

CONFERENCE PROGRAM

 THE RIGHT TO WATER 2010 

 29-30 MARCH, SYRACUSE UNIVERSITY 

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THE RIGHT TO WATER 2010 CONFERENCE PROGRAM



Conference At A Glance:

Monday March 29, 2010

Maxwell Auditorium, Maxwell Building

3:00pm	Registration begins (Group Photo for Conference Speakers)
4:00pm– 4:30pm	Welcome Message by Mitchell Wallerstein, Dean of Maxwell School Opening Remarks and Introductions by Farhana Sultana
4:30pm– 6:00pm	Plenary Speakers Session
6:00pm– 7:00pm	Moderated Question & Answer Session
7:30pm– 9:30pm	Dinner for Conference Speakers/Presenters (Sheraton Hotel) Conference Greetings by Eric Spina, Vice-Chancellor and Provost of Syracuse University

Tuesday March 30, 2010

Public Events Room, 220 Eggers Hall

8:00am	Registration begins
8:00am– 8:30am	Breakfast for Conference Speakers/Presenters
8:30am– 9:00am	Welcome Message by George Langford, Dean of College of Arts and Sciences Opening Remarks and Introductions by Farhana Sultana
9:00am– 10:30am	Paper Session 1 (Philosophical Perspectives)
10:30am– 10:45am	Break
10:45am– 12:15pm	Paper Session 2 (Struggles)
12:15pm– 1:15pm	Lunch Break (Lunch boxes for Conference Speakers/Presenters)
1:15pm– 2:45pm	Paper Session 3 (Governance)
2:45pm– 3:00pm	Break
3:00pm– 4:30pm	Paper Session 4 (Legal Perspectives)
4:30pm– 4:45pm	Group Photo Session & Break
4:45pm– 6:00pm	Concluding Workshop Session
9:00am – 6:00pm	Posters (All day in conference room)
7:00pm – 9:00pm	Dinner for conference speakers/presenters (Sheraton Hotel) Conference Greetings by Michael Wasylenko, Senior Associate Dean, Maxwell School

4:00pm – 7:00pm, Monday March 29
Maxwell Auditorium, Maxwell School

WELCOME MESSAGE

Mitchell B. Wallerstein, Dean of Maxwell School of Citizenship and Public Affairs, Syracuse University, USA

INTRODUCTIONS

Farhana Sultana, Assistant Professor of Geography, Maxwell School, Syracuse University, USA

PLENARY SPEAKERS

David Getches, Dean and Raphael J. Moses Professor of Natural Resources Law, University of Colorado Law School, USA

“Water Rights: A Matter of Natural Law, International Law, or Property Law?”

Patrick Bond, Director of the Centre for Civil Society, University of KwaZulu-Natal, South Africa
“Fighting for the Right to the City: Discursive and Political Lessons from the Right to Water”

Bill Derman, Professor, Department of International Environment and Development Studies, Norwegian University of the Life Sciences, Norway

“The Right to Water in Africa: Some Considerations for the Future”

Oren Lyons, Faithkeeper, Onondaga Nation, NY, USA

“Indigenous Rights to Water in the USA”

Darcey O’Callaghan, International Policy Director, Food and Water Watch, USA

“Perspective from Practice: Current and Coming Trends in the Global Water Justice Movement”

Anil Naidoo, Coordinator, Blue Planet Project, Canada

“The Human Right to Water: Exploring the Challenges, Opportunities and Implications for Water Justice”

Question and Answer Session moderated by:

Farhana Sultana, Assistant Professor of Geography, Maxwell School, Syracuse University, USA

Alex Loftus, Lecturer, Geography Department, Royal Holloway, University of London, UK

CONFERENCE DINNER

Conference Greetings by Eric Spina, Vice-Chancellor and Provost, Syracuse University
(Venue: Sheraton Hotel, 7:30-9:30pm)

WELCOME MESSAGE

Welcome Message by George Langford, Dean of College of Arts and Sciences, Syracuse University

