

Dear friends and colleagues,

I am pleased to share information on activities of the mandate particularly activities related to the 45th session of the Human Rights Council and the 75th session of the Un General Assembly - my last sessions as the Special Rapporteur. In those sessions, I will be presenting a series of reports, and participating in online side-events, as outlined below.

- 1. *Reports to HRC45: set of reports on “progressive realization”***
- 2. *Report to GA75: “human rights and the privatization of water and sanitation services”***
- 3. *Virtual events around HRC45 and GA75***
- 4. *Being a Special Rapporteur***
- 5. *Stories for children and coloring challenge***
- 6. *Communications***

1. Reports to HRC45: set of reports on “progressive realization”

On 15 September 2020 at 3 p.m. Geneva time, I will virtually address the Human Rights Council in an interactive dialogue for the last time as the Special Rapporteur on the human rights to water and sanitation. I will be presenting a set of reports to clarify the progressive realization of the human rights to water and sanitation.

[Report on the obligation of progressive realization in the context of the human rights to water and sanitation \(A/HRC/45/10\)](#)

Report by the Special Rapporteur on the
human rights to water and sanitation,
Léo Heller
A/HRC/45/10



THE OBLIGATION OF PROGRESSIVE REALIZATION IN THE CONTEXT OF THE HUMAN RIGHTS TO WATER AND SANITATION

States have a legal obligation to progressively realize the human rights to water and sanitation, using the maximum of their available resources. This statement looks somewhat dry and doesn't speak to the water and sanitation sector. Most of the providers and practitioners will have the feeling that this is just a "legal language" that makes little sense to those in the ground. However, I am convinced that, when we dissect the concepts behind this statement we have a powerful framework for making decisions about how to implement and extend services to those who most need them. In this report, I unpack the concept of 'progressive realization', providing guidelines and key questions to understand how the human rights to water and sanitation can be realized in any context, and how a human rights framework can be used to take concrete decisions.

I would like to thank all States, civil society and other stakeholders who shared contributions to my research in preparation for this report. The submissions, as well as the original questionnaire, are found [here](#).

- Official version of the report in all UN languages is available [here](#).
- A friendly version of the report is available [here](#).

Follow-up reports on visits to Mexico, India and Mongolia

During a total of 9 official country visits, I assessed the human rights situation of the country at the time of the visit and afterwards I followed up the status

of each recommendation in seven of them (only the 2 most recent were excluded): Botswana, El Salvador, Portugal, and Tajikistan (that I presented last year to the HRC) and Mexico, India and Mongolia (to be presented to the next session of the HRC on 15 September 2020, next month).

In the follow up exercise, I classified the recommendations in six categories: (1) good progress; (2) progress ongoing; (3) limited progress; (4) progress not started; (5) unable to assess due to lack of information; (6) retrogression. You can read more about the follow-up project [here](#).



Mexico

Follow-up report
([A/HRC/45/10/Add.1](#))

[User-friendly version](#)

India

Follow-up report
([A/HRC/45/10/Add.2](#))

User-friendly version
(forthcoming, will be available [here](#))

Mongolia

Follow-up report
([A/HRC/45/10/Add.3](#))

User-friendly version
(forthcoming, will be available [here](#))

[Report on the progress towards the realization of the human rights to water and sanitation \(2010 – 2020\) \(A/HRC/45/11\)](#)

