

The MDGs and the SDGs

An analysis from the perspective of the human right(s) to water and sanitation

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1. Human right(s) to safe drinking water and sanitation

2. MDG targets for wat-san: human rights critique

3. SDG targets for wat-san-hygiene: human rights critique

Mar Del Plata conference in Argentina (1977)

- Action Plan on “Community Water Supply” declared “[a]ll peoples . . . have the right to have access to drinking water in quantities and of a quality equal to their basic needs.”



Convention on the Elimination of Discrimination against Women (1991)



<http://eatdrinkbetter.com/2012/03/22/wateraid-and-choice-organic-teas/>

- To enjoy adequate living conditions, particularly in relation to housing, **sanitation**, electricity and **water supply**, transport and communications (Article 14(2))

Convention on the Rights of the Child (1990)

- To combat disease and malnutrition . . . through . . . the provision of adequate nutritious foods and **clean drinking-water** . . . (Article 24(c))



<http://www.sev.asn.au/model-citizen/global-citizen/19-image--07-a-child-drinking-water.html>

- To ensure that all segments of society, in particular parents and children, are informed . . . and are supported in the use of basic knowledge of . . . hygiene and **environmental sanitation** . . . (Article 24(e))

Foundations of Int'l Human Rights Law



Universal Declaration of Human Rights

International Covenant on Civil and Political Rights (1966, 1976)

International Covenant on Economic, Social and Cultural Rights (1966, 1976)

UNITED
NATIONS



**Economic and Social
Council**

Distr.
GENERAL

E/C.12/2002/11
20 January 2003

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

Twenty-ninth session

Geneva, 11-29 November 2002

Agenda item 3

SUBSTANTIVE ISSUES ARISING IN THE IMPLEMENTATION OF THE
INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL
RIGHTS

General Comment No. 15 (2002)

**The right to water (arts. 11 and 12 of the International Covenant
on Economic, Social and Cultural Rights)**



<http://omiusajpic.org/topics/human-right-to-water-and-sanitation/>

General Comment 15 (2002)

Article 11

adequate standard of living

Article 12

highest attainable standards
of mental and physical health



General Assembly

GA/10967 28 July 2010

Sixty-fourth General Assembly
Plenary
108th Meeting (AM)

GENERAL ASSEMBLY ADOPTS RESOLUTION RECOGNIZING ACCESS TO CLEAN WATER, SANITATION

AS HUMAN RIGHT, BY RECORDED VOTE OF 122 IN FAVOUR, NONE AGAINST, 41 ABSTENTIONS

Vote on Human Right to Water

The draft resolution on the human right to water and sanitation (document A/64/L.63/REV.1) was adopted by a recorded vote of 122 in favour to none against, with 41 abstentions, as follows:

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Finland, France, Gabon, Georgia, Germany, Ghana, Grenada, Guatemala, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Italy, Jamaica, Jordan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Liberia, Libya, Liechtenstein, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Portugal, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Seychelles, Singapore, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Switzerland, Syria, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Tuvalu, United Arab Emirates, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: None.

Abstain: Armenia, Australia, Austria, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Ethiopia, Greece, Guyana, Iceland, Ireland, Israel, Japan, Kazakhstan, Kenya, Latvia, Lesotho, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Poland, Republic of Korea, Republic of Moldova, Romania, Slovakia, Sweden, Trinidad and Tobago, Turkey, Ukraine, United Kingdom, United Republic of Tanzania, United States, Zambia.

Absent: Albania, Belize, Cameroon, Chad, Fiji, Gambia, Guinea, Guinea-Bissau, Kiribati, Malawi, Marshall Islands, Mauritania, Micronesia (Federated States of), Mozambique, Namibia, Nauru, Palau, Papua New Guinea, Philippines, Rwanda, Saint Kitts and Nevis, Sao Tome and Principe, Sierra Leone, Suriname, Swaziland, Tonga, Turkmenistan, Uganda, Uzbekistan.



