



**Group of the Progressive Alliance of
Socialists & Democrats
in the European Parliament**

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**Access to Water and Sanitation: A Fundamental Human Right?
Seminar 06.06.12.**

The Group of the Progressive Alliance of Socialists and Democrats in the European Parliament organised a seminar entitled 'Access to Water and Sanitation: A Fundamental Human Right?' which took place on the 6th of June 2012 at the European Parliament in Brussels.

This seminar was organised in response to the increasing awareness and concern throughout the world regarding access to water and sanitation and focused on the state of play of the existing international legal basis for access to water as a fundamental human right, and also discussed good governance in water management and considered the role played by the EU in this context.

The seminar further considered access to water and sanitation as a humanitarian problem and as a cause of geo-political tension in the world, looking at the specific case study of the Jordan River basin, and was accompanied by an exhibition from Friends of the Earth Middle-East (FOEME) entitled 'Crossing the Jordan' which depicts the challenges relating to access to water and sanitation in this region, and how water has become a leading factor in potential peace-building efforts between different communities in that region.

The S&D Group considers access to water and sanitation as a fundamental human right, and calls on national governments, individuals, and international institutions and NGOs to work together to guarantee this right for everyone.

The seminar comes at a timely moment, as the EU prepares for the Rio+20 Earth Summit where the human right to water and sanitation must be defended; the EU must make a strong statement in this regard, and must lead the international community towards the realisation of this goal.

At the opening of the seminar, **Ana Gomes**, S&D MEP and co-ordinator of the Parliament's Foreign Affairs Committee noted that: 'We are delighted to be joined by a range of academics, experts and activists from this sphere at this very timely moment, with a growing world population and dwindling fresh water resources causing what has been dubbed by some as a 'water crunch'. This has resulted in conflict and tension in many places across the globe including Morocco, Israel/Palestine and South Africa'.

Véronique De Keyser, vice-president of the S&D Group with responsibility for Foreign Policy, called on the European institutions and Member States to make all necessary efforts to ensure that all citizens – without exception – enjoy a fundamental right to water and sanitation. She underlined that the management of water resources must not be subject to the rules of the internal market. De Keyser invited the Commission to look again at the legislation on this subject, in particular that which governs procurement contracts and concessions in relation to water, and to make sure that the infrastructure, ownership and management of water remains public.



Left to right: Mara BUSTELLO, office of the UN Special Rapporteur for Access to Water and Sanitation; Professor Joyeeta GUPTA, University of Amsterdam; Professor Riccardo PETELLA, European Institute of Research for the Politics of Water; Ana GOMES MEP; Brigitte BATAILLE, Political Adviser S&D Group, and Véronique De Keyser MEP, and Vice President of the S6D Group.

Among the participants at the seminar were **Mara BUSTELLO** from the office of the UN Special Rapporteur for Access to Water and Sanitation, distinguished academics: **Joyeeta GUPTA** (Professor in Policy and Law of water resources and the environment, University of Amsterdam), **Riccardo PETRELLA** (from the European Institute of Research for the Politics of Water), **Bernard DROBENKO** (Professor at University of the Littoral, Côte d'Opale, Boulogne-sur-Mer), **Thomas FOGTMANN** (environment attaché at the Permanent Representation of Denmark to the EU), and **Gidon BROMBERG** and **Nader KHATEB** from the NGO 'Friends of the Earth Middle East'.

Access to Water as a Fundamental Human Right

The S&D Group outlined how 'safeguarding the right to water and sanitation is central to the European Social Model'.

During his presentation, **Professor Riccardo Petrella** further stressed that every person throughout the world must have access to a minimum amount of water to sustain life, saying that 'it is a question of sustainability, and it must not be a question of what can and cannot be merchandised'.

Professor Joyeeta Gupta presented her view that the human right to water and sanitation is a question of the provision of a 'minimum amount of water conducive to dignity', but that one must 'look at the context' when establishing what this minimum amount should be, as water is unevenly distributed around the globe, and the application of this right must acknowledge this reality.

Mara Bustelo outlined the UN's view that 'there is a legitimate discussion' to be had within States regarding the role of the public and private sectors in relation to water provision, but that 'privatisation does not exempt States from their human rights responsibilities', but rather 'an appropriate regulatory framework must be put in place and sustained to protect the right to water and sanitation'

The S&D Group states clearly that the European Parliament, and the EU as a whole must lead the charge in the international community towards the realisation of this goal.

