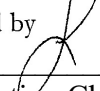




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Item No. 4
Halifax Regional Council
October 12, 2010
Committee of the Whole

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 
Mike Labrecque, Acting Chief Administrative Officer

DATE: August 23, 2010

SUBJECT: Drinking Water, HRM Corporate Operations

ORIGIN

- At the Halifax Regional Council meetings of March 31, 2009 and September 15, 2009, staff were asked to bring back a report on bottled drinking water in HRM owned facilities

RECOMMENDATION

It is recommended:

1. That all HRM administrative and operational facilities with access to clean drinking water, phase out the purchase and sale of bottled water, including bottled coolers, excluding:
 - Community operated and recreation facilities, and
 - Emergency Services and Operational staff requiring bottled water for occupational health and safety reasons.
2. Staff to reduce the amount of bottled water required for operational and emergency staff by ensuring that canteens and filling stations are available as possible and practical in buildings.

BACKGROUND

Last year, following a Federation of Canadian Municipalities (FCM) Resolution related to a restriction on Bottled Water, Regional Council asked staff to explore the issue. Staff returned with the recommendation report (<http://halifax.ca/council/agendasc/documents/090915ca1112.pdf>) which resulted in a restriction in the purchase and sale of bottled water at City Hall, and a staff action plan to review extending the restriction to other facilities.

DISCUSSION

For the purposes of this report, “Access to Clean Drinking Water” means the following:

1. That the water meets the quality objectives of the Canadian Drinking Water Guidelines; and
2. That the water is available from an infrastructure that provides cool, clean, aesthetically suitable source for water (i.e. not a tap in a janitorial closet sink). This can mean a clean kitchen tap, a fountain, or a bottle filling station.

Following the progressive actions of Regional Council in 2009, the Province of Nova Scotia followed in our footsteps and implemented a restriction on bottled water in Government Operations during Environment Week 2010 (see Attachment One). It is always great to see the Province follow the Municipality’s lead on progressive policy and actions.

Following approval of the 2010/ 2011 Operational Budget, Facility Operations staff have been testing water quality at a variety of HRM locations to ensure that staff, and the public, have access to clean, free drinking water. During the testing, remedial repairs have been made to fountains, filters, etc. Any major repair requirements or absences of drinking infrastructures will be put into future facility recapitalization or maintenance programs. There has been no costly work uncovered to date, nor any foreseen. With the exception of a small number of facilities, there is no work required to provide the public and staff access to clean, free drinking water. A couple of facilities may require some filtration to deal with aesthetic issues.

During the implementation of the policy in City Hall, a bottleless cooler was installed in the staff lunch room to address the filtration of the water in the building. Despite meeting Canadian Drinking Water Guidelines, a taste issue was apparent. The cooler addresses the taste concerns and provides cool, clean drinking water. The cost of the unit and installation was approximately \$500. In areas where bottled coolers are used, leaving the environmental benefits aside, the replacement with a bottleless cooler is economically diligent - as the payback is well under one year (compared to the use of and payment for cooler jugs of water). Bottleless coolers can be either leased or purchased from local vendors.

Essentially, following the September 2009 report on Bottled Water, purchases of small bottles of water outside operational and emergency staff requirements were eliminated. The remaining opportunity within administrative offices principally falls with water coolers. As well, enforcement and communication of the HRM Catering and Meeting Guidelines requires further staff implementation.

During the year since the initial bottled water report, discussions with Recreation Facility Operators, other jurisdictions adopting a Bottled Water Restriction, and further discussions on the subject of restricting bottled water sales in community operated and recreation facilities, staff are focusing the recommendation on providing choice to visitors. By ensuring access to drinking fountains, policy would ensure public access to clean, free drinking water. However, by not enacting restrictive policy on the sale of bottled water from vending machines, Council would not be restricting choice to those concerned with the aesthetics of a public drinking fountain, or opening to the concern of moving consumption from water to sugary drinks. Residents and visitors are given the choice and have the ability to access clean, free drinking water.

Ensuring access to clean, free drinking water is a municipal action that has broad and positive community and corporate sustainability attributes: Environmentally, Economically, and Socially. The 2009 Staff Report, <http://halifax.ca/council/agendasc/documents/090915cal112.pdf>, attempted to overview these impacts.

Updated/relevant new information would be the July 28, 2010, UN Resolution Recognizing Access to Clean Drinking Water (Attachment Three).

BUDGET IMPLICATIONS

All these recommendations will be carried out within existing budget envelopes.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

The impetus for the original motion of Council was a citizen movement around the reduction of use of bottled water. Staff have continued to update both members of the Bottled Water Ban Coalition and Industry representatives on a regular basis.

