

**Committee:** Human Rights Council (HRC)

**Issue:** Examining systemic environmental racism through inequities in access to clean water

**Student Officer:** Vasiliki Sdona

**Position:** Deputy President

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## PERSONAL INTRODUCTION

Dear Delegates,

My name is Vasiliki Sdona and I am an IB1 student at Geitonas School. This year I will be serving as a Deputy President in the Human Rights Council. ACGMUN was the first conference I attended as a delegate, so it is an honor for me to be chairing here for the first time. I have been involved in MUN since the 9<sup>th</sup> grade, and I have participated in many different conferences, which has made me realize the importance of getting educated on issues of global significance and providing solutions for them.

At this point I would like to congratulate all of you for being involved in this activity as you will only benefit from it, either by acquiring public speaking and teamwork skills, or by meeting likeminded interesting people. The Human Rights Council is responsible for the promotion and the protection of human rights and for addressing human rights violations. I am sure all of you will live up to our committee's mission!

This study guide will help you prepare for the first topic which is “Examining systemic environmental racism through inequities in access to clean water”. It will introduce you to the topic and provide a rounded view on it, but I suggest you also do your own research as well, according to your delegation.

Should you have any questions on the topic or the study guide, please do not hesitate to contact me via email at [vs3020@geitonas.edu.gr](mailto:vs3020@geitonas.edu.gr).

My co-chairs and I will make sure you have the best experience possible. I am looking forward to meeting you all and hope you have a fruitful debate during the conference.

I hope you enjoy this year’s conference!

Best regards,

Vasiliki Sdona

## TOPIC INTRODUCTION

Access to safe and affordable drinking water is a fundamental human right. It is imperative for sustaining healthy livelihoods and constitutes an indispensable part of eliminating poverty and constructing peaceful and prosperous societies. Additionally, “Clean Water and Sanitation” constitute the 6<sup>th</sup> goal of the Sustainable Development Goals (SDGs) the UN has set for 2030, which aims to ensure availability and sustainable management of water and sanitation for all. Today, “1 in 4 people – 2 billion people – around the world lack safe drinking water”<sup>1</sup> and “universal access to safe drinking water and adequate sanitation and hygiene would reduce the global disease burden by 10%”<sup>2</sup>; these facts further highlight the problem, as well as the need to ensure equity in access to clean water for all.

Moreover, racism is one of the most pressing issues of the modern world and one of the greatest menaces to equitable access to clean water. A frequently overlooked extent of racism is systemic environmental racism, which results in certain groups of people drinking and using contaminated and unsafe water, or excluding them from having access to water overall. Some of the implications of systemic environmental racism for these people are living under a drinking water advisory which forces them to boil water before they use it due to pathogen contamination or being exposed without knowing to the risk of getting heavy metal poisoning from outdated water supply systems or consuming dangerous substances on a daily basis due to contaminants, such as nitrate or arsenic, in the water from living near an industrial area or not having access to water overall. As a result, the health and quality of life of these people is heavily affected because of an extremely elevated risk of developing serious health conditions.

The victims of this situation are the members of ethnic and social minorities that due to systemic environmental racism are forced to live under terrible conditions and have the fundamental commodity of clean water taken away from them. Because they must constantly struggle for the basics, they cannot improve their living conditions, leaving them trapped in a vicious cycle. 2 billion people lack access to

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<sup>1</sup> World Health Organization, WHO, and UNICEF United Nations Children’s Fund . “PROGRESS ON HOUSEHOLD DRINKING WATER, SANITATION AND HYGIENE 2000-2020.” *Progress on Household Drinking Water, Sanitation and Hygiene 2000-2020: Five Years into the SDGs*, 2021, <https://www.unwater.org/sites/default/files/app/uploads/2021/07/jmp-2021-wash-households-LAUNCH-VERSION.pdf>.

<sup>2</sup> “Water, Sanitation and Hygiene: Exposure.” *World Health Organization*, World Health Organization, 2012, <https://www.who.int/data/gho/data/themes/topics/topic-details/GHO/water-sanitation-and-hygiene-exposure>.

safely managed drinking water at home. Of those, 1.2 billion people have basic drinking water service.

This year's theme, "Breaking Barriers" is relevant to this topic, since it is time to break the barriers that do not allow vulnerable populations to cover their basic needs. Member States and the UN must work together to take action to ensure equitable access to reliable and affordable water for everyone, by constructing supply systems in settlements that do not have such, and by improving water quality in areas that struggle with contamination due to outdated supply systems or pollution.

## DEFINITION OF KEY TERMS

### Carcinogen

"A chemical substance or a mixture of chemical substances which induce cancer or increase its incidence".<sup>3</sup>

### Drinking Water Advisories

"Drinking water advisories let people know that tap water could be contaminated and make them sick; they are issued by water systems and state or local agencies when they have concerns about water contamination".<sup>4</sup>

### Environmental Justice

"The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies".<sup>5</sup>

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<sup>3</sup> Chapter 10: Carcinogenicity Definitions - International Labour Organization.  
<https://www.ilo.org/legacy/english/protection/safework/ghs/ghsfinal/ghsc10.pdf>.

<sup>4</sup> "Drinking Water Advisories." Centers for Disease Control and Prevention, Centers for Disease Control and Prevention, 13 May 2020, <https://www.cdc.gov/healthywater/emergency/drinking/drinking-water-advisories/index.html>.

<sup>5</sup> "Environmental Justice." EPA, Environmental Protection Agency,  
<https://www.epa.gov/environmentaljustice>.

