

# Hearing the Unheard: Mutual Accountability to Realise WASH / Water Rights

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**Convenors:** Simavi, End Water Poverty, UN Office of the High Commissioner of Human Rights (OHCHR), UN Special Rapporteur on the rights to safe drinking water and sanitation, Rural Water Supply Network (RWSN) and Kenya Water and Sanitation Civil Society Network (KEWASNet)

# Hearing the Unheard Event Transcript (English)

## Welcoming and introduction

*Temple Oraeki (Host, Independent WASH consultant, RWSN)*

We want to welcome you all to this session. I am your host Temple Oraeki. We hope to have an open reflection session that would highlight and amplify the voices of those in our society whose voices are being drowned and whose human rights to water and sanitation has been denied and who have often been left behind when it comes to water and sanitation.

I hope you will get the opportunity to also interact with these groups and get to understand their plight and what they face and what they have done to overcome their respective struggles. This discussion is essential as it will also be feeding into the Human Rights to Water and Sanitation Roadmap.

## Framing input: Listening exercise as a step in implementing the Human Rights to Water and Sanitation Roadmap

*Rio Hada (UN Office of the High Commissioner of Human Rights (OHCHR))*

Hello, I'd like to thank our partners for organising this session and bringing to the table representatives of groups that are often left behind in water and sanitation.

Water and sanitation are basic human rights, fundamental to human dignity. If people cannot enjoy these rights they cannot enjoy their right to life and all other human rights.

Twelve years ago, the United Nations officially recognised water and sanitation as human rights. This was a milestone. This recognition cannot remain at a symbolic level. It needs to stimulate changes at policy and practical levels. We can only deliver the SDG 6 [clean water and sanitation for all] and the human rights to water and sanitation through coordinated efforts among all stakeholders in all relevant sectors.

This is the very purpose of the UN Water. UN Water was set up in 2003 to coordinate water and sanitation programmes across the United Nations' Member States agencies and organisations, as well as partners from civil society, academia and the private sector.

In 2020, while we commemorated the tenth anniversary of the UN Recommendation of the Human Right to Water and Sanitation, UN Water launched the SDG 6 Global Acceleration Framework to galvanise the international community because we are currently very much off-track to achieve the SDG 6. The UN Secretary General has said that human rights should be at the centre of the efforts to achieve the SDGs. At UN Water we wanted to demonstrate this commitment and put in practice what it means to put human rights at the centre of efforts to achieve the SDG 6.

This is why we developed a roadmap to integrate human rights into the UN Water's work and water and sanitation, which was adopted in April this year. The roadmap has four key elements that correspond to four action pillars of the Global Acceleration Framework.

First, UN Water will facilitate multi-stakeholder engagement, advocacy and dialogues on the human rights to water and sanitation. This is what we are having today.

Second, we will seek to further strengthen the alignment of our work with international human rights principles and standards, and strengthen synergy with UN human rights mechanisms. We're pleased to have with us today, the UN Special Rapporteur on the Rights to Water and Sanitation Pedro Arrojo-Agudo.

Third, accelerate. We will promote practical implementation of the human rights to water and sanitation through developing tools and building capacity to apply human rights-based approaches to water and sanitation.

Fourth, to account. Above all, we must be accountable to the people we serve. This is why we wanted to launch the implementation of this human rights roadmap with this listening exercise – to hear from the unheard. We wanted to give voice to the people who are often left behind and marginalised. For us, this is of fundamental importance. In building back better from the COVID-19 pandemic, we need to tackle the widespread inequalities and discrimination that has made some people more vulnerable than others. Our efforts should start with identifying who is impacted the most by water challenges, identifying the root causes and action needed to address them. A key part of this effort is to empower them as rights-holders and active participants in their own sustainable development and the enjoyment of their human rights.

Next year, we gather for the most important water conference in a generation, the UN 2023 Water Conference. This will be a critical moment, not only for the water sector, but for everyone working in sustainable development. Today we look forward to hearing your experiences in addressing the challenges you encounter every day in accessing water and sanitation. Your views and testimonies will inform our efforts to promote the human rights to water and sanitation and provide inputs towards the UN 2023 Conference next year. Thank you.

## **Leave No One Behind & the importance of the listening exercise for UN Water 2023**

*Pedro Arrojo-Agudo (UN Special Rapporteur on the Rights to Water and Sanitation)*

First of all, thank you for the invitation and the honour that this represents for me and I would like also to thank this initiative and congratulate the organisers.

As we know the United Nations has the duty to monitor and demand that States faithfully comply with human rights and, in particular, the human rights to safe drinking water and sanitation is an obligation to which States have committed themselves. It is the States that have the executive means to fulfil and enforce these rights.

However, in this context the main engine that promotes, drives and demands the fulfilment of these rights lies in the people, in human rights defenders and particularly those who live in situations of critical poverty, marginalisation and vulnerability, with women as key actors both in the daily commitment to obtain the water their families need and in generating the social pressure necessary to advance the effective fulfilment of these human rights.

This is why when the need to accelerate the pace to meet SDG 6 is raised, I always insist on listening to and empowering those who have the greatest interest and commitment to meet this challenge, who are precisely those who suffer the most from not having drinking water (around two billion people) and basic sanitation (in the order of four billion people). Billions of people of diverse cultures, ethnicities, nationalities and religions with a common characteristic, that of extreme poverty. [With one of the consequences?] being disproportionately bearing the responsibility of doing the work of fetching the water for their families on a daily basis. Focusing attention on those living in situations of extreme poverty, marginalisation and vulnerability is precisely what has led me to dedicate this year's thematic report, which I will soon defend

before the Human Rights Council in Geneva and the UN General Assembly in New York, to indigenous peoples, on the one hand; and impoverished rural communities, on the other.

