

WINTER 2000



PACIFIC INSTITUTE REPORT

THE NEWSLETTER OF THE PACIFIC INSTITUTE FOR STUDIES IN DEVELOPMENT, ENVIRONMENT, AND SECURITY

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FROM THE PRESIDENT . . .

Dear Friends of the Institute,

Well, we have raced into the new century. The Institute continues to thrive as a place where academic and intellectual interests combine with intensely political and social ones. When we began work nearly 13 years ago, our goal was to identify critical connections among environment, development, and security issues and to choose our own research projects to analyze those connections. We would then go out and try to raise the money needed to pursue that work. This model has succeeded – our ability to identify cutting edge problems and to formulate effective policy solutions has earned the Institute an enviable reputation. We recently commissioned a survey of policymakers, activists, academics, funders, and others to try to find out how the Institute was perceived and how to maximize our strengths and minimize our weaknesses. We were gratified to learn that our greatest asset is our reputation for high-quality work. Our activities and recommendations in the areas of water and sustainability, economic globalization, community participation and environmental justice, global climate change, and environmental security are respected, sought-after, and form the basis for action.

This approach has a price, however. Our funding remains largely derived from generous and forward-thinking foundations. We thank them profusely. But we also recognize the peril of relying on foundations. Their interests and priorities change, program officers familiar with the Institute move on, and foundation support often comes a year or two at a time, making long-term financial planning difficult. At the same time, we do not want to become dependent on government support or corporate giving, each of which carries its own liabilities and constraints. As a result, the Institute has established an endowment – a permanent capital fund capable of providing independent support for our work. We have seeded that fund with some of our own reserves and with an initial donation from a generous friend, but that seed ultimately needs to grow into a tree – preferably a redwood or giant sequoia. In the next year we hope to begin soliciting for this endowment.

Heck (PG-13), why not start now? We hope that some of the readers of this Report will consider making a contribution, of cash, or stock, or other capital, to help us on our way toward true independence.

In return, all we can promise is that we will continue to seek answers to questions we consider vital, to address threats to our planet from environmental, economic, and political factors, and to reach out to policymakers and the public with effective solutions. We welcome the new millennium with an optimistic heart (but we've also backed up our computers).

Peter H. Gleick, President
Oakland, California



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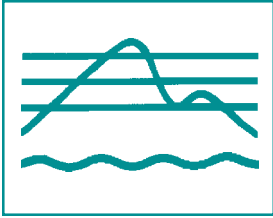
PACIFIC INSTITUTE REPORT

Editor, Wil Burns



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Meeting Basic Water Needs as a Human Right¹

Peter H. Gleick, President, Pacific Institute

"If the misery of our poor be caused not by the laws of nature, but by our institutions, great is our sin." Charles Darwin

"The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have little." Franklin Delano Roosevelt

FEATURE

The 21st century is going to start with one of the most fundamental conditions of human development unmet: universal access to basic water services. More than a billion people in the developing world lack safe drinking water that those of us in the developed world take entirely for granted. Nearly three billion people live without access to adequate sanitation systems necessary for reducing exposure to water-related diseases. The failure of the international aid community, nations, and local organizations to satisfy these basic human needs has led to substantial, unnecessary, and preventable human suffering. An estimated 14 to 30 thousand people, mostly young children and the elderly, die every day from water-related diseases.

The Pacific Institute works intensively on these international water issues from many different directions. One recurring theme to our efforts, however, has been the urgent call to meet the basic water requirements for those that lack access to clean water. While our "modern" industrial societies routinely and dramatically modify the hydrologic cycle through construction of massive engineering projects for flood control, water supply, hydropower, and irrigation, we are entering the new millennium with huge populations that lack a standard of water service enjoyed by ancient Romans.

In December 1999, as an extension of our international water work, a new article was published on the legal and institutional question of whether there is a formal human "right" to water.¹ The question of what qualifies as a human right has generated a substantial body of literature, as well as many organizations and conferences, but water has always been treated ambiguously. This new work from the Institute argues that international law, international agreements, and evidence from the practice of States strongly and broadly support the legal human right to a basic water requirement and that there is an obligation for States or other parties to provide those resources when they are lacking.

