

**United Nations Environment Programme
North American Regional Civil Society Consultation
In Preparation for the 5th Global Ministerial Environment Forum**

Moderator's Summary¹

Background

1. This is the Moderator's Summary of the United Nations Environment Programme's (UNEP's) consultation with North American civil society to provide input into UNEP's upcoming Global Ministerial Environment Forum (GMEF) to be held in March, 2004, in Jeju, South Korea. The Civil Society Consultation was held on 10 December 2003. It was co-hosted by UNEP's Regional Office of North America (RONA) and the Environmental Change and Security Project at the Woodrow Wilson Center in Washington, DC.

2. The GMEF is an annual meeting of the world's environment ministers. This year, the GMEF will focus on the environmental dimension of water, sanitation, and human settlements issues and will contribute to the broader discussions on these issues at the U.N. Commission on Sustainable Development (CSD) in April 2004. Immediately preceding the GMEF will be a Global Civil Society Forum (GCSF), which will be an opportunity to integrate the perspective and experience of regional civil society into the ensuing discussions at the GMEF.

3. The purpose of the December 10th consultation was for UNEP to brief North American civil society organizations on the status of preparations for the GMEF and to enable a discussion among diverse stakeholders and major groups regarding the environmental dimension of water, sanitation, and human settlements. This consultation was one of series of civil society consultations being convened by UNEP in preparation of the GMEF and the GCSF.

4. The December 10th consultation included brief introductory presentations by UNEP, a series of invited statements from individuals offering perspectives from different major groups. This was followed by a moderated roundtable discussion. Copies of the agenda and the participants' list are attached to this Moderator's Summary.

Introductory Presentations

5. Ms. Jennifer Kaczor, a Project Associate with the Woodrow Wilson Center's Environmental Change and Security Project, opened the meeting and welcomed the participants on behalf of the Center.

¹ The moderator was David Hunter, Senior Advisor to the Center for International Environmental Law and Director of the Program on International and Comparative Environmental Law at the American University's Washington College of Law. The moderator thanks Clayton Adams and the other staff in RONA's office that assisted in preparing this summary.

6. Ms. Brennan Van Dyke, the Director of UNEP's Regional Office on North America, introduced the proposed agenda for the meeting, emphasizing that this was an opportunity for civil society to provide their perspectives to UNEP. Ms. Van Dyke further updated participants on the preparation for the GMEF and described the process for civil society participation through regional consultations such as this one and through the Global Civil Society Forum. Ms. Van Dyke also drew the participants' attention to the background documents provided for the meeting, particularly the unedited advance copy of the 28 November 2003 *Background Paper for the Ministerial-Level Conslutations: Water, Sanitation and Human Settlements*, UNEP/GCSS.VIII/4 (hereinafter Draft UNEP Background Paper).

7. Dr. Ashbindu Singh, Regional Coordinator, UNEP's Division of Early Warning and Assessment-North America, presented some of the factual background regarding the environmental dimension of water, sanitation and human settlements, particularly with respect to North America. Dr. Singh highlighted the relative disparity between conditions in North America and many parts of the rest of the world with respect to access to water and sanitation. Dr. Singh noted the impact on children's health due to waterborne toxics and diseases; the large impact of suburban sprawl in this region; and the disproportionately large ecological footprint of North America when compared to the rest of the world.

Civil Society Invited Contributions

8. To help in initiating the discussion, UNEP had invited six participants to present comments from their perspective.

9. Craig Schiffries from the National Council on Science and the Environment (NCSE) argued for the need to improve the scientific basis for studying issues relating to water, sanitation and human settlements. Mr. Schiffries described the upcoming January 2004 NCSE conference on Water for a Sustainable and Secure Future as another important opportunity for developing input into the GMEF and CSD processes. He emphasized that every recommendation or potential action step emanating from the Kyoto World Water Forum depends on strong and credible science. He thus called for enhanced investment in research and development in both the natural and social sciences, monitoring and assessment, data collection, and science-based education and outreach. He closed with a recommendation that all countries need to develop science-based water policies at the national and international level. That we need to align water laws with the laws of nature, with an integrated approach to watersheds and ecosystems. As one example, ground and surface water are often treated separately, but yet are ecologically well connected.