Abstentions



- Support work of Human Rights Council in Geneva, including Ind't Expert
- Right not reflected in int'l law
- Legal implications & scope
- Not drafted in transparent manner





<http://grid.files.wordpress.com/2011/02/no-water-privatization.jpg>



<http://wwwnc.cdc.gov/travel/destinations/bolivia.htm>



Cochabamba

http://worldsavvy.org/monitor/index.php?option=com_content&view=article&id=731&Itemid=1177



“La Guerra del Agua”

<http://www.tlaxcala-int.org/article.asp?reference=121>



<http://www.tlaxcala-int.org/article.asp?reference=121>

“Human rights are neutral as to economic models in general, and models of service provision more specifically.”

2009 report to HRC on non-State actors
by the UN Special Rapporteur





General Assembly

Human Rights Council
Fifteenth session

Distr.: General
6 October 2010

Original: English

(6) Delegation to a third party does not exempt State from primary responsibility

(7) States may use non-state actors; regardless, must ensure transparency, non-discrimination and accountability

(9) spells out some key ways that States should monitor non-state actors

An evolving question: right or rights?

- “Human right to water” (General Comment 15)
- “Human right to safe drinking water and sanitation” (UN GA and HRC resolutions)
- “Human rights to (safe drinking) water and sanitation” (Special Rapporteur & others; UN GA resolution from Dec. 2015)

Normative Content

- “The human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses.”
 - General Comment 15, ¶2 (2002)



(1) Availability/Quantity: Water



<http://www.bhopal.org/2012/01/support-for-petition-to-drop-dow-continues-to-grow/bhopal-water/>

Continuously available and in a sufficient quantity for drinking, personal hygiene, and domestic uses (cooking, washing, etc.)

World Health Organization Guidelines

Source: "The Right to Water" (2003)

Service level	Distance/time	Likely volumes of water collected	Needs met	Intervention priority and actions
No access	More than 1 kilometre/more than 30 minutes round trip	Very low (often below 5 litres per capita per day)	Consumption cannot be assured Hygiene practice compromised Basic consumption may be compromised	Very high Provision of basic level service
Basic access	Within 1 kilometre/within 30 minutes round trip	Average unlikely to exceed approximately 20 litres per capita per day	Consumption should be assured Hygiene may be compromised Laundry may occur off-plot – i.e. away from home	High Hygiene education Provision of intermediate level of service
Intermediate access	Water provided on-plot through at least one tap (yard level)	Average of approximately 50 litres per capita per day	Consumption assured Hygiene should not be compromised Laundry likely to occur on-plot – i.e. within the confines of the household	Low Hygiene promotion still yields health gains Encourage optimal access
Optimal access	Supply of water through multiple taps within the house	Average of 100-200 litres per capita per day	Consumption assured Hygiene should not be compromised Laundry will occur on-plot	Very low Hygiene promotion still yields health gains

(1) Availability: Sanitation

- Sufficient number of facilities
- Waiting times not unreasonably long



http://bostonherald.com/business/technology/general/view/2011_0504mit_start-up_focuses_onsanitation_needs_of_poor

(2) Physical Accessibility: Water



<http://40brown.wordpress.com/>

- Within, or in the immediate vicinity of
 - Household
 - Educational institution
 - Public institution
 - Health institution
 - Workplace
- Disabilities
- Gender burden

(2) Physical Accessibility: Sanitation



<http://www.com.org/disability-inclusive-wash-benefits-all-320/us.pnp>

- Within, or in the immediate vicinity of
 - Household
 - Educational institution
 - Public institution
 - Health institution
 - Workplace
- Disabilities
- Significant Gender Burden

(3) Safety/Quality: Water



http://thegrowblog.blogspot.com/2011_03_01_archive.html

- Not pose a threat to human health
- WHO Guidelines
- Significant burden on infants and children

(3) Safety/Quality: Sanitation

- Hygienically safe to use: human excreta must not come into contact with humans or animals



<http://www.mercycorps.org/dewisaparini/blog/22706>



<http://washtech.wordpress.com/category/topics/hygiene/>

- ▶ Hand washing is available

(4) Affordability: Water

- Affordable does not mean free
- BUT, no one disconnected for failure to pay
- Policy mechanisms: lifeline policies, subsidies, block tariffs, etc.



