

Water, Sanitation and the Prevention of Torture in Africa

Five Strategic Priorities for the African Union to Prevent Torture and protect human rights defenders in 2026

The African Union's 2026 Theme of the Year — “*Assuring Sustainable Water Availability and Safe Sanitation Systems to Achieve the Goals of Agenda 2063*” — presents a critical opportunity to link water governance with human dignity, accountability, and torture prevention.

Water and sanitation are not merely development issues. Their denial, destruction, or weaponisation directly facilitates torture, cruel, inhuman or degrading treatment (CIDT), gender-based violence, repression of civic space, and structural discrimination. In places of detention, conflict zones, informal settlements, and protest contexts, water is frequently instrumentalised as a tool of coercion and punishment.

This policy paper identifies **five strategic priorities** through which the African Union can ensure that the 2026 theme contributes meaningfully to the prevention of torture and the protection of human rights defenders across the continent.

Priority 1 :

Guaranteeing Water and Sanitation in Places of Detention as a Core Safeguard Against Torture

Access to safe drinking water, adequate sanitation, and hygiene facilities in places of detention is a fundamental component of human dignity under Article 5 of the African Charter.¹ When authorities knowingly allow detainees to endure water scarcity, unsanitary toilets, lack of bathing facilities, or absence of menstrual hygiene materials, such conditions may amount to cruel, inhuman or degrading treatment.²

Across Africa, detention facilities frequently suffer from overcrowding, inadequate plumbing, insufficient toilets, and unreliable water supply. Water deprivation is sometimes used

¹ African Charter on Human and Peoples' Rights, Art. 5.

² UN Convention against Torture, Arts. 1, 16.

informally as punishment or intimidation. Women detainees, children, and persons with disabilities are particularly vulnerable when facilities are not gender-sensitive or accessible.

Across the continent, the UN Committee against Torture (CAT) repeatedly treats lack of safe water, hygiene and sanitation in custody not as a “development gap” but as a structural driver of cruel, inhuman or degrading treatment—and, in extreme cases, a factor that can reach the threshold of torture. In the DRC, CAT highlighted that police punishment cells were frequently insalubrious and lacked sanitary facilities, and urged the State to ensure appropriate hygiene and sanitary conditions and to overhaul detention conditions in line with the Nelson Mandela Rules.³ In Nigeria, CAT explicitly linked “poor material and sanitary conditions” to inadequate food and water, recommending concrete measures to ensure running water and decent material conditions in police cells and correctional facilities.⁴ This convergence is particularly stark in Togo, where CAT recommended to “close Lomé prison definitively and without delay” as part of a broader plan to bring detention conditions into compliance with the Nelson Mandela Rules.⁵ The Subcommittee on Prevention of Torture (SPT) has gone further in its assessment of the region’s most extreme overcrowding: following its 2014 visit to Togo, the SPT considered that such levels of overcrowding can amount to cruel, inhuman or degrading treatment— even a form of torture.⁶ For OMCT and partners, these findings reinforce a simple operational conclusion: WASH in detention is a torture-prevention obligation, and should be framed—within the AU 2026 “Water & Sanitation” theme—as a priority area for binding standards, resourcing, independent monitoring (by National Preventive Mechanisms and civil society organisations), and accountability.⁷

AU Recommendations

- Adopt AU minimum WASH standards for all places of detention.
- Require integration of WASH indicators in NPM monitoring frameworks.
- Encourage States to allocate dedicated budget lines for detention infrastructure.
- Recognise systematic water deprivation in detention as a serious violation triggering corrective action.

³ UN Committee against Torture (CAT), Concluding observations on the second periodic report of the Democratic Republic of the Congo, CAT/C/COD/CO/2 (3 June 2019), paras. 12–13(d) and 20–21 (sanitary facilities/hygiene conditions; “appropriate sanitary conditions and adequate ...”).

⁴ CAT, Concluding observations in the absence of the initial report of Nigeria, CAT/C/NGA/COAR/1 (21 Dec 2021), paras. 19–20(a) (poor material/sanitary conditions; “inadequate food and water”; “running water”).

⁵ CAT, Concluding observations on the third periodic report of Togo, CAT/C/TGO/CO/3 (27 Aug 2019), para. 25(a) (“Close Lomé prison definitively and without delay...”)

⁶ UN Subcommittee on Prevention of Torture (SPT), referenced assessment from the 2014 visit to Togo as reported by APT (“...amounts to cruel, inhuman or degrading treatment, even a form of torture”) and echoed in OHCHR’s CAT review summary of Togo.