ALTERNATIVES

During deliberation of the Recommendation Report in 2009, Council discussed the default to sugary drinks (i.e. sodas and energy drinks). Regional Council could direct staff to implement a policy where HRM vending machines provide only healthier choices such as low calorie drinks and juices. Other organizations and jurisdictions have adopted comparable policy. This was not put forward in the primary recommendations as the subject was deemed to be outside of the scope of the intent of the direction from Regional Council.

Regional Council may wish to not adopt any or all of the listed recommendations from staff.

ATTACHMENTS

Attachment One: Provincial Restriction
Attachment Two: Meeting and Catering Guidelines
Attachment: Three: United Nations Resolution

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: _____ Richard MacLellan, Manager, Sustainable Environment Management Office, 490-6056

Financial Approval by: _____
_____ Cathie O'Toole, CGA, Director of Finance, 490-6308

Report Approved by: _____ Phillip Townsend, Director, Infrastructure and Asset Management, 490-7166

Government of Nova Scotia | gov.ns.ca

Attachment One

Government Use of Bottled Water Restricted

Environment

June 2, 2010 1:38 PM

A provincial government policy announced today, June 2, eliminates the purchase and use of bottled water by all government departments with access to potable tap water. The policy emphasizes the high quality of Nova Scotia's tap water and reduces the amount of plastic entering the province's waste recycling systems.

"For pennies a glass, Nova Scotians can drink some of the safest and best-tasting tap water in the world," said Environment Minister Sterling Belliveau, "This government is showing genuine leadership by encouraging more use of tap water and less use of plastics."

The policy will apply only to government departments where potable tap water is available and not to public institutions such as hospitals. It will not apply to private sector organizations. The policy will eliminate the departmental purchasing of individual bottled water, in favour of potable tap water.

"By using tap water, government will help reduce the high number of plastic bottles that enter the waste recycling stream each year in our province," said Mr. Belliveau. "We are making life better for families by reducing the amount of plastic entering our waste stream."

Departments will no longer purchase bottled water for meetings, conferences, or other government functions. The policy allows a department to use bottled water only in certain circumstances, including times of emergency or if potable tap water becomes unavailable.

Many organizations in Canada, such as universities and municipalities, have developed a similar policy to reduce plastic waste. The Federation of Canadian Municipalities urges all members to phase out the sale and provision of bottled water in municipal facilities.

The Department of Environment had a green your meetings program to reduce the use of plastics, electricity, and other resources, before developing a bottled water policy for government.

The new policy was announced during Environment Week, which ends June 5, by Mr. Belliveau at the Mobius Environmental Awards. The awards are presented annually by RRFB Nova Scotia to businesses and organizations that show commitment to waste reduction.

For information about ways to celebrate Environment Week in Nova Scotia visit www.gov.ns.ca/nse/environmentweek/ .

FOR BROADCAST USE:

The province announced a policy today (June 2nd) to

encourage the use of potable tap water by government.

Environment Minister Sterling Belliveau says Nova Scotia has some of the safest and best-tasting potable tap water in the world. Mr. Belliveau says the policy eliminating purchases and use of bottled water by government will encourage its use.

The government's self-imposed restrictions on bottled water will also reduce the many plastic bottles headed for the recycling stream.

The bottled water policy does not apply outside of government departments.

-30-

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Page last updated 2010-08-04.

Come to life - Discover Nova Scotia



**Corporate Guidelines:
Greening our Meeting
and
Catering Requirements**

As a community leader in sustainability, Halifax Regional Municipality recognizes the opportunities that are available in making environmental and sustainable choices in organizing our corporate meeting, training, and catering requirements. With these opportunities in mind, staff is expected to follow these Guidelines for Greening our Meetings and Catering Requirements.

Greening our Meetings

Whether organizing a small departmental meeting, or a large event for community consultation, there are a number of elements to consider for the meeting planner:

Planning

- Maximize utilization of electronic notices, agenda distribution, publication, using www.halifax.ca, HRM Intranet, e-mail and other electronic resources as appropriate
- Provide phone or e-mail registration as opposed to facsimile or mail-in
- Minimize your distribution or catering requirements by knowing the number of participants
- If there are handouts or printing requirements, ensure it is double sided. And for larger event requirements, please utilize our Printing Centre – as they provide the most sustainable and minimal impact printing services in the organization
- Strive to deliver a paperless event. Offer attendees presentations, minutes, or agendas via e-mail or posting them on the internet or intranet
- Tell vendors or other organizers that you are organizing a green meeting and request they follow these guidelines

Location

- Organize the meeting in a location that minimizes travel requirements and has Metro Transit service availability
- When possible, select locations that offer the most sustainable facility (for example, several of HRM's newest building facilities are built to LEED standards and require minimal heating or power to support meetings)
- If using a Hotel either for the meeting or for out of town accommodations for attendees, consider using Green Leaf rated facilities