When it comes to meeting this challenge, I think the UN is faced with a lack of capacity and resources in the area of water and sanitation. UN Water, as a coordinating entity for the different institutions of the UN systems and the interested actors, does its best. Does its best, yes. But, on the other hand, this weakness has meant that large private operators have made up for these shortcomings by promoting institutions and regular events, such as world water forums. However, these events in which governments participate and which many believe are organised by the UN are mistrusted by many networks of human right defenders, social movements and the most impoverished communities which has led, in fact, to the organisation of parallel alternative world water forums. My intention, of course, is not to criticise anyone, but to underline how far we are from having effective bridges of dialogue between the UN and the billions of impoverished and marginalised people, and the organisations and networks that largely represents them.

In this context, in March 2023, the Water Conference in New York. This time, yes, organised by the UN and is a historic opportunity to open a broad space for directing [conversations] between these social movements and the United Nations, a space for social dialogue that will be guided by a human-rights approach.

We must be clear about the nature of the central objective to be pursued: accelerating the pace of meeting SDG 6 is a challenge of democratic governance. We are talking about billions of people living in situation of extreme poverty that do not offer properly a business opportunity but rather pose a democratic challenge in which social participation is absolutely key. That is why I have worked and am working, and we work, to promote broad and active participation of indigenous networks and organisations in this New York conference; of community management networks in rural areas; of networks of municipalities and cities; of movements of defenders of water, rivers and human rights to drinking water and sanitation; of religious platforms involved in this front; and, I insist particularly, of women's organisations that demand participation in decision-making spaces on water issues.

On October 24, there will be a meeting in New York preparatory to the conference, dedicated precisely to promoting broad social participation, and on 3 and 4 November this year, the social forum organised every year in Geneva by the Human Rights Council will be dedicated to water. A social forum on water, which's objective is precisely to prepare for the New York Water Conference from a human rights perspective.

Next 22 March, the date on which we will celebrate, as in other years, World Water Day will be an unprecedented, I insist, a historic occasion in New York in which I encourage everyone to participate actively. As a prelude to a water conference in which we must be able to mark a turning point in the dialogue between the UN and global citizens to advance in the fulfilment of SDG 6 and therefore of the human rights to safe drinking water and sanitation.

Thank you, thank you very much.

## **Farmers living under closed civic spaces in Iran**

*Nikahang Kowsar (Abangan Iran)*

1. *How does a lack of safe, adequate, affordable, acceptable, available water and sanitation affect your community?*

The lack of access to clean water supplies in regions such as the Sistan and Baluchestan province has affected farmers, as well as many vulnerable women and children. Children have experienced

life-threatening situations by collecting water from waterholes, ponds and rivers, where the marsh crocodile is present. Many children are drowned every year and the central government has not resolved the problem in this area, where ethnic and religious minorities suffer from a lack of water resources. Farmers are not assisted by the government to collect and manage seasonal flash-floods for agriculture.

In the Chaharmahan and Bakhtiari province, state-run construction firms involved in inter-basin water transfer schemes are depriving the people, especially farmers and the environment, of their water rights. Dams have damned rural populations. Dozens of villages in the Dehdez areas are surrounded by the lakes of two major dams and people are suffering from water poverty and do not have access to sufficient clean water, as well.

In the Khuzestan province, thousands of villagers, farmers and herders have suffered from dams constructed on major rivers that block the natural flow of water. Residents have been exposed to dust storms mainly originating from the dried marshes that relied on those rivers.

In the central provinces, farmers are pumping water from aquifers as mighty rivers, such as the Zayanderud, are dry for most of the year. Land subsidence from over-drafting the aquifers is destroying, for instance Isfahan, a major city in central Iran, and its residents will have no options but to leave their ancestral homes. Many people have had to evacuate their homes in the suburbs of Isfahan because of the effect of land subsidence.

The government's unsustainable water policies and supply schemes have dried up many lakes, marshlands, rivers and aquifers, as most of Iran's 609 plains are facing land subsidence, millions will have no choice but to migrate, mostly farmers. Farmers are having to migrate to other provinces and many of them are actually thinking of leaving the country for good. The refusal or inability of the government to manage floods and collect water to recharge aquifers in arid zones should not be overlooked.

*[Plays advocacy video on land subsidence and aquifers]*

2. *What actions have you taken to address this and what responses have you received from government?*

Our organisation has tried to give a voice to many voiceless communities in Iran, especially those living in marginalised areas and people affected by environmental injustice. We have created a network of stakeholders, experts, scientists, journalists, farmers, and managed to raise awareness and provide specialised education to grassroots groups in Iran. Furthermore, our expert partners living outside Iran, have used media platforms to give voice to voiceless communities.

We believe that our educational outreach activities have contributed to a greater focus on the issue of water shortage and management in Iran. Today TV and radio stations are addressing the water issue on a daily basis, and environmental commentators are given more airtime than ever in Iran's media history. Even when the government banned mid-level officials from commenting on water-related topics, they have assisted us by passing on reliable information that has been used to raise public awareness.