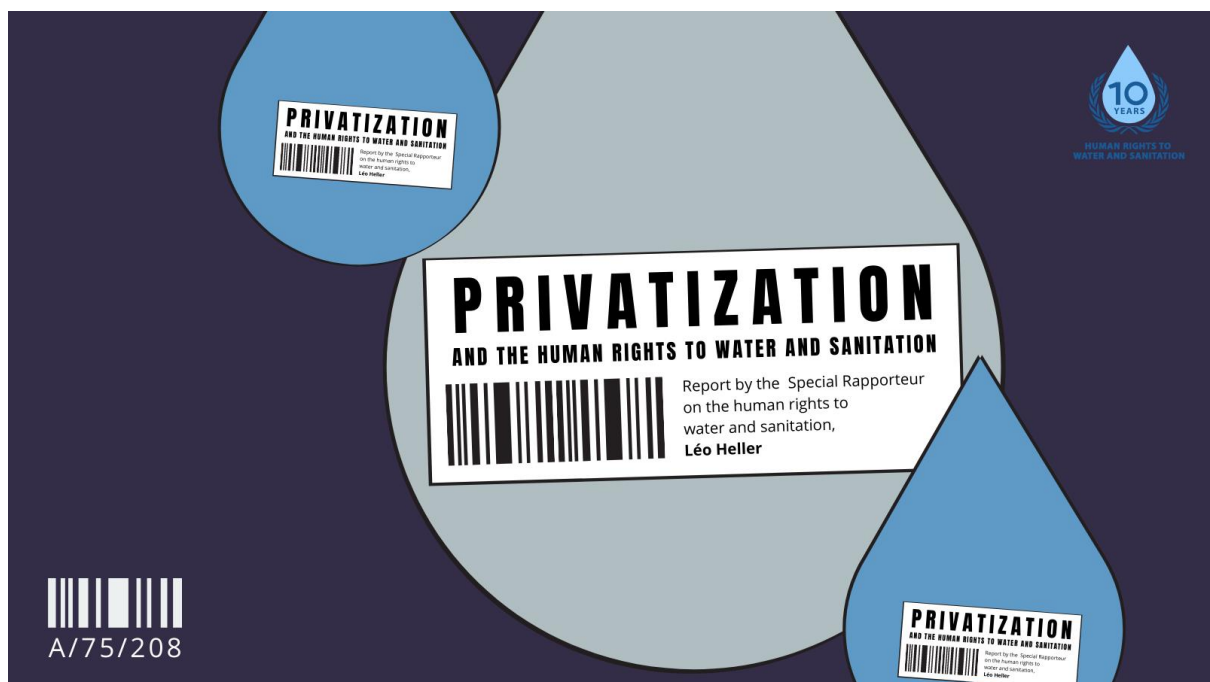
A decade has passed since water and sanitation have been explicitly recognized as a human right, yet the specifics of how to implement them still

require further clarification and understanding. In order to clarify ways to implement the human rights to water and sanitation, in this report, I illustrate the progress made in realizing those rights since 2010. The progress identified is dissected through a three-dimensional framework – human rights as a driver, human rights as a policy tool and human rights as a people-centric approach – reflecting the thematic reports produced during my tenure.

My thanks to all States, civil society and other stakeholders who shared contributions to my research in preparation for this report. The submissions, as well as the original questionnaire, can be found [here](#).

- Official version of the report in all UN languages is available [here](#).
- A friendly version of the report will be available soon.

2. GA75: thematic report on the human rights and the privatization of water and sanitation services (A/75/208)



On 21 October 2020 at 3 p.m. time in New York, I will speak at the General Assembly to introduce my thematic report on “human rights and the privatization of water and sanitation services”. A common narrative in the human rights community is that human rights are neutral towards the type of water and sanitation provision and provider. My report on privatization challenges this narrative, starting from the premise that specific risks to the

enjoyment of the human rights to water and sanitation in situations of privatization exist, and that the exploration of the legal, theoretical and empirical dimensions of these risks is necessary and relevant.

My thanks to all States, civil society and other stakeholders who shared contributions to my research in preparation for this report. The submissions, as well as the original questionnaire, can be found [here](#).

- Official version of the report in all UN languages is available [here](#).
- A friendly version of the report will be available soon.

3. Virtual events around HRC45 and GA75

While the dates and detailed information is not yet ready, I would like to let you know that I will be organizing the following three events at the margins of HRC45 and GA75.

10 years of human rights to water and sanitation and HRC Mechanisms (Special Procedures and UPR)

- Date: 25 September 2020 3 p.m. Geneva time

6 years: Stock-taking on the mandate of the Special Rapporteur on the human rights to water and sanitation

- Date to be confirmed

Youth Debate on privatization – with participation from participants of the 3rd Human Rights Youth Challenge

- Date to be confirmed

4. Being a Special Rapporteur

BEING A SPECIAL RAPPORTEUR

Experiences from the Special
Rapporteur on the human rights to
water and sanitation 2014-2020

Léo Heller



As we draw closer to the end of my mandate as Special Rapporteur on the human rights to water and sanitation, I wanted to reflect on the lessons I have learned about the role of a Special Rapporteur. I have created a document to de-mystify the work of the mandate, and to better outline the requirements, as I have experienced them, of being a United Nations Special Rapporteur.

You can find the document in [English](#), [French](#) and [Spanish](#).

I also answered some questions in video, to be found [here](#).

