

EU WATER DIPLOMACY

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Abstract

Water is essential for life. With increasing water demand due to population growth² and the growing impact of climate change, water scarcity affects a quarter of the world's population and is growing. Water crises are recognized as one of the five major global risks by the World Economic Forum³. In this scenario, it becomes essential to ensure effective cooperation between countries in the management of water resources.

Tensions and conflicts over access to water continue to rise, as the world's water resources and ecosystems deteriorate, and the threat of water scarcity spreads. 36% of the world's people live in water-scarce regions. Today billions of people still lack access to safe drinking water and sanitation and most of them live in fragile and violent regions.

In order to address these challenges, the Council of Foreign Affairs of the EU adopted Conclusions on Water Diplomacy on 19 November 2018⁴ which recognized the potential of water scarcity to affect peace and security and announced the EU intention to enhance its diplomatic engagement on water. Through its water diplomacy, the EU aims to support peace, sustainable development, respect to human rights and a rules-based multilateral system.

The Council Conclusions of 2018 updated the previous ones of 2013⁵ and developed a new approach to water in a post-2015 world, which reflects increasing new challenges such as climate change and links water to security. The Council recalled that water is a

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² Global water use has increased by a factor of six over the past 100 years and continues to grow steadily at a rate of about 1% per year. UN 2020 World Water Development Report.

³ World Economic Forum 'The global risks Report 2020' 15th Edition.

⁴ Council of the European Union, 'Council Conclusions on Water Diplomacy', Brussels 19 November 2018. <https://www.consilium.europa.eu/en/press/press-releases/2018/11/19/water-diplomacy-council-adopts-conclusions/>

⁵ Council of the European Union, 'Council Conclusions on EU water diplomacy', Brussels 22 July 2013 https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/138253.pdf

prerequisite for human survival and dignity and a fundamental basis for the resilience of both societies and the environment.

This article reviews the EU approach to water diplomacy, as outlined in these Council Conclusions, which reflect the EU's readiness to support international cooperation, prevent conflict and encourage negotiated solutions to ensure a fair and sustainable management of water resources for the benefit of human dignity and peace.

Keywords: EU approach to water diplomacy, water, diplomacy, water conflict

1. WATER AS A TOOL FOR PEACE

There is a long history of conflicts over water resources, and a recent increase in targeting of water resources and infrastructure in armed conflicts, featuring both States and non-State actors. The limited availability of water and the conflicting claims of communities or countries about its use are key factors that can lead to conflicts and mass displacements.

The link between water and security is visible in different regions of the world. For instance, in the Middle East and North Africa, the combination of recurrent droughts, increasing water scarcity, poor water quality, armed conflict, forced displacement, poor water governance and weak institutional performance contribute to a growing water crisis. In Lake Chad or the Aral Sea, water areas have shrunk dramatically and are expected to be under greater pressure due to climate change or unsustainable use. Construction of large dams in international rivers such as the Nile, Mekong, Tigris or Euphrates is becoming more frequent and contributes to tensions among riparian States.

Water can be not only a source of conflict but also of peace and cooperation. The 2017 Report of the Global High-Level Panel on Water and Peace 'A matter of survival'⁶ acknowledged that water is not only about development and human rights but also about peace and security and contained a set of recommendations to use water as an asset for peace.

In 2018, the Council noted the potential of water scarcity to affect peace and security, as water-related risks can have grave human and economic costs, all of which can have direct implications for the EU in an interconnected world. The Council announced the EU intention to enhance its diplomatic engagement about water as a tool for peace, security, stability. It's firmly condemned the use of water as a weapon of war. Conflict prevention early warning mechanisms need to take into account security challenges linked to water. This should contribute to the EU's early action to prevent conflicts. The EU will continue assisting with water and sanitation to disaster or conflict-affected populations caught in humanitarian crises.

⁶ 'A matter of survival. Report of the Global High-Level Panel on Water and Peace', Geneva 2017 <https://www.genevawaterhub.org/resource/matter-survival>.

