



The 2013 ICCR Water Roundtable

Stakeholder Responsibilities In Managing Access To Water

ROLE OF LOCAL COMMUNITIES

Without access to relevant and detailed information, communities cannot exercise their right to participate in decisions that affect their rights, nor effectively consent to local water projects.

COMMUNITIES NEED:

- To be invited to participate in dialogues with decision-makers in companies;
- To be included in impact/due diligence assessments and studies;
- Studies provided in appropriate formats, with technical specificity and the necessary local languages; and,
- Clear descriptions of issues that will be important to water quality and access.

ROLE OF COMPANIES

Companies need to recognize water as a public good across their operations, particularly in water-stressed areas. As a starting point, companies need to develop and share baseline information on water – including water availability in areas of their direct operations, and their own water use, withdrawals and discharges.

Key questions for companies to ask:

1. What level of assessment do we need?
2. Has extraction affected others' access to and quality of water?
3. How are our operations impacting the watershed?
4. Has our discharge of wastewater affected communities and ecosystems?

COMPANIES SHOULD:

- Respect international human rights standards like the *Guiding Principles for Business and Human Rights* and consult with local stakeholders on how best to implement when local regulations and national laws conflict with those standards;
- Gain the consent of First Nations, where applicable, and local communities and provide them with their own resources to gain scientific and social information;
- Establish early and ongoing grievance mechanisms for solving disputes and remediating damages; and,
- In water-stressed areas, take proactive steps to limit impacts.

ROLE OF GOVERNMENTS

Under international human rights law, governments have the primary duty for upholding the human right to water. However, the capacity of states to uphold the human right to water has not kept pace with expanding global economic activity; businesses are gaining greater access to water, leaving governments scrambling to balance economic development with their duty to ensure access to water for all.

GOVERNMENTS SHOULD:

- Consult with local authorities and community groups in decision-making that may impact water sources and their accessibility;
- Integrate the full range of regulatory requirements that protect drinking water resources, such as disclosure of assessments;
- When contracting, permitting, or licensing companies, include requirements specifying local & national recourse mechanisms for dispute resolution and remedies; and,
- Protect against mismanagement of financial resources allocated for implementation of the human right to water, and against bribing of officials in charge of monitoring/reporting complaints by affected communities.

ROLE OF INVESTORS

Even if companies manage water resources responsibly, they can face serious reputational risks and jeopardize their social licenses to operate if communities surrounding their operations lack access to clean water, or if other water users deplete or pollute shared water resources. In an era of increasing water scarcity, investors should be gauging companies on their ability to minimize water risks, and on how they are preparing to operate in a more water-constrained world.

INVESTORS SHOULD:

- Assess the water risk exposure of a company by seeking more information on how it is managing its physical, reputational, regulatory, and litigation water risks;
- Require robust corporate disclosure of how companies are evaluating, managing, and disclosing water risks in operations, and throughout their supply chains and ask companies to set water goals and reduction targets to mitigate risk; and,
- Ensure that companies are engaging all stakeholders – communities, government and investors.