

Dr. Margaret Chan
Director-General
World Health Organization
Avenue Appia 20
1211 Geneva 27
Switzerland

CC: Mr. Ban Ki-Moon
Secretary-General
United Nations

May 17, 2011

Dear Director-General Dr. Chan,

We are writing to draw your attention to and to urge you to take action on one of the most important health issues of our time: people's access to clean, safe water. This week the World Health Assembly (WHA) will be considering the World Health Organization's (WHO) role in implementation of the Millennium Development Goals, which set benchmarks for dramatically improving access to drinking water and sanitation. Member States will also be discussing strategies for the safe management of drinking water for human consumption. As the WHA takes up these critical water policy questions, we are raising concerns about corporate conflicts of interest with global water policy.

We are heartened by recent progress within the United Nations (UN) on water policy: within the past year, resolutions passed by the UN General Assembly and the UN Human Rights Council have formally acknowledged the right to water and the role that governments must play in protecting and fulfilling that right.ⁱ As an institution charged with using the democratic process to help address fundamental issues facing the world's peoples and nations the UN's work on human rights is particularly important, especially as people around the world have begun to embrace expanded views of human rights that include the vital social, economic and cultural rights that are subject to the same protection as universal human rights by covenant, just as are civil and political rights.

Many are counting on the UN, its Member States and its programs to be integral partners in the pursuit of greater realization and fulfillment of these rights for the benefit of people, the environment and a more sustainable and equitable future.

Arguably, nowhere is this truer than in the case of the rights to water and sanitation. After decades of debate regarding whether the right to water should be recognized, there is an emerging consensus that the right to water exists and that governments have a fundamental obligation to ensure this right is fulfilled.

However, there are powerful interests working to use this progress for private gain rather than greater social good. The establishment of the CEO Water Mandate in 2007 by the CEOs of several major beverage and water utility corporations, as well as food, apparel, and agribusiness corporations, was promoted as a new commitment from the corporate sector towards 'water stewardship' and 'responsible engagement' in global water policy by the corporate sector.ⁱⁱ It may be true that some individual activities conducted by the CEO Water Mandate may have some net benefit; for example, by encouraging corporations to be more efficient with their use of water resources. However, these benefits are overshadowed by our concern that the leading corporate endorsers of the CEO Water Mandate, including Suez, Nestlé and Coca-Cola, among others, have business models ultimately based upon the premise that water should be a commodity to be bought and sold by the highest bidder.

These corporations have vested interests in ensuring that the policies and programs of the United Nations with regard to the right to water and sanitation, water supply and sanitation services, water resources management and other areas of water policy do not conflict with their own ability to use and sell water for profit. Seen from this light, the CEO Water Mandate serves equally as a means for corporations to divert attention from negative practices by hiding behind the image and endorsement of the UN, as well as to gain access to and shape the policy process of the UN itself.

Additionally, a number of corporate endorsers of the so-called Mandate are engaged in actions seen by many as threatening not only the right to water, but also the environment, people's health and livelihoods as well as other basic human rights including the right to food. These endorsers include, but are not limited to, the following corporations: Bayer, DeBeers, Dow, Royal Dutch Shell, Sasol, Syngenta, Tata Steel and Wilmar.ⁱⁱⁱ The involvement of corporations in the CEO Water Mandate who are engaged in actions that threaten people's health, the environment or human rights calls into question the integrity of the initiative.

More broadly, the UN Global Compact — home to the CEO Water Mandate — and the UN's flagship initiative promoting corporate social responsibility with respect to human rights and the environment, has been widely critiqued by affected communities, scholars, public officials and non-governmental organizations for lacking meaningful and binding accountability mechanisms. Recently, the Joint Inspection Panel of the United Nations completed a review of the UN Global Compact Office and the UN Office of Partnerships.^{iv} Their findings and recommendations underscore the concerns listed above, and lend real weight to the chorus of voices from civil society that have expressed these concerns since the inception of the Global Compact and the UN's subsequent shift towards increasing 'partnership' with the private sector without guarding against the potential conflicts of interest posed by such partnerships.

It is possible to safeguard the UN's capacity to exert effective democratic governance from interference by corporations that have conflicts of interest with equitable public policy. For instance, Article 5.3 of the WHO's Framework Convention on Tobacco Control (FCTC) sets enforceable standards for how parties to this widely embraced UN treaty can protect public health policy from the tobacco industry and other vested commercial interests.^v This groundbreaking treaty will save 200 million lives by 2050 when it is fully implemented. On water issues, the World Health Assembly and WHO can once again lead the way on protecting against conflicts on interest, protecting people's lives globally.

Therefore, we call upon you, as the Director-General of the World Health Organization, to encourage UN Secretary General Ban Ki-Moon and the United Nations to:

- Establish clear and enforceable standards to prevent corporate conflicts of interest and protect the primacy of human rights and the environment over commercial enterprise.
- Take a first step to guard against these corporate conflicts of interest by withdrawing its institutional support for the CEO Water Mandate.