PAPER SESSION 1 – PHILOSOPHICAL PERSPECTIVES

Session Chair: Alex Loftus

<p>Jamie Linton, Postdoctoral Fellow, Department of Geography, Queen's University, Canada “The Human Right to What? Water, Rights, Humans, and the Relation of Things”</p>	<p>The modern idea of the human right to water arises mainly out of legal discourse, drawing from a longstanding tradition of moral and legal claims to the enjoyment of privileges. Proponents of this idea argue that it flows logically from evolving convention and jurisprudence respecting human rights and provides a useful means to promote hydrosocial justice. Others contend that, owing largely to the peculiar nature of water, the idea is beset with conceptual and practical difficulties that render it of dubious intellectual and practical value. In this paper the idea of the human right to water is approached from a philosophical and relational perspective. The fluidity of water and humanity are taken as a starting point for considering how, when mediated by the idea of a “right”, a kind of relation is expressed that entails the co-production of both. With examples drawn from the author’s research and involvement in campaigns promoting public access to water, it is argued that the human right to water can be reformulated in a relational sense and defended as an intellectually coherent and politically powerful concept.</p>
<p>Chad Staddon & Tom Appleby, Senior Lecturers in Geography and Law, University of the West of England, UK “A Right to Water? Geographico- Legal Perspectives”</p>	<p>Most arguments for a universal right to water are based on arguments derived from “natural justice”, but often do not take on board technical insights from legal and socio-legal studies about such matters as enforceability, proportionality and even access. Also frequently overlooked are the geographical dimensions of legal action which may mean that a right to water could be enacted differently in different places. In other words, it is necessary to take into account the geographies implicit in any putative right to water. In this paper we sketch the broad outlines of what might be called the “geographico-legal” dimensions of the international movement towards a universal right to water. We are particularly keen to counterpose “bottom-up” legal mechanisms for enacting a right to water against the general predilection for new international, therefore “top-down”, treaty obligations. Case studies from a number of different countries will be presented.</p>
<p>Kyle Mitchell, PhD Candidate, University of Strathclyde, Scotland “Liberal Democracy and the Contestation for Rights Over the Freshwater Commons: Reinvigorating the Question of Property Within the Political Economy of Freshwater”</p>	<p>As with many other common property arrangements within liberal democracies, freshwater goods and services is a contested terrain. This contestation over rights to freshwater is characteristic of a broader struggle within the liberal democratic framework over rights to all things hitherto thought to be part of the commons. In this era of economic globalization many collective resources, rights, and regimes have come into question as they are increasingly exposed to neoliberal political and economic processes that contest all forms of rights outside that of a private property framework. What is required is a comprehensive understanding of rights within the broader context of liberal democracy: that is, how the struggle over rights to water is defined by broader unequal property relations that characterize the capitalist mode of production. By way of a political economy approach this paper proposes a holistic theoretical understanding of the struggle over rights to water by reinvigorating the question of property in the context of the prevailing property relations that define the competing conceptualizations of freshwater commons discourse. On one level this approach explores the contradictions that surface as a result of the enclosure of the freshwater commons (i.e. transforming the freshwater commons into private property). On another level this approach calls into question struggles that limit the contestation of this enclosure movement within the circumscription of the liberal democratic framework. Though these latter struggles may be progressive in nature (i.e. resisting commodification and privatization) they also obscure genuine understanding and realization of the freshwater commons.</p>

<p>Philip P. Arnold, Professor, Department of Religion, Syracuse University, USA “The Significance of Clean Water: A Haudenosaunee Perspective”</p>	<p>Water has always played a vital symbolic role in the history of religions. The significance of water, however, has rarely extended to the general phenomenon of water in the world. There is a cultural disconnect between the religious theological and ceremonial significance of water and clean water itself. In contrast to the “Great” or “Global” Religions, however, Indigenous peoples and the Haudenosaunee (“People of the Longhouse,” known mistakenly as the Iroquois) understand that it is the sacred responsibility to preserve the integrity of water. For them, clean water is a ‘religious’ mandate. Given the global water crisis this is an important perspective to consider. This paper will examine the recent ‘land rights action’ by the Onondaga Nation that reflects the Haudenosaunee understanding of maintaining proper relationships between human beings and water. Longhouse processes like the “Thanksgiving Address” and carrying out the “Great Law of Peace” require the Haudenosaunee to advocate for clean water in the public arena. Issues like the cleanup of Onondaga Lake, which is a sacred place for the Haudenosaunee and the most chemically polluted lake in the United States; or advocating against “hydro-fracking,” which but is currently being aggressively pursued by New York State, demonstrate how Haudenosaunee values are being pushed in to the public realm. Onondaga’s example has inspired many others around the world to promote the value of clean water, including the Neighbors of the Onondaga Nation (NOON).</p>
<p>Sarah J. Halvorson, Associate Professor, Department of Geography, University of Montana, USA “The Right to Rename: Removing ‘Squaw’ from Montana’s Waterscape”</p>	<p>Until recently, the names of numerous water bodies – creeks, streams, waterfalls, springs, and rivers – in the State of Montana included the highly offensive word ‘squaw.’ For Indigenous people in Montana, ‘squaw’ is considered deeply racist and sexist and a word that reflects deep fundamental differences in culture, world view, and relationships to the natural world. ‘Squaw’ was literally mapped onto the waters over one hundred years ago during a time of colonial expansion and dispossession of Indigenous peoples from their sacred water geographies. Over the past ten years, a process of renaming the State’s waterscape, including dozens of specific geographic features, has been undertaken as part of a larger effort to widen the circle of respect for Indigenous people and to help sustain their cultural identities. The renaming process was initiated legislatively with the passing of House Bill 418 in 1999 and involved collaborations between numerous stakeholders in Montana and the Board of Geographic Names in Washington, DC. This paper draws on field research and a range of sources – oral history, historical documents, public and official commentary, and participatory observation – to build an in-depth understanding of restorative justice struggles and successes over the naming and renaming of waters and watershed features in Montana. The renaming process illustrates a broadening respect for, and accommodation of, diverse interpretations of historical and contemporary relationships with water.</p>

