

# **G20 COMMUNIQUÉ ON WATER**

## **AN INDEPENDENT ARBITRATOR'S PERSPECTIVE**

**LYLA MEHTA  
INSTITUTE OF DEVELOPMENT STUDIES**

### **Introduction**

I am honoured to be asked by the leaders of th

*Nationally*, political will needs to be fostered. Votes count! Water and sanitation provision needs to be made a vote-winning activity to which political actors become accountable at local--and up to national--levels. Thus G 20 leaders must commit to build in accountability in the political process as well as develop the capacity to educate political actors about the barriers to and possibilities for improvements in their areas.<sup>1</sup> In particular, politicians need to be made accountable to the water and sanitation needs of the poorest of the poor in rapidly growing urban settlements.

*Locally*, water (unlike sanitation) is a contested resource. It is an issue that divides communities. Access to water reflects power asymmetries, socioeconomic inequalities, and other distribution factors, such as the ownership of land. Water is such a politicising resource, that it is highly questionable as to whether poor people (either male or female) will adequately be represented on local water committees and bodies. Thus policies and programmes must go beyond focussing on efficiency of infrastructure, delivery and so on. Instead, equity needs to be upfront and local leaders must be partisan to the needs of the marginalised and disempowered, in particular women.

## **2) Targets, indicators and financing**

*Globally*, G 20 leaders need to urgently resolve the potential confusion surrounding the range of definitions that agencies use to measure indicators of progress and monitoring (e.g. Joint Monitoring Programme of WHO uses 'improved' water types, v/s 'safe' of the MDG Report). The current G 20 definition is restrictive and narrow since it does not adequately emphasize human health impacts, child mortality, technology type, gender impacts, struggles around water access and control and the number of people sharing a source. Leaders must urgently settle on a broad and realistic definition, otherwise



*Locally*, radical rethinking of financing is required. Leaders must move away from the mindset that poor people are willing and able to pay for water or have to pay for it even if they are willing and able. Even if the poor currently pay about 10 – 20 % of their income on water in some parts of Africa, should they be paying so much? Leaders need to reflect on South Africa's thinking of institutionalizing a lifeline of access to water. Leaders however need to learn from some of the pitfalls of the South African model which has implemented its Free Basic Water Policy without adequate capacity building and financial resource transfers to local government. Moreover, in order to have a truly poverty reducing effect, over and above 25 litres for free, leaders should seriously consider providing about 50 - 100 litres of water which could cover all the subsistence needs of poor people, and could go a long way in institutionalizing the human right to water since here the 'grey' area of livelihood security (e.g. home gardens for poor women) can also be addressed. Pension funds, ethical investments, municipal bonds and loans raised in local markets could also be used to support local water systems that provide effective lifeline support to the poor. High tariffs for commercial agriculture and infrastructure in rich areas (e.g. plants of multinational beverage companies and swimming pools) could also be introduced. Bulk consumers need to be charged at a much higher rate than what is currently charged. Leaders must commit to devising tariffs rates that reverse current trends where the poor often subsidise the rich. If the private sector is to be involved in water and sanitation provision, the G 20 Secretariat/ Water Agency must ensure that pro-poor regulatory frameworks are in place before any privatization takes place.

### **3) Governance and institutional arrangements**

*Global level*

sanitation. Water leaders need to think beyond sector-specific approaches. Thus a task force must be created to build effective inclusion of water and sanitation programmes within PRSPs and other integrated decision making on poverty reduction at a national level.

leaders should not impose top-down processes and infrastructure projects that have high ecological and social costs on people. G 20 leaders should endorse the World Commission on Dams (2000) guidelines around decision-making processes, in particular, its rights and risk approach as a practical and principled basis for identifying all legitimate stakeholders affected by a proposed project or programme. This encompasses those people directly or indirectly affected, either positively or adversely, as well as other interested parties such as governments, the private sector, community groups and so on. 'Recognition of rights' and 'assessment of risks (particularly rights at risk)' can be effective tool for guiding future planning in water resource development.<sup>iv</sup>

## **5) Institutionalising Rights**

Social and economic rights are key to enhancing access to basic services and reducing poverty.

*At the global level,* G 20 leaders need to endorse the human right to water as made explicit by the 2002 General Comment by the United Nations Committee on Social and Economic Rights.<sup>v</sup> So far major players in the water domain have been reluctant to institutionalise and explicitly recognise the human right to water. Leaders must pledge legal protection to ensure commitment, to provide grounds for redress in cases of accountability failures, and to mobilize resources at global, national and local levels (see Financing). A rights dialogue could be established by the G20 at the earliest opportunity as part of the proposed governance networks to educate and inform sectoral actors at all levels.<sup>vi</sup>

*National level.* As the UN General Comment so clearly states, the role of states in progressively realising the right to water (determined to entail the provision of sufficient, safe, affordable water to everyone) is key. Governments must therefore pledge to create an enabling legal and institutional environment to progressively realize the basic human right to water and sanitation. Awareness raising on rights to improved service provision is essential to kick-start local political processes including the 'responsiveness' of politicians to so-called 'expressed demand' for services. Accountability procedures to provide redress in case of failures in provision need to be provided.

## **Conclusion:**

Leaders must recognize that the challenge for universal water and sanitation provision is in striking a balance between the principles of subsidiarity and global governance, bearing in mind the messy middle of institutional overlaps, power, and politics. Efforts to ensure everyone's access to safe and adequate supplies thus need to be embedded in local realities combined with global action and concern.<sup>vii</sup>

---

<sup>i</sup> Alan Nicol, personal communication. I'm grateful to Alan Nicol for his useful comments and insights on an earlier draft of this note.

