

The Thirst for Rights:

Human Rights and Water in Southern Africa

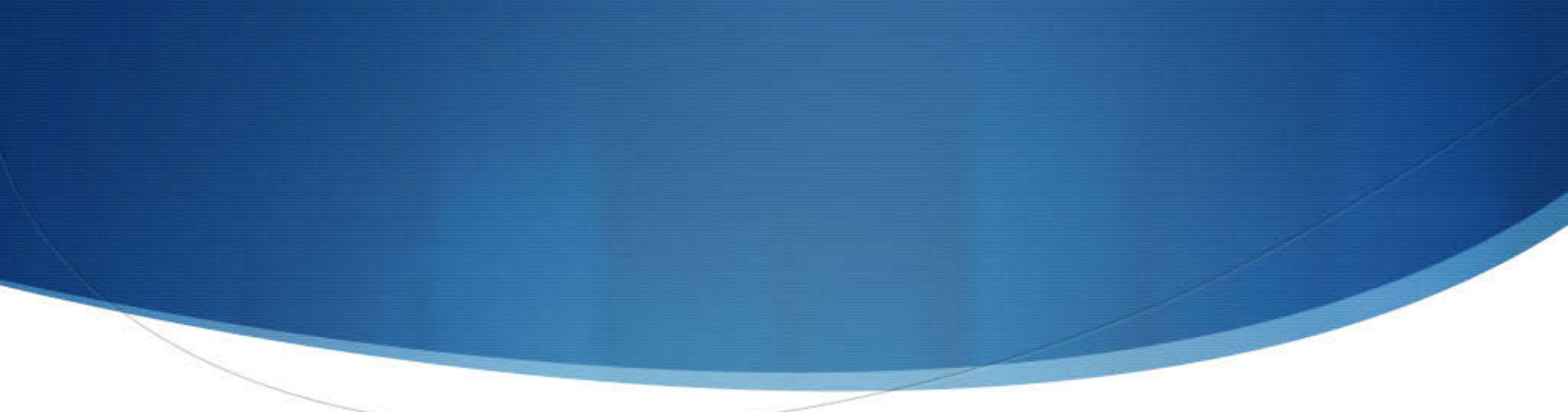
Yvonne A. Braun

Women's and Gender Studies, International Studies, African Studies

University of Oregon

ybraun@uoregon.edu



- 
- ◆ Introduction to Water and Rights, Power and Inequality
 - ◆ Case of Lesotho: Large-scale Dams and Commodification
 - ◆ Case of South Africa: Privatization and Public Goods
 - ◆ Two cases point to contradictions of commodification and privatization of public goods, like water

Water as Life

- 💧 Water is essential, a basic need, water is literally life
 - 💧 Our bodies
 - 💧 Physical and natural environment
 - 💧 Spiritual and cultural dimensions
- 💧 Moral force of water
- 💧 Competing value systems
 - 💧 Threats of commodification and privatization

Human Rights

- ◆ Without (clean) water, how is life sustained?
- ◆ A human rights approach can help us to consider the everyday struggles of attaining unfettered access to clean water and adequate sanitation as an issue of immediate attention, of survival
 - ◆ Abuses happen everyday, not only in times of crisis and conflict
 - ◆ Attention to the issue of the right to water may help us prevent the slow harming of millions of people and children
 - ◆ See as violence, violations of human rights

Water as Human Right

- ◆ Water was not clearly delineated as a right at first, but recognized as part of the foundation that makes other rights possible
 - ◆ Not in original Universal Declaration of Human Rights.
 - ◆ Article 6 of the UN Covenant on Civil and Political Rights guarantees the right to life.
 - ◆ Articles 11 and 12 of the International Covenant on Economic and Social Rights guarantee an adequate standard of living.
- ◆ Contemporary measures more directly address water as a human right: several institutional steps over last 15 years, recognized in 2010 as official right

