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Why should we care about water, sanitation and hygiene? A women's issue, human rights concern, and global governance challenge



Would you willingly risk your life every time you were thirsty or needed to use the toilet? Probably not. But the gang rape and murder of two girls in India last May forced public attention to the 2.5 billion people in the world

who have no choice. Without an indoor toilet, the girls waited for nightfall simply to defecate outdoors with modesty in a society where such open defecation is common and culturally accepted. In a world where it may be easier to access a cell phone than a toilet, the case was a stark illustration of the role of caste and gender violence across a broad range of global health concerns.

Water, sanitation, and hygiene remain “a women’s issue, a human rights concern, and a global governance challenge,” said Sharmila L. Murthy, Assistant Professor at Suffolk University Law School during a September 19 roundtable discussion at the Harvard Global Health Institute. Her talk launched the Institute’s fall 2014 [Informal Conversation Series](#), which offers faculty and students the opportunity to engage in dialogue on cutting-edge, cross-disciplinary issues. Murthy is also a visiting scholar at the [Harvard Kennedy School](#) (HKS), where she is the lead investigator for water for the [Project on Innovation and Access to Technologies for Sustainable Development](#), through the [Sustainability Science Program](#). Her talk drew faculty, students, and staff from across the university, and was moderated by Dr. [Suerie Moon](#), Research Director and Co-Chair of the [Forum on Global Governance for Health](#), and Co-Director of the Project on Innovation and Access to Technologies for Sustainable Development at the Harvard Kennedy School.

Hygiene is personal, emphasized Murthy, who also co-founded the [Human Rights to Water and Sanitation Program](#) at the [Carr Center for Human Rights Policy](#). Toilet needs may be cloaked in

Resources

Suggested readings:

[“In India, Dying To Go: Why Access To Toilets Is A Women’s Rights Issue,”](#) *Cognescenti* (June 25, 2014)

[“The Human Right\(s\) to Water and Sanitation: History, Meaning and the Controversy over Privatization,”](#) *Berkeley Journal of International Law*, Vol. 31.1 (2013)

Learn more:

[Special Rapporteur on the Human Right to Safe Drinking Water and Sanitation](#) (United Nations Office of the High Commission for Human Rights)

Teaching Water – A Workshop for Educators



In August 2013, the Harvard Global Health Institute co-sponsored [“Teaching Water: Global Perspectives on a Research in Crisis,”](#) a multi-regional 4-day workshop intended for K-12 educators. The workshop, which took place August 5-8, 2013, examined a variety of the most critical issues facing international waterways and the communities who directly (and indirectly) rely on these bodies of water. Learn more [here](#).

View workshop videos:

[“The Impact of Water on World Health”](#) (Glaudine Mtshali, Harvard Global Health Institute)

[“Who Controls Water?”](#) (Toby Jones, Rutgers University)

[“Water Security and the Mekong River”](#) (Richard Cronin, The Stimson Center)

[“A Sea of Profit: Piracy, Fishing, and Protection in the Western Indian Ocean”](#) (Jatin Dua, Duke University)

[“Who has Access to Water and What are the](#)

[Center for Human Rights Policy](#). Policy needs may be created in embarrassed silence, yet the health of communities depends on safe water facilities. Even in the US, for example, open sewage emptied into Boston Harbor as recently as the 1980s. Around the world more than 2000 children die daily from preventable water-related diarrheal diseases; girls may miss school during their menstrual periods or endure shame and distress if safe toilet facilities are missing. The [Millennium Development Goal \(MDG\)](#) target to reduce by half by 2015 the number of people without sanitation remains a dismal failure; only 56 percent of the world has an “improved” or indoor piped source of drinking water, according to the joint [UNICEF/World Health Organization’s 2014 report on drinking water and sanitation](#). Collecting water is rarely as simple as crossing the kitchen to turn on the tap. In many cultures women and girls may carry [fifty pounds of water](#) long distances each day – and even then such water may not be clean or safe to drink. What needs to change and how do we get there?

Safe drinking water and sanitation is now considered a human right. In 2002, the U.N. Committee on Economic, Social and Cultural Rights adopted [General Comment 15 on the Right to Water](#), finding that the right to water is contained within the right to an adequate standard of living and is inextricably related to the right to health in the [International Covenant on Economic, Social and Cultural Rights](#). In 2010, the UN General Assembly and UN Human Rights Council adopted resolutions further affirming the existence of a right to safe drinking water and sanitation under international law.[1]

Yet building sanitation systems requires global governance, including political will and a commitment to building municipal infrastructure. And infrastructure costs money. We often forget, said Murthy, that construction of the late 19th century sewer system in the UK depended on public subsidies at the level of “something like one-quarter of all local debt.”[2] In global economies today where the bulk of water costs may consist of expenses to build an infrastructure, many live in informal settlements where municipalities are hesitant to provide services to people who don’t have legal status for being there. And even when local government invests in those services, there is no guarantee that residents will have access. Murthy described the case of an informal settlement in Nairobi where officials provided water to squatters but the local “water mafia” kept cutting the pipes to protect their own power to charge exorbitant rates for water they controlled. There are no easy answers, but “there is power in information,” said Murthy. To help counter corruption, economic transparency may strengthen effective governance and informed policy decisions. One NGO in India for instance, [Arghyam](#), provides [online visualizations of government statistics](#) so that local people can see where the money goes.

