

International and Ethiopian Laws on Sustainable Development Goal 6 and the Right to Water and Sanitation

Tesfaye Abate Abebe*

Abstract

Sustainable development goal 6 is planned to ensuring water and sanitation by 2030. This article investigates the international law of sustainable development goal 6 that promote the right to water and sanitation and its implementation under Ethiopian law. The article investigates the question how does the international law of sustainable development goal 6 promote the right to water and sanitation and how does the Ethiopian law helps to implement it? To investigate this question, the article employed qualitative research methodology. Various literatures on the issue as well as international and national legislation have been critically examined and a court case has been treated. The data were qualitatively analysed using content analysis method. The article found that water and sanitation has been recognized as human right under international law but the Ethiopian law does not clearly recognized it as human right. This article found that the implementation of the Ethiopian law is not up to the standard since the justiceability of the right to water and sanitation is not clear and this would be a challenge to meet the international commitment of the country by 2030. The Ethiopian law should clearly recognize water and sanitation as human right and should play more roles and the Ethiopian Government should work hard on it to double the effort to implement its international commitment.

Key words: sustainable development law, sustainable development goal 6, international law on SDG 6, Ethiopian law on SDG 6, human rights law on water and sanitation, environmental law on water and sanitation, rights to water and sanitation.

1) Introduction and Background

1.1) Overview

Under Sustainable Development Goal 6 (SDG 6), governments have agreed to achieve universal and equitable access to water and sanitation by 2030. It is crystal clear that water is indispensable to a healthy, dignified and productive life. Nonetheless, according to UN Water, at the globe, 2.2 billion people lack safely managed drinking water services, while 4.2 billion people lack safely managed sanitation services.¹ In 2020, many of peoples living in the Sub-Saharan Africa have lacked basic drinking water service, out of which only 60% of the people in rural area have access to drinking water service while 86% of urban dwellers have access to water.² Currently 2 billion people are living in the risk of reduced access to fresh water and it is estimated that by 2050 at least one in four people is likely to live in a country affected by chronic or recurring shortages of fresh water.³

Coming to sanitation, a research indicated that from 2000 to 2020, only 2.4 billion people gained access to safely managed sanitation services, while in 2020, 3.6 billion people lacked safely managed sanitation services.⁴ In the world, some encouraging progresses to achieve the SDG 6 have been achieved, but a research indicated that

* Tesfaye Abate Abebe: (LL.D, LL.M, LL.B) Assistant Professor, Ethiopian Civil Service University (ECSU), Former Dean, School of Law.

I am grateful to the anonymous reviewers for their comments and suggestions. I thank W/o Tigist Alemu, my beloved wife, for her research assistance and all-rounded help. I am grateful for Rebecca Tesfaye Disko for the publication payment and for her concerns.

E-mail: scientific.findings@gmail.com

ORCID: <https://orcid.org/0000.0002-1796-7600>

¹Naho Mirumaci, et al, *The Human Right to Drinking Water: Impact of large-scale agriculture and industry*, (European Parliament, European Union, 2021) 4.

² ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *SDG 6: CLEAN WATER AND SANITATION A LEGAL GUIDE* 5 (Feb. 2022, London).

³ Youth Workers 4 Global Goals, *What are the Sustainable Development Goals?* Youth Workers 4 Global Goals Capacity Building in the field of Youth, 19.

⁴ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 6.

more effort needs to be made.⁵ According to the 2023 sustainable development report, to achieve universal coverage by 2030, nations are required to increase their performance six fold and fivefold to drinking water and sanitation respectively.⁶

At the international level, various efforts have been made by the UN agencies to recognize the right to water and sanitation as human rights. The efforts include considering the issue at the UN meetings and passing relevant resolutions including the recognition of water and sanitation as human right.⁷ Therefore, now, the right to water and sanitation is recognized as human right by the United Nation, and under different international legal instruments.

In addition, the international community has agreed on Sustainable Development Goals 2030, also known as Agenda for 2030 that incorporates goal for clean water and sanitation.⁸ The UN Sustainable Development Goals (SDGs) are calls to end poverty and protect the environment among others. They were agreed by all UN Member States in 2015 by the General Assembly Resolution 70/1, and it sets 2030 as the deadline for achieving the Goals.⁹ Being member to UN, Ethiopia has agreed to the SDGs. The Goals have included 17 interdependent goals divided into 169 targets and 232 indicators have been developed to monitor and review the progress. Moreover, the Addis Ababa Action Agenda provides policies and actions to implement the 2030 Agenda. The UN Secretary General is mandated to publish a yearly progress report. Moreover, the High-level Political Forum on Sustainable Development (HLPF) reviews global progress towards achieving SDGs.¹⁰

Each SDG is broken down into targets, and targets are linked to one or several monitoring indicators that will help to assess the implementation of each Target and

⁵ *Ibid.*

⁶ United Nations, *The Sustainable Development Goals Report*, Special Edition, 2023, 24.

⁷ See PIERRE- MARIE DUPUY AND JORGE E. VINUALES, *INTERNATIONAL ENVIRONMENTAL LAW*, 380, (2nd Edition, Cambridge, 2018).

⁸ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 2.

⁹ *Id.*, at 2.

¹⁰ *Ibid.*

finally SDG.¹¹ SDG 6, which relates to water, is divided into targets that have to do with water and sanitation outcomes.¹² The Addis Ababa Action Agenda requires the international community and national governments to strengthen the legal and policy environment to achieve SDGs.¹³ Accordingly, the Ethiopian Government is expected to implement national sustainable development strategy by mobilizing resource and using financing strategy. It is also expected to develop its own indicators to overview the progress of SDGs at national level,¹⁴ which it has done.

1.2) Research Question

The article investigates the question: How does the international law of sustainable development goal 6 promote the right to water and sanitation and how does the Ethiopian law helps to implement it?

1.3) Objective

The basic objective of this article is to investigate the international law of sustainable development goal 6 to promote the right to water and sanitation and consider its implementation in Ethiopia.

1.4) Research Methodology

This research employs qualitative research methodology to investigate the research question. The relevant literature on the law of sustainable development Goal 6 and the right to water and sanitation has been critically analysed. The research examines the international legal instruments, and national laws of Ethiopia on the issue. In addition, it considers Ethiopian Court case to analyse the right in practice

¹¹ Colette Genevaux, *The Sustainable Development Goals for Water and Sanitation Services: Interpreting the Targets and Indicators*, (Mar. 2018, Paris), 11.

¹² *Id.*, at 12.

¹³ Addis Ababa Action Agenda, 2015, 3.

¹⁴ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 2.

1.5) Organization

An analysis of the existing literature on the area is provided under section 2 to clearly indicate the research gap. Further, section 3 deals with the concept of human right to water and sanitation. What is more, the article under section 4 considers the international human rights law and international environmental law on SDG 6. Section 5 treats the Ethiopian Policies and Laws applicable to the right to water and sanitation, while section 6 investigates the human right to water and sanitation under SDG 6 in Ethiopia. Finally conclusion is provided.

2) Literature review and research Gap

In Ethiopia, we do not find a single research on this area. What we find is researches conducted in the related fields. For instance, Abiy Chelkeba Worku, has written an article entitled: “Human Rights Approach to Water in Ethiopian Context: Legal and Policy Assessments and Challenges”.¹⁵ The focus of the Article is to discuss the right to water for citizens and obligation of government in Ethiopia. It does not consider the SDGs and this author is intended to investigate this point. Abiy’s Article is important in providing some highlights on the human right to water in general. Abiy’s article focusing on the human right to water does not consider the right to sanitation. This article will add up on his work by considering the right to sanitation.

Mulugeta et al focus on the importance of regulating the small scale suppliers of water in Ethiopia. They identify that the Ethiopian law does not regulate small scale water suppliers.¹⁶ This Article does not treat the right to water and sanitation, and it is published before the coming into being of SDG 6.

¹⁵ Abiy Chelkeba Worku, *Human Rights Approach to Water in Ethiopian Context: Legal and Policy Assessments and Challenges*, 6. Haramaya Law Review, (2017), 1-28.

¹⁶ Mulugeta M. Ayalew et al, *The Regulatory implications of the right to Water: Small Scale and independent Water Providers in Ethiopia and Kenya*, (2010), <http://www.ssrn.com/link/OIDA-Intl-Journal-Sustainable-Dev.html>

What is more, Desale Baye has written on “Sustainable Development Goals (SDG) Target 6.2 in Ethiopia: Challenges and Opportunities”.¹⁷ This is a good attempt to investigate the challenges and opportunities in the practice of sanitation (Target 6.2) of sustainable development goal. However, it does not include the drinking water and other targets of the Goal. Moreover, it is not a legal article, which considers the issue from natural science point of view. The present Article investigates the Goal in general including water right, and it considers the issue from the legal point of view. In short, no research has been conducted on the law of SDG 6 in Ethiopia and the present article will fill this gap.

