanitation¹ calls on States to adopt a human rights-based plan of action for the implementation of the rights to water and sanitation. The Resolution builds upon the findings of the Special Rapporteur on the Right to Water and Sanitation²: it encourages States to adopt a holistic and integrated approach that clarifies responsibilities of all stakeholders, including those of the private sector,³ in the different steps of national and local planning from the elaboration of evidence-based policies on the supply of water and sanitation to their implementation and monitoring. The resolution also stresses the importance of having the vision and political will to sufficiently prioritize water and sanitation,⁴ helps ensure more sustainable results, and strengthens participation, transparency, non-discrimination and equality, and accountability.⁵

¹ Resolution A/HRC/18/L.1 on the Human Rights to Safe Drinking Water and Sanitation

² The third report presented by the Special Rapporteur, Ms Catarina De Albuquerque, on 15 September 2011 was dedicated to national plans of action for the realization of the rights to water and sanitation. All reports are available from : <http://www2.ohchr.org/english/issues/water/iexpert/>

³ OP 7 (i) of the Resolution L1 provides that: [The Human Rights Council calls upon State] To provide for a regulatory framework aimed at ensuring that all water and sanitation service providers respect and protect human rights and do not cause human rights violations or abuses, and to ensure that national minimum standards, based on human rights criteria, are in place when water and sanitation services are decentralized, in order to ensure coherence and countrywide compliance with human rights;

⁴ OP 7 (j) of the Resolution provides that: [The Human Rights Council calls upon States] To provide for a framework of accountability that provides for adequate monitoring mechanisms and legal remedies, including measures to overcome obstacles in access to justice and other accountability mechanisms and lack of awareness of the law, human rights and opportunities to claim these rights"

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- **Resolution L.26 on Human Rights and Climate Change**⁶ calls upon the Office of the United Nations High Commissioner for Human Rights to convene a seminar addressing the adverse impacts of climate change on the full enjoyment of human rights, “with a view to following up on the call for respecting human rights in all climate change-related actions and policies, and forging stronger interface and cooperation between the human rights and climate change communities”.

Higher water temperatures and changes in extremes, including floods and droughts, are projected to affect water quality and exacerbate many forms of water pollution. Changes in water quantity and quality due to climate change are expected to affect food availability, stability, access and utilization. Population growth and migration interrelate with climate change and water issues. Climate change and natural disasters may displace up to 200 million people by 2050, Refugees International estimates.

- **Resolution L.6 on hazardous substances and waste**⁷ adopts a more holistic approach to waste treatment covering the life cycle of dangerous substances and waste from production to elimination.⁸ It strengthens the focus of the Mandate of the Special Rapporteur on human rights, while changing its name.⁹ It also calls upon the Mandate of the Special Rapporteur to compile best practices on the human rights obligations related to environmentally sound management and disposal of waste.¹⁰

Pollutants such as sludge, sewage, garbage and toxic wastes such as oil spills have damaged water supplies. The 2011 report of the Special Rapporteur highlights that 20%-25% of all waste generated by hospitals and other healthcare facilities are regarded as hazardous.¹¹ Such waste may create a variety of health risks if not managed and disposed of in an appropriate manner. Water pollution is a crucial issue in countries with weak or non-existent regulations to protect their water supplies.

Each resolution points to a water-related issue on which States must focus, while adopting a holistic and integrated approach to water and sanitation. The resolutions consist of non-legally binding political commitments that aim to guide States on implementing international law. As such they serve as a reminder that international human rights law is the pivotal axis of the international law system and that all international treaties must be interpreted in the light of it.

⁶ Resolution A/HRC/18/L.26/Rev1 on Human Rights and Climate Change

⁷ Resolution A/HRC/18/L.6 on the Mandate of the Special Rapporteur on the Human Rights obligations related to environmentally sound management and disposal of hazardous substances and waste

⁸ OP3 (c) of the Resolution A/HFRC/18/L.6 provides that the information compiled by the Special Rapporteur covers “[t]he scope of national legislation in relation to manufacturing, trade, transport, distribution, use and final disposal of hazardous substances and waste”.

⁹ The "Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights" has become the "Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes"

¹⁰ OP5 of the Resolution A/HFRC/18/L.6.

¹¹ The 2011 report of the Special Rapporteur, Mr. Calin Georgescu, focuses on medical waste. All reports are available from http://ap.ohchr.org/documents/dpage_e.aspx?m=104.



About WaterLex

Founded in 2010, WaterLex is an international think tank, specialized in the field of water governance. A legally registered public interest association in France and Switzerland, WaterLex intends to play a facilitating role in governance processes, while providing the various stakeholders with reports and tools developed on the basis of the current state of knowledge, training activities adapted to their needs, and mediation and counseling services in the field of human rights, particularly the right to water and sanitation. For further information on a human rights-based approach to water governance: www.waterlex.org

About Green Cross International

Green Cross International, founded by Mikhail Gorbachev, is an independent non-profit and nongovernmental organization working to address the inter-connected global challenges of security, poverty eradication and environmental degradation through a combination of high-level advocacy and local projects. GCI is headquartered in Geneva and has a growing network of national organisations in over 30 countries. For further information on Green Cross's work on toxic waste:

<http://www.greencross.ch/en/projects/water-life-peace.html>

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