



World Business Council for
Sustainable Development

World Business Council for Sustainable Development (WBCSD)
Views for the study on human rights obligations related to equitable
access to safe drinking water and sanitation

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Sent to: water@ohchr.org

The Office of the United Nations High Commissioner for Human Rights has called for any relevant information for preparation of *“a detailed study on the scope and content of the relevant human rights obligations related to equitable access to safe drinking water and sanitation under international human rights instruments, which includes relevant conclusions and recommendations thereon.”*

The sections a), b), d) and f) are the sections suggested by the OHCHR. (see <http://www.ohchr.org/english/issues/water/>)

The WBCSD's Water Working Group would like to take this opportunity to provide some overarching business perspectives on the issue. We would be pleased to respond to any questions or comments on our submission.

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a) Views on international human rights obligations to be taken into account in relation to equitable access to safe drinking water and sanitation.

1. General

- The WBCSD considers that the right to water entitles everyone to a sufficient amount of accessible and clean water, including sanitation, to cover **basic** human needs.
- Business is part of society and also has a need for water like other stakeholders.
- The discussion around the human right to water should avoid generalizing a global condition: each region and location is different, with different water availability, legal frameworks and stakeholders.
- The human right to water can only be put into practice if there are the resources to deliver it.
- Business looks to governments to provide the necessary enabling regulatory framework and infrastructure policies, as business can only operate effectively in a strong and stable legal, regulatory and economic context (governance).



2. Price

- Business suggests that the right to water cannot be separated from the mechanisms to make the price affordable.
- Water services need investment, labor and maintenance and in the long-term sustainable provision of water and sanitation in any country can only be ensured by covering all the costs incurred. This can be done through water tariffs, taxes or a combination of these.
- It is incumbent on the public authorities in each country to determine sustainable water pricing policies that take account of the requirements of equitable access by all its population and a realistic economic operating base for its water service providers.
- Business is willing to pay a fair price for water.

3. Healthy Population

- Business cannot survive in a society that fails. Business will therefore not succeed if the local population where it operates lacks safe drinking water and sanitation.
- Employees, and other people contributing to the success of a company, need clean water and sanitation to ensure sustainable business.
- Business encourages economic growth, which can lead to greater ability to supply and pay for water at an affordable price.

4. Community Participation

- The WBCSD is convinced that no stakeholder can act alone, and that only fair stakeholder engagement can lead to sustainable development and a thriving society.
- Government, business and civil society should work in partnership to provide affordable access to water and sanitation to cover basic human needs.
- Business increasingly engages with the communities in which they operate to ensure they are improving the livelihoods of the population.
- Business is committed to developing and applying responsible and sustainable methods of water extraction, delivery, use and discharge, including re-use and recycling.



b) National legislation or draft legislation related to equitable access to safe drinking water and sanitation (constitution, specific law, regulation, etc.), including with regard to private sector provision of related services.

- Most (if not all) industries use water in their operations. Certain governments have indicated the right to water does not include water for industry, recreation or transport. By explicitly excluding the right to water for industry in this way, one is indirectly excluding the right for industry to operate, and therefore contribute to the economy, which includes satisfying the Right to Employment etc.
- Some businesses provide water directly or indirectly to end-users thereby delivering the right to water. Others provide products, services and maintenance, finance, know-how and technology to water supply organizations to help them deliver water to end-users. This makes a useful contribution to the right to water and should be encouraged.
- Public versus private delivery of services is not the issue. The provision of water and sanitation services is a public service, whether operated by the public or private entities.

d) National plans of action, development programmes, public policies or emergency responses related to access to safe drinking water and sanitation.

- The WBCSD commends legislation ensuring that, through sustainable water use models, everyone has access to basic water supply and sanitation.
- An often-cited example is South Africa's 1997 Water Services Act where a legislative structure quantifies a minimum amount of water free of charge for the poor, taking local conditions and opportunities into account.
- A number of our member companies have been able to assist in emergency responses in the past and will continue to do so in the future.



f) Examples of approaches considered to represent “best practice” related to access to safe drinking water and sanitation.

- **The Water Health International (WHI) business model in India** is an excellent multi-stakeholder example that provides clean drinking water to small villages in India. The villagers pay a small amount for clean water (less than alternative sources), a bank finances the system, an NGO delivers education and training, and the WHI installs the system and hires local operators. The revenue from water purchases repays the bank and covers the system operation and maintenance. When the loan is repaid, the village owns the system, providing a revenue stream.

- WBCSD member companies contribute to providing access to safe water and sanitation with many examples in different parts of the world, including by:
 - i. Conserving and recycling the water they use,
 - ii. Ensuring that their process water is adequately treated before discharge,
 - iii. Providing water and sanitation services,
 - iv. Supporting small scale water and sanitation delivery through partnerships,
 - v. Educating (e.g. through campaigns) communities in which they operate on water and sanitation practices.