

FAST FACTS

United Nations
Development Programme



Human Rights Based Approach and Water Governance

Water, Sanitation and Human Development

Globally, 884 million people do not have safe drinking water, and 2.6 billion people do not have safe sanitation. The deprivation in access to water and sanitation overwhelmingly impacts poor people and marginalized communities who often are systematically excluded as a result of inequality, unequal power relations and failures of governance. Among the poor, women and girls are especially affected. The toilet may seem an unlikely catalyst for human development, but the evidence is clear – investment in sanitation yields an average economic return of \$9.1 to \$1. Access to sanitation and water is a human right and its realization brings multiple human development benefits, including better health, reduced vulnerability, greater productivity, and expanded choices.

Beyond domestic needs, water is essential to sustain ecosystems on which humankind depends for myriad services and it is an input to virtually all economic sectors and the production systems that maintain livelihoods. Driven by population growth, urbanization, economic development and accompanying consumption, competition over water resources is increasing with increasing demands from all sectors. Outcomes for poor people depend on how effectively they can participate in the decision-making on water allocation and the extent to which equity concerns shape national policies and water governance.

Human Rights Based Approach and Water Governance

UNDP promotes a human rights based approach (HRBA) in its work to improve water resources management and

access to water and sanitation. An HRBA emphasizes both development outcomes and the process by which rights are realized. It focuses on the relationships of obligations and rights, and on improving the capacity of those with responsibilities to respect, protect and fulfill rights (duty bearers) to meet their obligations, and on improving the capacity of those that have rights (rights holders) to claim them. An HRBA intersects with water governance which is defined by the political, social, economic and administrative systems that affect the use, allocation and management of water resources and delivery of water and sanitation services. Water governance is concerned with principles such as equity and efficiency in water resource and services allocation, the power dynamics in decision making, and the clarification of the roles and responsibilities of government, civil society and the private sector. The HRBA focus on process and accountability offers one concrete way to work with improving [water governance](#).

The [UN Common Understanding on a Human Rights-Based Approach](#) identifies human rights principles to guide development programming in the UN, including the core principles of equality and non-discrimination, participation, and accountability. Implementing these principles in water and sanitation policies and programmes requires deliberate efforts to identify most marginal and vulnerable individuals and groups, and ensuring that they are given special attention in interventions. Meaningful inclusion and participatory approaches are required to make sure that the needs and interests of weaker groups in society are represented and that they are not further marginalized by more powerful groups in [water decision making](#). By focusing on the relationships and capacities of right-holders and duty-bearers, a human rights based approach emphasizes the clear designation of roles and responsibilities, transparency in decision making, and accessibility and responsiveness of institutions, so that those who have responsibilities can be held to account.



Bondo villagers discuss water services. Photo A. Muhinda

The Right to Water and Sanitation

The UN Human Rights Council, in September 2010, affirmed the right to water and sanitation as derived from the right to an adequate standard of living which is contained in several international human rights treaties, such as the International Covenant on Economic, Social and Cultural Rights and the UN Convention on the Rights of the Child. The human right to water and sanitation provides the procedural principles – notably equality and non-discrimination, participation and accountability, and substantive standards - availability, safety, acceptability, accessibility and affordability, to guide the realization of access to water and sanitation for all. Applying a human rights based approach in supporting the implementation of the right to water and sanitation advances the process (“how”) and the substantive standards (“what”) of the right. It also furthers other substantive rights, such as the right to education and health, and procedural rights *per se* such as the right to non-discrimination and participation.

Practical Application of a Human Rights Based Approach

UNDP supports the practical implementation of an HRBA to improve water supply and sanitation services, water resources management and water governance. Developing experience, lessons learned and guidance aims to improve the capacity of water professionals and development practitioners to integrate an HRBA in policies and programmes. UNDP also supports the work on identifying good practices of the [Independent Expert](#) on the issue of human rights obligations related to access to safe drinking water and sanitation.

In Kenya, UNDP’s [Water Governance Facility](#) supports capacity building to enable right holders and duty bearers to participate effectively in water sector reform. The initiative builds on the Ministry of Water and Irrigation commitment to integrate a human right to water perspective in the sector reform process. The programme’s efforts to improve water services include disseminating information and raising awareness of communities and service providers about the national water reforms, establishing feedback and complaint redress mechanisms between right holders and duty bearers, especially at the local level, and developing tools to strengthen anti-corruption activities.

UNDP’s [MDG GoAL WaSH](#) programmes in [Tajikistan](#) and [Bosnia & Herzegovina](#) apply a human rights based approach to [sector assessments](#) and water rights and responsibilities awareness campaigns. The assessments include reviews of the relevant legislative and regulatory environments affecting service delivery by local governments, analysis of management structures and constraints faced by public and private drinking water service providers, and attitude surveys on the public understanding of both rights holders and duty bearers regarding water as a component of the natural resource base and as a consumer good. In Bosnia & Herzegovina, a survey also specifically focuses on opportunities and constraints regarding access to water services faced by internally displaced persons.

In the area of water resources management, UNDP is analyzing the [synergies](#) between an HRBA to development and [Integrated Water Resources Management](#) which strives to balance economic efficiency, social equity and environmental sustainability, and is exploring how applying a human rights based approach can contribute to improving the equity of water resources allocation.

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