

**UNEP ASIA PACIFIC CIVIL SOCIETY CONSULTATION
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Chair's Summary of Session 6

The objective of this session was to identify the priorities and positions of civil society in the Asia Pacific region and to discuss possible elements that could be incorporated into the civil society statement to the 8th Special Session of the GC/GMEF to be held in Jeju Island, South Korea in March 2004.

The Session was chaired by Dr Saradha Iyer of Third World Network. In her opening remarks the Chair underscored:

- (i) the unique opportunity this gathering offered for truly broad based participation as called for in Principle 10 of the Rio Declaration on Environment and Development and reaffirmed at the World Summit on Sustainable Development (WSSD): a sort of “by civil society for civil society” process was being facilitated by UNEP and set in motion here;
- (ii) the fact that this was the first time UNEP’s strategy of engagement with civil society was being initiated and tested in the Asia Pacific;
- (iii) the 5th Global Civil Society Forum (5GCSF) to be held in Korea opened brave new doors for civil society networking, not just among NGOs here but with those from other regions including NGOs from the North as well;
- (iv) that civil society is being offered the chance to input into the GMEF agenda instead of merely reacting to its pronouncements.

The draft background Document entitled “Asia Pacific’s Water, Sanitation and Human settlements” was introduced by Ms Danbee Song representing UNEP’s Committee from the Republic of Korea and Ms Kin Chooney of the Korean Federation of Environmental Movement (KFEM). In addition participants were also invited to reflect upon the earlier sub- regional presentations and the UNEP Discussion Draft dated 9th Nov 2003 that was presented by Mr Tim Kasten, Acting Chief of the UNEP Civil Society Division.

The comprehensive and thought provoking nature of all the papers stimulated much discussion as participants candidly shared their thoughts, comments and analyses. A wide range of perspectives emerged as 56 representatives from 23 countries in the region of 46 sovereign States and 5 sub regions grappled the challenges posed by the thematic clusters and debated the best way to present the views of civil society from the Asia Pacific region to the Ministers who will be addressing this very same theme.

Broadly speaking, the substantive issues that were deliberated and which could well form the basis of the civil society statement may conveniently be categorized as follows:

- A. Overarching Principles
- B. Specific Themes from Sub- Regional Papers
- C. Civil Society Position.

A. Overarching Principles

The main principles guiding policy formulation and implementation of programs and projects in the areas of water resource management, sanitation and human settlements, it was agreed, should be based upon:

- (i) The principle of state sovereignty over natural resources. The implication here being that in the exercise of this prerogative the State
 - retains primary duty for effective regulation to ensure access to, availability of and quality of water;
 - has the obligation to protect and fulfill peoples rights to water;
 - should respect the harmony of all bioregions and biospheres;
 - should respect the rights of indigenous peoples and local communities.
- (ii) A rights-based approach should be the basis of action at all levels because water is a public good and a prerequisite to life and health. The human right to water is indispensable for leading a life of dignity and therefore water should NOT be regarded as a commodity to be exploited for profit without due regard to people and the values they cherish. The extraction and use of water for life must also recognize and respect the rights of local communities and be balanced against concerns for the rights of present and future generations.
- (iii) Peace, security and stability are indispensable to sustainable development and there is an urgent need to address these issues in the region in a cooperative manner so as to reduce conflicts and find amicable ways to resolve problems. In this regard, the proliferation of the arms trade and soaring military budgets were singled out as urgent issues requiring attention.
- (iv) The need to emphasize the spiritual dimension of sustainable development was noted. Following discussion on Bhutan's Gross Human Happiness Index as a possible alternative to the current market- based Gross Domestic Product, it was agreed that an insistence on harmony between land, air and earth rights and economic, social and environmental justice could provide that distinct affirmation of traditional Asian values to this on-going debate.

B. Common Themes from the Sub Regional Papers

1. Access to Information and civil society participation in the Asia Pacific region

Several participants alluded to the fact that for civil society to play a meaningful role in the region, it has to have access to consistent, reliable, up-to-date and timely information

on issues surrounding water, sanitation and human settlements. The need for greater openness and transparency at regional, national and local levels was strongly voiced.

On the question of civil society participation in decision-making in the region, the levels of engagement were characterized as uneven at best, non-existent at worst with civil society being very active some countries but dormant or nonexistent in others.

It was also noted that there remains a wide gap in the region, between developments with regard to civil society participation at the global level on the one hand, and regional and national levels, on the other. As an example, it was pointed out ASEAN mechanisms for involving civil society are only now beginning to surface and it was hoped positive changes will occur in this area to allow for civil society to voice its views in order that their participation could be more meaningful.