<http://ibnlive.in.com/news/water-policy-draft-is-convoluted/234742-55.html>

(4) Affordability: Sanitation

- ▶ Costs of individual access



<http://www.changemakers.com/morehealth/entries/revolutionary-developing-rural-markets-sanitation>



<http://www.eco-nomic.com/septic.htm>

- ▶ Costs of waste disposal
 - ▶ Containment
 - ▶ Treatment

(5) Cultural Acceptability: Water



<http://www.povertyactionlab.org/evaluation/source-dispensers-and-home-delivery-chlorine-kenya>

- Water must be of an acceptable color, odor and taste and provided in a way that is consistent with cultural practices
- Important point for donor/NGO household water treatment programs

(5) Culturally acceptable: Sanitation



<http://www.defeatdd.org/blog/sanitation-not-just-more-better>

- Ensure privacy
- Acceptable to women and men

- Protect
- Respect
- Fulfill



<http://www.thewaterq.com/wnews1/images/stories/maxqcontent/World/water-pollution4.jpg>



<http://www.newslincolncounty.com/?p=19922>



<http://www.changemakers.com/morehealth/entries/revolutionary-developing-rural-markets-sanitation>

Progressive Realization

Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

Article 2(1) of ICESCR

1. Human right(s) to safe drinking water and sanitation



2. MDG targets for wat-san:
human rights critique

3. SDG targets for wat-san-
hygiene: human rights
critique

- Human rights & development like “ships passing in the night” (Alston)
- So how and why have human rights influenced the monitoring of the MDG/SDG targets on water-sanitation-hygiene?



