

## **The Politics of Water**

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Water is characterised by the United Nations as a 'primary good' (The United Nations Declaration on Human Rights - Article 25/1 adopted by the U.N. General Assembly in 1948 without a dissenting vote), and as such it has a special and vital relationship with our societies. Primary goods can be defined as those commodities, which human beings require for their survival.

Water availability, both in terms of quality and quantity, are significant influences on health and well-being, economy, environment and our daily lives. Hence effective and sustainable water management requires an understanding of the various relationships between water (as both commodity and natural resource) and the social, economic, technological, and environmental contexts within which it is exploited.

In the early 21st Century, prospects for human development are threatened by a deepening global water crisis. According to the UNDP, the crisis is the result of poverty, power and inequality. In a world of unprecedented wealth, almost 2 million children die each year for want of a glass of clean water and adequate sanitation. Millions of women and young girls are forced to spend hours collecting and carrying water, restricting their opportunities and their choices. And water-borne infectious diseases are holding back poverty reduction and economic growth in some of the world's poorest countries.<sup>[1]</sup>

Whilst new processes, technologies, legal and economic tools, and management frameworks are key components of a secure water future, their development and application needs to be informed by consideration of the role of water in society. Attitudes and behaviour will be influenced by many factors including the details of individual and community recent experience, culture, history, and economic / technological development. This creates a complex and often unstable environment within which water management agencies try to plan and operate.

" Water is a limited natural resource and a public good, fundamental to life and health. The human right to water is indispensable for leading a life in human dignity. It is a prerequisite for the realisation of other human rights". This is what the United Nations (UN) said when, under the auspices of the International Covenant on Economic, Cultural and Social Rights, it declared access to water as a human right in November 2002.

Water has been the source of conflict throughout human history. The word "rival" is derived from the Latin "rivus" meaning stream or brook : a rival was someone who uses the same source of water but from the opposite bank – hence the idea of danger or attack. Just over 500 years ago, during a war between Florence and Pisa, Machiavelli and Leonardo da Vinci planned to divert the River Arno from Pisa, hastening that city's defeat.

During the 2<sup>nd</sup> World War, in attacking the Japanese army, Chiang Kai – shek destroyed flood control dykes along the Yellow River (1938) – the resulting floods also killed over one million Chinese. Hydroelectric dams were bombed, regularly. During the Vietnam war, millions died following the destruction of dykes by the United States and their allies. The Serbs contaminated the drinking water supply during the Kosovo War (1999). Because modern water supply systems are often interconnected to electricity supply grids, these often become primary targets during war.

The two Gulf Wars has seen heavy destruction of infrastructure, resulting in the

disruption of water supply to the people. In Iraq the 1991 Gulf War claimed more than 100,000 civilian lives, due to the destruction of the national power grid and public health and sanitation infrastructure. Dysentery, cholera and black water fever took a severe toll, mostly on children. Water shortages in the wake of the invasion in 2003 are already proving devastating. And the twenty first century is showing ever-increasing threats to water resources and facilities, especially in Africa, the Middle East and the Balkans.

As a highly heterogeneous region, in terms of its water resources, Latin America faces a multitude of problems. Floods are a common and increasing problem in the North, while water shortages are severe in other parts of the region. Water pollution caused by industries is also a major concern and deforestation results in widespread erosion, significantly decreasing the quality of water for many communities. The Amazon, the largest watershed in the world, is constantly affected due to deforestation and commercial activities.

In Uruguay, a social movement incorporating the water workers' union, the Neighbourhood Association in Defence of Water, Friends of the Earth and the Sustainable Uruguay Programme have launched a national campaign to protect water from privatisation. They are promoting a constitutional amendment that would secure the recognition of water as a public good and fundamental human right that must be managed sustainably.

The Chixoy Dam in Guatemala has been the source of bloody conflict over the last 20 years. In 1982, the World Bank took no action when the country's brutal regime murdered 400 Mayan people who refused to be removed from their ancestral lands to make way for construction of the dam. Human rights groups finally forced the Bank to conduct an internal investigation, which eventually absolved it of culpability. An international campaign is now underway to put pressure on the Bank to repay its "blood debt".

The risk of wars being fought over water is rising because of explosive global population growth. "We have had oil wars. That's happened in our lifetime. Water wars are possible" (William Mitsch)".<sup>[2]</sup> "Continuing on our present path will mean more conflict", according to a Report by International Water Management Institute (IWMI). "In 2025 we will have another two billion people to feed and 95% of these will be in urban areas" Jan Lundqvist of Stockholm International Water Institute. "I think if I look at the numbers I can't immediately see a way out over the next few years" (David Molden, co-author of IWMI report).