3) Sustainable Development Goal 6- Ensuring safe Water and Sanitation

3.1) General overview

Sustainable Development Goal 6 is one of the 17 goals of Sustainable Development Goals. Sustainable Development Goals, also called Global Goals are a call from the United Nations to all countries all over the world to address the great challenges which humanity faces and to ensure that all people have the same opportunities to live better life without affecting the Earth.¹⁸ Sustainable Development Goals are “blueprint to achieve a better and more sustainable future for all” consisting of 17 goals to be achieved by the year 2030.¹⁹

Sustainable Development Goals were crafted on the basis of customary and international law in general and law of sustainable development in particular. The frameworks of sustainable development goals are intended to implement the four sustainable development pillars namely the environmental pillar, the economic pillar,

¹⁷ Desale Baye, *Sustainable Development Goals (SDG) Target 6.2 in Ethiopia: Challenges and Opportunities*, 8, Open Access Library Journal, e 7458, (2021), <https://doi.org/10.4236/oalib.1107458>.

¹⁸ Youth Workers 4 Global Goals, *supra* note 3, at 13.

¹⁹ *Id.*, at 15.

the social pillar and the cultural pillar.²⁰ Though those SDGs are not legally binding, they must be implemented in accordance with the existing and emerging principles, obligations and international law in general.²¹

At the global level, governments have agreed to achieve universal and equitable access to safe water and sanitation as well as hygiene by 2030 under SDG 6. SDG 6 gives due attention to women and girls and peoples in vulnerable situation. They also agreed to improve the quality of drinking water by reducing pollution and dumping; increase water use efficiency across all sectors; and implement integrated water management at all levels.²²

Each goal of sustainable development is related to international principles, while clean water and sanitation is related with environmental human rights to water and sanitation.²³ Law and sustainable development goals are mutually supportive, and there are multitude of international as well as national legal norms to promote and implement the sustainable development goal on water and sanitation.²⁴ The Declaration on Sustainable Development Goals is founded on the basis of international human rights law in general.²⁵ The Declaration makes clear that “... [t]he New Agenda is grounded in the Universal Declaration of Human Rights, [and] international human rights treaties...”²⁶ It also reaffirms “... the importance of the Universal Declaration of Human Rights, as well as other international instruments

²⁰ Niamh Guiry, *International Law and the Sustainable Development Goals*, The Boolean, Vol. 7, 2024, 3; Tesfaye Abate Abebe, *Laws of investment and environmental protection: The case of Ethiopian large-scale agriculture* (Submitted in accordance with the requirements for the degree of DOCTOR OF LAWS at the University of South Africa, Mar. 2018), 73-76.

²¹ Guiry, *Ibid.* Michel Preur and Mohamed Ali Mekouar, *Fostering Legal Indicators for Sustainable Development Goals* (UN Environment Programme, Issue No. 40, May 2021), 5.

²² Marie-Claire Cordonier Segger, *The global economy, the SDGs and international law* Crafting trade and investment accords for sustainable development (Policy brief, 16 June 2021).

²³ Preur and Mekouar, *supra* note 21, at 6.

²⁴ See *Id.*, at 10.

²⁵ Raffaella Datler, Heather Barclay and Alison Marshall, *Sustainable Development Goals and Human Rights: An introduction for SRHR Advocates*, (International Planned Parenthood Federation (IPPF), 3.

²⁶ United Nations, *Transforming our World: The 2030 Agenda for Sustainable Development* A/RES/70/1, Para. 10.

relating to human rights and international law....”²⁷ Generally, Sustainable Development Goal 6- water and sanitation- is related to the right to safe water and sanitation, right to health and the equal access to water and sanitation for rural women.²⁸ SDGs are guided by international human rights law and environmental law such as the UN Charter, the Universal Declaration of Human Rights, and the Rio Declaration on Environment and Development.²⁹ In short, SDGs are founded on international human rights law and environmental law.

3.2) The Human Right to Water and Sanitation

In the preceding paragraph, it is made clear that water and sanitation as provided under SDG 6 is sourced from international human rights law. The right to drinking water is defined as the right of everyone, without discrimination, to have access to acceptable, physically accessible and affordable, safe and sufficient water for personal and domestic use.³⁰ Both the right to water and sanitation are components of the right to an adequate standard of living. The right to drinking water emanates from the 1966 International Covenant on Economic, Social and Cultural Rights, specifically articles 11 and 12 that provide for adequate standard of living and the highest attainable standard of health.³¹ Thus, this Covenant is essential legal source for the right to water.

According to Article 21 of United Nations Declaration on the Rights of Peasants (UNDROP):

human rights to safe and clean drinking water and to sanitation, ... are essential for the full enjoyment of life and all human rights and human dignity. These rights include water supply systems and sanitation facilities that are of

²⁷ *Id*, para. 19.

²⁸ Datler, Barclay and Marshall, *supra* note 25, at 7.

²⁹ Rakhyun E. Kim, *The nexus between International Law and the Sustainable Development Goals*, 25, RECEIL, 15, 16 (2016).

³⁰ Mirumaci, et al, *supra* note 1, at 4; Saji, United Nations, Human Rights to Water and Sanitation, Special Rapporteur on the human right to safe drinking water and sanitation.

³¹ Mirumaci, et al, *Ibid*.

good quality, affordable and physically accessible, and non-discriminatory and acceptable in cultural and gender terms.³²

This definition makes clear that the right to water and sanitation is a human right, and it is vital for the implementation of other human rights since it is basic for life itself. The right includes sanitation facilities to be made available particularly respecting the gender equality.

Sanitation is “the provision of facilities and services for the safe disposal of human urine and faeces.”³³ This definition of the World Health Organization (WHO) considers the provision of facilities and services that have to do with the safe disposal of urine and faeces. Human being needs safe facilities to dispose them. Therefore, the law is required to ensure the provision of facilities and services are safe. The word ‘sanitation’ may also refer to the maintenance of hygienic conditions through services like garbage collection and water disposal.³⁴ Sanitation is essential for public health. It is the approach and practice of safe and sustainable treatment of human excreta, including the collection, storage, treatment and disposal of human body wastes. It is a programme encouraging the safe disposal of human and animal waste while protecting the environment and health.³⁵

Those couples of rights are considered as indispensable for the enjoyment of life and all human rights as well as human dignity. Regardless of the fact that the right to water and sanitation is crucial for the life, there are many instances whereby the water is polluted by the activities of human being. Water could be contaminated and became unsafe for drinking, and the contaminated water may cause waterborne diseases.³⁶ Thus, it is imperative to protect water and sanitation by law.

³² United Nations Declaration on the Rights of Peasants, (UNDROP), Paragraph 1 of Art. 21.

³³ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 3.

³⁴ *Ibid.*

³⁵ Baye, *supra* note 17, at 2.

³⁶ See *ibid.*

The 2015 UN Resolution 70/169 the Right to Safe Drinking Water and Sanitation (2015), recognizes the right to water and the right to sanitation as distinct rights. This Resolution defines the right to water as “an entitlement to have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use”.³⁷ This definition takes into account water use for personal and domestic use. In addition, the accessibility and affordability of water are essential elements in the definition, whereby an individual should have to access in an affordable manner. This Resolution also defines the right to sanitation as “the entitlement to physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure, socially and culturally acceptable, and that provides privacy and ensures dignity”.³⁸ The right to sanitation requires physically accessible and affordable sanitation. The service should meet some standards that protect privacy, it should be acceptable under the culture of the community, and it should be safe and hygienically secured. Furthermore, the right to water and sanitation is considered as a collective right.³⁹ The right to water and sanitation, as human right is a legal entitlement that can be claimed, and its implementation could be monitored.⁴⁰ Human rights are something people have claims that are universal, inalienable, and imprescriptible. The claims of human rights of people relate to benefits that are important for freedom, wellbeing, dignity and human fulfilment. Those claims are meant to protect individuals from power abuse and the full realization of being human.⁴¹ Accordingly, the right to water and sanitation are claimable right.

³⁷ UN Resolution 70/169 the Right to Safe Drinking Water and Sanitation (2015).

³⁸ *Ibid.*

³⁹ See generally Omur Kurt, *Right to Water as a Collective Right A Leverage to reclaim the Commons?*, A Thesis submitted to the Graduate School of Social Sciences of Middle East Technical University, in partial fulfillment of the requirements for the Degree of Doctor of Philosophy in the Department of Political Science and Public Administration, August 2022.

⁴⁰ P. Ban Ki-moon, UN Secretary General, The Human Right to Water and Sanitation, media brief.

⁴¹ Louis J. Kotze and Erin Daly, A Cartography of Environmental Human Rights, in EMMA LEES AND JORGE E. VINUALES, (EDS), THE OXFORD HANDBOOK OF COMPARATIVE ENVIRONMENTAL LAW (Jul. 2019) DOI: 10.1093/law/9780198790952.003.0046 www.oxfordhandbooks.com

3.3) Obligations of the State

The State is duty-bound to respect, fulfil and protect the right to water and sanitation.⁴² The right to water and sanitation imposes obligation on states to ensure ‘access to drinking water’ and ‘provision of sanitation for everyone’.⁴³ The state is duty-bound to fulfil sufficient amount of water necessary for personal, domestic, and productive use. The state must also fulfil non-discriminatory access to drinking water and sanitation, particularly for disadvantaged and marginalized groups like nomadic pastoralists, plantation workers, migrants, and persons living in informal settlements. Physical and economic accessibility to water and facilities for productive works, protection of water resources from pollution and overuse are paramount. The state must also ensure the protection of customary water rights of people from interferences by third parties, employing water management and respect the priorities for the domestic, small-scale food production, ecosystem needs and the cultural use.⁴⁴ Water is the heart of ecosystem, and therefore, the state must protect and ensure the conservation of water resources, such as surface water, the generation of watersheds, aquifers, wet lands, ponds, and lakes.⁴⁵ Accordingly, the right to water and sanitation is one of environmental human rights.⁴⁶ The right to environment includes the right to the enjoyment of clean water and sanitation, which is very crucial for the life of the human being that is related to the right to life.⁴⁷ The 2002 General Comment No. 15 and the 2006 Guideline provide normative contents of water and sanitation which

⁴² CENTRE FOR HOUSING RIGHTS AND EVICTIONS, LEGAL RESOURCES FOR THE RIGHT TO WATER AND SANITATION: INTERNATIONAL AND NATIONAL STANDARDS (2nd edition, 2008), at 13.