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What is the value of explicitly acknowledging a human right to water, as the international community has explicitly acknowledged a human right to food and to life? After all, despite the declaration of a formal right to food, nearly a billion people remain undernourished. One reason is to encourage the international community and individual governments to renew their efforts to meet basic water needs of their populations. A second is that by acknowledging such a right, pressure to translate that right into specific national and international legal obligations and responsibilities is much more likely to occur. Third, this argument helps focus attention on the deplorable state of water management in many parts of the world. Fourth, the argument can focus attention on the need to more widely address international watershed disputes and to help resolve conflicts over the use of shared water by identifying minimum water requirements and allocations for all basin parties. Finally, explicitly acknowledging a human right to water can help set specific priorities for water policy.

If we accept that there is a human right to water, to what extent does a State have an obligation to provide that water to its citizens? International law obligates States to provide the institutional, economic, and social environment necessary to help individuals to progressively realize their rights. And when individuals are unable to meet basic needs for reasons beyond their control, including disaster, discrimination, economic impoverishment, age, or disability, States must provide for basic needs. Meeting a basic water requirement for all humans to satisfy their right to water should therefore take precedence over other water management and investment decisions. This will require a redirection of current priorities at international and local levels, and it is likely to require that new resources be invested as well.



A communications and computer revolution is sweeping the globe. There is renewed interest in reaching out to outer space. International financial markets and industries are increasingly integrated and connected. And efforts are being made to ensure regional and global security. In this context, our inability to meet the most basic water requirements of billions of people may be remembered as the 20th century's greatest failure.

In summary, the Institute believes that evidence of international law, declarations of governments and international organizations, and current State practices support the conclusion that access to a basic water requirement must be considered a fundamental human right. A formulation appropriate to the existing human rights declarations might be:

"Every human being has an inherent right to have access to water in quantities and of a quality necessary to meet their basic needs. This right shall be protected by law."

Will the recognition of the human right to water actually improve conditions worldwide? Perhaps not. The challenge of meeting human rights obligations in all areas is a difficult one, which has been inadequately and incompletely addressed. But the imperatives to meet basic human water needs are more than just moral, they are rooted in justice and law and the responsibilities of governments. It is time for the international community to reexamine its fundamental development goals. A first step toward meeting a human right to water would be for governments, water providers, and international organizations to guarantee all humans the most fundamental of basic water needs and to work out the necessary institutional, economic, and management strategies necessary for meeting them.

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¹ The full version of this paper is: P.H. Gleick, 1999, "A Human Right to Water," *Water Policy*, Vol. 1, No. 5, pp. 487-504. Copies of this paper are available at no charge from the Institute. Contact Lorelei Muenster at: lmuenster@pacinst.org; or 510.251.1600.

To learn more about the Institute's work on water issues, visit "The World's Water" website, at: www.worldwater.org.

ISO 14001 Workshop



On July 29, 1999, the Pacific Institute for Studies in Development, Environment and Security hosted a half-day workshop entitled *ISO 14001 Environmental Management Systems and Public Policy*. Approximately 30 people attended the event, with 16 public interest groups and 6 state and federal agency offices represented. Participants from the non-profit sector included state and national conservation organizations, environmental justice groups, and local community-based organizations. Government agencies represented included various offices within California Environmental Protection Agency (EPA), U.S. EPA Region IX, and U.S. EPA Office of Pollution Prevention and Toxics.

The purpose of the workshop was to provide a forum for the NGO community and state and federal agencies to discuss the emerging role of environmental management systems (EMSs), such as ISO 14001, within the context of public policy. Specific goals of the workshop were:

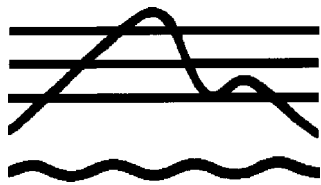
- to bring together leaders of California's environmental community to learn about EMSs and discuss their appropriate role in public policy;
- to gain feedback from public interest organizations on issues of concern and mechanisms for addressing these concerns, and;
- to identify and coordinate the way in which public interest groups can meaningfully participate in California's evolving regulatory programs.

Speakers at the workshop were:

- Jason Morrison, Pacific Institute;
- Jerry Speir, Tulane Institute for Environmental Law & Policy;
- Bonnie Barkett, US EPA, Region IX;
- Robert Stephens, California Environmental Protection Agency

The proceedings from this meeting are available on the Institute's website: www.pacinst.org/isoproceedings.pdf.

