

WATER, PEACE AND SECURITY

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Water and Peace

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M. le Président,

Aujourd'hui, le Conseil de sécurité est réuni, pour la première fois dans son histoire, à la discussion consacrée aux questions des liaisons entre l'eau, la paix et la sécurité. C'est un grand honneur de pouvoir prendre la parole devant le Conseil en tant que président du Panel mondial de haut niveau sur l'eau et la paix.

Il est très important que cette discussion est présidée par Sénégal, le pays qui a développé un modèle effectif de la coopération active et pacifique avec ses pays voisins, notamment dans le domaine de la coopération transfrontalière sur l'eau. Je tiens à rendre hommage au Sénégal et à Léopold Senghor, l'ancien Président, qui a, plusieurs décennies déjà, persuadé les chefs d'état de la Guinée, du Mali et de la Mauritanie, de fonder l'Organisation pour la mise en valeur du fleuve Sénégal. Aujourd'hui, le Président Sénégalais, M. Macky Sall, et ses homologues de ces trois pays voisins ont su capitaliser sur cet héritage.

Cette expérience est aussi une source d'inspiration au niveau global. Elle a contribué à la création du Panel mondial de haut niveau sur l'eau et la paix, le Panel que j'ai l'honneur de présider. Ce Panel a été créé en novembre de l'année dernière sur l'initiative de quinze pays membres des Nations unies, y compris mon pays la Slovénie, et il va présenter son rapport en septembre de l'année prochaine. Notre panel s'est donné pour objectif de proposer recommandations concrètes susceptibles d'être mises en œuvre. Le but de nos efforts n'est pas seulement de comprendre le problème, mais aussi d'assister dans la recherche des solutions. L'idée directrice de nos travaux est la prévention des conflits armés.

Mr. President,

The recent UN reports have repeatedly emphasized the importance of prevention of armed conflicts and preventive diplomacy more generally. Transboundary water cooperation is a prime example of a potentially powerful tool of long term prevention. Countries with developed mechanisms of water cooperation seldom resort to wars. Moreover, water cooperation has a significant stabilizing effect on those areas within states that are benefiting from cooperative water management installations.

Other briefers today will discuss the experience and potential of water cooperation for stability and peace in more detail. On my part, I wish to emphasize four fundamental points:

First, while the transboundary mechanisms of water cooperation are well known and historically tested, they are still relatively few in number. Out of the 263 shared river basins, involving 145 states in the world, only 84 have joint water management bodies. Some of those bodies are not very effective. Clearly, political support for additional international cooperation in this domain is needed and much of it can be generated by the United Nations, in particular by the General Assembly and the Security Council. Such support would be particularly timely with regard to new initiatives such as the Congo River Basin Blue Fund that is gaining momentum at present.

Second, the political support for transboundary water cooperation arrangements has to be complemented by financial incentives. This too is an important political priority. The international financial institutions and private investors have an

important role to play. The idea of creation of a special Blue Fund at the global level will be explained in a short while by the President of the Strategic Foresight Group. That idea has to be given particular attention.

Third, in its preventive mode the UN has to be attentive to inter - sectoral cooperation relating to water use aiming to reduce tensions and potential for violent conflicts. Here, quite naturally, sovereign states exercise their sovereign powers. Therefore, international cooperation has to be in full accord with the sovereign rights of states. However, it is important to understand that good practices exist and that they should be encouraged globally. They include voluntary codes of practice on water management involving a variety of stakeholders. Such codes of practice should be encouraged and, as appropriate, assisted. The Global High Level Panel on Water and Peace is studying the existing practices and will be prepared to share its findings with the appropriate UN bodies.

Fourth, the UN system has been dealing with various water issues for a long time now. Coordination of these activities is organized through the mechanism of the “UN Water” that brings together all the relevant UN organs, funds and agencies. However, this activity has been mostly concentrated on technical, environmental and legal questions and only indirectly addressed the fundamental political and security aspects. Now the time has come to address the political and security aspects of water cooperation more directly - in the UN Security Council and in the General Assembly. The Security Council can play a critically important role - as a decision maker with the proven ability to innovate and as a catalyst that brings an important political message to the other parts of the UN system.

Mr. President,

These are some of the basic considerations. In addition, there are specific aspects of the links between water, peace and security that affect the daily work of the Security Council. Allow me, therefore, to briefly refer to some of these aspects.

Expert studies of contemporary armed conflicts suggest that water is seldom the single cause of armed conflict. However, water issues are often among the important contributing factors. Moreover, during the armed conflict, water usually becomes a military and strategic tool, a weapon most often affecting civilian populations. And it is there that some of the most serious concerns arise.