⁴³ Protocol on Water and Health to the 1992 Convention on the Protection and Use of transboundary Water Courses and International Lakes, 1999, Art . 6(1)

⁴⁴ Yifang Slot Tang and Angélica Castañeda Flores, *Rights of Water and Sanitation*, 5, (Dec. 2020, FIAN International).

⁴⁵ *Ibid.*

⁴⁶ The other specifically environmental human right is the right to live in a clean and healthy environment, designated by different expressions such as the right to live in a certain quality- clean, healthy or generally satisfactory environment. DUPUY AND VINUALES *supra* note 7.

⁴⁷ Melissa Thorne, Establishing Environment as a Human Right, *Denver Journal of International Law & Policy*, Vol. 19, No. 2, 2020, at 310.

implies the obligation on the part of the state.⁴⁸ The normative contents of the right to water and sanitation include adequacy, availability, quality, accessibility, and sustainability.⁴⁹

Adequacy- water must be adequate for human life, dignity and health so as to ensure the high living standard of physical and mental standard enshrined under Arts. 11 and 12 of the Covenant on Economic, Social and Cultural Rights. Adequacy here does not only mean to quantity and technology, but it should be more than that and be considered as social and cultural good rather than economic goods.⁵⁰ The World Health Organization sets the standard of 50 -100 litters daily for an individual and an absolute minimum of 20 litters.⁵¹ Therefore, adequate water must be made available for everyone.

Quality- water must be safe that is free from microorganisms, radiological substances and chemical substances. Water should also have acceptable odour, taste, and colour and it must be safe technically to use it all times. Sanitation facilities and tools must be safe and culturally acceptable. For instance, water facilities in work and school should be separate for women and men and/or girls and boys, respectively. The hygiene practices need to be culturally acceptable, as well.⁵² In short, the quality of water should be ensured in addition to its adequacy.

Accessibility is the third component that has several dimensions including physical accessibility, economic accessibility, non-discrimination, and information. Water and sanitation in house, workplace, field, and water bodies must be safe, sufficient, and regular. Particularly, women and girls should be physically secured and safe when they access water- this is related to physical accessibility. Furthermore, everyone

⁴⁸ THORSTEN KEIFER et al, (Editors), LEGAL RESOURCES FOR THE RIGHT TO WATER AND SANITATION: INTERNATIONAL AND NATIONAL STANDARDS, (2nd Edition, The Netherlands, Centre on Housing Rights and Evictions, 2008), at 9.

⁴⁹ Tang and Flores, *supra* note 44, at 5.

⁵⁰ *Id.*, at 6.

⁵¹ KEIFER et al, *supra* note 48, at 9.

⁵² Tang and Flores, *supra* note 44, at 6.

should have access to personal, domestic and production sanitation facilities and services.⁵³ The water should be within 1 kilometre or be accessible in 30 minutes to collect, particularly for women⁵⁴ and government is required to ensure this.⁵⁵

In addition, sanitation facilities and services such as construction and maintenance of facilities, treatment and disposal must be in affordable prices to all without affecting the capacity to afford other basic goods and services like the food, housing, health and education. Water resources and facilities must be managed in accordance with the non-discriminatory principle, especially for marginalized and disadvantaged groups, and in respecting customary and community based water management system. Also, the access to information about water and sanitation and water management must be ensured.⁵⁶ Generally, accessibility of water should be physically secured and be safe, in affordable price, respecting the custom of the society and information about water and sanitation management should be ensured.

Sustainability- the right to water and sanitation must be sustainable which means that it should be guaranteed for the existing generation and the coming generation, too.⁵⁷

States at the international level have the general obligation to progressively realize the right to water in a non-discriminatory manner. Further, they have the specific obligations to respect, fulfil and respect the right.⁵⁸ In short, government should ensure sustainability of the right to water and sanitation for the existing and coming generation.

The right to water, as any other human right, imposes the three obligations on the government, vis., the duty to ‘respect’ that requires the government not to interfere directly; the obligation to ‘protect’ meaning protect the right from the interference of the third party; and the obligation to ‘fulfil’ that requires the government to facilitate, promote, and provide what is required to implement the right. Further, the

⁵³ *Id*, at 7.

⁵⁴ KEIFER et al, *supra* note 48, at 10.

⁵⁵ See KEIFER et al, *supra* note 48, at 10.

⁵⁶ Tang and Flores, *supra* note 44, at 7.

⁵⁷ *Id*, at 8.

⁵⁸ *Ibid*.

government must exercise due diligence to implement the right to water and sanitation.⁵⁹ At the international level, the right to water and sanitation imposes a duty to cooperate and assist to implement it. Each State must ensure the availability of judicial, administrative or other remedies for those whose right is violated for adequate reparation.⁶⁰

4) International and National Legal frameworks for SDG 6- The right to water and sanitation

Environmental law has been recognizing environmental rights such as the right to live in a clean and healthy environment and the right to water. The 1972 Stockholm Declaration under Principle 1 recognizes the environmental right.⁶¹ Environmental right in general and the right to water in particular are also derived from the Universal Declaration on Human Rights Art. 3 the right to life and security, and Art 25 (1) the right to a living standard adequate for health and wellbeing of human being.⁶² Moreover, the 1966 Covenant on Economic, Social and Cultural Rights Art. 11(1) the right to continuous living standard, and Art. 12(1)(b) the right to improved environment including hygiene are taken as the source of the right to environment in general and the right to water and sanitation in particular.⁶³

The right to water and sanitation that is provided under SDG 6 is incorporated under various international instruments implicitly and explicitly in binding as well as non-binding laws. Some international legal instruments such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention

⁵⁹ DUPUY AND VINUALES, *supra* note 7, at 379; CENTRE FOR HOUSING RIGHTS AND EVICTIONS, *supra* note 42, at 13.

⁶⁰ CENTRE FOR HOUSING RIGHTS AND EVICTIONS, *supra* note 42, at 15.

⁶¹ Stockholm Declaration Principle 1 reads: “Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and wellbeing, and he bears a Solemn responsibility to protect and improve the environment for the present and future generations...”.

⁶² Melissa Thorme, *Establishing Environment as a Human Right*, 19,2, Den.J.Int’l L. & Pol’y, 301, at 314 (1991); Peter H. Glieck, *The Human Right to water*, 1, Water Policy 487, at 491(1998).

⁶³ *Id.*, at 314.

on the Rights of Children (CRC), and several UN resolutions of the General Assembly explicitly recognize the right to water and sanitation as human rights. International environmental law also recognizes the right to water as essential element of environment and it requires its preservation. The phenomenon of incorporating the water and sanitation as human right is a recent phenomenon, and still it is under development.⁶⁴ It is believed that law could help to achieve the SDGs as aspired. Therefore, efforts have been made to support those Goals with international law principles and binding as well as non-binding international law such as treaties.⁶⁵ Law in general can play essential role in achieving SDG 6.⁶⁶ Accordingly, relevant international human rights law and international environmental law govern SDG 6.

4.1) SDG 6 and Human Rights Law

Human rights law includes the right to water and sanitation. The upcoming section of the article examines the relevant international human rights law that govern SDG 6.

International Covenant on Economic, Social and Cultural Rights, as binding legal agreement, does not explicitly incorporate the right to water and sanitation. However, Art. 11 of the Covenant incorporates the right to everyone to an adequate standard of living, including adequate food, among others, is interpreted by the General Comment No. 15 on the right to water prepared by the UN Committee on Economic, Social and Cultural Rights, to include the human right to water implicitly as essential to lead life of dignity.⁶⁷ The Committee has interpreted Article 11 of the Covenant on Economic, Social and Cultural Rights to include the right to water under

⁶⁴ See generally John Scanlon, Angela Cassan, and Noemi Nemes, Water as a Human Right? (IUCN Environmental Law Programme, IUCN Environmental Policy and Law Paper No. 51, 2004).

⁶⁵ Segger, *supra* note 22.

⁶⁶ See ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at iii.

⁶⁷ *Id.*, at 11; UN-Water Decade Programme on Advocacy and Communication (UNW-DPAC), The Human Right to Water and Sanitation: Milestones

categories of guaranteeing adequate standard of living.⁶⁸ The right to water is inextricably related to the right to attainable high standard of health, as incorporated under Art. 12 of the Covenant, and the rights to adequate food as well as housing as per Art. 11 of the Covenant.⁶⁹ In short, the Covenant Arts. 11 and 12 are interpreted to include the right to water and sanitation which are incorporated under SDG 6.