The Institute will publish a report on the development of ISO 14001 standards in the spring. Please sign up on the Institute's announcement list on its website (www.pacinst.org) to receive notice of its release. An online version will be available.



COMMUNITY STRATEGIES
FOR SUSTAINABILITY/JUSTICE

Communities Speak Out on CALFED

Arlene Wong, Senior Research Associate

CALFED is a joint state and federal program creating a \$10 billion plan that will guide California's water management and use of the Bay-Delta (the confluence of the Sacramento and San Joaquin rivers) for the next 30 to 50 years. It will affect most Californians because so many people rely on resources from the Bay-Delta system, which includes the Sierra Nevada, Central Valley, Bay Area, and Southern California.

Many of the problems that the CALFED program is intended to address, as well as the proposed and potential solutions, could have a disproportionate impact on low-income people and communities of color. For example, CALFED's proposed solutions could place a higher economic burden on low-income communities, since they expend a larger percentage of their income for energy, water, and taxes. Moreover, water pollution contaminates the fish that residents eat and areas in which they live, work, and play, creating public health concerns. Water management decisions (especially those made without reference to land use) also can promote sprawl, contributing to further divestment in central cities. Finally an emphasis on large-scale water storage and conveyance to achieve safe drinking water may ignore opportunities to more cost effectively improve water quality, including actions to fix failing distribution infrastructure, upgrade treatment systems, and invest in watershed management, water conservation and reuse.

On July 15, over 35 people gathered at the United Indian Nation's offices in Oakland to hear about and discuss the implications of CALFED for urban communities. This meeting was co-sponsored by the Pacific Institute, Urban Creeks Council, West County Toxics Coalition, Bay Area Urban League, Save The Bay, Clean Water Action, United Indian Nations, UIN Community Development Corporation, Urban Habitat Program, San Francisco Foundation, the Unity Council, and People United

for a Better Oakland. Despite the fact that CALFED has been underway for over seven years, this community meeting was the first of its kind in the Bay Area to really engage with community groups on CALFED issues as they affect the Bay Area's urban areas.

Five community organizations shared their experiences in working on issues that intersect with CALFED's program objectives. These are the missing pieces from CALFED's proposed solutions — issues that are not addressed or have not been adequately addressed in CALFED's programs related to water quality, water management, and ecosystem health in the Bay-Delta system.

We learned about toilet retrofit programs developed by community organizations to bring water conservation benefits to low-income communities, with reinvestment of the rebate revenue earned from the program into other community programs. The Spanish Speaking Unity Council spoke about efforts to develop a badly needed park on the waterfront for the Fruitvale community. Communities for a Better Environment spoke about industrial pollution and its impact on community health in communities along the Bay, including adverse effects of dioxin emissions on water quality. The Urban Creeks Council spoke about community efforts to restore creeks in urban settings, providing communities with precious ties to the environment and green space, supporting important environmental education and employment opportunities, and often improving water quality, flood control, and public safety.

A representative from the West County Toxics Coalition spoke about urban areas along the Bay confronted with flooding and run-off, industrial pollution, and contaminated fish and shellfish. These issues not only represent concerns that communities struggle with on a daily basis, but embody the environmental justice concerns of


continued on p. 7 . . .

communities of color and low-income communities that have gone unnoticed in CALFED discussions.

The group then discussed what community groups wanted from CALFED. In brief, the group identified four main objectives:

- Representation/Participation. CALFED hasn't heard from urban communities. The CALFED process needs to provide for community representation and participation and a more inclusive and transparent process for decision making.
- Support/Inclusion. CALFED needs to recognize that urban communities are part of a CALFED solution — long-term solutions for the Bay-Delta must extend beyond the Delta and the tributaries that feed into it. Our communities need to be part of the CALFED program scope of actions, with projects developed in our neighborhoods.
- Accountability. CALFED needs to support the current regulatory mechanisms that communities rely on for protection. In addition to incentive-based programs, CALFED should uphold and support enforcement of current regulations and incorporate these regulatory goals (e.g. the Clean Water Act) in its objectives. Our communities need access to information so CALFED and its implementing agencies can be held accountable.
- Resources. CALFED needs to provide communities with financial, regulatory, and technical support to carry out community activities that contribute to meeting CALFED objectives and programs, including: awareness and education programs; economic development and employment opportunities; and pollution prevention and monitoring.

