

The human rights to water and sanitation at the UN

It is well-known in the WASH sector that water and sanitation have been recognised as human rights. Yet few practitioners are aware that UN Member States negotiate and pass a resolution on these rights every year at either the UN General Assembly or the UN Human Rights Council. The latest resolution, UN General Assembly resolution [A/Res/76/153](#), was adopted on 16 December 2021 by the UN General Assembly. This is the 15th resolution on the human rights to water and sanitation since these rights were first recognised in 2010.

In this summary, we highlight:

- (1) how you can use this and other UN resolutions on the human rights to water and sanitation for advocacy at national level
- (2) the most important topics contained in this resolution
- (3) where to find resolutions on the human rights to water and sanitation

(1) Using UN resolutions for advocacy at the national level

Resolutions on the human rights to water and sanitation are negotiated by two UN bodies: the UN General Assembly (where all UN Member States are represented) and the UN Human Rights Council (which has a rotating membership of 47 countries).

Resolutions adopted by these two UN bodies are evidence of how UN Member States interpret the human rights to water and sanitation and how their interpretation has evolved over time.

How do countries show support for a resolution?

The strongest possible support a UN Member State can express for a resolution is by becoming a co-sponsor. This means that the country joins the original sponsors of the text in bringing the resolution forward for adoption.

Original sponsors provide the first draft of the resolution, lead the negotiations with the other countries and make adjustments to the text – usually trying to find a consensus. In the case of the human rights to water and sanitation, the original sponsors are Germany and Spain.

Most resolutions on the human rights to water and sanitation have been passed by consensus. On the rare occasion of a vote on a resolution on the human rights to water and sanitation, countries of course show their support by voting yes (and they can still co-sponsor the text).

How to use UN resolutions for national level advocacy?

If your country has supported a resolution on the human rights to water and sanitation at the UN, you can use this in advocacy in your country, including at sub-national level.

It is important to understand that in international law, a state is seen as a single entity. A position a country takes at the UN is attributable to the entire state, including all its sub-units.

By actively supporting a resolution as a co-sponsor or by voting yes, countries express their opinion at the international level. This creates an expectation that these countries should “walk the talk” and implement what they supported. You can therefore use these expressions of opinion to

(a) remind your country of its recognition of the human rights to water and sanitation in general and advocate for more action to turn the rights into reality;

(b) advocate for more action on the specific issues addressed in the relevant resolutions, such as prioritising services for people who are marginalised, ensuring participation, the important of services in humanitarian situations, menstrual health and hygiene, and others.

Check the list of co-sponsors of General Assembly resolution A/Res/76/153 to see whether your country is included. We will soon share information on co-sponsorship for all UN resolutions on the human rights to water and sanitation.

Which countries supported UN General Assembly resolution A/Res/76/153?

Like most resolutions on the human rights to water and sanitation, this resolution was adopted by consensus, meaning that none of the 193 UN Member States demanded a vote or had any objections to the text.

Of the 193 UN Member States, 103 countries supported the latest resolution on the human rights to water and sanitation as co-sponsors, bringing it forward for adoption together with the original sponsors Germany and Spain.

Full list of co-sponsors of UN General Assembly resolution A/Res/76/153

Co-sponsors from the **African** group: Algeria, Angola, Burkina Faso, Cabo Verde, Central African Republic, Côte d’Ivoire, Djibouti, Egypt, Ghana, Guinea, Lesotho, Madagascar, Malawi, Mali, Morocco, Namibia, Niger, Nigeria, Sao Tome & Principe, Sierra Leone, South Africa, Togo, Tunisia, Uganda

Co-sponsors from the **Asia-Pacific** group: Bangladesh, Cyprus, Jordan, Lebanon, Malaysia, Maldives, Micronesia (Federated States of), Mongolia, Palau, Papua New Guinea, Qatar, Republic of Korea, Samoa, Saudi Arabia, Singapore, Solomon Islands, Tajikistan, Thailand, Tuvalu

Co-sponsors from the **Eastern European** group: Albania, Armenia, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Estonia, Georgia, Hungary, Latvia, Lithuania, Montenegro, North Macedonia, Poland, Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Ukraine

Co-sponsors from the **Latin American and Caribbean** group: Antigua and Barbuda, Bahamas, Belize, Bolivia (Plurinational State of), Costa Rica, Dominican Republic, Ecuador, El Salvador, Haiti, Honduras, Mexico, Panama, Paraguay, Peru, Saint Vincent and the Grenadines, Uruguay, Venezuela (Bolivarian Republic of)

Co-sponsors from the **Western European and Others** group: Andorra, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Monaco, Netherlands, Norway, Portugal, San Marino, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland

(2) The most important points contained in the latest resolution

UN General Assembly resolution 76/153 has a total of nine pages and covers many issues that are important for UN Member States to negotiate. For WASH sector advocates interested in the

realisation of the human rights to water and sanitation at the national level, the following issues are particularly important:

COVID-19 and pandemic preparedness

The importance of the realisation of the human rights to water and sanitation in the context of the COVID-19 pandemic and for disease prevention and pandemic preparedness more generally is an important topic in this resolution.

