



Dhaka, 10 December 2009

The UN Independent experts on water and sanitation, Catarina de Albuquerque, and on the question of human rights and extreme poverty, Magdalena Sepulveda issued the following statements on 10 December 2009 in Dhaka, Bangladesh:

Members of the press, ladies and gentlemen, we would like to start by warmly thanking the Government of Bangladesh for inviting our two mandates to this country and giving full support to our visit. We were very positively impressed by the open spirit of cooperation during the last 7 days.

We would also like to thank all the UN Country Team and in particular the office of the Resident Coordinator and the United Nations Development Programme for its support in the organization of an excellent program of meetings and visit to communities.

From 3 to 10 December, we undertook a joint mission to Bangladesh in our capacities as Independent Experts on human rights, water and sanitation and human rights and extreme poverty. We had meetings with the Honorable Prime Minister, the Foreign Secretary, and the Secretaries or other high ranking officials from various other Ministries, including, Planning; Social Welfare; Local Government; Finance; Housing and Public Works; Health and Family Welfare; Women and Children Affairs; Food and Disaster Management; Law, Justice and Parliamentary Affairs; Labour and Employment; Education; Water Resources; Education and the Dhaka Water Authority.

We also had the opportunity to meet with numerous UN agencies, the donor community as well as civil society organizations. We visited Ralmat Camp, Wapda Building, and Rupnagar in Mirpur and Korail and Kamrangir in Dhaka, Kutu Palong refugee camp in Cox's Bazaar, Moradnagar and Comilla, and learned about many interesting projects as well as challenges, especially in relation to social protection policies, and access to water and sanitation.

We take this opportunity to warmly thank all those, who have given their time and advice. We are particularly thankful to all those who warmly received us in their communities and shared their painful experiences coping with extreme poverty and limited access to water and sanitation.

Ladies and Gentlemen:

Today, we would like to confine ourselves to some preliminary and provisional remarks. We will submit reports to the Human Rights Council in 2010, which will analyze these, and other issues in greater detail.

We commend Bangladesh for ratifying many international human rights treaties. We also congratulate Bangladesh on their commitment to achieving the MDGs. The government has demonstrated a commitment to work towards the realization of all human rights and has developed initiatives to develop rights based policies. In this regard, we welcome the process to introduce a gender sensitive budget and the increased expenditure in social protection. We welcome the initiative of the Government to review the labour code and develop a law on the rights of persons with disabilities.

However, we are concerned that human rights commitments are not always translated into action at the national level. There must be a comprehensive harmonization of the existing laws to bring them into compliance with international human rights standards. Furthermore, although Bangladesh is committed to an overall improvement of the socio-economic conditions of its population, the State institutions do not appear to recognize socio-economic rights as claimable and enforceable.

We strongly urge the Government to submit its initial report to the Committee on Economic, Social and Cultural Rights, and to sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

We welcome the establishment of the National Human Rights Commission, and call upon the Government to ensure that it is adequately resourced to carry out its work with independence.

We note a lack of awareness about human rights among the general population, which hampers their ability to claim them. We call on the Government and all stakeholders to ensure channels for public participation and accountability to empower people to claim their rights.

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The independent expert on human rights and extreme poverty said:

Ladies and Gentlemen:

Bangladesh has experienced significant economic growth in the past 15 years but the economic growth of the country is not yet reaching its poorest citizens. Even if poverty indicators point to a decline in poverty, some regions are lagging behind and segments of the population are not reaping the benefits, thus inequality is on the rise.

Through our visits to extremely poor communities both in Dhaka and in rural areas, we witnessed the daily struggle for survival of people living in tremendously difficult conditions. These appalling living conditions are a cause and a consequence of a wide range of human rights violations suffered by many, in particular women, children,

persons with disabilities, the elderly, ethnic minorities, indigenous populations, migrants and refugees.

Despite the progress made in reducing poverty during the last decade, it remains very high, in particular in rural areas. Around 40% of the population is still poor, of which at least 20% lives in extreme poverty. With limited resources, the country has to make difficult policy choices, however in accordance with human rights norms the State must put the extremely poor at the centre of national policies and public debate. Specific policy measures must be taken to effectively target them, and to end any form of discrimination.

