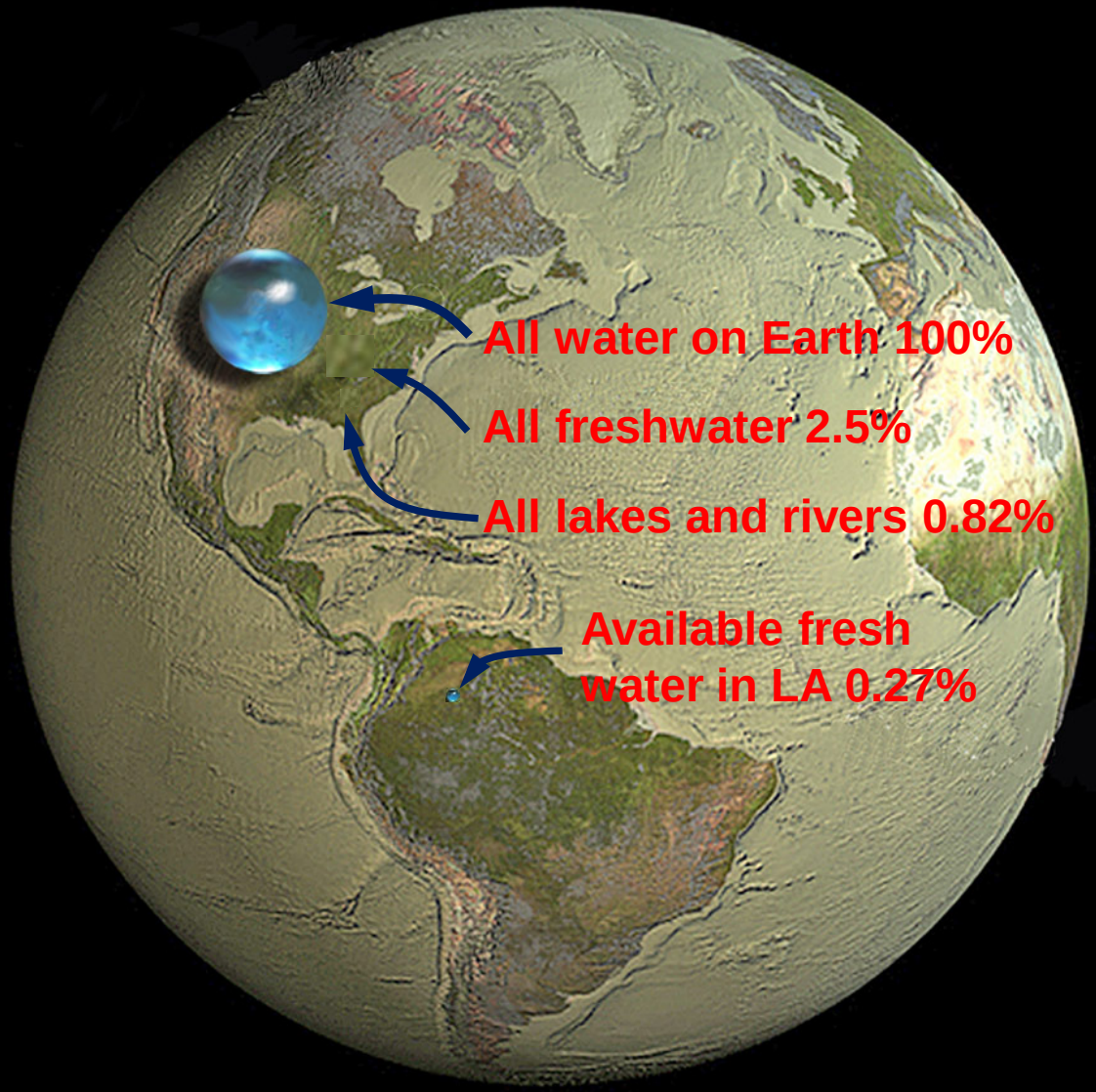
Grassroots in Water Diplomacy

Juan Carlos Páez Zamora
IIC - RMS/SEG


All water on Earth 100%
All freshwater 2.5%
All lakes and rivers 0.82%
Available fresh water in LA 0.27%

