

Water Environmental Governance in Asia-Pacific: Understanding the Policy Implications and Lessons of the Global Environmental Governance Process

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Abstract

Despite the many new forms of institutions and global declarations on environmental issues over the past 35 years, there has been growing disillusionment over the progress made on improving the governance of water and other environmental issues. This raises two important questions that will be addressed in this paper. First, why has there been such limited progress on water environmental governance in the Asia-Pacific region? Second, what if any can be done to improve the scope and outlook for Asian water environmental governance? In exploring these two questions, the paper will ask what important policy implications and lessons the Asia-Pacific region can draw from the existing global environmental governance process.

Introduction

The year 2007 marks the anniversary of many institutional milestones in global environmental governance. This year marks the 10th anniversary of negotiations that produced the Kyoto Protocol on climate change, the 15th anniversary of the 1992 United Nations Conference on Environment and Development (UNCED), as well as the 35th anniversary of the 1972 United Nations Conference on Human Development. While there have been many new forms of institutions and global declarations on environmental issues, there has also been a growing disillusionment over the progress made on improving the state of global environmental governance.

Similarly, in the context of water governance, there has been no shortage of global and regional initiatives in the past two decades on a wide range of water quality, scarcity, and management issues. Chapter 18 of UNCED Agenda 21 initiative focused on various water governance issues, while the 1992 Dublin principles highlighted the importance of integrated water resource management. 2002 Johannesburg Summit Action Plan requested countries to develop water resource management plan by 2005, while the 2003 Third World Water Forum provided important regional focus on Asian water quality, scarcity, and management issues.

Like the halting progress made on the level of global environmental governance, there has been at best limited gains made on improving the state of water environmental governance in the Asia-Pacific region. This raises two important questions that will be addressed in this paper: first, why has there been limited progress on improving water environmental governance in the Asia-Pacific region and second, what if any can be done to improve the scope and outlook for Asian water environmental governance. In exploring these two questions, the paper will ask what important lessons the Asia-Pacific region derive from the experiences of global environmental governance process.

Accounting for the limited progress on Asian water environmental governance

The clarion call for the can-do optimism of enlightened global environmental self-interest can be best seen in *Our Common Future*, the 1987 report of the World Commission on Sustainable Development (WCED). Chaired by former Prime Minister and now a special U.N. representative for climate change, Gro Harlem Brundtland of Norway, the WCED sketched a vision of sustainability as economic development; a world in which Southern governments implemented policy reforms with the help of Northern funding and technology transfer; and international cooperation around a shared global vision of the future which would break the logjam of perceived conflicts among national interests.

Unfortunately, these premises can only be described today as wildly optimistic, particularly when it comes to the role of the state in promoting sustainable development of water and other natural resources. To better understand the limited progress made on improving water environmental governance in the Asia-Pacific region, it is critically important to understand the mistaken assumptions of the post-1987 WCED global environmental governance process.

The first flawed premise of the global environmental governance process can be traced to the failure to understand the underlying dynamics of industrial development, technological change, and economic globalization. The current global environmental governance process (e.g. Earth/Rio Summit, Johannesburg Summit, etc.) vastly underestimated the dynamics and significance of economic globalization. An important reason why the contemporary institutions of environmental governance are not working well in terms of sustainability lies in the practice of environmental politics being subjected to market disciplines and market-based solutions. This visible global trend of 'marketizing' environmental policy and dilemmas explains in part the near hegemonic acceptance of market-based solutions before assessing the implications for environmental policy effectiveness (Newell 2008).

The second flawed premise stems from the failure to adequately conceptualize the scope and scale of water-related environmental policy dilemmas. UNCED and its follow up global environmental forums (e.g. Johannesburg Summit) organized around a very limited conception of the transnational character of environmental problems, neatly parsing international environmental challenges into two categories. Those with physically apparent border-crossing dimensions (e.g. transboundary pollutant flows and shared international commons) are understood as appropriate subjects of interstate treaty making. In contrast, the physically localized problems that dominate, for instance, the 1992 Agenda 21 - involving soils, watersheds, coastlines, wetlands, forests, agro-ecological systems, and urban settlements - are understood to be the primary responsibility of national governments.

