



Statement by His Excellency Ivan Jurkovič, Permanent Observer of the Holy See  
to the United Nations and Other International Organizations in Geneva  
at the 36<sup>th</sup> Session of the Human Rights Council  
**Item 3 - Special Rapporteur on Water and Sanitation**  
11<sup>th</sup> September 2017

Mr. President,

My Delegation is grateful for the Report of the Special Rapporteur on the Human Rights to Safe Drinking Water and Sanitation, and is pleased to see that it has a particular focus on the role of regulatory frameworks in the implementation of these human rights. I would like to announce that our Permanent Observer Mission is organizing a side-event on the “Human Rights to Safe Drinking Water and Sanitation” this Thursday, 14 September from 1 to 3 pm in room XXIV, where, among others, Mr. Léo Heller and Cardinal Peter Turkson, Prefect of the Dicastery for Promoting Integral Human Development, will intervene.

As Pope Francis has repeatedly stated: “All people have a right to safe drinking water. This is a basic human right and a central issue in today’s world”; water is a natural resource, vital for the survival of humanity and all species on Earth. We need to have an understanding of water as a common good and not merely an economic good, whose scarcity can destabilize entire regions. The 2015 Encyclical Letter *Laudato Si’* represents a milestone since it acknowledges water as an “indispensable resource and a fundamental right which conditions the exercise of other human rights”.<sup>1</sup> From this starting point, it follows that denying access to water to someone is equivalent to denying his right to life. In addition, the primary objective of all efforts must be the wellbeing of those people who live in the poorest parts of the world and suffer most from any scarcity or misuse of water resources.

Water has always been at the center of economic and social development: it is vital in order to maintain health, grow food, generate energy and create jobs while sustaining the natural environment. However, a fair and equitable global water management is far from being achieved. Presently, the competition for water – between water ‘uses’ and water ‘users’ – increases the risk of conflicts and continued inequities in access to services, with significant impacts on local economies and human wellbeing. Persistent poverty, inequitable access to water supplies and sanitation services, inadequate financing, and deficient information about the state of water resources, their use and management, impose further constraints on water resources management and its ability to help achieve sustainable development objectives. In addition, new challenges are arising, among them: unsustainable production and consumption patterns which overexploit water resources; climate change with its disastrous consequences in terms of water scarcity and natural

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<sup>1</sup> Pope Francis, Encyclical Letter, *Laudato Si’*, 185.

disasters; and non-State actors and armed groups who enhance violence by using water as a weapon in order to make enemies suffer and to force entire communities to be displaced.

My Delegation welcomes Mr. Heller's call for Governments to engage more in regulatory frameworks. For outcomes to be effective and sustainable, States need strong legal, regulatory and policy frameworks that are in line with the human rights to water and sanitation. Steps taken by Governments to ensure access to safe, available, affordable and acceptable drinking water must be deliberate, concrete and targeted towards the full realization of the right to water for all. Given that people's capacity to pay for water and sanitation differs, depending on their socio-economic situation, as well as the method of service delivery, States must therefore find ways of guaranteeing affordability, especially for the most disadvantaged individuals and communities, while also ensuring overall sustainability of services.

It is important to highlight that water-related challenges need to engage all stakeholders: international, regional, national, local, public and private, and civil society. Management decisions that impact the distribution of water must also respond to the criterion of justice. The human rights to safe drinking water and sanitation must be promoted in such a way that existing inequalities are reduced to the greater wellbeing of the least advantaged. Public and private partnerships can play an important role in providing access to safe drinking water, in harmony with the principal role of the State, whereas international and regional organizations and ad hoc commissions might provide the broader international legal framework. Furthermore, NGOs, civil society and associations might act at an intermediate level, mediating between national and local authorities and representatives. Local groups, and especially indigenous peoples, need to be engaged in the search for appropriate solutions to their needs, and traditional knowledge can be vital in planning water resources or in finding solutions to water-related problems for ensuring global water security in the 21<sup>st</sup> century.

Pope Francis reminds us that "our right to water is also a duty to water. Our right to water gives rise to an inseparable duty. We are obliged to proclaim this essential human right and to defend it but we also need to work concretely to bring about political and juridical commitments in this regard"<sup>2</sup>. Water management should be based on a participatory approach, involving users, planners and policy makers at all levels. Looking ahead, the International Community is called to continue its action in finding practical solutions capable of surmounting selfish concerns that prevent everyone from exercising this fundamental right. Water needs to be given the central place it deserves in the framework of public policy.

Thank you, Mr. President.

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<sup>2</sup> Pope Francis, Address at the Conference on the Human Right to Water, Pontifical Academy of Sciences, 23 February 2017.