2000: Millennium Summit



UN Secretary
General Kofi Annan



150 world leaders signed Millennium Declaration
on Sept. 6, 2001

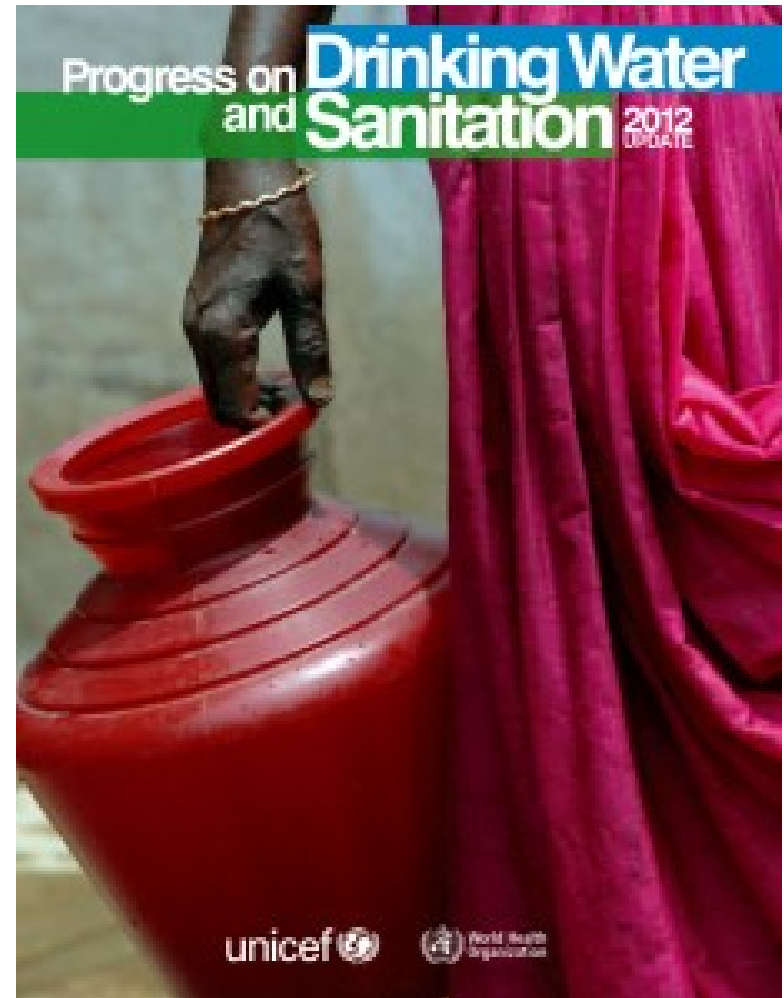


Millennium Development Goals

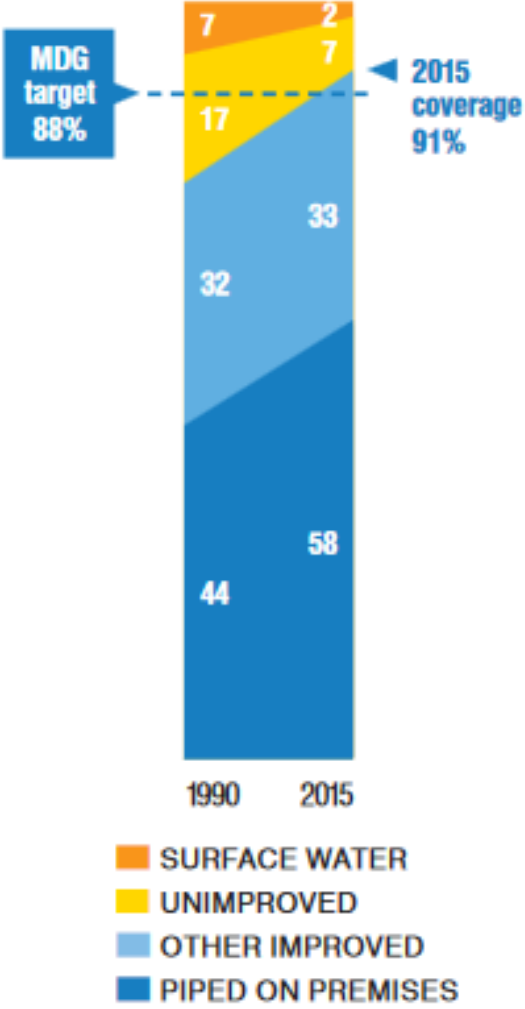


MDG: Target 7c

- “To halve, by 2015, the proportion of people without sustainable access to safe drinking-water and basic sanitation.”
- Sanitation added only in 2002