We believe our efforts are having an impact. Many Bay Area residents spoke about environmental justice concerns during CALFED's recent public comment period for its draft EIR/EIS. Additionally, CALFED officials conferred recently with representatives of community-based organizations to discuss these issues and invited the group to nominate a representative for the Bay Delta Advisory

Council. Community-based organization representatives made presentations at the most recent meeting of the Watershed Working Group, an advisory group to CALFED. In the next year, as CALFED moves forward to a record of decision, communities need to continue to articulate their concerns in these and other fora. The Pacific Institute is committed to working with interested community groups to identify opportunities for communities to speak out and be heard. A more complete summary of the July meeting is provided on the Institute's web site, under our Community Strategies for Sustainability and Justice Program. 

NEW INSTITUTE ONLINE RESOURCE



**ENVIRONMENTAL JUSTICE
RESOURCES ON THE INTERNET**
www.pacinst.org/ej.html

The Institute has developed a new page on its web site that catalogs more than 90 resources on the Internet related to environmental justice issues, including the sites of governmental and nongovernmental organizations, case studies, reports and articles, research bibliographies and discussion lists. The site will be updated on a regular basis, and we encourage our readers to submit suggestions for additions or corrections.

Contact Wil Burns: wburns@pacinst.org

To receive notification when new resources are added to the site, please sign up on our announcement list, www.pacinst.org.



PROGRAM BRIEFS

MEETINGS & CONFERENCES

CEC MEETING

On April 13, Jason Morrison presented a public interest perspective on the use of voluntary standards in regulatory innovation to the CEC's North American Working Group on Environmental Enforcement and Compliance Cooperation, held in Washington, DC.

INDUSTRIAL ECOLOGY CONFERENCE

In May, Jason Morrison gave a talk on the nexus between the international management standard, ISO 14001, and public policy at the fourth annual Industrial Ecology conference.

LOWER COLORADO RIVER WORKSHOP

On May 22 in Tucson, the Institute co-sponsored (along with Defenders of Wildlife, ITESM-Guaymas, the Sonoran Institute, CREAS, and the Center for Biological Diversity) a roundtable workshop entitled "Cooperation and Coordination in the Lower Colorado River Basin Ecosystem." The workshop was attended by government officials from the United States and Mexico, as well as NGOs and members of the academic community from both nations.

ISO TECHNICAL COMMITTEE PLENARY

As a member of the U.S. delegation, Jason Morrison attended the ISO Technical Committee 207 annual plenary in



June 1999. In addition to serving as a "expert" delegate in Sub Committee 3 – Ecolabeling, Mr. Morrison chairs a liaison task group between SC3 and SC5 – Life Cycle Assessment.

RIO GRANDE PANEL

On May 28, Michael Cohen participated in a panel discussion in San Antonio entitled "Reconciling Economic Development Policy and Water Conservation in the Rio Grande Basin," where he presented on lessons that could be learned from the Colorado River basin and comparisons between the two basins.

INTERNATIONAL CONGRESS ON ECOSYSTEM HEALTH (ICEH)

On August 17, Michael Cohen presented a paper entitled "Conservation Value and Management Issues of the Wetland and Riparian Habitats in the Colorado River Delta in Mexico." Wil Burns chaired a panel

at the Conference on climate change impacts on ecosystems and presented a paper entitled "The Possible Impacts of Climate Change on Pacific Small Island State Ecosystems."

STOCKHOLM INTERNATIONAL WATER INSTITUTE

In August, Peter Gleick presented a paper on the reuse of water in urban settings at a symposium sponsored by the Stockholm International Water Institute. The paper was authored by Arlene Wong and Gleick. Gleick also presented a paper on water as a human right.

INTERNATIONAL DESALINATION ASSOCIATION

In August, Peter Gleick delivered the keynote address on the state of the world's water to the International Desalination Association's 1999 Congress, in San Diego.

URBAN WATER INSTITUTE CONFERENCE

On September 3, Jason Morrison presented the findings of the Institute's Salton Sea report at the Urban Water Institute's annual conference in San Diego, California.