Historically, the UN Security Council has accumulated a vast experience in addressing the dangers affecting civilian populations in situations of armed conflicts. Ever since the Security Council resolution 1265 was adopted in 1999, protection of civilians has been one of the main themes in the Council's decision making. Ever since then the Security Council has been engaged in deciding on "appropriate measures" in response to situations where civilians were targeted or where humanitarian assistance was being deliberately obstructed. While the results of these efforts have, so far, been mixed, the direction is clearly correct. The Security Council deserves all support in its efforts to help protecting civilians.

The question today is how to increase the effectiveness of these efforts, including in matters of water supply to civilian populations in armed conflicts. Clearly, humanitarian organizations with a long experience of working in conditions of armed conflicts, in particular the ICRC, deserve all support. In particular they have to be supported in their cooperation with local actors in protecting water resources and water installations. Their long term presence in the affected areas and their familiarity with both the water situations and local actors in water management are indeed key assets that have to be recognized and, as appropriate, protected.

However, the efforts of the local and international humanitarian organizations and specialists to ensure the functioning of water infrastructure during armed conflicts may not suffice. They may require additional means, including diplomatic and military means. This opens another set of difficult questions particularly in situations of urban armed conflicts. Difficult, yes, but not necessarily impossible.

Defence of water for the civilian populations by the affected populations themselves is a legitimate form of self defence and can be legitimately assisted by military means.

The principles of proportionality of the use of military force and distinction between military and non-military objects provide the legal framework for such assistance. And although it might not be possible to authorize each and every action, it should be within the reach of the Security Council to convey the sense of legitimacy to those military actions whose sole purpose is the protection of water sources and installations that are vital for civilian populations. And again, the principles of proportionality of the use of military force and distinction between military and non - military objects would be an essential platform for such an assessment.

The compelling nature of assistance to legitimate defence of the affected civilian populations and of effective protection of water resources and installations is closely related to the future of the international humanitarian law. The increasingly internal and increasingly chaotic armed conflicts of our era have generated violations of humanitarian law that were unimaginable in the past. The weakening of authority of humanitarian law needs to be stopped. New norms are not urgently necessary although improvements in legal architecture are always welcome. The more immediate need is to strengthen the effectiveness of existing norms on protection of civilians and to find ways of ensuring compliance. And here again, the policy

guidance and specific actions taken or authorized by the Security Council will be of great importance.

Mr. President,

Let me now turn to another aspect of the linkage between water, peace and security. Water sources and water installations are among the major areas of concern by the peace operations and in the context of peace building.

Obviously, defence of civilians, i.e. robust defence when necessary, has become part of the doctrine of UN peace keeping. The defence of civilians and of the mandates of peace operations strengthen the credibility and legitimacy of the peace keeping in the eyes of the people the UN has to serve.

The recent report of the High Level Independent Panel on Peace Operations is very clear on this. However, the Panel also emphasized (in paragraph 95 of its report) that member states must provide peace missions with adequate capabilities to implement their mandates. This is a highly pertinent emphasis worthy of particular attention of the governments and of the United Nations.

“Adequate capabilities” should include water and electric power specialists. Most of the member states with highly developed military systems have skilled military specialists, trained to deliver vital services, including drilling, water distribution, sanitation, power production and distribution. It would make sense if member states could, in the context of their effort to strengthen the capacity of the UN peace keeping, provide, as appropriate, assistance of their specialists for the evaluation, repair and rehabilitation of water supply systems so as to restore or establish the basic

services to the affected populations in the early stages of deployment of peace operations.

Furthermore, the current development of the concept and practice of UN field missions offers some promising possibilities. It is encouraging that the current Global Field Support Strategy (GFSS) places stronger emphasis on environmental management, including water, both at the level of field missions and globally. It will be important that water related aspects are given the necessary priority status and that periodic evaluations of practice take place regularly.

In addition, water infrastructure is a vital part of any peace building activity. Peace agreements have historically, as well as in the more recent, i. e. UN practice, included clauses on water use and water cooperation. Cooperation in shared water basins is a historically proven factor of post conflict stabilization and peace building. Therefore, it is natural for the Peacebuilding Commission, to include water management and water cooperation in its priorities in its efforts "to promote an integrated, strategic and coherent approach to peacebuilding" - as stated in the relevant UN resolutions. This year's review of the United Nations peacebuilding architecture has provided a good framework for such prioritization.

Mr. President,

I referred to some of the key questions considered by the Global High Level Panel on Water and Peace and some of those frequently considered by the Security Council. There are, obviously other more specific questions related to protection of water resources, prevention of conflicts over water quality, development of mechanisms of hydro-diplomacy and other questions considered by the Panel. In less than a year from now we shall prepare our report. It goes without saying that our Panel will be

ready to share its findings and proposals with the Security Council as well as with all other relevant bodies of the United Nations.

I thank you for your attention.