The 1981 African Charter on Human and Peoples' Rights does not explicitly recognize the right to water and sanitation. However, the African Commission on Human and Peoples' Rights interprets the Charter as other human rights such as the right to life, (Art. 4), dignity (Art. 5), health (Art. 16), economic, social and cultural development (Art. 22), and to a satisfactory environment (Art. 24) incorporate the right to water and sanitation.⁷⁰ Therefore, the African Charter on Human and Peoples' Rights incorporates the right to water and sanitation implicitly which SDG 6 is intended to implement.

Convention on the Rights of Persons with Disabilities-The Convention on the Rights of Persons with Disabilities is a human rights instrument that intends to promote and protect the full and equal enjoyment of all human rights and fundamental freedoms for persons with disabilities.⁷¹ The Convention enshrined the right to equal access to clean water services for all people with disabilities.⁷² This Convention aimed at solving the difficulties of persons with disabilities particularly in developing countries to access water, sanitation and hygiene.⁷³ Ethiopia ratified this

⁶⁸ Committee on Economic, Social and Cultural Rights, 2002, General Comment No. 15, The Right to Water (Arts. 11 and 12 of the International Covenant on Economic, Social and Cultural Rights), at 2.

⁶⁹ *Ibid.*

⁷⁰ African Commission on Human and Peoples' Rights, *Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights*, http://www.achpr.org/files/instruments/economic-social-cultural/archpr-instr_guide_draft_esc_rights_eng.pdf

⁷¹ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 11.

⁷² Convention on the Rights of Persons with Disabilities, adopted by the UN General Conference: 13 December 2006, entered into force: 3 May 2004, Art. 28(2)(a)

⁷³ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 11.

Convention, and is obliged to implement it.⁷⁴ Accordingly, the Ethiopian Government is duty bound to fulfil the water and sanitation rights for persons with disabilities.

Convention on the Rights of the Child- the United Nations Convention on the Rights of the Child (CRC) is a human rights convention that enshrined the civil, political, economic, social, health and cultural rights of children. The Convention defines child as “any human being under the age of eighteen, unless the age of majority is attained earlier under national legislation”.⁷⁵ The Convention imposes the duty on governments to recognise the right of the child to the enjoyment of the highest attainable standard of health.⁷⁶ State parties are obliged to ensure to take appropriate measures to ensure clean drinking water for children.⁷⁷ The Ethiopian Government has adopted and ratified the Convention on the Rights of Child on December 9 1991, by Proclamation No. 10/1992, and the Convention has become part of the laws of the country.⁷⁸ Thus, the Ethiopian Government is responsible to implement this right for children.

The African Charter on the Rights and Welfare of the Child (1999) reaffirms that every child has the right to the enjoyment of the highest attainable state of physical, mental and spiritual health. States are obligated to realize this right by taking measures to ensure the provision of adequate nutrition and safe drinking water.⁷⁹ This Charter applies to the Ethiopian Government since Ethiopia is an African nation.⁸⁰ Therefore, a child in Ethiopia has the right to water and sanitation.

Convention on the Elimination of all Forms of Discrimination against Women- This Convention intends to eliminate all forms of discrimination against women and

⁷⁴ Convention on the Rights of Disabilities Ratification Proclamation No. 676/2010.

⁷⁵ Convention on the Rights of the Child, adopted by the UN General Assembly: 20 November 1989, entered into force: 2 September 1990, Art. 1.

⁷⁶ *Id*, Art. 24.

⁷⁷ *Id*, Art. 24.

⁷⁸ FDRE Constitution, Art 9(4) provides that international agreements Ethiopia has ratified are part of the Law of the Land.

⁷⁹ The African Charter on the Rights and Welfare of the Child (1999), Art 14.

⁸⁰ Ethiopia has ratified the African Charter on the Rights and Welfare of the Child by Proclamation No. 283/2002.

girls. In the absence of ensuring the access to water and sanitation, it may not be possible to ensure the equality of women with men. Particularly in developing countries, the cultural responsibility to supply water falls on the shoulder of women. Thus, fulfilling these roles will preclude their participation in education or work. Women have special need for water and sanitation in terms of hygiene and menstrual health. Therefore, addressing the needs of water and sanitation for women and girls is a key for the achievement of gender equality.⁸¹ Thus, the Convention enshrined the right to water and sanitation for women in rural areas.⁸² States are duty-bound to realize this right. Ethiopia has ratified this Convention, and the Government is obligated to ensure the implementation of the right to water and sanitation for women and girls.

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003) is known as the Maputo Protocol. It imposes the duty to undertake measures to provide women with access to clean drinking water.⁸³ Ethiopia has ratified this Protocol and is duty-bound to implement same.⁸⁴ Generally, the right to water and sanitation is recognized human right under international human rights law and this is applicable to Ethiopia since the international human rights instruments are accepted by Ethiopia. therefore, the right to water and sanitation is a human right to Ethiopian people as provided under international human rights instruments.

4.2) SDG 6 and Environmental Laws

Environmental laws are also important in the promotion and preservation of the right to water and sanitation, because water is essential natural resource, which is part of the environment to be regulated by environmental laws.

⁸¹ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at12.

⁸² Convention on the Elimination of all Forms of Discrimination against Women, Art. 14.

⁸³ The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003), Art. 15 (a)

⁸⁴ Proclamation to ratify the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa, Proclamation No. 1082/2018.

UN Convention to Combat Desertification (UNCCD)-The UN Convention to Combat Desertification intends to combat desertification by mitigating the effects of drought using national action plans and supported by international cooperation and partnerships.⁸⁵ This requires the implementation of action plans and strategies including sustainable management of water resources. The Convention aspires for the Parties to “promote cooperation in the field of conservation of water resources”.⁸⁶ It also requires Parties to support research activities that would enhance the availability of water resources in drought affected areas.⁸⁷ Ethiopia has ratified this Convention and is obliged to implement it.⁸⁸ Accordingly, Ethiopia is required to prepare plan to fight against desertification so as to implement the right to water.

The African Convention on the Conservation of the Nature and Natural Resources adopted in 2003 imposes a duty on the Parties to manage their water resources maintaining the possible highest qualitative and quantitative levels.⁸⁹ However, the Convention is not yet operational.⁹⁰

Further guidelines on the Rights to Water in Africa are approved in 2019. These guidelines recall the fact that the right to water and sanitation are recognised human rights at the international level,⁹¹ and it emphasizes the indivisibility and interdependence of human rights (Art. 2(1)), and it imposes the obligation on States to realize the right to water and related rights such as the right to life, the right to survival and development of children (Art. 2(2)). Under Art. 3(1), the Guideline clearly provides the State’s Obligation to implement the right to water. As per Art 3(2), it also imposes the obligation to respect, protect, promote and fulfil the right to

⁸⁵ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 13.

⁸⁶ UN Convention to Combat Desertification, Art. 4(2)(d).

⁸⁷ *Id*, Art. 17(1)(g).

⁸⁸ Proclamation to Ratify United nations Convention to Combat Desertification in those Countries experiencing Serious Drought and –or Desertification Particularly in Africa, Proclamation No. 81/1997.

⁸⁹ African Convention on the Conservation of the Nature and Natural Resources adopted in 2003, Art. 7

⁹⁰ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 18.

⁹¹ Guidelines on the Rights on Water and Sanitation, Preamble, 4th Paragraph.

water exercised individually, in association with others or within a community or group without any hierarchy. According to Art. 3(4), it also requires States to undertake concrete measure to fully realize the right to water using appropriate resources. Art. 4(1) also imposes the duty to mobilize resources to “respect, protect, promote and fulfil the right to water”. The Guidelines provide that African States must put in place through appropriate measures including legislation, that the management of water resources be participatory of the peoples, and ensure the right to water.⁹²

Convention on the Protection and Use of Transboundary Watercourses and International Lakes-The Convention on the Protection and Use of Transboundary Watercourses and International Lakes is known as the Water Convention, and having the purpose to facilitate cooperation between states to ensure sustainable use of transboundary water resources.⁹³ In addition, it requires states to use transboundary waters in a reasonable and equitable manner to ensure their sustainable management. The Convention as a framework agreement requires bordering states to establish joint bodies to use water bodies, and this directly supports the implementation of SDG 6.5 target that requests all countries to implement integrated water resource management.⁹⁴ Article 6(1) of the Protocol on Water and Health also requires States to ensure access to drinking water and provision of sanitation for everyone by employing integrated water management system and sustainable use of water resources as well as the preservation of water ambient quality to preserve the ecosystem. The Protocol is legally binding instrument that provides a framework to implement the right to water and sanitation and to translate into practice SDG 6.⁹⁵

The United Nations Framework Convention on Climate Change (UNFCCC)-The United Nations Framework Convention on Climate Change is the first

⁹² *Id*, Art. 7. The right to Participation of the People is provided under the Guidelines. Art. 8.

⁹³ Convention on the Protection and Use of Transboundary Watercourses and International Lakes, Art. 2(6).

⁹⁴ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 14.

⁹⁵ Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Water Courses and International Lakes, done in London, on 17 June 1999.

internationally negotiated agreement to combat climate change having the objective to “stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous interference with the climate system”.⁹⁶ This Convention helps to protect water resources in general, and regulates the sustainable use of them since water bodies are important for reserving carbon dioxide.

