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GENEVA CENTRE
FOR PHILANTHROPY

Philanthropy Lunch
**WATER AS A PUBLIC GOOD:
ROOM FOR PHILANTHROPY**

Geneva, 11.12.2019

WELCOME

Prof. Henry Peter, Head of the Geneva Centre for Philanthropy (GCP)

PANEL

Dr. Danilo Türk, Chairman of the Global High-Level Panel on Water and Peace and former president of the Republic of Slovenia

Dr. Mara Tignino, Lead Legal Specialist, Platform for International Water Law at the Geneva Water Hub; Reader, Faculty of Law and Institute for Environmental Sciences, University of Geneva

Cédric Lecamp, Senior Investment Manager – Thematic Equities, Pictet-Water fund

Moderated by **Prof. Laurence Boisson de Chazournes**, Professor, Faculty of Law, University of Geneva and Geneva Water Hub; Member of the Global High-Level Panel on Water and Peace

Q&A

CONCLUSION

Prof. Laurence Boisson de Chazournes

UPDATE

Mrs. Laetitia Gill, Executive Director of the Geneva Centre for Philanthropy

WELCOME - Prof. Henry Peter

Prof. Peter welcomes all participants to this Philanthropy Lunch. He defines philanthropy as being voluntary giving for the public good. It can be said that public good, in turn, has been "codified" through the Sustainable Development Goals (SDGs) adopted in 2015 at the United Nations Summit on Sustainable Development.

The 2030 Agenda for Sustainable Development provides a shared blueprint for peace and prosperity for people and the planet, now and into the future. The 17 Sustainable Development Goals (SDGs) are an urgent call for action by all countries - developed and developing - in a global partnership. Among them, SDGs 6, 14 and 16 directly relate to water. Besides these specific goals, he highlights that, transversally, water is highly relevant with regard to most other SDGs. It can therefore be said that there is a direct and significant link between water and philanthropy. He thanks Professor Laurence Boisson de Chazournes and her team for their contribution in the field of water law and related issues, and for making today's event possible. Prof. Peter also stresses the importance of Geneva as a sustainable financial hub and highlights the role played by the Pictet group, one of the Geneva Centre for Philanthropy's Strategic Partners.



The private financial sector is one of the key stakeholders in order to achieve the SDGs, in particular with regard to water, and Pictet has been a precursor in that regard. It has, in fact, consistently pursued a strategy to that effect and launched a fund almost 20 years ago.

PANEL

Prof. Laurence Boisson de Chazournes

Prof. Boisson de Chazournes starts the discussion by underscoring the work done by the Geneva Water Hub in the field of international water law. She points out the multidisciplinary nature of water. Water has a direct correlation with an individual's dignity, environment, economic activities, culture, and religion. Everyone has an interest in the protection and preservation of water. Therefore, there is a corollary responsibility to ensure that water is adequately managed and protected. Prof. Boisson de Chazournes considers that management cannot be done alone and public-private partnerships are imperative for water management and protection. The relationship between water and peace also plays an important role in water management and protection. She notes that without water, there is no sustainable peace. Water is high on the agenda of the international community and according to SDGs, by 2030 everyone should have access to water and sanitation. She also briefly introduces the three expert speakers for the session.

- Dr. Danilo Türk, Chairman of the Global High-Level Panel on Water and Peace and former president of Republic of Slovenia
- Dr. Mara Tignino, Lead Legal Specialist, Platform for International Water Law at the Geneva Water Hub; Reader, Faculty of Law and Institute for Environmental Sciences, University of Geneva
- Cédric Lecamp, Senior Investment Manager – Thematic Equities, Pictet-Water Fund.

Dr. Danilo Türk

According to Dr. Türk, water has become more prominent in recent years because of the crisis looming in larger parts of the world. Water is now central in SDGs. Water issues are as old as human history. In 1977, the United Nations convened the Conference on Water (Mar del Plata, Argentina) and introduced the concept of integrated water management. Though this concept is still relevant today, the world is facing new water challenges. He highlights the importance of water being recognised as a constitutional right by giving the example of the recent amendment of the Slovenian Constitution. Such recognition starts the important debate on water rights and issues.



He mentions that the underlying reason for the constitutional amendment was the fear of privatisation of water. However, in light of decreasing public trust, he raises the additional question of whether the public authorities are responsible, accountable and transparent enough to be trusted in matters of water use and water management.

