

19 March 2009

**Statement of Mr. Miguel d'Escoto Brockmann,
President of the 63rd Session of the General Assembly,
at the Fifth World Water Forum**

Delivered by Maude Barlow, Senior Advisor on Water to the President

Dear Friends,
Sisters and Brothers All,

I am very pleased to be able address the Fifth World Water Forum and through my Senior Adviser on Water, Ms. Maude Barlow, I send warm greetings to what has become the largest gathering of concerned water advocates in the world. I wish to address some concerns regarding the processes and structures of this institution today with candor and the genuine hope that we can find new ways to broaden our partnerships around the crucial issues arising from the water crisis that is relentlessly unfolding around the world.

As you may know, I have made access to water for all people a priority during my presidency of the sixty-third session of the General Assembly. My concern has moved me to be the first General Assembly President to address the Forum since its inception in 1997. At a time when the global water crisis continues unchecked, the General Assembly has committed Member States to ensure that as much progress as possible is made towards the goals of the 2005-2015 International Decade for Action "Water for Life", which it proclaimed in 2003.

The primary goal of the UN Decade is to promote efforts to fulfill international commitments made on water and water-related issues by 2015. These commitments include the Millennium Development Goals to reduce by half the proportion of people without access to safe drinking water by 2015 and to stop unsustainable exploitation of water resources. The UN requires dynamic partnerships to ensure the realization of these goals.

The General Assembly is joined by other members of the UN family to advance these goals. I am heartened by the decision last year of the Human Rights Council to appoint an independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation. Her appointment was clear demonstration of the rising concern of the international community of the impending water crisis, and the need to ensure that our joint efforts are guided towards meeting the needs of the world's most vulnerable and the disempowered.

Just last week in Geneva, Ms. Catarina de Albuquerque presented her first preliminary report to the Human Rights Council, which focused on the problem of lack of access to sanitation, and its

connection to other human rights obligations. She is now focusing on the normative content of human rights obligations related to access to sanitation and the development of criteria for good practices relating to the human rights obligations for water and sanitation. These are initiatives that all of us gathered here should heed and support.

I do not need to tell you the scale of this crisis. I trust we share an awareness of the importance of supporting the billions of people who are suffering from lack of access to clean water and sanitation. What is less clear is our awareness of the need to build dynamic partnerships to ensure support for the vulnerable communities in their search for sustainable solutions to the complex problems surrounding access to water.

My views on water have been deeply influenced by Maude Barlow's exceptional work over the past years to bring the global water crisis to the attention of the international community. I share her view that water is a public trust, a common heritage of people and nature, and a fundamental human right. I am convinced that we must challenge the notion that water is a commodity to be bought and sold on the open market. We must work quickly to guarantee that access to drinking water constitutes a fundamental right of all peoples and is included among the goals of the United Nations Decade.

The World Bank reports that by 2025, two thirds of the world's population will not have enough clean water. This is why water is increasingly seen as the "oil" of the twenty-first century, with all the serious consequences that implies. Those who are committed to the privatization of water, making it a commodity like oil, are denying people a human right as basic as the air we breathe.

Because of these beliefs, I feel I must express my concerns regarding the constitution and performance of the World Water Forum. As President of the General Assembly, I see more clearly than ever the importance of inclusive and democratic partnerships in addressing the global challenges before us. Yet to be successful, these partnerships need to be in keeping with the UN development agenda and the goals of our Organization, and must take into account and reflect the emerging trends in international law, including international human rights law. I believe the UN's own ambiguity and lack of leadership have hindered our ability to steer a course and forge more constructive partnerships for addressing the critical issue of water.

I am concerned that the World Water Forum is currently structured in a way that precludes partnerships with the advocates of the principles mentioned above. The Forum's orientation is profoundly influenced by private water companies. This is evident by the fact that both the president of the World Water Council and the alternate president are deeply involved with provision of private, for-profit, water services.

It is important that the United Nations insist on more clarity on the issue of "commodification" of water and articulate a rights-based approach on access to water. I strongly believe that UN agencies and offices should spearhead the effort to articulate, through a legally constituted process, a clear, comprehensive framework for dealing with issues of access to water and sanitation. Guidelines should be established as to the accountability and responsibilities of the members of the World Water Council and the World Water Forum.

I was troubled to learn that the current World Water Forum Ministerial Statement was only agreed upon when some states ensured that there was no binding obligation on governments to actually implement any of the articles within the statement. The issue of water is too important to be left without a binding and accountable process. We can and must do better.

It is clear that the present World Water Forum does not share the widely held views against water privatization and on preventing water from becoming a commodity. I must agree that future Forums should adopt international norms and conduct their deliberations under the auspices of the United Nations. I urge UN Member States to work together to promote policies for a Forum that meets our well-developed methodologies for such events. These policies should be implemented before the meeting of the Sixth World Water Forum.

This new orientation will give new impetus to a range of positive initiatives. Now is the time when we need to join forces and resources to take immediate steps to protect the sources of this precious resource and improve measures to prevent water pollution. It will bolster our efforts to involve more people in creative and dynamic partnerships to address the crisis, which is placing at risk the lives and well-being billions of human beings.

A broader-based Forum will also provide new opportunities to work together to develop the processes that allow us to work through any water conflicts in a peaceful manner based upon the rule of law. We need to utilize the clear mechanisms of human rights and international law for this to be successful.

For all these reasons, it is essential that those of you representing governments at the World Water Forum take steps to reverse the decision to remove reference to the right to water from the Ministerial Declaration. As it stands, this important statement undermines the efforts of those who are struggling for access to clean water and sanitation. I urge all of you to support the efforts of the delegation from Uruguay in the process to open up the statement and do the right thing. We all know the real work comes after the words, and on this we must all stand together.

All of us – the United Nations, Governments, the private sector and organized civil society – must join forces to find solutions and positive ways forward. Together we must reassert our role as stewards of planet Earth, a role that has been abandoned for so long. We must recognize that the narrow, profit-driven approach to the precious elements of life is leading us to a dead end, not only for humanity but for all life on our beleaguered planet. We must find new respect for what has been entrusted to our care and manage our resources for the good of all.

All of us, without exception, share responsibility for the state of our world. But we must move forward. Today, we are witnessing a confluence of large-scale, interrelated crises -- access to clean water among them. But crises need not necessarily turn into tragedies. This is a time of tremendous opportunities to introduce corrective measures to improve our way of doing things. The World Water Forum should be one of the key vehicles in this work.

I thank you for your support for this appeal, which goes to the heart of the work of the Forum. I entrust my advisor, Maude. Barlow, to help us rethink and join efforts to develop a truly representative legal framework for dealing with water.

Thank you.