The Paris Agreement-has the objectives to:⁹⁷

- a) Limit global warming to less than 2 degrees Celsius above pre-industrial levels and pursue efforts to limit the rise to 1.5 degrees Celsius;
- b) Improve the ability to adapt to climate change and foster climate resilience; and
- c) Make finance flows consistent with the above objectives.

The UNFCCC and the Paris Agreement are important legal instruments in water regulation because their impact indirectly affects the climate. Climate policy and law have far-reaching implications on the availability of water and vice versa. Global warming has impact on

- water resources variously including increased droughts and flooding;
- Seasonal changes in rainfall;
- Salinization of freshwater due to rising sea levels.

Water is used as capturing carbon dioxide to combat climate change, and the preservation of water bodies is important for protecting climate change.⁹⁸

4.3) Soft laws

The UN Conference on Water in 1977 was held in Mar Del Plata, Argentina, which approved the first internationally coordinated approach to integrated water resources

⁹⁶ The United Nations Framework Convention on Climate Change, Art. 2.

⁹⁷ The Paris Agreement, Art. 2. Ethiopia has ratified the Paris Agreement with Proclamation No. 993/2017.

⁹⁸ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 15. For detailed discussion, see Tesfaye Abate Abebe, The Efficacy of Climate Change Law in Ethiopia, (Apr. 2024) Vol. 5:4; International Journal of Arts, Humanities and Social Sciences, 93-106, available at: <https://ijahss.net/assets/files/1713028795.pdf>

management. It noted that all people have the right to have access to drinking water in quantities and of a quality, equal to their basic needs.⁹⁹

In 1992, the Dublin Conference on Water and Sustainable Development provides that “... it is vital to recognize first the basic right of all human beings to have access to clean water and sanitation at an affordable price.”¹⁰⁰ This is an important instrument that recognises the right to water and sanitation as human right and it requires the price to be affordable. In 1994, United Nations International Conference on Population and Development in its programme of Action affirms that all individuals “[h]ave the right to adequate standard of living for themselves and their families, including adequate food, clothing, housing, water and sanitation.”¹⁰¹ Further, the UN Resolution 54/175 on the Right to Development (1999) reaffirms that both the right to water and food are fundamental human rights and the international community and national governments do have the moral obligation to implement them.¹⁰² This instrument is essential in the development of the right to water and sanitation, since it recognizes it as human right.

Moreover, the 2002 World Summit on Sustainable Development calls for the increase in access to clean water and sanitation.¹⁰³ The 2002 General Comment No. 15 on the Right to Water and the 2006 Guidelines for the realization of the Right to Drinking Water and Sanitation are crucial nonbinding instruments which have important role in the interpretation of the right to water and sanitation.¹⁰⁴ Moreover, Berlin Rules on Water Resources (2004) was adopted by the International Law Association (ILA) that summarizes the international customary law that applies to freshwater resources. It guides States in the management of water resources. The rules call for States to

⁹⁹ The Mar Del Plata Action Plan (1977).

¹⁰⁰ Dublin Conference on Water and Sustainable Development, (1992), Principle 4.

¹⁰¹ United Nations International Conference on Population and Development in its programme of Action (1994).

¹⁰² UN Resolution 54/175 on the Right to Development (1999), Recital 12 (a).

¹⁰³ World Summit on Sustainable Development, (2002).

¹⁰⁴ See UN Water Programme and Advocacy and Communication, at 2.

undertake appropriate measures to minimize all environmental harm and to manage water sustainably.¹⁰⁵

In addition, the UN Resolution 7/22 on the Human Right to Safe and Clean Drinking Water and Sanitation (2008) recognizes that all governments by human rights obligation have the duty to ensure access to safe water and sanitation.¹⁰⁶ Furthermore, the Human Rights Council welcomes the independent expert on the issue of human rights obligations in relation to access to water and sanitation, whereby it recognizes, for the first time, that the States have the obligation to address and eliminate discrimination regarding access to sanitation and it urges them to address effectively inequalities in this area.¹⁰⁷

Moreover, UN Resolution 64/292 the Human Right to Water and Sanitation (2010) recognizes that the right to clean water and sanitation are essential for the realization of all human rights. It also requires States and international organizations to provide finance, assistance, and transfer of technology to other countries to implement the right to safe, clean and accessible, and affordable drinking water and sanitation.¹⁰⁸ Further, the UN Resolution recognizes the right to water and sanitation as integral part of international law and confirms that they are legally binding on States. It also calls upon States to employ pragmatic mechanisms to the progressively full implementation of the right to water and sanitation for un-served and underserved areas.¹⁰⁹

Coming to 2015, the UN Resolution 70/169 the Right to Safe Drinking Water and Sanitation (2015), recognizes the right to water and the right to sanitation as distinct rights.¹¹⁰ From the development of the above mentioned soft laws, one can learn that at the early stage water has got attention to be managed properly as natural resource.

¹⁰⁵ Berlin Rules on Water Resources (2004).

¹⁰⁶ UN Resolution 7/22 on the Human Right to Safe and Clean Drinking Water and Sanitation (2008).

¹⁰⁷ UN Human Rights Council, Resolution 12/8, (October 2009).

¹⁰⁸ UN Resolution A/RES/64/292 the Human Right to Water and Sanitation (2010).

¹⁰⁹ Human Rights Council Resolution A/HRC/RES/15/9, (September 2010); UN-Water Decade Programme on Advocacy and Communication.

¹¹⁰ UN Resolution 70/169 the Right to Safe Drinking Water and Sanitation (2015).

Afterwards, it has been recognized as human right. Further developments recognize not only the right to water but also the right to sanitation as human rights and accept them as part of other human rights. In short, the development of international legal instruments in relation to water and sanitation has recognized them as part of human rights regimes.

5) Ethiopian Policies and Laws applicable to the Right to Water and Sanitation

In Ethiopia, various policies and laws are applicable to water and sanitation. This part is devoted to investigate those relevant policies and laws.

The FDRE Constitution- The Ethiopian Constitution does not clearly provide for the right to water and sanitation. However, we can find relevant provisions that would promote the right to water and sanitation. According to the Constitution, the Ethiopian Government is obligated to “endeavour to protect and promote the health, wealth and living standards of the working population of the country.”¹¹¹ This provision can be interpreted to promote and protect the right to water and sanitation since the latter is related to health. Without protecting and promoting the right to water and sanitation, it may not be possible to implement the right to health. What is more, the Ethiopian Government shall protect and promote the living standard of the peoples. The acceptable living standard of human being requires the implementation of the right to water and sanitation. Where water is made available to the people, their life will be promoted. The Constitution, under Art. 14, enshrined the right to life for everyone as inalienable right. This right to life can never be implemented without protecting the right to water and sanitation, since it is the basis for life itself.

We have seen that the right to water and sanitation is accepted as human right by the UN General Assembly, and different laws impose binding and non-binding obligations on the States. The right to water and sanitation is part of the human right

¹¹¹ Proclamation of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation No. 1/1995, Art. 89(8).

of economic, social and cultural rights. Now a day, the argument that those rights are injusticeable is considered as having no foundation, and the rights are accepted as justiceable. Further, the entry into force of the 2003 Optional Protocol to the ICESCR which provided for inquiry and compliant mechanisms established a step for the implementation of those rights including the right to water and sanitation.¹¹²

In Ethiopia, the challenge to the right to water and sanitation starts with the status of international instruments. Ethiopia ratified the international instruments, and in many cases do not reproduce the content of the international instruments in the negarit gazetta. This raises the issue how international instruments could be implemented. One may argue that once international instruments ratified, they constitute part and parcel of the law of the country, and therefore be implemented. However, the publication issue is not settled and that may be considered as one of the challenges to implement the right to water and sanitation as incorporated under the international instruments that Ethiopia has ratified.¹¹³

The justiceability of the right to water and sanitation, as a social and cultural right is subject to debate in Ethiopia. However, some argue that since the right to water and sanitation are collective human rights which are indivisible, interdependent and interrelated to other human rights, they should be considered as justiceable.¹¹⁴ However, it would be safe to conclude that the right to water and sanitation is considered as justiceable since it is the bases for life itself. In general, the Ethiopian Government and citizens should increase their efforts to translate the right to water and sanitation into practice by 2030.

Water Policy and Strategy- The 1999 Ethiopian water resource management policy is aimed at protecting and preserving the water resource of the nation.¹¹⁵ The Policy has the general goal to use the water resource of the country in an efficient, equitable

¹¹² ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 30.

¹¹³ Worku, *supra* note 15, at 23.

¹¹⁴ *Id.*, at 23-24.

¹¹⁵ See generally, the Federal Republic of Ethiopia, Ministry of Water Resources, Ethiopian Water Resources Management Policy.

and optimum manner to promote the sustainable development of the nation significantly. The Policy has put a principle that water to be recognized as economic and social good. Generally, the policy has considered water as natural resource rather than as human rights of the citizens.