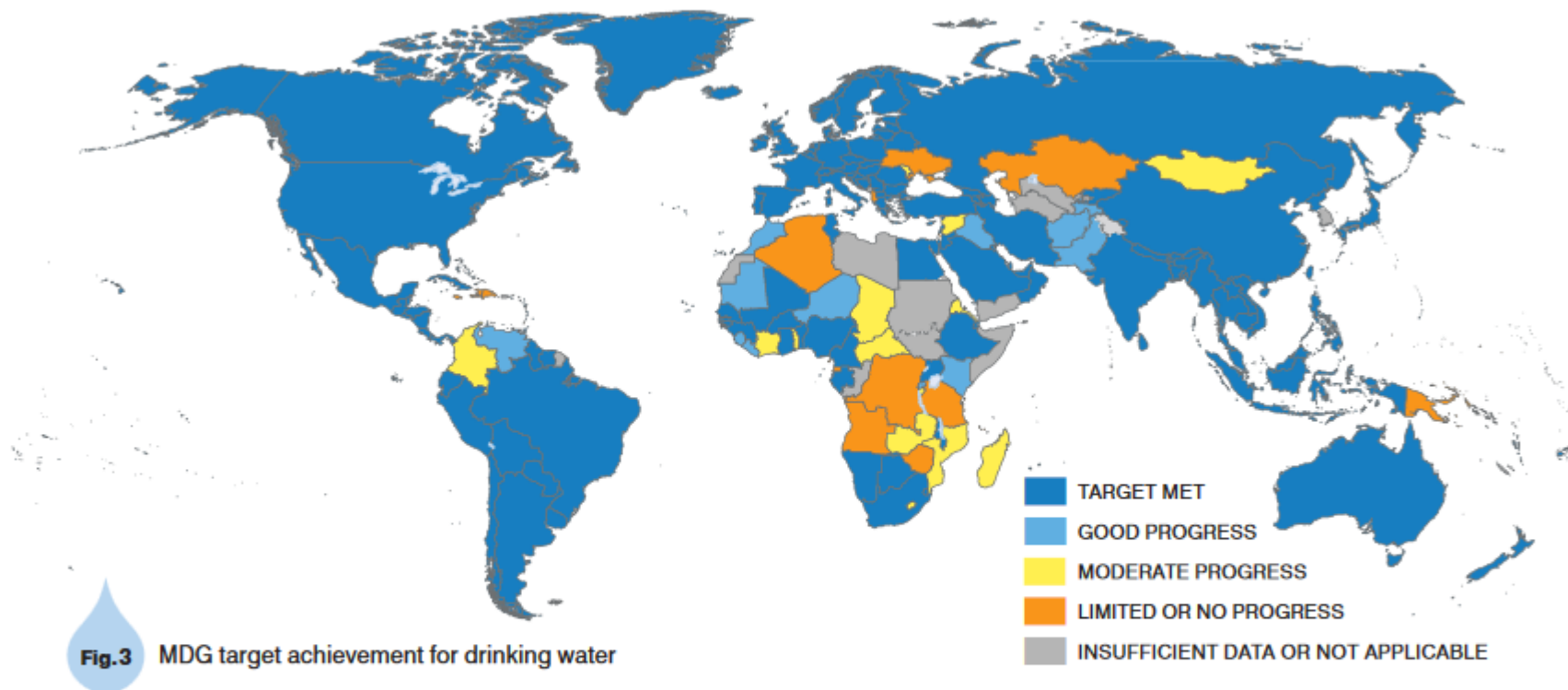
The MDG target for drinking water has been met



In 2015, 663 million people still lacked access to improved drinking water sources

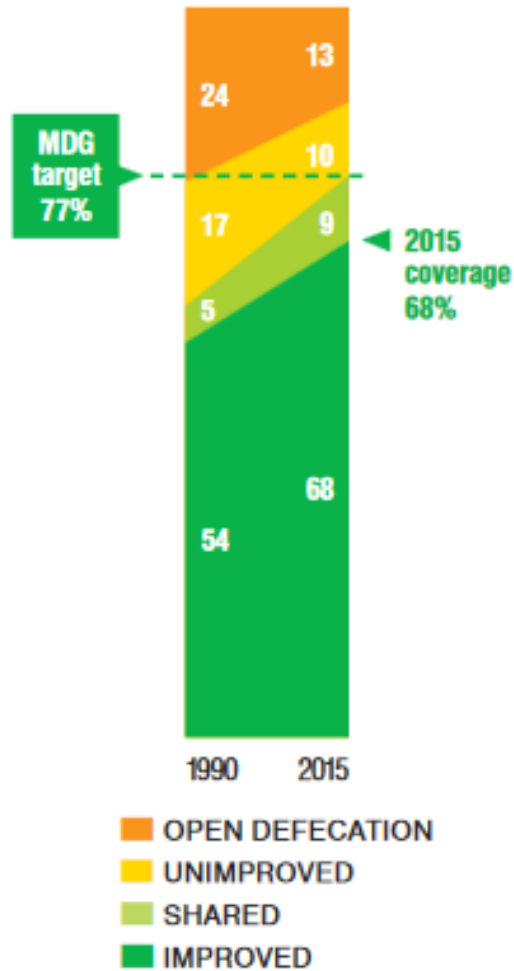
BUT, in 2017, 2.1 billion lacked access to safe, readily available water at home

147 countries¹ have met the MDG drinking water target



¹The JMP tracks progress for 215 countries, areas and territories, including all UN Member States. Statistics in this report refer to countries, areas, and territories.