Meeting Room Set Up

- Ensure that the room offers the appropriate waste resource management receptacles, including compost bins, recycling bins for bottles and paper; And, notify attendees that they are available
- Request white boards be placed in the room in lieu of flip charts and request no odor markers
- Request that the facility does not set out pens and note pads





**Corporate Guidelines:
Greening our Meeting
and
Catering Requirements**

Greening our Catering or Food and Beverage Requirements

- Where possible select caterers who offer local and / or organic foods
- Order fair trade coffee, tea and sugar
- Ask attendees to bring their own coffee mug or water canteen
- Juice and water should be provided in pitchers rather than single serving bottles
- Request cloth napkins or Ecologo certified paper napkins
- Use re-useable mugs, glasses, plates and cutlery. If not available, select compostable paper plates. Please note that despite claims, currently a paper cup is not available that is properly compostable
- Ask for glass or porcelain bowls for sugar, cream and food condiments rather than single serving packages
- Provide compost bins and recycling receptacles
- Again, know your requirements and do not over order food
- At the end of the meeting, invite guests to take any left over food / beverage home.
- If providing snacks or desert, select healthy and nutritious options such as fruits and vegetable trays
- No Styrofoam!

Note on bottled water: Halifax Regional Municipality has one of the highest quality water systems in the world managed by the Halifax Regional Water Commission. Many bottled water brands simply bottle water from their respective municipal supplies. Bottled water has a high environmental cost, including the resources required to make the plastic bottles, transportation emissions, and the waste from bottled water consumption.



28 July 2010



General Assembly

GA/10967

Attachment Three

 Department of Public Information • News and Media Division • New York

Sixty-fourth General Assembly
Plenary
108th Meeting (AM)

GENERAL ASSEMBLY ADOPTS RESOLUTION RECOGNIZING ACCESS TO CLEAN WATER, SANITATION

AS HUMAN RIGHT, BY RECORDED VOTE OF 122 IN FAVOUR, NONE AGAINST, 41 ABSTENTIONS

Delegates also Confirm Nominee to Head Office Of Internal Oversight Services, Elect Belarus to UNEP Governing Council

By a vote of 122 in favour to none against, with 41 abstentions, the General Assembly today adopted, as orally revised, a resolution calling on States and international organizations to provide financial resources, build capacity and transfer technology, particularly to developing countries, in scaling up efforts to provide safe, clean, accessible and affordable drinking water and sanitation for all.

By a text on the human right to water and sanitation, the Assembly expressed deep concern that some 884 million people were without access to safe drinking water and more than 2.6 billion lacked access to basic sanitation. Bearing in mind the commitment to fully achieve the Millennium Development Goals, it expressed alarm that 1.5 million children under five years old died each year as a result of water- and sanitation-related diseases, acknowledging that safe, clean drinking water and sanitation were integral to the realization of all human rights.

Introducing the text, Bolivia's representative said the human right to water had not been fully recognized, despite references to it in various international instruments. Lack of access to water killed more children annually than AIDS, malaria and measles combined, while the lack of sanitation affected 2.6 billion people, or 40 per cent of the global population, he pointed out. The upcoming summit to review progress on the Millennium Development Goals must provide a clear signal that water and sanitation were human rights, he emphasized, reiterating that the right to drinking water and sanitation was essential for the full enjoyment of life.

Hinting at differences over whether the Assembly should have taken action on the text, the representative of the United States said before the adoption that his delegation would abstain from voting. The United States, which had called for the vote, had hoped to join a consensus that would uphold the process under way at the Geneva-based Human Rights Council, he said. Instead, the text could undermine that work because it described the right to water and sanitation in a way not reflected in existing international law. Moreover, the text had not been drafted in a transparent manner, he said, noting that the legal implications of a declared right to water had not yet been fully considered in the Assembly or in Geneva.

Some delegates, speaking before the adoption, expressed regret that a vote had been called in the absence of consensus, saying they viewed the draft not as a threat to the "Geneva process" on water and sanitation, but rather as one of its components. Some expressed regret that the text had provoked division, despite awareness of the importance of access to safe drinking water and sanitation. Germany's representative said the text included important elements of the work going on in the Human Rights Council and of the independent expert on the subject.

Other delegates, speaking after the adoption, welcomed the resolution's treatment of important issues, with Egypt's representative saying he had voted in favour on the basis of an understanding that it did not create new rights, or sub-categories of rights, other than those contained in internationally agreed human rights instruments. Acknowledging the need to set aside controversial questions of international water sources and transboundary water, he said the Egyptian Government trusted that the text would bring such questions to the fore and add impetus to the Geneva process.

