

SDG 6

Ensure availability and sustainable management of water and sanitation for all

Whose rights to water will the 2030 Agenda promote?

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Among the myriad of problems the United Nations is attempting to address over the next 15 years through its 2030 Agenda on Sustainable Development is that of access to water and sanitation: SDG 6. However, as Member States develop strategies to implement this goal they need to keep in mind that how they plan to solve the global freshwater crisis depends largely on whose freshwater problems they want to solve. On the one hand, there are hundreds of millions of people without access to essential services, small farmers unable to feed their families and communities and a dying planet whose watersheds are being poisoned and over-extracted. On the other hand, there are big businesses needing greater access to freshwater supplies to sustain large-scale agricultural and industrial production and the accumulation of private wealth. There are not sufficient freshwater supplies to meet essential human and environmental needs while feeding the neoliberal growth agenda that is responsible for the crisis.¹

During the SDG negotiation process, water justice organizations including the Blue Planet Project and the NGO Mining Working Group campaigned for safeguards against corporate abuses of freshwater sources, the sovereignty of local communities over their natural resources and universal access to public water and sanitation services. This culminated in a petition by 621 organizations worldwide calling for

the explicit recognition of the human right to water and sanitation as a basic strategy to achieve these objectives. Although attempts to frame the goal itself in human rights language were not successful, water justice organizations worked with Member States to ensure that the human right to water and sanitation was explicitly referenced in the preamble of the 2030 Agenda. Because water is a cross-cutting issue, this was seen as a major victory.

With the World Bank now positioning itself as a leader in the implementation of the SDG on water, groups who fought for a rights-based perspective are deeply concerned that the agenda will very quickly be steered away from human rights objectives in favour of a plan to manage water in line with the World Bank's vision for economic growth, which depends heavily on the use of water-intensive agricultural and industrial strategies.

When the World Bank argues that freshwater demand will outstrip supply by 40 percent in 2030, the numbers are based on its own projections for GDP growth.² Its solution to meet this gap is largely to find strategies to maintain this level of economic growth by redistributing dwindling water supplies in order

1 Cf. Barlow (2008).

2 This is the finding of a World Bank-led policy consortium called the 2030 Water Resources Group whose data and methodology are detailed in this 2009 report: www.mckinsey.com/~/media/.../charting_our_water_future_full_report_ashx.

to prioritize large-scale users, judged to be “high value,” an approach that will only deepen the social and environmental aspects of the crisis. The World Bank has also aggressively promoted private sector participation in water and sanitation services as a strategy to address the gaps in access despite evidence that this strategy has failed the most vulnerable segments of the population in every country where it has been adopted and failed to bring investments where the needs are greatest in Sub-Saharan Africa and Asia.³

On 21 April 2016, the World Bank announced that together with the UN it will convene a new high-level panel whose mandate will be to articulate a strategy for the implementation of SDG 6 and mobilize the resources to do so. In the context of a tug of war between two competing strategies for water within the SDGs, this development has raised the ire of water justice advocates.⁴

The World Bank’s structural adjustment programmes in the water sector have had devastating effects for decades. In 1999, the World Bank demanded that in exchange for a US\$ 300 million loan, Indonesia adopt a new water law that would facilitate greater privatization of water and sanitation services and easier access to water resources by foreign investors.⁵ In 2015, the constitutional court annulled the World Bank-imposed law, ruling that it had resulted in violations of constitutional provisions recognizing water as a common good and a human right.

Indonesia’s story is not unique. Through its new corporate-led policy consortium, the 2030 Water Resources Group (WRG) involving multinational corporations such as Cargill, Nestlé and Coca-Cola as well as bilateral agencies such as SIDA and USAID and international development banks, the Bank is pushing policies that give corporations easier access to scarce freshwater resources, using the environmen-

tal crisis as a justification.⁶ In India, Mexico, South Africa, Jordan, Bangladesh and China, among other countries, policies are designed to engage corporate stakeholders in decision-making and prioritize “high value” use of water to ensure that GDP growth targets are not impeded by drought and scarcity.

