

Coalition Eau  
S/c Laurent Chabert d'Hières  
Eau Vive  
4 rue Victor BEAUSSE  
93100 MONTREUIL

Paris le 9 mai 2007

Madame Louise ARBOUR  
Haute Commissaire aux droits de l'homme  
Palais Wilson  
GENEVE  
SUISSE

OHCHR REGISTRY

16 MAY 2007

Madame la Haute Commissaire,

Recipients : *N. M. ...*

DROIT À L'EAU

La Coalition Eau réunit les ONG françaises impliquées dans les problématiques de l'eau au plan national et international, et en particulier celles qui œuvrent pour améliorer l'accès à l'eau dans les pays en développement. En tant que représentant de plus de 50 associations parties prenantes du secteur de l'eau, nous souhaitons faire connaître notre position par rapport aux questions soulevées par le Conseil des droits de l'homme.

Les ONG de la Coalition Eau considèrent que le droit à l'eau et à l'assainissement est un droit fondamental, un droit de l'homme qu'il convient de mettre en œuvre dans les politiques d'accès à cette ressource vitale. Les ONG rappellent les engagements internationaux des Etats en faveur de l'accès à l'eau pour tous et regrettent que malgré ces positions avancées par les représentants des Etats, de nombreux Etats n'ont pas encore transposé ce droit dans leurs législations nationales et n'ont pas encore mobilisé les moyens humains et financiers nécessaires à sa mise en œuvre universelle. Elles considèrent qu'il faut que ce droit soit rendu effectif à travers des politiques et législations élaborées avec les citoyens et répondant à leurs demandes et leurs moyens.

Ce service public essentiel doit être accessible à tous, y compris les foyers pauvres, les exclus et tous ceux qui n'ont pas les moyens de payer le prix du service de l'eau. Un accès à l'eau doit aussi être assuré rapidement aux populations en situation d'urgence ou victimes de conflits.

Les ONG de la Coalition Eau souhaitent que le Conseil des droits de l'homme contribue à promouvoir l'approche par le droit dans le secteur de l'eau. Elles espèrent que le rapport de la Haute Commissaire permettra de clarifier les implications concrètes du droit à l'eau et encouragera les institutions internationales agissant dans le domaine de l'eau à respecter ce droit fondamental dans toutes leurs interventions.

La Coalition Eau soutient pleinement la position exprimée par le collectif de 176 associations signataires de l'appel adressé à Madame Louise Arbour (P.J.) et tient à souligner que ses membres ont contribué au plan interne français à l'adoption du droit à l'eau dans le cadre de la loi du 30 décembre 2006 qu'il reste maintenant à mettre en œuvre.

Veillez croire, Madame la Haute commissaire, en l'assurance de notre haute considération.

Pour la Coalition Eau

Laurent Chabert d'Hières  
Coordinateur



Membres de la Coalition :

CCFD, France Libertés, Amis de la Terre, GRET, WWF France, ACAD, Réseau Foi et Justice, Green Cross France, Helen Keller International, Secours Catholique-Caritas France, ADEDE, Eau Vive, Hydraulique sans frontières, AVSF, Triangle, ECTI, 4D, CRID, Toilettes du Monde, Ingénieurs sans frontières, Acme France, Solidarité Eau Europe.

Lettre à Mme Louise Arbour, Haute commissaire aux droits de l'homme

Letter to Madame Louise Arbour,

United Nations High Commissioner for Human Rights,

Dear Madame High Commissioner,

We are encouraged that you have been asked to provide a report regarding the Human Right to Water (HRTW); to the Human Rights Council. Lack of access to clean water for hygiene and personal use is at a critical stage in many parts of the world. The growing crisis will be intensified by the sweeping effects of climate change. The continuing lack of access to basic sanitation for over half the world's people continues to lead to fatal disease and a lack of dignity. The time for action on both water and sanitation is well upon us.

A strong report from your office, pointing towards mechanisms for implementation of the human right to water and highlighting the importance of a rights-based approach in dealing with the water crisis, will have a major impact; both in how we interact with water and on future policy decisions of states and the international community.

The depth of the crisis cannot be overstated, Millions die needlessly and billions struggle daily with water scarcity and disease, loss of dignity and suffering that accompanies this avoidable scourge.

Governments have not invested the necessary political and financial resources to address this issue adequately, and the impacts are devastating. Strong and unambiguous affirmation of the HRTW may alleviate this deplorable lack of attention.