⁷ OMCT, Torture in the Democratic Republic of Congo: An open secret? Alternative report to CAT (66th session, 2019).; OMCT/partners, Bénin – Rapport alternatif (OMCT & ESAM submission to CAT).; FIACAT/OMCT/ACAT-Togo/CACIT/FODDET, Lutte contre la torture au Togo (alternative report to CAT, 2019), incl. detention conditions.

Priority 2 :

Preventing the Weaponisation of Water in Conflict and Crisis Contexts

Water infrastructure increasingly becomes a strategic asset of coercion, control, and punishment in armed conflict, counterterrorism operations and political crises. Destruction, contamination, denial of access, and obstruction of repairs constitute grave violations of international humanitarian law⁸ and may amount to CIDT or torture when intentionally inflicted⁹. Yet water-related abuses are often framed as collateral damage rather than deliberate violations.

In Sudan, sustained fighting has severely damaged urban water infrastructure, including in Khartoum, compounding mass displacement and exposing civilians to heightened health risks and preventable mortality—demonstrating how attacks and conflict-related disruption of essential services can produce conditions incompatible with dignity and civilian protection.¹⁰ In the Democratic Republic of the Congo, repeated upsurges of violence in the East have disrupted water supply chains and essential services: during escalations around Goma, key pumping capacity was affected when operational continuity depended on emergency fuel support after shutdowns linked to damage/disruption (including to power supply), while more broadly poor sanitation and lack of clean water in conflict-affected areas continue to drive recurrent cholera outbreaks—a predictable consequence of armed violence intersecting with service collapse.¹¹ In the Central Sahel, humanitarian actors have documented conflict dynamics that include attacks and insecurity affecting basic services, and UNICEF reporting from Burkina Faso explicitly points to workstreams tracking attacks targeting water points, underscoring that water infrastructure and access routes are not merely collateral vulnerabilities but recurrent pressure points in the conflict environment.¹² In Somalia, UN reporting on areas under the control or influence of Al-Shabaab and related conflict dynamics highlights severe constraints on humanitarian delivery, while humanitarian needs assessments record episodes of deliberate damage affecting water systems (including along the Shabelle river), illustrating how

⁸ Geneva Conventions, Common Article 3; Additional Protocol II.

⁹ CAT General Comment No. 2.

¹⁰ European Union Agency for Asylum (EUAA), *Country of Origin Information — Sudan: Security situation (Khartoum), conflict-related infrastructure damage and war impacts*, section noting severe damage to Khartoum city's water infrastructure (2025 COI).

¹¹ UNICEF, *UNICEF reaches 364,000 children daily in Goma with clean water and sanitation after escalation in DR Congo conflict* (3 March 2025) (pumping stations restarting after shutdown linked to powerline cuts and emergency fuel support). ; UNICEF, *DRC Humanitarian Situation Report No. 2 (31 December 2024)* (poor sanitation/limited clean water in conflict-affected areas contributing to cholera outbreaks). ; Reuters, *Congo battles worst cholera outbreak in 25 years, UNICEF says* (8 Dec 2025) (conflict + poor sanitation/untreated water exacerbating cholera).

¹² UNICEF, *Burkina Faso Humanitarian Situation Report No. 10 (1 January–31 December 2024)* (frameworks include an updated report on “attacks targeting water points”)

armed contestation over territory and resources can directly translate into deprivation of safe water and heightened civilian suffering.¹³

The African Charter guarantees the rights to life, dignity, health, and family protection.¹⁴ These rights are violated when deprivation or destruction of water is used as a means of collective punishment or territorial control. Water deprivation exacerbates displacement, fuels instability, and undermines peacebuilding. Despite AU commitments under the Peace and Security Council framework, water-related violations are insufficiently integrated into early warning and civilian protection mechanisms.¹⁵

AU Recommendations

- Recognise deliberate deprivation or destruction of water as a serious human rights violation.
- Integrate WASH indicators into continental early warning systems.
- Strengthen documentation of water-related abuses in AU missions.
- Support accountability mechanisms for perpetrators.

Priority 3 :

Protecting Women and Girls from Gender-Based Violence Linked to Water Insecurity

In many African contexts, women and girls are primarily responsible for water collection. In situations of insecurity or scarcity, this exposes them to sexual violence, harassment, and exploitation. In Sudan, where conflict-driven displacement and collapse of basic services intersect with widespread sexual violence, field reporting has documented attacks against women and girls occurring during routine survival activities, including fetching water, reinforcing that water access can become a direct vector of violence when protection measures are absent.¹⁶ Under its exceptional reporting procedure on conflict-related sexual violence, the CEDAW Committee observed in 2025 that the escalation of hostilities in Eastern DRC and recent offensives by M23 further limited women's and girls' access to "food and water, sanitation and hygiene (WASH)" and other essential utilities, while service providers were

¹³ UN Security Council, *S/2023/720* (reporting constraints and humanitarian access challenges in areas under the control or influence of Al-Shabaab). ; IOM/Inter-Agency, *Somalia Humanitarian Needs Overview 2023* (records conflict-related damage affecting riverbank/structures on the Shabelle, relevant to water systems)

¹⁴ African Charter, Arts. 4, 5, 16, 18.