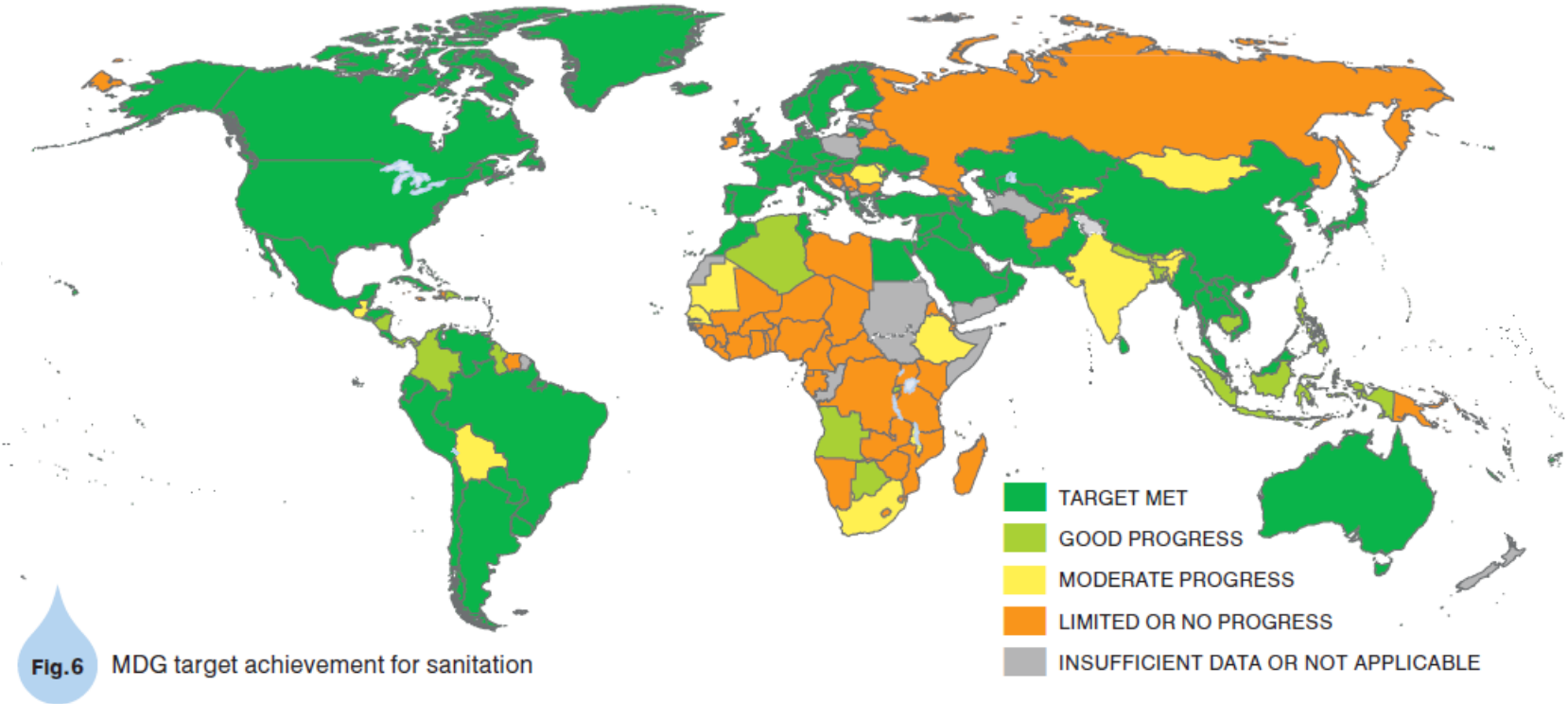
The world has missed the MDG sanitation target



In 2015, 2.4 billion people still lacked access to improved sanitation

BUT, in 2017, 4.5 billion people did not have safely managed sanitation and 2.3 billion still lacked basic sanitation

Only 95 countries have met the MDG sanitation target



- MDG Target 7c
 - “To halve, by 2015, the proportion of people without sustainable access to safe drinking-water and basic sanitation.”
- Indicators
 - Proportion of people with access to improved water
 - Proportion of people with access to improved sanitation

Defining “Improved”

IMPROVED
SANITATION

Use of the following facilities:

- Flush or pour-flush to:
 - piped sewer system
 - septic tank
 - pit latrine
- Ventilated improved pit (VIP) latrine
- Pit latrine with slab
- Composting toilet

Use of the following facilities:

- Flush or pour-flush to elsewhere (that is, not to piped sewer system, septic tank or pit latrine)
- Pit latrine without slab/open pit
- Bucket
- Hanging toilet or hanging latrine

Shared facilities of any type

No facilities, bush or field

UNIMPROVED
SANITATION

IMPROVED
DRINKING-WATER

Use of the following sources:

- Piped water into dwelling, yard or plot
- Public tap or standpipe
- Tubewell or borehole
- Protected dug well
- Protected spring
- Rainwater collection

Use of the following sources:

- Unprotected dug well
- Unprotected spring
- Cart with small tank or drum
- Tanker truck
- Surface water (river, dam, lake, pond, stream, canal, irrigation channel)
- Bottled water⁷

UNIMPROVED
DRINKING-WATER



Search

Media centre

Millennium Development Goal drinking water target met

Sanitation target still lagging far behind

Joint news release: UNICEF/WHO

6 MARCH 2012 | GENEVA/NEW YORK - The world has met the Millennium Development Goal (MDG) target of halving the proportion of people without sustainable access to safe drinking water, well in advance of the MDG 2015 deadline, according to a report issued today by UNICEF and WHO. Between 1990 and 2010, over two billion people gained access to improved drinking water sources, such as piped supplies and protected wells.

theguardian

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Posted by
Sanjay Wijesekera
Tuesday 6 March 2012
07.32 EST

[Previous](#)

[Blog home](#)

MDG drinking water target being met is cause for celebration

This achievement shows that where there is a will, it is possible to truly transform the lives of hundreds of millions of people for the better. Now we must tackle sanitation

MDGs do not currently capture human rights criteria

- Drinking-water quality
- Quantity
- Hours service available
- Distance
- Time spent
- Social obstacles for certain populations
- Infrastructure maintenance
- Safe disposal of excreta
- Affordability



Source: First Consultation on Post-2015 Monitoring of Wat-San, Berlin (May 2011)



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General Assembly

Distr.: General
21 October 2015

Seventieth session
Agenda items 15 and 116

Resolution adopted by the General Assembly on 25 September 2015

[without reference to a Main Committee (A/70/L.1)]

70/1. Transforming our world: the 2030 Agenda for Sustainable Development

The General Assembly

Adopts the following outcome document of the United Nations summit for the adoption of the post-2015 development agenda:



SUSTAINABLE DEVELOPMENT GOALS

17 GOALS TO TRANSFORM OUR WORLD

[Home](#) [About](#) [Secretary-General](#) [Goals](#) [Take Action](#) [Key Dates](#) [Media](#) [Watch and Listen](#)

1 NO POVERTY

2 ZERO HUNGER

3 GOOD HEALTH AND WELL-BEING

4 QUALITY EDUCATION

5 GENDER EQUALITY

6 CLEAN WATER AND SANITATION

7 AFFORDABLE AND CLEAN ENERGY

8 DECENT WORK AND ECONOMIC GROWTH

9 INDUSTRY, INNOVATION AND INFRASTRUCTURE

10 REDUCED INEQUALITIES

11 SUSTAINABLE CITIES AND COMMUNITIES

12 RESPONSIBLE CONSUMPTION AND PRODUCTION

13 CLIMATE ACTION

14 LIFE BELOW WATER

15 LIFE ON LAND

16 PEACE, JUSTICE AND STRONG INSTITUTIONS

17 PARTNERSHIPS FOR THE GOALS

SUSTAINABLE DEVELOPMENT GOALS

**“Our vision” in the “Declaration” of
2030 Agenda for Sustainable Development
(adopted at UN GA in 2015)**

We envisage a world free of poverty, hunger, disease and want, where all life can thrive. . . . A world with equitable and universal access to quality education at all levels, to health care and social protection. . . . **A world where we reaffirm our commitments regarding the human right to safe drinking water and sanitation and where there is improved hygiene;** and where food is sufficient, safe, affordable and nutritious. A world where human habitats are safe, resilient and sustainable and where there is universal access to affordable, reliable and sustainable energy.