Rio +20 Earth Summit

The S&D Group calls on the EU to adopt a common position at the upcoming Rio+20 Earth Summit, to ensure that access to water and sanitation is recognised as a basic, universal human right, and that the EU should take the lead among the international community in this regard.

Professor Bernard Drobenko pointed out that 'no universal convention on water exists, and water is still tightly linked to State Sovereignty'. The S&D Group sees this lacuna in international law as presenting a significant opportunity at the upcoming Rio+ 20 summit for the universal human right to water and sanitation to be asserted as part of a significant international agreement. Professor Drobenko further asserted that domestically within Europe, there is an opportunity to strengthen the human right to water through the Commission's upcoming 'Blueprint for Safeguarding Europe's Water' ('the Blueprint') which is due to be published towards the end of 2012.

The S&D Group feels that the upcoming Rio +20 Summit presents a significant opportunity for the EU to take the lead in this critical area. The S&D Group calls on all Member States to work together to defend and protect the human right to water and sanitation as a universal human right.

'Blueprint for Safeguarding Europe's Water'

The European Commission is expected to table a 'Blueprint for Safeguarding Europe's Water' by the end of 2012. The blueprint will result from a review of the EU's current strategy on water scarcity and droughts, as well as a review of the implementation of the EU Water Framework Directive and of the vulnerability of water resources to climate change and other man-made pressures.

The S&D Group believes strongly that the Blueprint does not go far enough, and should contain an explicit reference to the universal right to water and sanitation. The S&D Group will propose that the European Parliament Subcommittee on Human Rights as well as the Foreign Affairs Committee give an Opinion on the Blueprint initiative, outlining the importance of this right, when it is subject to Parliamentary consultation.

The S&D Group believes that the Commission Blueprint deals too much with the privatisation of water supply, and not enough with the social impact and social importance of access to water, and that the proposal is thus critically flawed.

This Blueprint represents the EU's framework regarding the 'safeguarding' of our water supplies for the next 30 years, yet it does not go far enough to safeguard the human rights of citizens, instead of the rights of big business. **Thomas Fogtmann**, speaking on behalf of the Danish Presidency of the European Council, pointed out that the 'Blueprint' is not yet published, but 'agrees that social aspects need to be taken into account and not purely economic and environmental ones'.

Most importantly, the S&D Group says that water should not be managed as a commodity that can be bought and sold, but rather as something that is essential to life, access to which should be guaranteed to all citizens.

Water and Conflict

Representative from the NGO Friends of the Earth Middle-East (FOEME) presented the challenges facing the communities living in the Jordan River basin in Israel, Jordan and Palestine, regarding the over-exploitation of water from the Jordan River. **Véronique De Keyser MEP** said 'Access to sufficient water resources is essential for the viability of a future Palestinian State and for the populations of that region. It is necessary to continue to work in a spirit of co-operation, as exhibited by Friends of the Earth Middle East, to protect and to regenerate the lower course of the Jordan River'.

Gidon Bromberg, Israeli Director of FOEME outlined how water is being used as a tool in the region to exert pressure on people and on communities, and that: 'all States in the region are not equally responsible for this: We cannot ignore the occupation...the Palestinians need their fair share of water. Cooperation here provides a form of peace, through building confidence together slowly. Progress to date has already made a great contribution to peace-building in the region where politicians have failed'.



Above.: Nader KHATEEB, Director at Friends of the Earth Middle East



Right, map of the Jordan River

Nadeer Khateeb, Palestinian Director of FOEME, further stressed that in the Occupied Palestinian Territories, the situation regarding water is terrible, but that 'blaming is going to get us nowhere, and the environment cannot wait. No cooperation means a lose-lose situation for all the people of the region' and that 'further cooperation is the answer, not further conflict and tensions'.



Above, left to right: Ana Gomes MEP; Nader Khateeb, Director Friends of the Earth Middle East; Véronique De Keyser MEP; Gidon Bromberg, Director Friends of the Earth Middle East; Ivari PADAR MEP

The EU must put forth a strong, united position to confirm that the human right to water is a universal right, and must support FOEME and other similar organisations in their efforts to cooperate and to build a lasting, sustainable peace in the region, based on equality, human rights and dignity.