Some government officials, as well as a few Parliamentarians, have taken suggestions from the members of the network seriously and acted upon them. We have received numerous calls and confirmations from government officials in Iran who are trying to elevate the critical issue of water governance and management. I should add that one Parliamentary Committee has started investigating major projects such as dams and water allocation schemes that lack environmental permits and assessments. Some of these dams have prevented sufficient water from reaching the people, farmers and the environment, and have caused a decrease in water quality.

*3. What support and action do you want to see from the international community and United Nations?*

As our renowned scientists have stated, Iran has become a water-bankrupt nation. Many Iranian officials have not recognised the human rights to water and sanitation. Poor water governance in Iran has led to economic chaos and forced migration of millions of people who have been direct and indirect victims of ground-water exploitation and the construction of major dams. Environmental justice has been violated in different parts of the country and the contamination of groundwater and the drying up of lakes and wetlands have endangered the conditions, not only of current generations, but also future generations and Iran's wildlife. Biodiversity is a victim of the Iranian regime's catastrophic water policies.

Top-down decision making and corruption in the water sector have hurt the lives of Iranians. Many are thirsty for environmental justice. The regime is undermining article 50 of the Constitution that demands protection of the environment. The Islamic Republic leaders are not fans of the UN SDGs and, years ago, Iran's supreme leader Adi Khamenei stated that the sustainable development document is for the "control of nations". He considers it a conspiracy against Iran.

To survive unsustainable governance, Iranians wish that the Islamic Republic, which is a signatory of the ICESCR, will be monitored and held accountable by the United Nations and the international community, and forced to change its decision-making processes and give stakeholders the chance to be part of the solution.

Thank you very much.

**Input from Slovo Park Community Development Forum (SPCDF), a local leadership structure in Slovo park informal settlement (South Africa)**

*Lerato Marole (Deputy Chairperson, SPCDF)*

*1. How does a lack of safe, adequate, affordable, acceptable, available water and sanitation affect your community?*

One is that representing informal settlements, it's people that have acquired land outside the normal norms of acquiring of land because of poverty and challenges that we are faced with in South Africa. And that on its own says that wherever people are forced to occupy land, there is often no infrastructure at all. Government, at most, it will take them some time to at least provide water, which becomes a problem, and a huge one, for years. You will find that a community similar to mine, in Slovo Park, only got water after seven years. And then that water was only through eighteen taps to provide water to 1,076 [residential] stands, which was

then a challenge on its own. This situation is not only something facing Slovo Park, every other place where people live in informality.

This causes challenges like shack fires, because if a shack burns, it becomes impossible for you to assist with no water around. It also causes crime because some people before work have to go to fetch water around 3:00 in the morning at the corner of their street (often in the dark) and it creates opportunities for criminals.

But it's also a problem in the sense that water is essential, it's life, you can't do anything without water, and it deprives those in need of this integral part of water within their lives. And, depending on how many members of a household, that would require a certain amount of water. It is important to remember that we are talking about people that are already impoverished, if one has to grow crops and everything, it's a hassle for one to keep those particular crops growing because of challenges of water.

Let alone, before you talk of the implementation of certain numbers of taps within the settlement, you will still be having to walk say around a kilometre or so just to get a bucket of water. And remember we are talking not only of rural areas, but even urban areas, where we are having these challenges of water. This level of deprivation is degrading of human dignity to those that are poor and living in informal settlements.

2. *What actions have you taken to address this and what responses have you received from government?*

First, we had to sit down and analyse what the challenges to the proper implementation of services towards these particular places. And remember you would not have flushing toilets if you do not have water. So we, as community members, then decided to go into a pilot project, where we would, at least, utilise a small number of installed public taps within the settlement into every yard, where we would have the installation of project to show that there is really a need for us to start eradicating some of the challenges that we have, as I have mentioned, such as shack fires and crime.

Which then became a problem trying to solve new problems, in the sense that the water pressure was no longer enough given that we had self-installed water connections from the original 18 public taps. We had to become plumbers and try to solve these new problems. This caused problems when we requested the government to raise the water pressure in the informal settlements, then we would be told that we were an informal settlement and that we could only tap into public funding when we were formalised as a registered settlement. That on its own became a challenge.

Slovo Park, eight years after our court victory [in terms of which we compelled the state to have the informal settlement upgraded *in situ*], is still struggling and it shows that those that have not even take government to court to get services are even worse off. Even Slovo Park *with a court judgment* does not have access to adequate water and flushing toilets, we're still using pit latrine toilets. These are the challenges that we're facing in South Africa and we feel that it is really a long journey just to get to where we are.

3. *What support and action do you want to see from the international community and United Nations?*

We would love the United Nations to partake on a journey around South Africa and Africa to get assistance in making this policy [informal settlement upgrading] a standard and ensure it is enforced. This will show that people that as people who are impoverished we deserve to have these rights and they must get them [these rights] at any given time.

The situation that many people face are similar to crimes against humanity, where you are depriving people of their legally protected rights. People are supposed to get shelter, water and proper sanitation, and proper schooling. These deprivations should be dealt with in a similar manner as other crimes against humanity, where people must answer to say why do the majority of people in South African not have access to services and no clean water for drinking, let alone other elements, where we're supposed to say what are the effects that are created by these pit latrine toilets to humanity when we are talking about life issues but people are forced to go into a toilet that is very smelly and looking back at what we have just left. How is this supposed to be how people are expected to live?

We need to stop only running talk shows and try to lobby, but try to find ways to enforce these policies to be implemented nationally and people [governments] must account and show that they have a plan for each particular period of time to have done one, two, three, four, five.