Extreme pressure is being put on drinking water supplies through population growth. Sustained investment in infrastructure is critical to meeting this rising demand. An estimated \$80 billion is currently being invested in the water sector, but according to Frank Rijsberman (IWMI) "...twice as much is needed".

Water is a resource that is often shared regionally and many countries are dependent on water inflows from outside their borders, and this can lead to conflict. In the Middle - East the tension between Israel, Palestine and Jordan is partly due to the scarcity of freshwater. Israeli citizens consumes four times as much water as their Palestinian counterparts, who, since 1967, has had access to water only through the goodwill of the Israeli military governors. The West Bank is a major source of water for Israel. The Lebanese have long suspected Israel of having designs on the waters of the River Litani, whilst Syria accuses her of a desire to exploit the Golan's water resources.

Ongoing military conflict has also damaged water and sewage infrastructure in the area and now tension is brewing with Lebanon which has begun diverting water away from the Wazzani Springs, feeding into the Jordan River. Prime Minister Ariel Sharon has lambasted the Lebanese, calling the action a *casus belli* (act of war). In 1991, Egypt warned that it was ready to use force to protect its access to the Nile - this warning was directed mainly to Ethiopia and Sudan.

In North America 20% of the people get their water from sources that fail to meet federal requirements. In New Mexico urban and rural population are clashing over

water use, in this drought ridden state. There is not enough water to properly irrigate crops, yet city residents are not being penalised for over-consumption. Inter – state conflict, over water, are increasing in the United States, where individual states are arguing over rights to rivers and seeking conflict resolution through the courts. The dispute between Virginia and Maryland over the waters of the Potomac is about to come before the Supreme Court.

The Colorado River reportedly distributes more water to users than any other river in the world – 25 million people rely on the river for water and another 30 million for hydropower. It is the source of major tension among many of the States, with California, Nevada and Arizona claiming more water than is their due under the Colorado River Compact. Declaring that “ peace has broken out along the Colorado River ” Governor Davis signed three bills meant to stop the feuding among local water agencies. This may be premature as Mexico is unhappy with the part of the California water plan that would deplete the aquifer supporting the farms in the Mexicali Valley. Officials in Sacramento and Washington agree that the key to California’s water future rests on reducing dependence on the Colorado and encouraging sales from water-rich farm areas to water-strained cities. As part of the water sale San Diego agrees to pay to line the All American Canal to prevent seepage. But the seepage, seen as wasteful by north of the US – Mexico border, is essential to the farms south of the border. Mexican officials have protested against lining the Canal but this has been rejected by the by the US State Department, even though some officials have noted that depriving the aquifer in the Mexicali Valley of water the US is exacerbating Mexico’s problems (Water & Waste Digest, October 2003).

Intra state conflict also exists. In India, between Tamil Nadu and Karnataka, whilst the construction of the Narmada dam in the drought – prone area of Gujarat, has enormous impact on the lives of millions of people. In Madhya Pradesh, water trucks are provided with armed guards to prevent thirst crowds from ambushing them. In Malaysia, the state of Johor Baru prefers to sell its waters to Singapore rather than to other adjoining states.

In Asia, there is potential for disagreement between China, Laos, Myanmar, Thailand, Cambodia and Vietnam who all utilise water from the huge Mekong River. China is currently completing two large dams, with five more in progress – these reservoirs will hold back more than 50% of the water volume that China normally discharges to the Mekong River via Laos. Laos’ dams will eventually hold back about 75% of the total annual volume that it contributes to the Mekong, while Thailand, with four dams, currently diverts 20% of water from the Mekong. In response to these problems the Mekong River Commission, an intergovernmental organisation, has established the Mekong River Water Utilisation Programme to try and prevent future conflict. The Asian Development Bank is currently supporting plans for another dozen dams along the Mekong.

Inter – country conflict resolution sometimes give hope that equitable agreement between nation states may be possible, thus avoiding conflict. For example, like that between India and Pakistan. This was resolved by a World Bank brokered treaty, the Indus Waters Treaty of 1960. The treaty survived, despite the countries going to war, with each other, on at least three occasions.

The diversion of the Ganges Water, unilaterally, by India led to a dispute with Bangladesh – the signature of the Ganges Water Sharing treaty in 1997, gave rise to the hope that conflict resolution may be possible despite gross unequal power relations between states.

