

Climate Change Threats put Human Right to Water in the Spotlight



by **Anil Naidoo**

Now that the world is beginning to realize the obvious threats to access to water due to the effects of climate change, the human right to water is finally getting more intense scrutiny at the United Nations.

After years of pressure from the water justice movement for action, Latin American governments — long-time advocates of the human right to water — have recently found additional support from Germany and Spain. Governments from Africa and Asia, where the effects of climate change are being most keenly felt, are also supportive. As the list of countries grows, things are moving forward dramatically, at least for the UN.

This forward movement stands in stark contrast to Canada's long-standing objection to the human right to water. Few countries now support the Canadian government in this position. The strong advocacy for the right to water by some of Canada's traditional allies, and ongoing criticism from inside and outside the UN, has resulted in Canada becoming virtually silent on the issue, although behind the scenes our country remains quietly obstructionist.

In September 2008 Council of Canadians National Chairperson Maude Barlow was appointed Senior Advisor on Water to the 63rd President of the General Assembly. Her work as Senior Advisor had a very positive effect, placing the issue of the right to water directly on the agenda of both UN agencies and member states of the General Assembly.

Father Miguel d'Escoto Brockmann highlighted the importance of the right to water in his final statement as President of the 63rd General Assembly of the

United Nations. He supported the right to water and provided details of Barlow's final report on this issue. This helped keep up the pressure and led to the adoption of a UN resolution in December mandating a high-level UN meeting on World Water Day (March 22), as well as a summit in Dushanbe, Tajikistan, in June. Both of these events will provide an important opportunity to keep the momentum going for the human right to water. Momentum has also come from the 24 countries that signed a declaration on the human right to water during the 5th World Water Forum in Istanbul, Turkey, in March 2009.

Another big step forward relates to the work of the Human Rights Council's Independent Expert on Water, Catarina de Albuquerque, who is currently working on two reports that will be delivered later this year to the General Assembly. The first report will focus on good practices related to the right to water, and the second will focus on the responsibilities of the private sector.

The Independent Expert is tackling a very critical issue first raised by the High Commissioner for Human Rights, namely, what are corporations' responsibilities relative to human rights, and what are the obligations of the states to effectively regulate the private sector to ensure human rights? I have been asked to be an expert advisor to de Albuquerque during a meeting in Lisbon April 12-13. This

follows work I performed as an expert advisor to the High Commissioner for Human Rights, Louise Arbour, for her report on the human right to water.

Given the dangerous increase in the power of corporations and capital since the adoption of the International Declaration of Human Rights, and the two covenants that followed, it is necessary to review the framework for human rights obligations.

The state has been responsible for delivering human rights; this will not change. States have also been obliged to regulate the activities of third parties to ensure that they do not violate human rights. With the rise in power of large transnational corporations and the weakening of many states relative to this power, we believe a new set of rules and new mechanisms are necessary to hold corporations accountable.

The specific obligations of the private sector to respect human rights have not previously been clearly outlined. As corporations pressure governments and international institutions to facilitate taking over water systems, and as these massive corporations work in many countries and control massive resources, land, water and infrastructure, it is important that new rules be put in place to control their actions.

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Anil Naidoo, (second from left in back), Blue Planet Project Organizer, works with Ministers of the Environment and Latin America delegates at the Fifth World Water Forum in Turkey drafting declarations to advance water as a human right and to move global policy discussions from the private World Forum to the more representative UN.