WATER EDUCATION FOUNDATION CONFERENCE

At the Water Education Foundation conference in Keystone, Colorado in September, Jason Morrison presented his views on the challenges facing the Colorado River basin on a panel entitled "Meeting the Needs of the 21st Century."

PUGWASH MEETING

Peter Gleick attended the 1999 Pugwash meeting on Science and World Affairs in Rustenburg, South Africa from September 7-13. While there, he met with the director of Water Conservation for South Africa's Dept of Water Affairs and Forestry.

PUBLIC POLICY INSTITUTE CONFERENCE ON DESALINATION

Peter Gleick was a participant at a conference on the role of desalination in meeting the world's water needs in the next century on September 19-20. The conference was hosted by former U.S. Senator Paul Simon, at the Public Policy Institute of Southern Illinois University.

POWER CONFERENCE

On October 14, Michael Cohen participated in a panel entitled "The Salton Sea and the Colorado River Delta: Can They Be Integrated," at the Public Official for Water and Environmental Reform (POWER) conference in Los Angeles,

HOUSE TESTIMONY

On May 20, Peter Gleick testified before the Subcommittee on Water and Power of the U.S. House of Representatives Committee on Resources on "Successful Approaches for California Water Management" – our success stories report.

WATER ISSUES: COLORADO RIVER

On November 18-19, the Institute organized and co-sponsored a workshop in Mexicali, Baja California, Mexico, entitled "Water Issues in the Colorado River Basin Border Region. The workshop attracted nearly 90 participants from U.S. and Mexican agencies, universities, Indian tribes and environmental and community groups, as well as representatives from both the American and Mexican media.

PUBLIC OUTREACH

CALIFORNIA LEGISLATIVE BRIEFING

In June, Michael Cohen briefed California State legislative staffers on the Institute's report on the Salton Sea restoration effort.

PRD BRIEFING

On July 1, Michael Cohen and Jason Morrison briefed Enrique Figueras on the binational issues and developments surrounding the Colorado River. Sr. Figueras is the Technical Secretary and Coordinator of International Relations for Mexico's PRD (Revolutionary Democratic Party).

UC BERKELEY PRESENTATION

On October 19, Wil Burns made a presentation to an international environmental politics class at University of California-Berkeley on the role of intergenerational equity in the United Nations Framework Convention on Climate Change.

UC BERKELEY PRESENTATION

On November 23, Michael Cohen made a presentation to an international environmental politics class at University of California-Berkeley, entitled, "The Colorado: A River Tamed."

APPOINTMENTS

INTERNATIONAL WATER ACADEMY

Peter Gleick has been elected an Academician at the International Water Academy in Oslo, Norway. Modeled after the national academies of science, the IWA was founded in 1998 to address critical water issues. Total membership in the Academy will be limited to 500 individuals.

CALIFORNIA FISH & GAME COMMISSION

Pacific Institute Board member Sam Schuchat was appointed in October to the California Fish and Game Commission. The Fish and Game Commission oversees the Department of Fish and Game, all hunting and fishing in California, and endangered species under the California Endangered Species Act. Schuchat served as the Executive Director of the California League of Conservation Voters for six years. He left that position in December of 1998, and now runs the national trade association for state environmental PACs. In that capacity he is setting up conservation voter leagues in states all over the country.



SUPPORT THE INSTITUTE

Research for a Sustainable Future

The Pacific Institute for Studies in Development, Environment, and Security is an independent, non-profit center created in 1987 to conduct research and policy analysis in the areas of environment, sustainable development, and international security. Underlying all of the Institute's work is the recognition that the pressing problems of environmental degradation, regional and global poverty, and political tension and conflict are fundamentally interrelated, and that long-term solutions must consider these issues in an interdisciplinary manner. The Pacific Institute addresses the breadth and long-term nature of both problems and solutions, including issues related to climate change, sustainable development and the interface of water resources and international security. The Institute strives to improve policy through sound research and ongoing dialogue with action-oriented groups from the international to local level.

We invite you to support the work of the Institute by making a contribution. Contributors of \$100.00 or more are accorded Associate status and will receive the Institute's newsletter and all publications during that membership year. Contributors of \$1000.00 or more are designated as Major Donors and are entitled to

The Institute has also recently started an endowment fund and contributions may be specifically designated for that fund.