2.SUPPORTING TRANSBOUNDARY WATER MANAGEMENT

Aquifer systems, lakes and rivers do not necessarily follow State borders and their use requires international cooperation. There are 153 countries in the world that share transboundary rivers, lakes and aquifers, but only 17 have all their shared waters governed by transboundary arrangements (UN WATER 2018 a).

Enhancing EU's diplomatic engagement on transboundary water cooperation and promoting the sustainable management and water use is essential to fostering peace and stability. The Council underlined the EU's commitment to promoting transboundary and integrated water management as well as effective water governance, giving priority to regional and integrated actions.

The EU has a wealth of expertise in the management of transboundary river basins such as the Rhine, the Danube or the Duero. It also has a strong tradition in policy dialogue with third countries as well as financing and implementing projects in water cooperation in countries all over the world.

The EU encourages and supports all relevant stakeholders to develop transboundary arrangements and to set up institutional mechanisms designed to facilitate relations among riparian states. Compliance with international environmental and nuclear safety standards, as well as the participation of all riparian and upstream countries, is essential.

The EU will continue to promote the accession and implementation of international agreements on water cooperation, such as the Convention on the Protection and Use of Transboundary Water Courses and International Lakes (Helsinki Water Convention 1992) and the United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses (New York 1997), and other relevant international agreements. These conventions offer a useful framework to develop cooperation on the basis of mutual interest.

In March 2018 the European Union carried out an outreach among more than 65 countries worldwide to promote accession to the UNECE Water Convention of Helsinki, which began as a regional convention and has been opened to global membership beyond Europe. The outreach highlighted a strong interest in the Water Convention and in acceding to it by the vast majority of the countries contacted. At the same time, the outreach also revealed the need for clarifications and capacity building in most of the countries to be able to accede to the Convention and implement it properly. The EU decided to launch an action that will enable it to respond to the needs and requests for support to accede to the Water Convention emerged from the outreach.

Most countries' accession depends on how the implementation of the Convention benefits water management at the regional, national and local levels, while for some countries the relevant decision is also linked with the accession of neighboring countries. Therefore, it is crucial to promote accession in a regional context, by all riparian countries in transboundary basins, including currently underrepresented upstream countries.

3.PROMOTING WATER GOVERNANCE AND UNIVERSAL ACCESS TO WATER AND SANITATION

The Council Conclusions of 2018 have underlined the need to strengthen water governance at all levels: local, national, regional and international. Water governance should take into account the interlinkages between water, energy, food security and ecosystems. The increasing and competing demands on the water make it difficult but also more necessary to find a balanced solution to the different uses of water: to drink it and for domestic consumption, to produce food, to generate green energy and as a platform for ecosystems at risk. In its water diplomacy, the EU promotes integrated water resources management and effective and inclusive water governance to ensure sustainable use based on cooperation.

The EU has actively promoted water resource management, water governance, and the universal access to water and sanitation through its development cooperation over the last decade, disbursing more than EUR 2.5 billion in 62 countries and providing access to clean water to more than 70 million people and sanitation to over 24 million. Since 2014, water is a focal sector in 13 countries⁷ and was covered by some regional programs⁸ for a total budget of almost EUR 800 million. Water and sanitation are mainstreamed in other focal sectors such as food security, rural development, health, energy, regional integration, environment or peace and security.

The EU has been a key supporter of the expansion and implementation of the UN Water Conventions. Actions also include Transboundary Water Management, the Nexus Water Energy Food Security (almost 80 countries), support to Water Centres of Excellence, twinning activities between Water Utilities and support to the Union for the Mediterranean Water agenda in the Mediterranean Region.

Cooperation within the EU Water Initiative Plus with EU's neighbours and enlargement region helped align policies and management practices with the EU Water Framework Directive. The EU has developed a constructive dialogue on water and energy issues in Central Asia, which has already led to initial agreements and to the EU-Central Asia Platform for Environment and Water Cooperation.

The Partnership Instrument is supporting water platforms in India and China as a central pillar of EU's policy dialogue with these countries.

