

1.26.20

GLAWCAL COMMENT

THE RIGHT TO ACCESS CLEAN DRINKING WATER

Based on

**Cernic, Jernej Letnar. Corporate
Accountability under Socio-Economic
Rights. Transnational Law and Governance.
Abingdon, Oxon: Routledge, 2019.**

Water is essential for all our lives. This is clear to everyone. Access to clean water is therefore one of the most important rights for human beings. Jernej Letnar Cernic also sees this in his chapter “Corporate human rights obligations under specific socio-economic rights”, in which he writes that water contributes significantly to the quality of life. He is absolutely right in this respect and thus indirectly points out a problem immediately. Unicef and the WHO estimate that more than 600 million people in the world still have no access to clean drinking water. Although we live in a state of progress, the UN fears that by 2025 only half of the world’s population will have sufficient access to drinking water. Growing population pressure, especially in Asia and Africa, as well as climate change are putting increasing pressure on this resource. Companies are helping to ensure that access to water continues to expand. But natural limitations and the high demand for water ensure that a business is created which also has its negative sides. For example, the ever-increasing privatization of this vital resource increasingly leads to the exclusion of many people. In water-poor regions, springs are tapped and used commercially. This is problematic because the state governments themselves are not in a position to guarantee their citizens a sufficient basic supply of water so that companies have the opportunity to participate in this. Cernic also asks to what extent companies have a duty to respect and protect the right to water. Cernic correctly recognizes that companies have an important influence on access to clean drinking water and addresses this issue. However, it is in the nature of companies that they are profit-oriented. When it is said that access to clean drinking water is a basic need and a human right of every human being, is it right to trade with it? At the same time,

the problem is that the increasingly growing economy and lack of regulation in developing countries, which is precisely why they are so attractive to companies, contribute to enormous water pollution. Which additionally contributes to the water shortage. Thus, products indirectly cause great damage to natural drinking water reservoirs, which means that the regional population’s access to drinking water disappears. Much of the water pollution comes from agriculture, which contaminates the groundwater with pesticides and fertilizers. Likewise, the ever-increasing masses of garbage pollutes the seas and groundwater. Rainwater seeps through the mountains of garbage and contaminates the groundwater. A problem is however also the large waste of water. It clearly shows how unequally the resource is distributed in the world. Not only companies, but also private individuals contribute significantly to this. Here, too, agriculture plays an important role because it is very water-intensive. Cernic notes that companies play an important role in water use in the world. Both as users and as suppliers. It is therefore clear that companies have a certain responsibility. The only question is, like Cernic said, to what extent they have a positive obligation.



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