Africa is a water scarce country. Rapid population growth and urbanisation, droughts, deforestation, unpredictable rainfalls, water mismanagement and negligence all contribute to freshwater problems. It has been estimated that the recent Johannesburg World Summit on Sustainable Development cost US\$87mn. In Ethiopia, this would have brought water to the entire population of 67 million through the provision of 121,000 water points each serving 500 people. In Namibia, another proposed hydropower dam at Epupa, will flood the lands of the indigenous Himba

people, although this initiative is, presently, on hold.

The biggest causes of water pollution in Australia and Oceania are human sewage and industrial and agricultural run-off. As Australia and Oceania include both some of the richest and poorest countries in the world, a number of different strategies are being implemented to solve water problems throughout this region. The Australia Water Partnership, a part of the Global Water Partnership, has taken on the challenge of promoting improved water resource management in Australia, NZ and the disadvantaged countries of the Oceania region.

In the intensively cultivated Murray – Darling Basin in S E Australia, following an audit of resources, the Ministerial Council, in 1995, forbade further river diversions. This was an interesting political achievement since the basin spans four states with differing water policies and tied up with historical regulations guaranteeing minimum water deliveries to South Australia from New South Wales and Victoria.

When considering international river basins issues, competing national interests over allocation of water rights and environmental degradations, conflicts can arise. It is estimated that there are 261 major trans – border river basins covering 40% of the world's population. This interdependence raises problems about downstream protection from upstream pollution and one country's industrialisation becomes another's agricultural concern. Pumping and water diversion to re-charge an aquifer can impair the water quality and quantity of river flow in another country.

There is a body of international humanitarian law, which is supposed to apply to armed conflict. The Geneva Convention protects civilians whilst the Hague Convention sets out the rights and responsibilities of armed combatants. There are no such conventions to protect freshwater and other natural resources – the only accepted UN convention on the Law of the Non – Navigational Uses of International Watercourses remain unimplemented. The International Law Association's (ILA) Helsinki Rules on the Uses of the Water of International Rivers supports the notion of "equitable use". It made it clear that existing use may have to give way to a new use in order to come up with equitable distribution. Article 7 of the draft Law of the Non – Navigational Uses of International Watercourses says "Prima facie at least, utilization of an international watercourse is not equitable if it cause other states harm". According to Stephen McCaffery, it is "upstream" states that prefer "equitable use", whilst downstream states favour an intolerance of "harm".<sup>[3]</sup>

Civilians are always hardest hit through the proliferation of disease brought about by the destruction and / or disruption of water supply. The delivery of services and other development imperatives are meaningless if communities do not have safe, affordable access to clean water.

In the last century, the world's population tripled and water use increased six-fold with drastic environmental cost. The World Bank predicts that by 2025, 4bn, half the world's population, people will live under severe water stressed conditions. "Tensions over water rights are increasing at the level of the village, city and basin. Some of these are spilling over to international river basins". WB Report, Feb 2003.

Integrated river basin and ecosystem management improves environmental services, and the lives and livelihoods of the people who depend on those systems. The Southern African Development Community's shared waters protocol and associated joint river basin programmes, which improve the development and management of water resources, can help reduce poverty by promoting development and acting as a catalyst for peace. Such agreements make the integrated management of river basins easier to achieve. The UNEP Atlas of Freshwater Agreements shows that the issue of shared water resources leads, generally to cooperation rather than conflict. However, the potential for conflict remains.

The implementation of existing regional and international agreements, particularly, the United Nations Convention on the Non-Navigational Uses of International Water Courses, is essential as will be the negotiation of agreements on rivers, where none exist. This is crucial for the sustainability of water resources and all the services they

provide. Vitally important is the maintenance of upstream habitats, especially forests –riparian zones, wetlands, floodplains and estuaries.

Countries sharing water resources, having to deal with scarcity and quality through environmental degradation, will have to move towards closer collaboration or face escalating conflicts over resource allocation. According to Ibrahim Thiaw, Director of IUCN Regional Office for West Africa, “ Joint water resources management in this region, with so many shared river basins, can be a strong incentive for regional collaboration and equitable distribution”. However, it has to be the desire of the people to improve water management to allow economic growth and increase social equity. Developing methods, through which participation of all stakeholders and capacity building of institutions responsible for the development of implementation of water policies together with the need to develop new financing mechanisms, assumes critical importance. This can only be delivered through good governance and law.

