

*Gabinete do Governador  
do Estado de São Paulo*

São Paulo, September 9<sup>th</sup> 2014

His Excellency  
Ban Ki-moon  
United Nations Secretary-General  
New York

Your Excellency,

I would like to convey my gratitude for your kind invitation to participate in the "Climate Summit" that you will host on September 23<sup>rd</sup> 2014 at United Nations Headquarters. This is an issue of paramount importance to the state of São Paulo as climate change is already having real and detrimental consequences on the welfare of the 44 million inhabitants of the state. As you are aware, the state is suffering its worst drought on record.

As we are employing our best resources to tackle this challenge, I would like to draw your attention to the adversative work that the UN Special Rapporteur on the human right to safe drinking water and sanitation, Mrs. Catarina Albuquerque, is currently undertaking. The Special Rapporteur has visited São Paulo in late August on a non-official visit and has openly accused the state government for being responsible for the water supply problems faced by São Paulo. In our view, Your Excellency, this is a violation of the code of conduct of a UN senior official.

Firstly, because during her recent visit the Special Rapporteur did not take the initiative to meet with representatives from the state government or from the São Paulo state Company for Water and Sanitation (Sabesp), the company holding the concession for basic sanitation services in São Paulo servicing 27.7 million inhabitants. Since last year, when the Special Rapporteur visited São Paulo and met with the President of Sabesp, the

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drought has reached severe and unprecedented levels, but the Special Rapporteur showed no interest in receiving data on the present situation.

Secondly, the Special Rapporteur decided to make these recurring declarations just a few weeks before the state election with the purpose to ignite the electoral campaign and therefore forcing the United Nations to take a political side, which constitutes a breach of the UN Charter's principles.

Thirdly, the declarations of the Special Rapporteur incur into unacceptable factual errors. Mrs. Albuquerque lamentably confounds the federal and state spheres of government showing a staggering lack of knowledge on Brazil's water administration setup. In addition, she accuses the state government for not investing in water management, but Sabesp's investment has grown 196 percent from 2007 to 2013 and, in 2012 alone, it accounted for 30 percent of all Brazilian investments in this sector. Mrs. Albuquerque also states that the state government should be held responsible for the current water situation because leakage in the public water supply systems in São Paulo amounts to 40 percent. In fact, in the municipalities covered by Sabesp, the leakage reaches only 19,8 percent and if we include water theft and illegal connections that figure goes up to 31,2 percent. The allegation that the state government is liable for the present situation undermines the fact that the drought is, in reality, a problem of national and not only state proportions, affecting also the national supply of energy and transport by waterway.

I would like to add that notwithstanding my Chief of Staff Saulo de Castro Abreu dispatched a letter on August 31<sup>st</sup> 2014 to Mr. Zeid Ra'ad Zeid al-Husseini, the UN High Commissioner for Human Rights, alerting for the reckless declarations made by the Special Rapporteur, Mrs. Albuquerque has persisted in her untruthful statements over the last days and has not taken the initiative to contact the state government of São Paulo to collect data.

I would like therefore to propose that the UN contributes to the full understanding of this situation by amending the information conveyed to the São Paulo population by the Special Rapporteur. If a correction is not made, I would be forced to believe that the Special Rapporteur integrally

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embodies the UN position on this matter, and thus I will be uncertain of the ability of the organization in hosting the "Climate Summit" and to show ownership, creativity and leadership on an issue of vital and global importance.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.



Geraldo Alckmin

Governor of the State of São Paulo