Also speaking on the resolution were the representatives of Spain, Hungary, Brazil, Turkey, Portugal, Argentina, Norway, Guatemala, New Zealand, Chile, Australia, Costa Rica, Botswana, United Kingdom, Colombia,

France, Japan, Russian Federation, Peru, Singapore, Belgium, Pakistan, Netherlands, Mexico, Ethiopia, Canada, Switzerland, Liechtenstein, Equatorial Guinea, Albania, Yemen, Cuba, Nicaragua and Venezuela.

The Assembly also heard from a representative of the Permanent Observer Mission of Palestine.

In other business today, the Assembly approved the Secretary-General's proposal to appoint Carman Lapointe-Young of Canada as Under-Secretary-General for Internal Oversight Services, for one fixed term of five years, beginning on 13 September 2010 and ending in September 2015.

Speaking on behalf of the African Group after that action, Egypt's representative said the resolution establishing the Office of Internal Oversight Services (OIOS) stipulated there would be "no monopoly" on senior posts by any nationality or State. Out of four officials to have headed the Office since its creation, three had been from the North, a trend that showed a failure to fulfil the principle of geographical rotation. The African Group, which was already sorely underrepresented at the senior management level, had expected more time for consultations with and among regional groups and the Secretariat, he said, requesting the Secretary-General to look into ways to correct the imbalance.

Cuba's representative also made a statement on the appointment.

Also today, the Assembly elected Belarus, by acclamation, to the Governing Council of the United Nations Environment Programme (UNEP) in place of Croatia whose term would begin on 1 January 2011 and expire on 31 December 2011.

The General Assembly will reconvene at a time and date to be announced.

Background

The General Assembly met this morning to appoint the new Under-Secretary-General for Internal Oversight Services. It was also expected to finalize elections to the Governing Council of the United Nations Environment Programme (UNEP) and to take action on a draft resolution concerning the human right to water and sanitation (document (A/64/L.63/Rev.1).

Appointment of Under-Secretary-General for Internal Oversight Services

The Assembly began its work by approving the Secretary-General's proposal to appoint Carman Lapointe-Young of Canada as Under-Secretary-General for Internal Oversight Services, for one fixed term of five years, beginning on 13 September 2010 and ending in September 2015.

MOHAMED FATHI EDREES (Egypt), speaking on behalf of the African Group after that action, said the Office of Internal Oversight Services (OIOS) had been established in 1994 with the aim of strengthening accountability and oversight, as well as bolstering internal control mechanisms, as mandated by the General Assembly. The Office's founding resolution urged the Secretary-General, among other things, to appoint the Under-Secretary-General following consultations with Member States and with due regard for geographical rotation. Indeed, it had been decided that there would be "no monopoly" of senior OIOS posts by any nationality or State.

With that in mind, he pointed out that the immediate former Under-Secretary-General was from the North, as were three of the four officials to have headed the Office since its creation. Clearly, that trend failed to fulfil the principle of geographical rotation outlined in the resolution or the general practice of the United Nations. Against that background, the African Group, already sorely underrepresented at senior management levels, had expected more time for consultations with and among regional groups and the Secretariat, he said, expressing further surprise at the rapidity with which the nomination had landed before the Assembly, since most senior African ambassadors were in still Kampala, Uganda, following the just-concluded African Union Summit.

He went on to note that the officials at the Summit had pledged to address Africa's under-representation in senior United Nations management positions. Egypt, as Chair of the African Group, reaffirmed that position today, he said, adding that it truly believed in the importance of keeping "unity and positive spirit of agreement" within the United Nations. In view of its confidence in the Secretary-General's leadership, its understanding of the specifics of the case at hand — despite the specifics of the resolution — and its faith in the leadership of the General Assembly President, the Group believed that "we are all in the same boat". If that boat navigated smoothly "we will all be in good shape. If it is shaky, we will all be in trouble."

The African Group had gone along with the consensus today and wished Ms Lapointe-Young success in her

"important and critical position", he continued, adding that she had the high quality to carry out the mandates of that position to the fullest extent. On the other hand, the African Group stressed the necessity that in the near term, African candidates should find their way to, and have fair share in, senior positions in the United Nations system. The African Group requested the Secretary-General to look into ways to correct the current imbalance in the near future, he said, pointing out that the situation was not only of concern to Africa and urging him to address the under-representation of the global South at large.

RODOLFO ELISEO BENÍTEZ VERSÓN (Cuba), emphasizing the importance of the role played by OIOS, said that General Assembly resolution 42/218b (1994) was clear on the appointment of the Under-Secretary-General, and Cuba regretted that the principle of geographical representation had not been taken into account. Reiterating the importance of complying with the resolution, he expressed hope that what had happened would not become a precedent for the future.

