

Informal Hearings Meeting with representatives of
non-governmental organizations, civil society, major groups
and the private sector on the
Post 2015 Development Agenda.
United Nations, New York 26th of May 2015

My name is Nathalie Seguin Tovar coordinator of Freshwater Action Network Mexico and I am speaking on behalf of Mexican Civil Society, Freshwater Action Network in Latin America and globally, End Water Poverty – all of these are working to ensure the realization of the Human Right to Water and Sanitation within a sustainable water management.¹

Excellencies,

I would like to start my intervention by recalling that Human rights were at the core of creation of the United Nations Organization. If existing Human rights are not explicitly recognized and respected in the Post 2015 agenda, goals, targets and indicators, who else is going to advocate for these commitments?

MDGs: *“... were not adequately aligned with human rights and did not give sufficient attention to discrimination and inequalities”*². We must learn from this.

Due to the relevance that the post 2015 agenda has towards present and future generations, the adoption of a new global development agenda has to be framed by human rights. Back in 2010, the U.N. General Assembly recognized water and sanitation as a fundamental human right. Therefore, any developmental agenda is urged to consider the availability of freshwater resources and sanitation.

The increasing competition for access to the essential element water is already creating conflicts in the world. Particularly certain industrial uses are threatening availability and quality of water. Inadequate legislation and the private sector’s neglect of human rights, is resulting in water and land grabbing of the most vulnerable communities in countries with non-conventional hydrocarbons and mining resources.

The new set of Sustainable Development Goals (SDGs), targets and indicators, must not be blind to these predicted and existing conflicts and must ensure the SDGs are not less ambitious than existing commitments

¹ At national level on behalf of Mexican Civil Society to ensure that national perspective and civil society participation are considered in the elaboration of indicators.

On a regional level on behalf of Freshwater Action Network in Latin America, that advocates from local experiences and challenges to the global level, to promote the human rights to water and sanitation and improve sustainable water management.

And at global level on behalf of End Water Poverty, a global civil society coalition from more than 65 countries across Africa, Asia, Latin America, Europe and North America advocating to end the water and sanitation crisis

² Statement made by the Office of the High Commissioner on Human Rights (OHCHR)

To reach the objectives of “just, equitable, transformative, and people-centered” we need an agenda that will establish priorities of use of water to effectively safeguard water for the environment and people’s essential needs on health and food.

We call on member states to explicitly contemplate when developing indicators, all standards that are recognized on the human right to water and sanitation for both access to water and access to sanitation, as well as to safeguard in the whole set of indicators, human rights principles of non-discrimination, equality, participation, accountability, universality, interdependence, indivisible, transparency and access to information to effectively target the most marginalized and end inequalities. . The agenda must contain an explicit commitment that no target shall be considered met unless it is met for all social and economic groups

Excellencies,

Most of the SDG and targets are intimately linked with the realization of the Economic, Social, Cultural and Environmental rights. From a national and regional perspective we call on member states to consider the indicators methodology of the working group for the analysis of the national reports included in the San Salvador Protocol. This model presents the advances made in the realization and effective fulfilment of each right³. Its methodology considers civil society advocacy efforts, and proposes that quantitative indicators should be complemented with qualitative progress signals that contribute to put in context the statistical information.

Besides, goals, targets and indicators must have clear definitions aligned with concepts that have already been defined in human rights instruments, to have a common understanding of what we want to achieve and measure, and to avoid undesirable results.

To illustrate opposite results that have already happened due to this lack of clarity, I will take two concepts: “sanitation”, and “modern energy.”

In Mexico, the current government of Enrique Peña Nieto is trying to approve a new General Water Law that violates the human right to access water and completely omits the human right to sanitation. This omission is supported by the definition that Mexican government is giving to the right to sanitation⁴ as “the right of a person to have water in quality, safe and acceptable for personal and domestic consumption”. Access to a toilet is not even suggested!

