**EU contribution to the questionnaire from the UN Special Rapporteur on the human rights to safe drinking water and Sanitation**

**Introduction**

The European Union would like to thank the UN Special Rapporteur on the human rights to safe drinking water and sanitation, Mr. Pedro Arrojo-Agudo, for his call for contributions to a questionnaire that will input to his upcoming thematic reports. The contribution from the European Union is comprised of input from DG ENV with a focus on EU level policies and regulations.

The European Union in its contribution focuses on answering the questions that concern issues which fall within its competences. Note that several of the questions regarding governance of water issues fall within the competences of Member States and are therefore not a part of this submission.

1. **COVID19 and human rights to water and sanitation**

**Public policies**

1. What steps have been taken to address vulnerabilities that COVID19 has created for people and groups in public policies -the so-called “Building Back/Forward Better” policies and other policies to build resilience and sustainability?
   1. What are the lessons learned from responding to COVID19 to build social protection and resilience to prevent future possible public health crises?
   2. What measures and steps have been taken to strengthen access to water, sanitation and hygiene as part of strengthening public health policy?

The EU Recovery and Resilience Facility[[1]](#footnote-1) is the key instrument at the heart of Next Generation EU to help the EU emerge stronger and more resilient from the current COVID 19 crisis. The Recovery and Resilience Facility (the Facility) will make €672.5 billion in loans and grants available to support reforms and investments undertaken by Member States. The aim is to mitigate the economic and social impact of the coronavirus pandemic and make European economies and societies more sustainable, resilient and better prepared for the challenges and opportunities of the green and digital transitions. This facility includes the provision of drinking water and waste water infrastructure, as well as related institutional reform to strengthen access to water and sanitation.

A recent Commission Recommendation relates to early warning and prevention of future public health crises through the use of waste water surveillance, at MS level, across the EU and with an international dimension:

“Commission Recommendation (EU) 2021/472 of 17 March 2021 on a common approach to establish a systematic surveillance of SARS-CoV-2 and its variants in wastewaters in the EU”

Relevant extracts from recital:

(14) In light of the ongoing review of Council Directive 91/271/EEC, it is important to gather information from Member States on their experience in monitoring health relevant parameters in their wastewaters. This could help identifying health-related relevant parameters to be regularly monitored in the wastewaters.

(15) This Recommendation is part of a set of COVID-19 measures adopted by the Commission as announced in its Communication on ‘A common path to safe and sustained re-opening’ of 17 March 2021. The actions encouraged by this Recommendation are to be construed in the context of the wider Union initiative, and will build on the best practice put in place by Member States and countries across the world. They also build on the findings of a Commission project on wastewater surveillance and the outcomes of the WHO consultation on public health needs related to the surveillance of SARS-CoV-2 in wastewater.

1. **Climate change and human rights to water and sanitation**

**Impact of Desertification on availability and quality**

1. Rising temperatures and rainfall variability caused by climate change can increase desertification in arid, semi-arid and dry sub-humid areas. In addition, prolonged droughts increase fire risks, accelerating degradation and even destruction of plant protection, soil erosion and desertification. Desertification increases surface runoff and therefore increases the risk of floods, which can impact water supplies and sanitation. It also causes less water infiltration in aquifers, affecting the availability of water. What steps and measures are being taken to combat desertification processes and to ensure safe drinking water and sanitation in case of desertification, especially for groups in vulnerable situations?

EU legislation such as the EU Water Framework Directive[[2]](#footnote-2) and the Habitats Directive[[3]](#footnote-3) require Member States to avoid deterioration of water bodies respectively protected land areas, thus countering desertification processes in the areas covered by the legislation.

As regards ensuring safe drinking water, the EU recast Directive on the quality of water intended for human consumption entered into force on 12 January 2021[[4]](#footnote-4). Member States have two years to comply with this Directive. The Directive empowers Member States to identify and then deal with local risks related to water quality. The whole supply chain from the catchment area, abstraction, treatment, storage and distribution of water to the point of compliance will be covered. The Directive also includes an obligation for the Member States to improve or maintain access to safe drinking water for all and to ensure access for vulnerable and marginalised groups in particular.

1. https://ec.europa.eu/info/business-economy-euro/recovery-coronavirus/recovery-and-resilience-facility\_en [↑](#footnote-ref-1)
2. https://ec.europa.eu/environment/water/water-framework/index\_en.html [↑](#footnote-ref-2)
3. https://ec.europa.eu/environment/nature/legislation/habitatsdirective/index\_en.htm [↑](#footnote-ref-3)
4. <https://ec.europa.eu/environment/water/water-drink/legislation_en.html#:~:text=On%2016%20December%202020%2C%20the,transpose%20it%20into%20national%20legislation>.

   https://ec.europa.eu/environment/water/water-drink/legislation\_en.html#:~:text=On%2016%20December%202020%2C%20the,transpose%20it%20into%20national%20legislation. [↑](#footnote-ref-4)