Election to UNEP Governing Council

The General Assembly then elected Belarus, by acclamation, to the Governing Council of the United Nations Environment Programme, to fill the uncompleted term of Croatia, due to expire on 31 December 2011.

Action on Draft Resolution

The Assembly then resumed its consideration of agenda item 48, on the "integrated and coordinated implementation of and follow-up to the outcomes of major United Nations conferences and summits in the economic, social and related fields".

Introducing a draft resolution on the human right to water and sanitation (document A/64/L.63/Rev.1), the representative of Bolivia said that human right had not been fully recognized, despite references to it in various instruments, including the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and others. Each year, more than 3.5 million people died from diseases spread by contaminated water, he said, pointing out that the lack of access to water killed more children annually than AIDS, malaria and measles combined. One of every eight people lacked access to drinking water, and each day, women spent more than 200 million hours on transporting water.

Meanwhile, lack of sanitation affected 2.6 billion people, or 40 per cent of the global population, he continued, stressing that, more than any other human rights issue, sanitation raised the concept of human dignity. Proper sanitation could reduce by more than one third the number of children's deaths from diarrhoea. Half of all hospital beds were occupied by people suffering from diseases caused by a lack of water and sanitation, he said, adding that the upcoming Millennium Development Goals Summit must provide a clear signal that water and sanitation were human rights.

The draft resolution urged States and international organizations to provide resources and to foster the transfer of technology to developing countries, with a view to providing access to water and sanitation, he said, pointing out that the heart of the text lay in operative paragraph 1. The right to drinking water and sanitation was essential for the full enjoyment of life. It was not enough to urge States to comply with their obligations; they must be urged to protect the right to drinking water and sanitation. With that, he proposed an oral amendment to paragraph 1, changing the word "declare" to "recognize".

The representative of Germany, speaking ahead of action, said that some 884 million people worldwide had no access to clean water and some 2.6 billion lacked access to adequate sanitation. Germany was committed to the Millennium Development Goals, including that of halving the number of people without access to safe drinking water and adequate sanitation by 2015, he said, adding that the right of access to both was recognized in the International Covenant of Economic, Social and Cultural Rights, alongside the right to food and others. Germany would vote in favour of the text and regretted that consensus had not been achieved, necessitating a recorded vote.

Unlike some, Germany saw the text not as a threat to the European Union-led "Geneva process" on water and sanitation, but rather as another component of that process, he stressed. At the same time, Germany would have preferred that the text include more language proposed by the European Union. It nevertheless included important elements of the work going on within the Human Rights Council and that of the independent expert on the subject. Germany invited delegations to support and participate actively in the Geneva process in order fully to understand the right to water and sanitation.

The representative of Spain said his delegation had hoped that the suggestions proposed by the European Union would be included in the text, and that it would subsequently be adopted by consensus. Spain was pleased with the oral amendment put forward by Bolivia, which made it possible to better link the resolution with the work of

the independent expert. Still, water and sanitation were components of the right to a suitable life under the International Covenant on Economic, Social and Cultural Rights, he said, expressing regret that proposals to include language on the independent expert's work had not been taken into account. Nevertheless, Spain would vote in favour of the text, he said.

The representative of Hungary said her Government considered access to water and sanitation to be part of the right to an adequate standard of living, and that was why the Hungarian delegation would vote in favour, despite concerns about how it had been negotiated. The Geneva process should clarify States' human rights obligations vis-à-vis water and sanitation, he said, adding that the overall aim of the Geneva process would indeed have been better served if the text had been adopted by consensus. Regrettably, it had provoked division, despite awareness of the importance of access to safe drinking water and sanitation, she said, reiterating the important role of the Geneva process and urging all States to participate actively in it.

The representative of the United States expressed his Government's deep commitment to finding solutions to global water challenges, noting that water and sanitation would be an important focus at the upcoming Millennium Development Goal Summit. Safe and accessible water supplies furthered the realization of certain human rights, he said, noting that his country supported the work of the Human Rights Council's Independent Expert on human rights obligations relating to access to safe drinking water and sanitation. The United States looked forward to receiving her next report, and to a more inclusive, deliberative approach to such vital issues in Geneva than had been seen in New York.

He said his delegation had hoped to negotiate and ultimately join the consensus on a text that would uphold the process under way at the Human Rights Council. Instead, the text fell far short of enjoying unanimous support among States and might even undermine the work under way in Geneva. It described the right to water and sanitation in a way not reflected in existing international law since there was no "right to water and sanitation" in an international legal sense, as described by the resolution.