Taking into account the need to update the water resource management policy, Ethiopian Government has prepared a draft National Water Policy and Strategy. The draft National Water Policy and Strategy is intended to be used as national guiding framework for sustainable development and management of water resource of Ethiopia.¹¹⁶ Ethiopian water policy and strategy has the goal to guide and coordinate the national effort to use water resources efficiently and equitably. The policy incorporates the principle that water is essential for life, development and the environment. In addition, water is considered as social and economic good; the right to ownership of water is vested on the state and the people; integrated water management; principles of participation that involves the community, the planners etc.; the principles of social equity, efficiency and sustainability; water resource should be developed and managed by the principles of:¹¹⁷

- Polluters pays principle; is to make sure that polluter pays the cost of pollution to the environment.¹¹⁸
- The users pays principle;
- The precautionary principle; and
- Good governance principle- emphasizes on inclusion, meaningful participation, transparency, and accountability.¹¹⁹

Water Resource Management Proclamation-The Ethiopian Water Resources Management Proclamation No. 197/2000 has provided three purposes vis., to ensure that water resources are protected and utilized for the highest social and economic

¹¹⁶ Federal Democratic Republic of Ethiopia National Water Policy and Strategy, Draft, (2020 Addis Ababa), 11.

¹¹⁷ *Id.*, at 13.

¹¹⁸ *Id.*, at 4.

¹¹⁹ *Id.*, at 3.

benefits of Ethiopian people. The second purpose is to follow-up and supervise that water resources are duly conserved, and are protected from harmful effects. The third purpose is related to the proper management of the water resources.¹²⁰ Under Art. 6(1), four fundamental principles have been incorporated to manage water resources in Ethiopia. First, integrated basin master plan should lead the management of water resources to ensure the highest economic and social benefit to the Ethiopian people. Integrated water management principle is crucial that would help us to implement the right to water and sanitation as incorporated under SDG 6. As provided in Art. 6(2) of the Proclamation, all social and economic developments and investments should be guided by the Water Resources Policy, the relevant basin Master Plan Studies and Water resources laws. This is an attempt to ensure the management to be guided by legal principles enacted by the relevant lawmaker. The third legal principle, as per Art. 6(3), is the supervising body should ensure the applicability of the policies and laws of the country. Finally, Art. 6(4) introduces permit system in the management of water resources in Ethiopia. This would enable the Ethiopian Government to regulate water as a natural resource.

According to Art.7(1) of the Proclamation, domestic use is given priority over other uses of water in Ethiopia. Charge is to be paid as per Art.22(1) to discharge water to water resources after using for different services. According to Art.13(2), any activity to “release or discharge any waste that endangers human life, animals, plants and any living things, into water resources...” is not allowed unless the pollutant is treated and having permission to do so. This law is intended to protect water resource from pollution.

Water Regulations-The Council of Ministers Regulations No. 115/2005 is intended to implement the Water Management Proclamation. The Regulations reaffirms that no one is allowed to release polluted water unless treat it properly.¹²¹ As per Art. 12

¹²⁰ Ethiopian Water Resources Management Proclamation No. 197/2000, Art. 3.

¹²¹ Council of Ministers Regulations No 115/2005, Ethiopian Water Resource Management Regulations, Art. 5.

(1) of the Regulations, any person should have a permit to release or discharge water after using it for industrial or other use. Such a person is duty bound to install and use waste treatment method, and to discharge only the type and volume of treated water as permitted. This is intended to ensure the quality of water up to the standard.¹²² According to Arts. 16 (1) and 17, the quality of ground water must be ensured by laboratory test to ensure that it suits for domestic use, and it must be protected well.

Rural Water Supply and Sanitation Systems Management Guideline- Supplying water and sanitation to the peoples in Ethiopia is recognised as the responsibility of the Government and officials should be responsible “for providing access to water and its management”.¹²³ The guideline is intended to promote water safety management, quality and quantity of water as well as the preservation of water resources.

National Sanitation Protocol- The Ministry of Health has adopted national sanitation protocol having the objective to “increase coverage of basic sanitation services for the poorest and most vulnerable throughout the country”.¹²⁴ The protocol is aimed at achieving the SDG 6.2 which requires universal access to basic sanitation services by 2030.

The Ten Years Development Plan- is generally intended to ensure the implementation of the right to water and sanitation. The focus area of the plan is to improve access to drinkable water and sanitation services; expand climate change resilient potable water supply system; strengthening urban sewerage system; expand integrated river basin development scheme; ensure fair and equitable provision of clean water and sanitation.¹²⁵ Where the Plan is implemented properly, it would enable to translate the right to water and sanitation into practice.

¹²² See *id.*, Art. 11.

¹²³ Ministry of Water and Energy (MOWE), Rural Water Supply and Sanitation Systems Management Guideline, (2022), at 12.

¹²⁴ Ministry of Health-Ethiopia, National Sanitation Subsidy Protocol, (May 2022), 7.

¹²⁵ Federal Democratic Republic of Ethiopia, *Ten Years Development Plan: A pathway to Prosperity, 2021-2030* (Planning and Development Commission), at 53.

Generally, except the Constitution which does not clearly incorporate the right to water and sanitation, other laws and policies have regulated water as a natural resource. The Ethiopian law does not clearly accept water and sanitation as human rights. However, water and sanitation should be considered as human rights since international binding and non-binding laws have clearly recognize them as human rights and since Ethiopia is a party and accepted them, the right to water and sanitation should apply in Ethiopia.

6) The Human Right to Water and Sanitation under Sustainable Development Goal 6 in Ethiopia

In Ethiopia, several laws and policy documents have been provided that have a direct and indirect impact on the implementation of SDG 6.

SDG 6- ensure availability and sustainable management of water and sanitation for all

This Goal is intended to ensure availability of water and sanitation. Where there is no availability of water and sanitation facility, it will affect various fundamental rights such as the right to health, food security, clean environment, gender equality and the right to life. SDG 6 requires an integrated approach that takes into account the link between water supply (Target 6.1), sanitation and hygiene (target 6.2), and water treatment, recycling and reuse (Target 6.3). This approach is believed to improve the efficiency and sustainability of water use (Target 6.4), and the protection of water related ecosystems.¹²⁶

Clean accessible water for all is imperative for human being to live and it will be achieved since we do have sufficient fresh water on the Earth. However, we faced with inadequate water supply, sanitation and hygiene due to bad economy and poor

¹²⁶ Genevoux, *supra* note 11, at 17.

infrastructure in the world.¹²⁷ In Sub-Saharan Africa, the activities towards SDG 6 are slow as inspired and there are even regresses in some countries.¹²⁸

This SDG 6 is closely linked with other SDGs for instance, water is linked with the production of food (SDG 2), energy (SDG 7), goods and services (SDG8). Other sustainable development goals such as climate change (SDG 13), degradation of ecosystems (SDG 14 and 15), industrial pollution (SDG 9 and 12) as well as insufficient cooperation between states (SDG 17) are the growing challenges to ensure universal access to safe water. At global level, though progress is recorded, the trend is not on appropriate track to achieve SDG 6.¹²⁹

Target 6.1- **Water Supply Services**

This target relates to drinking water that should be safe, affordable and accessible to all. It is very ambitious since it may be difficult to ensure accessibility of safe water to all people, because this accessibility requires providing access to 100% of the population.¹³⁰ The accessibility of safe water should also be universal.¹³¹ However, it is indicated that only 3 out of 4 people or only 77% of the world people have access to safe drinking water in 2022. This requires governments to increase six fold their current effort to achieve the goal by 2030.¹³²

Water should be accessible, and accessibility of water takes into account the distance and collection time of water. Accessibility also means that water should be accessible to all including children, elderly, disabilities and illness. The second criterion for safely managed service is availability that requires water to be available in sufficient

¹²⁷ What are the Sustainable Development Goals? at 19.

¹²⁸ United Nations Educational, Scientific and Cultural Organization (UNESCO), The United Nations World Water Development Report, Water for Prosperity and Peace, (2024), 92.

¹²⁹ What are the Sustainable Development Goals? at 19.

¹³⁰ Genevaux, *supra* note 11, at 21.

¹³¹ *Ibid.*

¹³² United Nations, Blueprint for acceleration: Sustainable Development Goal 6 Synthesis Report on Water and Sanitation, (New York, United States of America, 2023), at 29.

quantities at all times for personal and domestic use. This requires the continuity of drinking water services.¹³³

The first indicator is that by 2030 reduce the global material mortality ratio to less than 70 per 100,000 live births. Research indicated that about 2.1 billion people at the globe do not have access to safe water. Where there is lack of safe water, it causes on health problems.¹³⁴ This target is aimed at addressing this problem at the international level, despite it is ambitious.

Generally, water supply requires safely managed drinking water service. Safely managed water is water from an improved water source, which located on premises that are available when needed, and free from contamination. However, it is revealed that 30% of the global population lack access to safe, readily available water at home.¹³⁵

Access- is the first component of safe drinking water. By 2020, 23.6% of the Ethiopian population has got access to drinking water from unimproved and surface water sources, which is vulnerable for pollution. There is also a problem of sustainability of water services in Ethiopia. This is a challenge the Ethiopian Government has faced to meet its ambitious plan to achieve 100% drinking water supply by 2030.¹³⁶

The first criterion for access is that water should be safely managed. According to this criterion, drinking water must be available from improved sources and accessible on premises at any time when needed and free from faecal and chemical contamination. Second, the time to collect this safe water should not be more than 30 minutes for round trip, including queuing. Third, the source for the collection time exceeds 30 minutes should be limited. Fourth, the water sourced from unprotected dug well or unprotected spring is considered unimproved. Fifth, surface water

¹³³ Genevaux, *supra* note 11, at 22.