¹⁵ AU Peace and Security Council Protocol.

¹⁶ Field reporting from Darfur (Sudan) describing sexual violence occurring during daily survival activities including fetching water (e.g., MSF-treated survivor patterns reported in 2025).

attacked and facilities looted.¹⁷ The Committee then recommended that the State “significantly strengthen” WASH security and humanitarian aid for internally displaced persons—specifically through water distribution centres and restoration of essential services—and, crucially, to prevent “survival sex”, - women engaging in sexual exchanges to meet a survival need -, by ensuring safe and autonomous access by women and children to food, water and essential services, alongside community-based protection measures and policing in and around camps.¹⁸ This matches the Committee’s broader 2019 findings that rural women’s structural exclusion includes limited access to “safe water and adequate sanitation,” and that environmental harms linked to extractive activity can directly heighten GBV exposure: it noted allegations that industrial mining near Sakania dried up a river, affecting women’s and girls’ access to safe water and education and exposing them to rape and sexual violence, and recommended remedial measures including protection from sexual violence in artisanal mining contexts¹⁹.

Such abuses violate the Maputo Protocol²⁰ and may constitute gender-based ill-treatment and even torture.²¹ The failure to prevent and investigate such violence engages State responsibility.²²

Poorly designed sanitation facilities lacking privacy or lighting increase vulnerability. Gender-sensitive WASH design is therefore a necessary protection measure, not merely a technical consideration.

AU Recommendations

- Mainstream GBV prevention into national WASH policies.
- Promote safe design of water points and sanitation facilities.
- Strengthen community-based protection mechanisms.
- Guarantee access to justice and reparations for victims.

Priority 4 :

¹⁷ CEDAW, Concluding observations on the report of the DRC submitted under the exceptional reporting procedure, *CEDAW/C/COD/EP/CO/1* (27 Feb 2025), para. 43(d) (M23 escalation limiting women’s and girls’ access to “food and water, sanitation and hygiene (WASH)...”).

¹⁸ CEDAW, *CEDAW/C/COD/EP/CO/1* (27 Feb 2025), para. 43(b)–(c) (recommendation to strengthen WASH security; ensure safe and autonomous access to food/water/essential services to prevent “survival sex”

¹⁹ CEDAW, Concluding observations on the eighth periodic report of the DRC, *CEDAW/C/COD/CO/8* (6 Aug 2019), para. 41(b) (rural women: access to “safe water and adequate sanitation”); and para. 46 (noting alleged river drying up near Sakania affecting access to safe water/education and exposing women and girls to rape/sexual violence) with related recommendations at para. 47.

²⁰ Maputo Protocol, Arts. 3–5.

²¹ African Commission General Comment No. 2 on Maputo Protocol.

²² CEDAW General Recommendation No. 35.

Protecting Human Rights Defenders Working on Water and Environmental Justice

Human rights defenders documenting water pollution, diversion, corruption, or inequitable allocation are increasingly targeted with arbitrary arrests, surveillance, and ill-treatment. Recent interventions by the Observatory for the Protection of Human Rights Defenders (FIDH–OMCT) illustrate a troubling pattern of criminalisation and judicial harassment targeting environmental defenders in Africa—particularly in Uganda, in connection with mobilisation around oil-related developments and the East African Crude Oil Pipeline (EACOP).²³ While often framed as “environmental” cases, many of these defenders are, in effect, water defenders: they challenge projects and governance decisions that may affect drinking-water sources, wetlands, river systems, and community water security, including within the Lake Victoria basin and multiple sensitive wetland systems along the pipeline corridor.²⁴ Their targeting—through arbitrary arrests, prolonged pre-trial detention, repeated denial of bail and intimidation—undermines not only freedom of expression and peaceful assembly, but also the AU’s 2026 objective of ensuring sustainable water availability and safe sanitation by weakening community oversight over pollution risks and environmental compliance.²⁵

The UN Declaration on Human Rights Defenders²⁶ and African Commission resolutions affirm States’ obligations to protect defenders.²⁷ The Kigali Declaration reinforces these commitments.²⁸ Repression of water and environmental defenders undermines transparency, accountability, and long-term stability.