Slovo Park is an informal settlement that is 28 years old, but still doesn't have water, still doesn't have proper sanitation. It is a challenge that communities have to go as far as the highest court in the country for services to be given to individuals, and even then, five years later there is still no political will although there is money and budget to implement these particular projects for people to live dignified lives. The UN should come on board and say: "This is what needs to happen world-wide".

Thank you.

### **Input on behalf of sanitation workers (Kenya)**

*Sally Njambi Wambui (Founder and CEO Directways Networking and Deputy Chairperson of Women in Water and Sanitation Association (WIWAS) Kenya)*

1. *How does a lack of [safe, adequate, affordable, acceptable, available] water and sanitation affect your community?*

I would like to talk about the manual pit latrine emptiers, such as Kairo Emptiers, who are sanitation workers that work in informal settlements in Kenya. I've had an opportunity to interact with them and work closely with them. One of the things that have really affected these workers and their community is something that is very dear to me and that is gender-based violence. For a young girl to access water, they may be subjected to sexual harassment or forced to sell their bodies to get access to their basic need that is water. So many women have been affected and marginalised by gender-based violence while trying to fulfil their basic needs to water.

Secondly, for them to access water, they either have to walk for a long distance or they have to wait in long queues. So, it means that if they were going to work, they cannot make it in good time because they need to make sure that their homes have water to ensure that their basic needs around the house are met.

When we talk about sanitation, one thing that I have seen, as a group the reason why they have to manually empty the pit latrines is because of the lack of good infrastructure in informal settlements and also a basic lack of water, and so as a group they have to empty their pit latrines manually. They are forced to do this work without the safety equipment. They are exposed to a lot of harassment, even in their own communities, for the kind of job that they do. The same sanitation workers take the waste back into our water bodies, which has exposed the community to water-borne diseases. So many of the people getting treatment in our hospitals is the result of poor sanitation management. So, we have diseases that have risen tremendously because of lack of sanitation.



Water pollution. So many in our community, to access the basic right to water it has become very costly because, again, most of our water bodies have been contaminated. So, for you to access that clean water, it is very costly and very hard to get. During the COVID-19 pandemic, this was something that was experienced because the sanitation workers had to do this manual work of emptying the toilets and then they cannot even get clean water to clean themselves after doing that job. That has exposed them to many diseases. Some of them have died as a result of this because they do not work with septic gear and they cannot afford to go to hospital. So, for me, I also think that lack of better finances has cost them. They cannot afford the basic needs and then to go to hospital after they have done the cleaning for the community, after they have done this job they cannot afford to get treatment.

2. *What actions have you taken to address this and what responses have you received from government?*

First, being the vice chairperson of WIWAS, we have collaborated and worked very closely with the pit latrine emptiers, where we've offered them gear so that even as they do this job, they work in a safe environment.

What we have also done, we have also taken up the role of supplying the decentralised waste water treatment plant. This is a system that treats 90% of the waste water and, of course, the result is clean water and if we can do this, safe 90% of all the waste water that is used, it means that we will be able to save on water pollution, which really affected us and that will also reduce the number of diseases that we are experiencing right now.

Second, we are also trying to create awareness. We have participating on different forums and on our social media, where we are advocating for clean sanitation. We are been working and joining other partners, who are speaking the same language of sanitation and how we can realise sanitation. So, we have joined hands with those people.

And we are also trying to engage the government so that together we can achieve this.

I realised that most people don't know the effect of sanitation and where it leads us, so we are trying to make campaigns, we are trying to come up with a sanitation expo, where we will bring all the players in the industry to come and speak about what it is that they are doing in their communities to enlighten people on how we can better our societies by working through sustainability and doing things that are sustainable and the Kairo Emptiers have shown this because they are really trying not to discharge the waste once they collect it back into the water bodies – so this is one of the campaigns that is really working for us. We are hoping for the best.

3. *What support and action do you want to see from the international community and United Nations?*

First, through my interactions with the manual pit emptiers, their number one challenge is that they lack finances. They have brilliant ideas about how they can convert this waste once they have collected it, but they lack the finances. They want to generate biogas. They have brilliant ideas, the only thing they lack is finances to do this, to take it to the next level.

Also, we also expect, the UN to hold their hand and create awareness of these issues that are deeply affecting our people. If our own people are not able to go get treated for doing the kind of work they are doing to save their communities, I think that is [inaudible?] and I wish we can have more forums where there is awareness of sanitation - the importance of sanitation and if we can have more awareness of why we need to clean our water bodies and why we should not pollute our water bodies. I think it goes around creating more awareness and having more forums.

I think it's also important to be practical by going to these people because, I think, when you hear directly from them, you get to understand their issues. I think that way we will be able to move forward towards better sanitation and achieving the basic need for access to quality water.

Thank you.

## **Input from survivor of sexual abuse and exploitation in the water sector (Kenya)**

*Mercy Mailu<sup>1</sup> ("Sex for Water" survivor living in Kibera, Kenya\_*

Good afternoon everyone. I am Mercy. I'm Kenyan. I'm visually impaired, a disability. I'm a mother of three children, and I'm a single parent.

1. *How does a lack of safe, adequate, affordable, acceptable, available water and sanitation affect your community?*

My community gets affected by a lack of water and access to toilets because we have to walk long distances to access those facilities.

The women in my community get sexually assaulted in an attempt to access water and toilets, and they do not get access to treatment after experiencing those assaults because they don't have money to get such treatment after experiencing these injustices.