Principal Watersheds in LA

Magdalena:
Colombia

Chubut:
Argentina

Maule:
Chile

Sao Francisco:
Brazil

Amazon:
Colombia, Ecuador, Bolivia, Venezuela, Guyana, Surinam, Brazil

La Plata:
Argentina, Brazil, Bolivia, Paraguay, Uruguay

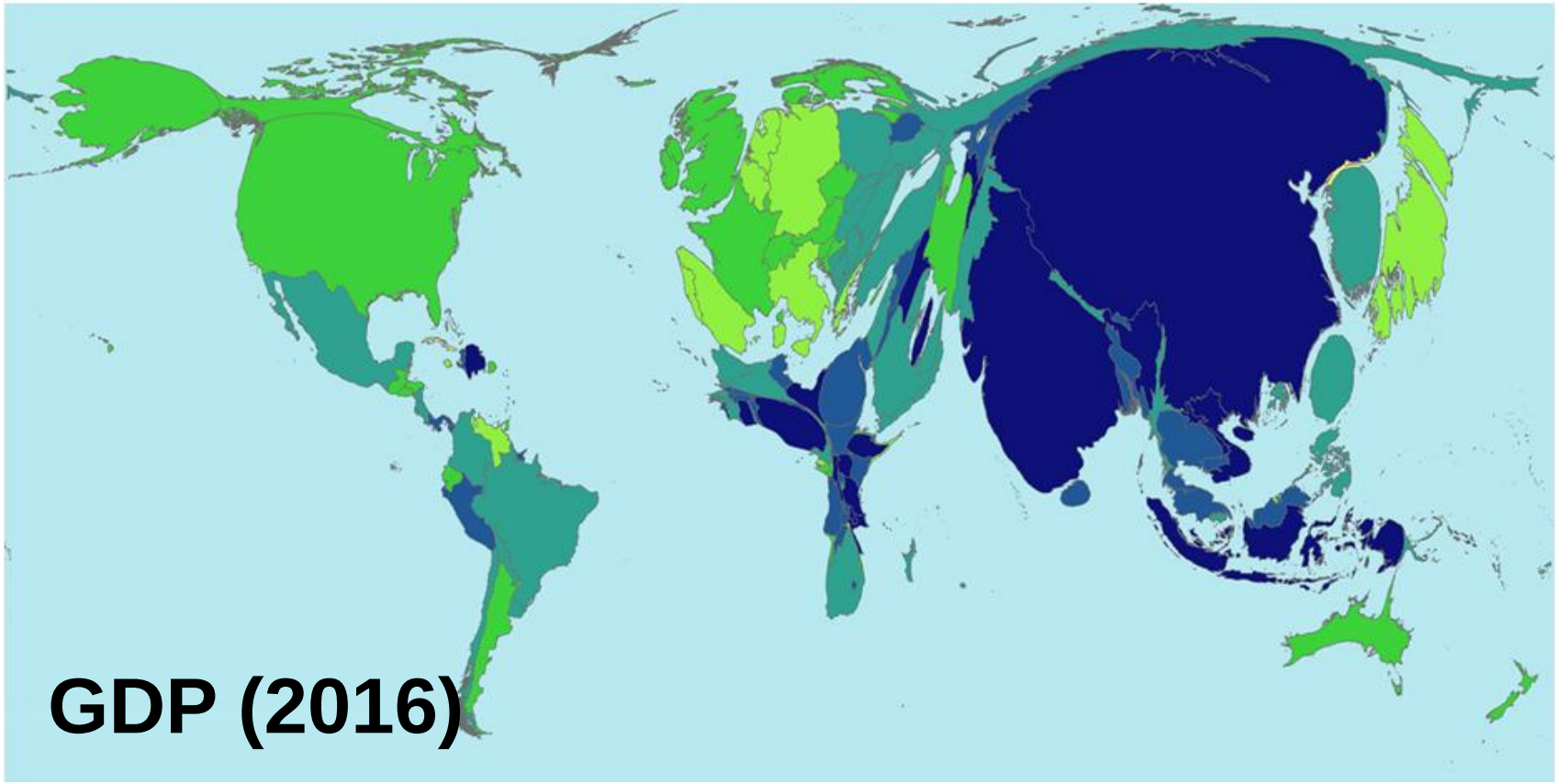
Orinoco:
Colombia, Venezuela

Lempa:
Guatemala, Honduras, El Salvador

Grande:
Mexico, USA

Artibonite:
Dominican Republic, Haiti

OUR WORLD



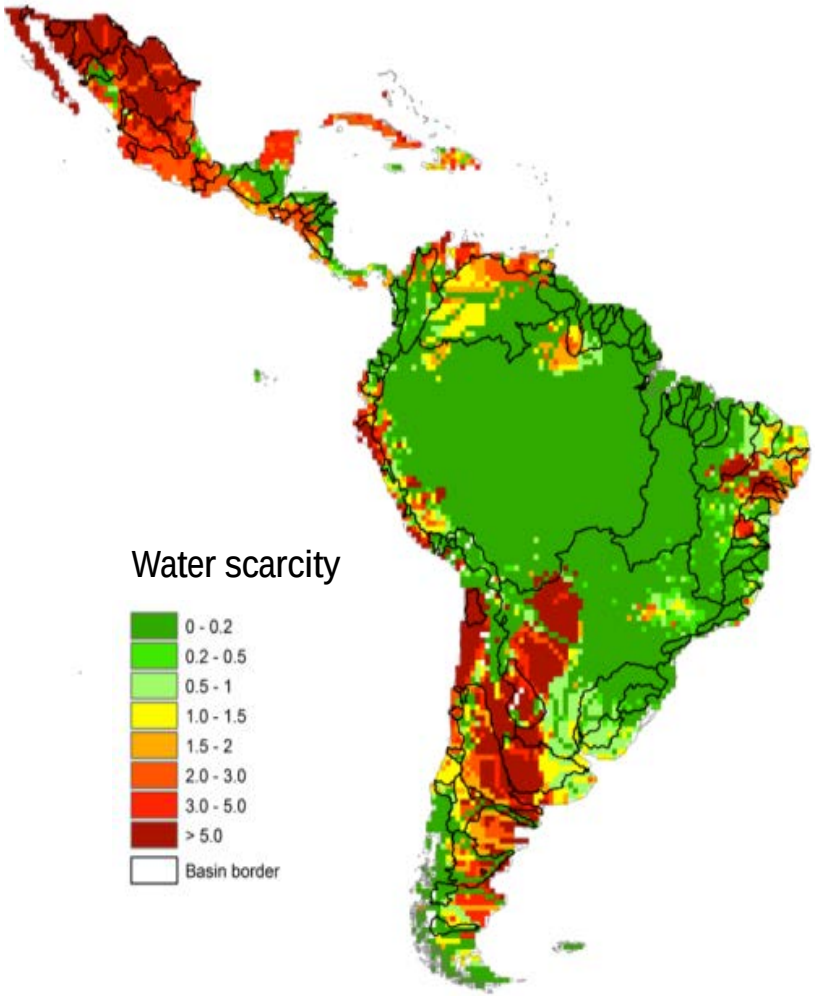
What does this mean for Latin America?

