

Violations of the Human Right to Water in the United States

To respect the right to life, the United States must realize the human right to water and provide equal access to **safe, affordable water for basic human needs and adequate sanitation**. Despite this, thousands of low-income, minority and indigenous communities across the United States lack access to safe, affordable drinking water and adequate sanitation. The U.S. government has failed to address the human suffering and public health risks engendered by this crisis. Affected communities and civil society call upon the U.S. government to take immediate action.

Water and Sanitation Services Are Unaffordable and Mass Shutoffs Violate Rights

- Public utilities subject low-income minority communities to unaffordable water and sanitation rates to subsidize crumbling infrastructure and delinquent corporate and government accounts. In Baltimore, water rates have nearly tripled since 2000, and another 11% increase was approved in July 2015; rates in Detroit continue to climb as well.
- Rather than providing relief, public utilities in cities like Detroit, Baltimore, and Boston are engaging in mass water shutoffs against thousands of low-income households without regard for those who cannot afford service or elders, children, the chronically ill, or other vulnerable groups.
- Low-income communities of color are most affected and have been disproportionately targeted by utilities. UN experts found that the Detroit mass water shutoffs violate human rights.
- In cities like Detroit and Baltimore, thousands of households have no water. Those who have reconnected themselves face criminal penalties.

Contamination Deprives Communities of Safe Water

- Millions of people in the U.S. lack safe drinking water due to contamination by agriculture, mining, and other activities.
- In California, approximately one million people must drink and bathe with water that fails to meet national quality standards, yet they must pay high rates for this contaminated water. Contamination disproportionately affects rural, low-income minority communities.
- In Washington, D.C. and Flint, Michigan, low-income minority communities have faced a public health crisis as a result of lead contamination of public drinking water.
- In New Mexico, government refusal to clean up uranium contamination forces indigenous Navajo communities to choose between exposure to radiation and access to safe drinking water.

Low-Income Minority Communities Lack Adequate Infrastructure for Water & Sanitation

- In 2013, the American Society of Civil Engineers gave the U.S. a water infrastructure grade of "D+," yet consumers bear more than 90% of the costs for infrastructure improvements.
- African-American communities in Alabama's poorest counties - the Black Belt region - have no access to sanitation and are forced to pay the high cost for on-site septic systems. Those who cannot pay are subject to criminal penalties, risk losing custody of children, and are exposed to diseases formerly eradicated in the U.S. like hookworm.
- Local governments deprive homeless individuals of access to public water and sanitation services and criminalize them for exercising basic human functions.

It is unacceptable that these violations continue here in the United States.

Recommendations and Calls to Action

As the above examples illustrate, violations of the human rights to water and sanitation in the U.S. have a disproportionate effect on minority, low-income, indigenous communities. Such discrimination violates U.S. and international law, and U.S. law is out of step with international human rights law on this issue. Communities living with these violations have come together in Washington, D.C. to inform the Inter-American Commission on Human Rights through a regional thematic hearing on the right to water and to meet with government officials to resolve this crisis. Accordingly, we make the following calls to action.

United States Government

1. Recognize the severity and magnitude of the lack of access to safe, affordable water and sanitation and act immediately to coordinate and extend emergency assistance;
2. Order an immediate moratorium on water shutoffs for lack of ability to pay and provide funding to guarantee affordable drinking water;
3. Prevent and remediate contamination of drinking water and hold polluters accountable;
4. End the criminalization of those who lack safe, affordable water and adequate sanitation;
5. Issue an executive order on the water crisis and the human right to affordable, safe and adequate water and sanitation and thereby establish a high level Inter-Agency Working Group, with White House leadership, which will create a national plan of action.
6. Ensure that affected communities have a meaningful voice in the development and implementation of policies that affect their access to water and sanitation;
7. Fulfill the constitutional and international legal obligations to ensure non-discriminatory access to basic public services sufficient for an adequate standard of living, and access to remedies when rights are violated;
8. Direct the Civil Rights Division of the U.S. Department of Justice to conduct an investigation into the discriminatory impact of current water and sanitation services.
9. Fulfill the commitments made by the U.S. government during the United Nations Universal Periodic Review to ratify key human rights treaties and to ensure the human right to affordable and safe water and adequate sanitation, as a matter of urgency.
10. Request that Congress hold an investigatory hearing and direct the Congressional Research Service to produce a report about violations of civil rights, discriminatory impacts, and violations of the right to life and an adequate standard of living, and the human rights to water and sanitation in the U.S.; and
11. Pass legislation to guarantee equal access to safe, affordable water and adequate sanitation.

Inter-American Commission on Human Rights

1. Recognize the severity, prevalence, and discriminatory impact of violations of the human right to water and sanitation in the United States;
2. Invite U.S. government representatives to participate in a future hearing on the human right to water in the U.S.;
3. Visit the United States to learn more about this crisis; and
4. Prioritize this issue in monitoring of the United States, including in any press releases, statements, and reports, as well as the Commission's work on racial justice in the U.S.

To learn more, visit: <http://bit.ly/IACHRWaterRights>

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