

Children and the Right to Water

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Children in poor countries are most affected by limited access to safe water. They need clean water for survival and development: Waterborne diseases are a major cause of child high mortality, and children's traditional family role as water carriers keeps them away from school.

The fundamental Right to Water, to have access to sufficient water of adequate quality, derives from established international agreements. While it is explicitly defined only in the 2002 General Comment No. 15 of the UN Social and Economic Council, it is strongly rooted in the Right to Life and Health. The 1989 Convention on the Rights of the Child, for example, requires in Article 6, Paragraph 2 that "*States Parties shall ensure to the maximum extent possible the survival and development of the child*".

The obligation of states parties to the convention has three main dimensions: Respect, Protect and Fulfill. Water systems must not be affected by warfare, the access to water sources for all must be ensured, and governments must strive to provide water equally for all people.

Practically, the legal obligation to fulfill is most difficult to translate into action. South Africa is generally seen as a pioneer in establishing the Right to Water in basic law. Article 27, Paragraph 1 of the 1996 Constitution defines that "...*everybody has the right of access to sufficient food and water*". Secondary laws consequently define a maximum distance between water points and a minimum monthly amount of water per month per person. In a relatively dry environment this is an ambitious objective, and far from being achieved. Where it is realised, however, it has significantly improved the life especially of poor South Africans.

The reality in most developing countries continues to be bleak. Large cities have badly maintained water systems and an informal water market has taken over delivery to the poor. The number of intermediaries increases the end price for the user, and it is not unusual that poor people pay ten times more to these vendors than a house owner with a piped supply. The price of water is a main obstacle to realising the Right to Water in these environments. In rural areas long distances to water points are common, making the simple task of fetching water extremely demanding.

Such obstacles must be removed to realise the Right to Water, especially for children. States' capacity must be strengthened to take up responsibility to respect, protect and fulfill the right. The realization of the Right to Water for Children is paramount to their survival and development, and must have priority in development planning.