 **PAPER SESSION 2 - STRUGGLES** 

Session Chair: Farhana Sultana

<p>Ilaria Giglioli, Graduate Student, University of Toronto, Canada “Water Politics in Palestine between Privatization and Military/Strategic Expropriation”</p>	<p>Over the past decade, new norms of access to water, generally coinciding with the privatization of the water sector and the entrance of international corporations, have met with broad opposition throughout the global south. Current accumulation by dispossession driven by international capital is seen to continue resource expropriation and uneven patterns of access to water produced under colonial rule, and perpetuated under different political and economic configurations. In Palestine, on the other hand, inequalities produced by privatization of the water sector are overshadowed by gross inequalities in access to water produced by lack of Palestinian sovereignty over natural resources and their on-going expropriation for military-strategic purposes. In this context, unusual alliances are being formed between local activists, governmental institutions and international development and financial organizations. Actors who are in opposition to each other in other contemporary struggles over access to water, are mobilizing together around the catastrophic state of the Palestinian water sector. The politics of these actors - however - differ on fundamental concepts such as the definition of water rights and</p>
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	<p>self determination over resources. This paper examines the unfolding of contemporary struggles over access to water in Palestine, situating them in the political and economic context which has influenced regional water resource development over the past 15 years. By focusing on the specific politics adopted on by different actors in Palestine, it seeks to explore broader questions around the articulation of a politics of justice and equity in the access to natural resources.</p>
<p>Krista Bywater, Mellon Postdoctoral Fellow, Department of Sociology, Grinnell College, USA “Water for Life, Not for Profit’: Successful Anti-privatization Water Struggles in India”</p>	<p>This paper examines four popular anti-privatization water struggles in India—two successful movements and two on-going conflicts—in order to highlight effective strategies for promoting people’s right to water. Two of the cases are in India’s largest cities, New Delhi and Mumbai, and focus on popular struggles against transnational corporations’ attempts to take control of the cities’ public water utilities. The other case studies are located in rural areas Mehndiganj, Uttar Pradesh, and Plachimada, Kerala, and focus on social movements against the Coca-Cola Corporation because of its use of scarce ground water and record of pollution at its Indian bottling plants. All of the conflicts involve local and transnational actors and use anti-privatization and human rights discourses to prevent private control of water resources. A comparison of the four people’s movements reveals that the struggles in Delhi and Plachimada succeeded in stopping water privatization and asserting people’s right to and control of water because they effectively: educated the public of their rights to water, engendered broad-based coalitions, employed non-violent resistance, publicized negative international experiences of water privatization, and tapped into people’s political cultures by promoting idioms such as ‘water for life, not for profit,’ a common goal of ending privatization, and cultural understandings of water as a spiritual and common resource. These struggles combined global discourses with grassroots organizing, which allowed movements to address the cultural, economic, political, and geographic realities of affected communities. This research is based on eight months of ethnographic research in India and 105 in-depth interviews.</p>
<p>Malini Ranganathan, PhD Candidate, Energy and Resources Group, University of California at Berkeley, USA “The Right to Water as the Right to the City: Spatial Politics and Citizenship Struggles at Bangalore’s Urban Periphery”</p>	<p>This paper examines the effects of neoliberal, market-oriented reforms in the water sectors of cities in India—frequently implemented via international loans, and more recently, spearheaded by urban finance parastatals. Specifically, it focuses on new and aggressive pricing policies to recover the costs of extending piped water and sanitation to peripheral neighborhoods in Bangalore, India, and implications therein for equity and relations between citizens and the state. In so doing, I draw together literature on neoliberal governance, theories of the state and society, and uneven geographies of metropolitan development. I suggest that although recent literature has critiqued the tendency for neoliberal water policies to intensify inequitable water access, it largely neglects to analyze how relations of land shape the outcomes of water reforms. Through grounded ethnographic analysis, I argue that historically specific conditions of land tenure at the urban periphery comprise a key axis along which water reforms unfold. Moreover, lower middle-class neighborhood associations historically mobilized over issues of land tenure at the city’s outskirts are significant in shaping the outcome of reforms on the ground. By seizing upon the contradictions brought forth by marketized pricing policies—not least of which is the disconnect between the promise and material reality of water provision—associations unexpectedly leverage payment for water to claim greater tenure security and membership in the city. This paper thus points to the need for a deeper understanding of how the right to water in the wake of reforms articulates with micro-level politics, class identities, and struggles over the right to the city.</p>
<p>Veronica Perera, Assistant Professor, Purchase College, State University of New York, USA “Traveling Repertoires and Expanding Water Struggles in Latin America”</p>	<p>After the 2000 water war in Cochabamba, the struggle for the right to water became prominent in many Latin American countries, also as a key symbolic battle against the neo-liberal mentality and its crisis. In an effort to link different struggles against privatization and for water as part of “the commons”, activists strive for a global movement of water, nourishing it in networks like Red VIDA or transnational public spheres like the World Social Forum (WSF). Drawing upon fieldwork at the 2003 and 2009 global meetings of the WSF (Porto Alegre and Belem respectively), and through the lenses of transnational activism and global movements theorizing, the paper explores how the repertoire of contention that emerged in Cochabamba travelled to and synergized the water struggles in</p>