### **Environmental Racism**

“Intentional or unintentional racial discrimination in environmental policy-making, enforcement of regulations and laws, and targeting of communities for the disposal of toxic waste and siting of polluting industries”.<sup>6</sup>

### **Equity**

“The quality of being fair and reasonable in a way that gives equal treatment to everyone”.<sup>7</sup>

### **First Nations**

“Indigenous peoples in Canada (sometimes referred to as Aboriginal peoples) who are not Métis or Inuit”.<sup>8</sup>

### **Inuit**

“A group of Indigenous peoples of northern Alaska, arctic Canada, and Greenland”.<sup>9</sup>

### **Métis**

“People of mixed European and Indigenous ancestry”.<sup>10</sup>

### **Neglect**

“A situation in which not enough care or attention is given to someone or something, or the state of not receiving enough care or attention”.<sup>11</sup>

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<sup>6</sup> “Environmental Racism.” *Oxford Reference*, <https://www.oxfordreference.com/display/10.1093/oi/authority.20110803095753679;jsessionid=A614BB30B7710CA8C41B6AA75C9DA669?rskey=Lp8FRz&result=6>.

<sup>7</sup> “Equity Definition and Meaning: Collins English Dictionary.” *Equity Definition and Meaning | Collins English Dictionary*, HarperCollins Publishers Ltd, <https://www.collinsdictionary.com/dictionary/english/equity>.

<sup>8</sup> “First Nations in Canada.” *The Canadian Encyclopedia*, <https://www.thecanadianencyclopedia.ca/en/article/first-nations>.

<sup>9</sup> “Inuit Definition & Meaning.” *Merriam-Webster*, Merriam-Webster, <https://www.merriam-webster.com/dictionary/Inuit>.

<sup>10</sup> “Métis.” *The Canadian Encyclopedia*, <https://www.thecanadianencyclopedia.ca/en/article/metis>.

<sup>11</sup> “Neglect.” *Cambridge Dictionary*, <https://dictionary.cambridge.org/dictionary/english/neglect>.

### Political Power

“The ability of an individual or group to influence the creation of policies, usually in government”.<sup>12</sup>

### Pollutant

“A pollutant is a substance that is present in concentrations that may harm organisms (humans, plants and animals) or exceed an environmental quality standard”.<sup>13</sup>

### Poverty

“A human condition characterized by sustained or chronic deprivation of the resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living and other civil, cultural, economic, political and social rights”.<sup>14</sup>

### Water Supply System

“A water supply system is a system for the collection, transmission, treatment, storage and distribution of water from source to consumers”.<sup>15</sup>

### Segregation

“The act of keeping one group of people apart from another and treating them differently, especially because of race, sex, or religion”.<sup>16</sup>

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<sup>12</sup> “Political Power Definition.” *Study.com | Take Online Courses. Earn College Credit. Research Schools, Degrees & Careers*, <https://study.com/academy/lesson/political-power-territoriality-definition-example.html>.

<sup>13</sup> Directorate, OECD Statistics. *OECD Glossary of Statistical Terms - Pollutant Definition*, <https://stats.oecd.org/glossary/detail.asp?ID=2073>.

<sup>14</sup> *United Nations E*. <https://www2.ohchr.org/english/bodies/cescr/docs/statements/E.C.12.2001.10Poverty-2001.pdf>.

<sup>15</sup> Directorate, OECD Statistics. *OECD Glossary of Statistical Terms - Water Supply System Definition*, <https://stats.oecd.org/glossary/detail.asp?ID=2913>.

<sup>16</sup> “Segregation.” *Cambridge Dictionary*, <https://dictionary.cambridge.org/dictionary/english/segregation>.

## Systemic Racism

“Policies and practices that exist throughout a whole society or organization, and that result in and support a continued unfair advantage some people and unfair or harmful treatment of others based on race”.<sup>17</sup>

## BACKGROUND INFORMATION

### Issues minorities face

The most impacted people by inequities in access to clean water are minorities seeing as they are faced with issues such as living near industrial areas which tend to suffer from pollutants in water or in areas that do not have a sufficient or even an existent water supply system. The single most affected area of life by lack of access to clean water is health.

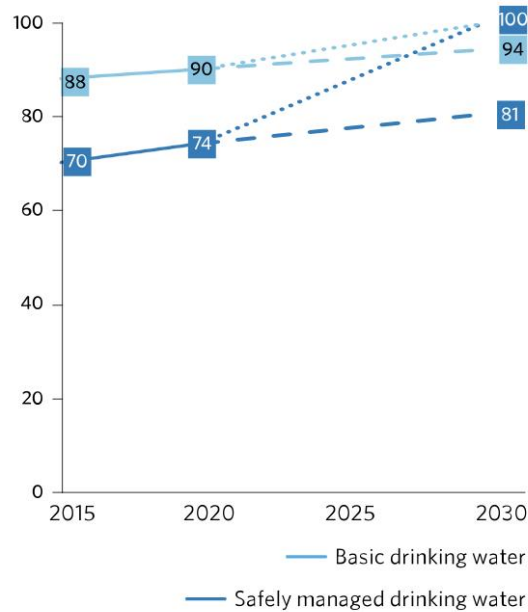
### Lack of proper infrastructure

Lack of infrastructure such as water supply systems, water treatment facilities with filtration and disinfection structures or water storage facilities, is one of the main causes of lack of access to clean water as certain communities live in areas with aging, underdeveloped and insufficiently funded water supply systems. Moreover, lack of water in certain installments is caused by a lack of infrastructure, more specifically a lack of a water supply system with sufficient reach, that leaves people in search of other water sources. “In 2020, 2 billion people were without safely managed drinking water services, including 1.2 billion people lacking even a basic level of service”.<sup>18</sup> This fact highlights the need to improve infrastructure to promote equity in access to water since, in 2020, 10% of the global population did not have access to basic drinking water and 26% of the global population did not have access to safely managed drinking water, as shown in the statistic below.

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<sup>17</sup> “Systemic Racism.” *Cambridge Dictionary*,  
<https://dictionary.cambridge.org/dictionary/english/systemic-racism>.