One of the mechanisms discussed for multi-stakeholder forums was through the national sustainable development councils. The Philippines model was explained. However, the meeting left open the question and called on governments to work towards fulfilling their commitment to establish by 2005 national strategies for sustainable development as agreed to in Johannesburg and also to consider mechanisms for incorporating civil society concerns into national development plans and decision making structures.

2. Good Governance

There was a distinct sense that, given the regions uphill task in trying to cope with the onslaught of rapid industrialization, urbanization and globalization, it was important to stress and ensure good governance **at all levels**.

- At the global/multilateral level several issues were raised. For a start, participants acknowledged the need to strengthen the UN multilateral process strained as it had become in the run- up to and post Iraq war era. In the face of unilateralist tendencies in the current counter- terrorism, and counter-WMD measures, civil society urged a rededication to the basic principles of the UN Charter and international law.
- The role of international financial institutions and the impact of the global market and trade agreements were clearly causing despair among those present. It was reiterated that international trade and financial institutions must ensure that they take the right to water into account in their policies, loan conditions and credit arrangements and other measures so as not to thwart poverty eradication and other pro poor measures attempted at national and local levels.
- There were calls to address the democratic deficits at the World Bank, IMF and WTO. In addition, the smaller and poorer countries in the region were concerned about the overlapping PRSP, MDG and general reporting processes. Attention was also directed to the fact that poverty alleviation was a cross- cutting issue and that MDG 8 was crucial to the realization of

the other 7 Goals and that greater attention needs to be paid to the debt, ODA, commodity issues and other targets that are part of that Goal if the region is to dream of achieving the other 7 Goals.

- At the regional level, the tendency towards numerous Action Plans and other Programs was noted. But the existence of so many of these without adequate emphasis on monitoring and enforcement was cause for concern. They are no substitute for real tangible action on the ground and the various regional groupings were urged to be more open and transparent in their processes and allocate more budgetary resources towards implementation programs and in particular to deal with trans-boundary issues in a cooperative manner.
- At the national level, the principle of subsidiarity was raised and discussed and many participants felt that concerted efforts need to be made to strengthen local /municipal systems through greater oversight and tighter governance mechanisms as well as the provision of adequate financing and funding to this level of government.

3. Holistic, Integrated, Comprehensive approach to Water, Sanitation and Human Settlements.

In tackling the trans-border mega infrastructure development projects and trans-boundary water resource management issues, civil society was unanimous in calling for strengthening cooperation and consultation among States and in establishing formal dispute settlement mechanisms in order to reduce conflict and find equitable solutions. The negative impact of mining and logging activities on indigenous and local populations was raised. The issue of the viability in the region of several hydroelectric dams, oil and gas pipelines was also discussed.

4. Privatization of Water and Corporate Accountability.

In relation to this issue, it was noted that Suez and Vivendi had near monopoly in the area of provision of water services as they do worldwide. The problems faced by residents in areas where privatization was considered an option were noted and alerts were issued to draw lessons from them.

Participants were vocal in calling upon governments to fulfill their commitments in relation to curbing the powers of mega transnational corporations whose activities span many countries and whose activities cannot be controlled by any one of even groups of government. There was an unanimous call for governments to take effective steps to begin negotiations to draw up legally binding guidelines for corporate accountability and responsibility as spelled out in Paragraph 49 of the JPOI. In this regard, the precedent set

by the UN Human Rights Commission in its Guidelines for TNCs was mentioned as a good start.

C. Civil Society position : the Asia Pacific perspective

- Rights-based, people- centered, values -oriented approach to dealing with integrated water resource management issues
- Need to work in harmony with nature
- Need to recognize and respect the rights of indigenous peoples
- Need to maintain cultural diversity and pluralism in the region
- Need for more coherent, coordinated and cooperative approach to trans-boundary issues
- Ensuring greater resources for generating greater public awareness on water, sanitation and associated health and their linkages with other global goals and targets
- Calling for overhaul of international financial and trade regimes
- Insisting upon more concerted involvement of women and youth in the implementation of sustainable development programs
- More emphasis on enforcement and implementation at regional and national levels
- Providing access to relevant, timely information on issues at regional and national levels
- Opening the space for civil society dialogue on policy formulation and decision making at regional and national level and mainstreaming civil society participation at all levels
- More open, transparent and accountable structures at global, regional, national levels
- More attention to Goal 8 issues to redress imbalances, injustices and inequities in the system
- Allocation of adequate resources to civil society for capacity building, monitoring and implementation
- Calling for legally binding framework on corporate accountability and responsibility to strengthen the hand of governments in their dealing with big business.