	Uruguay 2004 and Colombia 2008. The paper argues that even if each struggle is deeply rooted in local and national conflicts and histories, there is an emerging repertoire that intertwines the struggle for water with the struggle for democratization; the right to water with the right for the recognition of ethnic identities, re-inscribing it in the master frame of the “territory” as a local-national-global ensemble. Calling for a multi-scale analysis of movements, the paper argues that such repertoire is a permanent endeavor of activists to build a global identity and expand the emancipatory potential of the struggle for water.
Rocío Magaña, Assistant Professor, Department of Anthropology, Rutgers University, USA “Criminalizing Water: The Predicament of Humanitarian Aid and Unauthorized Migration in the Sonoran Desert”	Over the past decade, discourses over the “right to water” in Southern Arizona have been closely linked to unauthorized migration across the Sonoran Desert. Changes in the U.S. border enforcement strategy in the mid 1990s shifted the flow of illegal migrations away from traditional routes along urban border enclaves in California and Texas to Arizona turning its vast, uninhabited lands into the most heavily trafficked border corridor. The change came at a heavy cost. Every year, hundreds of bodies are recovered from the desert, most of them migrants who succumbed to dehydration and hyperthermia. In response to these deaths, humanitarian organizations quickly began to place water barrels and drop water jugs in remote desert locations. Although such activities have not gone without challenge, it was only in the past couple of years that they have been formally interdicted. In two separate occasions, federal officials ticketed volunteers with the organization “No More Deaths” for “knowingly littering” after placing gallon-size water jugs along migrant trails known to be deadly. In the desert, upholding the right to water as a fundamental human right, they intensified the visibility and extend of their “water drops” in response to the citation incidents. In court, they took the legal challenge as an opportunity to get state authorities to recognize their right to provide water to those who are likely to die of dehydration. This paper examines how water – as life-saving, polluting, or incriminating – is mobilized within legal, political and moral regimes to contest and claim rights along this border.



PAPER SESSION 3 – GOVERNANCE



Session Chair: Alex Loftus

Jeremy Schmidt, PhD Candidate, Department of Geography, University of Western Ontario, Canada “Scarce or Insecure? The Changing Ethics of Global Water Governance”	Rights to water are only legitimate if a group larger than that of the claimants accepts them as legitimate. This communal foundation for rights is ultimately dependent on the particular values of different societies. For instance, few knew, and fewer questioned, water’s centennial anniversary as a “resource.” In fact, since W.J. McGee’s 1909 declaration of water as a resource, the instrumental view of water within the utilitarian ethic of modern political economy has become the default position for the rights regime of western societies. At present, much debate over privatization versus water as a “right” fails to wrestle with the deeply entrenched values affecting water policies. However, there are signs of hope. The last two decades have witnessed a global shift in policy discourse towards the construction of a new water ethic. This paper considers how global policy discourse has advanced a new water ethic within the political economy that contextualizes contemporary water governance. Starting from the 1977 UN Conference on Water in Mar Del Plata, it follows developments at major international water conferences and publications up to the 2006 UNDP Human Development Report. The naturalization of water as either scarce or insecure is identified as a central factor in the discord over the rationalization of water in individual terms (i.e. as private rights) and the values adhering within communities. The paper does not propose a new route for the water ethics discourse or resistance to modern political economy. Rather, it proposes a return to communal legitimacy through a reconceived rationality regarding water’s value.
Cristy Clark, PhD Candidate, Faculty of Law, University of New South Wales, Australia “The Centrality of	The debate over the content of the right to water has largely focused on whether to treat water as an ‘economic good’ and the value of private sector participation (PSP) in water services. This debate has resulted in a polarization of opinions. Many activists emphasize that PSP results in the commodification of water and