[Consequences?”](#) (Sharmilla Murthy, Suffolk University Law School)

["Access to Safe Water in Ghana"](#) (Mark Williams, Harvard Kennedy School)

["The Nile Basin: A Look at Ethiopia's Grand Dam Plan"](#) (Paul Block, University of Wisconsin)

["The Right to Water in Haiti"](#) (Mary Kay Fawzi, Harvard Medical School)

["Speaking Broadly about Climate Change and Water"](#) (Peter P. Rogers, Environmental Engineering, Harvard University)

["The Aral Sea Disaster"](#) (Elizabeth Baker-Brite, Auburn University)

["Water and Climate Change: Looking at Africa and South America"](#) (Jeff Griffiths, USAID, and Eunjee Lee, Harvard University)

The event was sponsored by [The Asia Center](#), [The Center for Middle Eastern Studies](#), the [Committee on African Studies](#), the [David Rockefeller Center for Latin American Studies](#), the [Davis Center for Russian and Eurasian Studies](#), the Harvard Global Health Institute, the [Prince Alwaleed Bin Talal Islamic Studies Program](#), and the [Reischauer Institute for Japanese Studies, Harvard University](#).

Building toilets alone “will not solve violence against women,” Murthy reminded the audience, even though this was one response to the tragedy in India. In South Asia, for instance, gender disparities are shaped by culture and caste biases, and infrastructure is often at best a symptom of social norms. Yet improving the availability of toilets and safe sewage systems is an important step in improving environmental health and women’s health. People must also want to use them, and changing behavior is not easy. Few of us find dignity and respect in cleaning toilets; why build one you’ll have to clean yourself if social norms permit you to defecate outdoors and you could use the money to buy something more interesting?

Murthy’s talk led to a lively discussion and many questions. What does it mean, asked moderator Suerie Moon, “that today hygiene would be included in a normative declaration? How does that translate?” What is changed by writing it down? Declarations don’t create norms, Murthy replied; rather, they are “reflecting the shift in ideas” that has already taken place in a certain context. Rights are a powerful notion that people can relate to, but it is also important to consider the context. “When I’m talking to engineers,” she said, “I don’t use the word ‘human rights norms’; I just think: what’s the content?” The “content” of the human right to safe drinking water and sanitation refers to the [quantity, safety, accessibility, affordability and acceptability of water and sanitation services](#).

Curious about what works, Harvard College sophomore Diana Sheedy, reflected on the difference between policy change and change that is championed and supported by local residents. “Is there a way to maximize that from what you’ve seen so far?” she asked. As one example, Murthy pointed to [the “Mazibuko” case in South Africa](#), a suit over an alleged government violation to the right to water. The post-apartheid constitution recognized a right to water and the corresponding law and regulations created a free basic water policy, wherein each family had free access to 25 liters per person per month, or six kiloliters per household per month. In 2001, the City of Johannesburg introduced pre-paid water meters as part of public campaign to conserve water, but these meters were only installed in poor neighborhoods. But when crowded households and a local fire heightened public awareness that these constraints appeared to be unrealistic and unsafe, lawyers and grassroots activists tried to change the law. Ultimately the South African Supreme Court handed off the responsibility to local municipal water authorities to decide what would work best in respective communities. (To put these numbers in perspective, [water use by an average household in the United States](#) is approximately 300 gallons or 1135 liters of water per day.) While the Mazibuko case left many citizens unhappy

.../... the Mazibuko case (see Murthy, Sharmila Murthy), Murthy noted, it did demonstrate a commitment to judicial deference to legislation that clearly recognized water as a human right.[3]

In another example, from South India, a social enterprise company worked with the head of a water utility, who can be described as a “local champion,” to send text message alerts to residents whenever the intermittent water supply was on its way to their neighborhood. Residents who signed up for the low-cost service were better positioned fill or pump water into the whatever storage containers were available to them, making the most of the existing, if unreliable, public water supply.

As one who has worked extensively on the question of privatization, Murthy emphasized that the right to water and sanitation is neutral on the role of the private sector. Debates over whether water should be a free public resource or paid for through private sector efforts is not a conflict between human rights and access,” Murthy reminded the group; “It’s about equal access under the law.”

Sanitation and water are part of the new [Sustainable Development Goals \(SDGs\)](#), now shaping up to follow the MDGs. While many questions remain about the SDGs, addressing the challenges of water and sanitation will continue to depend on input from across disciplines: hydrologists, legal and policy experts, educators, health providers, community leaders, and creative thinkers in innovative technology on this most basic essential for life.

Notes

[1] For more information, see Sharmila Murthy, “The Human Right(s) to Water and Sanitation: History, Meaning, and the Controversy Over Privatization,” *Berkeley Journal of International Law* 31, no. 1 (2013) , Section C (pp. 100 ff).

[2] *Ibid.*, 133, note 231.

[3] For more about the Mazibuko case, see, e.g., Sharmila Murthy, “Case Study: Pre-Paid Water Meters in South Africa,” in Stephen P. Marks and Balakrishnan Rajagopal (eds.), *Research Handbook on Human Rights and Development* (Northampton, MA and Cheltenham, UK: Edward Elgar Publishing, Ltd), forthcoming.

Photo by Michael Pruitt