At the same time, water is also an international issue. He highlights the importance of the Geneva Water Hub as an engine for discussion on water issues. Once the SGDs were adopted in 2015, the High-Level Panel on Water and Peace was convened to examine the relationship between peace and water. Geneva Water Hub served as the secretariat of the Panel and continues to do the follow-up to help implement the Panel's recommendations. The Panel Report, published in 2017, underscores the challenges posed by water issues, and how international cooperation could deal with water challenges during armed conflict and in conflict-prone regions. International cooperation is another challenge in situations of transboundary waters while measuring water flows and quality. The report aims to explore how different societies could be brought together to participate when water projects are discussed and planned. He also stresses the financial aspect of water challenges. Though the Panel was devoted largely to transboundary waters, he considers that the recommendations of the Report could be applied to general internal water issues. The report emphasizes the need to develop "joint investment plans" between the riparian countries. The joint plans should consider innovative funding methods such as the creation of the Blue Fund. Dr. Türk concludes by placing a focus on the need to have "safe space discussions" while planning water projects. The level of public trust is decreasing and there is an increasing pressure for transparency and accountability. This has complicated questions related to risk assessment and management. Therefore "safe space discussions" are increasingly important and water data have to be carefully considered. He supports this by giving an example of information sharing in the Sava River Arrangement, which is part of the Danube River Management between Slovenia, Croatia, Bosnia-Herzegovina and Serbia.

Dr. Mara Tignino

Dr. Tignino thanks Professor Henry Peter and Madame Laetitia Gill for providing this platform to discuss the issues with Water Law. She discusses the water protection during armed conflict and the role of the private sector as a peacebuilder in post armed conflict. She highlights the basic features and purposes of the Geneva List of Principles on the Protection of Water Infrastructure.

The Geneva List is a follow-up on the recommendations of the Global High-Level Panel on Water and Peace. The List is the first document that systematizes the principles and law applicable to the protection of water infrastructure and related infrastructures such as an energy installation systems. It covers the entire conflict cycle – an approach also followed by the International Law Commission in preparing the Draft Principles on the protection of the environment in relation to armed conflicts. She outlines the fundamental principles such as human rights to water and sanitation, protection of the environment, and the inclusion of the principle of equitable and reasonable utilisation in peace agreements.



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The List also includes principles based on a preventive approach such as establishing joint mechanisms and commissions, and rules on reconstruction, rehabilitation, and repair of water infrastructure. The principles also prohibit attacks against water infrastructure that could unleash dangerous quantities of water. Dr. Tignino points out that in today's world, States do not attack water infrastructures such as dams but rather control the dam to flood the areas of their adversaries. To curb this, the Geneva List recognises the international law prohibition on the use of water and water infrastructure as a means of warfare. The Principles also stress the need for negotiating water ceasefire agreements and adopting specific agreements on water infrastructure. An important element of the follow up of the Geneva List is the focus on monitoring by international organisations such as UNOSAT. She also discusses the role of the private sector in peacebuilding. UNICEF and the World Bank have recently focused on the need for partnerships to bridge the gap in financing water, sanitation and hygiene (WASH) services. According to Dr. Tignino, the Disi pipeline project and As-Samra wastewater project in Jordan serve as a good case study for public-private partnerships. The nexus across the humanitarian, development and peace sectors as well as partnerships between the public and private sectors are the most effective tools to prevent water-related tensions.

Cédric Lecamp

Mr. Lecamp begins by thanking the organisers for the invitation to the Lunch Session. His discussion focuses on how the private sector participates in promoting water governance. Mr. Lecamp begins by briefly describing the operations of Pictet Asset Management, in particular, the thematic division. It is a thematic investment organisation that invests in shares of publicly listed companies and does not invest in private companies or individual water infrastructure projects. Pictet water strategy currently manages 7.2 billion USD. He notes that all the thematic investment funds at Pictet are driven by Megatrends – long term trends that reflect changes in society. In regard to water, demographic development, sustainability, a focus on health and commercialisation are the relevant Megatrends. He briefly discusses the global water challenge and stresses the need for financing water infrastructure. He raises his concerns in regard to achieving SDG 6, since the current expenditure in water management is insufficient to meet the goal by 2030. According to the current trends, SDG 6 would be achieved by 2100 and not by 2030. To achieve SDG 6, a combination of funding from taxes and revenue from increased tariffs is necessary. According to Mr. Lecamp, there are two sources of optimism for achieving SDG 6. First, legal developments are expected to encourage cost recovery in water utilities. Secondly, there is an explosion in the green bond market and a huge potential for climate bonds. Pictet continues to expect growth in private sector participation as well. Currently, 1.1 billion people are served by the private sector. Mr. Lecamp identifies three segments to define Pictet's water investment universe – water technology, water supply, and environmental services. Equally important, he notes that bottled water and hydroelectricity (high environment footprint) and water appropriation services are excluded from the water investment universe. Pictet uses various factors while choosing water utility businesses, such as population growth, water supply sustainability, legal framework, regulatory climate (focusing on the efficiency of government bodies) and stable political climate.