<p>Participation to the Content of the Emerging Right to Water”</p>	<p>prices it out of reach of the poor. In contrast, the International Financial Institutions (IFIs) assert that unless water is treated as an ‘economic good’ then inefficient water governance will continue to deny access to those same poor communities. Excessive focus on privatization risks missing the central issue: the structural barriers that prevent the poor from accessing water from both public and private providers and their lack of power to demand better water policies. The IFIs are right; good water governance is fundamental to the realization of the right to water. However, the most significant mechanism for improving governance and, thus, access to water for the poor and vulnerable, is community participation. This paper draws on examples from around the world to demonstrate the importance of community participation in shaping geographic- and community-specific responses to the water governance challenge. It includes a particular focus on Manila, where the water system was privatized in 1997, and Johannesburg, where the defeat of a recent constitutional challenge to prepaid water meters in Soweto, demonstrates the need for the right to water to include participatory rights.</p>
<p>Andrea Keessen & Marleen van Rijswijk, Professors, Law Faculty, Utrecht University, The Netherlands “The Distribution of Water Rights and Water Duties within River Basins in European Water Law”</p>	<p>Water management in the European Union presents an example of the shift from the regulation of activities towards the integrated management of river basins. This raises the question whether this shift affects the way in which water rights and duties are distributed. While international conventions and national law increasingly recognize water rights, European law elaborates these rights but does not explicitly mention them. Their presence can however be deduced from European legislation. While some water rights remain vague concepts, others are elaborated into concrete norms and objectives. Consequently, their realization may be easier to monitor and to enforce. In general the realization of water rights depends on the efforts of individual Member States despite the introduction of river basin districts as a unit for water management. The States have to use regulation, but they may also use financial instruments or a trading system to realize sustainable water management. It is a complicating factor that water rights may come into conflict with each other. Conflicts can be solved by a fair distribution of water rights and duties. Unfortunately, European law does not provide for such a mechanism. This contribution elaborates a step by step approach to realize such a mechanism.</p>
<p>Daniel Marcovitch & Sylvain Rotillon, Vice President & Project Manager, Water National Committee/ONEMA, Paris, France “The right to water in France: a new preventive approach”</p>	<p>Since 2006 and the last water law, France has legally recognized the right to water as a fundamental right : “every physical person has the right of access to drinking water for nutrition and hygiene at affordable price”. However, this right is not fully enforced. Its implementation is highly dependent on the local authorities which are responsible for the water service, numbering in France at some 35 000. Despite a moderate price for the water and sanitation utilities in France (3€m3), many households have difficulties for paying their water bills. The main answer so far from the local authorities has been to pay under certain conditions the unpaid bills. This curative, reactive, assistance, helps only 50,000 households out of 1.6 million households who have a total net income below 35 €per day. It is just a step toward the implementation of the right to water, not a complete answer. France experiences now a new approach, initiated by the , the Water National Committee, a consultative body which gathers all stakeholders in water management. The help is conceived to support the part of water bill exceeding 3% of any household income, threshold of affordability according to OECD criteria. Within this system, difficulties can be anticipated so that people can avoid the payment of arrears. It is a preventive approach which keeps the curative help only for temporary problems. A law has now to be passed to set up a redistribution process at the level of the river basin district.</p>
<p>Jack P. Manno, Associate Professor, Department of Environmental Studies, SUNY College of Environmental Science and Forestry, USA “Who Has a Right to Great Lakes Water?”</p>	<p>This paper will explore several diverse perspectives on the question of who has rights to Great Lakes water? It will also contrast rights-based with duty-based discourses on Great Lakes water quantity and quality. The paper will discuss four processes underway or that have occurred in recent years in Great Lakes region: 1) the Great Lakes Charter annex between the US States and Canadian provinces that establishes limits to the export and diversion of Great Lakes water; 2) the attempt to revise the rules for water level control on Lake Ontario and the St. Lawrence River; 3) the review by the NY State Department of Environmental Conservation</p>

	of application for permits for natural gas recovery from the Marcellus Shale formation using hydraulic fracturing techniques and, 4) the Canada-US process to revise and renegotiate a new Great Lakes Water Quality Agreement. In addition, the paper will review the efforts of the Haudenosaunee (Iroquois) Environmental Task Force, the environmental institution associated with the traditional governance institutions of the Confederacy, to insert its perspective on indigenous rights and duties into all of the above water-based discourses.
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PAPER SESSION 4 - LEGAL PERSPECTIVES