<sup>18</sup> “6 CLEAN WATER AND SANITATION - ENSURE AVAILABILITY AND SUSTAINABLE MANAGEMENT OF WATER AND SANITATION FOR ALL.” *United Nations*, United Nations,  
<https://unstats.un.org/sdgs/report/2022/Goal-06/>.



**Figure 1:** Global coverage of drinking water 2015-2020 (percentage), and acceleration required to achieve universal coverage by 2030

Because of this lack of infrastructure minorities are more prone to being exposed to dangerous for health pollutants and have to live under drinking water advisories, which include boil-water advisories and do-not-consume water advisories. A boil-water advisory means that a community's water has, or could have, germs that can make people sick while a do-not-consume advisory means a community's water is, or could be, contaminated with harmful chemicals and toxins, and boiling water will not make it safe. An example of such advisories being used is in one First Nations community in Canada<sup>19</sup> - Kitigan Zibi<sup>19</sup>Quebec — where “unacceptable levels of uranium are responsible for a do-not-consume order that has been in place since 1999<sup>19</sup>.” The most likely cause for this contamination is the uranium mining that takes place in the area, however causes of water contamination frequently go unreported by local governments. People living under drinking water advisories are often forced to turn to bottled water or other water sources, at their own expense if the government does not provide any or enough alternatives. Intentional neglect

Frequently, governments and their representatives are aware of the situation and its implications on the life of individuals but choose not to act because they either profit economically from the situation or they are not willing to spend money on measures

<sup>19</sup> Eggertson, Laura. “Canada Has 1838 Drinking-Water Advisories.” *CMAJ : Canadian Medical Association Journal = Journal De L'Association Medicale Canadienne*, U.S. National Library of Medicine, 21 Apr. 2015, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4401593/>.

or simply because they do not care. This only worsens the inequities faced by communities and contributes to the cycle of systemic environmental racism.

A characteristic example of intentional neglect constitutes the Niger Delta, a region in Nigeria that suffers from environmental pollution and degradation due to oil extractions. The extraction of oil in the area has led to, among others, the contamination of water by pollutants like arsenic which is a carcinogen. “Research has found that people living near pollution sites have been progressively exposed to elevated levels of heavy metals such as chromium, lead and mercury in their blood stream, leading to increased risk of diseases ranging from Alzheimer’s and Parkinson’s diseases to cancer, diabetes and kidney damage. More broadly, evidence from across Nigeria suggests that high levels of pollution have also contributed to significant increases in child mortality.”<sup>20</sup> People consume unsuitable for consumption water due to the fact that they are unaware of the effects it has on their health and because the local government does not offer any alternatives. The Nigerian government is constantly dismissing the disastrous effects of oil companies on the local communities as 80 percent of government income comes from oil revenue<sup>21</sup>. As a result, people that live in this region have high rates of health conditions and diseases.

Another, issue potentially linked with intentional neglect is the lack of monitoring of water quality as “For at least 3 billion people, the quality of the water they depend on is unknown due to a lack of monitoring”<sup>22</sup>. It is possible that governments avoid monitoring water quality in certain areas as an attempt to cover up the problem of systemic environmental racism or because they are not willing to use funds for this purpose.

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<sup>20</sup> *November 2019 Interim Report - the Bayelsa State Oil & Environmental ...*  
<https://www.bayelsacommission.org/wp-content/uploads/2019/11/BSOEC-Public-Interim-Report-ONLINE-VERSION-29.10.19.pdf>.

<sup>21</sup> *Oil Conflict and Accumulation Politics in Nigeria I - Wilson Center.*  
<https://www.wilsoncenter.org/sites/default/files/media/documents/publication/Omeje12.pdf>.

<sup>22</sup> “6 CLEAN WATER AND SANITATION - ENSURE AVAILABILITY AND SUSTAINABLE MANAGEMENT OF WATER AND SANITATION FOR ALL.” *United Nations*, United Nations,  
<https://unstats.un.org/sdgs/report/2022/Goal-06/>.



### **Discriminatory policies and practices**

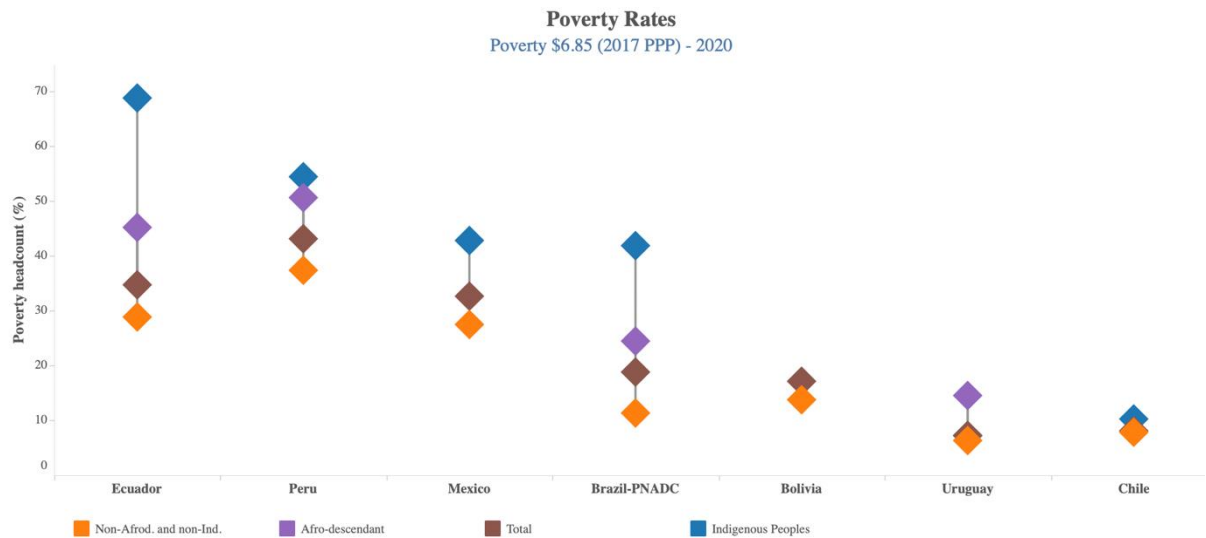
A root cause of systemic environmental racism that leads to inequities in access to clean water are discriminatory policies adopted with the main one being segregation. Segregation in this case refers to placing communities in regions excluded from the mainstream dominant culture. More often than not, these communities are forced to live in areas in less desirable locations of low value, such as hazardous waste sites, landfills, incinerators, industrial sites etc. This is a phenomenon of dislocation of minorities. These areas lack proper infrastructure such as advanced filtration systems or water storage facilities that protect water from pollutants because they are not meant to be inhabited by people and therefore suffer from water contamination from pollutants like toxic chemicals, heavy metals and pathogens. Frequently, people living in these areas are unaware that the water they consume is contaminated and therefore they continue to do so which endangers their health as it makes them more prone to being exposed to pathogens or to conditions such as cancer and heavy metal poisoning.