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Mr. Lecamp also explains the role of Pictet once it has invested in the company. Pictet plays the role of an active investor by engaging and voting at the General Meetings. He concludes by focusing on four dimensions relevant to water governance. The four dimensions are equitable use, efficient use, equitable democratic opportunities, and sustainable use. He raises the need to focus on state accountability and responsibility to meet the SDG 6.

Q&A

Question 1: Is there a business case for the Private Sector in water management? To what extent could the role of States and Private Sector converge in this area?

Dr. Türk notes that it is important to understand that States may have different attitudes and sensitivities towards the private sector guaranteeing water to people. States also suffer from political problems. He supports this by providing an example in Slovenia where a water project was developed in the 1990s. It was supported by the EU and all the expertise was carried out relating to wastewater management service. However, in the middle of the project, criticism started due to political opinions irrespective of the fact that the expert preparation had been completed and the risk assessment had been completed. The relationship between States and the private sector requires States to be efficient and responsible. States should be prepared to defend carefully prepared water projects against politically motivated objections.

According to Mr. Lecamp, the regulatory model by the States should be carefully planned and developed.

Question 2: How can philanthropy be part of the conversation in public-private partnerships?

Dr. Türk adds by stressing on the need to develop a safe space discussion. Geneva Water Hub is playing a role to create such space. Moreover, to understand the role of philanthropy, he refers to the example of the work done by Bill & Melinda Gates Foundation. There should be a framework to involve not only philanthropy but the other actors in this public-private partnership. Mr. Lecamp answers this by stressing on the need to develop an efficient framework to develop and encourage such relationships based on the desired objectives. Bill Gates has been a leading philanthropist in the sanitation sector, but his ultimate objective is to create sustainable business models in sanitation.

Question 3: Water efficiency has now become a component of Water Governance. What does the concept of water efficiency mean for the private sector?

According to Mr. Lecamp, it means the value of revenue divided by the environment/water footprint. This simple metric can be a good way to compare the efficiency of the water resource by different companies, and their resiliency to disruptions in supply. For example, using this metric shows that Carlsberg has 6 x higher water use efficiency than Heineken, after the Danish brewer made water efficiency a top priority. Dr. Türk notes that there are three aspects to take into account while determining water efficiency – water-borne diseases, improvement of irrigation techniques and water recycling.



Question 4: What is the role of local communities in reaching the objective of access to water?

Dr. Türk answers the question by highlighting the importance of a multi-stakeholder approach. He mentions that local solutions and circumstances are extremely important to achieve the objective of access to water. Prof. Boisson de Chazournes adds by stressing the need to emphasize the role of local associations and territorial administrations to ensure access to water.

CONCLUSION

Prof. Boisson de Chazournes concludes the session by thanking the panelists for sharing their ideas. She notes that what we do in times of peace will ensure not only the protection of water but also the prevention of water conflicts. Everyone has a common interest and shared responsibility in water management and protection.

UPDATE on the GCP Activities

Mrs. Laetitia Gill, Executive Director of the GCP concludes by thanking the panel and guests, and by highlighting the role and current activities of the Centre based on its 3 pillars: Teaching, Research and Publications, and Events.

This autumn, the Centre is offering two semester courses – “*La philanthropie et ses principaux enjeux juridiques*” and “The Ethics of Philanthropy”. These courses will also take place next year.

A new course will be offered for the first time during the 2020 Academic Spring Semester on “*La philanthropie culturelle et le droit*”.

The GCP is partner of the 2020 Masterclass, a joint continuing education programme, with Swiss Philanthropy Foundation and CEPS (University of Basel), which will take place next 6-8 April 2020, registration is open. Moreover, the GCP is also introducing an executive course on “Global Philanthropy for Development” in partnership with the OECD Centre on Philanthropy and the Lilly Family Centre on Philanthropy (Indiana University) which will be held at the OECD headquarters in Paris on July 2 and 3, 2020.

In regard to Research and Publications, there are several ongoing projects such as “Beyond Charity: the varieties of value-driven emotions in philanthropic behaviour”, “Tax & Philanthropy,” and “Water, private companies and the Furtherance of the Public Good.” All GCP Publications are available online.

The next GCP Philanthropy Lunch will be on “*La fondation à l'épreuve du temps*,” next 6 February 2020.