Goal 6

Ensure availability and sustainable management of water and sanitation for all



Photo: UNICEF India

TRANSLATING LEGAL NORMS INTO QUANTITATIVE INDICATORS: LESSONS FROM THE GLOBAL WATER, SANITATION, AND HYGIENE SECTOR



- Through a case study of global water goals, I argued that:
 - Information disclosure can induce compliance with non-binding “soft law” (“governance effect”)
 - But indicators must reflect normative goals to avoid policy distortion (“knowledge effect”)
- I developed a conceptual framework to analyze current global water indicators
 - Current efforts much better but still potential for some distortion
 - Human rights to water and sanitation influencing technical process – and vice versa

How is dialogue between statisticians & human rights community possible?

- Rise of human rights indicators
- “Unbundling” of the right to water
 - “Normative”: accessibility, availability, acceptability, affordability & quality
 - “Cross-cutting”: non-discrimination, participation, accountability



Equivalence

Calculability

Data inertia

Expertise inertia



WASH in the 2030 Agenda

New global indicators for drinking water, sanitation and hygiene

- Joint Monitoring Program: “Service level indicators correspond with human rights criteria of quality, availability, accessibility, acceptability and affordability and build directly on existing MDG indicators.”

Target 6.1 (“outcome” target)

- Target: By 2030, achieve universal and equitable access to safe and affordable drinking water for all
- Primary indicator: Population using a basic drinking water source (‘improved’ sources of drinking water used for MDG monitoring . . .) which is located on premises and available when needed and free of faecal (and priority chemical) contamination



- SDG water indicator will now measure whether
 - Water source is reliably available close to home
 - Wait times
 - Free from pathogens
- Now calculable
- Prior MDG indicator of “improved” water limited by data and expertise inertia

Target 6.2 (“outcome” target)

- Target: By 2030, achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations
- Primary indicator: Population using a basic sanitation facility at the household level (‘improved’ sanitation facilities used for MDG monitoring . . .) which is not shared with other households and where excreta is safely disposed in situ or treated off-site. This is therefore a multipurpose indicator also serving the household element of the wastewater treatment indicator (6.3.1).

JMP focusing on intra-state inequalities

- Disaggregate data
 - Rural-urban
 - Intra-urban
 - Wealth quintiles
 - Marginalized groups

- Data inertia could be a problem



Target 6.b (“process” target)

- Target: Support and strengthen the participation of local communities in improving water and sanitation management
- Indicator: Percentage of local administrative units with established and operational policies and procedures for participation of local communities in water and sanitation management

How to effectively measure participation?



- Limited by equivalence, calculability, data inertia and expertise inertia

HIGH-LEVEL POLITICAL FORUM 2018

The high-level political forum on sustainable development is meeting from **Monday, 9 July, to Wednesday, 18 July 2018**. The ministerial meeting of the forum is from **Monday, 16 July, to Wednesday, 18 July 2018**.

The theme is: "Transformation towards sustainable and resilient societies".

The HLPF is also reviewing [progress towards the SDGS](#) and focusing in particular on:

- Goal 6. Ensure availability and sustainable management of water and sanitation for all
- Goal 7. Ensure access to affordable, reliable, sustainable and modern energy for all
- Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable
- Goal 12. Ensure sustainable consumption and production patterns
- Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss
- Goal 17. Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development, that will be considered each year:

The first week includes numerous panel and roundtables on the theme and on the SDGs under review.

 **9 - 18 JULY 2018**

 **NEW YORK**



Theme: Transformation towards sustainable and resilient societies

LATEST

- [H.E. Ms. Marie Chatardová, President of Economic and Social Council - Closing Remarks Wrap-up of First Week of High-Level Political Forum](#)
- [Mr. Liu Zhenmin, Under-Secretary-General of Economic and Social Affairs - Closing Remarks Wrap-up of First Week of High-](#)