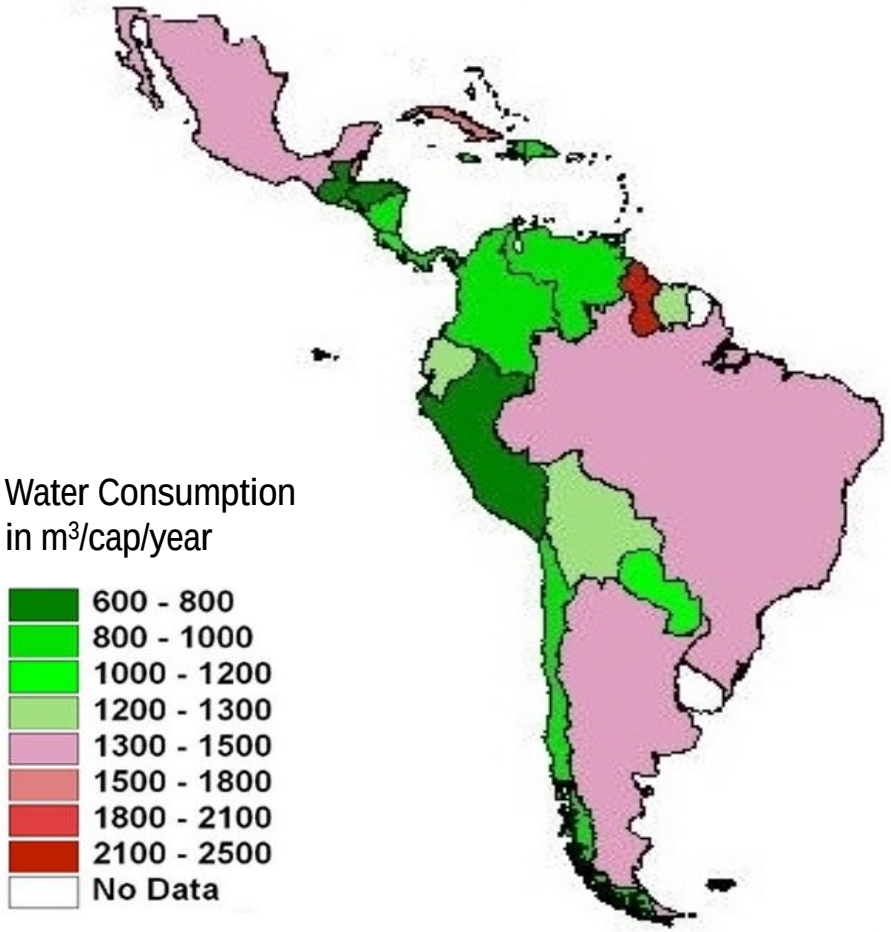
- Globalization has realigned global patterns of economic growth, trade and exploitation of natural resources, with a significant increase of water demand.
- Latin America has become in a principal provider of "*commodities*" (minerals, agricultural products and timber), most of which directly or indirectly use water.
- Economic growth of some Latin American economies in the 2000's (Brazil, Chile and Peru) has increased migration to the big cities and therefore boosted water demand on those regions.
- Economic growth (and population) makes more evident the need for huge investments in mega-infrastructure (public, private, and public-private partnerships) with emphasis on transport, energy and water supply.

Water situation in Latin America (LA)

- 31% of world's freshwater resources are found in the region (watersheds; Amazonas, Orinoco, La Plata, Magdalena, Sao Francisco, Lempa, Grande, Maule, etc.)
- The region also has large arid and semi-arid areas with recurring droughts common from Mexico to Chile and some desertic areas such as the northern part of Mexico and the Pacific Coast from Peru to Chile.
- Access to water is highly unequal.
- Water scarcity (availability, quality, access and use/overuse) is expected to increase in several areas due to climate change, including in the Andes, where the melting glaciers will have a great effect on the water supply.

Distribution of water in Latin America (LA)





Water: A public or a private good?

PUBLIC GOOD

- Widespread availability of clean and affordable water.
- Access to clean water is fundamental to survival.

PRIVATE GOOD

- Where water is scarce, the notion of “private good” is already there when managing the resource, since, in practice:
  - ✓ It is excludable, which means that whoever has access to the source of water can exert its “private property rights” to prevent other people to use it
  - ✓ It is rivalrous, since the consumption of water by someone prevents other people to consume it.