10. Veena Ramani of the CSD Freshwater Caucus and Integrative Strategies Forum read a statement prepared by Ms. Shiny Abraham, the Co-Coordinator of the Freshwater Caucus and Institute of Agriculture and Trade Policy (IATP), described the role of the Freshwater Caucus in providing input into the CSD processes. She encouraged UNEP to

continue to find ways to enhance citizen participation in the discussions leading up to and around the GMEF. Ms. Ramani strongly endorsed the importance of the WSSD's goal to halve the number of people without sanitation by 2015. Ms. Ramani provided a list of recommendations to promote integrated and sustainable water resource management, with an emphasis on the right of access to water and sanitation as a right and the ecosystem needs of water. She closed by expressing that the freshwater caucus looked forward to opportunities to work closely with UNEP and other institutions and bring in these civil society concerns to your attention. We hope that in future UNEP too will establish mechanisms for institutionalized interaction with civil society, seek inputs from major groups and caucuses and conduct multi-stakeholder dialogues amongst all stakeholders.

11. Mr. Eric Listening Owl of the CSD Freshwater Caucus and the International Institute for the Study and Preservation of Aboriginal Peoples and their Cultures highlighted the unique relationship that Indigenous Peoples in North America, and throughout the world, have to their land and ecosystems. Mr. Listening Owl emphasized that a continuum of policies and practices, including colonialism, have led to oppression and marginalization of Indigenous Peoples in many regions of the world. Indigenous Peoples view their access to water to sustain their life and livelihoods as a basic human right. Mr. Listening Owl argued for the assessment of Indigenous Communities as a first step in promoting a community-based approach to designing sustainable economic development master plans. Action-oriented, rights-based community initiatives are the path to sustainability. He urged UNEP to look proactively for ways to collaborate with Indigenous Peoples Organizations (IPOs) to advise governments on the value of including community sustainable economic development master plans in state and national development plans. In this context, UNEP should be an active leader in promoting community-based, rights-based initiatives toward water policy and management.

12. Mr. Noah Chesnin of TUNZA Youth Advisory Council emphasized the need to discuss water issues (and indeed all environmental issues) in a language and context that resonates with the concerns and experiences of today's youth. Many youth today in North America are disconnected from the water crisis and view water primarily as a commodity that one buys in a bottle. Access to water should be declared a human right. Emphasized the importance of educational initiatives targeting youth in developing countries. Opportunities for youth to contribute actively to policy dialogues is important, particularly as more youth are educated through university programs or otherwise regarding the importance of, and threats to, environmental resources. With respect to agriculture, UNEP should consider ways to promote partnerships with agricultural corporations, local farming communities and organic agriculture associations to curb agriculture's substantial contribution to water pollution and scarcity.

13. William Bertera of the Water Environment Federation, a non-profit federation of US public and private companies and individuals who work on wastewater issues, emphasized the overriding "principle of state sovereignty over natural resources" that ensures governments remain the primary agent in control of water resources. Thus,

groups interested in sustainable water management need to try to influence governments, including most importantly the government of the United States, which has such an influential role in the world. Mr. Bertera argued that we must speak the language of policymakers, yet still de-politicize water management. He endorsed the concept of integrated water management. With a finite supply of potable water, we must not only manage available water, but also how to use it again and again. Those of us in North America must speak up for people in other parts of the world that do not have a voice or influence over their government and yet are dependent on government decisions for access to potable water and sanitation. UNEP should be a leader in public education, including education of government policymakers, about the need to conserve water resources for the betterment of people throughout the world.

14. Rebecca Pearl of the Women's Environment and Development Organization emphasized the need to engage and respect the role of women with respect to water resources. Women are among the poorest of the poor and are also the primary resource managers in many communities. Ms. Pearl recounted how there have been 16 global conferences linking gender and water and poverty; we have the words, now we need the action. She recommended that gender be considered a cross-cutting theme for all of the Millennium Development Goals, including those associated with water and sanitation. She urged UNEP and the GMEF take clear steps to integrate gender considerations into water policy decisions and work with other international organizations to ensure gender is integrated in poverty reduction strategies. She believes there needs to be a set of gender indicators developed to better identify mechanisms for integrating gender considerations in resource management.

Roundtable Discussion

15. After the invited contributions, the Moderator introduced the goal of the Roundtable Discussion: to have a robust and enriching debate regarding the environmental dimension of water, sanitation and human settlements. The participants were also invited to make specific comments regarding the background information provided for the consultation, particularly the Draft UNEP Background Paper, and to make any specific recommendations aimed at the governments attending the GMEF.

16. The Moderator further remarked how water, perhaps more than any other resource, impacts people's lives on a daily basis. Major groups will see water with widely different perspectives reflecting water's widely different functions. Some view water in terms of human rights, some in terms of how to manage it for use and re-use; some in terms of its ecological role; and some simply as a commodity to be bought and sold. These different perspectives make the discussion both more enriching and more difficult to achieve consensus.

17. The Moderator opened the floor to comments and discussion. The following is a summary of the points raised during the discussion.

18. **Integrated Water Resource Management.** Many participants endorsed the concept of integrated water resource management as a process for ensuring that different perspectives and approaches to water resources are reflected in major management decisions. Specific concerns were raised about the need to integrate the perspectives of women, youth and Indigenous Communities, each of which are historically underrepresented in water management decisions. One participant recommended that such an integrated approach needs to be ensured in reviewing the implementation of some of the Type 2 partnerships emerging from the World Summit on Sustainable Development.

19. **Sustainable Consumption.** Any civil society statement from North America must recognize the issue of sustainable consumption and the disproportionate amount of resources that North America uses when compared to the rest of the world. We have among the highest per capita use of water in the world. In particular, outreach needs to target the young to educate them on the impact of North American consumption patterns. The true social and environmental costs (particularly in developing countries) of North America's consumption patterns need to be identified and publicized. In addition, participants commented on the following specific aspects of North American consumption patterns:

- **Agricultural Uses of Water.** Discussion about sustainable consumption practices should include not only household usages of water, but also agriculture which is the highest consumer of water. North America needs to be a leader on agricultural water efficiency and re-use.
- **Energy – Water Nexus.** Several participants commented on the need to understand the link between North American energy consumption and production, and ecological and public health consequences around the globe. This linkage should be highlighted further.
- **Suburban Sprawl Worst Practices.** Several participants discussed the North American approach to housing, which has led to suburban sprawl. Such sprawl is a “worst practice” that not only harms watersheds, alters land-use, expands the use of the automobile and leads to the erosion of urban communities. Suburban sprawl is at the interface of water, sanitation and human settlements in North America. One participant recommended that further research be conducted on the difference between sprawl and smart growth with respect to their impacts on water quality.

20. **Water and Human Rights.** Many participants raised the importance of recognizing and respecting access to freshwater, sanitation and housing as human rights. Governments are thus obligated to provide regulations that ensure access to water resources for all people. Several participants mentioned the need to use a rights-based approach in addressing water management and related issues. Several other participants mentioned specifically the rights of Indigenous Communities to control access to, and benefit from, their resources. This would include operationalizing the principle of prior

informed consent, as well as building the capacity of local Indigenous and other communities to express these rights. Existing human rights conventions, including for example the convention on the rights of the child, were also mentioned as sources of human rights obligations that should be taken into account by the GMEF.

21. **Ecosystem Wide Approach to Water.** As part of integrated water resource management, several participants expressed the importance of taking an ecosystem-wide approach. Efforts to manage the Great Lakes were suggested as an interesting case study for gathering “Lessons Learned”.

22. Particular emphasis was placed on the relationship between freshwater, riparian land areas and marine and coastal ecosystems. When addressing sanitation, for example, the impact on coastal zones should not be ignored. UNEP and the GMEF need to take a broader look at issues around water and sanitation to ensure that they are addressing critical coastal and marine issues as well. Several participants agreed that we cannot wait until the CSD meeting in 2014 to address looming coastal and ocean issues and that ministers should use the opportunity of discussing water and sanitation to address related coastal and marine issues.

23. Water resources must also be conserved to ensure the future ecological services they provide. One participant argued for compensating local communities directly, when water management decisions lead to the loss of local ecological services. Another participant recommended protecting environmental (or instream) flows in rivers and lakes as a way to protect the broader public interest in the freshwater biodiversity and ecosystems.

24. **The Importance of Multilateralism.** Several participants commented that the North American civil society needs to emphasize the importance of US leadership in promoting and supporting multilateral approaches to water, sanitation and human settlements.

25. **Capacity Building.** Several participants mentioned the importance of capacity building in developing countries. Specific examples included support for: implementing integrated water resource management; analyzing the policy and legislative gaps in particular countries with respect to water, sanitation and human settlements; identifying

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