Session Chair: Farhana Sultana

<p>Rachael Paschal Osborn, Executive Director, Center for Environmental Law & Policy, Washington, USA “Columbia River Conflicts: Will Treaty Renegotiations Recognize the Right to Ecosystem Waters?”</p>	<p>In 1934, President Roosevelt authorized construction of Grand Coulee Dam on the Columbia River in Washington State. As the waters rose, salmon were extirpated in the upper Columbia Basin, devastating the economies and cultures of Native American Tribes and First Nations in the U.S. and Canada, as well as downstream commercial fisheries. Simultaneously, the U.S. Bureau of Reclamation (USBR) diverted reservoir waters to build the massive Columbia Basin Irrigation Project (CBP). More recently, judicial review of treaties between Pacific Northwest Tribes and the U.S. interpreted tribal entitlements to include unique in situ water rights for instream flows in the Columbia River and tributaries. The federal Endangered Species Act also requires flows to support aquatic habitat. These competing instream demands for water have created major legal and political conflicts. Water scarcity on the Columbia will worsen. Climate scientists project reduced snowpack and depleted river flows. USBR proposes to divert more water from the over-allocated river for irrigation expansion. Tribes and First Nations seek redress for historic loss of fisheries. These conflicts illustrate the need for an expansive approach to the concept of the “right to water.” Indigenous water needs are quantified not simply by daily potable-hygiene requirements, but by ecosystem-based allocations sufficient to support subsistence and commercial resource economies. In 2014, negotiations will open for amendments to the Columbia River Treaty. Upcoming treaty negotiations will challenge nation-parties to implement international norms for ecosystem water rights, redress injuries, and re-allocate water resources toward equitable ends.</p>
<p>Imran Khalid & Sharon Moran, Graduate Student & Assistant Professor, Department of Environmental Studies, SUNY College of Environmental Science and Forestry, USA “Ethical Foundations for Water Management: The Applicability of ‘Restorative Justice’ Ideas to Water Problems”</p>	<p>The notion of restorative justice was proposed decades ago as a way of helping to resolve conflicts, primarily in the realm of criminal behavior. Since it provides an avenue for righting wrongs, we are intrigued with its potential in other arenas, such as environmental and resource conflicts. In this paper we will explore its potential utility in the realm of water conflicts. One special reason for exploring this approach is that it has often been used in contexts where it operates separate from a state body. Therefore, it may be especially interesting in contexts where state capacity is low or nonexistent, such as in unstable or transitional governments. Turning to water issues, we will explore how the restorative justice concept might frame them, and how that differs from existing approaches. Case studies from the developed and the developing world will be explored in greater depth; we will place special attention on groundwater abstraction by for-profit beverage companies. In addition we will highlight how biophysical dynamics of the water cycle helps structure the nature of the ethical challenge encountered.</p>
<p>Rachel Ordu Dan-Harry, Associate for Environmental Justice, Unitarian Universalist Service Committee, USA “Legislating the Right to Water in Africa: A Review of the Implementation of National Constitutions”</p>	<p>Nearly 1 billion people in the world lack access to safe, clean water and majority of these persons are in Sub-Saharan Africa. In General Comment NO. 15, the UN Committee on Economic, Social and Cultural Rights identifies water as human right which is embedded in the Covenant on Economic, Social and Cultural Rights. Also, in General Comment No. 15 governments are encouraged to take legislative and policy steps to recognize and implement the right to water. In Africa, only five countries recognize the right to water in some form in their constitutions. These are Ethiopia, Zambia, Gambia, Uganda, and South Africa. This paper will examine the implementation of the right to water in these countries and how successful or otherwise that has been. The aim is to see how legislating the right to water can help speed up its implementation in the African continent. The paper will also</p>

	examine the challenges these countries face in the process of implementation and what lessons other countries/activists seeking to ensure the legislation of the right to water can learn from these countries.
Jacinta Ruru, Senior Lecturer, Faculty of Law, University of Otago, New Zealand “The Indigenous Right to Water: the hot debate in New Zealand”	The extent of Indigenous peoples’ rights to govern, manage and even own freshwater is a topical issue in many countries. It is definitely hot in Aotearoa New Zealand. Since 1991 (via the Resource Management Act) decision-makers have had to recognize and provide for the relationship of Maori with their culture and traditions with water in regard to resource consent processes. While this has provided a right for Maori to be heard, their voice is often trumped by other interests – such as the public need for hydro dams and sewage disposal. The Government is currently exploring options to reform water governance and has recognized that “The rights and interests of Maori in New Zealand’s freshwater resources remain undefined and unresolved, which is both a challenge and an opportunity in developing new water management and allocation models” (2009 Cabinet Paper). This paper explores what rights those might be at law and the possible policy implications of recognizing those rights. Although it provides an insight into an Indigenous people’s struggle to have their rights understood, recognized and applied within the geographical region of Aotearoa New Zealand, the struggle is common to many Indigenous peoples worldwide.

