

...BY MEANS OF WATER

Good morning. I want thank CPATH, specifically Ellen Shaffer and Joe Brenner for the opportunity to be with you today. I am honored by the invitation. I have a lot of fond memories of this area, because I was a family medicine resident at Natividad, the county hospital, in Salinas. I'm glad to be back near the places where John Steinbeck wrote and Cesar Chavez organized.

The title of my remarks today was drawn from a verse in the Koran (21:30). "By means of water we give life to everything" is strikingly similar to the language of the United Nations, when it recently declared that there was a human right to water.

The United Nations said, "The human right to drinking water is fundamental to life and health. Sufficient and safe drinking water is a precondition for the realization of human rights."

The primary issue concerning water in the so-called free trade agreements (FTAs) simply put is whether corporate rights are favored over human rights.

I am certain that we are going to hear some alarming and discouraging reports about health and free trade agreements today. The World Trade Organization (WTO), the General Agreement on Trade and Services (GATS), and the FTAs have left a lot of people believing that trade liberalization is inexorable and to think of us who oppose it as modern day Don Quixotes...tilting at windmills.

I believe the opposite. I'm here to tell you that the free trade advocates are vulnerable, that people are standing up to them... and winning. I want to this symposium to begin with some good news.

Let me start small.

A few weeks ago at a symposium on foreign participation in water services as part of negotiations on General Agreement on Trade and Services underway at the WTO, Richard Aylard, head of corporate development and external affairs of RWE Thames, the German owned utility that serves the London area, said, "I don't think opening up developing countries' water services under GATS will achieve what needs to be done," that is, to help poor regions get access to drinking water.

RWE Thames is the third largest water conglomerate in the world. It is one of the predators that has been trying to get its foot in the door of many developing countries. He went on to say, "When we were analyzing the agreement [GATS], we couldn't find any real benefit for companies or

developing countries. Water is a local issue but trade negotiations are handled by national governments. There is often a disconnect between the national level and local needs and applications."

This is heresy. What caused him to side with the NGOs and against the international service lobby's effort to pressure developing countries to open their water distribution markets? Could it be the disasters of Suez, Vivendi, Bechtel, and RWE Thames in places like Argentina, Manilla, Cochabamba, and London. Yes, London where, according to Wolfgang Herrer, a U.S. correspondent for Germany's leading nationwide daily newspaper, DIE WELT, Thames Water is a notorious corporate environmental offender. Since 1999 the British equivalent of the EPA has found Thames Water guilty in 24 separate judgments--more than any other corporation. The daily leaks in its British pipeline networks alone, according to the BBC, would supply the water for a city of 2.5 million.

If you are curious to know more I refer you to Richard Aylard's further commentary that "it should not be surprising that RWE Thames appetite for more projects in the developing world is strictly limited."

[<http://www.waterfinanceane.org/documents/Post/Financing%20Water%20and%20Sanitation%20in%20the%20Developing%20World-%20Richard%20Aylard.ppt>]

The drama of in Ghana, of which many of you are aware, began in 1998 when the World Bank and the International Monetary Fund told the government of Ghana that if it they wanted \$400 million in loans to rebuild the publicly owned and controlled water system, they had to stop charging corporate customers higher rates that helped subsidize poor communities. Furthermore, all customers would pay for water at full market rates. These, of course, were precursors to forcing Ghana to privatize its water system.

It was a fact-finding mission by CPATH that made the world aware of the alarming rise in the incidence of guinea worm (from 5,473 to 8,965 cases) in 1998, the year after the government halted subsidies.

All of that is background, so you can appreciate the next piece of good news. On March 21st of this year an anti-poverty campaign led by a British NGO, the World Development Movement (WDM), convinced Biwater PLC, a large U.K.-based water company, not to bid on the water system in Ghana.

Since the New Year thousands of WDM supporters have written Biwater's Chief Executive Officer, Larry Magor asking him to not to bid for the contract. And less than three weeks ago, Biwater PLC conceded. Public pressure is effective. Bechtel is still a contender. Can this inspire us to mount a similar campaign?

I know some of you were probably arrested at Bechtel's corporate headquarters in San Francisco last October when you protested their \$25 million lawsuit against the government of Bolivia for lost profits in the Cochabamba debacle.

