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Human Right to Water and Sanitation in Ethiopia

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Introduction

- **Why is a human rights approach to water and sanitation a trillion worth dollars question?**
- **The human Right to Water and sanitation: Tracing Back the Root Historical Genesis**
- **International and Regional Framework on the Right to Water and Sanitation**
- **ICESCR , ICECR, CEDAW and CRC**
- **General Comment No. 15 of UN Committee on the Economic, Social and Cultural Right**
- **African Charter on the Rights and welfare of the Child**



Human Right to Water and Sanitation In Ethiopia Law

- **Inferring a constitutional right to water and sanitation from the 1994 FDRE Constitution**
- **Elaborating the Right to Water and Sanitation in the Ethiopian Water Resource Management Proclamation**
- **The Right To Water and Sanitation in Ethiopia Water Sector Policy**



Challenges of Adjudicating the Human Right to Water and Sanitation in Ethiopia

- The Status of International Human Right Agreements pertaining to right to water in Ethiopian Domestic Legal System**
- The Ethiopian Approach to Justiciability of the Human right to water**



Major Finding

- **There is no direct and explicit reference to the human right to water and sanitation in the bill of right of section of the constitution.**
- **And, the issue of socio-economic rights have been made as a non-justiciable, as set out in chapter three of the constitution.**



Cont...

- **Thus, the state cannot be held liable for violation of rights of water and sanitation, provided it shows that it has taken ‘deliberate, concrete and targeted’ steps ‘towards the full realization of the right to water’**



Recommendation

- Considering that the FDRE constitution and the nexus with international bill of rights, there appears to be ample space, which the courts may make use of, to interpret the text of several rights within the bill of rights as implicating a human right to water and sanitation.



Possible proposal for strategic direction of WASH

- The WASH program should be based on ‘human right approach to water and sanitation’.



Thank You