Not surprisingly, many of the same countries targeted by the 2030 Water Resources Group are among the dozen involved in the World Bank/UN high-level panel, which will be co-chaired by Mauritius and Mexico.⁷ In addition, a technical advisory group that refers to itself as the “Friends of the Water Panel” will engage corporate lobbyists like the World Water Council and proponents of corporate-friendly water policies such as the World Economic Forum, which hosts the WRG, and the Global Water Partnership.

Challenges and risks in implementing the water targets

Water justice groups that have engaged in the SDG process over the past two years must now find strategies and channels not only to advance a rights-based approach but also to counter the efforts by proponents of the neoliberal growth agenda to find opportunities to promote their vision through the SDGs.

One of the major concerns is Target 6.5 on water management, particularly the strategy of integrated water resources management (IWRM), promoted international financial institutions since the 1990s. Based on the premise that the river basin or catchment is the most appropriate unit for water resource management, IWRM risks handing regulation over to multi-stakeholder entities with limited capacity to monitor environmental impact. While the Global Water Partnership for example promotes it as a silver bullet solution,⁸ there is concern that it is a vague “catch-all” concept that has been inconsistent in application⁹ and that its one-size-fits-all strategies have

3 Cf. Hall / Lobina (2012).

4 Cf. <http://canadians.org/blog/global-water-justice-movement-challenges-world-banks-attempt-promote-privatization-water>.

5 Cf. http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/1999/09/17/000094946_99051205341366/Rendered/PDF/multi_page.pdf.

6 Cf. <http://www.2030wrg.org>.

7 Cf. <http://sd.iisd.org/news/un-world-bank-announce-members-of-high-level-panel-on-water/>.

8 Cf. <http://www.gwp.org/The-Challenge/What-is-IWRM/>.

9 Cf. Moss (2010).

A human-rights based analysis of the targets of SDG 6

Target	Analysis
<p>6.1 By 2030, achieve universal and equitable access to safe and affordable drinking water for all</p>	<p>While the language here is largely consistent with a human rights framework, it fails to include the criteria of sufficiency, needed when corporations compete with communities for scarce water supplies. Proponents of the growth perspective would rather talk about water scarcity in terms of “gaps” between availability and projected economic growth demands. The criteria of sufficiency would therefore be helpful and may be included in the indicators developed to define “access”¹.</p>
<p>6.2 By 2030, achieve access to adequate and equitable sanitation and hygiene for all and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations</p>	<p>Although largely consistent with a human rights-based approach, the target omits the criteria of affordability, necessary in a context where privatization is being promoted as a strategy to address financing gaps.²</p>
<p>6.3 By 2030, improve water quality by reducing pollution, eliminating dumping and minimizing release of hazardous chemicals and materials, halving the proportion of untreated wastewater and substantially increasing recycling and safe reuse globally.</p>	<p>Measures to protect watersheds from pollution, dumping and hazardous chemicals and untreated wastewater are intricately linked to the human right to water and sanitation. However, municipal services need to be adequately funded in order to avoid forcing cash-strapped local governments to seek private sector solutions.</p> <p>The call to halve the proportion of untreated wastewater is inadequate for all countries, but particularly for wealthier economies, which have the capacity to do better.</p>
<p>6.4 By 2030, substantially increase water-use efficiency across all sectors and ensure sustainable withdrawals and supply of freshwater to address water scarcity and substantially reduce the number of people suffering from water scarcity.</p>	<p>By focusing on efficiency the target fails to distinguish between consumptive and non-consumptive uses. Local food production keeps water within the watershed, whether it is used “efficiently” or not. A beverage corporation extracting local water resources for export diminishes local supplies regardless of any improvements in water efficiency. The same standards cannot apply to both.</p> <p>While measuring water stress and ensuring that withdrawals do not exceed watershed capacity is important, a hierarchy of water use that prioritizes environmental needs and human rights (including water for productive purposes) above commercial use is essential.</p>

1 However, some have argued that the criteria of sufficiency is implicit in the use of the term “access” which implies sufficient supplies to meet domestic needs available reliably close to the home. Cf. Murthy (2016).