 **POSTERS** 

Joseph Holler, PhD Student, Department of Geography, University of Buffalo, USA “Water Rights in the Coupled Human/Environment Systems of Mount Kilimanjaro”	Rights to water are indivisible (although often obscured) from contexts of dynamic climates, environments and cultures. Narratives and debates of environment and development manipulate water conceptually, politically, and physically with consequences for human and environmental systems. Relationships between trees and water in on Mount Kilimanjaro, Tanzania illustrate this point as the rights to water are intertwined with the rights to forests and place-based and species-based prohibitions and incentives to cut, burn, plant or conserve. The Chagga people are fortunate to live in one of the few places in Tanzania where water is plentiful and precipitation exceeds evapotranspiration most of the year—a band of dense agroforestry on the southern and eastern slopes of Mount Kilimanjaro. As they cleared indigenous rainforest, the Chagga categorized trees by their costs and benefits and kept those trees that remediated soil, structurally protected gardens, and did not compete with crops for water. They left riparian buffers in the ravines and built furrows to irrigate gardens and crops on the ridges. Catholic and Lutheran missions converted the Chagga to Christianity and the Germans and then British administered colonial rule until Tanzania gained independence, socializing and then liberalizing the economy. Chagga agroforestry and irrigation endured and adapted through these upheavals, but relationships between people, water and trees have changed. This paper examines the historic, pluralistic, and contradictory milieu of rights and relationships to water and trees on Mount Kilimanjaro and the consequences for the people, ecosystem, climate and hydrology there.
Lisa Seyfried, MA Student, Women’s Studies, George Washington University, USA “Women, Water and Sustainable Solutions: A Feminist Theory Analysis of Sustainability”	Water is a natural right that all should have access to for the sustainment of life. However, like women, water has been oppressed as a part of nature. Through this similar oppression of women and water and nature, and subsequent connection to water, women can create a more sustainable way to use water at the same time as they work for equality with men. Using ecofeminist theory, this paper discusses the connection and parallels between the oppression of women and the oppression of nature and water, and seeks to draw the conclusion that the creation of sustainable water practices is a necessary piece of feminism.
Peter Stein, BA Student, International Relations, Colgate University, USA “A Thirst for Neo-Liberalization: The Causes and Consequences of Water Privatization in	As water resources become depleted, they become coveted, and capable of rousing conflicts. In Cochabamba, Bolivia, limited access to water and weak infrastructure led to violent protests and a compromise of the Cochabamba peoples’ intrinsic rights. Natural resources are often understood to be inherently free, common goods; however, when developing markets search for ways to expand, water resources are viewed as valuable commodities. In this paper, drawing on primary source documentation from the Bechtel Corporation, I will argue that the World Bank’s

<p>Cochabamba”</p>	<p>neo-liberalization mission to privatize the water utility in Cochabamba exploited the invasiveness of externally driven market growth. Furthermore, a lack of political transparency and the poorly defined contract terms of Bechtel and its private subsidiaries created conflict and tensions between the government and the Bolivian people. In the early 1990’s, international financial institutions, such as the World Bank, recognized the unstructured and faltering status of Latin American economies as an opportunity to offer monetary support. While such neo-liberalization seemingly provides economic development to financially marginalized, yet often resource-rich countries, eventual greed and corruption among international and local bodies, in this instance, fueled conflict. As the UN Committee on Economic, Social and Cultural Rights has recognized the need to “achieve the most efficient development and utilization of natural resources,” it is paramount that attention be directed to the fair management and distribution of water resources as a fundamental human right.</p>
<p>Daniela Vizcarra, PhD Student, Department of Forest Resources, SUNY College of Environmental Science and Forestry, USA “Water policy in Chile and the Southern Atacama Desert Situation”</p>	<p>Worldwide water management concerns are increasing. In the last twenty years Chile has developed a free-market model in which all natural resources were privatized. Because Chile was one of the first countries in Latin America to undergo an intense privatization process, it now serves as an example of these policies effects over natural resources management. In examining the critical water situation of Atacama District (located in the southern Atacama Desert), we addressed the following question: Does the Chilean private water right market ensures access to water for all citizens, particularly in arid regions? Our study generated a scholarly review of all related laws, public databases and previous studies. The principal water-related policy is the 1981 Water Code. This Code did not consider water availability or ecosystem hydrological functions; this resulted in water demand to grow over resource availability in north-central Chile. The current management system assignees water agency to eleven government departments. Locally, the development of highly water demanding activities caused the complete drought of Copiapó, one of the principal watersheds in Atacama District. Huasco watershed is less perturbed but is now being threatened by mega mining projects. Atacama District upholds high levels of biodiversity associated with wetlands. Moreover, the water can be easily polluted and depleted, further reducing the amount available for human consumption. We strongly question the capacity of free market-based governance water regimes to ensure equitable distribution of ecosystem services in developing countries. Unless existing legislation is profoundly changed, effective governance for sustainable outcomes will not be accomplished.</p>
<p>Flavia Rey de Castro Pastor, MA Student, Department of Geography, Syracuse University, USA “Water Vulnerabilities: Climate Change and Campesino Rights in the Peruvian Andes”</p>	<p>Glaciers in Peru are receding mainly because of climate change. De-glaciation not only affects ecosystem integrity, but also water accessibility for human consumption, irrigation, and electricity generation. De-glaciation is affecting water availability in the Andean region of Cordillera Blanca, and also increasing the prospect of water scarcity in the Andean and coastal regions. A potential decline of glacial water supply places the country in a critical situation because of its heavy reliance on this source. Most of the population is located in the arid coastal region and relies on water flowing down from the Andes. In addition, the booming industries of agriculture for export and mining also require heavy volumes of water. This potential water scarcity and conflicting uses pose critical risks to campesino communities that depend heavily on water for their livelihoods. This poster examines the relationship between climate change, glacial retreat, water availability and campesino livelihood vulnerability. In doing so, it serves as a proposal for further research into these processes in the Cordillera Blanca, Peru.</p>