Over the last decades, Bangladesh has been recognized for its efforts in the area of poverty reduction through initiatives implemented by the State as well as by civil society organizations, especially in the areas of micro finance and social safety nets. However, much more needs to be done to reach the poorest of the poor.

During our visits to slums we witnessed how migrations from rural areas, including as a result of climate change, have induced galloping urbanisation. I am concerned that the urban poor, in particular slum dwellers, seem to be invisible for policy makers. The Government must strengthen its commitments to reduce poverty in rural areas and make additional efforts to ensure opportunities there. However, the Government must also develop a rights-based strategy for urban poverty alleviation and ensure access to services including safe drinking water and sanitation.

Moreover, the Government must provide slum dwellers with security of tenure. We heard testimonies of evictions taking place with no or little notice. Forced evictions are contrary to the obligations imposed by the Covenant on Economic, Social and Cultural Rights. Prior to evicting anyone, the State must explore all feasible alternatives in consultation with the affected persons. Evictions must not result in individuals being rendered homeless or vulnerable to the violation of other human rights.

Poverty reduction strategies, especially related to social safety net programmes, are implemented in a disconcertingly fragmented manner. Bangladesh must design an integrated and comprehensive social protection strategy. Indeed, coordination among ministries, civil society organisations and donor agencies is essential to the realisation of all components of a social protection strategy: (a) ensuring access to social services; (b) providing social assistance including safety nets; and (c) protecting labour standards for all. I call on the Government to work in coordination with civil society organisations and donor agencies towards a holistic social protection strategy that goes beyond the current social safety net approach in place.

I am concerned about information I was given regarding working conditions in Bangladesh. The human rights of millions of men, women and children are violated daily

when they are inhumanely exploited. I am particularly concerned about child labour. Child labour must be fiercely combated as a matter of urgency. The Government must take immediate action to guarantee protection for children as well as women and in general the country's workforce against the greed of their employees, be it in the formal or the informal sector. In this regard, the Government should harmonize the labour code with international labour and human rights standards and the capacity of the Ministry of Labour and Employment must be enhanced.

Extreme poverty will remain in Bangladesh so long as basic services are not given due attention. In this regard, I would like to stress the importance of access to education. Education is key to assist people to lift themselves out of poverty.. I welcome the progress achieved with the help of innovative tools, in particular the Female Stipend Programme which has catalysed a surge in girls' enrolment. Nonetheless, more needs to be done to reduce the very high drop-out rate, improve the quality of education and training of teachers as well as the participation of women in tertiary education.

Poverty reduction measures will be in vain so long as corruption persists. The poorest are disproportionately affected when resources are drained at all levels of decision making. In this sense, I welcome the work of the Anti Corruption Commission and urge all parties to provide continuous support to its work. The Commission's capacity must be enhanced, including through skills training of its staff. The independence of judiciary also must be ensured.

During our stay, I visited Cox's Bazaar and witnessed the extremely difficult living conditions of the refugees from Myanmar. I welcome the solidarity of the Government and the gradual improvement in the refugee camps, where 28,000 refugees live. Nonetheless, I am concerned that 200,000 refugees live just outside the camps, with no registration or legal status. This results in their exploitation and inability to access basic services, as well as their ability to access justice. I encourage the Government to consider some form of registration for this community with a view to ensuring their protection from exploitation. This is a most basic step for them to live in dignity in Bangladesh pending their possible voluntary repatriation in safety and dignity to their country. .

Ladies and gentlemen, let me finish by reaffirming that

While I am alarmed by the situation of people living in extreme poverty, I fully acknowledge that the Government faces important resources constraints. I call the international community to continue and enhance its support to Bangladesh's poverty reduction strategies. Nonetheless, I am convinced that the Government can do more within its limited resources to fight against extreme poverty.

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The independent expert on the human rights to water and sanitation said:

I wish to start by warmly thanking UNICEF, as the main UN agency working on drinking water and sanitation, for their advice and assistance both before and during the mission.

Bangladesh has made substantial advancements in ensuring access to safe drinking water and sanitation to all. The commitment of the Government to ensure safe drinking water for all by 2011, and sanitation for all by 2013, is laudable. Bangladesh has been a leader in innovation of low cost technologies for sanitation, in promoting a community led approach, and I was impressed by the projects that I saw adopting this methodology. I strongly urge the Government of Bangladesh to include explicit recognition of water and sanitation as human rights in legislation, such as the Draft Water Act. The rights to water and sanitation mean that these must be available, accessible, affordable, acceptable and safe.