During the early stages of the COVID period, my daughter was taking me to the washroom. Somebody was hiding in the washroom and they sexually assaulted me while I was trying to access that washroom. Women in my community easily get assaulted while trying to access toilets and water points.

Accessing water for me is quite a challenge for me because I am visually impaired and more expensive than the average person living in an informal settlement because I pay 30 shillings for a one-litre gerry can, 10 shilling for the water and 20 shillings for somebody to carry it to my home, and also my 23-year-old daughter was also sexually assaulted and got a baby in the process while trying to access the sanitation facilities and water points.

2. *What actions have you taken to address this and what responses have you received from government?*

I was able to report to the government authorities when my daughter was sexually assaulted. They took the initiative to take her to a shelter or safe house. However, it was quite difficult for me to go on with the process of the lawsuit because I do not have anyone to take care of me at home and we have three young ones, so we had to drop the case.

3. *What support and action do you want to see from the international community and United Nations?*

I'd like the international community to help us by bringing water and toilets closer to us, so that women can stop going through this sexual exploitation while trying to access these facilities. And this will greatly help people with disabilities, because we face many challenges while trying to access water and sanitation.

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<sup>1</sup> Not her real name.

As a person with a disability, I really struggle living in a slum. I don't feel safe there, my daughter was sexually abused there, and it's just not a safe place for me to live. We live next to a sort of river and it's very difficult for us to be there, and my prayer is that we will be able to hopefully move from that area to a much better place where I'll feel much safer.

I hope that my daughter and I will get capital for our business so that we get to a better place, a safer place, and not struggle so much economically.

## **Input from indigenous Khmer groups (Cambodia)**

*Nang Noy*

1. *How does a lack of safe, adequate, affordable, acceptable, available water and sanitation affect your community?*

My name is Nang Noy, I represent our community living along the Sesan river and today I would like to speak about the issue of the community who face the challenge of a hydropower dam.

Since the Hydroelectric Dam they have constructed upstream, we can recognise the changing flow of the river, and especially in the dry season half of the Sesan river dries up. This is the river which indigenous communities rely on for accessing water.

Because of the changing of the river and during the dry season, women had to spend longer time to collect water and also experienced difficulty in terms of mobility to travel from their homes to the farm land because those communities traditionally used boats as a form of commute to the farmlands. So, since the river has dried up it is not easy for us to commute. During the rainy season, there are often flash floods which increase the water level of the river rapidly, which impact the agriculture. Because the natural flow of the river has been disrupted because of the dam, the communities are forced to evacuate to safe areas during the rainy seasons because they fear the rapid increase in water levels during flash floods.

2. *What actions have you taken to address this and what responses have you received from government?*

Based on the challenges that they face and with reference to various studies, the community has organised discussions and they often are concerned with Cambodian Mekong River National Commission and presented on the issues that the community is facing, especially floods that risk their lives.

Based on that action we can see some interventions from the government that has attempted to set up early warning systems to provide on-time information to the community before the dam walls are opened.

On the other side, we also setting up a disaster management plan at community level to see how government can help to evacuate people during flash floods in the rainy season.

However, these plans are mostly responsive rather than proactive in terms of prevention. So the community tried to put in place a proper plan see how they can address the challenges of livelihoods and safe drinking water when the river dries up during the dry season.

3. *What support and action do you want to see from the international community and United Nations?*

I wish that the international community and the UN, and those attending the event today, would be able to bring what you heard today to higher decision-makers and particularly the Colombian government who made the decision on this development and the companies and investors that are invested in the infrastructure project in the Mekong Basin.

I wish that the government and the developer take into account people's human rights during their decision-making and that the UN enforce human rights mechanisms to which the government has signed up, especially for proper community consultation and respecting the rights of indigenous communities in the decision-making process.

When it comes to flooding and forced evacuation of people to safe areas, then people need access to safe and clean water. At the moment, the community is forced to use the water from the flood that is not clean and causes health problems.

The last request is for assistance with claiming compensation. Normally when there is a development along the river, the impact downstream on people's lives does not seem to be taken into account and recognised when considering the compensation plan. This usually means that the community can evacuate to the safe area, but their farms, cattle and livelihoods cannot be moved, so every time there is flash flooding, like this year, the community lose their livelihoods and agriculture. Who is responsible to ensure that the proper compensation mechanisms are enforced?

## **Closing remarks**

*Pedro Arrojo-Agudo (UN Special Rapporteur on the Rights to Water and Sanitation)*

Thank you, while it is very difficult to summarise such diverse and rich contributions on the spot, so I apologise in advance that I'm forgetting important issues that have been raised. But, let's go!

If you allow me to summarise the contributions by outlining what I understand to be the main ideas put forward at this event with a contribution at the listening exercise that UN Water promoted last year around World Water Day, when we launched the idea of reflecting on the value support.

In this last listening exercise in March 2021, it was said that water is, above all, life, it is a human right essential for other human rights and is linked to global justice. It cannot be managed as a commodity. This was something that people insisted on during that exercise. People said that water is essential for the environment and health and dignity of people, and especially for the most impoverished, paying special attention to the contamination of aquifers and water bodies on which the health of people (especially the most impoverished) depends. This has been another contribution today, as well. It is necessary, particularly, to underline the need wetlands and aquifers' capacities to promote adaptation strategies in the face of climate change.

Sanitation is still relegated to a secondary challenge. However, it is essential and it will be very difficult to manage progress in the fulfilment of the human right to safe drinking water without prioritising the sanitation of our waste water discharges, both domestic and productive in general.

