
CHECK AGAINST DELIVERY

Water, Climate and Rights

Remarks by Mary Robinson, President MRFCJ

IWA World Congress on Water

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I am very pleased to be invited to address this IWA World Congress on Water, Climate and Energy and to add my own warm words of welcome to all of you who have come to Ireland for the event.

I have approached climate change from a human rights perspective, so it probably won't surprise you that I want to highlight the human rights dimensions of water and to encourage us all to tackle the broad agenda of this Congress in a values led way.

When we know that today – and each day in this second decade of the 21st century – around 4,000 children will die because of dirty water and poor sanitation, it is clearly a core human rights issue. If we address the agenda on water, climate and energy, in a values led way we must put people at the centre of our concerns: their human rights, their right to development and the importance to them of affordable, renewable energy for equitable sustainable development. The Mary Robinson Foundation – Climate Justice

worked with a number of experts to formulate principles of climate justice which draw on the global values set out in the Universal Declaration of Human Rights as well as provisions of the Climate Convention relating to equity, and common but differentiated responsibilities and respective capabilities.

We begin by acknowledging the injustice caused by climate change to those who did least to cause the problem, and who experience this injustice as ill health, lack of drinking water, hunger and malnutrition, and increasing displacement from their homes and communities. But we don't stop there. We challenge us all to see the opportunity to turn the tide and create a cleaner more equitable future for all.

We all know that water is necessary for life – and that there have been significant advances in improving access to safe drinking water. The MDG target for access to drinking water was met in 2010 when the proportion of people without access to safe drinking water halved from 24% in 1990 to 11%. Nevertheless, 783 million people still do not have access to safe drinking water and the great majority of these live in Sub Saharan Africa.

We also have a long way to go to make real progress on access to improved sanitation. 2.6 billion people still don't have access to improved sanitation and this is an increase from 2.4 billion when the MDGs were agreed – not only are we not making progress - we are going backwards. Ultimately – this is major contributor to deaths of 1.6 million people a year, mostly children under the age of 5, from water and sanitation related diseases. This is simply not

excusable in the 21st century – and yet if this is the situation now, before climate change has a full grip on us – imagine the situation 20 years from now?

There is plenty of evidence to demonstrate the impacts climate change is having and will increasingly have on water availability and water quality. In arid areas water is becoming scarcer and droughts more common. In coastal areas flooding and salt water intrusion affects water quality – this is a critical problem for many small island developing states. And then there are the changes to rainfall patterns and flooding – affecting both water availability and quality.

Rather than discussing these impacts as statistics and scientific facts – I want to examine them in terms of their impacts on people and on their human rights, including the right to water and to sanitation, the right to food and the right to health. This puts a human face on the impacts of climate change and converts abstract numbers into someone’s reality. In doing so I hope that it also injects some urgency into our actions to combat climate change.

Let me start with the right to water – more specifically *‘the right of everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses’*. In Ireland we have become all too aware in recent years of the inconvenience, cost and health risks of water shortages and serious water quality issues. This has manifested itself in queues for water, inflated prices for bottled water, days without water for washing and real

challenges for families with young children and of course for elderly and people with disabilities.

In some parts of the world people live with this as a daily reality – slum dwellers pay some of the highest prices globally for drinking water and in rural and peri-urban areas women and children often spend hours each day collecting water for their household needs. With the impacts of climate change already increasing water scarcity and negatively affecting water quality – these challenges are set to intensify. I have made it a practice to ask women in such areas in developing countries what human rights means to them. The answer is almost always a variation of “access to water and freedom from violence”.

Along the coast of the Bay of Bengal in Bangladesh (a part of the world I have been fortunate enough to visit), households rely on small freshwater ponds for their drinking water, washing water and water for irrigation and fish farming. The increased incidence of cyclones, higher temperatures and changes in rainfall patterns are resulting in salt water intrusion to these ponds. The impacts are so serious that they threaten the ability of families to continue to live there. I watched farmers being trained to grow different crops because the traditional rice would not grow in the brackish water. I saw women adapting to a new type of fishing. I saw children in the school being taught to prepare for the next cyclone, because they were coming more regularly now.

Water quality has deteriorated to such an extent that in many instances it is not safe for use – 60 to 80% of families are suffering from diarrhoea, dysentery and other water-borne diseases. We know that climate change will only increase the incidence of these diseases as flooding and drought cause further deterioration of water quality. In addition, the ponds form the basis of local livelihoods - with 90% of households depending on the ponds for farming and fishing. The Bangladesh Centre for Advanced Studies estimates that the ponds are worth USD 600-1200 per year per household in revenue from agriculture and fish production. As the impacts of climate change threaten to destroy the ponds and the livelihoods they sustain – families will endure poor health and poverty as well as the ultimate risk of being displaced.

This example illustrates the impacts of climate change not just on the right to water, but also on the right to food, the right to health and the right to development.

Another country facing huge problems is Vietnam – where sea level rise is causing salt water intrusion into the Mekong River. Experts estimate that brackish water is extending up the river by as much as 5km each year – and this is having a very significant impact on access to drinking water and on food production. One region, Ben Tre, the so-called ‘coconut capital’ of Vietnam has increased its GDP significantly in recent decades due to agricultural production and shrimp farming. All of this, people’s lives, livelihoods and wellbeing are at risk from salt water intrusion and flooding. Climate researchers at Can Tho University estimate that Ben Tre, home to 1.3 million people, will have half its land area submerged by 2100.