We hope your work complements that of the many organizations and activists around the world who continue the fight for water justice and sustainable solutions.

We, the undersigned international networks, civil society organizations and social movements, representing people from all corners of the world, coming from movements focused upon environmental, women's, labour, social justice, human rights, peasant and other struggles, bring the following points forward for consideration in your upcoming report to the UN Human Rights Council.

We assert that the HRTW exists through its implicit and explicit recognition in international treaties, declarations and customary law which bind all governments. It is engendered in several existing human rights instruments as a binding obligation on the Parties. Nevertheless, the failure of the existing

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instruments to deal with the HRTW explicitly and directly, has allowed several nations to incorrectly deny that such an obligation exists – underscoring the need for a new instrument. Your study and recommendations must provide the impetus for moving toward such a new instrument.

We request that all states move beyond simple recognition of the HRTW and develop comprehensive national plans to implement the HRTW, including making this right justiciable through appropriate national legislation.

We support General Comment 15, approved by the UN Economic and Social Council (November 2002), in which water is seen as 'indispensable for leading a life in human dignity' and a 'prerequisite for the realization of other human rights'. While General Comment 15 is a welcome and necessary step forward, it is not sufficient, in and of itself, to deal with the need for a new legally-binding instrument which will form the basis for moving towards implementation and full realization of the HRTW.

We urge the UN, through the Human Rights Council, to designate an appropriate UN administrative body to ensure, at all levels, adequate laws, policies, institutions, administrative procedures and practices and mechanisms of redress required realize the HRTW. These measures must be based on determined benchmarks to assess progress.

We understand that while governments remain the primary duty-bearers, non-state actors (including transnational corporations and international financial institutions) have been playing an increasingly powerful role in water; there have been resultant violations of the HRTW emanating from market-based approaches to water management. We therefore affirm that that all entities, public and private, must be held accountable to comply with the requirements of international law concerning the HRTW and subject to mechanisms providing appropriate redress and compensation to those harmed.

We assert that there can be no HRTW without comprehensive protection of the planet's ecosystem and hydrological cycle; linked to the HRTW is the right of all living things, and the earth, to have access to sufficient water; water is part of the global commons and a public trust, any international agreements on the HRTW must address these issues of environmental protection, sustainability and public control.

Finally, we call upon the Human Rights Council, as steps towards achieving these goals, to appoint a Special Rapporteur on Water and to move rapidly towards adoption of strong guidelines for states to follow in the implementation of the HRTW; each of which is a necessary condition towards the necessary implementation of an International Convention on the Human Right to Water.

Signed:

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<i>Organization</i>	<i>Country</i>
African Water Network	International
Blue Planet Project	International
Center on Housing Rights and Evictions COHRE	International
Diverse Women for Diversity	International
Ecumenical Water Network	International
International Forum on Globalization IFG	International
International Peoples Health Council (South Asian Focal Point )	International
Jubilee South-Asia/Pacific Movement on Debt and Development (JS-APMDD)	International
Public Services International	International
Jubilee South Americas	International
Friends of the Earth International - IFI program	International
Lake Victoria NGOs Advocacy Network - East Africa (LAVNET - EA)	International
Citizen News Service	International
Federacao dos Sindicatos da Administracao Publica Saude e Servicos (FSAPSS)	Angola
Sindicato Nacional Independente dos Trabalhadores de Funcao (SNITSSFP)	Angola
Instituto internacional de Medio Ambiente y Desarrollo- IIED	Argentina
BanglaPraxis	Bangladesh
Coordinadora de Defensa del Agua y de la Vida	Bolivia
Federacion de Trabajadores Fabriles de Cochabamba	Bolivia
Fundacion Abril	Bolivia
Fundacion Solon	Bolivia
Movimiento Boliviano por la Soberanía y la Integración Solidaria de los Pueblos	Bolivia
Botswana Cibil Servants Association (BCSA)	Botswana
Botswana Unified Local Government Services Association (BULGSA)	Botswana
National Amalgamated Local and Central Government & Parastatal Manual Workers Union (NALGCPMWU)	Botswana
ORCADE	Burkina Faso
Association Pour la Defense des Consommateurs (APDC)	Cameroon
Canadian Auto Workers Local 27	Canada