### **Lack of political power**

Minorities most of the time get little to no political power due to underrepresentation in the government or in governmental institutions and as a result they are excluded from the policy-making process. The small number of members compared to the rest of society combined with the marginalization and the discriminatory treatment these communities are faced with do not allow for their members to claim executive political positions which leads to members of minorities not having a say nor a way to improve their situation. This lack of political power enables the vicious cycle of systemic environmental racism to keep repeating itself further excluding people from a fundamental human right, access to safe and reliable water.

### **Poverty**

Members of minorities are more prone to struggle with poverty compared to the rest of the population as seen in the figure below where ethnic minorities across 7 different Latin countries have the highest poverty rates in comparison to the rest of the population.



Source: LAC Equity Lab tabulations of SEDLAC (CEDLAS and the World Bank)

Note: Ethnic identity is based on self-reported data. Since the numbers presented here are based on SEDLAC, a regional data harmonization effort that increases cross-country comparability, they may differ from official statistics reported by governments and national statistical offices. Monetary values are reported in USD 2017 purchasing power parity (PPP) terms.

Updated December 2022.

**Figure 2: Poverty rates across ethnic groups in 7 Latin countries**

The main factor that contributes to this phenomenon is inequity in chances due to the location the members of minorities live that tend to provide their members with very few educational and professional opportunities, their economic situation that leaves them unable or barely able to cover their basic needs, and systemic racism that further disables them from improving their situation through discriminatory treatment. An example of limited opportunities in minority-inhabited regions constitutes the fact that, in the US, even though children from minorities are not forced to attend segregated schools anymore, two-thirds of minority students still attend schools that are predominantly minority, most of them located in central cities and funded well below those in neighboring suburban districts. The insufficient funding of these schools leads to a lower quality education for most minority students and therefore fewer professional opportunities in the future and higher chance of living in poverty. Because of their economic situation that forces them to focus only on covering their basic needs, these individuals cannot afford to leave the areas they live in even if this means they will continue to lack access to clean and safe water. Furthermore, it is difficult for them to improve their situation as they have to prioritize being able to afford the most basic commodities such as food and shelter, making them vulnerable to discriminatory policies that force them to drink unsafe water, seeing as they are less likely to protest.

### Consequences on health of affected individuals

Living in an area that suffers from water contamination, or that does not have access to water overall, leads in one way or another to consuming unsafe water due to absence of alternatives. Ingesting unsafe water has disastrous effects on the health of an individual. Some of the health conditions that may be linked with ingestion of

unsafe water are cancer, heavy metal poisoning, compromised fertility, developmental issues in children, infection from waterborne diseases and others. Examples of pollutants that lead to health conditions and that have been found in the water of vulnerable communities include E. coli, Trihalomethane or THM, “a chemical compound that is related to a higher risk of cancer”<sup>23</sup>, polyfluoroalkyl substances (PFAS), “a man-made toxin that interferes with the body's endocrine system causing adverse developmental, reproductive, neurological and immune effects in humans”<sup>24</sup>, lead and nitrate. We may therefore conclude that systemic environmental racism is detrimental to the health of the people it concerns, since it forces them to consume unsafe water, by leaving them without viable alternatives to either consuming the unsafe water of their communities, or to searching on their own for water, that can frequently be harmful for their health.

## MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

### United States of America

The US is one of the main countries that is plagued by environmental systemic racism. The main groups of people affected are Black and Hispanic communities, that are constantly deprived of access to clean and reliable water. One of the main reasons behind this phenomenon in the US constitutes a practice named redlining, which is a form of segregation that took place in the 20th century, but has long-term consequences, affecting minorities to this day. In the 1930s, color-coded maps of urban areas were created, so as to demonstrate areas that are safe for investment, and the color red was used to mark regions in which minorities lived to show that they were risky for investments based on racial biases. “Neighborhoods marked as high-risk for investment over eight decades ago are 74% low-to-moderate income and 64% minority today”<sup>25</sup>. These neighborhoods also struggle with access to clean water, due to outdated and underfunded supply systems that oftentimes do not have sufficient reach, leaving them exposed to dangerous-for-health pollutants in the water.

An example of this situation is the water crisis in Flint, Michigan that took place when the city changed its main water resource from Detroit’s system to the Flint River,

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<sup>23</sup> *The Fight for Water: Examining Environmental Racism & the ...* - Raven. [https://raventrust.com/wp-content/uploads/2015/05/RAVEN\\_05-Environmental-Justice-Water-2013-1st-place.pdf](https://raventrust.com/wp-content/uploads/2015/05/RAVEN_05-Environmental-Justice-Water-2013-1st-place.pdf).