Water rights: a reasonable way to manage water scarcity?

Property rights:

- Legal instruments that seek to protect the assets of people by granting them the legal authority to exclude others from the use, possession, or alienation of the assets in question.

How to apply the notion of “Property right” to water?

- The Romans addressed water rights the following way:
  - Water in public rivers and lakes is only subject to usufruct.
  - Water sources limited to private land are considered private.
  - Ground-water as it is part of the subsoil, it is also owned by the owner of the property.
- These principles have been captured in many of the in-country legislation all over Latin America by defining several types of water rights.

MOST COMMON TYPE OF WATER RIGHTS IN LA

Land-based: People own the water that is present in the land they possess.

Community-based: Water belongs to the communities that are located either where it originates or where it naturally flows.

In-stream: People are entitled to use the water in a stream, but cannot divert it for usage.

* These rights are most commonly used to protect endangered species or to bolster the number of a threatened aquatic species.

Use-based: People have rights on the water they have access to.

* Normally use-based rights apply to waterways in which there is a presumptive easement, often referred to as a navigable servitude.

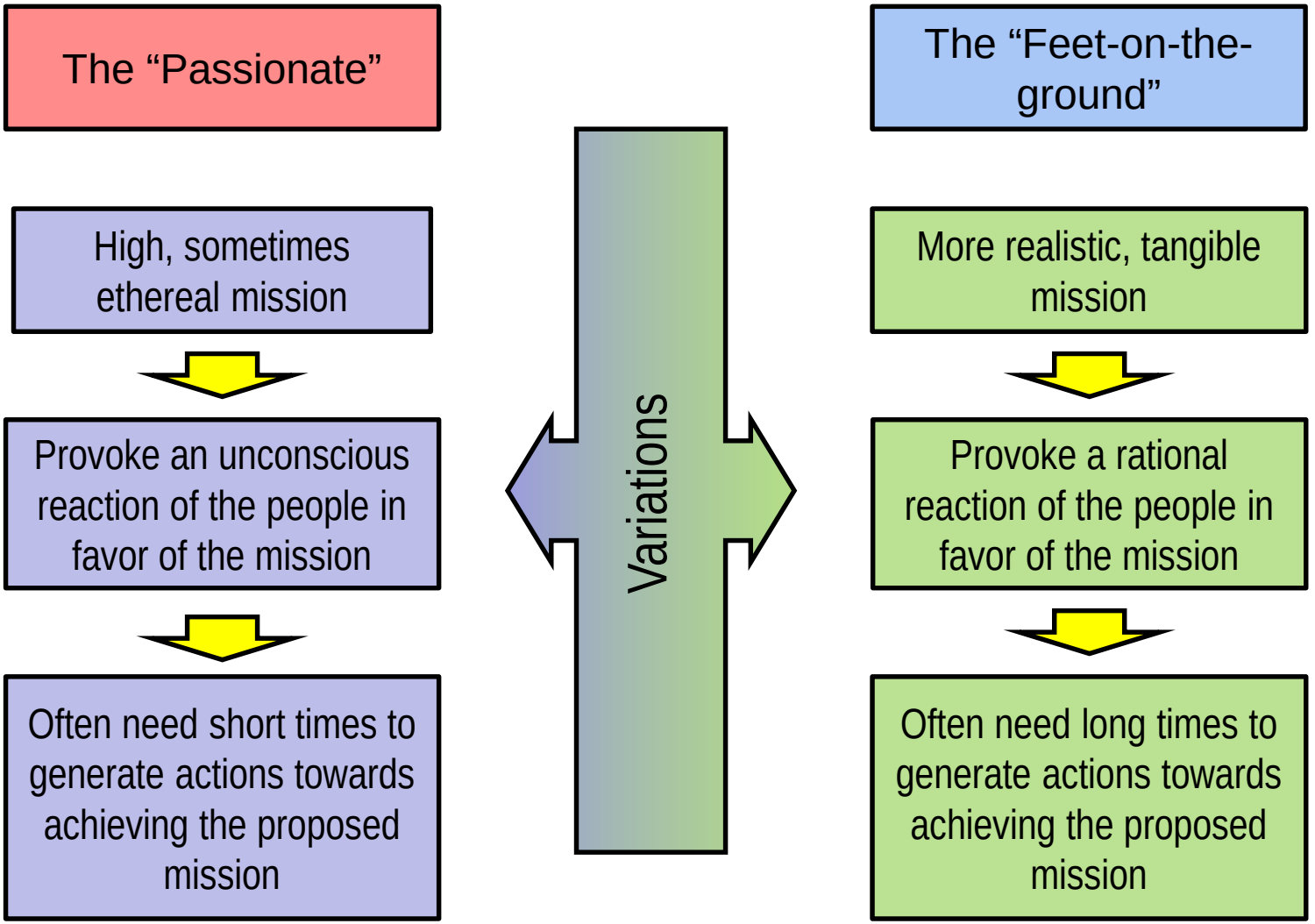
Appropriation: Water belongs to people who divert it and use it (customary approach).