4. LEAVING NO ONE BEHIND

Access to water and sanitation for all is one of the sustainable development goals (SDGs) of the 2030 Agenda, adopted by the UN in 2015. SDG 6 includes the following targets: achieve safe and affordable drinking water; achieve access to sanitation and hygiene and end open defecation; improve water quality, wastewater and safe reuse; increase water-

⁷ Angola, Bolivia, Burkina Faso, Cook Islands, Djibouti, Lesotho, Palestine, Papua New Guinea, Samoa, Sao Tome & Principe, Senegal, Solomon Islands and Togo.

⁸ Central Asia, Central and Latin America, Eastern and Southern Africa and Neighbourhood.

use efficiency and ensure freshwater supplies; implement integrated water resources management and protect and restore water-related ecosystems.

Progress on SDG 6 is essential for the achievement of other SDGs; and water plays a cross-sectoral role in many other policies such as security, human rights, health, climate change, food security, energy or gender equality.

In 2018 the UN High-Level Political Forum on Sustainable Development in New York reviewed the state of implementation of SDG6 based on a report produced by UN-Water (UN WATER, 2018 b). Unfortunately, the world is not on track: 844 million people lack basic water services, 2.1 billion lack equitable access to safely managed drinking water and 4.5 billion to safely managed sanitation. Women and girls are very heavily affected. Water pollution is worsening. Inadequate collection and treatment of wastewater in many parts of the world are profoundly affecting the quality and amount of water available to meet human needs and sustain ecosystems and economies. Every year, around 2 million people die because of water-related diseases. Water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes continue to degrade in many parts of the world. For instance, the world has lost 70 % of its natural wetlands over the last century, with profound economic development and social and environmental stability. The world could face a shortfall in water availability⁹ that could reach 40% by 2030.

Recognizing that current progress is insufficient, the EU has reaffirmed its determination to increase its efforts to implement the 2030 Agenda and its Goal 6, encouraging others to do the same. All stakeholders should play their role in realizing, integrated water resources management, including at the transboundary level. In order to enhance the implementation of SDG6, updated and reliable indicators and data, are required not only to monitor progress but also for accountability and transparency.

5.THE RIGHTS TO WATER AND SANITATION

The Council Conclusions stressed the EU's commitment to the human rights to safe drinking water and sanitation, as components of the right to an adequate standard of living (in accordance with UN HRC Resolution (A/HRC/RES/39/8) of 27 September 2018). They recognize that “the human right to safe drinking water entitles everyone, without discrimination, to have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use and the human right to sanitation that entitles everyone, without discrimination, to have physical and affordable access to sanitation in all spheres in life, that is safe hygienic, secure, socially and culturally acceptable and that provides privacy and ensures dignity”.

EU water diplomacy has a gender perspective, taking into account that women are particularly affected by the lack of access to water and sanitation. Often women and girls in developing countries have to spend hours fetching water which hampers their prospects of education and economic independence. Lack of sanitation in schools is also

⁹ UN and World Bank High-Level Panel on Water projects.

an obstacle to girl's education. It is necessary to consider women not only as beneficiaries but also as agents of change.

Environmental human rights defenders defending water resources need protection. Across the world, human rights defenders protecting and promoting the rights to safe drinking water and sanitation are often subjected to prosecution, threats and violence. The European Union protects and pays special tribute to those who stand up every day for fundamental rights and the protection of the environment.

On 17 June 2019, the EU Foreign Affairs Council developed this human rights dimension of the EU water diplomacy, adopting Conclusions on EU Human Rights Guidelines on Safe Drinking Water and Sanitation¹⁰. These will guide the implementation of this policy in order to have a real impact. They set out a new human-rights based approach built on the Universal Declaration of Human Rights, International Human Rights Covenants, as well as the EU rights-based approach to development cooperation. Building on existing human rights norms, these guidelines give instructions and guidance on how to use the available EU foreign policy tools, including development cooperation, to promote and protect the human rights to safe drinking water and sanitation. The main target groups of the guidelines are officials and staff members of the EU Institutions, EU Member States and EU delegations across the world.

