

**Explanation of U.S. Position on Human Rights Council Resolution
Human Rights and Access to Safe Drinking Water and Sanitation**
UN Human Rights Council, 15th Session
Geneva, September 30, 2010

Thank you, Mr. President.

The United States is proud to take the significant step of joining consensus on this important resolution regarding the right to safe drinking water and sanitation, which is to be progressively realized. The United States remains deeply committed to finding solutions to our world's water challenges. Safe drinking water and sanitation are essential to the rights of all people to an adequate standard of living, and to the enjoyment of the highest attainable standard of physical and mental health.

The issue of access to water and sanitation has long been an area of concern for the United States. On World Water Day Secretary Clinton noted nearly two-thirds of the world's countries will be water-stressed due in large part to climate change and population growth. The Secretary detailed five critical streams of U.S. action, including strengthened multilateral coordination, and capacity building at local, national and regional levels.

The United States has a long-standing commitment to improving water access in developing countries. We are one of the largest bilateral donors to water supply and sanitation efforts, committing more than \$750 million in 2009 for water and sanitation related activities in developing countries. We are also one of the largest donors to several multilateral development banks, including the World Bank, the African Development Bank, and the Inter-American Development Bank. The United States also donates heavily to intergovernmental organizations, such as UN agencies and the Global Environment Facility, which collectively provided nearly \$5 billion for water and sanitation-related activities in 2008.

In December 2005, the President signed the Senator Paul Simon Water for the Poor Act. The Act requires the Secretary of State, in consultation with USAID and other U.S. Government agencies, to develop and implement a strategy “to provide affordable and equitable access to safe water and sanitation in developing countries” within the context of sound water resources management. It also requires an

annual report to Congress describing changes in U.S. strategy and progress in achieving the Act's objectives.

The human right to safe drinking water and sanitation is derived from the economic, social and cultural rights contained in the International Covenant on Economic, Social and Cultural Rights and, as such, States Parties to that Covenant undertake to take steps with a view to achieving progressively its full realization. This concept is encapsulated in OP8 of the current resolution. The right to safe drinking water and sanitation is not one that is protected in our Constitution, nor is it justiciable as such in U.S. courts, though various U.S. laws protect citizens from contaminated water. As a matter of public policy, our people have created a society in which there is a widespread expectation that all ought to have access to safe drinking water and sanitation. Public authorities throughout the United States take significant measures to provide access to safe drinking water and sanitation, and these are protected by law. It is in this spirit we join consensus.

By joining consensus today, we signal our satisfaction with the general substance of this resolution, but in no way do we condone the

process by which the resolution was negotiated. During the negotiation of this resolution, we were disappointed with the lack of consideration for other countries' textual proposals. This attitude has resulted in a text that still needs improvement. For example, its quotation from the July 2010 General Assembly resolution incorrectly suggests a hierarchical relationship between human rights, contrary to the widely recognized principle that human rights and fundamental freedoms should be treated on the same footing. The resolution's language regarding private actors could also be improved significantly.

We hope that in the future we can work with other nations committed to the provision of safe drinking water to craft better worded resolutions. Nevertheless, we join consensus on this resolution because our support for its animating spirit, a conviction that safe drinking water and sanitation are essential to an adequate standard of living.

Thank you, Mr. President.