Access to and control of resources is the means to social and economic power. Competition for scarce resources, particularly in areas where different livelihoods are being followed, leads to many social and political challenges. Power differences between groups e.g. men and women, rich and poor lead to vulnerability and lack of equity. Scarcity of water and competing diversity of interests can easily escalate to conflict severely affecting the marginalised. Where water makes the difference between life and death, poverty and prosperity, it is worth fighting – and dying – for. This is the essence of water

In agricultural areas Water Rights are an imperative for security of livelihood. Loss or erosion of entitlements to water can undermine livelihoods, increase vulnerability and intensify poverty on a large scale. Far more than to the wealthy, water rights matter to the poor for the obvious reason that poor people lack the financial resources and political voice to protect their interests outside a rules-based system. Water rights count for little if, in implementation, they skew advantages to those with power.[4]

The rural poor are losing out as conflicts over water intensify between and within countries. The growing tensions between countries is in contrast to the large potential human development gains from increased cooperation.

Politics is about the reconciliation of diverse, conflicting sometimes incompatible, social interests, the assessment and balancing of power relations and consideration of the strategic action that will flow from their evaluation. The levels of politics, regarding water, are those surrounding the every day interaction between and within resource users and suppliers, the various interest groups like agriculture and industry, state and party politics, particularly water basin management, and global i.e. international conventions and agreements, like Rio, Dublin.

Ricardo Petrella, professor of political economy at Leuven University in Belgium defined water “as the basic element of solidarity. Sharing water is not something that you do for others to make you feel good-its something that shows you have things in common with that person. You do not assert that solidarity until you see yourself as part of the same biological and territorial unit”. The oppositional bipolar perspective of the Cold War has been replaced by a growing sense of the inevitability of war. “They say that water will be the next object of conquest by 2020, when the world’s population reaches 8bn. But water is not blue gold. Water is just water, the greatest common good. We don’t have to believe in the World Bank’s scheme of permanent belligerency”.

A symbiotic relationship exists between land and water. Ownership of land usually gives access to water. Changing ownership and land use can also affect access to water. When land control and water access becomes issues, they are serious and can lead to conflict. It is therefore essential to determine the “ownership of land and water”. This leads to the question of land reform – a political rather than an economic question. Changing control over resources, lack of consultation on sensitive issues, prejudices, and unequal relationships create lack of trust. In order to create a co – operative approach to water and sanitation, it is necessary to overcome this barrier of

mistrust. It becomes a question of managing change in power relationships.

The objective is to create links and partnerships that will help to produce pro – poor policies. Through participatory and demand – led approaches, combining capacity building, community empowerment and investment, programmes should be poverty – targeted and action – oriented, based on partnerships constructed on common but differentiated responsibilities. Implementations should be through links established between governments, civil society and knowledge – based institutions.

The fundamentals of the need to create fair and representative governance and ensuring means of participation for all to confirm sustainable levels of service provision at global and national levels, remain essential. The need to ensure the mainstreaming of water into development projects is paramount. In this context the Murray – Darling Basin Initiative, with its charter “ ..to promote and co-ordinate effective planning and management for equitable, efficient and sustainable use of land, water and other environmental resources” may well point the way towards not only conflict resolution but also to equitable access to this precious and unique resource.

Issues in poverty reduction are huge with many possible interventions, yet resources are limited. It is therefore crucial to select and targets interventions in ways that provide the greatest impact in terms of poverty reduction – significant impact for significant numbers of people. Whilst water management alone cannot solve problems of poverty, water can and does make a significant contribution to poverty reduction. Poverty will not be alleviated without improved water security.

It can be said that water use and allocation is a political – ethical issue. Struggles for power are never far away and water is becoming a significant variable in current strategies. Water problems are valuable socio – economic indicators. It could be decisive to world peace and the future of all who share the planet. It, therefore, deserves the greatest attention – after all, it recognises no boundaries - man – made or natural! An ethical water policy can provide the guidelines for a just global distribution of resources.

[1] Beyond Scarcity: Power, Poverty and Global Water Crisis - Human Development Report 2006, UNDP

[2] Prof William Mitsch to Patrick McLoughlin, Reuters, 23 August 2004

[3] “Water, Politics and International Law” Essay, Prof Stephen McCaffrey, George Law School, Sacramento.

[4] Beyond Scarcity: Power, Poverty and Global Water Crisis - Human Development Report 2006, UNDP