



The right to water and protecting refugees

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Refugees are often the most vulnerable members of society. This means that not only do they need adequate clean water, but they also need to feel safe when they fetch it. The UNHCR works to ensure that water supplies do not compromise refugees' health or safety.

The United Nations High Commissioner for Refugees (UNHCR) has the mandate on behalf of the international community to pursue protection, assistance and solutions for refugees. This entails a fundamental responsibility of providing legal security (asylum, protection from being returned to places where their lives or freedoms could be threatened, and full enjoyment of human rights), physical safety (against natural or man-made threats) and material assistance (basic necessities of life). Provision of water cuts across all of these areas as it is a basic human right for the survival, health and well-being of the refugee.

The basic principles for the provision of drinking water are similar in all humanitarian settings, but this provision takes on particular significance in a refugee operation due to the extreme vulnerability of refugees and their dependence on external help. These people are marginalized and have difficulty accessing normal services, and they are often located in inhospitable living environments and insecure regions of the world. Furthermore, refugee groups are typically comprised of 70 to 80 per cent women and children, who bear the brunt of water-collecting activities.

Refugees' right to water

Timely and adequate provision of clean water to refugees is of particular importance given that they have traditionally faced difficulties in fully exercising their rights, and are very prone to exploitation. The right to water for refugees revolves around UDHR (Universal Declaration of Human Rights, 1948) Article 25: 'Everyone has the right to a standard of living

adequate for the health and well-being of himself and his family'.

The right to water was explicitly recognized and became an international priority when, in late 2002, ECOSOC (Economics and Social Council), a UN organ and the supervisory body for International Covenant on Economic, Social and Cultural Rights (CESCR), adopted a 'General Comment' stressing 'The human right to drinking water is fundamental for life and health.'

The General Comment also drew special attention to UNHCR's beneficiaries and urged state parties to ensure that: 'Refugees, asylum-seekers, internally displaced persons and returnees have access to adequate drinking water whether they stay in camps or in urban areas. . . . They should be granted the right to water under the same conditions as nationals.'

The situation on the ground

The literature abounds with examples of a lack of access to clean water in refugee situations – and the consequences. In the summer of 1994 more than one million Rwandans fled the genocide in their country to the neighboring DRC. There, as many as 60 000 died from a vicious cycle of water shortage and, inevitably, cholera.¹ A survey in 2004 suggested that 42 per cent of school-going children in Kyangwali camp (Uganda) were regularly diverted from their school programmes to help their mothers collect water.²

A nutritional survey report conducted in refugee camps in Eastern Chad in May 2004 noted that the mean reported time required for water collection was almost six hours, that most households

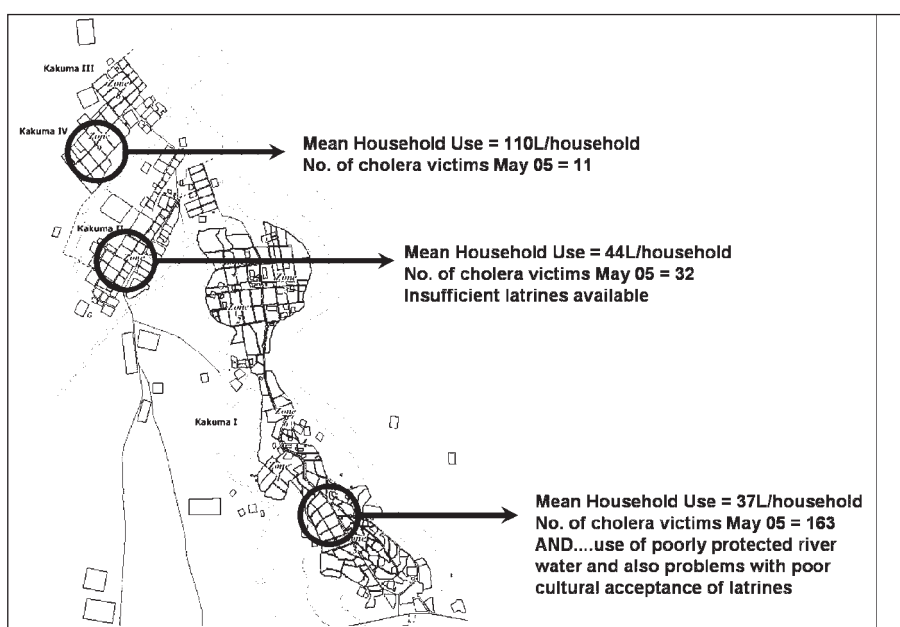


Figure 1 Map of Kakuma camp, Kenya, showing how the area with the lowest household mean water consumption was the hardest hit by the cholera outbreak. The use of average camp-wide water consumption figures (16 litres in this case) often hides such inequalities in distribution.



