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Senior Vice President and Group General Counsel

16 MARS 2007

Recipients : ..HC Correspondence
...C.F.S.R.
...U. HALSTEEN
...S.P.B.....

March 14, 2007

Ms. Louise Arbour
High Commissioner for Human Rights
UNOG-OHCHR
1211 Geneva, 10
Switzerland

Dear Louise,

Thank you for your letter of March 8, 2007, addressed to President Paul Wolfowitz, regarding the Human Rights Council decision 2/104 of November 27, 2006, on "Human Rights and Access to Water," to which he has asked me to reply.

In your letter you requested information in five areas. The information provided below relates to the areas that are of direct relevance to the World Bank, and focuses on Bank policies and lending operations in the field of water supply and sanitation.

The World Bank 1993 Policy Paper on Water Resources Management underscored the fact that inadequate water services have a particularly adverse impact on the poor, and required that special efforts be directed to meeting the water needs and determining the level of services actually wanted by the poor. The Policy Paper emphasized the importance of stakeholder participation in water resources management, indicating that such participation is likely to improve project selection, service delivery and cost recovery. Those principles have been incorporated in the Bank's Operational Policy 4.07 on Water Resources Management issued in 1993, and subsequently updated and reissued in 2000.

In 2003, the Executive Directors of the World Bank approved the Water Resources Sector Strategy. The Sector Strategy complemented the 1993 Policy Paper by focusing on lessons learned and translating its principles into practice. In addition, a Water Supply and Sanitation (WSS) Business Strategy was elaborated to guide the Bank's assistance to the water and sanitation sector over a five year period. The Business Strategy identified four areas for operation: (i) extending WSS services to the urban poor; (ii) improving operator performance; (iii) increasing rural access to sustainable WSS; and (iv) better managing the water resource base.

The development of the WSS Business Strategy was key to the turnaround of the WSS operations and portfolio in the Bank. After declining to \$0.6 billion in fiscal year 2001, new commitments increased to nearly \$2.0 billion in fiscal year 2006, representing 8% of total new World Bank lending. Proactive supervision and restructuring of problem

projects, plus emphasis on quality at entry in terms of securing up front reforms, and more rigorous project preparation have led to major improvements in the effectiveness of Bank assistance in the WSS sector.

Bank assistance to the WSS sector has improved services in both direct and indirect ways. While better measurement of results of WSS assistance is a long term effort, preliminary data show that 'dedicated' projects that closed between 2000 and 2004 resulted in improved WSS services for 43 million people. Dedicated projects, which are those exclusively focused on WSS investments, represent approximately half of the Bank's WSS portfolio. Bank assistance also contributes to providing access to services through indirect mechanisms, such as laying the basis for expansion of services through reform, positioning WSS in country development plans, and building multi-donor investment programs.

General Comment No. 15 on the Right to Water, issued by the UN Committee on Economic, Social and Cultural Rights in 2002, adds water to the rights emanating from, and indispensable for, the realization of the right to an adequate standard of living. The importance of the General Comment is that the countries that have ratified the International Covenant on Economic, Social and Cultural Rights are now obligated to progressively ensure access to clean water equitably and without discrimination. Bank operations in the WSS sector will certainly assist them in meeting these obligations.

The General Comment has been embraced by some to advocate for provision of water free of charge. The notion of free water can be an invitation to misuse and abuse of this precious resource. Indeed, the General Comment itself urges the States to adopt comprehensive measures and programs, including reducing depletion and increasing efficient use, to ensure that there is sufficient and safe water for present and future generations, especially for those who currently lack full access. It is widely agreed by water experts that operationalization of those measures would by necessity require appropriate pricing of water.

The Bank welcomes the visibility that the inclusion of the notion of the human right to water has given to the right to access to sufficient and safe water supply. Our efforts in water supply and sanitation will help those countries expand access to WSS as well as meet the millennium development goal with regard to water and sanitation.

I hope the above is helpful. More information on the World Bank's policies and operations in the water supply and sanitation sector is available from our website (www.worldbank.org/watsan). Please do not hesitate to contact me if you need further information.

With best regards,

A handwritten signature in black ink, appearing to be 'A. ...', written over a horizontal line.