<sup>24</sup> “Clean Water and Reproductive Justice: Lack of Access Harms Women of Color.” *Clean Water and Reproductive Justice: Lack of Access Harms Women of Color*, <https://www.nationalpartnership.org/our-work/health/repro/reports/clean-water-and-reproductive-health.html>.

<sup>25</sup> Danielle Vermeer (MS '22) | August 16, and Danielle Vermeer (MS '22) |. *Redlining and Environmental Racism*. <https://seas.umich.edu/news/redlining-and-environmental-racism>.

which was used as waste disposal from local industries, in order to save money. This decision lasted 18 months, during which the citizens were complaining that the water was making them sick. Eventually, it was revealed that the water was contaminated by high levels of lead. “The population estimates for Flint as of 2022 are 57% Black, 35% White, 5% Hispanic”<sup>26</sup>, statistics which hint towards a racial motive behind such an action.

### Canada

The main population group affected by the phenomenon of lack of access to clean water due to systemic environmental racism are First Nations in Canada, many of which have lived under do-not-consume and boil water advisories for years. In many First Nation-inhabited areas<sup>27</sup>, water was found to contain harmful pollutants such as E. Coli. Even though the problem has existed and is profound for years, there is still lack of action from the government. On the 19th of June 2022, the Neskantaga First Nation surpassed 10,000 days under a drinking water advisory, that meant that the community’s water was unsafe for consumption and a very large amount of time passed without the government taking any significant action to resolve the issue. Additionally, water constitutes a big part of aboriginal culture as it is perceived as a “life-giving substance”, which means that the inequities in access to clean water these communities face also threaten their cultural identity, by not allowing them to practice rituals that involve water, constituting an integral part of their culture.

### Slovakia

In Slovakia the people that are impacted the most by lack of access to clean water are the Roma people. “Almost 800 segregated Roma settlements in the territory of Slovakia have to deal with extremely poor living conditions characterised by dilapidated housing and an absence of physical infrastructure such as water pipelines and sewerage.”<sup>28</sup> “One of the reasons behind this are local authorities that are often both physically and symbolically excluding segregated settlements from water access standards because they do not consider them to be a subject worthy of political attention”.<sup>29</sup>

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<sup>26</sup> QuickFacts Flint City, Michigan, United States Census Bureau, <https://www.census.gov/quickfacts/fact/table/flintcitymichigan#>.

<sup>27</sup> First Nations is one of the three legally recognized groups of aboriginal people in Canada

<sup>28</sup> Filčák, Richard, and Daniel Škobla. “Sanitation Infrastructure at the Systemic Edge: Segregated Roma Settlements and Multiple Health Risks in Slovakia.” *International Journal of Environmental Research and Public Health*, U.S. National Library of Medicine, 4 June 2021, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8200179/>.

<sup>29</sup> Filčák, Richard, and Daniel Škobla. “Sanitation Infrastructure at the Systemic Edge: Segregated Roma Settlements and Multiple Health Risks in Slovakia.” *International Journal of Environmental*

## Australia

The indigenous people of Australia suffer from lack of access to clean water. The government has taken little to no action to eradicate the inequities in access to safe and reliable water, even though the struggles of the aboriginal communities have been known for years, making Australia a prime example of intentional neglect in decision and policy-making regarding water access and consumption. The issues mainly faced by these individuals stem from water contamination by harmful pollutants. As mentioned in a report by Auditor General of Western Australia, “Contamination of the water supply by microbes, nitrates or uranium still occurred in 37 of the communities we looked at in 2015. In the 2 years to 2019-20, test results confirmed *Escherichia coli* (*E. coli*) or *Naegleria* species in 21 communities, high nitrate levels in 19 communities, and high uranium levels in 4 communities. Public health risks from drinking contaminated water remain in these communities.”<sup>30</sup> Due to the fact that the water problems of numerous aboriginal communities have been ignored for years, significantly affecting the quality of life of these people, we can conclude that the situation in Australia is an instance of systemic environmental racism towards the indigenous population residing in its territory.

## Nigeria

The issue of systemic environmental racism in Nigeria is primarily affecting communities that live near the Niger Delta, as the oil extractions that take place in the area contaminate the water. The main culprits are oil companies working in the region, that are profiting from the situation, as well as the Nigerian government, that keeps ignoring the protests and concerns of the locals. More specifically, 80 percent of government income comes from oil revenue, so action against the phenomenon has not yet been taken due to the significant benefits existent<sup>31</sup>. The local water reservoirs are in danger of being contaminated by heavy metals and other types of metal, such as cadmium and arsenic, which are known carcinogens because of extractions and oil spills, making water sources unsafe for human consumption, which the local population is forced to drink.

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Research and Public Health, U.S. National Library of Medicine, 4 June 2021, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8200179/>.

<sup>30</sup> *Western Australian Auditor General's Report: Delivering Essential Services to Remote Aboriginal Communities – Follow-Up*. Office of the Auditor General Western Australia, 2 June 2021, [https://audit.wa.gov.au/wp-content/uploads/2021/05/Report-25\\_Delivering-Essential-Services-to-Remote-Aboriginal-Communities-%E2%80%93-Follow-up.pdf](https://audit.wa.gov.au/wp-content/uploads/2021/05/Report-25_Delivering-Essential-Services-to-Remote-Aboriginal-Communities-%E2%80%93-Follow-up.pdf).

<sup>31</sup> *Oil Conflict and Accumulation Politics in Nigeria I - Wilson Center*. <https://www.wilsoncenter.org/sites/default/files/media/documents/publication/Omeje12.pdf>.

## **WaterEquity**

WaterEquity is an organization whose action is primarily focused on the Latin American, African and Asian regions centering its action around funding management. With its core values being diversity, inclusion, and equity, it has noted significant achievements on the matter of water equity as it has 3.7 million people have access to safe water. The way it functions is by “investing in financial institutions and enterprises in emerging markets delivering access to safe water and sanitation to low-income consumers, while offering an attractive risk-return profile to investors”<sup>32</sup>. This initiative is a creative solution to the issue of equity in access to water as it promotes an economic model that contributes to social development by resolving the water crisis one investment at a time.