80% of all refugees are women and children – this camp was in Eyone, Algeria.

used unsafe water sources and that there was a high prevalence of malnourished children with reported diarrhoeal diseases.³ An MSF report from northern Uganda painted an even grimmer picture: people had to queue for three hours a day for water with an average availability of less than 3 litres per person per day. Those searching for water outside the camps risked being attacked by LRA (Lord's Resistance Army) fighters and so were compelled to gather contaminated water from unhygienic sources.⁴ Inequalities in water distribution across Kakuma camp (Northern Kenya) were a direct factor in a cholera outbreak there (see Figure 1).⁵

To understand better the situation on the ground and to enable better monitoring and planning and improve services, UNHCR initiated in 2003 an annual systematic data collection from its major refugee camps (approximately 130 worldwide) on the level of services in key sectors. It revealed that, in fact, the attention to this vital sector is far from satisfactory in several camps. Also planned are in-depth analyses of those cases of deficient services in order to understand better the level of physical and social burden on refugee women and children, who are mainly responsible for fetching water. This is expected to improve services and contribute towards the UNHCR's efforts in developing result-based management strategies.

Access to water in refugee situations

Water provision as a right and a function of UNHCR's protection mandate does not fully reflect the fact that the provision of clean water, and other essential services like food, health, sanitation, shelter and education for that matter, are central to refugee dignity, and not merely for their health and well-being.

In a refugee situation, it should go beyond *what* should be provided (i.e. 20 litres per person per day of clean water, which unfortunately is not yet universally attained for refugees), to also include *how* water is supplied or collected. *How* water is managed is based on UNHCR's and its partners' many years of experience of dealing with refugees and gives rise to common observations with strong protection concerns, especially linked to women and children. UNHCR water programmes therefore strive to ensure:

- sufficient water for basic needs to each and every person throughout the camp, including schools and health posts and adequate containers for household storage
- acceptability and safety of the water supplied and regular monitoring for faecal contamination
- water distribution points are located centrally along safe access paths and

are within 200 m from the dwellings with minimum waiting time

- water distribution times and duration are planned according to users' convenience and cultural habits; this is normally limited to daylight hours so that the physical safety of the users is not compromised
- sustainable exploitation of the available water sources and minimization of associated environmental impacts to help develop a good rapport with the host community and uphold the institution of asylum
- controlled discharge and drainage of wastewater and stormwater to avoid water-induced hazards in the camp and the vicinity
- refugees and other stakeholders are empowered and encouraged to participate in all stages of a project with equal representation by women
- education is not hindered by children (especially girls) having to fetch water during school hours
- effective co-ordination of all actors in a refugee camp working in the water, sanitation, drainage, vector control and environmental protection sectors, which is essential to optimize the quality of service provision
- promotion of harmonious living in a community setting, while respecting individual requirements of different ethnic groups residing in the same camp.



Women and children bear the brunt of the water collection activities. These refugees from Darfur are staying at Bahai spontaneous settlement, Chad



People need to feel safe when they collect water – children at Kyangwali camp, Uganda

Social costs of water collection

These guiding principles for water supply in refugee situations are built on the core values that help enhance the dignity and protection of the persons of concern to UNHCR. This means, in practical terms, that there is equitable distribution of water so that it does not become a source of power that can be abused for sexual or commercial exploitation. Safe access to water points is important to minimize the potential for gender-based violence. Access and distance to the collection point is also important as it affects the amount of energy and time expenditure spent on this task. In fact a woman collecting water for a family of four from a waterpoint 200 m away from her house would spend on average about 15 per cent of her standard distributed ration (which is just 2100 kilocalories per day) on this task alone.

Gender and minority voices also need to be heard in the water sector. As Clifton and Gell point out, ‘communities are safer and more resilient to crisis when they are more egalitarian, and when all social groups are empowered in a way that enables them to contribute their respective opinions and resources.’⁶ Indeed all groups with special needs, such as the elderly and unaccompanied minors, disabled and HIV/AIDS patients, must be facilitated and encouraged in the water supply and management processes.

Conclusions

Ensuring improved access to and adequate amounts of water in refugee settings are central to the protection of these marginalized peoples. UNHCR has

joined hands with its partners (102 in total in 2005) in implementing a range of water-sector activities in its operations all over the world. These partners include government bodies, non-governmental organizations (38 international NGOs are currently in partnership with UNHCR) and experts drawn from standby agreements with RedR-Australia and the Swiss Agency for Development and Cooperation (SDC).

By virtue of its operation base primarily in the rural and remote areas of developing countries, UNHCR’s work in the water sector in both refugee and returnee areas is supporting the Millennium Development Goals, and such work is vital to build capacity and help sustainable long-term solutions for the refugees. The challenge ahead is to maintain and improve the vital water sector, often with limited resources (funds and appropriate technical staff) in the difficult political, security and physical environment, which is the case often in a refugee setting.

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