Canadian Catholic Organization for Development and Peace.	Canada
Canadian Union of Public Employees	Canada
Common Frontiers	Canada
Council of Canadians	Canada
Friends of the Earth Canada	Canada
KAIROS - Canadian Ecumenical Justice Initiatives	Canada
Manitoba Wildlands	Canada
Niagara Chapter Council of Canadians	Canada
Parkville/Qualicum KAIROS	Canada
Planetary Association for Clean Energy	Canada
Polaris Institute	Canada
Public Service Alliance of Canada - Alliance de la Fonction publique du Canada	Canada
Waterloolians.ca	Canada
United Church of Canada	Canada
Campaña el Agua un bien Público	Colombia
CENSAT AGUA VIVA, Friends of The Earth Colombia	Colombia
Ecofondo	Colombia
COECOCEIBA - FoE Costa Rica	Costa Rica
Movimiento Mi Cometa	Ecuador
Observatorio Ciudadano de Servicios Públicos	Ecuador
Frente Nacional Por La Salud De Los Pueblos Del Ecuador	Ecuador
EPSU European Federation of Public Service Unions	Europe
ATTAC Finland	Finland
Friends of the Earth Finland	Finland
France Libertés Fondation Danielle Mitterrand	France
Solidarité	France
GRÜNE LIGA e.V	Germany
Heinrich Boell Foundation	Germany
Initiative Colibri	Germany
FIAN Deutschland	Germany
National Coalition Against Privatisation	Germany
People's Health Movement - Ghana	Ghana
CECIDE Centre du Commerce international pour le Developpement	Guinea

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Focus on the Global South	India
Indian Social Action Forum - INSAF	India
Initiative for Health, Equity & Society	India
People's Coalition for the Right to Water/KruHA	Indonesia
All Africa Conference of Churches (AACC)	Kenya
Civil Servants Trade Union ( CSTU)	Malawi
Malawi Municipal Workers' Union (MAMWU)	Malawi
Water Workers Union of Malawi ( WETUM)	Malawi
Friends of the Earth Malta	Malta
Federation of Parastatal Bodies & Other Unions FPBOU	Mauritius
Government Servants Association (GSA)	Mauritius
Local Authorities Employees Union (LAEU)	Mauritius
Alianza Mexicana por la Autodeterminación de los Pueblos	Mexico
Asociacion Nacional de Medicas Mexicanas A.C	Mexico
Centro de Derechos Humanos "Miguel Agustín Pro Juárez, A.C."	Mexico
Centro de Ecología y Desarrollo	Mexico
Centro de Servicios Municipales "Heriberto Jara, A.C."	Mexico
Centro Derechos Humanos "Fray Francisco de Vitoria, O.P.", A.C.	Mexico
Centro Mexicano de Derecho Ambiental, A.C.	Mexico
Centro Operacional de Vivienda y Poblamiento, Copevi A.C.	Mexico
Coalición de Organizaciones Mexicanas por el Derecho al Agua	Mexico
Colectivo Radar	Mexico
Consejo de Ejidos y Comunidades Opositoras a la Presa La Parota	Mexico
Desarrollo, Educación y Cultura Autogestionarios, Equipo Pueblo	Mexico
Educación para la Paz	Mexico
Enlace Rural Regional, A.C.	Mexico
Espacio DESC	Mexico
Food First Information and Action Network- México	Mexico
Grupo de Estudios Ambientales, AC	Mexico
Instituto Mexicano para el Desarrollo Comunitario, A.C.	Mexico
Movimiento Mexicano de Afectados por las Presas y en Defensa de los Ríos	Mexico
Movimiento Urbano Popular	Mexico
Mujer y Medio Ambiente, A.C.	Mexico

