# Questionnaire for business enterprises

# Questionnaire for the UN Special Rapporteur´s thematic report on the impact of mega-projects on the human rights to water and sanitation

The UN Special Rapporteur on the human rights to safe drinking water and sanitation, Mr. Léo Heller, will submit his thematic report on the impact of mega-projects on the human rights to water and sanitation to the 73rd session of the United Nations General Assembly in 2019.

The following definitions should be considered for the responses: (a) The **human right to water** entitles everyone, without discrimination, to have sufficient, physically accessible, affordable, safe and acceptable water for personal and domestic use in homes, schools, hospitals, detention facilities and public areas. (b) The **human right to sanitation** entitles everyone, without discrimination, to have access to sanitation that is available, physically accessible, affordable, safe, hygienic, safe and ensures privacy and dignity. (See, [General Comment no. 15](https://www2.ohchr.org/english/issues/water/docs/CESCR_GC_15.pdf) of the Committee on Economic, Social and Cultural Rights and UN General Assembly [resolution 70/169](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/169)).

For the purpose of this survey, “mega-projects” are defined as projects that cause **significant impacts on the human rights to water and sanitation and that meet at least one of the following criteria: (1) wide land use and/or large modification of water resources or (2) long-implementation period**.

As part of his research, the Special Rapporteur welcomes responses to the **online survey by 15 March 2019.**

**Questions**

1. What is the role and responsibility of your company in relation to mega-projects*,* particularly related to the following stages of mega-project cycle:

(1) investment stage;

(2) planning and designing of a mega-project, which involves environmental and social impact assessment;

(3) construction of the mega-project;

(4) when the mega-project commences its operation (“short-term operation”); and

(5) when the mega-project has been in operation for an extended-period (“long-term operation”).

1. How is the legal and policy framework of the human rights to water and sanitation integrated into the planning and designing, construction and operation (both short- and long-term) of mega-projects? Please provide information within the context of the relevant roles and responsibilities answered in Question 1.
2. In carrying out roles and responsibilities answered in Question 1, what specific impact of mega-projects on the human rights to water and sanitation have you identified and assessed?
3. What measures and processes are in place to prevent, mitigate and account for the identified impacts that mega-projects have on the human rights to water and sanitation? (See, Principles 13 and 15(b) of [United Nations Guiding Principles on Business and Human Rights](https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf))
4. What are the challenges faced during the planning and designing stage, construction and operation (both short- and long-term) of mega-projects to respect human rights to water and sanitation? How did you address these challenges?
5. How are social and environmental impact assessment and ex-post impact assessments of mega-projects carried out in practice? Is the framework of the human rights to water and sanitation integrated into those assessments? How do ex-post impact assessments contribute to the learning process and the feedback mechanism to provide guidelines for other similar projects to ensure respect for human rights to water and sanitation?
6. What processes for remedies are in place in case of any adverse human rights impacts as a result of business activities related to mega-projects? (See, Principle 15(c) of [United Nations Guiding Principles on Business and Human Rights](https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf))