Brianna Dowd

7. Portfolio

Question: Is water a human right?

Annotated Bibliography

Anderson, T. (2008, February 1). Should water be privatized? Yes. Retrieved October 5, 2015, from http://www.perc.org/articles/should-water-be-privatized-yes

The article is about how water should be privatized. It gives reasons, one of which is that people take better care of the things they pay for. The article also provides answers to some of the questions that come from how we should go about privatizing. It ends by saying that as water becomes scarcer, it will be impossible to keep water out of the markets.

Former CEO Wants Water Privatized. (2014, February 5). Retrieved September 26, 2015, from https://www.youtube.com/watch?v=XBOEgkanfeY

This video explains why Nestle wants to privatize water. Peter Brabeck-Letmathe believes companies should own every bit of water on the planet. He, and many others in his ranks, believe in corporate rights over human rights. They advocate a "survival-of-the-richest" where only people with money can enjoy "privileges" like water.

Karunananthan, M. (2014, June 19). Is the UN Turning Its Back on the Human Right to Water? Retrieved October 5, 2015, from http://www.theguardian.com/global-development/poverty-matters/2014/jun/19/un-human-right-water-access-goal

This article is about the human right to water. The article shames the UN for continuing to debate over whether it is an actual human right. Examples of poverty and reasons as to why water should be a human right are provided. The article also talks about how unfair the current distribution of water is.

Keep Your Promises: The Human Right to Water and Sanitation. (2014, September 1). Retrieved September 20, 2015, from https://www.youtube.com/watch?v=jikGoXsaC_Y
This video argues that water is a basic human right. It gives examples of different communities that have been deprived of their basic right to water. It is an activist video and pushes the viewer to fight for their right to water.

Little, R. (2012, October 8). Are We Better Off Privatizing Water? Yes: We Need the Investment. Retrieved October 5, 2015, from http://www.wsj.com/articles/SB10000872396390443816804578002280926253750
This article is arguing that we should privatize water. It says that governments don't have the money or time to take care of water like private companies do. It also says that companies might even offer cheaper water than the government does. With private companies in control, the water will be more cared for and looked after on a daily basis. Whereas if governments were in control, they'd have many other duties to look after.

Making water a human right. (2013, February 6). Retrieved October 4, 2015, from http://www.unric.org/en/water/27360-making-water-a-human-right
This article argues that water is a human right. It says water is vital to uphold existing human rights and gives examples. The article gives examples of different non-government organizations taking action on the water crisis. It says that although the UN declared water a human right, it cannot force the government to provide water to its people. The UN is taking as much action as they can on the growing issue of water.

Nestlé's Water Privatization Push. (2013, June 11). Retrieved October 6, 2015, from http://action.storyofstuff.org/sign/nestle_water_privatization_push/
This article takes an activist standpoint on the privatization of water. It criticizes Nestle for taking public water and treating it as a source of their own private profits. It says that Nestle lobbied for water to not be declared a human right. Peter Brabeck declares that making water a human right is an extreme solution.

Rayasam, R. (2013, December 9). Who Should Control Our Water? Retrieved October 6, 2015, from http://www.newyorker.com/business/currency/who-should-control-our-water

This article discusses who should control our water. It begins by bringing up examples of who controlled water in the past, in different parts of the world. It goes on to describe different times when water was either privatized or provided by the government. It then compares privatization with government provided water.

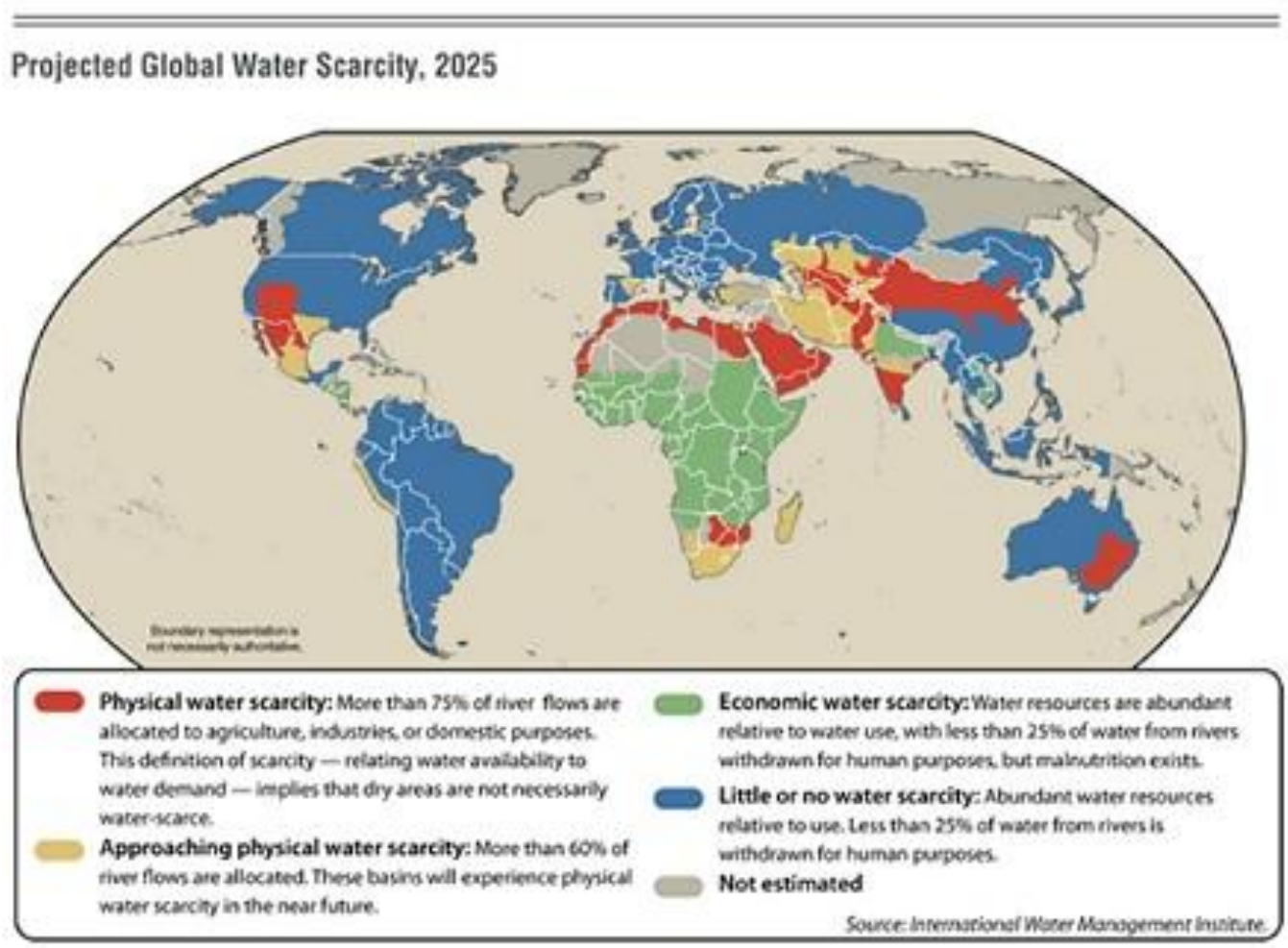
Water is a Human Right. (2014, February 18). Retrieved September 26, 2015, from https://www.youtube.com/watch?v=ulQSCsY-nHU

The video shows the commission and parliaments of Europe listening to the citizens. The citizens tell them what they expect from European Policy regarding water. The video goes on to say of course water is a human right but we need to mention these human rights and the graduation of this human right in every European and national policy at the same time. It also talks about how the idea to privatize water is absolutely crazy.

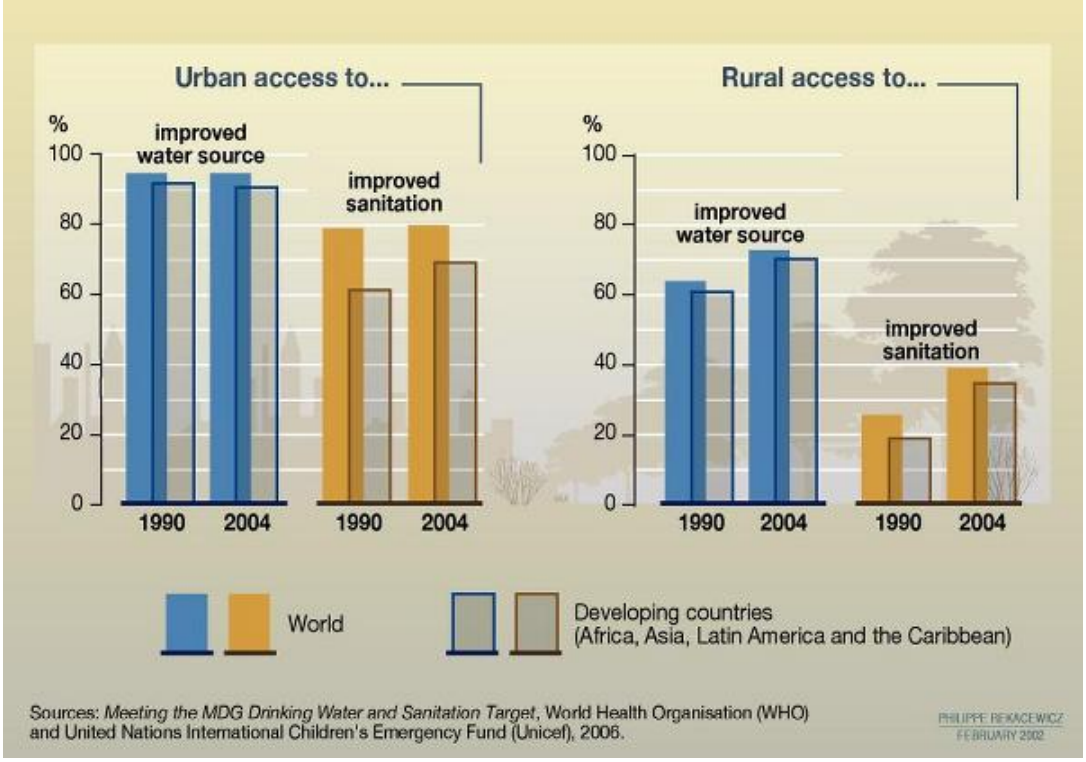
Water: A Matter of Life and Death. (2002, December 1). Retrieved September 20, 2015, from http://www.un.org/events/water/factsheet.pdf

This source is a fact sheet. It lists facts as well as statistics about water. It was made to convince people of the importance of water to life. The fact sheet additionally addresses the global targets regarding water and how to go about meeting those targets.

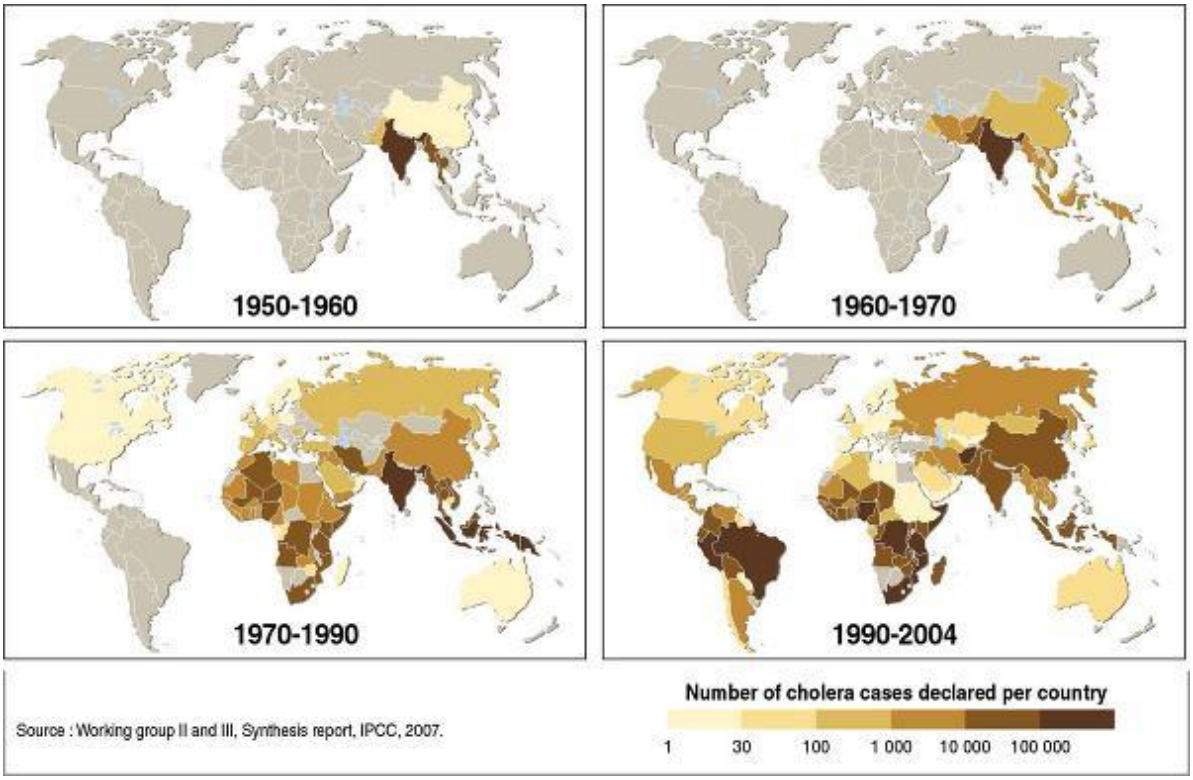
Charts/Graphs:



(Projected Global Water Scarcity 2025, 2013)



(Inequity in access to clean water and sanitation, 2012)



(The spread of cholera 1950-2004, 2007)

Videos:

1. Keep Your Promises: The Human Right to Water and Sanitation

   This video argues that water is a basic human right. It gives examples of different communities that have been deprived of their basic right to water. It is an activist video and pushes the viewer to fight for their right to water.

   (Keep Your Promises: The Human Right to Water and Sanitation, 2014)

2. Water is a Human Right

   The video shows the commission and parliaments of Europe listening to the citizens. The citizens tell them what they expect from European Policy regarding water. The video goes on to say of course water is a human right but we need to mention these human rights and the graduation of this human right in every European and national policy at the same time. It also talks about how the idea to privatize water is absolutely crazy.

   (Water is a Human Right, 2014)

3. Former CEO Wants Water Privatized

   This video explains why Nestle wants to privatize water. Peter Brabeck-Letmathe believes companies should own every bit of water on the planet. He, and many others in his ranks, believe in corporate rights over human rights. They advocate a "survival-of-the-richest" where only people with money can enjoy "privileges" like water.

   (Former CEO Wants Water Privatized, 2014)

Articles (Aff.):

1. Making Water a Human Right

   > In 2010, the United Nations General Assembly recognized that water and sanitation should be a human right. Water as a human right is as much about the quality, making sure that the water is clean and you do not get sick from drinking it, as it is about access.

As UN Secretary General Ban Ki-moon has said: "Safe drinking water and adequate sanitation are crucial for poverty reduction, crucial for sustainable development and crucial for achieving any and every one of the Millennium Development Goals".

The right to water is not specifically mentioned in The Universal Declaration of Human Rights. However, without access to water, other rights could not be exercised such as the "right to a standard of living adequate for the health and well-being" and the fact that "Motherhood and childhood are entitled to special care and assistance."

Article 6 of the UN Covenant on Civil and Political Rights also guarantees the right to life. Articles 11 and 12 of the International Covenant on Economic and Social Rights guarantee an adequate standard of living.

The right to water was not considered as a right in itself in earlier UN human rights texts, but merely as a tool to guarantee other rights. However in recent years water has become a more important issue leading to several international water conferences such as Mar del Plata (1977) and New Delhi (1990).

In September 2000, when the General Assembly decided to commit to the Millennium Development Goals (MDG), MDG7 aimed to halve the population without sustainable access to water by 2015.

In 2006, the Human Rights Council (HRC) adopted decision 2/104 "human rights and access to water". The HRC appointed Ms. Catarina de Albuquerque as the independent expert on the right to water and sanitation. She published her first report on 1st July 2009.

And finally in 2010, the General Assembly declared access to water as a human right in a landmark resolution. "Everyone has the right to water, no matter where he/she lives," Ms. De Albuquerque said of this declaration.

With the recognition of water as a human right, the UN is taking action. The UN will use its available means and mechanisms to monitor the progress of nations in realizing the right to water and sanitation and to hold governments accountable. This does not mean that there is one globally coordinated and integrated policy on water within the UN. The problems concerning water are too vast and diverse to be tackled by a "one fits all" policy.

In 2003, UN Water was founded as an "inter-agency mechanism" with the task of enhancing coordination and coherence between the UN agencies in the field of water and sanitation.

However the UN cannot sanction governments.

Having recognized safe and clean drinking water and sanitation as a human right, pressure is now on local and national authorities to provide a better infrastructure for drains and clean water.

For many of those who have access to water, it is either too expensive or suitable for consumption, often exposed to dangerous levels of biological contaminants and chemical pollutants partly due to inadequate management of urban, industrial or agricultural waste water. Simply put, for many people water is not yet a human right

Access to safe water should no longer be seen as a service, but as a human right. States and organizations should work towards using economic resources and technology to provide safe, clean, accessible and affordable water particularly in the developing countries.

There is certainly no time to waste in taking action. Water challenges will increase significantly in the coming years due to the fact that population growth and rising incomes will lead to greater water consumption, as well as more waste. The urban population in developing countries will grow dramatically, generating demand well beyond the capacity of already inadequate water supply and sanitation infrastructure and services.

According to the UN World Water Development Report, by 2050, at least one in four people is likely to live in a country affected by chronic or recurring shortages of freshwater.

(Making Water a Human Right, 2013)

2. Is the UN Turning Its Back on the Human Right to Water?

One of the biggest threats to economic and social development is that the world's freshwater supplies are rapidly becoming scarce and polluted. A new set of actors are now engaging in the global development arena to define and write the rules of access to water.

It is alarming to see that the human right to water and sanitation continues to be marginalized in UN policy discussions. The exclusion of this right to water in the most recent draft of the sustainable development goals reveals policy more conducive to promoting water security for economic growth than ensuring the preservation of watersheds and the equitable distribution of scarce water supplies.

When the UN general assembly passed a resolution in 2010 affirming water and sanitation as a human right, it was celebrated as a victory for communities dealing with the health impacts of polluted water, the indignity of not having access to clean drinking water and sanitation or the inability to produce food owing to water shortages. Social movements saw the human right to water and sanitation as a tool in the fight against a global water crisis produced by inequality, social exclusion and abuse of the water commons.

The global water crisis is also a big concern for industries seeking secure access to water supplies to sustain and expand operations in a never-ending quest for economic growth. The extractive industries, large drinks companies, big banks investing in water stocks, and companies involved in providing water and sanitation services have positioned themselves as stakeholders within global water policy discussions and as being able to provide solutions to the crisis.

The latest trend in global and national water policy is for corporations to participate in decision-making bodies and promote corporate-driven solutions through public-private partnerships. Over the past decade or so, the efforts of corporations such as Nestlé and Unilever to engage in global water policy discussions has shifted the debate from one of injustice and inequality to a depoliticized discussion of scarcity solved by technological fixes. These are

offered by multinational corporations and market mechanisms that further deregulate water resource allocation.

When global policymakers – including the working group on sustainable development goals (SDGs) – focus simply on improving "water efficiency" for these ever-expanding industries without anchoring discussions of access to water as a right, they are ignoring communities that are challenging the very presence of the industries that are destroying watersheds.

Advertisement

The human right to water and sanitation holds promise for these communities. It has been invoked in Plachimada, in south India, to challenge Coca Cola's access to aquifers; by anti-mining activists throughout Latin America; and, more recently, by the Kalahari Bushmen in a struggle to access traditional water sources on land coveted by industries such as tourism, diamond mining and fracking.

It has also been used to democratize water and sanitation services. In Uruguay, recognition of the human right to water led to the ban of private water services. When a recent ruling by a top Greek court blocked the privatization of the country's largest water utility, in Athens, it was a victory for activists across Europe who had condemned forced privatization through loan conditions in bailout packages for Greece, Portugal and Italy.

So it is deeply troubling that the human right to water continues to be contested at the UN. For those living without access to adequate drinking water and sanitation, the SDG on water focuses on universal access. As special rapporteur on the human right to safe drinking water and sanitation, Catarina de Albuquerque argues that an emphasis on universality alone fails to eliminate inequality.

At the very minimum, the human right to water calls for the elimination of discrimination and the adoption of special measures for marginalized communities. Social movements pursuing public control over water supplies, and democratic and participatory governance models, are also drawn to the elements of public participation in decision-making, accountability and access to justice underscored by the human right to water.

While this right is hardly the silver bullet for all global water woes, it goes a long way towards balancing unequal power relationships.

(Karunananthan, 2014)

<u>Articles (Neg.):</u>

1. Should Water Be Privatized? Yes

"No one washes a rental car" is a truism that suggests that ownership is crucial to stewardship. We also might say, "No one conserves water" for the same reason--too often it's not clear who benefits from conserving water because it is unclear who owns the water. As long as water's cheap, why fix the leaky faucet or switch to an efficient irrigation system?

Making the ownership link is relatively easy, because water is already claimed by someone, either a municipality, individual farmers or a government agency.

In practice, however, claims compete with one another, especially when water is scarce. Miners and farmers on the Western frontier in the 19th century devised the prior-appropriation system to resolve conflict by moving water to higher-valued uses, and trades between farmers have gone on for a century.

The recent drought in the Southeast has raised a red flag about scarcity. The best mechanism for allocating water is to clarify the ownership among municipal, agricultural, industrial and environmental users and allow trades. If Atlanta must buy water from lower-valued agricultural users, farmers will have an incentive to save water and sell it, and municipal consumers will face a higher price and thus an incentive to conserve.

Some worry that water markets will put an undue burden on the poor while the rich continue enjoying their country club lawns. But the poor could be issued water stamps, akin to food stamps, for buying water. Or suppliers could charge less for minimum amounts of water needed for necessities and increase the price for luxuries.

When water rights are allocated through political processes, the poor usually do not get many of the initial rights, forcing them to purchase if they are to get any. And data from the Chilean water markets suggest the poor don't fare much better when water is traded on the open market. Perhaps there should be some guaranteed survival quantity of water that is a basic human right.

The problem is not a failure of water markets, but a failure of political allocation, which will not be rectified by preventing water markets from delivering water at a profit to all, regardless of income.

As water scarcity increases in the 21st century, water bureaucracies will bring more conflict, while water markets will foster more cooperation. With this choice, it will be impossible to keep a good water market down.
(Anderson, 2008)

2. Are We Better Off Privatizing Water? Yes: We Need the Investment

Our nation's aging drinking-water systems will require staggering amounts of investment in the coming decades—as much as $1 trillion over the next 25 years, the American Water Works Association estimates.

As things stand now, this burden will fall mostly on the public water utilities that serve about 80% of the U.S. population.

But these bodies don't have the money to pay such bills. Many of them already have put off necessary improvements for years due to insufficient public funding. And there is little chance of meaningful federal aid, given the national focus on debt reduction.

The root of the problem is the artificially low rates the public utilities have charged for years. These rates, kept low for political purposes, don't come close to supporting the long-range capital investment we would expect of any well-run

business. Indeed, given the enormous backlog of investment needed, perhaps a little "gold-plating," as my opponent calls it, is long overdue.

Rates with a Purpose

Broadly speaking, a privatized utility can be expected to charge rates that not only cover costs but also encourage investment, innovation and technological advancement. With privatized water, there is a new emphasis on fiscal responsibility—and measurable efficiency gains. This has been documented repeatedly in credible studies by objective academic researchers using real-world data.

Is privatization the solution in every case? Of course not. We must strive to find what works best for the customers in a specific situation. Mismanagement is not a problem limited to private operators, just as good management is not intrinsic to public systems.

But private management can be successful much more often than its critics would like to believe. Private-sector managers focus on the cost of service and return on capital. The new and innovative technologies in which they invest may have a higher initial cost, but they offer savings, too, which can be shared with customers while improving service and quality. Privatization offers economies of scale wherein a single company can provide the financial and human resources to serve many small systems in a far more cost-effective manner.

Government-owned enterprises, by contrast, often don't have rate structures that reflect the true cost of the service. Thus many small publicly owned water utilities lack the means not only to make capital investments but also to hire the professional staff needed to meet increasingly stringent water-quality standards.

Critics say private enterprise's desire for profits leads directly to overcharging (particularly of the poor), deterioration of service, and a loss of public input and transparency. In practice, however, this is not the case.

Years of Neglect

While it is true that rates often tend to rise following a privatization or the execution of a concession agreement, this is more often because the new operator must finally address decades of disinvestment. If the public operator had focused on efficiency and long-term financial responsibility as much as it focused on social and political goals, in most cases the rates likely would have risen already too much the same level.

The public interest is not well-served by keeping prices so low for everyone, including those who can well afford to pay, if it means there is insufficient revenue to support routine maintenance and renovation. On the contrary, a good system, public or private, keeps rates low for essential needs and increases consumption charges rapidly to discourage excessive use. The idea of asking commercial and industrial users to subsidize residential usage—as some privatization opponents suggest—only encourages wasteful practices such as watering expansive lawns, which disproportionately benefits the more affluent, not the poor.

Similarly, establishing a federal trust fund to maintain public water systems would leave communities with little incentive to pursue best practices for

> capital investment or financially sustainable rate structures. In essence it would penalize customers of well-run systems, public or private, and reward those of poorly managed ones—requiring federal assistance for whatever the local body chooses not to pay for.
>
> Ultimately, the best water provider is the one that is best able to deliver safe, reliable and accessible service. If the provider can also make a profit, that should be of less concern than its ability to deliver safe and affordable drinking water.
> (Little, 2012)

References

Anderson, T. (2008, February 1). Should water be privatized? Yes. Retrieved October 5, 2015, from http://www.perc.org/articles/should-water-be-privatized-yes

Former CEO Wants Water Privatized. (2014, February 5). Retrieved September 26, 2015, from https://www.youtube.com/watch?v=XBOEgkanfeY

Inequity in access to clean water and sanitation. (2012, February 1). Retrieved October 4, 2015, from http://www.unep.org/dewa/vitalwater/article63.html

Karunananthan, M. (2014, June 19). Is the UN Turning Its Back on the Human Right to Water? Retrieved October 5, 2015, from http://www.theguardian.com/global-development/poverty-matters/2014/jun/19/un-human-right-water-access-goal

Keep Your Promises: The Human Right to Water and Sanitation. (2014, September 1). Retrieved September 20, 2015, from https://www.youtube.com/watch?v=jikGoXsaC_Y

Little, R. (2012, October 8). Are We Better Off Privatizing Water? Yes: We Need the Investment. Retrieved October 5, 2015, from http://www.wsj.com/articles/SB10000872396390443816804578002280926253750

Making water a human right. (2013, February 6). Retrieved October 4, 2015, from http://www.unric.org/en/water/27360-making-water-a-human-right

Nestlé's Water Privatization Push. (2013, June 11). Retrieved October 6, 2015, from http://action.storyofstuff.org/sign/nestle_water_privatization_push/

Projected Global Water Scarcity, 2025. (2013, May 2). Retrieved October 4, 2015, from http://www.iwmi.cgiar.org/

Rayasam, R. (2013, December 9). Who Should Control Our Water? Retrieved October 6, 2015, from http://www.newyorker.com/business/currency/who-should-control-our-water

The spread of cholera 1950-2004. (2007). Retrieved October 4, 2015, from http://www.unep.org/dewa/vitalwater/article197.html

Water is a Human Right. (2014, February 18). Retrieved September 26, 2015, from https://www.youtube.com/watch?v=ulQSCsY-nHU

Water: A Matter of Life and Death. (2002, December 1). Retrieved September 20, 2015, from http://www.un.org/events/water/factsheet.pdf