

Basic information	
2021/2187(INI)	Procedure completed
INI - Own-initiative procedure	
Access to water as a human right - the external dimension	
Subject	
3.70.04 Water control and management, pollution of waterways, water pollution	
6.10.09 Human rights situation in the world	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	AFET Foreign Affairs	URBÁN CRESPO Miguel (The Left)	04/03/2021
		Shadow rapporteur OCHOJSKA Janina (EPP) VOLLATH Bettina (S&D) RAFAELA Samira (Renew) SATOURI Mounir (Greens /EFA) KANKO Assita (ECR)	
	Committee for opinion	Rapporteur for opinion	Appointed
	DEVE Development (Associated committee)	BIJOUX Stéphane (Renew)	28/10/2021
European Commission	Commission DG	Commissioner	
	European Civil Protection and Humanitarian Aid Operations (ECHO)	JOUROVÁ Věra	

Key events			
Date	Event	Reference	Summary
07/10/2021	Committee referral announced in Parliament		
07/10/2021	Referral to associated committees announced in Parliament		
12/09/2022	Vote in committee		

20/09/2022	Committee report tabled for plenary	A9-0231/2022	Summary
04/10/2022	Debate in Parliament		
05/10/2022	Decision by Parliament	T9-0346/2022	Summary
05/10/2022	Results of vote in Parliament		

Technical information	
Procedure reference	2021/2187(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 57_o Rules of Procedure EP 55
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AFET/9/07279

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE699.318	08/11/2021	
Amendments tabled in committee		PE703.204	19/01/2022	
Committee opinion	DEVE	PE699.231	03/03/2022	
Committee report tabled for plenary, single reading		A9-0231/2022	20/09/2022	Summary
Text adopted by Parliament, single reading		T9-0346/2022	05/10/2022	Summary

Access to water as a human right - the external dimension

2021/2187(INI) - 05/10/2022 - Text adopted by Parliament, single reading

The European Parliament adopted by 550 votes to 22, with 66 abstentions, a resolution on access to water as a human right: the external dimension.

The right to drinking water and sanitation is a human right

Parliament reaffirmed the right to drinking water and sanitation as a human right, both rights being complementary. The right to water should be guided by a logic grounded in the public interest and **common public** and global goods. Adequate access to water, sanitation and hygiene (WASH) and the right to health and life depend on each other and are an essential precondition for public health and human development.

The resolution emphasised that establishing the right to safe drinking water and sanitation as a human right could lead to further progress by (i) giving greater **political priority** to this area, (ii) improving the implementation and monitoring of related measures, (iii) ensuring more **efficient funding**, and (iv) promoting the **empowerment** and participation of the general public, in particular the most marginalised populations, especially in developing countries.

Stressing that the recognition of the right to water and sanitation by the international community must be accompanied by protection and enforceability mechanisms, Members called on the EU to promote **protection mechanisms** at international, regional and national level to ensure that respect for the

right to water and sanitation is not optional for states but an **enforceable right**. Member States are called upon to set an example by ratifying relevant conventions, such as the Protocol on Water and Health and the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes. Developing countries are also encouraged to accede to the two global UN water conventions.

Parliament stressed that certain development models that favour large-scale projects have a negative impact on the availability and quality of water in all countries, increase competition for access to water and exacerbate other water-related conflicts. In this context, it stressed the importance of investing in sustainable water solutions, such as the rehabilitation of aquatic ecosystems, recycling of wastewater, desalination of seawater in coastal areas, and improving sewage systems, irrigation and agricultural practices.

Human rights defenders

The resolution underlined the importance of the work of environmental rights defenders and the need to **support them proactively** and to protect their lives and integrity, especially for those who protect the right to water. Members called on the EU to support the work of environmental rights defenders and civil society organisations. They expect EU delegations to prioritise their support for environmental human rights defenders, to respond systematically and forcefully to any threats or attacks against them or their relatives and to report back to Parliament on the action taken in such cases.

Rights of indigenous peoples

Given the important role of indigenous peoples in the sustainable management of natural resources and the preservation of biodiversity, Parliament called on the EU and its Member States to recognise and protect the rights of indigenous peoples to customary ownership and control of their lands and natural resources. It stressed the importance of ensuring that full and **effective human rights impact assessments** are carried out and that the affected population and civil society groups are consulted in good faith and, where appropriate, indigenous peoples have given their free, prior and informed consent to any mega-projects, including infrastructure projects, extractive industries projects and energy production projects.