Concerning sanitation, although Bangladesh has made great progress, still 64 % of the population has no access to safe sanitation. In fact, simple latrization is not the same as sanitation. The correct installation, use and maintenance of latrines must be ensured to protect public health and the basic human dignity of all. The community led approach is important for raising awareness and instilling behavior change among the population, and should be expanded to cover even more areas of the country. However, there can be problems when poor community members attempt to cut costs by sacrificing essential elements of hygienic sanitation. The Government must monitor whether existing sanitation complies with human rights criteria, mentioned above. In this regard, the Government should base its statistics also along these criteria, rather than simply measuring when people move to a fixed place of defecation, which can be unhygienic and contrary to human dignity.

We met with several people who suffer from discrimination based on their occupation, or their parents' occupation, namely sweepers, who identify themselves as Dalits. These people clean the toilets and empty the septic tanks of others throughout the country. They are reportedly denied education because of social stigma, and their jobs are threatened. Although they work in sanitation all day long, they have no or inadequate access to water and sanitation in their own homes. The Government must end all forms of discrimination and adopt immediate measures to guarantee their human rights.

Access to safe drinking water and sanitation in slums is also a big concern for me. In practice, many people in slums are unable to connect to the water and sewage network because they do not have tenure status. The practice of using civil society organizations as a mediator to bring water to the populations in the slums is a positive example of

finding solutions to these problems. Nevertheless, the rights of the people living in slums must be recognized – this is not a matter of charity, but a legal entitlement.

I am distressed by the lack of wastewater treatment in Bangladesh. Faeces, urine and industrial waste are polluting the rivers and other surface water of Bangladesh, and threaten the quality of drinking water as well as the overall environment. I urge the Government to put in place its plans to construct further wastewater treatment plants, as well as to explore alternative solutions to combat water pollution without delay.

The reliance on deep tube wells for not only human consumption, but also for irrigation and industry, results in a depletion of groundwater levels. This threatens the availability of water for present and future generations, and urgent solutions must be found. I encourage the Government to continue and strengthen its efforts to identify alternative sustainable water sources in the entire country.

Bangladesh's achievements in extending access to water in the 80s was commendable. The discovery of arsenic in the early 90s constituted a huge setback for the country, from which it has still not recovered. Many people still drink arsenic contaminated water, either because they are unaware of the impact, or because alternative sources of drinking water are not readily available. Water filters to remove arsenic from drinking water do not appear to be accessible to all. Water quality testing, not only for arsenic, but also for other harmful pollutants, is not systematic. I was informed that there are 6 labs for water testing in the country, and it appears that they are concentrated in Dhaka. With a population of 162 million people, 6 water quality treatment labs are clearly not enough. The Government must test water quality regularly and should bring its own standards in line with those of the WHO. Furthermore, medicines to treat arsenicosis are sent to regional and local health clinics, but it appears that not all patients are receiving the treatment, either because they have to walk a long way to collect it, or because they are not aware it is available. The Government must monitor whether these essential medicines are reaching those who need it.

Responsibility for water and sanitation is spread across different ministries, and there are many non-governmental organizations, donor agencies and UN agencies also deeply involved in these activities. There must be better coordination among all of these actors, as well as improved information sharing about projects and resources. To find solutions to the difficult challenges that Bangladesh faces in water and sanitation, it would be important to know exactly what the available resources for water and sanitation are, where they are spent, and who benefits. I also urge the Government to establish an independent regulator for water and wastewater, that would inter alia be competent for establishing water tariffs, controlling water quality and ensuring access for all.

Climate change is undoubtedly a major challenge facing the population of Bangladesh, with the poorest people suffering the most, and severe implications for access to safe drinking water and sanitation. Although this problem is largely caused by external factors, the Government must take urgent steps to protect the human rights of people affected by climate change. We also call on the international community to reinforce contributions to national efforts.

Bangladesh is facing big problems – but it also has shown the world that it has creative answers to complicated issues, as well as the ability to constantly adapt its approach to new challenges. Going forward, we are convinced that the country will be able to again show its capacity to pioneer innovative solutions.