So what can be done?

This is where you, experts in every aspect of our management of water have a role to play.

Firstly – you can use a climate justice approach linking development, human rights and climate change to inform your work. As a resource so vital for human life – I implore you not to be distant from the impacts of climate change on rights to water, food, health and development. By maintaining a strong human rights focus you will have new arguments for your work, for the investment required and for the actions that need to be taken.

There is real potential to address these fundamental human rights to water and sanitation, to food and to the highest attainable standard of health, in policies addressing water and sanitation, as well as in climate change policies. These rights impose specific legal obligations and climate change responses must take them into account.

The human right to water means that everyone has the right to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses, without discrimination. The right to sanitation means that everyone has the right to access to sanitation which is safe, hygienic, secure, socially and culturally

acceptable, and that provides privacy and ensures dignity, without discrimination.

This places obligations on States towards individuals within that State's own territory, as well as an expectation under international law to respect and protect human rights in other countries and to cooperate to support the realisation of human rights globally. As with all aspects of climate change action – developed countries should lead by example and act now to address human rights in their climate change policies, both nationally and internationally. This is in keeping with the climate justice principle – *sharing benefits and burdens equitably* – which acknowledges the role of industrialised countries in causing climate change and the corresponding need to act first to reduce greenhouse gas emissions and to support developing countries to adapt to climate change.

I like the way the complexity of the issues arising from climate change is captured in *Climate Change Liability, Transnational Law and Practice*, a series of essays which begins with this introductory paragraph:

“Climate change presents to society as a whole a wide range of threats, and a narrower range of opportunities, on the political, economic and social level. It also poses questions and challenges for the law. These legal questions and challenges are relevant not just to lawyers; the law affects all members of society to a greater or lesser extent, whether as policymakers, businesspeople, campaigners of all hues or individual citizens. All of these actors are subject to a complex and much disputed matrix of rights and obligations: legal rights and obligations, political and moral rights and

obligations, owed by and to individuals, corporations and States, and, in some cases, to future generations. The law is a tool; it may variously be a sword, a shield and the rock on which societies are built”.

Let’s now consider two other principles of climate justice which illustrate the value of a human rights approach to water, sanitation and climate change.

Firstly *‘Highlight gender equality and equity’* – this principle is of fundamental importance in the context of water as women are often primarily responsible for the provision of household water needs. Women are also particularly vulnerable to poor quality water, especially during pregnancy, and at risk where sanitation is inadequate or absent. Improving access to and the affordability of safe drinking water has a transformative approach on women’s lives. Improve access to water and you increase resilience to climate change – by improving health and increasing livelihood opportunities.

Secondly, the principle of *‘Ensuring that Decisions on Climate Change are Participatory, Transparent and Accountable’*. This has particular importance in relation to decisions taken on water – the most valuable of natural resources. Usually, when people lack sufficient access to water for household use it is due not just to scarcity, but to issues of power, politics, poverty and inequality. Until we address these inequalities and include people in decisions about water management and use – we will be unprepared to address the additional challenges caused by climate change.

Because water is so valuable – decisions can be made that prioritise water for business or agriculture over water for domestic use. This is unacceptable as it undermines the human right to water. However, countries need to produce, to manufacture and to attract big business to develop and prosper – hence tough decisions need to be taken in relation to water provision and management. Including communities in these decisions, providing them with access to information on water resources and holding governments accountable for the decisions they take, can all help to safeguard rights, including the right to development.

I would like to share an example of how a community is addressing water problems head on and inspiring others to act.

In Palau, a tiny Micronesian nation, fresh water is becoming critically scarce due to poor land use decisions, salt water intrusion and increasingly severe weather patterns, in particular intense rainfall events which cause erosion and landslides. The increasingly brackish water is having a negative effect on food security as it makes it almost impossible to grow Taro, the staple crop.

In 2006 – worried about food shortages and water availability, community leaders on the biggest island, Babeldaob formed the *Bebeldaob Watershed Alliance (BWA)*. The Alliance has been successful in addressing land–use policy, engaging communities in conservation and water management and in introducing new farming practices. The Alliance is now working to create a Water Fund through which it will pioneer a payment for an ecosystem

services scheme, where utilities companies will pay communities for managing watersheds. This will redirect money traditionally spent by the utilities companies on removing silt and sedimentation from the water to reward communities for their work, managing the watershed and reducing soil erosion.

This community alliance model is now being replicated by other Pacific island nations and demonstrates the value of community participation and a human-centred approach to dealing with water and climate change. It is a model from a small island nation which could and should inspire international deliberations on Rio+ 20 – the United Nations Conference on Sustainable Development, to be held in Rio de Janeiro next month.

Sadly, in the negotiations leading to Rio+20 there have been attempts to remove references to human rights and to down play the importance of climate change in the context of sustainable development. But all is not lost – there is still time to formulate a meaningful outcome, informed by human rights and the Rio Principles, and acknowledging the fundamental links between climate change, water, poverty reduction and sustainable development. To achieve the sustainable development we have been striving for since 1992 – we need to make the connection between water, human rights and climate change.

As professionals working on all aspects of managing water as a precious natural resource you are well placed to;

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- i) support a positive outcome from Rio+20 by calling for an approach which joins the dots between water, human rights and climate change; and**
 - ii) demonstrate the value of this integrated approach through your actions in research, in management and in policy development.**

We know that water is life – so, if we value life we must take urgent action to combat climate change. This is the argument we must all make together.

Thank you