Expressing regret that the text had diverted the Assembly from the serious international efforts under way to promote greater coordination on water and sanitation issues, he said it attempted to take a short cut around the serious work of formulating, articulating and upholding universal rights. It had not been drafted in a transparent, inclusive manner, and neither the Assembly, nor the Geneva process had yet considered fully the legal implications of a declared right to water. For those reasons, the United States had called for a vote and would abstain in the voting, he said.

The representative of Brazil said the right to water and sanitation was intrinsically connected to the rights to life, health, food and adequate housing. It was the responsibility of States to guarantee those rights to all citizens, and Brazil had been working within and outside its borders to promote access to water and sanitation, especially in low-income communities. Pointing out that treaty-based and non-treaty based human rights bodies were based in Geneva, she said the United Nations headquarters there was the best forum for the current discussion. Nevertheless, Brazil would vote in favour of the text.

The representative of Turkey, recalling that the Human Rights Council had recently created the mandate of the independent expert and passed a resolution on the same subject, said the matter was before the Council and the Geneva process was ongoing. The text prejudged the outcome of those discussions and Turkey would therefore abstain from the vote.

The Assembly then adopted the resolution by a vote of 122 in favour to none against, with 41 abstentions.

Immediately after the vote, the representative of Portugal pointed out that three countries were missing from the voting board.

A Secretariat official said Portugal's remarks would be reflected in the records.

The representative of Portugal pointed out that his country had not been mentioned in the vote.

The Secretariat's official said he would check on Portugal's request, and then asked the three States not reflected in the voting how they had voted. According to their respective representatives, Portugal and Togo had voted in favour while Luxembourg had abstained. The official then recalled that the text had been adopted as orally revised.

The representative of Argentina, speaking in explanation of position after the vote, said the main human rights treaties were pillars of his country's legal order. The importance of drinking water and basic sanitation had

been recognized by many instruments supported by Argentina, he said, stressing that it was the main responsibility of States to ensure that people had access to safe drinking water and sanitation. As such, Argentina had voted in favour.

The representative of Norway said his delegation gave high priority to the right to water and sanitation and had voted in favour of the text. Norway regretted that it had been impossible to achieve a consensus, but hoped discussions would continue in Geneva, and that Member States would support the work of the independent expert.

The representative of Guatemala welcomed the efforts of Bolivia and other co-sponsors to come up with a text that was acceptable to the majority of Member States. While Guatemala would have preferred consensus because it agreed with the essence of the text, if not its overall content, the right of access to clean water and adequate sanitation was in line with its efforts to address the needs of its citizens, and to achieve the Millennium Development Goals. Guatemala understood that the adoption of the resolution did not lead to any right or obligation at the international level.

The representative of Egypt's said he had voted in favour based on the understanding that the resolution did not create new rights or sub-categories of rights, other than those contained in internationally agreed human rights instruments. States had the obligation of ensuring the full enjoyment of basic human rights, he said, adding that doing so depended on the varying capacities of States, and that such a task was not expected to be achieved overnight.

Acknowledging the need to set aside controversial questions of international water sources and transboundary water, he expressed regret that the resolution had been put to a vote. The Government of Egypt was mindful that certain human rights obligations relating to access to safe water and sanitation had yet to be studied. Hopefully, the resolution would bring such questions to the fore and add impetus to the Geneva process, with a view to achieving consensus.

The representative of New Zealand, explaining her delegation's abstention, said she appreciated that access to safe water and sanitation was related to development and realization of the Millennium Development Goals. However, it was also concerned that the text had been tabled before the delegation had had an opportunity to consider its provisions. New Zealand supported the Human Rights Council's independent expert's efforts to clarify the content of human rights obligations relating to safe water and sanitation, she said.

The representative of Chile said his delegation had voted in favour because it considered that the aim of the text was to provide impetus to the relevant Millennium Development Goals. It also understood that the resolution was not an attempt to prejudge the way in which States handled their own water and sanitation legislation.

The representative of Australia said access to water and sanitation was linked to a range of civil rights, and noted that more than half the people in the Asia-Pacific region lacked access to water and sanitation. Despite having increased its development assistance, Australia nevertheless had reservations about declaring new human rights in a General Assembly resolution. Indeed, when new rights were recognized, consensus was essential. Australia had followed the work of the independent expert, who should have been able to report on it before the text was tabled.

The representative of Costa Rica said her delegation had voted in favour because access to water was an inalienable right. Every State had the primary responsibility to provide its citizens with access to water and sanitation, and Costa Rica supported the Geneva process, as well as the work of the independent expert on the subject. She said the Geneva process aimed to provide a better understanding and she would have hoped that the resolution would have included language on the work under way in Geneva. Costa Rica was also concerned about the absence of consensus, especially when the international community was about to undertake an assessment of the status of the Millennium Development Goals.