¹³⁴ *Ibid.*

¹³⁵ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 4.

¹³⁶ Gezahegn Lemecha, *Improving rural water supply financing in Ethiopia*, (IRC Policy brief, January 2022), at 5.

directly from river, dam, lake, pond, stream, canal or irrigation canal is surface water¹³⁷ that is vulnerable for all types of pollution and contamination.

Quality of water is the other essential component of safe drinking water which requires that water must be free from faecal and chemical contamination.¹³⁸ It may be difficult to have water free from chemicals since the natural source of water itself may contaminate water with chemicals. Thus, governments should take into account their own objective reality of their country. High priority should be given to arsenic and fluoride since they do have negative impact up on the health of persons drinking the water. Therefore, national standard should consider the concentration of chemicals not to affect the health of the community. The quality covers the entire drinking water supply chain. Thus its quality should be ensured from the source to the last destination of water.¹³⁹

To ensure water quality that it is safe starts from the risk of contamination at the distribution point as well as during transportation, storage at home and at the point of consumption should be assessed. Where there is no piped water, the consumers should take step to ensure that they treat water at home. Where the assessment of water quality indicates long-lasting treatment solution usually, chlorine could be used to prevent biological contamination. Usually quality of water is controlled at the distribution point. Nevertheless, it is essential to check the quality of water where it is delivered in tanker trucks or hand-down carts with drums.¹⁴⁰

In Ethiopia, the Government has the responsibility to undertake development activities to expand services of potable water supply and sewerage, to improve potable water standards and expand their accessibility.¹⁴¹ In urban areas, the piped water network should cover the informal urban settlements. This could be

¹³⁷ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 5.

¹³⁸ Genevaux, *supra* note 11, at 23.

¹³⁹ *Ibid.*

¹⁴⁰ *Id.*, at 26.

¹⁴¹ Federal Democratic Republic of Ethiopia, The 2017 Voluntary National Reviews on SDGs of Ethiopia: Government Commitments, national Ownership and Performance Trends, (National Plan Commission, Addis Ababa June 2017), at 32.

undertaken by using public private partnerships between the main operator and smaller private operations, as is experienced in Burkina Faso.¹⁴² In rural areas, to expand or provide water access to people closer to their homes, the safe drinking water service need to be expanded, for instance, by working on more water supply systems and installing connections in rural areas and expand more water points. For instance, standpipes, wells or boreholes with hand pumps.¹⁴³

In Ethiopia, the Ministry of Water and Energy is responsible to conserve, protect and manage water bodies and related ecosystems. Thus, it must ensure that water bodies and ecosystems are free from pollution¹⁴⁴ that would cause health problem so as to minimize mortality rate in the country. As per Art. 32(1)(i) of the Water Proclamation, the Ministry must determine the quality standards for different use of water, and to follow up its implementation and avert water pollution.

In one case, there was a claim that the wastes from condominium house flood out of its rout and cause pollution to the water body, the Legetafo River and the neighbouring environment. It was claimed that the act violated the right of the community to live in a clean and healthy environment as well as violating their right to health. It was pointed out that the polluted water from latrines was the violation to the community right to health. The court has investigated the case according to Proc. No. 300/2002 Art. 12 (1) which provides that no one is allowed to pollute the environment by violating the environmental standard, and the City Administration is obligated to ensure the implementation of integrated waste disposal and management in the City as per Art. 6(1). In addition, the court reasoned out that the Addis Ababa City Administration Water Bureau must control the release of waste water according to Regulations No. 74/2014, Arts. 50(9) and 17. The Court concluded that the Water

¹⁴² Genevaux, *supra* note 11, at 27.

¹⁴³ *Ibid.*

¹⁴⁴ Definition of Powers and Duties of the Executive organs Proclamation No. 1263/2021, Art. 32(1) (C).

Bureau is duty bound to stop the flow of the toilet to the environment.¹⁴⁵ This is a good start to ensure the implementation of the right to water and sanitation. This decision is an essential practical attempt to ensure the protection of water from pollution thereby to protect the right to health of the community. However, we do not find prevalent cases on the issue.

Target 6.2- Sanitation and Hygiene

By 2030, achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations.

As per this indicator, there should be equitable and adequate sanitation and hygiene for all. It is more ambitious than the previous target since it seeks to ensure access to sanitation for all. It also requires access to be equitable which implies that there should not be inequalities in service levels among various demographic groups. Sanitation must also be adequate that implies ensuring of hygiene and use of sanitation facilities and hygienic treatment of excreta.¹⁴⁶

Indicators- there are indicators to measure the implementation of this Goal. First the improved water facilities are not shared with others households.¹⁴⁷ This is based on the human right to sanitation, and it recognises that sanitation in home is crucial for health, safety, privacy, and dignity. Thus, there should be toilet in the home or in the yard. Using shared toilets would increase the likelihood of contaminating diseases.¹⁴⁸ Therefore, it is better to have separate toilets only for members of a family. Second, use of improved facilities are not shared with others households. Third, limited –share of safe water facilities, and fourth, use of hanging latrines or bucket latrines. Finally,

¹⁴⁵ *Defend the Environment Vs AA Water Authority, AA City House Development Corporation, and Yeka Abado MidreGenet House Owners Association*, Case No. 28836, 12/11/2014 EC, Federal First Instance Court, Yeka Chilot,

¹⁴⁶ Genevaux, *supra* note 11, at 28.

¹⁴⁷ *ADVOCATES FOR INTERNATIONAL DEVELOPMENT*, *supra* note 2, at 6; Genevaux, *supra* note 11, at 30.

¹⁴⁸ Genevaux, *supra* note 11, at 30.

limiting availability of open disposal of human faeces in fields, forests, bushes, open bodies of water, beaches or other places, or with solid waste is important.¹⁴⁹

According to the Pollution Control Proclamation, any person who is working in an activity whereby the public has access to its services, hotels for instance is obligated to ensure the availability of adequate and suitable toilets.¹⁵⁰ This is an important legal provision that will help to ensure and implement the right to sanitation for Ethiopians. The Ministry of Water and Energy must establish system that facilitates supply and coverage of sanitation infrastructure.¹⁵¹ In Ethiopia, the development plan aspires for the inclusion of women and persons with disabilities to have access the right to clean water.¹⁵² This is in line with the UN SDG 6. However, a research identified that the sanitation in Ethiopia is at a low level which poses a challenge to the development in the country.¹⁵³

Hygiene- A research made by UNICEF Ethiopia discloses that only 14 % of the rural area and 20% of urban area of the Ethiopian population have got basic sanitation service.¹⁵⁴ This indicates that the right to sanitation is not properly fulfilled in our country. In addition, 7% of urban population and 38% of rural population continue to practice open defecation. Poor hygiene and contamination of the environment in Ethiopia are considered to be the major contributors for the child mortality, illness, under nutrition and stunting.¹⁵⁵ In Ethiopia unsafe water supply, unsanitary and unhygienic waste disposal are the causes for 60-80 per cent of health problem for contaminated diseases like diarrhoea.¹⁵⁶

¹⁴⁹ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 6.

¹⁵⁰ Environmental Pollution Control Proclamation No. 300/2002, Art. 5(3).

¹⁵¹ Definition of Powers and Duties of the Executive organs Proclamation No. 1263/2021, *supra* note 144, Art 32(1)(j).

¹⁵² Ten Years Development Plan, *supra* note 125, at 53.

¹⁵³ Desale, *supra* note 17, at 10-11.

¹⁵⁴ Nahom Tesfaye, *For Every Child, Clean Water*, UNICEF Ethiopia, (2023), <https://www.unicef.org/ethiopia/every-child-clean-water>.

¹⁵⁵ *Ibid.*

¹⁵⁶ *Ibid.*

Target 6.3- Water treatment, recycling and reuse

By 2030, improve water quality by reducing pollution, eliminating dumping and minimizing the release of hazardous chemicals and materials into the environment, halving the proportion of untreated wastewater and substantially increasing recycling and safe re-use globally

This target is intended to improve the quality of water that is essential to protecting both human health and the ecosystem. The method to improve the quality of water includes reducing or eliminating different streams of pollution into water bodies.¹⁵⁷

The percentage of water safely treated and the percentage of water bodies with good ambient water quality are UN's indicator of attainment of the target.¹⁵⁸ This indicator requires ensuring waste water is treated properly. Wastewater should be treated before it is discharged into the environment.¹⁵⁹

Dumping is a widespread environmental pollution. According to UN, 70% of industrial wastes are disposed into water without being treated in developing countries, which pollutes the useable water supply. According to a research, two million tons of sewage, industrial and agricultural waste is dumped into waterways every day in the world.¹⁶⁰ Untreated waste water is the major source of pollution to the environment and water. In 2022, it was reported that 58% of waste domestic water was treated before released to the environment.¹⁶¹

The generation, storage, disposal and distribution of hazardous chemicals require permit from relevant authority.¹⁶² Further, the environmental inspectors are empowered to follow up the implementation of environmental pollution control proclamation.¹⁶³ According to Art. 5 of Environmental Pollution Control Proclamation No. 300/2002, municipal wastes are required to be managed properly without polluting the

¹⁵⁷ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 7.