Another point is that it is necessary to underline the need to prioritise international and national funds for basic WASH infrastructure, specifically for impoverished communities that guarantees them these rights by ensuring that its use and management is affordable and that can be done within communities' capacities to manage it. The "financial gap" argument, I used

to insist on this, when it comes to granting human rights, is not acceptable if one assumes the priority that must be given to these investments.

And finally, it is evident that women and girls are continuing to bear the burden of providing water to their families and communities.

On the basis of these ideas I dare to propose, what I understand to be lines of action around which we should reflect on and take decisions at the New York Water Conference:

1. First, we must establish ethical principles and priorities that recognise the priority of water for life by promoting human-rights based approaches to management according to the human rights legal framework recognised by UN Member States.
2. Second, people are the ones organising and coping with water scarcity and water shortages because they are on the frontlines of the water crisis, but also because they have the knowledge on how to manage water sustainably in their territories very often. They are ensuring that right holders are the ones moving towards the water agenda - without them, there is no water agenda, I insist on this. The people are not only victims or vulnerable or marginalised, they are, above all, agents of sustainable change. They have, in many cases, kept their ecosystems in good health for decades and centuries, and give us valuable lessons.
3. Third, we need to make decisive progress in restoring the health of our rivers and aquifers, from which the most impoverished and vulnerable people draw the water they need daily. We need to restore the sophisticated natural engineering of the water cycle that the aquatic ecosystem manages on islands and continents, powered by free, solar energy. Nature-based strategies should replace large-infrastructure that, very often, breaks the health and sustainability of rivers and aquatic ecosystems. Another point, developing adaptation strategies to ongoing climate change, must be based, on the one hand, on reinforcing social resilience from a human-rights based approach; and on the other hand, reinforcing environmental resiliency based on making peace with our rivers, wetlands and aquifers. In the face of increasing risk from climate change, restoring wetlands and aquifers, above all, to good conditions is vital, especially for those most at risk of droughts and floods.
4. Fifth, gender-mainstream to guide the effective fulfilment of these rights is a major condition. It is therefore necessary to promote an active dialogue of cultural change that guarantees their right to participate effectively in decision-making at all levels. Women should be at the centre of decision-making regarding water because they are at the centre of water issues in practice. Moreover, the lack of sanitation is affecting women's health and their communities' health as one of the speakers, Sally I think, has clearly explained. Women are also the centre of the solution, they are organising and coordinating for a better situation.
5. Sixth, although we tend to forget the lessons from the pandemic this year after the media stopped talking so much about it, I propose putting the issue on the table looking at the New York Water Conference – from the need imposed by COVID-19 to universalise access to safe drinking water and sanitation as a defensive measure into a permanent virtue with legislative changes to ensure the fulfilment of these human rights. With the harsh experience of the COVID pandemic, we must definitely take up the human rights to safe drinking water and sanitation as cornerstones of public health as a challenge of democratic governance.

6. And finally, we need to recognise people's knowledge and ancestral wisdoms in relation to water management to maintain the health of ecosystems and to change the destructive paradigm to a sustainable management paradigm.

## **Additional Video Contributions**

### **Video input: Farmers living under closed civic spaces in Iran (Iran)**

*Nikahang Kowsar (Abangan Iran)*

Speaking on behalf of different communities all around the country, many people have witnessed injustice and discrimination in the distribution of clean and sufficient water.

In the Province of Sistan and Baluchestan, women and children are the victims. Many children have died collecting water for their families from waterholes or streams, where marsh crocodiles have bitten them.

In the Province of Khuzestan, that's supposed to be one of the richest parts of the country, an oil-rich region, thousands of farmers have suffered from the impact of the dams being built over rivers and the marshes have dried up. Millions of people in that part of the country, who absolutely lack clean water, also are suffering from dust-storms from the same marshes that have dried up.

In the Province of Isfahan, as a result of the drying up of the Zayanderud river, many farmers have been forced to derive water from their wells and the ground water resources are dying. The major aquifer in the [Isfahan-Borhan?] areas is sinking now because of land subsidence and there will be no water in about ten to fifteen years in that aquifer and millions of people will have no option but to leave their ancestral homes and lands for good.

We have been fortunate to create a network consisting of stakeholders, experts, scientists and journalists who are shedding light on bad practices. Right now, a number of those individuals are investigating different projects that lacked environmental assessments or environmental permits and many dams that, in a way, have blocked the water from flowing into marshlands or lakes are under the magnifying glass.

A number of governmental officials and Parliamentarians are in touch with our partners and they are now investigating different dam-building schemes and water allocation schemes in one of the Committees of the Iranian Parliament and people hope that these actions will lead to changes in water management and water governance. Of course, this cannot happen when people don't have a say in the whole process, because of the top-down decision-making system that we have in Iran.

In the last decade, many politicians all around the world have recognised the human right to water and sanitation even though there are officials in the country who discriminate and also do not respect the rights of many people in marginalised areas or people from different ethnicities and backgrounds. This injustice has led to environmental injustice, and many people in Iran who have no say in the decision-making process wish that the United Nations and the international community would actually hold a magnifying glass above Iran and monitor the situation, and help them investigate all those projects that have led to the disappearance of lakes, marshlands, ground-water resources and have forced many Iranians to leave their homes especially the villagers, farmers and herders who are now living in really bad situations in shantytowns all around the country. And this is what we need to force the Iranian government to recognise the rights of smaller individuals, not the rich ones or lobbyists, and we hope that this could actually help democratise water management and water governance in Iran for future generations.