## **Clean Water Action**

Clean Water Action is a Non-Governmental Organisation (NGO), established in the United States. It currently has one million members and branches in all 50 states. Clean Water Action focuses on keeping water unimpacted by drilling and oil extractions, strengthening the legal framework regarding water and water quality and constructing a future with clean water for all. Its actions are centered around raising awareness on environmental justice and the causes of water pollution and around pushing local authorities to act to improve water quality, accessibility etc. In the past, it has aided pass water bills, going towards the funding of infrastructure, helped get rid of lead fragments in water supply systems, which have detrimental effects on consumers, and has prevented disastrous policies from being entered into action thus taking significant steps in bridging inequalities.

## **BLOCS EXPECTED**

### **Countries that are significantly affected by environmental racism**

Countries in this bloc have many reported incidences of environmental racism impacting access to clean water impacting the livelihood of certain populations and have taken little to no significant action to tackle the issue. Their approach is going to be more focused on spreading awareness and less inclusive of radical measures.

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<sup>32</sup> “WaterEquity Is an Asset Manager with an Exclusive Focus on Ending the Most Urgent Issue of Our Time – the Global Water and Sanitation Crisis.” *WaterEquity*, <https://waterequity.org/about-us/>.

### Countries that are not affected by environmental racism

This alliance will be formed by countries that have high rates of people’s access to clean water of good quality and that have taken steps to promote environmental justice. It is important to mention that countries that used to struggle with environmental racism that led to inequities but since then have introduced solutions that improved the situation to a great extent can also be part of this bloc. The approach of this alliance will be centered around funding and improving infrastructure as well as methods to allow impacted people to voice their concerns.

### TIMELINE OF EVENTS

Date	Description of event
18 October 1972	In the US, the Clean Water Act is passed by the congress
4 August 2005	Protocol on Water and Health enters into force in the US, the Clean Water Act is passed by the congress
28 July 2010	Resolution 64/292 is passed recognizing that clean water is crucial for the realization of human rights
25 April 2014	The start date of the Flint Water Crisis
22 December 2021	In Canada, the courts approve the First Nations Drinking Water Settlement
19 June 2022	Neskantaga First Nation surpasses 10,000 days under a drinking water advisory

### RELEVANT UN RESOLUTIONS, TREATIES AND EVENTS

#### UN Sustainable Development Goals

The UN aiming to accomplish sustainable development has set 17 goals to achieve by 2030. Sustainable development goal #3, “Ensure healthy lives and promote well-being for all at all ages” has set as a goal to “end the epidemics of AIDS, tuberculosis, malaria and neglected tropical diseases and combat hepatitis, water-borne diseases and other communicable diseases and substantially reduce the number of deaths and illnesses

from hazardous chemicals and air, water and soil pollution and contamination”<sup>33</sup>. Additionally, Sustainable development goal #6, “Ensure availability and sustainable management of water and sanitation for all”, aims among others to “achieve universal and equitable access to safe and affordable drinking water for all and to support and strengthen the participation of local communities in improving water and sanitation management”.<sup>34</sup> Lastly, Sustainable development goal #10, “Reduce inequality within and among countries” has as an objective to “eliminate inequalities in the life of all people which is related to the issue discussed as the aim is to promote equity in water access”.<sup>35</sup>

The aforementioned SDGs act as a guiding principle for all nations and have led to the creation of programmes and initiatives that among others “offer support to governments and national stakeholders to identify data gaps, collect new and compile existing data, analyse data to enable national and global reporting and to develop national and international targets to reduce inequalities in water, sanitation and hygiene (WASH) services through WHO and UNICEF regional and country offices”<sup>36</sup>. This aims to, among others spot the inequities minorities face, which is the first step to eradicating them, and place emphasis on measures taken by governments globally to improve the situation.



**Figure 3:** The 6th SDG



**Figure 4:** The 3rd SDG



**Figure 5:** The 10th SDG

<sup>33</sup> “Goal 3 | Department of Economic and Social Affairs.” *United Nations*, United Nations, <https://sdgs.un.org/goals/goal3>.

<sup>34</sup> “#ENVISION2030 Goal 6: Clean Water and Sanitation Enable.” *United Nations*, United Nations, <https://www.un.org/development/desa/disabilities/envision2030-goal6.html>.

<sup>35</sup> “Reduce Inequality within and among Countries - United Nations Sustainable Development.” *United Nations*, United Nations, <https://www.un.org/sustainabledevelopment/inequality/>.

<sup>36</sup> “Indicator 6.1.1 ‘Proportion of Population Using Safely Managed Drinking Water Services’: UN-Water.” *UN*, <https://www.unwater.org/our-work/integrated-monitoring-initiative-sdg-6/indicator-611-proportion-population-using-safely>.



## Resolution 64/292

On 28 July 2010, through Resolution 64/292, the United Nations General Assembly explicitly recognized the human right to water and sanitation and acknowledged that “clean drinking water and sanitation are essential to the realization of all human rights”.<sup>37</sup> In addition to this, the resolution urged member-states and international organizations to share their expertise and provide funding, especially to LEDCs, and to cooperate in order to contribute to the efforts of providing safe, clean, accessible and affordable drinking water to all and endorsed the HRC’s decision to have an independent expert submit an annual report to the General Assembly on the topic of human rights obligations related to access to safe drinking water and sanitation.

This resolution can be considered as a milestone as it led to the creation of the 6<sup>th</sup> SDG with 193 states committing to ensuring access to clean water. Moreover, since its creation many countries, including Kenya, Mexico and Slovenia, have included access to clean water in their national legislation as a fundamental human right. Yet, as previously mentioned 1 in 4 people around the world do not have access to safe drinking water, meaning that even though progress has been made there is still a long way to ensure this human right for everyone.