2 Ibid.

Target	Analysis
<p>6.5 By 2030, implement integrated water resources management at all levels, including through transboundary cooperation as appropriate.</p>	<p>Integrated water resources management (IWRM) promoted by IFIs is broadly based on the premise that the river basin or catchment is the most appropriate unit for water resource management. However, its use runs the risk of handing regulatory powers over to multi-stakeholder bodies with limited capacity to monitor environmental impacts or whose interests do not represent those of the broader public.</p>
<p>6.6 By 2020, protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes.</p>	<p>As with Target 6.3, the failure to identify process and structural indicators that would further a human rights agenda leaves this target open to market environmentalist measures such as pricing nature in order to limit access, thereby prioritizing commercial users and dispossessing land-based communities and indigenous peoples whose lives and livelihoods depend on these ecosystems.</p>
<p>6.a By 2030, expand international cooperation and capacity-building support to developing countries in water- and sanitation-related activities and programmes, including water harvesting, desalination, water efficiency, wastewater treatment, recycling and reuse technologies.</p>	<p>Tax breaks and conditionalities attached to ODA have served to pry open markets for foreign investors and prevent governments from investing in public services.</p> <p>While development assistance is needed to address funding gaps in LDCs, all states require the economic sovereignty and political will to ensure greater public financing for basic services. Therefore global tax justice and debt relief strategies would go much further towards enhancing the capacity of states to finance water and sanitation services that serve the public interest rather than the needs of foreign investors or donors.</p>
<p>6.b Support and strengthen the participation of local communities in improving water and sanitation management.</p>	<p>This target represents an important achievement as it emphasizes the participation of local communities as opposed to the neoliberal water governance discourse which emphasizes multi-stakeholder participation.</p> <p>The human right to water and sanitation calls for public participation in decision-making. In addition, the UN Declaration on the Rights of Indigenous Peoples and ILO Convention 169 establish the rights of indigenous peoples to free prior and informed consent, as well as the right to exercise control over their economic, social and cultural development.</p>

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ignored local knowledge, norms and realities.¹⁰ It will be important to insist on a human rights-based water resource management strategy that prioritizes the role of rights-holders in decision-making rather than corporate stakeholders.

Another issue concerns financing. In the means of implementation targets (Target 6a and 6b) for example, states must be held accountable to human rights obligations in development assistance as per Article 2(1) of the International Covenant on ESCR. This includes the rights of recipient communities and indigenous peoples to participate in decision-making and the obligation of donors to “do no harm.”¹¹

In addition, targets calling for “substantially increasing” or “substantially reducing” as with Target 6.3 and 6.4, are simply too vague to meaningfully hold governments accountable to their responsibilities to protect freshwater quality. Similarly, a focus on efficiency, as done in Target 6.4, rather than socially and environmentally sustainable water use,¹² will do little to address the root causes of the water crisis, which are related to the unsustainable and unjust allocation of scarce water resources. Such a focus also often fails to distinguish between uses that retain water within the watershed (i. e., local food production) and those that do not (e. g., export-oriented monoculture or bottled water). For this reason it is important that watershed protection strategies include local communities in decision-making.

The table above examines the targets of SDG 6 to highlight some of the ways they are consistent with a rights-based approach to implementation as well as the risks they imply for ignoring such an approach.

The human right to water and sanitation, when applied in the broadest sense can provide tools for communities seeking to challenge attempts to neoliberalize water policies through the development agenda. Unless Member States are held accountable

to the commitment to ensure that the SDG agenda is consistent with a rights-based approach the language framing goals and targets is far too vague to preclude the dominance of private over public interests.

In implementing the goal of sustainable water management in partnership with the World Bank, the UN risks reinforcing global power dynamics that have led to natural resources flowing towards Northern economies while leaving Southern communities dry. Export-oriented crops produced for Northern markets leave Southern countries particularly vulnerable to recurring food crises. The large water footprint of developing economies is the consequence of demands imposed on them by foreign direct investment (including extractive industries), export-oriented agriculture, beverage production, and the increased energy production required for these industries.

The UN and Member States must instead support implementation strategies at the international and local levels that empower frontline communities. In an era of deepening freshwater crisis, the UN must support a strategy that is centred on needs of the most vulnerable and marginalized segments of the population, not on those of the corporate elite. Respecting, protecting and fulfilling their obligations with regards to the human right to water and sanitation would be an important place to start.

¹⁰ Cf. Molle (2008).

¹¹ Cf. Rosa (2010).

¹² Cf. <https://sustainabledevelopment.un.org/content/documents/10464Karanunanathan.pdf>.

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