6.WATER AND CLIMATE CHANGE

'If climate change is the shark, then water is its teeth'¹¹. The impact of climate change is often felt through water; either too much or too little. Floods and droughts are becoming more frequent and extreme, as climate change is slowly becoming part of our lives.

The UN 2020 World Water Development Report ¹²has warned that climate change will have a severe impact on water resources, both in terms of quantity and quality. It is estimated that climate change and the increasing frequency and intensity of extreme weather events such as storms, floods and droughts, will aggravate the situation in countries already under 'water stress' and generate similar problems in areas that have not yet been severely affected. The report highlights that poor water management tends to exacerbate the impacts of climate change and recommends adapting and mitigating climate change effects through sustainable water management. Climate change consequences on water also affect human health as diseases linked to food, water and parasites will increase.

This means that climate negotiations should tackle water-related issues and could be used to advance the water international agenda. On the other hand, the water community needs to go beyond its traditional approach and take climate change into account.

¹⁰ Council of the European Union "EU Human Rights Guidelines on Safe Drinking Water and Sanitation" Brussels 17 June 2019

¹¹ Paul Dickinson, founder of the Carbon Disclosure Project.

¹² <https://en.unesco.org/themes/water-security/wwap/wwdr/2020>

The 2018 Council Conclusions on water diplomacy expressly recognize this link between EU Water diplomacy and EU Climate diplomacy supporting the Paris Agreement. There is a need to address the water-related consequences of climate change and building synergies between water diplomacy and climate diplomacy, as set out in the Council conclusions on Climate Diplomacy of 26 February 2018 and of 20 January 2020¹³. These have outlined the basis for a more strategic approach to Climate Diplomacy in line with the new European Green Deal¹⁴ and the European Council conclusions of 12 December 2019.

7.WATER AND CIRCULAR ECONOMY / INNOVATION

Efforts to deal with increasing water scarcity need to enhance water use efficiency and water reuse. In its Council Conclusions on Water Diplomacy, the EU stressed the significant contribution of the Circular Economy to water savings including by re-use.

The Council Conclusions also underlined the role of digital and innovative solutions, such as nature-based solutions, and encouraged the Commission and EU Member States to finance and incentivise research and partnerships on water innovation, involving public and private stakeholders. Research, science and innovation have to be mobilized to tackle global water challenges.

8.WATER AND COVID-19

The coronavirus outbreak has evolved into a global pandemic with a devastating economic impact and a spillover on social stability and international security. The COVID-19 crisis has exacerbated the global challenges linked to water and is affecting the hardest the most vulnerable populations. The crisis has made it more urgent to provide access to clean water because washing hands with clean water is an effective way to prevent becoming infected. Research shows that providing access to sanitation is also crucial to fight the spread of the virus.

On 8 April 2020, the EU launched a 'Team Europe' package¹⁵, supporting the most vulnerable countries in the fight against the coronavirus crisis, with overall financial support of more than Euros 20 Billion. This package included help to allow access to water and sanitation for people most at risk, including children, women, the elderly, and disabled people, as well as migrants, refugees, internally displaced persons and their

¹³ Council of the European Union, "Council Conclusions on Climate Diplomacy", Brussels 20 January 2020. <https://data.consilium.europa.eu/doc/document/ST-5033-2020-INIT/en/pdf>

¹⁴ European Commission, Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions The European Green Deal, Brussels 11 December 2019 COM (2019) 640 Final.

¹⁵ EC-EEAS Joint communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the global EU Response to COVID19, Brussels 8 April 2020. JOIN (2020) 11 final

host communities. EU support on water focused both on responding to the most pressing humanitarian needs and strengthening health, water and sanitation systems.

9.SUPPORTING THE MULTILATERAL SYSTEM ON WATER

The EU supports multilateral solutions and is an active player who contributes to concerted international efforts on the water at the United Nations and other international fora (such as now the G20 under the presidency of the Kingdom of Saudi Arabia). The EU is also very active on the water in regional institutions such as the Union for the Mediterranean.