### **The protocol on water and health of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes/Water Convention**

The Protocol to The Convention on the Protection and Use of Transboundary Watercourses and International Lakes or Water Convention, which is “a unique legal and intergovernmental platform that promotes sustainable use of transboundary waters”<sup>38</sup>, entered into force in 2005, becoming legally binding for the ratifying countries. To-date, “27 countries have ratified it, covering about 60% of the population of the WHO European Region”.<sup>39</sup> The Protocol on Water and Health stipulates that “equitable access to water, adequate in terms both of quantity and of quality, should be provided for all members of the population, especially those who suffer a disadvantage or social exclusion”.<sup>40</sup>

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<sup>37</sup> “About Water and Sanitation.” *OHCHR*, <https://www.ohchr.org/en/water-and-sanitation/about-water-and-sanitation>.

<sup>38</sup> “Frequently Asked Questions on the 1992 Water Convention.” *UN*, 21 Dec. 2020, <https://www.unwater.org/news/frequently-asked-questions-1992-water-convention#:~:text=The%20Convention%20on%20the%20Protection,a%20global%20instrument%20in%202016>.

<sup>39</sup> “Protocol on Water and Health.” *World Health Organization*, World Health Organization, <https://www.who.int/europe/initiatives/protocol-on-water-and-health#:~:text=The%20Protocol%20on%20Water%20and%20Health%20to%20the%201992%20Convention,water%2Drelated%20diseases%20in%20Europe>.

<sup>40</sup> “Equitable Access to Water and Sanitation.” *UNECE*, <https://unece.org/environment-policy/water/areas-work-protocol/equitable-access-water-and->

The Protocol has helped to make progress on the 6<sup>th</sup> SDG in the pan-European region in terms of widening access to water and improving drinking water quality. It is vital to mention that one of its objectives is “leaving no one behind”, which concerns the discrimination vulnerable groups often have to deal with and has aided in the process of spotting, and thus tackling, the inequities these groups face.

## PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

### The Clean Water Act

The Clean Water Act (CWA) is the primary Federal statute regulating the protection of the American nation’s water. The CWA aims to prevent, reduce, and eliminate pollution in the nation's water in order to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters", as described in CWA section 101(a).<sup>41</sup>

However, disparities in the enforcement of water pollution and drinking water standards and US federal laws regarding major pollution control have been noted between black communities and Hispanic communities, and predominantly white communities. A study demonstrated that the time span between inspections of water facilities was larger in Black and Hispanic neighborhoods compared to white neighborhoods.<sup>42</sup> This means that even though there is a legal framework regarding acceptable water quality it is not equally enforced in all areas of the country.

### First Nations Drinking Water Settlement

In Canada certain aboriginal communities started national class action lawsuits to address drinking water advisories in their communities and other aboriginal communities across Canada. The lawsuits addressed Canada’s failure to take all reasonable steps to ensure that aboriginal communities have adequate access to safe drinking water.

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[sanitation#:~:text=The%20Protocol%20on%20Water%20and%20Health%20stipulates%20that%20%22equitable%20access,a%20disadvantage%20or%20social%20exclusion%22.](#)

<sup>41</sup> “Clean Water Act (CWA) and Federal Facilities.” EPA, Environmental Protection Agency, <https://www.epa.gov/enforcement/clean-water-act-cwa-and-federal-facilities>.

<sup>42</sup> Konisky, David M, et al. “Environmental Injustice in Clean Water Act Enforcement: Racial and Income Disparities in Inspection Time.” *IOP Science*, 26 July 2021, <https://iopscience.iop.org/article/10.1088/1748-9326/ac1225#erlac1225s4>.

On December 22, 2021, the Courts approved a settlement between Canada and certain First Nations and their members who were subject to a drinking water advisory that lasted at least one year between November 20, 1995, and June 20, 2021.

“The settlement includes the following terms:

- \$1.5 billion in compensation for individuals deprived of clean drinking water;
- the creation of a \$400 million First Nation Economic and Cultural Restoration Fund;
- a renewed commitment to Canada’s Action Plan for the lifting of all long-term drinking water advisories;
- a commitment of at least \$6 billion to support reliable access to safe drinking water on reserve;
- planned modernization of Canada’s First Nations drinking water legislation;
- the creation of a First Nations Advisory Committee on Safe Drinking Water; and
- support for First Nations to develop their own safe drinking water by-laws and initiatives.”<sup>43</sup>

The settlement also includes commitments to fund the construction, operation, and maintenance of infrastructure to provide First Nations and Individual Class Members with regular access to safe drinking water in their homes.<sup>44</sup> The process is still ongoing and at this stage affected members of aboriginal communities can submit a claim for compensation. However, compensation is hard to get, and the process takes very long to the point where cases get quietly dismissed so inequities in access to clean water remain.

### **The Ogoniland clean-up**

The Ogoniland is one of the most heavily impacted sites from oil extraction in the Niger Delta. The problems the area is facing include destruction of vegetation, degradation of natural habitats and the local environment, destruction of the fishing industry, that is vital for Ogoniland, as well as a high presence of hydrocarbons in the surface water and unacceptably high, according to Nigerian Standards, concentrations of “Total Petroleum Hydrocarbons” in groundwater (“1 million micrograms per litre (µg/l) -

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Tétrault, McCarthy. “Class Action Litigation on Drinking Water Advisories on First Nations.” *Class Action Litigation on Drinking Water Advisories on First Nations*, <https://www.mccarthy.ca/en/class-action-litigation-drinking-water-advisories-first-nations>.

