Access to water, conflict prevention and peace-building

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Access to Water, Conflict Prevention and Peace-Building

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Outline

- Water, international peace and security
- Access to water and human rights
- International water law and peace-building
Water, international peace and security

- International peace and security have taken specific contours, which include economic, social and environmental aspects.

- Water and climate change (United Nations Security Council’s discussions since 2010)

- The protection of water during war (impact of armed conflicts on water)
Causes for conflicts

- Natural and human factors
  - Water scarcity (decrease in water availability; overuse and degradation of water resources)
  - Climate change (UNEP, *Sudan Post-Conflict Environmental Assessment, 2007*)
The environmental protection of natural resources is a fundamental objective of States “together with, and in harmony with, the established and fundamental goals of peace and of worldwide economic and social development” (Preamble, UN Declaration on Human Environment, Stockholm 1972)

“Peace, development and environmental protection are interdependent and indivisible” (Principle 25, UN Declaration on the Environment and Sustainable Development, Rio de Janeiro 1992)
Need to address the root causes of armed conflicts in a comprehensive manner and role of sustainable development as an essential factor of peace-building (S/RES/1170 (1998), S/RES/1674 (2006))

Peace-building Commission: the mandate of the Commission includes to “lay the foundation for sustainable development” (S/RES/1645, (2005))

The promotion of sustainable development as a component of peace-building emphasizes that water resources must be better protected during and after an armed conflict
Access to water and human rights

- “The human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses” (UN Committee on Economic, Social and Cultural Rights, General Comment No.15, 2002)
- The UN General Assembly “recognizes the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights” (A/RES/64/292, 2010)
- “The human right to safe drinking water and sanitation is derived from the right to an adequate standard of living and inextricably related to the right to the highest attainable standard of physical and mental health, as well as the right to life and human dignity.” (HRC/18/L.1, 2010)
Access to water and human rights

Elements of the right to water:

- **Availability**: The water supply for each person must be sufficient and continuous for personal and domestic uses.

- **Quality**: The water required for each personal or domestic use must be safe.

- **Accessibility**: Water and water facilities and services have to be accessible to everyone without discrimination, within the jurisdiction of the State party.
Three types of obligations (General Comment No.15):

- **Obligations to protect** requires that States parties refrain from interfering directly or indirectly with the enjoyment of the right to water.
- **Obligations to respect** requires State parties to prevent third parties from interfering in any way with the enjoyment of the right to water.
- **Obligations to fulfil** requires States parties to adopt the necessary measures directed towards the full realization of the right to water.
International water law and peace-building

- Joint commissions on international water resources have been resilient during armed conflicts and have been sometimes the only available fora of discussion between riparian States involved in war.

- Examples: Permanent Indus Commission (India/Pakistan); Mekong Committee (Cambodia, Laos, Thailand and Vietnam); Organisation pour la mise en valeur du fleuve Sénégal (Mauritania, Mali, Guinea, Senegal)
International water law and peace-building

- River commissions have provided a tool of cooperation between parties during an armed conflict
- International water law protects vital human needs
International water law and peace-building

- International water law strengthens the protection of water before, during and after an armed conflict:
  
  *E.g.*: Prevention of conflicts and consolidation of peace after a conflict

- Access to water must be protected from the cycle of violence during armed conflicts
Thank you!