The representative of Botswana said his delegation had been unable to vote in favour of the text in its present form, and voiced regret over the absence of consensus. The Geneva process should been given time to mature, and the work on water and sanitation should have continued under the auspices of the Human Rights Council, he added.

The representative of the United Kingdom said her delegation had abstained for reasons of substance and procedure. Concerning substance, there was no sufficient legal basis for declaring or recognizing water or sanitation as freestanding human rights, nor was there evidence that they existed in customary law. As for procedure, it was disappointing that the text pre-empted the work going on in the Human Rights Council, she said, noting that the United Kingdom had supported the resolution establishing the independent expert, as well as the text on human rights and access to safe water and sanitation, adopted in 2009. Indeed, the work in Geneva had been progressing,

she added.

Expressing concern about the resolution's impact on the full enjoyment of human rights, she warned that if current trends continued, the Millennium Development Goal on sanitation might not be met until 2049. She then described her country's efforts, saying it had helped 1.8 million people in Africa and 25.5 million more in South Asia gain access to basic sanitation. It was to be hoped that the upcoming Millennium Development Goals Summit would pay much-needed attention to that and other Millennium targets. She expressed regret that today's initiative had not been pursued with consensus in mind.

The representative of Colombia said his country had voted in favour and would interpret the resolution in line with its domestic legislation and obligations under human right treaties. He expressed hope that the Geneva process would continue in line with the technical and legal approach, but Colombia did not agree with certain aspects of the negotiation process. It did not know why the co-sponsors had not accepted certain proposals, and there had been a lack of opportunity to discuss that issue, he said, adding that the vote had established an unsuitable precedent in human rights matters.

Moreover, operative paragraph 1 did not identify the basic constitutional elements around the right to water and sanitation, he continued, pointing out that the uses of water should include a definition of its characteristics. Nor did the text refer to aspects deserving immediate attention, like the non-discriminatory nature of water, he noted, stressing that States should interpret it in line with relevant human rights instruments. The Assembly understood the right to water and sanitation as having been derived from other rights, while the jurisprudence applied by Colombia's Constitutional Court noted that water only had character when used for drinking. The Court had indicated that protecting the right to drinking water was not suitable in situations upon which human life was not dependent, he said, pointing out that States were obliged only to ensure delivery of public services.

The representative of France expressed regret that a resolution on the basic right to water and sanitation had not been adopted by consensus. At the same time, he welcomed the work undertaken in Geneva to ensure that the right was fully implemented. France called on all Member States to come together in addressing such rights, especially in light of the upcoming Millennium Development Goals Summit.

The representative of Japan expressed regret that the resolution had not been adopted by consensus, recalling that for decades, the Japanese Government had been the largest bilateral donor to the water sector worldwide. Japan also supported the Geneva process, and deeply regretted that an exhaustive discussion on the right to clean water and adequate sanitation had not been held before the resolution had been tabled. Japan had therefore abstained, she said, adding that her country would continue to support the process while sparing no effort to help all countries achieve the Millennium Development Goals.

The representative of the Russian Federation said the resolution raised important issues, especially in light of the upcoming review of the implementation status of the Millennium Development Goals. Still, the Russian Federation was concerned that the text had not been adopted by consensus, and hoped discussions would continue.

The representative of Peru said he had voted in favour of the resolution with the understanding that its aims were carried out in respect of the territorial order and sovereign resources of States.

The representative of Singapore said her country was a small island without natural resources, including water. Nevertheless it carried out national efforts to deliver that crucial resource to all its citizens, she said, adding that she had voted in favour while believing that discussions on the right of access to clean water and adequate sanitation should continue, and the scope of obligations should be clarified.

The representative of Belgium said he had voted in favour and appreciated the efforts of Bolivia and others in crafting the text. Regrettably, no consensus had been reached and some important suggestions by the European Union had not been included in the text.

The representative of Pakistan said he had voted in favour to help ensure access to clean water and good sanitation for all people, but emphasized that the situation of developing countries must be taken into account in implementation.

The representative of the Netherlands said he had abstained although his country recognized the right to clean water and good sanitation, as reflected in its assistance promoting access for 50 million people by 2015. However, the text placed insufficient responsibility on national Governments, upon which citizens must be able to rely and from which they must obtain redress. In addition, it would make reports of the Human Rights Council's independent expert counter-productive, he said, adding that he was also not happy with the General Assembly's "ad

hoc" declaration of the right since the resolution had unnecessary political implications.

The representative of Mexico said he had voted in favour because his country acknowledged the right of access to clean water and good sanitation as already extant in international documents. Mexico would continue to make the necessary efforts to increase access, within its constitutional requirements and international obligations, he said, stressing, however, that it was up to national Governments to provide access, and necessary to continue in-depth discussions in order to move forward on the very important issue.