Challenges to Quality and Access

- ◆ clean, potable water (quality)
 - ◆ water-borne diseases
 - ◆ sanitation
 - ◆ pollution and contamination (agricultural and industrial, salinization)
 - ◆ gendered labor of accessing clean water
- ◆ affordable water (access)
 - ◆ increasingly for sale, affects poor
 - ◆ private sector interests: lack of regulation of use; profiteering
 - ◆ water governance: interests of public marginalized

Contextualize: Comparative Consumption and Access

- ◆ Comparative consumption and access reveals vast inequities within nations and between nations
- **783 million** people in the world do not have access to safe water. This is roughly 11 percent of the world's population.
- Around **700,000** children die every year from diarrhea caused by unsafe water and poor sanitation – that's almost **2,000** children a day.
- A mere **12 percent** of the world's population uses **85 percent** of its water, and these 12 percent do not live in the Third World.
 - The U.S. has 5% of the global population but uses over 25% of the world's resources.

Lens: Power and Inequality

- ◆ Powerful groups in society, often male dominated, can exploit resources systematically and on a large scale, as well as drive industrial transformation of the environment
 - ◆ Elites in control of water planning choose among competing demands: industrial, agricultural, domestic, national, etc.
- ◆ Frequently domestic needs are given lower priority and women must spend more time accessing sufficient water to meet household needs.
- ◆ When water is not supplied by a piped system, the burden of water collection or purchase affects the poor disproportionately
 - ◆ 70% of the world's poor are women.

Gender, Poverty, and Water

- ◆ Example: Gender ideologies shape what tasks and jobs women are expected to do
- ◆ The intersection of gender, poverty, and water globally:
 - ◆ May place additional burdens on women, like certain kinds of work: care work, cooking on open fires, collecting water after walking long distances
 - ◆ Women and children are the most susceptible to water borne disease due to their tasks in water collection, clothes washing and other domestic activities.
 - ◆ Since women are often the ones to care for children, the disabled, the sick, and the elderly, this places additional stress on them in times of deprivation or exposure.



The Case of Lesotho: Selling the River

- ♦ Selling the River: commodifying water, marginalizing other values
 - ♦ one of poorest countries in world
- ♦ Lesotho Highlands Water Project – 1986-2017
 - ♦ 5 large dams with reservoirs linked through tunnels (three done)
 - ♦ Purpose to sell Lesotho's water to urban South Africa to generate national economic revenues
- ♦ People and villages affected are:
 - ♦ Some of most poor in country
 - ♦ Highest rates of unemployment and destitution











Valuing Water Resources: The Commons

- 💧 Water in rural Lesotho: Lost access to material and cultural resources of the river basin is significant
 - 💧 Lost access to resources not compensated, women walk further
 - 💧 Taking water from dam reservoir is now **criminalized**



The Case of South Africa: Human Rights and Privatization

- ◆ South Africa purchases water from Lesotho Highlands Water Project to source industries of Johannesburg, growing urban population
- ◆ Water privatization has led to significant cost increase, impacting the most vulnerable groups, poor services, and the disconnection of public standpoints (check out *Blue Gold* and *Flow: For the Love of Water*)
- ◆ The Constitution of South Africa:
 - ◆ The constitutional right to sufficient water
 - ◆ The state must not interfere with right to water, and must protect, promote, and fulfill the right (legal entitlement)
- ◆ Progressive legal framework: enforcement and implementation? Articulation with water policy?

Water Privatization in South Africa

- ◆ Paradox of South African Constitutional Right to Water and privatization of water
- ◆ Fueled a movement of poor people using the language of human rights, challenging the state and corporate takeover of water resources
 - ◆ Water as a public good
 - ◆ Re-municipalization: putting water back in hands of government entities, charged with public good

Human Rights and Public Goods

- ◆ Can we square the constitutional right to sufficient water with the economic realities of privatized water systems?
 - ◆ What constitutes reasonable or unreasonable access?
 - ◆ Progressive legal and institutional framework, but how to achieve justice?
- ◆ How can conceptions of human rights and public goods be used together to create, enable, and protect unfettered access to clean water for everyone?