

Dear friends and colleagues,

I wish you well in the New Year, and am happy to present the 1st newsletter of 2019 on the mandate of the UN Special Rapporteur on the human rights to safe drinking water and sanitation, bringing news of my recent and upcoming activities.

1. Call for input: GA74 report on mega-projects
2. Consultations: GA74 report on mega-projects
3. Call for input: HRC42 report on public spaces
4. World Water Day 2019: Second Human Rights Youth Challenge
5. World Water Day celebrations (March 2019)
6. Country visit to Lesotho (4 - 15 February 2019)
7. Country visit to Malaysia (14 - 27 Malaysia 2018)
8. Brazil: deadly dam collapse
9. Communications and press release

1. Call for input: GA74 report on mega-projects

For my thematic report to the General Assembly this year, I am focusing on the impact of mega-projects on the human rights to water and sanitation. For more information on the report, [see](#).

Mega-projects, such as roads, dams, energy exploitation and irrigation fields are formally intended to contribute to the enhancement of the livelihood of people. However, contrary to this aim and intention, many mega-projects have led to results that leave the vulnerable segments of society under- or unserved, perpetuate exclusion and discrimination, and exacerbate inequalities. This is particularly relevant for the access to water and sanitation services.

As part of my research, I am circulating a call for input to consult relevant stakeholders. The questionnaire is organized according to the seven stages of the human rights to water and sanitation in the mega-project cycle (what I call “human rights cycle of mega-projects”), through which impacts of mega-projects on the human rights to water and sanitation can potentially take place.

I encourage all those interested to respond to the questionnaire and to share your expertise, comments and ideas about the thematic report.

- **The deadline for the submission is 15 March 2019.** Please send the response to srwatsan@ohchr.org
- **Questionnaire to States:** [English](#) | [French](#) | [Spanish](#)
- **Questionnaire to civil society organizations:** [English](#) | [French](#) | [Spanish](#)
- **Questionnaire to business enterprises:** [English](#)

2. Consultations: GA74 report on mega-projects

In addition to the questionnaire, I am consulting experts in the area by convening regional consultations. In September last year, I organized a brainstorming roundtable (concept note: [English](#) | [Spanish](#)). Following this, I organized a regional consultation focused in the Asia-Pacific region in Malaysia on 12 November ([concept note](#)). I extend my sincere thanks to the experts who shared their knowledge, experience and perspectives with me.

I will be convening an additional consultation focused on the Latin American and Caribbean Region in 13 March 2019, in Mexico.



3. Call for input: HRC42 report on public spaces

My thematic report for the Human Rights Council this year is on the human rights to water and sanitation in spheres of life beyond the household, with an emphasis on public spheres.

During my country visits, I observed that access to water and sanitation in public spaces is often not ensured or regulated as part of the human rights to water and sanitation. In this report, I am intending to examine the status and the impact of the inadequate access to water and sanitation on people, in particular those living in homelessness and informal street workers, as well LGBTI people, older persons, women, children and persons with disabilities. I will also look at the regulation, accountability and monitoring mechanisms of access to water and sanitation in public spaces.

The research for identifying relevant legal, policy and regulatory framework has been challenging and I would rely on expert inputs. Please kindly circulate and/or respond to the call for input.

- **The deadline for the submission is 28 February 2019.** Please send the response to srwatsan@ohchr.org
- **Questionnaire to States:** [English](#) | [French](#) | [Spanish](#)
- **Questionnaire to non-State actors:** [English](#) | [French](#) | [Spanish](#)

4. World Water Day 2019: Second Human Rights Youth Challenge



Following the success of the first [Human Rights Youth Challenge](#) that I organized in 2018, I launched a second challenge to raise awareness, together with the Permanent Mission of Spain, the Permanent Mission of Germany, UN-Water, UNESCO-IHP, and OHCHR.

In time for the World Water Day 2019: Leaving No One Behind (22 March 2019), the challenge aims to raise awareness among youth about the human rights to water and sanitation.

I will invite the winner to travel to Geneva and to speak at a side-event of the 42nd session of the UN Human Rights Council in September 2019. In a youth panel, together with the last year's Youth Challenge winner, the 2nd Youth Challenge winner will introduce the submission created for the challenge and/or speaking about the situation of the human rights to safe drinking water and sanitation of his or her country. See last year's winning submission, by Asniya Mohamad [here](#).

I would like to thank the Government of Spain and the Government of Germany for their financial support to the mandate which allows me to convene awareness raising events such as the 2nd Youth Challenge.

- The deadline for submissions is the **28 February 2019 (COB Geneva time)**.
- More information on the contest can be found in [English](#) | [French](#) | [Spanish](#)

5. World Water Day celebrations in Geneva

I will be in Geneva from 18 to 20 March 2019 to participate in the Launch of the UN World Water Report and commemoration of World Water Day, on 19 March 2019 at the Palais des Nations.

The theme of this year's World Water Day "leaving no one behind" is firmly anchored in the Sustainable Development Goals. SDG 6.1 and 6.2 are crystal clear, namely, water and sanitation for all by 2030. By definition, this means leaving no one behind. But today, billions of people are still living without safe water and sanitation – their households, schools, workplaces, farms and factories struggling to survive and thrive.

Marginalized groups – women, children, refugees, indigenous peoples, persons with disabilities and many others – are often overlooked, and sometimes face discrimination, as they try to access and manage the safe water they need.