¹⁵⁸ *Ibid.*

¹⁵⁹ Genevaux, *supra* note 11, at 37.

¹⁶⁰ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 7.

¹⁶¹ UN, 2023 Report, *supra* note 132, at 32.

¹⁶² Environmental Pollution Control Proclamation No. 300/2002, *supra* note 150, Art 4.

¹⁶³ See *id.*, Arts. 7-8.

environment in general and water in particular. The pollution impact of the waste in general must be prevented or reduced.¹⁶⁴ The Ethiopian law aspires for the creation of a system to control the generation, storage, treatment, recycling, transportation and disposal of hazardous waste not to pollute the water resources.¹⁶⁵ Art. 3 of the Hazardous Waste Management and Disposal Control Proclamation, No. 1090/2018 creates a system for environmentally sound management and disposal of hazardous waste. Every factory is responsible to prevent or minimize the generation of pollutant to the acceptable standard.¹⁶⁶ As per Art. 5 of the Prevention of Industrial Pollution Council of Ministers Regulations No. 159/2008, any industry will be given licence only when it is confirmed that the effluent does not exceed the environmental standard and it will not entail damage if released into water.

The Environmental Protection Authority is responsible to regulate the implementation of water protection laws.¹⁶⁷ In addition, The Ministry of Water and Energy is responsible to identify the volumetric and quality of (ground) water resources and protect them.¹⁶⁸ In Ethiopia, it is planned to build integrated sewerage systems for 100 cities and to ensure that rural villages have access to toilets.¹⁶⁹ In Ethiopia in general, and in urban areas in particular, dumping of polluting materials into water ways is a problem. Therefore, Ethiopia has planned to respond to this problem by strengthening urban sewerage disposal system by building infrastructure. In Ethiopia, it is not allowed to dispose untreated wastewater into the environment. Thus, no one can never cause or allow any other person to cause environmental pollution by violating the relevant environmental standard.¹⁷⁰ In addition, the

¹⁶⁴ Solid Waste Management Proclamation No. 513/2007, Art. 3.

¹⁶⁵ Hazardous Waste Management and Disposal Control Proclamation, No. 1090/2018, preamble, 3rd paragraph.

¹⁶⁶ Prevention of Industrial Pollution Council of Ministers Regulations No. 159/2008, Art 4(1).

¹⁶⁷ The Powers, Duties and Organization of the Environmental Protection Authority Council of Ministers Regulations No. 545/2024, Art 4(5).

¹⁶⁸ Definition of Powers and Duties of the Executive Organs Proclamation No. 1263/2021, *supra* note 144, Art. 32 (1)(e)

¹⁶⁹ Ten Years Development Plan, *supra* note 125, at 54.

¹⁷⁰ Environmental Pollution Control Proclamation No. 300/2002, *supra* note 150, Art. 3(1)

Environmental Pollution Control Proclamation Arts. 4 and 5 recognize that recycling and safe re-use of water are important to achieve the target to improve the quality of water. The Ethiopian Government is committed to ensure the quality of potable water in the urban and rural areas.¹⁷¹

Further, a research undertaken by Alemu revealed that water in Ethiopia is being polluted by source and non-source pollutants. He pointed out that the Akaki River in Addis Ababa is polluted with heavy metals, and urban agriculture using this river produces different vegetables that include those heavy metals. Then, those heavy metals will be transferred to human being through food chain that means people who eat those vegetables will intake those heavy metals, and the consequence is health problem.¹⁷² In short, water in Ethiopia is not protected as aspired in the law.

Target- 6.4- Efficient and Sustainable use

By 2030, substantially increase water-use efficiently across all sectors and ensure sustainable withdrawals and supply of fresh water to address water scarcity and to substantially reduce the number of people suffering from water scarcity

The competition between different users or the effect of climate change would affect water. Improving water scheme management is essential for efficient use of water that may include educating the users.¹⁷³ There is water stressed where countries withdraw 25% or more renewable freshwater resources. A research undertaken by UN indicated that more than 2 billion peoples lived in water-stressed countries by 2018. North Africa or Central Asia experience high water stress level over 60%. Improving water-use efficiency is one crucial step to reduce water stress. Agriculture causes water stress accounts more than 70% of water withdrawals. Therefore, it is important to improve water use efficiency in agricultural sector. Water stress will prevail in a country where population growth and climate change intensify the

¹⁷¹ Federal Democratic Republic of Ethiopia, *supra* note 141, at 32.

¹⁷² Alem Talema, *Causes, negative effects, and preventive methods of water pollution in Ethiopia*, Codon Publications, 2023.

¹⁷³ Genevoux, *supra* note 11, at 41.

problem. Therefore, countries need to respond properly to the population growth and climate change problems.¹⁷⁴ At the globe, the report indicated that the world is not in a proper track to achieve this target and it requires the nations to increase their efforts by double to achieve the target by 2030.¹⁷⁵ In Ethiopia, the Ethiopian Government has adopted a plan to reduce the rate of water loss from 39% to 20%.¹⁷⁶ This is aimed at ensuring improving efficiency of water use and sustainability in Ethiopia.

Target 6.5- Water Use Management to reduce Scarcity

By 2030, substantially increase water-use efficiency across all sectors and ensure sustainable withdrawals and supply of freshwater to address water scarcity and to substantially reduce the number of people suffering from water scarcity

All over the world, only 0.5% of water resource is fresh water. This requires the proper management of water resources. UN intends to implement integrated water management through cooperation between states sharing a river or Lake Basin. Governments are responsible for setting framework for water management principles and procedures on how to deal between competing interests and different water uses. Governments are also required to ensure the implementation of the water use framework. Governments need to reform their water use management. Today, climate change has become a challenge to water use since it causes drought and flood in other times. Population growth also is a challenge to water use since it requires regulating who should withdraw what amount of water for what purpose taking into account climate change.¹⁷⁷

There are transboundary water resources- rivers and lakes- that support the livelihoods of vast numbers of people across the globe. However, these resources may cause conflicts between countries over the resources. Thus, it is important to address this problem, and UN has emphasised the implementation of integrated approach to share equitably the costs and benefits of transboundary water resources.

¹⁷⁴ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 7.

¹⁷⁵ UN 2023 Report *supra* note 132, at 34.

¹⁷⁶ Ten Years Development Plan, *supra* note 125, at 54.

¹⁷⁷ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 8.

The international agreements on transboundary water resources do not incorporate cooperative management framework.¹⁷⁸ The Ethiopian Government has planned to implement the right to water and sanitation employing integrated river basin.¹⁷⁹

Target 6.6- Protect and restore water-related ecosystems

By 2030, protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes

Water related eco system plays essential role for environmental eco system. Economic growth and population growth have placed pressure on the fresh water. Wet lands are declined for instance from 1970 to 2015 since they shrank by approximately 35 per cent. Oil and gas production, port development, tourism growth, marine fisheries, coastal aquaculture and agriculture pose threat to water-related ecosystems. Therefore, activities to restore water related ecosystem must be up scaled urgently and in accelerated way.¹⁸⁰

In Ethiopia, water resources have been facing the problem of reducing in volumes and sometimes losing at all. For example, Haramaya Lake was lost totally and now it is reviving again. This demands the Ethiopian Government and citizens to work hard on protecting and preserving water bodies.

Conclusion

Sustainable Development Goal 6 is intended to implement the right to water and sanitation which is recognized as collective human right. Binding and non-binding international legal instruments have recognized the right to water and sanitation explicitly and implicitly. The international human rights law and environmental law have been used to translate the SDG 6 into practice. Ethiopia has ratified various international human rights laws and environmental laws that apply to SDG 6 and is

¹⁷⁸ *Ibid.*

¹⁷⁹ Ten Years Development Plan, *supra* note 125, at 53 and 54

¹⁸⁰ ADVOCATES FOR INTERNATIONAL DEVELOPMENT, *supra* note 2, at 9.

duty bound to implement the right to water and sanitation. The FDRE Constitution does not clearly incorporate the right to water and sanitation. Other laws of Ethiopia do not treat water and sanitation as human rights. The Ten Year Development Plan and the SDGs intended to implement water and sanitation. However, the practice revealed that the Ethiopian Government lags behind the implementation of SDG 6.

In Ethiopia water supply is not provided to the citizens as required by the SDG 6 indicators, and number of women are required to travel for more than thirty minutes to fetch water. The quality of water sometimes is not up to the standard for drinking since it is polluted. In Ethiopia, unsafe, unsanitary and unhygienic waste disposal are considered as the causes for 60-80 per cent contaminated diseases such as diarrhoea. Moreover, water in Ethiopia is vulnerable to pollution in violation of the pollution control laws of the country. Further, water bodies are subject for loss and lakes as well as other water bodies decrease in volumes from time to time. The other challenge to the implementation of the right to water and sanitation in Ethiopia is the issue related to the justiceability of the right. It is subject for debate and this has become a challenge to implement the right. The Ethiopian Government needs to provide water and sanitation as human rights as recognised at the international human rights law. Moreover, the Ethiopian Government and the citizens are required to exert more effort to implement the right to water and sanitation as intended by SDG 6 to be achieved by 2030.