Women's and girls' rights

Parliament noted with concern that gender inequalities seriously undermine women's rights, including the specific needs of women and girls for menstrual hygiene and health. It stressed that affordable access to water and adequate sanitation and hygiene services is an essential prerequisite for public health and human development, including the right to education for girls. It stressed that the **WASH sector** in developing countries should be given high priority in the EU's development policy.

Ensuring fair access to water

The Council, in its 2018 conclusions, condemned the use of water as a weapon of war. Members recalled that the intentional deprivation of water leading to the extermination of civilians is a crime against humanity under the Statute of the International Criminal Court and may also be considered a war crime. They called on the occupying powers to take immediate measures to guarantee access to and fair distribution of water to people living in occupied territories and to ensure that they have control over their water resources.

The resolution stressed the importance of **integrated water resources management** and the need for greater complementarity between humanitarian, development and peace actions in order to address urgent needs and to intervene earlier to address root causes and prevent the onset of humanitarian water and sanitation crises.

The role of business

Companies worldwide must ensure that their activities do not interfere with or abuse the human right of access to clean water. Members called on the EU and its Member States to constructively participate in the work of the UN Intergovernmental Working Group on transnational corporations and other business enterprises with respect to human rights, with a view to establishing an **international binding instrument** to regulate the activities of transnational corporations and other companies in international human rights law.

Tackling water scarcity

Parliament recalled that water supply and sanitation are services of general interest and not mere commodities. It stressed the exhaustible nature of water and called on the Commission and Member States to **act preventively** against a global water shortage and to help countries outside the EU to take measures to combat it. Member States are invited to adopt legal provisions to **prevent water from being subject to financial speculation** on future markets and to promote an appropriate governance framework for water and sanitation services within a primarily human rights-based approach.

Access to water as a human right - the external dimension

2021/2187(INI) - 20/09/2022 - Committee report tabled for plenary, single reading

The Committee on Foreign Affairs adopted an own-initiative report by Miguel URBÁN CRESPO (GUE/NGL, ES) on access to water as a human right: the external dimension.

Members reaffirmed the right to **drinking water and sanitation as a human right**, as both rights are complementary. Member States should ensure universal, clean and affordable access to sufficient, safe drinking water and improved access to water for sanitation and hygiene. The right to water should be guided by a **logic grounded in the public interest**, and common public and global goods.

The report stressed that establishing the right to drinking water and sanitation as a human right could lead to further progress:

- giving **greater political priority** to this area and improving the implementation and monitoring of related measures;

- ensuring **more effective financing** and promoting the empowerment and participation of the general public, particularly the most marginalised populations, especially in developing countries;
- prioritising support for the provision of drinking water and sanitation in EU funding and aid programming.

The EU is called upon to promote **protection mechanisms** at international, regional and national level so that respect for the right to water and sanitation is not optional for states, but an **enforceable right**. Members also called on the EU and Member States to promote the rights to drinking water and sanitation and their normative development in multilateral and regional fora.

Members stressed:

- the need for **anticipatory actions** in the field of access to water and sanitation, and the need to have reliable and comparable indicators to measure progress or regression in access to water and sanitation;
- the importance of investing in **sustainable drinking water solutions**, such as the restoring of aquatic ecosystems, wastewater recycling, desalination of seawater in coastal areas, and improvements in sewage systems, irrigation and agricultural practices.

Human rights defenders

The report highlighted the importance of the work of environmental rights defenders and the need to provide them with **active support** and to protect their lives and integrity, in particular for those safeguarding the right to water. It called on the EU and its Member States to strengthen protection and prevention mechanisms for environmental human rights defenders. The right to social protest and the right to peaceful assembly should be respected in particular in the context of opposition to projects that compromise the enjoyment of the human right to drinking water.

Rights of indigenous peoples

Members expressed particular concern about the significant impact of certain mega-projects, including infrastructure, extractive industries and energy projects, on the human rights to water and sanitation, including for indigenous peoples. They stressed the importance of ensuring that full and effective human rights **impact assessments** are carried out and that the affected population and civil society groups are consulted in good faith and, where appropriate, indigenous peoples have given their free, prior and informed consent to any mega-project.

Women's and girls' rights

The report emphasised that affordable access to sufficient water, sanitation and hygiene (**WASH**) is an essential prerequisite for public health and human development, including the right to education for girls. It stressed that the WASH sector in developing countries should be given high priority in the EU's development policy. It called for women and girls to be protected from threats or physical attacks, including sexual violence, when fetching water for domestic purposes and using sanitation facilities outside the home.

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