I shouldn't assume everyone is aware of what happened there. Like Lexington, Massachusetts Cochabamba is a community where shots were fired that would eventually be heard around the world. Bechtel had been granted a 40 year lease of the water system. Water rates rose by as much as 300% for some of the poorest customers, but what sparked the riots in January 2000 amongst the indigenous people was the claim by Bechtel that it owned rights to the rainwater that fell as well as rights to the water in wells.

The indigenous and poor of Cochabamba eventually forced Bechtel to leave Bolivia. As I mentioned previously, Bechtel is now suing Bolivia for \$25 million for the anticipated profits it lost.

Led by a shoe-factory worker named Oscar Olivera, the popular movement was honored by people from around the world with the creation of the Declaration of Cochabamba. In part, it stated:

"Here, in this city which has been an inspiration to the world for its retaking of that right through civil action, courage and sacrifice standing as heroes and heroines against corporate, institutional and governmental abuse, and trade agreements which destroy that right, in use of our freedom and dignity, we declare the following:

Water belongs to the earth and all species and is sacred to life, therefore, the world's water must be conserved, reclaimed and protected for all future generations and its natural patterns respected.

- 1. Water is a fundamental human right and therefore, it should not be commodified, privatized or traded for commercial purposes*
- 2. Water is best protected by local communities and...peoples of the earth are the only vehicle to promote earth democracy and save water."*

The Declaration of Cochabamba like the Declaration of Human Rights is a statement of ideals...it has no force in law. However, let me close by telling you the good news about a Constitutional Amendment in Uruguay.

The people of Uruguay reacting to privatization similar to what the IMF attempted in Bolivia and is attempting in Ghana also resisted the pressure.

Led by trade unions, human rights groups, and environmentalists, Uruguayans were angered by rates seven-fold what they were in other parts of the country in a system that had been taken over by a subsidiary of the French giant Suez. Widespread news of fecal contamination in the water systems of two beach resorts privatized by two Spanish firms, helped the people of Uruguay pass a Constitutional amendment stating that "water is a natural resource essential to life" and guaranteeing the right to piped water and sanitation. Not only did they become the first nation to defend the human right to water, but they also prohibited for-profit entities in the provision of these essential human services.

Furthermore, the law provides indemnification only for past expenses for existing concessions like Suez and prohibits any notion of 'lost profits.' Take note Bechtel, other nations are learning the lessons of Cochabamba.

The Netherlands has passed a similar law prohibiting for-profit entities from providing water services. They are the first European nation to do so.

The Uruguayans victory has inspired neighboring Argentinians to attempt a similar campaign...perhaps this is one infection that we hope is extremely contagious.

Today a billion people without access to clean water. What do these numbers mean?

Carol Bellamy, the Director of UNICEF says, "The growing disparity between the haves and the have-nots in terms of access to basic services is killing around 4,000 children very day and underlies many more of the 10 million child deaths each year."

So every ten days as many children die throughout the world from lack of access to clean water as died in the tsunami. A number have died in my arms...they grow weak, their skin becomes very elastic, they look like small elderly people, at the end they can barely whimper...their deaths are quiet. We don't see them on television. There is no out-pouring of aid.

Another ten days and another silent tsunami...

The Uruguayan referendum is being touted as the model for a United Nations Treaty.

Having been involved in the International Campaign to Ban Landmines, I suggest we not allow ourselves to become bogged down in the morass of the United Nations systems where the privileged have vetoes. Let's be in the forefront of another citizen and NGO-led effort like the Ottawa Treaty that outlawed landmines.

I would be remiss today if I didn't mention that his week was the 36th anniversary of the assassination of Martin Luther King, Jr. Dr. King's first public speech about civil rights was not scripted, because as he sat in his study to write it that December afternoon in 1955, he was so nervous, he couldn't find any words. However, a local radio station did capture them and he ended with these words:

"...when the history books are written in the future, someone will have to say, 'There lived a race of people, a black people, fleecy locks and black complexion, a people who had the moral courage to stand up for their rights. And thereby they injected a new meaning into the veins of history and civilization.' "

Let us all go forth from this symposium today, whether or not we have 'fleecy locks and black complexion,' with the moral courage to stand up for the rights of children around the world, who perish daily in silent tsunamis. Let us go forth with the moral courage to defend the human right to water.

Let us proclaim our culture that honors the sun, because it more than oil produces life. And let us proclaim our culture that honors water, because it more than the stock market sustain life. And let us proclaim our culture that honors the seasons and decency and human dignity, because they all illuminate life.

Let it be said of us that we followed in Dr King's footsteps and 'by means of water' injected new meaning into the veins of history and civilization.