Although not a member of the UN Security Council, (UNSC) the EU welcomes discussions linking water, climate, peace and security in the UNSC and encourages its Member States to continue including these issues in the debates of the UNSC.

The Council Conclusions underlined the importance of effective coordination of the UN's work on water and sanitation, notably through UN Water, to improve coherence, increase knowledge and facilitate system-wide strategic discussions. UN-Water is the United Nations inter-agency coordination mechanism for all freshwater related matters, including sanitation. Among its members are UNDP, UNESCO, World Bank, UNHCR, UNEP, UNICEF, CBD, etc... However, some have proposed to enhance the UN institutional architecture on water, arguing that water lacks a proper institutional home in the UN system.

The Council Conclusions highlighted the need for a High Level UN meeting on water and welcomed the launching of the UN Decade on Water 2018-2028, as a contribution to accelerating progress towards the achievement of SDG 6 and the other water-related targets of the 2030 Agenda. In its resolution 71/222 (December 2016) the UN General Assembly proclaimed the period from 2018 to 2028 the International Decade for Action, "Water for Sustainable Development" (the "Decade"), to further improve cooperation, partnership and capacity development in response to the ambitious 2030 Agenda.

The December 2018 UN General Assembly resolution on the "Midterm comprehensive review of the implementation of the International Decade for Action, 'Water for Sustainable Development' 2018-2028" (A/RES/73/226), called for a Conference on the Midterm Review of the Water Action Decade to be convened in New York from 22 to 24 March 2023. The preparatory process and the one-day high-level meeting to be convened by the President of the General Assembly in 2021 will help promote the implementation of the water-related goals and targets of the 2030 Agenda while allowing all partners to identify practical solutions to the water and sanitation crisis through all relevant lenses such as climate change, agriculture, energy, peace, and security. The government of Tajikistan has announced two international conferences on water in Dushanbe (one foreseen in 2020, which has been postponed, and another in 2022) which could serve as a preparatory meeting for the 2023 conference.

In terms of international meetings, 2021 will be an important year to advance the international agenda on water: Senegal will be hosting the World Water Forum and the President of the UN General Assembly will organize a high level international meeting.

10.MOVING TO ENHANCED ACTION

The investments made in water and sanitation are critical for economic and social development, bring important economic returns and create jobs¹⁶. However, the gap between needs and resources is vast: over 80 % of countries lack financial resources to meet national water, sanitation, and hygiene targets, costing an average of 2-3% of their GDP. In many countries, the situation is further complicated by weak governance and capacity, growing pressures on water resources and water-related ecosystems and by climate change. Agriculture, which accounts for nearly 70 % of global freshwater withdrawals, has to be part of the solution. EU-supported investments, including in agriculture and cities, can make a significant contribution to providing equitable access to clean water and sanitation and better managing water resources.

The Council Conclusions encourage EU institutions and EU Member States to deploy all available tools to ensure that integrated water policies address the full range of challenges. It is expected that due consideration to the importance of water will be given in the programming of future EU financial and technical cooperation with third countries. The EU is preparing its new Multiannual Financial Framework (MFF) for 2021-2027, and water deserves to be recognized as an important area of future EU cooperation.

However, public finance alone will not be enough. Therefore, encouraging private sector investment and partnerships in water infrastructure and capacity building is very important. It is necessary to make more use of blending mechanisms and guarantees to leverage more investments in water and sanitation infrastructures and to improve the enabling environment for investment in sustainable water-related infrastructure and services. This needs to be complemented by policy dialogue, strong national sector policies and the implementation of integrated water-resource management.

Water is one of the key global challenges of the 21st century. The EU is determined to strengthen its diplomatic engagement on the water as a way to promote peace and stability, support transboundary and integrated water management; protect the rights to water and sanitation, implement the UN sustainable development agenda and the Paris Agreement. Strengthen the multilateral system, mobilise partners (both public and private) and take action to make sure that these objectives are reflected in its policy dialogue and development cooperation.

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¹⁶ <http://www.unesco.org/new/en/natural-sciences/environment/water/wwap/wwdr/2016-water-and-jobs/>