

**Delegation from the Federative Republic of Brazil**  
***Position Paper for the Human Rights Council***

The topics before the Human Rights Council (HRC) are Equitable Access to Safe Drinking Water as a Human Right; Human Rights of Unaccompanied Migrant Children and Adolescents; and the Human Rights Situation in the Occupied Palestinian Territories. The Federative Republic of Brazil recognizes the need for international cooperation of sovereign states to protect fundamental human rights in addition to indispensable national initiatives, and it looks forward to closely collaborating with other countries on these issues.

**I. Equitable Access to Safe Drinking Water as a Human Right**

Despite considerable progress in recent years, more than 840 million people around the world still lack access to proper drinking water according to the Joint Monitoring Programme for Water Supply, Sanitation and Hygiene (JMP) by the World Health Organization (WHO) and the United Nations International Children's Emergency Fund (UNICEF). Moreover, due to natural changes in climate conditions and a fast growing world population, 50 % of all people are threatened to suffer from inadequate drinking water quality by the middle of the century. Developing and emerging countries are disproportionately affected by the ongoing water crisis, exacerbating existing disadvantages regarding medical condition, insufficient educational opportunities and economic prosperity. Apart from human suffering, inequitable access to safe drinking water can cause political instability within societies and lead to animosities between Member States.

The first instance where water was recognized as a human right, was in the Mar del Plata Action Plan from the UN Water Conference held in Argentina in 1977. Brazil supports the UN General Assembly (GA) resolution 64/292 (2010), acknowledging the human right to water and outlining the connection between access to safe drinking water and the fulfilment of other human rights. Brazil remains committed to the Sustainable Development Goals (SDGs) which entail SDG 6: clean water and sanitation. Furthermore, Brazil also welcomes HRC resolution 18/1 demanding transparency, diligent analysis, and prioritizing action for populations most in need. Brazil holds a fifth of the world's water reserves and continuously strives to balance the demand of agricultural irrigation for water and the accessibility of safe drinking water for all parts of its population. In 2013 a National Sanitation Plan (Plansab) was adopted which aims for 100 % clean water access by 2023.

Brazil advocates for strong international co-operation on marine desalination in order to respond to the inevitable increase in demand for water of a growing world population. The HRC should charge the experts of its Advisory Committee with mapping out a plan how Member States can set up a Maritime Desalination Fund (MAD) to finance research and development, infrastructure and implementation of marine desalination projects. MAD should include the private sector to leverage public money investments in this area. Developing and emerging countries should be adequately included in the process without overburdening them with financial obligations.

**II. Human Rights of Unaccompanied Migrant Children and Adolescents**

The rising tide of migration is of deep concern to the Federal Republic of Brazil both in view of the risks and humanitarian hardship of the people who are often victims of human traffickers as well as the considerable challenge it poses for receiving Member States. According to UNICEF current data on migrant minors are not fully reliable but clearly suggest an overall surge in worldwide migration over the last year. The crimes accompanying uncontrolled migration take various forms: children, adolescents and women are particularly vulnerable to rape, they can be used to smuggle narcotics and caravans can be infiltrated by terrorists wanting to illegally cross borders under cover.

Brazil is a supporter of the GA's proclamation of the *Declaration of the Rights of a Child* from 1959 emphasizing the specific need for ensuring the rights of children as part of all human rights. While Brazil supports the notion of tackling displacements worldwide as outlined by the GA resolution 71/1 (2016), it no longer considers the approach of the Comprehensive Refugee Response Framework (CRRF) and the

Global Compact for Safe, Orderly and Regular Migration (GCM) to be conducive for reducing illegal migration as it entails too many pull effects for migrants. Brazil recognizes the work of the International Organization for Migration (IOM) in promoting orderly, controlled and legal migration. Over the last years, in a great humanitarian effort, Brazil has received tens of thousands refugees from the neighboring region fleeing political prosecution. It has made sure that the basic rights of children and adolescents among them were respected. Also, Brazil has voiced its support for efforts to strengthen border control throughout the region in order to limit illegal migration.

The best and most effective way to guarantee human rights of minors to a safe home environment is to ensure that they are not incentivized to leave their country of origin in the first place. Therefore the HRC should call on the IOM to focus on developing border protection strategies and coordinate countries to secure their own borders by providing an exchange platform for best practices. Furthermore, all Member States should strengthen their efforts to fight human trafficking by strict law enforcement measures. Additionally, systematic, violent trafficking of minors should be viewed as a crime against humanity punishable under the *world legal principle*, allowing countries to sentence these crimes even if there is no direct genuine link between the criminal and the prosecuting country.

### **III. The Human Rights Situation in Occupied Palestinian Territories**

Brazil is alert about the human rights situation in the Palestinian Territories where many people are denied basic political and economic rights. As reported by Human Rights Watch, journalists are facing censorship and intimidation particularly in the Hamas controlled Gaza strip. Legitimate Israeli security concerns about pervasive terrorism make it challenging to continuously ensure the right of the Palestinians to assembly freely without putting their safety at risk. Economic mismanagement by the Palestinian Authorities as well as the unresolved border question lead to dire standards of living, leaving half of the inhabitants of the Gaza strip to live in poverty according to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA).

As a proud signatory of the International Covenant on Economic, Social, and Cultural Rights (ICESCR), Brazil supports universal basic economic and social rights of individuals, enabling them to earn a decent living as mentioned in Art.7 of the ICESCR. Also, Brazil stands by the rights of freedom of expression and the right to assemble freely, enshrined in Art.19 and Art. 21 of the International Covenant on Civil and Political Rights (ICCPR). Furthermore, the Federative Republic of Brazil recognizes the right of self-determination of people codified in Art. 1 of the ICESCR and the ICCPR to be exercised in accordance with the UN-Charter fully respecting the sovereignty of Member States reflected in Art. 2 (1) of the UN-Charter.

Conversely, the inherent, unalienable right of Member States to self-defence is an essential pillar of the world order mirrored in Art. 51 of the UN-Charter. The "Peace to Prosperity: A Vision to Improve the Lives of the Palestinian and Israeli People" (Trump peace plan) should be seriously considered and its opportunities for improving the humanitarian and economic prospects of the suffering Palestinian people should be thoroughly explored. Over the last years, Brazil has contributed millions of US-dollars to the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA).

The Federative Republic of Brazil calls on the international community to set effective incentives addressing the root causes of the economic and political hardship the Palestinian people face. Firstly, the substantial amounts of humanitarian aid going to the Palestinian Territories should strictly be conditioned on substantial progress of good governance by the Palestinian Authorities. To avoid waste and to guarantee that the funds reach the people most in need, UNRWA should be reformed and a Task Force for Effective and Sustainable Aid (TESA) comprised of World Bank experts should have veto power over the pay out of money. Secondly, the international community should aim for a realistic path towards a two-state solution along the lines of the Trump peace plan. A viable solution to this decade old conflict is an indispensable prerequisite for ensuring human rights of Palestinians. In light of the reality on the ground, the recognition of Jerusalem as the capital of Israel can be a first step on the way to a realistic two-state solution.