 **CONFERENCE DINNER** 

Concluding Greetings by Michael Wasylenko, Senior Associate Dean, Maxwell School, Syracuse University
(Venue: Sheraton Hotel, 7:00-9:00pm)



CONFERENCE TEAM



Conference Chair:

Farhana Sultana, Assistant Professor of Geography, Maxwell School, Syracuse University

Conference Organizers:

Farhana Sultana, Assistant Professor of Geography, Maxwell School, Syracuse University
Alex Loftus, Lecturer, Geography Department, Royal Holloway, University of London

Conference Assistants:

Emera Bridger Wilson, Graduate Student, Anthropology Department, Syracuse University
Clinton Misamore, Graduate Student, International Relations Department, Syracuse University



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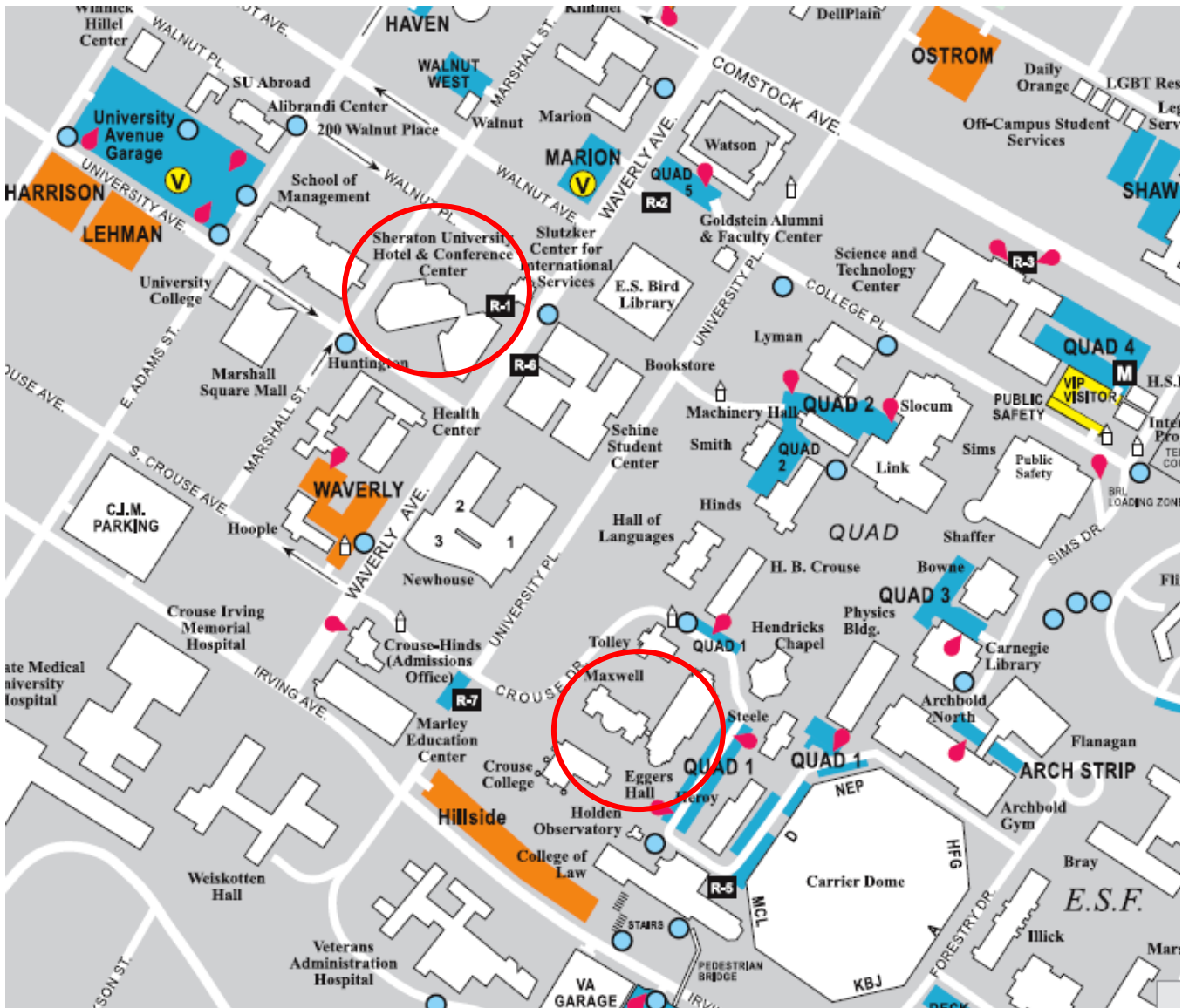


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CAMPUS MAP



 NOTES 