

Project presentation

The right to Africa's water

In Africa the right to water is inherently part of the women's domain. Water is essential for maintaining the family's health, nutrition and food security – responsibilities that in practical terms are borne by women.

In many parts of Africa the management of scarce water resources is left to the local authorities. This is in line with international principles. But how does it work in practice?

Anne Hellum, Professor of women's law at the University of Oslo, heads a research project entitled "Human rights and gender dimensions of water governance in Africa: Actors, norms and institutions", which will be concluded in December 2013.

The project will take a closer look at the far-reaching changes that have taken place in Africa's water resource management systems and the ramifications of these changes above all on women's responsibilities in providing for their families. The project is a collaborative effort with research groups in Malawi, Kenya, South Africa and Zimbabwe, all of which will be studying national water conditions.

Have to pay for water

Over the past 15 years major water reforms have been implemented in a number of African countries. These reforms have been heavily influenced by the Dublin Statement on Water and Sustainable Development, also known as the Dublin Principles, adopted by the United Nations in 1992. These principles establish, among other things, that decisions relating to the management of water resources should be taken at the lowest possible level. In addition they state that water should be regarded as an economic and social good that must be protected.

"Although rooted in good intentions, these UN principles have been translated into practical policy in Africa in a manner that weakens the responsibility of the state to ensure access to clean water for its inhabitants. This has affected poor people in many places," Professor Hellum explains.

"The reforms are well-meant. But in many places, when the principle of water as an economic and social good has been put into practice, the result is that the users then have to pay for water. This creates problems for people who do not have access to water sources and are not able to pay."



In Africa obtaining water for the family is inherently part of the women's domain. (Photo: Shutterstock)

In several rural areas, decentralised and user-driven water management systems have led to the establishment of user organisations with rules for membership and membership fees. Wells have been closed and poor women have been forced to use water sources that are not clean.

Vegetable gardens

"Decentralised resource management is basically a good idea. But what has happened in various African countries is that the responsibility has been transferred to local organisations without the accompanying necessary financial resources.. The lack of state investment in local infrastructure has led to a situation where women and girls from poor families spend a lot of time fetching water. This, in turn, affects their health, nutrition and education. Studies carried out in several African countries confirm this," states Professor Hellum.

The right to water as a human right refers first and foremost to clean drinking water. The right to water to grow essential foodstuffs has a less clearly defined and more disputed



▶▶▶ status in the field of human rights. The vegetables that are grown in millions of African vegetable gardens are crucial to the food security for a large number of people in Africa. “This aspect of the right to water is therefore a central component of our research project,” says Professor Hellum.

South Africa and Zimbabwe

South Africa is the country in Africa south of the Sahara where the right to water has been most clearly delineated. However, even in South Africa these rights exist primarily on paper. “Not much is being done to put the rules into effect out in the local communities. In the project we will take a closer look at how the right to water and the right of women to participate in water management are implemented at the local level,” explains Professor Hellum.

Zimbabwe is facing huge problems. Most systems in the country, including water management systems, are in a state of collapse. In 1997, in parallel to the extensive land reforms that transferred land away from white farmers, a water reform process was initiated – financed in part by the Norwegian Agency for Development Cooperation (Norad). Responsibility for water management was transferred from the state to an independent body, the Zimbabwe National Water Authority (ZINWA), which was to finance water management through the collection of water charges.

Critical situation

The water situation in Zimbabwe is now critical for a very large number of people. The combination of the water reform and the large-scale land reform has led to the total breakdown of the water management systems. One result of this has been widespread outbreaks of cholera.

Researchers affiliated with the project in Zimbabwe are to study an area outside the capital Harare that for several years has had no access to clean water. Here, as in many other places, poor people have dug their own wells. Now the local authorities are trying to restore public utilities with regard to water and electricity supply. To get the inhabitants to pay the water charges, the local authorities want to ban people from digging their own wells. This makes the situation even more difficult for many people living in poverty.

“This is where questions of human rights come in,” says the law professor. “The courts in Zimbabwe have on several occasions stated that



Clean water is a scarce resource in many places in Africa. (Illustration: Shutterstock)



Women often have to be carry water over long distances. (Photo: Shutterstock)

the authorities cannot disconnect supplies to users who cannot pay, but must find other instruments instead. Implicit in these judgments is the assumption that water is a basic human right. By placing a human rights perspective at the heart of development policy, market forces can be reined in and rights more easily safeguarded,” says Professor Hellum.

The researchers involved in the project aim to provide concrete advice to the authorities both at the central and at the local level on how they can best distribute the water resources. The project will seek to disseminate knowledge about the right to water to users, authorities and donors alike. This is relevant for development assistance organisations whose activities are built on rights-based development cooperation policy.

The NORGLOBAL-program

NORGLOBAL shall strengthen Norwegian research on and with the South. It includes Povpeace, Cgiar, Women- and gender research, Globalisation of the environment-, energy- and Climate research, Econpop, Western Balkan and The networks. New research related to development might be placed under NORGLOBAL

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