<sup>44</sup> “About.” *First Nations Drinking Water*, 26 July 2022, <https://firstnationsdrinkingwater.ca/index.php/about-us/>.

compared to the Nigerian standard for groundwater of 600 µg/l<sup>45</sup>). An \$1 million action taken by the Nigerian government as a response to a 2011 report of UNEP regarding the effects of oil extraction in the region. The aim of the clean-up was to “<sup>46</sup>” after long delays it failed to achieve its objectives leaving the people of the region vulnerable to the health effects produced by the consumption of contaminated water. An investigation by the NGOs Friends of the Earth Europe, Amnesty International, Environmental Rights Action and Milieudefensie in 2020 revealed that only 11% of polluted sites identified by UNEP have been involved in the project, with only a further 5% included in recent clean-up efforts, and no site has been entirely cleaned up. Moreover, there are still communities without access to clean water supplies, monitoring on health and the environment has not taken place, there has not been any public accounting for how the 31 million USD funding provided since 2018 has been spent and 11 of 16 companies hired for the clean-up are reported to have no registered expertise in oil pollution remediation or related areas.

### The Khulna Water Supply Project

Khulna is Bangladesh’s third-largest city and was faced with the challenge of not being in the reach of reliable public utility service, including supply of safe, drinking water. All households in the city depended completely on groundwater resources to cover their daily needs. “Less than 20% of the population had access to treated piped water for 5.3 hours per day<sup>47</sup>”. As a response to this issue the Khulna Water Supply Project, co-financed by the Asian Development Bank and the Japan International Cooperation Agency was launched. It succeeded in developing a new water supply system using surface water to address increasing demand, diminishing groundwater, and widespread salinity which were the main problems the area was dealing with. More specifically, after the project, the water supply system reached 65% of the city population, and water is now available 24 hours a day, deeming its action successful and beneficial to the local population.

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<sup>45</sup> “UNEP Ogoniland Oil Assessment Reveals Extent of Environmental Contamination and Threats to Human Health.” *UNEP*, <https://www.unep.org/news-and-stories/story/unep-ogoniland-oil-assessment-reveals-extent-environmental-contamination-and>.

<sup>46</sup> “The UNEP Environmental Assessment of Ogoniland.” *Shell Nigeria*, <https://www.shell.com.ng/sustainability/environment/unep-environmental-assessment-of-ogoniland.html>.

<sup>47</sup> Ask the Experts Jaemin Nam Senior Urban Development Specialist. “Transformative Changes for Sustainable, Equitable Urban Water Supply.” *Development Asia*, <https://development.asia/insight/transformative-changes-sustainable-equitable-urban-water-supply>.

## POSSIBLE SOLUTIONS

The lack of equity in access to clean water due to systemic environmental racism must be addressed to protect vulnerable social groups from health risks, allow them to live with dignity and ensure a decent quality of life for everyone. The solutions to the problem should be based on four main factors:

### **Establishing a supervision mechanism regarding water quality**

A supervision mechanism is crucial to have a better image of the issue. The supervision mechanism could be an NGO, created by the UN, with experience on the matter that will be responsible for gathering information about the access to water supply systems and the quality of water in different regions, reporting the information to the UN, in order to have insight on the issue and take the appropriate action, and the publication of its findings. This information could be gathered through sending representatives to do regular quality checks on the water of different areas and check whether each area is connected to a water supply system. Moreover, this NGO could set up a complaint mechanism to allow people that are deprived of access to clean water because of systemic environmental racism to voice their concerns. Through processing the aforementioned information, the NGO could create maps of areas in need of action that will specifically mention the problems of the area and whether any measures taken so far were effective. In this way, by being aware of the difficulties different areas are facing, it will be easier to develop action plans specific to the needs of each area and monitor their effectiveness and progress made in tackling the issue overall. The funding for this project could come from the UN.

### **Integrating equitable access considerations into national plans**

Governments could integrate equitable access to water into national development plans to develop strategies, create policies and set up action plans specific to each member state. In order to provide a motive to the member-states to take similar action the UN could set up a fund aimed at achieving equity in access to clean water that will be distributed to member-states, especially LEDCs, to finance action plans on the matter and to impose a price cap water prices and thus make it more affordable. However, in order for a member-state to be eligible for funding certain criteria, such as but not limited to presenting a well-developed action plan that will mention specifically areas that are affected by poor water quality or lack of water supply systems and the measures that will be taken to improve the situation, agreeing to having an employee of the aforementioned supervision mechanism present during the realisation of each project so as to ensure the funds are used as intended, presenting the issues that might be affecting the affordability of water and pledging to take further action to ensure access to clean and safe water if deemed necessary by the supervision mechanism, would need to be met. This measure will motivate

member-states to act on the matter and facilitate the distribution of national funds or funds by the UN to achieve equitable access to clean, safe, and affordable water and thus greater emphasis will be put into tackling the issue.

### **Investing in infrastructure**

A root cause of lack of access to clean water is insufficient, outdated, or non-existent infrastructure it is therefore necessary for member-states to invest in updating and/or constructing water supply networks that will cover the needs of all the population and provide water of good quality to everyone. Improving the supply system by installing technology to decontaminate, cure and clean water and by replacing old pipes with new ones therefore ensuring water free of toxic chemicals, heavy metals and pathogens, will allow communities that lived for many years under drinking water advisories to have safe and reliable water and protect the health of their members. The HRC can request the IMF or World Bank to fund projects of this sort (as the HRC cannot fund actions) in areas that are deemed needed by the aforementioned supervision mechanism and these projects can be realised by personnel sent by the UN. The personnel could visit the regions that do not have proper infrastructure and depending on the issues of each region, that can range from old pipes to lack of disinfection or filtration structures to contaminated water sources and even lack of a supply system, would create an action plan for each region. This action plan could include an estimation of the amount of money needed for its realisation, the number of people that will be working on the project and the materials that are going to be needed/used. After their realisation a report on each project could be sent to the supervision mechanism and therefore to the UN so as to keep track of the progress made on the issue.

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