Grassroots: What is their role in water management?

Its has to be kept in mind that:

- Grassroots are the very foundation of society (they have always existed).
- And they:
  - Are run by the common people.
  - Are not controlled or started by the people already holding power and therefore, they are normally unconnected to the government.
  - Are generally started by individuals and small groups with a focused idea.
  - Have a specific mission in mind.
  - Are normally built on ideas and kept running by passionate people.

Grassroots: Types



So, what kind of Grassroots do we have to work with to deal with water issues?

The "Passionate"

- Make people aware that something might be wrong.
- They can easily mobilize people (and resources) to exert "political" pressure.
- Are somehow "fearless" and will stand "to the last consequences".

The "Feet-on-the-Ground"

- Are very good at identifying the root of the problems.
- Usually propose alternatives or "ways-out" to specific problems.
- They normally hold discussions based on arguments rather than on perceptions.
- They can compromise when arguments from "the other side" are "strong enough".
- The can easily be counted on when implementing a solution.

WE NEED TO WORK WITH ALL TYPES OF GRASSROOTS!!

HOW DO WE WORK WITH GRASSROOTS IN THE IIC?

- Grassroots identification and mapping
  - Grassroots analysis (goals, means, resources, etc.).
  - Grassroots engagement (Engagement Plan or Engagement Framework).
- Disclosure of information to grassroots
  - The purpose, nature, and scale of what it is planned to be done.
  - The duration of proposed actions.
  - The description of any risks to and potential impacts on grassroots' target goals (communities, environment) and relevant mitigation measures.
  - Possibilities of working together while implementing the proposed actions.
  - The description of grievance mechanism (suggestions, complaints, recommendations, and requirement for information -SCRI).
- Consultation with grassroots
  - Reaching grassroots in a two way dialog process.

HOW DO WE WORK WITH GRASSROOTS IN THE IIC?

- Grassroots participation in the implementation of some of the actions included in the impact management plan components.
  - Execution of the activities
  - Monitoring
  - Community relations
  - Grievance mechanisms
- Assuring accountability
  - Social and technical auditing
- Determination of the proposed actions' impacts
  - Retrofitting while implementing
  - Ex-post project evaluations.

What happens when grassroots have not been properly involved since the beginning of a process?

BOLIVIA

Aguas del Tunari y Bechtel extorsionan a Bolivia

por Pablo Solón

Los 25 millones de dólares que exige la Bechtel representan para Bolivia los sueldos por un año de 3.000 médicos rurales o los salarios por un año de 12.000 profesores fiscales; o 125.000 nuevas conexiones de agua potable en Cochabamba.

