

# The right to water

What WaterAid and IHRB think it means  
for business water users and  
providers

# Aim to cover

- Why IHRB & WaterAid getting involved
- What the right to water means for business water users and providers
- Considerations for business
- Addressing shared risk

# Why we are involved

- Ensure more people have sustainable access to water and sanitation
- Timely
  - UN Independent Expert
  - Ruggie Framework
  - Addressing confusion raised by companies
- Recognise shared risks

# The right to water

- The right to water exists
- **Business water users = duty to respect**
- Respect = prioritise people's access
- Duty to fulfil the right sits with the state
- Enable means to remedy

# Focus on right to water

- Mandate members already working on access
  - Formal policies recognising the right
  - Focus on water resource management
  - Community investment programmes
- What might prioritising access look like?

# What we think it may mean

A framework for addressing shared risk

- Water resource management
- The value of data
- Leadership role
- Public policy
- Financial support
- Collective action

# Prioritising people's access

- Framework for addressing shared risk
- Critical to achieving a sustainable future
- Protects social and legal licenses to operate
- Supports environmental commitments

# Right to Water

- Availability
- Quality
- Accessibility
- Acceptability
- Affordability



# Cases

- ◆ *Contractual issues: Cochabamba*
- ◆ *Pricing problems: Soweto*
- ◆ *Harnessing for other uses: Ilisu, Narmada, Three Gorges, Pergau, Merowe*
- ◆ *Water use: Plachimada*
- ◆ *Commodifying water: Fiji*
- ◆ *Pollution: Niger Delta, Bhopal*

# Responsibility to Respect

- *The “Protect-Respect-Remedy” framework comprises three core principles:*
  - *The state duty to protect against human rights abuses by third parties;*
  - *The corporate responsibility to respect human rights; and,*
  - *The need for more effective access to remedies.*

# Due Diligence

- *“To become aware of, prevent and address human rights impacts.”*
- *“A comprehensive, proactive attempt to uncover human rights risks, actual and potential, over the entire life cycle of a [...] business activity, with the aim of avoiding and mitigating those risks.”*

# Recommendations

- *Abide by the law*
- *Ensure non-discrimination*
- *Include the marginalized*
- *Respect dignity*
- *Recognize interrelatedness and interdependency of rights*
- *Don't undermine the State*
- *Ensure transparency*
- *Establish safety net*
- *Consult stakeholders*
- *Be accountable*

# Next steps

- Further exploration of shared risks
- Understand how action can be taken forward
- Develop a business case
- Establish best practices
- Document and share lessons