AU Recommendations

- Recognise water and environmental defenders as priority protection groups.
- Strengthen rapid response and emergency protection mechanisms for defenders at risk.
- Publicly condemn reprisals on human rights defenders.
- Support legal and psychosocial assistance for targeted defenders.

²³ OMCT (Observatory/FIDH–OMCT), “Uganda: Alarming crackdown on environment and human rights defenders” (7 June 2024).

²⁴ WWF, “Safeguarding people & nature in the East Africa crude oil pipeline” (factsheet / preliminary threat analysis), noting a high risk of freshwater pollution and degradation especially in the Lake Victoria basin stretch of the pipeline. & AFIEGO, “Factsheet: EACOP case at the East African Court of Justice” (Feb. 2022), noting impacts on wetland systems and risks to Lake Victoria and groundwater (pipeline proximity and spill risk affecting water quality).

²⁵ OMCT (Observatory/FIDH–OMCT), “Uganda: Crackdown on activists protesting against large-scale oil projects” (3 Sept 2024), describing the escalation of arrests and repression against activists protesting oil projects

²⁶ UN Declaration on Human Rights Defenders (1998).

²⁷ African Commission Resolution 69 (2004).

²⁸ Kigali Declaration on Human Rights Defenders (2015).

Priority 5 :

Water Cannons, Protest Policing, and Accountability

Water also appears in a different coercive context: public order policing. In the context of protests, water cannons, often described as “less-lethal” weapons with wide-area effects, carry significant risks of severe injury for bystanders including head trauma, eye damage, and secondary injuries from falls.²⁹

International standards require strict necessity and proportionality in the use of force by law enforcement officials.³⁰ High-pressure water cannons should only be used in situations of widespread violence and where dispersal is feasible.³¹ Targeting the head, excessive power at close range, and indiscriminate use are unlawful.³²

In **Kenya**, during the 2024 protests, police used water cannons alongside other coercive means in a crackdown that resulted in **at least six deaths and injuries to hundreds**.² At **Kenyatta National Hospital alone, at least 165 injured people were admitted, including 24 requiring immediate surgery**.³³ Such casualty levels are incompatible with a calibrated, minimum-force approach and strongly indicate that crowd-wide tools like water cannons were not used as a last resort against clearly defined violent threats.

In **Tanzania**, water cannons were deployed against opposition supporters during post-election unrest, in a context where the UN reported **at least 10 people killed** by security forces.³⁴ In **Cameroon**, security forces used water cannons, tear gas and in some cases live ammunition following the 2025 election; at least **four people were killed and dozens**.^{35,36}

²⁹ Amnesty International, *Less Lethal Weapons: Water Cannons — What are they and how can they be used lawfully?* (Factsheet, Amnesty International, March 2024), p. 1, section “WHEN CAN WATER CANNONS BE USED LAWFULLY? – THRESHOLD AND PURPOSE” (high-pressure mode only in case of widespread violence; only when people can disperse easily)

³⁰ UN Basic Principles on the Use of Force and Firearms (1990); UN Model Protocol for Law Enforcement Officials to Promote and Protect Human Rights in the context of Peaceful Protests (2024).

³¹ Amnesty International, *Water Cannons* (2024), lawful threshold.

³² Amnesty International, *Water Cannons* (2024), operational prohibitions.

³³ World Organisation Against Torture (OMCT) and Independent Medico-Legal Unit (IMLU), “Kenya: Authorities must not start a new cycle of State-sponsored torture amid new protests” (Statement, Geneva, 25 June 2025) & Amnesty International Kenya, “Kenya: 25 June 2024: End Police Use of Unlawful Force, Time for Accountability and Justice” (Press statement / extended press release, 25 September 2024)

³⁴ World Organisation Against Torture (OMCT), “Tanzania: No More Bloodshed — Torture and Repression Must Stop Now” (Statement, Geneva, 8 December 2025) & Human Rights Watch, “Tanzania: Killings, Crackdown Follow Disputed Elections” (News Release, 4 November 2025)

³⁶ World Organisation Against Torture (OMCT), “Cameroon: Excessive use of force must stop amid post-election protests” (Joint statement, 31 October 2025);

In contexts marked by fatalities, mass injuries and indiscriminate dispersal tactics, water cannon deployment cannot credibly meet the standards of necessity and proportionality and may amount to ill-treatment under regional and international law. Improper deployment may amount to cruel, inhuman or degrading treatment and chills civic space protected under Articles 9–11 of the African Charter.³⁷ Water must never be instrumentalised against civic space.

AU Recommendations

- Require clear national regulations governing water cannon use.
- Ensure independent investigations into injuries.
- Guarantee access to remedies and reparations for victims.
- Protect journalists and human rights defenders documenting unlawful use of force.

³⁷ African Charter, Arts. 9–11.