

April 22, 2016

H.E. Ban Ki-moon
Secretary-General of the United Nations
405 East 42nd Street
New York, NY 10017

Dear Mr. Secretary-General,

Re: UN High-Level Panel on Water.

On the occasion of International Mother Earth Day and the High-Level Signing Ceremony for the Paris Agreement, we ó water justice organizations from around the world who have been actively engaged in the 2030 Agenda for Sustainable Development process ó write to you today regarding the proposed UN High-Level Panel on Water to monitor the implementation of SDG 6.

We welcome your initiative òto mobilize urgent action towards the sustainable development goal for water and sanitation (SDG 6) and related targets.ö However, we remain very concerned about the primary **mandate and governance** of this panel.

As we understand it, the mandate of the panel is to:

1. **Motivate Action** ó Focus public policy dialogue, private sector models and practices and civil society initiatives towards the Water SDG; and
2. **Advocate on financing and implementation** ó Promote efforts to mobilize financial resources and scale-up investment for the Water SDG, including through innovative financing and implementation strategies.¹

We are particularly concerned about the strong emphasis on private sector participation and private financing given the overwhelming evidence that privatization has resulted in the inability of governments to ensure the human right to safe drinking water and sanitation for all.² In spite of the World Bank continuing to aggressively promote private sector participation in the sector, a 2006 World Bank report concluded: òPPI [private participation in infrastructure] is inherently limited in scope for financing urban infrastructure for the wide array of non-commercial infrastructure services cities need... Local governments need good sources of public finance to fund those services.ö³

¹ Press release: World Bank, United Nations, World Bank Group Launch High Level Panel on Water January 21, 2016 <http://www.worldbank.org/en/news/press-release/2016/01/21/united-nations-world-bank-group-launch-high-level-panel-on-water>

² <http://www.blueplanetproject.net/wordpress/wp-content/uploads/PublicWaterForAll-Mar14-Finance1.pdf>

³ Annez, Patricia Clarke, òUrban Infrastructure Finance from Private Operators: What Have We Learned from Recent Experience?ö, World Bank Policy Research Working Paper 4045, November 2006.

The UN DESA report released in February this year concludes that the evidence suggests Public Private Partnerships (PPPs) are more expensive than public sector alternatives from a financial and social perspective.⁴ The authors argue that PPPs “have failed to yield “value for money” in its broadest sense taking into account not just the financial costs and efficiency gains deriving from a project but also its longer-term fiscal implications (including the risks of any contingency liabilities) as well as the broader welfare benefits for society such as the impact on poverty and sustainable development.”⁵

In addition, there are significant gaps in existing national and international legal instruments to hold transnational corporations accountable for their role in human rights abuses. On the contrary, the proliferation of global trade deals and investor-state dispute settlement mechanisms undermine the sovereignty of States and restrict their policy space while protecting the interests of foreign investors above human rights, the public interest, and the environment.

This is why several major groups and civil society organizations, who participated in the official Post-2015 consultation processes, are advocating for the ring-fencing of essential services “from private sector participation and private financing within the 2030 Agenda. At the very least, the 2030 Agenda should not become a catalyst for the privatization of water and sanitation services.

We urge you, Mr. Secretary-General, to insist that the mandate of this panel be first and foremost to ensure the realization of the human right to water and sanitation in the implementation of SDG 6, as determined by paragraph 7 of the declaration of the 2030 Agenda for Sustainable Development. We also strongly recommend that advocacy on financing and implementation focus on public financing strategies to hold governments accountable for the financial obligations relating to the realization of the human right to water and sanitation.

Finally, we fear that the high-level panel and complementary track in their current formulation and composition appear to be an extension of the World Bank’s strategy to promote privatization of water and sanitation services and the commodification of water resources. If realized, people living in poverty will be denied a universal human right. Rather, we call for the United Nations to maintain its leadership over the implementation of SDG 6 and draw from human rights and development experts, including the Special Rapporteur on the human right to safe drinking water and sanitation, rather than corporate lobby groups like the World Water Council.

In addition, we feel strongly that frontline communities must be at the forefront of agenda-setting and implementation.

We would welcome the opportunity to discuss this with you in person and to receive your guidance on how best to ensure that the UN High-Level Panel on Water implements a rights-based, publically financed implementation of SDG 6.

