



The [Human Rights Council](#) (HRC) serves two primary functions: it sets human rights standards and it attempts to bring non-compliant countries into compliance through persuasion, capacity building and—if necessary—highlighting human rights abuses on the world stage. The Council also deploys Special Rapporteurs to monitor human rights and study topics of interest. While the Security Council, General Assembly and HRC often address similar issues, the HRC is limited to address the human rights aspect of the problem, not broader security and development issues.

Topics:

- I. The human rights to safe drinking water and sanitation

Consistent access to safely-managed sanitation and hygiene facilities and a sufficient supply of safe, affordable water for drinking, cooking and cleaning are fundamental human rights and universal necessities. While access to water, sanitation and hygiene has improved in the 21st century, [29 percent of the world's population is still without access to safely-managed drinking water services](#) and [55 percent is without access to safely-managed sanitation services](#). Lack of access to these facilities also perpetuates other human rights issues, including [lack of access to education](#), [lack of safe healthcare facilities](#) and [gender inequality](#). Safe drinking water and sanitation facilities are [also frequently targeted in conflicts](#), with [forced displacement](#) during armed conflict further hindering access. Through [Sustainable Development Goal \(SDG\) 6](#), the United Nations has set the goal of achieving universal access to clean drinking water and equitable sanitation and hygiene services by 2030.

Treating access to water and sanitation as explicit human rights is a relatively recent concept, with neither right formally recognized in either the 1948 [Universal Declaration of Human Rights](#) or the 1966 [International Covenant on Economic, Social and Cultural Rights](#) (ICESCR). The [final report of the 1977 United Nations Water Conference](#), the first international conference on water scarcity, was the first time the United Nations explicitly recognized water as an essential right, with “similar considerations” for sanitation. This shift led to the inclusion of language regarding water and sanitation in subsequent human rights documents, including [the 1979 Convention on the Elimination of All Forms of Discrimination Against Women](#) and [the 1989 Convention on the Rights of the Child](#).

Recognition of the importance of access to water and sanitation grew rapidly with the turn of the century. In 2000, the United Nations adopted the Millennium Development Goals (MDGs) for international development. [MDG Target 7.C](#) set the goal of halving the proportion of people without sustainable access to safe drinking water and basic sanitation by 2015. Two years later, the Committee on Economic, Social and Cultural Rights [formally acknowledged](#) that the rights to water and sanitation were implicit in the ICESCR's articles on standards of living and health. In 2010, the General Assembly [explicitly recognized a human right to safe drinking water and sanitation for the first time](#), representing the culmination of these

changes. [The Human Rights Council followed suit](#) later that year. This also coincided with the international community [meeting the goals for water access set in MDG Target 7.C](#).

Building on these successes, the 2015 Sustainable Development Goals included SDG 6, dedicated to ensuring availability and sustainable management of water and sanitation for all by 2030, and setting [eight specific targets](#) for measuring progress, ranging from increased development assistance for water and sanitation facilities to greater integrated water resources management implementation. That same year, [at the urging of non-governmental organizations \(NGOs\)](#), the General Assembly recognized the right to safe drinking water and the right to sanitation as separate human rights, due in large part to [a consistent lack of focus on sanitation access](#).

In 2016, the General Assembly [declared the period from 2018 to 2028](#) as the International Decade for Action, “Water for Sustainable Development,” with the goal of increasing discussion around best practices for providing universal water resources. [Numerous reports](#) and resolutions across the United Nations system have highlighted the importance of water and sanitation access and [outlined regional strategies](#) for progressive realization of SDG 6. In their commemorative report on progress made between 2010 and 2020, the Special Rapporteur on the human rights to safe drinking water and sanitation [identified three critical components](#) of a human rights-based approach to water and sanitation: assessing the root causes that drive exclusion from access to water and sanitation, incorporating the human rights framework into policy making and ensuring that people in affected communities, particularly those in marginalized groups, remain centered and protected in all decisions.

Despite notable progress and consistent attention from the United Nations and NGOs, the international community [is currently far from ensuring universal access](#) to safe drinking water and sanitation by 2030. While the United Nations continues to highlight the importance of sustainable development in meeting the need for water and sanitation access, [large development projects often fail to utilize a human rights-based approach](#), leading to further harms against the communities they are ostensibly supposed to benefit. There is also [significant competition for water use](#) in the

agricultural, industrial and energy sectors, creating conflict over limited water resources. Climate change also exacerbates water and sanitation issues, further straining existing resources as access and affordability remain central challenges to securing the right to water and sanitation.

Unequal attention to the right to sanitation has also been a significant challenge to achieving SDG 6, with progress on and funding for sanitation-related goals [lagging far behind](#) those for safe drinking water. The COVID-19 pandemic [has demonstrated the inherent risks](#) of lack of sanitation and hygiene access, with lack of handwashing facilities and sanitation facilities contributing to further spread of the virus. Implementing safe, accessible, affordable and culturally appropriate sanitation and hygiene facilities alongside improving water access is necessary to meet the needs of all peoples and ensure the full enjoyment of their human rights.

Questions to consider from your country's perspective:

- How can the United Nations help to ensure that implementation of new water and sanitation-related development projects and new technologies follow a human rights-based approach?
- How can the international community ensure that the realization of the right to sanitation is met with the same level of effort as the right to safe drinking water?
- How can the international community expand access to safe drinking water and sanitation in the face of climate change, water pollution and other threats to the water supply?
- How can the Human Rights Council help secure the rights of marginalized groups which disproportionately suffer from a lack of access to safe drinking water and sanitation?