### **Video input from Slovo Park Community Development Forum (SPCDF) (South Africa)**

*Lerato Marole (Deputy Chairperson, SPCDF); Susan Mkhwanazi (SPCDF)*

*Lerato Marole:*

Slovo Park was formulated in 1990 by mostly people who were residing in, or working around, the industrial site that was opposite us. Of course, because of the need for land and security of tenure, people started residing and taking a portion of the farm, of which, as and when it was expanding, there were some eviction threats, where the community, on its own, tried to deal with it in negotiations with government.

But looking at it [the settlement], you can see it was well-planned and structured, with street and stand sites [plots], in a view that if it was well-planned then development would quickly come.

*Susan Mkhwanazi:*

We used to have taps in the streets and then we decided 'let us take those pipes inside into our yards', because it was difficult for us every time we had to go into the street to fetch water. So, then we came with the plan that, let us at least take these pipes and put them inside into our yards.

*Lerato Marole:*

When you go throughout South Africa, you have, as leadership and the community of that particular place, you have always tried to set precedence around transformation of the people residing in informal settlements. In one that, the ways informal settlements have been dealt with, it has not been dealt with an ideology or element of trying to understand, 'how come these people are [living] there?' It has been an issue of saying, 'these are people that do not want to take responsibility of certain elements'.

Hence, we have always said let us have services where we can meet government half-way, whether they have followed. For instance, in Slovo Park [informal settlement] they brought twelve public taps of which they said the community must then do their own project in connecting from those particular taps into individual yards. All the 1,065 stands in Slovo Park have got water today. One, it eradicates shack fires, because when there is fire then water is a bit nearer to their house where people can then try and assist in eradicating fire. Two, it assists woman that have to wake up and go to work around 8:00am, but have to prepare for her kids to go to school, for her not to wake up early to go and fetch water at a public tap where she would still be coming back at 9:00am at her house to come and cook. So, we're trying to normalise everything. But the reason we're doing this is to try and meet half-way [with government], so that the precedence we are trying to set must, at all times, be adhered to.

*Susan Mkhwanazi:*

We've been in Slovo Park for more than 25 years now. We used to toyi-toyi [protest] and burn tyres in the street, and then we realised that that thing is not helping us. And we decided to take our government to court until we won that case. But it's been 25 years, and we're still sharing those toilets, we're still sharing those taps, and it's not healthy for us.

*Lerato Marole:*

24 years, 23 years later, government wanted to relocate people by force to about 11km away. We then saw a need, because all these years they [the government] have been engaging around issues of services to the community, we then saw a need for us to try and challenge the relocation legally and we brought in SERI [Socio-Economic Rights Institute of South Africa] to come and assist. After two years, the judgement that was given by the High Court for us to have development for the people where they *are* and *in situ* upgrading [of the settlement].

Two years down the line, we have electricity that is installed, but we are still awaiting proper township planning.



*Susan Mkhwanazi:*

Our government, I think they must upgrade our settlement. They must upgrade and give us proper services.

*Lerato Marole:*

The advice I can give to people living in informal settlements is that we need to start by not feeling pity for ourselves. We find ourselves in the situation where we are because of different reasons, but we need to start thinking outside the box as to say: 'yes I'm here, but how do I then transform my life to the next phase?' [and] 'Where would I want to see myself?' – without being reliant totally on government or any other outsider to come and do certain things for ourselves.

We need to unite as people in informal settlements, because the challenges we are faced with are the same. We might be coming from different backgrounds, we are in there [informal settlements] for different reasons, but the challenges we are faced with, are purely services, are purely tenure. How do we then find ourselves in saying all the five settlements that are in one region, how do they collaborate and find their expression in exchanging ideas of how to upgrade themselves. In totality, whether in business, whether in whatever it may be, all the challenges they are faced with they must find expression where they would collaborate and work hand-in-hand in the liberation of each other.

## **Additional video input from Slovo Park Community Development Forum (SPCDF) (South Africa)**

*Lerato Marole (Deputy Chairperson, SPCDF)*

My name is Lerato Marole. I am the deputy chairperson of SPCDF. We live in Slovo Park, an informal settlement that was established in 1991. SPCDF, which is an entity that pushes for development [of the informal settlement] that was formulated in 2004 for 2005, where we started having engagement with [the] municipality around the development of Slovo Park with the challenges that we have been faced with. In our engagement, we went as far as to push for engagement with the President of the country (which has not yet materialised), but later on, we were told we would be relocated in the sense of an eviction to about 11 km away. This led us to seeking out legal advice, that led us to SERI. We then won a court judgment for *in situ* upgrading, the city was ordered to apply for funding for the redevelopment of the settlement.

The challenges we are having around water and sanitation is that in a settlement that consists of 1,076 sites, we only had about twelve to eighteen public taps, which added a lot to shack fires and crime in the sense that people have to go and fetch water around 3:00am in the morning, which is a challenge.

In relation to sanitation, it has always been... Upon request, we were given in 2005, VIP toilets [ventilated improved pit latrines], which are pit latrine toilets and they are not safe for anyone in the sense that if they are not drained well, whatever is thrown inside comes back to you. It is very hazardous to human beings, especially women and are a particular challenge to people living with disabilities.

We also realised, prior to the court judgment, that we really have a challenge in South Africa (not only specifically in Slovo Park) of political will around things that need to happen, commitments vis-a-vis, completing those particular commitments, which led us to the court and the judgement for that matter. But after the judgment, we still realised that really the challenges are beyond what we're thinking of, in a sense that the unpacking of these [governmental] policies are also a challenge.