Yes, I want to contribute toward the Institute's research and outreach programs.



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Voices and Visions presents an additional perspective on the Institute's scientific and policy concerns by addressing, through poetry, the hard-to-quantify, more affective aspects of development, environment, and security.

Jerry Bass

For the Creeks

Beware the large, death-bearing abstractions,
 firing our pride, chipping away our lives
 as they destroy the conditions for all life.
 We must come home to the little, the immediate,
 the close at hand.
 The world in a grain of sand.
 And, if we can do that, all else shall follow,
 life will find its way.

We must reach with the fingers, not seek the
 soul,
 begin with the veins, not the ineffable heart.
 The creeks buried in concrete beneath our
 feet.
 Listen, hear their gurgling cries, whispering
 counterpoint
 to the thundering traffic.
 We are suffocating, they sigh, while you cast
 your eye
 to the impenetrable ocean, far away, massive
 and mesmerizing.

Listen, the way to the tree is the leaf.
 The way to the heart is the vein.
 The way to the ocean is the stream.

Start
 near at hand
 all around you.

The rest will surely follow.

There is no world, only here.
 Here is the world!
 Begin!

Jerry Bass

"For the Creeks" was the "official" poem for Berkeley, California's 1989 Spring Creek Week. I helped organize the event and another organizer, knowing my poetic proclivities, suggested that I write a poem for the occasion. I said I would try, but doubted that writing a poem on demand would be possible for me. Yet several days later this poem popped almost fully formed into my head. It was a rare occurrence (for me anyway) of what the late Denise Levertov called the "given" poem as compared to the vast majority that have to be "worked for."

One reason, I think, the poem arrived so readily was that creeks being local, finite, and easily comprehensible lend themselves to metaphor, simile, and other poetic devices. Then, too, there was a clear message to the event: we wanted the creeks resurrected, brought back, as it were. "For the Creeks" reflects, I hope, both the riches of creeks as poetic subject matter and a call to action. Since the poem was written, two sections of Berkeley's largest creek have been restored and there is an active creek preservation and restoration movement. The poem enjoyed a brief life of its own. It turned up in a Berkeley library exhibit on creeks and I was told that Wavy Gravy read it at some environmental event.

Another poem about creeks, "A Brook in the City" by Robert Frost, adopts a similar perspective. Frost laments the disappearance of a brook he knew and loved with the advent of the city. By implication he decries the domestication of wilderness, the supplanting of the natural by the artificial. Like Frost's poetry as a whole beneath the seemingly straightforward surface descriptions of "A Brook in the City" lurks a haunting sense of despair and loss. "A Brook in the City" runs twenty-four lines composed of twelve rhyming couplets. It concludes this way: The brook was thrown/Deep in a sewer dungeon under stone/In fetid darkness still to live and run---/And all for nothing it had ever done/Except forget to go in fear perhaps./No one would know except for ancient maps/That such a brook ran water. But I wonder/If from its being kept forever under/The thoughts may not have risen that so keep/This new-built city from both work and sleep.

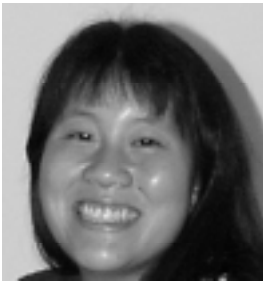
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Katherine Kao Cushing. Research Associate. Her focus at the Institute is on public policy issues associated with ISO 14000. Her research interests include corporate environmental management, pollution prevention, environmental policy implementation in developing countries, and water resources management. She is a Lecturer at the University of California, Berkeley and has worked with the Army Corps of Engineers and the World Commission on Dams. She received her Ph.D. and M.S. degrees in Civil and Environmental Engineering from Stanford University, with a concentration in Environmental Planning and Management.



Zoe Day. Her current work focuses on the voluntary international standard ISO14000, within the Institute's Trade, Economic Globalization and Environment program. Ms. Day holds an MSc. in Environmental Assessment and Evaluation from the London School of Economics and Political Science, and a B.A. in Political Economy of Industrial Societies from the University of California, Berkeley.

**NEW STAFF AT THE
INSTITUTE**