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II. Human rights and indigenous peoples

Indigenous peoples face unique obstacles to the full enjoyment of their human rights due to a history of discrimination and marginalization. Indigenous peoples have experienced centuries of repeating patterns of [dispossession and forced removal from ancestral lands](#), [forced assimilation and loss of cultural traditions](#), and lack of self-determination. These patterns have resulted in political, social and economic conditions that perpetuate other human rights abuses, including [increased risk of gender-related violence](#), [higher rates of poverty](#) and increased criminalization. New threats to indigenous rights continue to emerge: The COVID-19 pandemic [has disproportionately affected indigenous communities](#), who often lack full access to healthcare. Climate change also poses [a significant threat to indigenous peoples](#), both despite and because of their [close connections to their ancestral lands](#) and [history of ecological stewardship](#).

In 1971, the Economic and Social Council (ECOSOC) [commissioned a study on issues concerning indigenous peoples](#), largely due to [activism by indigenous groups](#). [The study](#), published between 1981 and 1983, detailed the distinct obstacles indigenous peoples faced in achieving their human rights and within the United Nations system. From this work, ECOSOC established [the Working Group on Indigenous Population \(WGIP\)](#) in 1982 to continually review the conditions surrounding indigenous rights. Working from recommendations of the WGIP, the International Labor Organization (ILO) revised a 1957 convention to create [the 1989 Indigenous and Tribal Peoples Convention](#) (C169). While C169 has been [celebrated as an important step](#) in creating dialogue and accountability between governments and indigenous peoples, the Convention's binding nature and its emphasis on indigenous control of ancestral lands made it unpopular, with only 24 states ratifying it.

The 1993 [Vienna Declaration and Programme of Action](#) recommended specific steps for greater recognition of indigenous rights at the United Nations. One such recommendation was realized in 2000, with the establishment of [the Permanent Forum on Indigenous Issues \(IPFII\)](#). The IPFII was mandated to provide expert advice on indigenous populations, promote integration of indigenous peoples into the United Nations System and disseminate information on indigenous issues to appropriate bodies. The [Special Rapporteur on the rights of indigenous peoples](#) was created one year later in 2001 to report on the status of indigenous rights.

Another recommendation culminated in the [United Nations Declaration on the Rights of Indigenous Peoples \(UNDRIP\)](#), adopted by the Human Rights Council in 2006 and the General Assembly in 2007. UNDRIP established a universal framework of minimum standards for the survival, dignity and well-being of indigenous peoples. It additionally elaborated on existing standards of human rights as they apply to indigenous populations' specific circumstances. Among its provisions are the express rights to retain cultural traditions, safeguard linguistic identity, prevent forced assimilation, establish independent educational systems and seek redress for past grievances. UNDRIP's adoption coincided with the 2007 establishment of [the Expert Mechanism on the Rights of Indigenous Peoples \(EMRIP\)](#) to succeed the WGIP. EMRIP was tasked with conducting research on the rights of indigenous peoples and the state of specific indigenous cultures and meets annually to

solicit input from indigenous leaders, non-governmental organizations, intergovernmental organizations and academics. The United Nations continued to consider UNDRIP and related issues at the 2014 [World Conference on Indigenous Peoples](#) and as part of [the 2015 Sustainable Development Goals](#).

Despite widespread acceptance by Member States, implementation of UNDRIP [continues to pose a significant challenge](#). In 2015, the United Nations published the [System Wide Action Plan on the Rights of Indigenous Peoples](#) in order to coordinate the implementation of UNDRIP and increase indigenous participation in the United Nations System. However, reviews conducted in 2020 by [the Secretary-General](#) and [the United Nations System Chief Executives Board for Coordination \(CEB\)](#) have found the United Nations' work to be relatively inconsistent. Indigenous leaders and the Secretary-General continue to call for "a new social contract" that restores the human rights of indigenous peoples.

In the meantime, many of the obstacles that indigenous peoples face, from climate change to the repatriation of ancestral objects, are perpetuated by the [lack of inclusion of indigenous peoples](#) in decision-making and a broader lack of self-determination. International responses to the COVID-19 pandemic have [frequently omitted indigenous voices](#), even as indigenous communities [are often among the most adversely affected](#). These responses have largely replicated existing processes that violate the principles of [free, prior and informed consent](#) outlined in UNDRIP as necessary for taking actions that affect indigenous peoples or their resources. The Special Rapporteur for the rights of indigenous peoples [has called for](#) a more robust system of review to ensure that Member States comply with international human rights standards for indigenous peoples, particularly for states that are unwilling to work directly with international bodies, as well as greater cooperation between the United Nations, indigenous peoples and regional institutions.

Violence against and criminalization of indigenous peoples, particularly those attempting to protect their rights and ancestral lands, is also an area of increasing human rights concern. States' desire for economic stability during the pandemic has [led to rollbacks of safeguards](#) that protect indigenous

peoples and their ancestral lands in favor of large projects that, [even when labelled “sustainable,”](#) violate their rights under UNDRIP. Indigenous individuals and groups who have attempted to protest these projects have faced [increased risk of arrest and prosecution](#) and [violence from non-State actors](#), threatening their fundamental rights to free assembly and expression. In extreme cases, indigenous activists have been murdered due to their activism; [two-thirds of the human rights defenders killed in 2020](#) were specifically involved in environmental and indigenous peoples’ rights.

Questions to consider from your country’s perspective:

- How can the United Nations pursue greater self-determination for indigenous people?
- How can the United Nations better support indigenous communities in the midst of global crises such as climate change and the COVID-19 pandemic?
- What should the Human Rights Council do to ensure stronger compliance with UNDRIP and other relevant human rights documents pertaining to indigenous peoples?
- How can the United Nations ensure that indigenous voices and leadership are centered in discussions of potential action?

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