The representative of Ethiopia said he had abstained although access to clean water was a natural right. States had the sovereign right to their own natural resources, according to the United Nations Charter, and that principle should have been included in the text, he noted.

The representative of Canada said his delegation had joined the consensus on the resolution that had created the mandate of the independent expert. The work of that mechanism was expected to further promote study of the issue of access to water and sanitation as a human right and, as such, the text was premature. The non-binding resolution appeared to determine that there was indeed a right without setting out its scope. Since there was no consensus on the matter it was premature to declare such a right in the absence of clear international agreement, he said, adding that he had abstained from the vote.

The representative of Switzerland said that while her delegation supported the process of ensuring access to water and sanitation for all, it did not generally support repetitive or competing resolutions, and hoped that in the future, that would be taken into consideration. Switzerland had proposed that the text include language on the recognition of water and sanitation under international instruments, but to no avail, she said, adding that she had nevertheless voted in favour.

The representative of Liechtenstein said he had voted in favour of the text because he agreed with its essence. However, it was regrettable that a vote had been called, and that such an important issue had been dealt with in a "simplistic manner". There were explicit rights recognized in international human rights law which implied many others, and that was true of water and sanitation. At the same time, Liechtenstein understood that the resolution did not create a new right and that its aims fell under existing international human rights law.

The representative of Equatorial Guinea said his delegation supported the resolution and was pleased that no Member State had voted against it. Water and sanitation were matters of national sovereignty and Equatorial Guinea was carrying out massive projects to ensure access to clean water and adequate sanitation.

The representative of Albania said he had not been present for the vote and wished to place on the record that he would have abstained.

The representative of Yemen, as a co-sponsor of the resolution, stressed the importance of water for life, which led to its being a natural right. Water was one of the greatest challenges of modern times — the oil of the twenty-first century. He thanked delegations that had voted in favour, calling the resolution a major step forward, although Yemen would have preferred unanimity.

The representative of Cuba said the adoption was an historic moment, stressing the immense need for clean water and sanitation services around the world. Cuba, which had realized the Millennium Development Goal on access to water in 1995, affirmed the right to access, and welcomed the fact that the universal representative body had adopted the resolution after an inclusive process. The text took into account the concerns of many delegations and complemented the discussion in the Human Rights Council, he added.

The representative of Nicaragua also welcomed the adoption as an historic milestone after some 15 years of discussion at the global level. It was particularly important ahead of the review of progress towards the Millennium Development Goals, he said, describing access to water and sanitation as crucial for the dignity and health of people all over the world.

The representative of Venezuela said the adoption was a fitting response to the 1.2 billion people lacking access to drinking water, the billions more without access to proper sanitation, and the millions who died every year as a result. Since water was a necessity for life, Venezuela emphatically rejected its transformation into a commodity, he stressed.

The Observer for Palestine welcomed the adoption and affirmed the right of access to clean water and sanitation as universal human rights that should be enjoyed by all people, including those living under occupation. Indeed, access to water and sanitation was a key final-status issue with regard to the Israeli-Palestinian question. Israel's

ongoing violations of the Palestinian people's access to water hampered their enjoyment of other rights, he said, noting that, among other grievances, Palestinians were only allowed access to 10 per cent of their own water. He called on Israel to comply with its international obligation to ensure access to water, as well as its other international obligations.

ANNEX

Vote on Human Right to Water

The draft resolution on the human right to water and sanitation (document A/64/L.63/REV.1) was adopted by a recorded vote of 122 in favour to none against, with 41 abstentions, as follows:

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Finland, France, Gabon, Georgia, Germany, Ghana, Grenada, Guatemala, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Italy, Jamaica, Jordan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Liberia, Libya, Liechtenstein, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Portugal, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Seychelles, Singapore, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Switzerland, Syria, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Tuvalu, United Arab Emirates, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: None.

Abstain: Armenia, Australia, Austria, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Ethiopia, Greece, Guyana, Iceland, Ireland, Israel, Japan, Kazakhstan, Kenya, Latvia, Lesotho, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Poland, Republic of Korea, Republic of Moldova, Romania, Slovakia, Sweden, Trinidad and Tobago, Turkey, Ukraine, United Kingdom, United Republic of Tanzania, United States, Zambia.

Absent: Albania, Belize, Cameroon, Chad, Fiji, Gambia, Guinea, Guinea-Bissau, Kiribati, Malawi, Marshall Islands, Mauritania, Micronesia (Federated States of), Mozambique, Namibia, Nauru, Palau, Papua New Guinea, Philippines, Rwanda, Saint Kitts and Nevis, Sao Tome and Principe, Sierra Leone, Suriname, Swaziland, Tonga, Turkmenistan, Uganda, Uzbekistan.

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