Another crucial example for Latin America that needs a clear definition is “Clean and modern energy” from goal 7 (targets 7.1 and 7.a). In many countries

³ it evaluates the structural conditions of the State’s actions, processes, context of implementation and its achievements.

⁴ Gaceta parlamentaria, 5 de marzo 2015 número 4228-II Dictamen en sentido positivo que presentan las comisiones unidas de agua potable y saneamiento y de recursos hidráulicos de la cámara de diputados, con proyecto de decreto por el que se expide la Ley General de Aguas

extractives industries, such as mining or fracking are threatening the lives of people and ecosystems because of the amount of water they use and the pollution they create. The inclusion of these activities in the agenda could severely put at risk the fulfilment of other goals such as goal 2, 3, 6, 13 and 15, resulting in the violation of existing human rights such as access to safe water, health, food and environment. Any energy solution must respect human rights and protect water sources and its ecosystems.

Water is central for life and development, and has strong interlinks with other SDG goals and targets, therefore we call member States to ensure that fracking or toxic mining could not be considered “affordable, reliable, sustainable, and modern energy.”

To “Ensure availability and sustainable management of water and sanitation for all”, for present and future generations it is obligated to ensure quality and availability of water resources. To achieve this, we call on member states to recognize the urgency to change the model used in water management. It has resulted in the destruction of priority hydric ecosystems, high pollution of sources and high inequalities in the distribution of access to water and sanitation. We must ensure participatory integrated water resources management processes, implemented through a human rights based approach, to ensure sustainable water management. Solutions for water challenges furthermore need to be resilient to water related disasters.

Excellencies,

After MDGs experience, designing, implementation and follow up of the agenda need to be done with the people in order to achieve appropriation. It is then necessary to guarantee the participation of CSOs and individuals in the indicator development process.

To date, the development of indicators has been led by an exclusive minority - mainly consisting of academics and UN agencies. And this is not acceptable; participation must be guaranteed throughout all aspects of the Agenda. Member States should also set a transparent and inclusive process at the national level to establish indicators that capture the national realities in full respect of human rights.

Indicator’s process is complex but no indicator should be excluded due to difficulties arising from the different levels of statistical systems in each country. The Agenda has to be ambitious and the indicators should follow this ambition.

We have found that some indicators do not respond to the need of measuring the different dimensions of certain targets, some are centered on the effect instead of trying to tackle the structural causes, others measure external environmental conditions, resulting in the impossibility to monitor which actions were put in place to achieve the target.

It requires a complex discussion amongst a large diversity of stakeholders to ensure the inclusion of different dimensions, but also to foresee collateral effects that one indicator could have in the fulfilment of other targets and goals.

Furthermore, indicators will need to be disaggregated to ensure that disparities and inequities in progress are visible, and that the benefits of the SDGs, on the poorest and most marginalized people are monitored.

To finalize, we would like to express our concern with the current indicators proposed by the UN Statistical Commission in February⁵. We believe indicators for goal 6 must go further. Under the current proposals, indicators will not direct government action towards those who need it the most replicating one of the failures⁶ of the MDGs. Targets and indicators are not sufficiently people centered. Some targets have insufficient indicators to truly measure whether people have real access to safe, affordable and equitable, water, sanitation and hygiene.

I would like to finish by mentioning that we have specific proposals for indicators for targets of goal 6 and 7 that I won't be able to present now, but we will submit them to the secretariat.

Thank you,

Nathalie Seguin Tovar
Executive Director
Freshwater Action Network-Mexico
+5215511288747
www.fanmexico.net
nathalieseguin@fanmexico.net
@nathaliexelagua
@fanmex

⁵ 'List of proposed preliminary indicators', Feb 2015

⁶ While target 7.3 of the MDGs has increased access to water and sanitation - the greatest increase has been among the upper economic quintiles. Vulnerable and marginalized individuals and communities still lack access to this fundamental human right. Progress on drinking water and sanitation 2014 update' World Health Organisation and UNICEF, 2014