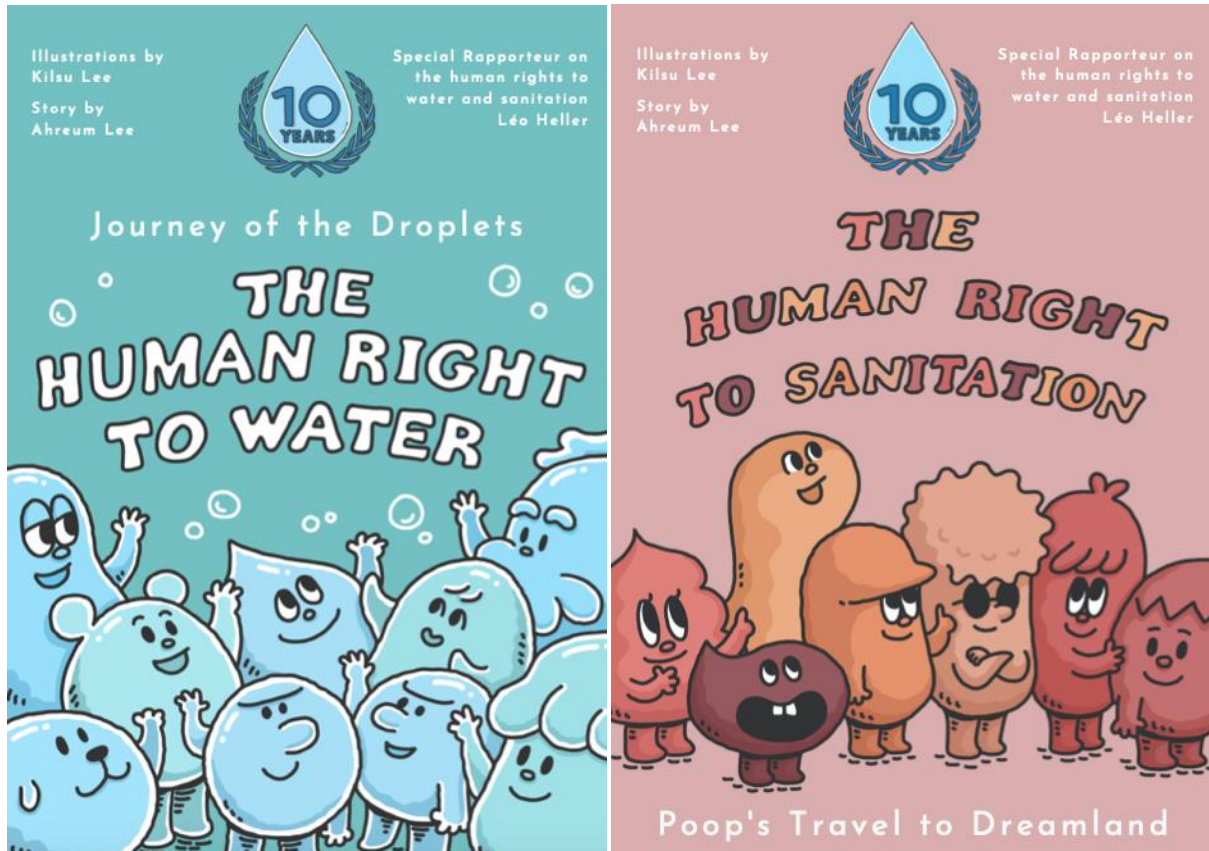
5. Stories for children and coloring challenge

I am also happy to share children's stories about the human rights to water and sanitation: "[Journey of the Droplets](#)" and "[Poop's Travel to Dreamland](#)"

As part of the celebration, I invited all children to 'Color my Water and Sanitation Rights'.

The challenge is simple: chose your favorite picture from the stories, and color it in!

Find the instructions for joining the challenge [here](#).



6. Communications

The following communications that I sent, or was a part of, were made public in the past few months:

Nigeria ([15 Jan 2020](#)) - Concerning the escalation of the Lagos State Government's renewed plans to privatize important parts of the water system in Lagos, despite widespread public opposition, and the negative impact of such privatization on the human rights of lower income Lagosians in the absence of essential safeguards.

[17 Apr 2020](#) - Concerning the alleged negative human rights impacts caused by the collapse of an auxiliary dam in Attapeu province, in the south-eastern state of Lao PDR. [Xe-Pian Xe-Namnoy Power Company](#), [The Export-Import Bank of Korea \(Korea Eximbank\)](#), [Thanachart Bank](#), [Thailand](#), [SK Engineering Construction](#), [Republic of Korea](#), [Ratchaburi Electricity Generating Holding](#), [Myanmar Economic Corporation](#), [Myanmar](#), [Lao People's Democratic Republic](#),

[Lao Holding State Enterprise](#), [Krung Thai Bank](#), [Korea Western Power Company](#), [Export-Import Bank of Thailand](#), [Bank of Ayuhaya](#)

22 Apr 2020 - Concerning the lack of necessary protection measures in light of the COVID-19 pandemic for migrants in detention, including at the Northwest Processing Center (NWPC) in Tacoma, Washington. [United States of America](#), [The GEO Group Inc.](#)

Colombia ([24 Apr 2020](#)) - Concerning alleged situation of health, access to food, water and sanitation that affects Afro-Colombian communities and indigenous peoples in the Bajo and Medio Atrato sub-regions of the department of Chocó, particularly the municipalities of Riosucio, Carmen del Darién and Bojayá. [A reply from the Government was received 19 Jun 2020.](#)

United Nations Secretary General ([28 Apr 2020](#)) - Continued denial of effective remedies to the victims of the 2010 cholera outbreak in Haiti. [Response received on the 26 Jun 2020.](#)

Haiti ([28 April 2020](#)) - Concerning the fact that the victims of the 2010 cholera epidemic in Haiti continue to be denied effective remedies.