We may think of water and other ecological resources as physically localized and thus, in the global environmental governance framework, as "domestic" or "national" matters. However, rarely are water and many other natural resource concerns are "local" matters in a world marked by massive, rapid, and growing flows of people, goods, money, ideas, images, and technology across increasingly porous borders. These flows produce a dense, socially constructed web that can transmit the causes and effects of seemingly localized environmental problems from one place to another just as surely as a river or a gust of wind might carry them (Conca 2006).

The third important problem with the existing global environmental governance approach has been its excessively state-centered vision of environmental policy change and implementation.

Instead of asking which stakeholder or a partnership (public-private, non-profit-business, or some other version) is likely to address the critical issue of improving the scope and pace of environmental governance in an era of globalizing political economy, the current approach has taken an overly state-centric approach.

For instance, the 1987 Brundtland report includes an appendix setting out 23 core principles for environmental protection and sustainable development. After an initial principle defining the individual's right to a sound environment, the remaining twenty-two principles each begin with the words "states shall...." The problem with the notion that "states shall..." is that states typically can't, even if they would, which they often won't. Frequently, the state lacks the uncontested authority to control local access to and uses of water and other ecological resources.

Improving Asian water environmental governance in an era of global marketization

If the path from Stockholm to Johannesburg defined by the U.N. and other virtuous global governance actors do not offer a roadmap for water environmental governance in the Asia-Pacific region, what can? In particular, what institutional mechanisms and governing arrangements are consistent with the challenges of sustainability in a rapidly changing regional (particularly in the case of the Asia-Pacific region) and global political economy? In terms of water environmental governance in the Asia-Pacific region, three important lessons can be derived from the experiences of the global environmental governance process.

The first important lesson is that the role of civil society in environmental governance is still underdeveloped and more importantly, underappreciated. Instead of presuming that the state is the authoritative unit of distributive justice and political voice, much more serious forms of civil society engagement, political participation, and articulation of what people really want and need are urgently required.

Rather than marginalizing civil society's voice via perfunctory "stakeholder consultations", the idea of far more active, indeed activist, forms of participation will have to be taken seriously. This raises questions about the entire policy cycle (from formulation to implementation and evaluation), about the multiple levels at which participation must take place (local, regional, national, supra-national, global), and about the constituted groups of actors beyond conventional entities such as political parties or "NGOs."

The second important lesson has to do with what one American scholar refers to as "water marketization". Broader than just water privatization or public-private partnership, water marketization refers to a broader set of linked transformations related to prices, property rights, and the boundary between the public and private spheres. Norms and practices of water marketization have profound implications for the way rivers, watersheds, freshwater ecosystems, and municipal water systems is likely to be governed in the Asia-Pacific region (Conca 2006).

In the case of water governance, the scope and involvement of the private sector is particularly problematic in the Asia-Pacific region due to the huge investments that have to be made in many countries in this region. If the private sector is expected to finance all or part of the roughly US\$80 billion that have to be made in annual water infrastructure investments (Mehta and Canal 2004), will the expected return on investment (the only way a business

would even make the investment in the first place) consistent with ensuring that water will be “fairly” priced for all Asian residents, poor and rich alike? How can Asian governments and civil society groups ensure that water equity considerations are properly balanced with the business goals of economic efficiency, financial viability, and return on investment?

The third important lesson has to do with designing and developing the appropriate institutional architecture to address water environmental issues. The current global environmental governance approach proved to be particularly weak on this, as it was believed (falsely) that one could shift local environmental problems to a higher regional/global level, while applying a traditional nation-state approach. Instead of limiting ourselves to sovereign interstate diplomacy and ad-hoc institutional arrangements, effective multi-level and cross-cutting institutional arrangements for environmental sustainability must be designed, developed, and maintained.

In the case of water quality, scarcity, and management issues, this means asking some fundamental questions about the core functions of water environmental governance. Who are the agents (public, civil society, private, public-private partnership, and so on) best suited to address or implement water environmental governance solutions? At what levels of geographical/scale aggregation - ranging from the local to national /regional and to the global - are these functions of water environmental governance most effectively performed?

There have been some interesting examples of multi-level governance models in the form of the Global Reporting Initiative, the Global Compact, and the World Commission on Dams and we need to better reflect on the types of regional institutional arrangements can best implement long-term water environmental governance solutions in the Asia-Pacific region.

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