



## Newsletter: March 2017



13 March 2017

Dear friends and colleagues,

I write to draw your attention to new developments in my mandate on the human rights to safe drinking water and sanitation.

The main topics on today's newsletter, for your ease of navigation, are the following:

- Call for input - country visit to Mexico 2017
- Questionnaire for report to the UN Human Right Council on service regulation
- Update on preparation of report to the UN General Assembly on development cooperation
- Communications on alleged human rights violations
- Activities of the mandate
- Subscription to the newsletter

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### Call for input - country visit to Mexico 2017

As defined in my mandate as Special Rapporteur, two country assessments must be performed each year. My next mission will be to **Mexico** from 2 to 11 May.

For such assessments, an important part of the research process is to consult human rights defenders and civil society – including academics, technical experts and activists – for relevant information that should be taken into consideration. Such information ideally consists in issues of concern for the human rights to water and sanitation, potential areas to visit (States, towns or communities, etc.) or relevant organizations and individuals to meet during the visit. If you have information, or may know of an

individual/group/organization that does, please share this message and send your submission to [srwatsan@ohchr.org](mailto:srwatsan@ohchr.org)

Finally, confirmation has been received from the government of **India** for an additional country mission in November 2017.



*Special Rapporteur on mission in El Salvador (11 to 18 May 2016)*

## **Questionnaire for report to the UN Human Rights Council on service regulation**

Work is underway on this report, which has the aim of providing recommendations on how regulation of water and sanitation services can contribute to the realization of human rights. Notably, it will explore different regulatory mechanisms and their capacity to respect human rights principles and the key normative content of the rights to water and sanitation.

To ensure the report has benefited from a diversity of experiences and expertise, I have elaborated a short questionnaire (one for States and another for non-State actors) treating various aspects of regulation for this sector. I hope to receive responses from State governments, relevant actors in the water and sanitation sector,

and diverse civil society members. Please share this message with relevant individuals, groups or organizations via the following [link](#).



### **Update on preparation of report to the UN General Assembly on development cooperation**

This report on development cooperation will complement the report that I submitted to the UN General Assembly in 2016. The research phase is still very much active, and I have been consulting a group of hand-picked experts with expertise in human rights, the provision of water and sanitation services, and international development cooperation. Furthermore, I have had highly enlightening dialogues with personnel from the main funding bodies that have been chosen as case studies in this report (the Japanese International Cooperation Agency, the French Development Agency, the World Bank, the Inter-American Development Bank, the European Commission, and UNICEF) and have visited one project of each funder in selected developing countries. I look forward to articulating this intensive research into a useful report, and sharing my conclusions and recommendations with the UN General Assembly and all relevant stakeholders in the near future.

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### **Communications on alleged human rights violations**

In accordance with the mandate stipulated by the UN Human Rights Council on Special Procedures, a Special Rapporteur may send communications to States and other entities (e.g. multinational corporations) to address alleged human rights violations and other situations of concern to human rights.

With the recent publication of the latest Special Procedures communications report at the 34<sup>th</sup> Human Rights Council meeting, a number of cases have entered the public domain. The following cases included concerns for the human rights to water & sanitation. See the [website](#) for full details.

1. **Bangladesh (21 June 2016)** - concerning arsenic contamination in groundwater and the resulting, widespread adverse effects to human health.
  - a. No response received from government to date.
2. **Brazil (30 June 2016)** - concerning the process of establishing a settlement between the companies responsible for the collapse of the Fundão Dam (Samarco Mining S.A., BHP Billiton Brazil Ltda, Vale S.A) and the relevant Brazilian authorities
  - a. Reply received from government [30 August 2016](#).
3. **Nigeria (4 July 2016)** - see below
  - a. No response received from government to date.

On February 27, I released a new [press statement](#) on concerns for a new bill that could have adverse effects on the rights to water & sanitation in Lagos (Nigeria). This comes after a previous [press statement](#), released on December 22, 2016, on the unacceptable conditions faced by millions of the megacity's residents. My calls to the national government to address this situation have still not yet received a response.



4. **Venezuela (16 September 2016)** - concerning the cruel and inhumane treatment of women and children in a women's penitentiary
  - a. Reply received [14 December 2016](#).
5. **USA (21 September 2016)** - concerning the process of the construction of the North Dakota pipeline.
  - a. No response received to date.
6. **Mexico (7 October 2016)** - concerning contamination of drinking and irrigation water originating from the Sonora River.
  - a. Reply received [7 December 2016](#).
7. **Other (Grupo México) (7 October 2016)** - same as preceding case.
  - a. Reply received [7 December 2016](#).
8. **Argentina (31 October 2016)** - concerning the inhumane treatment and torture of several prisoners in penitentiaries.
  - a. Reply received [24 January 2017](#).
9. **Canada (4 November 2016)** - concerning adverse and discriminatory conditions of access to water for First Nations peoples.
  - a. No response received to date.
10. **USA (11 November 2016)** - concerning the excessive use of force in the context of protests against the North Dakota pipeline.
  - a. Reply received from the US government [9 December 2016](#).
11. **Saudi Arabia (17 November 2016)** - concerning conflict with Yemen.
  - a. The reply of the Saudi Arabian government was received on 27 December 2016 and is currently being translated.

#### **Replies received to past cases**

1. **USA (Flint - 2 March 2016)**
  - Reply received [7 Nov 2016](#)

#### **\*New\* Register of all communications on the rights to water & sanitation**

In the interest of transparency and facilitating access to information, a complete register of communications including the Special Rapporteur on the human rights to water and sanitation (past and present) was compiled on the [OHCHR website](#). Classified by the State/party involved, date and summary of the alleged human rights concerns, the register allows access to all original documents sent out by the Special Rapporteur and all responses (when existing) from States or other stakeholders.

**Do you want to submit information regarding a situation of concern for the human rights to water and sanitation?** Consult the instructions on the

following [website](#) to submit your information. If you require guidance, please contact me at [srwatsan@ohchr.org](mailto:srwatsan@ohchr.org)

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## Activities of the mandate

My official website with the OHCHR has received a small make-over, including the addition of an [Activities page](#). This page provides an updated register of the diverse activities that the mandate is involved in and, when available, shares materials that are prepared for such events (e.g. presentations, concept notes).

For example, on 9-10 February 2017 in Geneva (Switzerland), I participated in a roundtable event organized by Unicef in collaboration with WaterLex, “Monitoring the Human Rights to Water and Sanitation in the Context of SDG 6”. Download the PowerPoint presentation prepared for this event on the website!



## Subscription to the newsletter

If you wish to receive this newsletter, please write to [srwatsan@ohchr.org](mailto:srwatsan@ohchr.org) with the subject, “Subscription”.

Don't forget to follow @SRWatSan on Twitter and Facebook for the latest news on the human rights to water and sanitation!

**Hoping that you have had an excellent start to the year and that the human rights to water and sanitation will continue to be a priority on all of our agendas.**

**Léo Heller**

**UN Special Rapporteur on the human rights to water & sanitation**