Venezuela (Bolivarian Republic of) ([29 April 2020](#)) - Concerning the growing deterioration of the human rights situation in Venezuela in a context of deepening economic crisis, increasing inequality, increasing poverty, accentuation of hunger and malnutrition, accelerated deterioration of public services and deep crisis in the education sector.

Spain (30 April 2020) – Concerning the situation of agriculture workers living in migrant settlements in Huelva.

Driscoll's Inc. (30 April 2020) – Concerning labor conditions of migrant workers in strawberry industry. [Response received on 25 June 2020.](#)

United States of America ([06 May 2020](#)) - Concerning the harassment and “flagging” of human rights defenders and journalists by the United States government, in retaliation for their work with immigrants, asylum seekers and intending migrants. According to the information received, human rights defenders and journalists have been stopped and detained by U.S. authorities or by other governments at the request of U.S. authorities using flagging systems designed to stop organized crime and threats to national security. The

events discussed below started in 2017 but appear to have escalated in response to work with the so-called “migrant caravan.”.

Mexico ([06 May 2020](#)) - Concerning human rights defenders and journalists that have been detained by the authorities of the United States of America, or by other governments, including the Government of Mexico, at the request of the authorities of the United States of America (USA), through the use of flagging systems designed to combat organized crime and threats to national security.

Haiti ([08 May 2020](#)) - Concerning an operation against armed bandits in the Village de Dieu in Port-au-Prince that could expose its inhabitants to serious human rights violations.

Kenya ([20 May 2020](#)) - Concerning the allegations of the forced eviction of over 7,000 residents of Kariobangi, Nairobi, during the COVID-19 pandemic, in order to use the land for a development project, and the serious threats made against woman human rights defender Ms. Ruth Mumbi, who may be at risk of enforced disappearance for defending the right to housing of the evicted individuals.

Mexico ([22 May 2020](#)) - Concerning allegations of serious deficiencies in medical resources and access to water and sanitation to address the crisis caused by the COVID-19 pandemic in several areas of the states of Chipas and Oaxaca in southern Mexico, which would be affecting, among others, the indigenous peoples who inhabit them. [Responses received on 18 June 2020](#).

Spain ([22 May 2020](#)) - Concerning the current and increasingly alarming situation of systematic human rights violations suffered by temporary migrant workers, and in particular female seasonal workers, employed to assist during the harvest season in strawberry farms in the province of Huelva in southern Spain. [Response received on 26 June 2020](#).

23 June 2020 - Concerning the current and increasingly alarming situation of systematic human rights violations suffered by temporary migrant workers, and in particular female seasonal workers, employed to assist during the harvest season in strawberry farms in the province of Huelva in southern Spain. [Plus Berries y Agrícola El Bosque SL](#), [Morocco](#), [Angus Soft Fruits LTD](#)

Argentina ([24 June 2020](#)) - Concerning the situation of vulnerability to the COVID-19 pandemic of the people living in the popular neighborhoods of Buenos Aires, due to violations of their rights to water and sanitation, and of the people living in the settlement of La Toma, in Barranqueras, Chaco Province, due to the legal insecurity of tenure of their homes. [Responses received on 24 August 2020.](#)

China ([03 July 2020](#)) - Information received regarding serious risks posed to the enjoyment of human rights of affected populations, in the context of risk of failure of a proposed tailings dam, and other issues arising from the hydroelectric/tailings dam, mine, waste discharge and associated infrastructure on the proposed Frieda River gold and copper mine and associated tailings dam (“Sepik Development Project”) in Papua New Guinea.

Kindest Regards,

Léo Heller

UN Special Rapporteur on the human rights to safe drinking water and sanitation

Follow the mandate!



The [website of the Office of the High Commissioner for Human Rights](#) remains the number one place to discover the mandate’s past and upcoming activities.

The mandate is also present on major social media platforms [Twitter](#) and [Facebook](#) (@SRWatSan), where it actively engages with the global community on issues related to the human rights to water and sanitation.