We await your response to these recommendations. To discuss this matter further, please contact Mark Hays, Corporate Accountability International, mhays@stopcorporateabuse.org

Sincerely,

Organizations (In alphabetical order)

Aquattac (Europe)

Acción Ecológica (Ecuador)

Africa Europe Faith and Justice Network – Ireland Chapter

Africa-Europe Faith and Justice Network – UK Chapter

AFRIKA-EUROPA NETWORK - Netherlands Chapter
Alliance Against Conflict of Interest (AACI)
Alliance for Democracy (USA)
Amazon Watch (USA/Latin America)
Asociación Cultural Comunitaria Tiempos Nuevos (Colombia)
Asociación de Desarrollo Comunitario en el Quindío (Colombia)
Asociación Medio Ambiente y Desarrollo en América Latina - Enda (Colombia)
Asociación de Usuarios de los Servicios de Agua y Saneamiento de Huancayo (Peru)
Asociación Soñando Caminos (Colombia)
Association for International Water Studies (FIVAS) (Norway)
Baby Milk Action UK (UK)
Berne Declaration (Switzerland)
Bloque Popular de Honduras (Honduras)
Canadian Union of Public Employees (CUPE) (Canada)
CENSAT (Colombia)
Centro de Investigación Social Fundación del Caribe (Colombia)
Chile Sustentable (Chile)
Coalición de Organizaciones Mexicanas por el Derecho al Agua (COMDA) (Mexico)
Community Alliance for Global Justice (CAGJ) (USA)
Consejo Comunitario Mayor del Medio Atrato COCOMACIA (Colombia)
Consumer Information Network (CIN) (Kenya)
Cooperativa de Trabajo Asociado, Recicladores Unidos por Quibdó (Colombia)
Corporación Ecofondo (Colombia)
Corporación Encuentro (Colombia)
Corporación para la Defensa de la Biodiversidad Amazónica – Codeba (Colombia)
Corporación para el Desarrollo Sostenible de la Región del Caribe Colombiano (Colombia)
Corporación para el Ecodesarrollo Comunitario - Comunitar (Colombia)
Corporación para la Educación Integral y el Bienestar Ambiental La Ceiba (Colombia)
Corporación para la Investigación y el Ecodesarrollo Regional (Colombia)
Corporación Michitá (Colombia)
Corporación Vamos Mujer (Colombia)
Corporate Accountability International (USA)
Corporate Ethics International (USA)
Corporate Europe Observatory (Belgium/Europe)
Council of Canadians (Canada)
ECOMUNIDADES, Red Ecologista Autónoma de la Cuenca de México (Mexico)
Empresa Asociativa de Trabajo Orquídea de Oro (Colombia)
Environmental Health Fund (USA)
Environmental Rights Action – Nigeria (Nigeria)
European Federation of Public Services Unions (EPSU) (Europe)
ETC Group (Canada/International)
Federación Española de Ingeniería Sin Fronteras (Spain)
Focus on the Global South (Philippines)
Food and Water Europe (Belgium/Europe)
Food and Water Watch (USA)
Forest People's Programme (UK)
Foro Italiano Movimenti per l'Acqua (Italy)
Friends of the Earth – US (USA)
Fundación para la Comunicación Popular Funcop (Colombia)
Fundación para el Desarrollo del Upía – Fundeupia (Colombia)
Fundación Ecológica Fenicia Defensa Natural – Fedena (Colombia)

Fundación Ecológica Reserva Las Mellizas (Colombia)
Fundación Esawa (Colombia)
Fundación Estrella Orográfica del Macizo Colombiano - Fundecima (Colombia)
Fundación para la Investigación y el Desarrollo de Sucre - Fides (Colombia)
Fundación Mata de Monte - Mata de Monte (Colombia)
Global Justice Ecology Project (USA)
Government Accountability Project (USA)
Grassroots International (USA)
Grupo Ecológico Inem Grei (Colombia)
Instituto Mexicano para el Desarrollo Comunitario (IMDEC) (Mexico)
International Accountability Project (USA)
International Baby Food Action Network (IBFAN) - Europe
IBFAN Global Council
IBFAN GIFA
IBFAN Latin America
International Campaign for Justice in Bhopal (USA/International)
International Code Documentation Centre
International Labor Rights Fund (USA)
International Rivers (USA)
International Trade Union Confederation (International)
Irish Missionary Union - Justice Desk (Ireland)
KABANI – The Other Direction (India)
KAIROS – Parksville/Qualicum Chapter (Canada)
KRuHA – Indonesia People's Coalition for the Right to Water (Indonesia)
Labour, Health and Human Rights Development Centre (Nigeria)
“No grazie pago io” (Italy)
Observatorio Servicios Públicos (Ecuador)
Organic Consumers Association (USA)
Pesticide Action Network North America (USA/North America)
Physicians for a Smoke-free Canada (Canada)
Plataforma de Acuerdos Públicos Comunitarios de Las Américas (Latin America)
Public Services International (International)
Polaris Institute (Canada)
Rainforest Action Network (USA)
SANIPLAN (USA)
Sintracuavalle (Colombia)
Solidarity Workshop (Bangladesh)
Swarna Hansa Foundation (Sri Lanka)
Syndicat Autonome des Travailleurs de la Sénégalaise des Eaux (SAT-SDE) (Senegal)
The Jus Semper Global Alliance (USA)
The Second Chance Foundation (USA)
Transnational Institute (Netherlands/Europe)
Vigilancia Interamericana para la Defensa y Derecho al Agua de las Americas (RED VIDA) (La. Amer.)
Water Pressure Group (New Zealand)
Women's International League for Peace and Freedom (WILPF) - US Section
World Development Movement (UK)

Individuals

David Barkin, Professor of Economics, Xochimilco Campus, Universidad Autónoma Metropolitana
México City, México
Professor Oladejo Olowu, Faculty of Law, North-West University, Mafikeng, South Africa

-
- ⁱ <http://www.un.org/News/Press/docs/2010/ga10967.doc.htm>; <http://www.un.org/apps/news/story.asp?NewsID=36308>
- ⁱⁱ http://www.unglobalcompact.org/issues/Environment/CEO_Water_Mandate/
- ⁱⁱⁱ http://www.unglobalcompact.org/issues/Environment/CEO_Water_Mandate/endorsingCEOs.html
- ^{iv} http://www.unjuu.org/data/reports/2010/JIU.REP.2010.9_For%20Printing_17%20January%202011.pdf
- ^v http://www.who.int/fctc/guidelines/article_5_3/en/index.html