



SELF PROGRAM 2025/2026

Legal discourses on the human right to water and the realisation of SDG 6

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Course information

Number of credits : 6 credits

Course hours : 30 hours

Hours taught per week : 3 hours

Teaching period : Fall Semester 2025

Course description :

The human right to water was first recognized in international law in 2010 by the General Assembly of the United Nations (UN).

The main objective of the course is to understand how law can help protect the realisation of the right to water and how law contributes to access to drinkable water.

The underlying objective is to analyse the place of the right to water in the panorama of human rights.

Session 1: The historical developments of the right to water

Before any international recognition, the right to water was a human right protected by domestic laws and declarations. This session will focus on the historical developments of the protection of the right to water since Roman times.

Session 2 : The international recognition of the right to water

The international recognition of the right to water first occurred in 2010 by the General Assembly of the UN. This recognition didn't embed any definition of the right to water and was a general statement of protection. The fundamental change occurred in 2015 with a definition of the right to water. This session aims to define the right to water and focus on the international developments of the protection of the right to water.

Session 3: The conventional protection of the right to water

In order to assess the protection in international law of this fundamental right, it is necessary to seek its enshrining in international conventions. We will see that only two international legal instruments protect the right to water for very specific parts of the population: children and women. After that, we will try to understand why the right to water is not embedded in a sole convention.

Session 4 : The customary protection of the right to water

Custom in international law is a source that cannot be underestimated. In fact, customary law is one of the sources that protects the most the fundamental right to water. It is necessary to understand how international law works and what are its sources to assess how international law protects the access to potable water.

Session 5: The developments in international jurisprudence

Jurisprudence at the international level is very lacunary in terms of the protection of the right to water as this right is not protected by a specific convention. Nevertheless, we can assess the new developments in regional conventions of human rights protection.

Session 6: Agenda 2030 and its predecessors

Agenda 2030 sets goals for UN members to achieve by this date. We will assess during this session its predecessors, and which developments can be observed in achieving SDG 6 relating to the right to water and sanitation.

Session 7: Privatization in the water sector

Privatization in the water sector is a phenomenon well known. To take only the example of France, 70% of the water sector is privatized. While this phenomenon is often seen in literature as something that will not allow for the right to water to be protected, this session aims to prove the contrary. Furthermore, it aims to show that privatization in some countries may be the only solution for the full realisation of the right to water.

Session 8: The Latin American context

In this session, we will focus mostly on examples from Latin America where privatization was unsuccessful. We will assess jurisprudence from ICSID as well as some domestic cases.

Session 9: The African context

This session's goal is to show how enshrining the right to water into a Constitution can help its protection and full deployment in a State. It will also give comparative law experiences in regard to enshrining the right to water into a Constitution.

Session 10: Case studies

Case studies are essential to understand how the phenomenon we have studied before can be applied. Fictional situations will be proposed and discussion will be open around these three case studies.

Prerequisites :

General knowledge of the protection of human rights in European and International Law.
General knowledge of Agenda 2030.

Course objectives:

The objective of this course is to elucidate the significance of this human right in achieving sustainable access to potable water and sanitation worldwide. It will assess the evolution of the right to water in international and European law and elucidate the contemporary challenges to access to water through case studies.

The second objective of this course is to understand SDG 6 in the Agenda 2030 of the United Nations; its evolutions and how far are we from achieving this goal.

The third objective of the course is to tackle the predefined idea that privatization in the water sector is a limit to the full realization of the human right to water. This part will focus on examples from around the world (Latin America, Europe) to assess whether privatization is a way to go.

Assessment:

Mid-term oral presentation on a given subject in groups.

Final written exam (case solving, commentary of an article, ...)

Attendance:

In order to participate, students must be present. Nevertheless, a maximum of 2 (two) unexcused absences will be allowed; otherwise no mark will be given. An unexcused absence at a test (final test or continuous assessment) means no credits for the course.