As a community, what we recommend is that we should have political will. We would also love to have people that are directly trained to become champions of USP [upgrading support programme] so that it becomes easier for it to be implemented. We know it's a long process, but participation of the community and what they want, when they want it, and how they want things, is very relevant to the case. So, it is a frustrating movement that every party must come on board to play an integral role. We are hoping that changes of personnel should now be reconsidered and come to stop, so that we don't experience things that destabilise the [upgrading] process.

## **Video input from sanitation workers (Kenya)**

*John Iregi (chairperson, Kairo Emptiers); Fred Otuda (sanitation worker); Jack Kinyasa (Umoja ni Sisi); and Dr Leunita Sumba (chairperson, Women in Water and Sanitation Association (WIWAS))*

*John Iregi (Kairo Emptiers Chairman):*

I am John Iregi, Chairman of the Kairo Emptiers of Korogocho [informal settlement in Nairobi, Kenya]. We had serious problems with filled-up pit latrines in our community, so we got together to form a cleaning team to empty latrines manually. We had our group registered by the authorities and began to work. There is no sewer line in Korogocho, and no permitted collection point for the fecal waste. Yet the latrines must be emptied. We dump it in the river. We knew the village would fall sick if no one emptied the toilets.

*Fred Otuda (Manual pit emptier from Kibra informal settlement in Nairobi, Kenya):*

Sometimes illness comes from handling human waste, and medication is costly. The money is too little. Going to pour the waste is dangerous. Gangs want to be bribed to let you pass. We need a safe place to pour the waste so it does not spread disease.

*Jack Kinyasa (Umoja ni Sisi):*

I am Jack Kinyasa, member of a community based organisation called Umoja ni Sisi at Korongocho, registered in 2013. We are volunteers involved in cleaning up the river to keep the community safe, but even as we do, the pit emptiers would pour continued to add more waste. The community was fighting them, yet they had no place to take the sludge.

We realised the only option was to work together. Even if we fight them, they have no place to take the waste. It would not work. So we got together and helped them form a group which would be a way for them to get help to do the work safely. That is how Kairo Emptiers was born.

As a CBO, we are striving to unite the community. We want to support one another in our work. There is no other way, it is our duty to pull together. We wanted to see if we can find help if we joined forces to find solutions together. We would like to see them get a good and safe place to collect fecal waste, and place where they can wash and change after work. They would be happier. Our reasoning was that we cannot make it individually, but if we unite, we will succeed. Umoja ni Sisi means "unity is us".

*John Iregi (Kairo Emptiers):*

We have problems with our work equipment. It would be nice if we can get handcarts, each fitted with car tires, and 200 litre container tanks. We would be grateful if the government officials, working with agencies like UNICEF and others could assist us with overalls, gloves and gumboots to help with our work.

It is a problem not having anywhere to take the waste. We create a problem in the river, so it would be useful if the government and UN agencies could help us with building a septic tank.

We would appreciate training on the making of other products such as biogas, organic fertiliser, pig feed, chicken feed. We are ready to diversify and create other employment from the fecal waste collected, if we could get training and the needed equipment.

*Dr Leunita Sumba (WIWAS):*

I'm Dr Leunita Sumba, the chairperson of Women in Water and Sanitation Association (WIWAS) in Kenya. We have a network of women, water and sanitation professionals, students and [?] champions. We support the well-being of women in the water and sanitation sector through action-research, capacity building, mentorship, advocacy and campaigns. Our focus this period is sanitation.

We have also mobilised ministry officials, local authorities, UN agencies, and opinion leaders to hear from sanitation workers and witness their working conditions.

*Gordon Opiyo (Traditional leader in Korogocho):*

We are organising now, where we can [designate?] the sanitation area we can build them a temporary area, where they can put those waste so that the waste can be transported.

*John Iregi (Kairo Emptiers):*

We received soap donations for UNICEF, via WIWAS and gum boost and overalls from Directways Networking. We say thank you. We appreciate all the help we are receiving, including our government. Thank you.

## **Video input from indigenous Khmer groups in Lao**

*Nang Noy*

Hello, I'm Nang Noy, a Khmer-Lao ethnic living along the Season river. I'd like to share my experience concerning the impact of major infrastructure development.

Hydropower dam construction affects the livelihoods of the people living along the river. During the rainy season, the water level rises and the villagers need to flee to the forest because of floods. They lack access to clean water. Floods also devastated their plantation and animals grazing. In the dry season, the river is almost dried up. In some years, the river was completely dried.

Our community has done a lot to seek out solutions. We've mobilised networks and documented information related to impact and shared it in both local and regional platforms. We also submitted a jointly-made statement by the community to relevant institutions such as the Parliament, Senate and Embassy. We urged the Mekong River Commission to address our concerns in their discussion. So far, we received some responses from the government. To address our concerns the government established the Sesan Committee membered by relevant institutions.

The government also organised a warning system prior to releasing water from the dam.

On behalf of the marginalised community, I'd like to request the UN agencies to encourage the relevant inter-governmental organisation in the Mekong River Basin to consider alternative options rather than the hydropower dam construction in order to avoid the impacts on people. We appeal to the community who are present here, who listen to my message, to be courageous and dare to express your concerns that you care about the most so that your voice will make an impact; otherwise you'll become one of the victims of these countless development plans.