⁴ <https://sustainabledevelopment.un.org/content/documents/2288desaworkingpaper148.pdf>

⁵ They have failed to yield “value for money” in its broadest sense taking into account not just the financial costs and efficiency gains deriving from a project but also its longer-term fiscal implications (including the risks of any contingency liabilities) as well as the broader welfare benefits for society such as the impact on poverty and sustainable development.

Water is part of our social, environmental and cultural commons; it is necessary for life. The obligation of governments to sustainably ensure the human rights to water and sanitation for all without discrimination must be the driving force behind the implementation of SDG 6 rather than the desires of big businesses seeking to promote their interests within the context of a global water crisis.

Please accept, Your Excellency, the assurance of our highest consideration.

Respectfully yours,

Signed:

International

Blue Planet Project

Congregation of Our Lady of the Charity of the Good Shepherd

Congregation of the Mission

Corporate Accountability International

Dominican Leadership Conference

Edmund Rice International

European Federation of Public Service Unions (263 unions representing 8 million public service workers in Europe)

European Water Movement

Food & Water Watch

Franciscans International

Greek Orthodox Archdiocesan Council (GOAC)

Indigenous Peoples Major Group

International Presentation Association

Loretto Community

Marianists International

Maryknoll Office for Global Concern

The Mennonite Central Committee UN Office

NGO Mining Working Group

Passionists International

Pax Christi International

Public Services International (representing 669 unions representing 20 million workers in 154 countries)

Salesian Missions, Salesians of Don Bosco

Sisters of Charity Federation

Sisters of Mercy (NGO), Mercy International Association: Global Action

Society of Catholic Medical Missionaries

Society of the Sacred Heart

Transnational Institute

UNANIMA International

VIVAT International

National

Akil Bhartiya Sichai Karmachari Mahasangh (India)
All Pakistan Federation of Majdoor Unions (APFMU) (Pakistan)
Authorities Labour Federation (Punjab, Pakistan)
Bangladesh Pani Unnayan Board Shramik Karmachari Union (Bangladesh)
Coalición de Organizaciones Mexicanas por el Derecho al Agua (Mexico)
Confederation of Public Services in Trade Unions (Srilanka)
Coordinadora Nacional Agua para Tod@s (Mexico)
Council of Canadians (Canada)
Freshwater Action Network Mexico (Mexico)
Hawaii Institute for Human Rights (United States of America)
Health Professionals Organisation of Nepal (Nepal)
Indian National Defence Workers Federation (India)
Institute for Agriculture and Trade Policy (United States of America)
Kathmandu Upatyaka Khanepani Employees Union (water union) (Nepal)
LDA Employees Union (Lahore, Pakistan)
Local Government Employees Union, Nepal Kathmandu Metropolitan City (Nepal)
Mercy International ó Global Action (Ireland)
Missionary Oblates of Mary Immaculate (OMI) (United States of America)
Nagpur Municipal Corporation Employees Union (water union) (India)
Nepal Civil Service Employees Union (Association) (Nepal)
Nepal Customs and Airport Allied Workers Union (Nepal)
Nepal Electricity Authority Employees Association (Nepal)
Nepal Film Workers Union (Nepal)
PGCB Shramik Karmachari Union (Bangladesh)
Temple of Understanding (United States of America)
Union of Public Services in Nepal (Nepal)
Yamasi People, Southeast Indigenous Peoples Center

Contact persons for Correspondence:

<p>Sr. Áine O'Connor, RSM Sisters of Mercy NGO Mining Working Group Mercy Global Action Coordinator at the UN 777 UN Plaza, 6H, NY, NY, 10017 E: mgc@mercyinternational.ie</p>	<p>Ms. Meera Karunanathan International Water Campaigner for the Blue Planet Project NGO Mining Working Group 300-251 Bank Street Ottawa ON K2P 1X3 E: meera@canadians.org</p>
--	--

Cc: His Excellency Jan Eliasson, Deputy Secretary-General of the United Nations

Mr. Léo Heller, Special Rapporteur on the human right to safe drinking water and sanitation

Mr. Juwang Zhu, Director of the Division for Sustainable Development, Department of Economic and Social Affairs