Bern, 3 December 2020

**Response of Switzerland to the questionnaire concerning the report of the Special Rapporteur on human rights and the environment on Too Dirty, Too Little, Too Much : The Global Water Crisis and Human Rights**

**Preliminary remarks**

With its abundant water resources and responsible water management practices, we would like to believe that Switzerland is immune from global freshwater challenges. This is not the case! Switzerland’s engagement and responsibility to contribute to resolving global water issues roots not just out of international solidarity, but also because our own development depends on it.

Although significant progress has been made regarding the recognition and application of the human rights to water and sanitation on a global level, much remains to be done to secure its place in the global development agenda and to make it become a reality for the people for whom it is not yet guaranteed and efforts have to be made at all levels. Despites the world celebrates the tenth anniversary of the United Nations adoption of the human right to water and sanitation, we are alarmingly off-track on delivering universal access to safe water and sanitation. Switzerland has strongly advocated for water as a standalone goal in the Agenda 2030, with the clear aim of providing a universal coverage of services. This was achieved with SDG 6. Different human rights are obviously closely interlinked: not having an adequate access to water and sanitation hinders access to education, it also hinders decent working conditions and has severe consequences on health.

1. **Examples of ways in which water pollution, water scarcity and floods are having adverse impacts on human rights**

The human rights to water and sanitation is a legal obligation, which has to be progressively realized. The human right to safe drinking water entitles everyone, without discrimination, to have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use. The human right to sanitation entitles everyone in all spheres of life and in all settings, without discrimination, to have physical and affordable access to sanitation that is safe, hygienic, secure, socially and culturally acceptable, and provides privacy and ensures dignity.

Sustainable access for all to water, sanitation and hygiene services and facilities also supports achieving other SDGs and human rights (to adequate food, to health including environmental health, to education through access to healthy, good quality learning environments etc.). It ensures human development and economic stability. This sustainable access for all should be resilient to crisis, including systemic ones (such as pandemics and climate change), and should be key to prevent, mitigate and respond to the crises.

1. **How has climate change exacerbated water-related problems?**

The use of freshwater ecosystem services is now well beyond levels that can be sustained, even at current demands. A growing body of evidence on climate change indicates that the distribution of rainfall will change drastically and become more erratic in the future. It is established that phenomena induced by climate change such as desertification, land degradation and drought (DLDD) are exacerbating water scarcity and thereby negatively impacting people’s health and productivity. Ensuring that everyone has access to sustainable water and sanitation services is a critical climate change mitigation strategy for the years ahead.

1. **Specific obligations of States and responsibilities of business in terms of addressing water pollution?**

Human rights chiefly concern the relationship between the individual and the State. However the obligation to protect individuals requires that States prevent third parties such as corporations from jeopardizing the enjoyment of the rights to water and sanitation. This is why Switzerland calls on stakeholders to partner for the implementation of these rights and supports them in doing so. Moreover, we expect companies based and/or operating in Switzerland to respect human rights in all their activities, wherever they operate.

In January 2020, the Federal Council approved the revised National Action Plan for Business and Human Rights[[1]](#footnote-1). Switzerland advocates globally for the implementation of the UN Guiding Principles on Business and Human Rights and has substantiated Switzerland's own commitment in this field.

With the Guidance on Implementing the UN Guiding Principles on Business and Human Rights in the commodity trading sector[[2]](#footnote-2), Switzerland enacted a tool to contribute to its pledge the field of human rights which is based on the conviction that human rights are a prerequisite for sustainable economic and social development, including the right to water. The objective of this Guidance is to support companies in implementing human rights due diligence for their own activities and along their supply chain, based on the UNGPs. The Guidance is consistent with and draws on the relevant OECD Guidances. It recalls the fundamental responsibility of all business enterprises to respect human rights, enshrined in the UNGPs and the OECD Guidelines for Multinational Enterprises that companies “should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved”.

1. **States that recognize the right to a safe, clean, healthy and environment**

n/a

1. **Specific examples of good examples in preventing, reducing or eliminating water pollution, water scarcity and floods**

Through its Global Programme Water (GPW) Switzerland also supports a robust tracking of the progress of the monitoring mechanisms for SDG 6: Global Expanded Monitoring Initiative (GEMI), Joint Monitoring Programme (JMP), and the Global Analysis and Assessment of Sanitation and Drinking Water (GLAAS).

Regarding water quality issues in Switzerland and transboundary cooperation we refer to the reporting under the [Convention on the Protection and Use of Transboundary Watercourses and International Lakes](https://www.unece.org/env/water/text/text.html) (Water Convention).[[3]](#footnote-3)

1. **Challenges to government attempting to employ a rights-based approach to address water pollution**

At the national and sub-national level, the human rights to water and sanitation are often weighed against economic or political imperatives. Even in countries where policies are streamlined, their application can prove difficult given the different interests and capacities of the many stakeholders involved. However the development of Europe shows that improvement in water and sanitation went hand in hand with becoming the most prosperous region at the end of the 19th century.

Fast urban population growth in the 19th century in Europe meant that urban infrastructure services, such as water supply, sanitation and waste disposal, could not keep up with the number of people moving to the urban centres. The modernization of water supply and sanitation in Swiss towns at the end of the nineteenth century contributed to a reduction in waterborne infectious diseases such as typhoid fever. Even when introduction of modern water supply reduced water borne diseases drastically, the building-up and modernisation of the central urban infrastructure was a complex and costive step-by-step process. During this period, Switzerland experienced a rapid economic development and modernisation as well as rising living standards which was an important factor for the acquisition of the necessary infrastructure: The coincidence of sanitary reforms and steeper decline in mortality at the end of the nineteenth century is striking. There is no doubt that adequate sanitation and clean water help to protect people from infectious diseases. Food- and water-borne diseases (FWBD) are among climate and environmental sensitive infectious diseases. Climate change can highly exacerbate FWBD through vulnerable water systems.

Water and sanitation has a remarkable return on investment. Investments in water pay off with a factor of 4.3[[4]](#footnote-4) to individuals and society alike as a result of reduced health care costs, higher labour productivity and higher labour participation. Despite quick and long term wins, investments remain insufficient at a global scale. The world needs to triple its investments in water and sanitation if it is to meet the SDG targets by 2030[[5]](#footnote-5).

1. **Additional protection provided – or should be provided – for populations who may be particularly vulnerable to water pollution, water scarcity or floods**

Great inequality exists in access to, and control over, natural and productive resources as well as decision making spaces, particularly for women and indigenous peoples. The Swiss interventions in fostering the recognition of the human rights to water and sanitation and its gradual implementation focuses in the support of right holders in their claim as well as movements of various stakeholders empowered to come up with innovative approaches. The universal access to water, sanitation and hygiene will has to be accelerated, in particular for women, youth and those left behind.[[6]](#footnote-6)

1. **How do you ensure that the rights of environmentalists working of water issues (environmental human rights defenders) are protected?**

Switzerland recognizes the positive and essential role human rights defenders play in protecting and promoting human rights and the rule of law. Switzerland supports the work of human rights defenders and aims to improve their protection on the ground from arbitrary treatment, threats and violence. Among other tools in their support, the FDFA's guidelines[[7]](#footnote-7) on the protection of human rights defenders serve as a framework for the Swiss representations abroad. The guidelines apply to human rights defenders in all respects, thus equally to defenders who work with water related issues.

1. **Adverse effects on water availability and water quality in low and middle-income States by actions of high-income States**

The welfare of Switzerland depends on water from other countries. This is why Switzerland commissioned a study[[8]](#footnote-8) that uses the concept of water footprint to account for the total volumes of rainfall, surface and groundwater which are utilized globally for the production of goods and services consumed by Switzerland’s population, as well as the impact of wastewater discharged into the environment as a result of this production. While we import products – in particular, food – that are water-intensive, our service based exports are not. This means that 82 per cent of Switzerland’s water footprint is made out of our country, and often in regions where water resources are scarcer than in ours.

The Swiss water footprint has been calculated by adding the sum of all agricultural products produced and consumed (both within the country and imported), the sum of all industrial products produced and consumed (both within the country and imported) and the water used by households for washing, cooking and cleaning. When the virtual water used to produce the food, beverages, clothing and other consumed products is included, the water footprint amounts to 4,200 liters per person per day.

1. **[only for Business]: Supply chain management for minimizing water use**

n/a

1. <https://www.nap-bhr.admin.ch/napbhr/en/home.html> [↑](#footnote-ref-1)
2. [The Commodity Trading Sector Guidance on Implementing the UN Guiding Principles on Business and Human Rights (admin.ch)](https://www.seco.admin.ch/seco/en/home/Publikationen_Dienstleistungen/Publikationen_und_Formulare/Aussenwirtschafts/broschueren/Guidance_on_Implementing_the_UN_Guiding_Principles_on_Business_and_Human_Rights.html) [↑](#footnote-ref-2)
3. [SWITZERLAND\_Reporting\_SDG652-WatConv\_Parties\_18.5.2017.pdf (unece.org)](https://www.unece.org/fileadmin/DAM/env/water/activities/Reporting_convention/All_countries/SWITZERLAND_Reporting_SDG652-WatConv_Parties_18.5.2017.pdf) [↑](#footnote-ref-3)
4. <https://www.who.int/water_sanitation_health/monitoring/economics/en/> [↑](#footnote-ref-4)
5. <https://www.unwater.org/water-facts/financing/> [↑](#footnote-ref-5)
6. <https://www.watergovernance.org/focus-area-post/gender/> [↑](#footnote-ref-6)
7. [Swiss Guidelines on the Protection of Human Rights Defenders (admin.ch)](https://www.eda.admin.ch/deza/en/home/publications-services/publications.html/publikationen/en/eda/menschenrechte-humanitaeres-migration/Leitlinien-zum-Schutz-von-HRD) [↑](#footnote-ref-7)
8. <https://www.eda.admin.ch/dam/deza/en/documents/publikationen/Diverses/209748-wasser-fussabdruck-schweiz_EN.pdf> [↑](#footnote-ref-8)