

The Right to Water

A separate dimension of advocacy centers on the concept of water as a human right, this being omitted from the original Universal Declaration of Human Rights and its relevant legal embodiment, the International Covenant on Economic, Social and Cultural Rights. In 2002, the UN committee responsible for interpreting the Covenant ruled that the right to water should be included within its scope.) The technical significance of this move appears to have fallen short of positioning the right to water within international law. As recently as March 2009, at the World Water Forum, a group of countries led by US and China insisted on the removal of rights-based text from the declaration. Other countries have recognized the right to water in their constitutions, notably South Africa and Uruguay. Greater emphasis on water as a right rather than a commodity might however have avoided years of confrontation over the privatization of municipal water supplies in developing countries. A fundamental flaw undermined this neo-liberal dogma. Areas most in need of new public supplies tend to be unplanned peri-urban settlements dominated by poor households. By contrast a commercial supplier prefers to prioritize middle class households where cost recovery is relatively predictable and untroubled. This mismatch led to many failures of private capital and consensus is emerging that an element of public ownership of urban water services is essential in all but the richest economies. A rights perspective also illustrates the strengths and weaknesses of the MDG program. The introduction of quantifiable targets for the provision of water and sanitation represented a step forward in aligning development projects with individual rights. But the absence of any long term goal of universal access denies the rights of 1.8 billion people who will remain without sanitation, and 800 million people without drinking water, even if the MDG targets are met in 2015.