

# Water: The price of a human right

On World Water Day, a look at what one can expect from, as well as the myths linked to, the UN declaration of this right

By ASIT K BISWAS and LEONG CHING

**W**ITH three snaps of fingers and a half-second pause, a new human right was born a couple of years ago. The United Nations General Assembly agreed to a resolution declaring the human right to “safe and clean drinking water and sanitation”.

The resolution was presented by the Bolivian Ambassador, Pablo Solon, who ended his speech by noting that 24,000 children die in developing countries every day from preventable causes like diarrhoea contracted from unclean water, that is, one child every 3.5 seconds. Making the point with finger snaps, he said: “One, two, three ... As my people say, ‘Now is the time.’”

Moments later, to a thunderous applause, the resolution was carried. It has been over a year since that dramatic moment. What has changed? Today is World Water Day, so it is right that we should take stock of the broad directions that both global and local governments are taking towards this precious commodity.

Today, more than 2.5 billion people still need decent sanitation and nearly one in 10 has yet to gain access to “improved” drinking water, as defined under the UN’s 2015 development goals. So, what can citizens expect from their right to water?

To answer this question, it is important to clear three myths that have come up in the wake of the declaration.

#### ◆ Water should be free

If something is declared to be a human right, surely many would expect water to be provided free. But we think provision of free water would be a major mistake.

In a major report on water released last Tuesday, the UN called for water to be priced more realistically, to reduce wastage. The *World Water Development Report*, a massive 866-pager, noted that even as supply decreases from climate change events, demand for water is likely to increase with rising demand for food. In urging nations to be more efficient in their use of water, the UN cited Singapore’s pricing and recycling models as good examples of reducing water wastage.

Water is not merely nature’s largesse, it is a resource that has to be collected, stored, distributed and treated before it can be used. Equally, wastewater has to be collected from houses, taken to a treatment plant, properly treated and then discharged to the environment or re-used. While water, unlike oil, is a recyclable resource, all the processes will incur significant cost. Thus, like any other utility, the consumers will have to pay for these services directly and/or through taxes.

This however should not prevent those living in poverty from lobbying their governments for appropriate subsidies. The economic argument does not override the need to uphold human rights. Moreover, the reality is that the poor, from Manila to Mexico City, are often paying more than 10 times compared to the rich for water of inferior quality. They are often left



Clean water a greater priority: With the current concerns with climate change, the good news is that the need for safe drinking water as a first response is sometimes becoming a central part of the narrative

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out of the distribution system and have to pay much higher prices from private vendors.

#### ◆ The declaration will ensure everyone will have access to clean water and sanitation

Because the UN is a collection of sovereign nations, the declaration will have to be met by all the countries. They can ignore these duties with impunity, as has often been the case for other human rights.

The legal aspect of the resolution has not been lost on countries. For example, in the first resolution in July, there were 41 countries that abstained including many developed countries such as Canada, Netherlands, United Kingdom and the United States. Reasons given for this abstaining ranged from the text placing insufficient responsibility on national governments to the “unnecessary political implications” of such a right.

In October, when there was similar voting in the Human Right Council, the US turned around and supported the resolution, which was adopted by consensus. However, the UK continues to disassociate from it because it “did not believe that there existed, at present, a sufficient legal basis under international law to declare sanitation as a human right”.

Thus, ultimately this right may have some traction in certain countries, but many governments are unlikely to promote it actively. It will be



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Water, water, everywhere? The reality is that the poor are often paying more than 10 times compared to the rich for water of inferior quality

up to the non-governmental organisations, civil society groups and ultimately citizens themselves who may have to push for its enforcement.

#### ◆ Water should not be privatised

The rhetoric of provision to the poor, however, is often just one step away from anti-privatisation sentiment. It is noteworthy that the UN resolution was presented by the Bolivian representative whose country privatised its water supply and sanitation in the

late 1990s. This led to the famous “water wars” of Cochabamba in 2000. This mass uprising against water privatisation saw the death of a 17-year-old protester, brought the city to a standstill for four days, and resulted in the armed forces being called in to quell the protests.

The protesters succeeded in ousting the private companies. More than 10 years after the water utility was taken back by the government, both quality and service continue to be

poor. More than 50 per cent of the water is lost through leakages and poor management, half of some 600,000 residents in the city remain without connection, and new investment funds are scarce. By simply declaring water to be a human right, all the people of Cochabamba will not have access to safe drinking water.

There is little doubt that water has become a little more important public policy issue. With the current concerns with climate change and ever-increasing losses from water-related disasters, the good news is that the need for safe drinking water as a first response is sometimes becoming a central part of the narrative.

For example, during the Boxing Day tsunami off Indonesia, more than 280,000 people were killed and one million persons were displaced. Two days later, the appeals for fresh drinking water went out, with the World Health Organisation (WHO) in particular pointing out threats from water-borne diseases such as diarrhoea, cholera, typhoid and hepatitis. “Thorough and sustained water purification is an absolute priority,” the WHO proclaimed.

The bad news is that there is still little consensus on what needs to be done, or even on the magnitude of the problem. Today, in a world of seven billion people, at least two billion people do not have access to clean and safe drinking water (UN estimate is 884 million). Equally, there are at

least 2.5 billion people who do not have access to wastewater disposal and treatment. UN only considers sanitation. However, sanitation without wastewater collection and proper treatment can at best be only a part of the solution.

In addition, there are many intangibles and incalculable losses from lack of education, to good health, to the realisation of human potential, which have already been recognised as rights through earlier conventions because of lack of action. Water has been declared a human right through an UN declaration and not by an international convention.

The narrative of water rights and pricing of water needs to be clear so that people will understand that the two are not incompatible. Even as the language of rights assured that governments place more attention to water as a public policy problem, people must still pay for these services directly or indirectly. Until water governance in vast majority of the countries is improved significantly, it is highly unlikely that people would have access to safe drinking water and good wastewater disposal practices, irrespective of whether these services are considered human right or not.

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