ARCHIVOS | 5 DE SEPTIEMBRE DE 2002

En 1999 Aguas del Tunari, una subsidiaria de la transnacional norteamericana Bechtel, se hizo cargo de la prestación de servicio de agua potable en Cochabamba y subió las tarifas en más del 50%. En abril del 2.000, la "Guerra del Agua" echó a la transnacional y recuperó la empresa para los cochabambinos. Un año después, Aguas del Tunari-Bechtel demandó a Bolivia ante un panel de arbitraje del Banco Mundial por 25 millones de dólares, siendo que a lo sumo gastó medio millón de dólares según declaraciones del ex ministro de Comercio Exterior. ¿Cómo fue posible ésto?

Al momento de la firma de los contratos, Aguas del Tunari tenía su domicilio legal en las Islas Caimán. El 4 de noviembre de 1999 Aguas del Tunari vendió parte de sus acciones a una empresa italiana y cambió de domicilio de las Islas Caimán a Holanda para ampararse en el Tratado Bilateral de Inversiones, suscrito en 1992 entre Holanda y Bolivia. Según este Tratado, las disputas entre inversionistas holandeses y el Estado de Bolivia deben resolverse en paneles de arbitraje internacional. Por eso la Bechtel norteamericana abrió una casilla postal en Holanda: para forzar a Bolivia ir a un tribunal secreto internacional dependiente del Banco Mundial.

Bechtel es una empresa de San Francisco (EE. UU) que el año 2001 reportó ingresos por 14,3 mil millones de dólares. Es decir dos veces todo lo que produce el país en un año y casi 10 veces el gasto público de Bolivia. Los 25 millones de dólares que exige la Bechtel representan para Bolivia los sueldos por un año de 3.000 médicos rurales o los salarios por un año de 12.000 profesores fiscales; o 125.000 nuevas conexiones de agua potable en Cochabamba. Para la Bechtel, 25 millones de dólares representan los gastos de una semana y media de papelería.

Pablo Solón

ATPDEA: El dulce encanto de la muerte
Coca por textiles

Los artículos de esta autora o autor

El Juguete Rabioso

El Juguete Rabioso es un bimensual boliviano.

Noviembre 2004 (Segunda quincena)
Noviembre 2004 (Primera quincena)
Enero 2004 (segunda quincena)
Diciembre 2003 (segunda quincena)
Noviembre de 2003
Octubre 2003 (primera quincena)
Septiembre 2003 (primera quincena)
Octubre 2002 (primera quincena)
Septiembre 2002 (segunda quincena)
Septiembre 2002 (primera quincena)

1 | 2

What happens when grassroots have not been properly involved since the beginning of a process?

ARGENTINA

Examples of ongoing transboundary water conflicts in LA

Rio de la Plata:	Construction of a paper mill factory in Uruguay produced pollution in the river which affects Argentina.
Paraná River:	Energy requirements produced discrepancies in the operation of: i) the Yacyreta Dam (Argentina and Paraguay and ii) Itaipu Dam (Brazil and Paraguay)
Chile – Bolivia:	Water diverted from Bolivian watersheds to Chile generates stress in already arid regions of Bolivia.
Lempa River:	Use of the water for irrigation and generation in Guatemala and Honduras generates stress in El Salvador.
Artibonite River:	Water uses in upper watershed with impacts in water availability in the medium and lower watershed.
Rio Grande:	Water use in USA generates stress in Mexico.

Final Reflections

- Water is normally considered a public good until it is scarce.
- There is no single way to manage water scarcity.
- The establishment of water rights can be a good means in some countries while community management can be the best solution in others.
- The establishment of the rights to a water source is often difficult as it usually involves the analysis of customs and traditions, …but who is entitled to do so?
- Water scarcity in LA might be the cause of future rivalries between countries.
- When conceiving any action that involves water use, all major grassroots organizations need to be mapped, contacted and brought up to participate.
- Making decisions without having consulted grassroots organizations may end in very tense situations between the decision makers, executors of those decisions and the population (regulatory impact analysis).

Questions?

juancarlosp@iadb.org

Inter/American Investment Corporation / http://www.iic.org