

Guest Editorial: a human right to WASH

It is my pleasure to introduce this special issue on the human right to water and sanitation. It reflects what I have been seeking to achieve during my term as UN Special Rapporteur on the Human Right to Water and Sanitation: building bridges, working in partnerships across sectors, and demonstrating that the human right to water and sanitation can have a positive impact on people's lives, in particular the most disadvantaged individuals and groups.

When in 2010 the human right to safe drinking water and sanitation was explicitly recognized by the UN General Assembly and the Human Rights Council, this served as a call to action for all of us. This explicit recognition demonstrates the political commitment and underlines the legal foundations of the human right to water and sanitation in international law. Yet, having human rights on paper is evidently not sufficient. Therefore, my aim has been to bring human rights out of the Human Rights Council and other bodies in Geneva and to make them real. I have been engaging with water and sanitation sector practitioners, as well as with the people who do not (yet) fully enjoy their human right to sanitation and water. During the 15 country missions I have undertaken, I met with people living in informal settlements, people belonging to ethnic minorities, girls unable to attend school due to a lack of facilities for sanitation and menstrual hygiene, homeless people, and indigenous people, among many others.

There is still a long way to go before we fully realize the human right to water and sanitation for everyone, but – at the very least – there is increasing awareness of the challenges we face, and I am impressed by the many positive initiatives and programmes I have seen and learned of. The human rights framework does not demand the impossible. Rather it acknowledges that the full realization cannot be achieved overnight. It does require, though, that states use the maximum of their available resources in realizing human rights, and that they adopt deliberate, concrete and targeted measures with that objective. The human rights framework demands a shift in priorities by focusing on the people who are usually forgotten and left behind: the most marginalized and disadvantaged, often not just in terms of access to water and sanitation, but on a much broader level affecting all spheres of social and political development. The right to participation requires including concerned people in decision-making processes, giving them a voice and an influence, and doing so on the basis of equality. Finally, the human rights framework stresses accountability. Institutions must be accountable to the people they serve, and where human rights are violated, access to justice must be ensured.

This special issue bears witness to the work undertaken over the last years, bringing together water and sanitation sector professionals and human rights experts. Hannah Neumeyer and Laura van de Lande present an analysis of legal frameworks on the

Catarina de Albuquerque is the UN Special Rapporteur on the human right to safe drinking water and sanitation.

© Practical Action Publishing, 2014, www.practicalactionpublishing.org
<http://dx.doi.org/10.3362/1756-3488.2014.029>, ISSN: 0262-8104 (print) 1756-3488 (online)

human right to water and sanitation. They focus on the human rights principle of equality in international human rights law, as well as in a number of national jurisdictions. They demonstrate how the notion of equality has been used to address discrimination and to advance access to water and sanitation services for marginalized groups and individuals.

Clarissa Brocklehurst also focuses on inequalities and takes us into the heart of international processes. She presents an overview of how international reporting mechanisms can promote the elimination of inequalities in access to water and sanitation, zooming in on the Sanitation and Water for All partnership. She analyses the extent to which commitments made at the High Level Meeting in 2014 address inequalities. While it is still early stages for an assessment, these developments show that the commitment to eliminate inequalities is moving centre stage in the sector.

Celestine Nyamu Musembi focuses on the right to participation. She explains that participation is not only justified in instrumental terms leading to greater sustainability, but that people have the right to be involved in decision-making concerning water and sanitation. She uses the standard of 'active, free and meaningful' participation and explains what such participation requires at various levels of decision-making.

Anna Zimmer, Inga Winkler and I focus on the dimension of wastewater which is still too often overlooked in water governance. We argue for a broad understanding of wastewater, including sludge and septage and outline the impacts of inadequate wastewater management, which can be devastating for human health, livelihoods and ecosystems. They show that the human rights framework draws particular attention to the people who are most disadvantaged, for instance through prioritizing solutions for sludge and septage management in informal settlements.

Louisa Gosling describes WaterAid's efforts to base the organization's work on the human rights framework through adopting a number of different programmes over the years. They discuss the continuing challenges and conclude that the human rights framework offers effective ways to strengthen accountability and to shift the focus to the most marginalized individuals and groups.

Finally, human rights cannot be realized without transparency, accountability and integrity. In this regard, Binayak Das, Janek Hermann-Friede, Fernando Curasse, and Yogesh Pant contribute with lessons learnt from a Water Integrity Initiative implemented in Guatemala, Mozambique and Nepal by HELVETAS Swiss Intercooperation and the Water Integrity Network.

Taken together, these articles discuss the integration of human rights at various levels through case studies, organizational insights, national frameworks and international processes. They highlight that the human rights principles of non-discrimination, equality, participation, accountability and transparency are essential for making the human right to water and sanitation a reality. They demonstrate how the implementation of the human right to water and sanitation is a realistic endeavour, within reach.

Catarina de Albuquerque, UN Special Rapporteur on the human right to safe drinking water and sanitation