This World Water Day is about tackling the water crisis by addressing the reasons why so many people are being left behind. For information about World Water Day campaign, I encourage you to visit: <http://www.worldwaterday.org/>



6. Official visit to Lesotho (4 to 15 February 2019)

In few days, I will travel to Lesotho, known as 'the kingdom in the sky'. I will be the first UN Special Rapporteur to conduct an official visit to Lesotho. Please see the [media advisory](#) announcing the visit.

I will be travelling to the western lowlands, the eastern plateaus and the mountainous highlands, particularly to Maseru, Mochale's Hoek, Mokhotlong and Quthing. I am looking forward to exploring the mountainous, landlocked country especially to see how the population of approximately 2 million access water and sanitation services.

On the last day of the visit, I will present my preliminary findings at a press conference. As I have done before, I will try to live-stream the press conference on my [Facebook account](#). Please watch out for it on 15 February at 10 a.m. local time in Maseru, Lesotho.

7. Official visit to Malaysia (14 to 27 November 2018)



From 14 to 27 November 2018, I visited Malaysia on an official mission. Malaysia has a wide coverage of water and sanitation services. During my visit, however, I observed inequalities in water and sanitation in the country. The states of Sabah and Sarawak have reduced access to central piped water than populations in Peninsular Malaysia. I also noted that certain groups, including transgender and gender non-conforming persons, refugees and asylum seekers and populations living in informal settlements are often left behind when it comes to access to water and sanitation.

If you did not follow my social media accounts during the visit, please see the compilation of social media updates and my end of mission statement [here](#). (Also in Malay [here](#)) I also issued a press release “[Next step for Malaysia: ‘leave no one behind’ in realising rights to water and sanitation](#)” (27 November 2018)

I will present my final report to the 42nd session of the Human Rights Council in September 2019.

8. Brazil: deadly dam collapse

On 25 January, another Vale tailings dam in Brazil collapsed killing dozens and leaving hundreds missing. Vale is the 4th largest mining company in the world and co-owner of Samarco, responsible for the tragedy of Fundão dam in November 2015.

This disaster will probably be much more devastating in terms of life losses. In the previous disaster, Special Rapporteurs have [urged Brazilian government and companies](#) to address human rights concerns. In this tragedy, it will be unacceptable not to place human rights of the victims at the centre.

Together with my colleagues, I joined the call urging the Government of Brazil to “prioritize the safety evaluations of existing dams and rectifying current licensing and safety inspection processes to prevent reoccurrence of this tragic incident”. We further called upon the Government “not to authorize any new tailing dams nor allow any activities that would affect the integrity of existing ones until safety is ensured.”

See [press release](#) “Brazil: UN experts call for probe into deadly dam collapse” (also in [Portuguese](#))

9. Communications and press releases

The following communications and press releases were made public in the past few months:

[Venezuela \(4 September 2018\)](#) – Concerning the uninterrupted deterioration of specific health facilities in Venezuela, to the extent of causing the spread of nosocomial infections, the preventable death of children and disproportionately impact the physical and mental integrity of older people.

[Brazil \(5 September 2018\)](#) – Concerning the renewed agreement of 25 June 2018 that Samarco Mining S.A., Vale S.A. and BHP Billiton signed with the Federal Government and the State Governments of Minas Gerais and Espírito Santo regarding socioeconomic and environmental reparations necessitated by the 2015 Doce River disaster. The government responded on the [16 November](#), and provided an [amended contract](#).

[Kenya \(21 September 2018\)](#) – Concerning allegations of acts of violence, harassment, and discrimination against lesbian, gay, bisexual and transgender (LGBT) refugees living in Kenya and their arbitrary arrests, detention, and ill-treatment. Allegations received also pertain to the lack of access to food and other basic necessities by the refugees while in detention and in Kakuma camp,

as well as to the lack of appropriate access to HIV/AIDS-related prevention and care. A [related communication](#) was sent to representatives of UNHCR, who responded on the [21 November](#).

[China](#) and [Cambodia](#) (27 September 2018) – Concerning the alleged deprivation and clearance of agricultural and forest lands from at least 946 families in 25 villages of Preah Vihear Province and alleged impact on the source of their drinking water due to concession of their lands to the five Cambodian subsidiaries of a China-based sugarcane enterprise, Guangdong Hengfu Group, without consultation with affected community’s members, including indigenous peoples. Information received also concerns the alleged judicial harassments suffered by some communities’ members for raising their concerns in this context. Additional communications were sent to the subsidiaries of Guangdong Hengfu Group: [1](#) | [2](#) | [3](#) | [4](#) | [5](#) | [6](#). The Chinese government responded on the [10 December](#).

[France \(4 October 2018\)](#) - Concerning allegations of impediments to the activities of individuals assisting migrants, but also the increasing intimidation of migrants by security forces and local authorities. The Government [replied on the 21 December](#).

[Australia \(17 October 2018\)](#) – Concerning the renewed agreement of 25 June 2018 that Samarco Mining S.A., Vale S.A. and Australia-based BHP Billiton signed with the Federal Government and the State Governments of Minas Gerais and Espírito Santo regarding socioeconomic and environmental reparations necessitated by the 2015 Doce River disaster. Communications were also sent to the [BHP Billiton](#), [Vale S.A.](#), [Samarco Mining S.A.](#), and [The Renova Foundation](#). The Government responded on the [30 November](#) 2018.

In addition, I either led or took part in the press release:

- [Guatemala: UN experts concerned indigenous leader convicted in retaliation for opposition to Oxec hydro project](#) (19 December 2018)

Kindest regards,

Léo Heller

UN Special Rapporteur on the human rights to safe drinking water and sanitation

Follow the mandate!   

The [website of the Office of the High Commissioner for Human Rights](#) remains the number one place to discover the mandate’s past and upcoming activities.