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Human Rights Council
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Oral Statement submitted on behalf of the Portuguese Ombudsman (NHRI accredited with A Status by the GANHRI) on the human rights to water and sanitation

Mr. President
Members of the Human Rights Council
Mr. Léo Heller
Ladies and gentlemen

I welcome this opportunity to, on behalf of the Portuguese Ombudsman, address the Human Rights Council, following the presentation of the Special Rapporteur on the human rights to water and sanitation conclusions on his visit to Portugal.

The Ombudsman is pleased that the current holder of the water and sanitation mandate comes from a Portuguese speaking country, Brasil, as well as the former and first Special Rapporteur, Ms. Catarina de Albuquerque, who is from Portugal. The Ombudsman looks forward to Portuguese becoming the seventh official language of the United Nations.

In Portugal, 95% of the population has access to piped drinking water. A little over 80% has access to sanitation networks and the rest of the population uses individual solutions as septic tanks.

Despite such favourable statistics that show the significant progress Portugal has undergone during last years, the Ombudsman is strongly committed to promoting and protecting the human rights to water and sanitation and often deals with complaints related thereto.

In respect to access to affordable water, the Ombudsman has recommended a municipal provider in the Azores to stop charging a service tariff, therefore reducing the water bill. The Ombudsman also recommended that the provider should guarantee the maintenance of septic tanks with no additional costs.

The recommendation was accepted and illustrates a successful action taken by the Ombudsman as well as a good practice acknowledged by the Special Rapporteur.
The Ombudsman has pointed out that water bills should present all tariffs and costs supported by users in clear and precise terms.

There is certainly room for improvement concerning the information displayed in water bills and even if some providers adequately describe tariffs and costs, in other cases bills should contain detailed and breakdown information.

The Ombudsman is especially concerned with access to water and sanitation by persons in vulnerable situations.

The Ombudsman considered the requirement, established by a provider, that non-nationals (including migrants) should be registered as voters in order to benefit from water and sanitation social tariffs, was against the Portuguese Constitution.

In his capacity of National Preventive Mechanism, the Ombudsman concluded that the sanitary facilities in two juvenile detention centers were not adequate for female inmates and issued a Recommendation in that respect.

Moreover, the Ombudsman is actively monitoring water and sanitary facilities in temporary immigrant detention centers at airports and is carefully assessing them under a gender equality perspective.

It should be noted that the Portuguese State Budget for 2017 gives the Government permission to establish general rules on the automatic access to water and sanitation social tariffs with the purpose of increasing the number of beneficiaries, namely persons in vulnerable economic situation.

The Ombudsman hopes the Government, in light of the Special Rapporteur findings and together with the national regulator (ERSAR) and the providers, will overcome the existing challenges concerning water and sanitation services, so that the international commitments assumed by the Portuguese State are entirely fulfilled.

Thank you for your attention.