If you are interested to read more, then refer to the following paragraphs in the resolution:

- ⇒ Preambular paragraph 22
- ⇒ Operative paragraphs 5 (b) and 9

Monitoring, data availability and the specific challenges of monitoring affordability

If states are to make meaningful progress in the realisation of the human rights to water and sanitation, it is important that they base their decisions on good data. Monitoring, the quality and availability of data at national and international levels are therefore of particular importance. Monitoring affordability – a key standard of the human rights to water and sanitation – is particularly complex, so that new guidance available internationally is referenced in the resolution.

What are preambular and operative paragraphs?

All UN resolutions begin with preambular paragraphs, which introduce the topic that the resolution deals with. Preambular paragraphs are not numbered. If you want to read a PP that this analysis refers to, simply count the paragraphs from the beginning of the resolution. Operative paragraphs are action oriented. They often call upon States to do something. Operative paragraphs are numbered.

If you are interested to read more, then refer to the following paragraphs in the resolution:

- ⇒ Preambular paragraphs 17, 18, 19 and 25

Gender equality and menstrual health and hygiene

Gender inequality persists in all spheres of life – and so it is important to consider gender in the realisation of the human rights to water and sanitation. This has multiple dimensions, including: Women and girls are particularly reliant on adequate water and sanitation services, including due to the risk of gender based violence, which can be higher when services are inadequate; due to gender roles, women and girls are more often tasked with collecting water and caring for family members who are sick due to WASH related diseases; and of course menstrual health and hygiene is an issue closely connected to the realisation of the human rights to water and sanitation.

If you are interested to read more, then refer to the following paragraphs in the resolution:

- ⇒ Preambular paragraphs 22, 26, 30, 31 and 32
- ⇒ Operative paragraphs 5 (a), 5 (e), 5 (f) 5 (h), 5 (j) and 5 (k)

Humanitarian situations

Humanitarian emergencies and crises, including those arising from armed conflict or natural disasters, have gained increasing attention in resolutions on the human rights to water and sanitation. Human rights of course apply always, but ensuring water and sanitation services in such situations remains a significant challenge, and violations of the rights to water and sanitation in armed conflict are not uncommon.

If you are interested to read more, then refer to the following paragraphs in the resolution:

- ⇒ Preambular paragraphs 24, 26, 27, 28 and 29

Climate change

The impacts of climate change are increasingly felt the world over. And they increasingly impact the availability of water and the sustainability of water and sanitation services. The recognition of the impact of climate change is becoming more prominent in resolutions on the human rights to water and sanitation, including in resolution A/Res/76/153.

If you are interested to read more, then refer to the following paragraphs in the resolution:

⇒ Preambular paragraphs 24, 35 and 37

(3) Where to find resolutions on the human rights to water and sanitation

Resolutions on the human rights to water and sanitation are passed either by the UN Human Rights Council or the General Assembly. The resolutions and related documentation are available on the websites of these UN bodies. But it is not easy to find them there, because these bodies pass many resolutions at each session.

All resolutions on the human rights to water and sanitation are available on the website of the UN Special Rapporteur on the human rights to safe drinking water and sanitation here:

<https://ohchr.org/EN/Issues/WaterAndSanitation/SRWater/Pages/Overview.aspx>

Of the resolutions listed on the website, the following 15 resolutions are about the human rights to water and sanitation in substance. The other resolutions deal with the appointment and extension of the mandate of the current or previous Special Rapporteurs.

Resolutions on the substance of the human rights to water and sanitation passed by the UN General Assembly (GA) or Human Rights Council (HRC) and their year of adoption:

A/Res/64/292 (GA, 2010)	A/HRC/Res/24/18 (HRC, 2013)	A/Res/72/178 (GA, 2017)
A/HRC/Res/15/9 (HRC, 2010)	A/Res/68/157 (GA, 2013)	A/HRC/Res/39/8 (HRC, 2018)
A/HRC/Res/16/2 (HRC, 2011)	A/HRC/Res/27/7 (HRC, 2014)	A/Res/74/141 (GA, 2019)
A/HRC/18/1 (HRC, 2011)	A/Res/70/169 (GA, 2015)	A/HRC/45/8 (HRC, 2020)
A/HRC/Res/21/2 (HRC, 2012)	A/HRC/Res/33/10 (HRC, 2016)	A/Res/76/153 (GA, 2021)