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Oficina para América Latina de la Coalición Internacional para el Hábitat (HIC-AL)	Mexico
Other Worlds, Mexico	Mexico
Red de Género y Economía	Mexico
Red de Género y Medio Ambiente	Mexico
Red de género y medio ambiente RGMA	Mexico
Red de género y medio ambiente RGMA	Mexico
Red Mexicana de Acción frente al Libre Comercio	Mexico
Sindicato Nacional da Funcav Publica (SINAFP)	Mozambique
Namibia Public Workers Union ( NAPWU)	Namibia
Collective Initiative for Reserch and Action (CIRA)	Nepal
Rural Reconstruction Nepal	Nepal
Windward Islands Civil Servants Union WICSU	Neth. Antilles
Windward Islands Private Sector Union PSU	Neth. Antilles
Both Ends	Netherlands
Corporate Europe Observatory	Netherlands
Women's Global Network for Reproductive Rights	Netherlands
Grupo de Solidaridad-Arenal (GRUDESA)	Nicaragua
Campaign for the Welfare State	Norway
FIVAS Foreningen for Internasjonale Vannstudier - Association for International Water Studies	Norway
ACORN - PERU	Peru
Comunidades Andinas del Perú	Peru
Alliance of Government Workers in the Water Sector (AGWWAS)	Philippines
Focus on the Global South	Philippines
IBON Foundation	Philippines
Freedom from Debt Coalition	Philippines
WomanHealth	Philippines
Public Interest Research Network Water Group	Scotland
Centre for Applied Legal Studies	South Africa
Centre for Civil Society Environmental Justice Project, University of KwaZulu-Natal	South Africa
Democratic Nursing Organization of South Africa ( DENOSA)	South Africa
Hospital Personnel Trade Union of south Africa (HOSPERSA)	South Africa
Municipal, Education, State, Health and allied Workers Union ( MESHAWU)	South Africa
National Education, Health and allied Workers Union (NEHAWU)	South Africa



National Public Service Workers Union (NPSWU)	South Africa
Other Worlds, South Africa	South Africa
Police and Prison civil Rights Union (POPCRU)	South Africa
South African Municipal Workers Union (SAMWU)	South Africa
The Coalition Against Water Privatisation	South Africa
People's Health Movement - South Africa	South Africa
Ecologistas en Acción	Spain
Ingenieria Sin Fronteras	Spain
Movement for National Land and Agricultural Reform ( MONLAR )	Sri Lanka
National Farmers Assembly	Sri Lanka
Swaziland National Association of civil Servants (SNACS)	Swaziland
Swaziland Nurses Association (SNA)	Swaziland
Millenium Solidarity	Switzerland
Pro Natura - Friends of the Earth Switzerland	Switzerland
Irrigation Training and Economic Empowerment Organization - IRTECO	Tanzania
Focus on the Global South	Thailand
Supolitik Calisma Grubu/Turkiye' (Working Group on Waterpolitics)	Turkey
Uganda Fisheries and Fish Conservation Association UFFCA	Uganda
Foundation for Gaia	UK
UNISON	UK
WaterAid	UK
World Development Movement	UK
Friends of the Earth, England, Wales and Northern Ireland	UK
The Trade Union of Public Service Workers of Ukraine	Ukraine
La Comision Nacional en Defensa el Agua y la Vida	Uruguay
La Federacion de Funcionarios de Ose -FFOSE- ISP	Uruguay
REDES-Amigos de la Tierra	Uruguay
Coalition for a Strong United Nations	USA
Corporate Accountability International	USA
Food and Water Watch	USA
Institute for Agriculture and Trade Policy	USA
Maryknoll Office for Global Concerns	USA
Other Worlds, USA	USA

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<b>PDHRE, People's Movement for Human Rights Learning</b>	<b>USA</b>
<b>People's Health Movement</b>	<b>USA</b>
<b>Sweetwater Alliance</b>	<b>USA</b>
<b>The Alliance for Democracy</b>	<b>USA</b>
<b>Unitarian Universalist Service Committee</b>	<b>USA</b>
<b>Women's International League for Peace and Freedom</b>	<b>USA</b>
<b>Alliance for Democracy Boston-Cambridge Chapter</b>	<b>USA</b>
<b>Gender Action</b>	<b>USA</b>
<b>Civil Servants Union Of Zambia (CASWUZ)</b>	<b>Zambia</b>
<b>National Energy Sector and Allied Workers Union (NESAWU)</b>	<b>Zambia</b>
<b>National Union of Public Services Workers Union ( NUPSWU)</b>	<b>Zambia</b>
<b>University of Zambia and Allied Workers Union (UNZAAWU)</b>	<b>Zambia</b>
<b>Zambia National Union of Health and Allied Workers (ZNUHAW)</b>	<b>Zambia</b>
<b>Zambia United Local Authorities Workers Union (ZULAWU)</b>	<b>Zambia</b>
<b>Public Service Association( PSA)</b>	<b>Zimbabwe</b>
<b>Zimbabwe Nurses Association ( ZINA)</b>	<b>Zimbabwe</b>
<b>Zimbabwe Urban Councils Workers Union ( ZUCWU)</b>	<b>Zimbabwe</b>

Signatories - 176 organizations from 47 countries – April 2007