

MAUDE BARLOW: READ ME MY ENVIRONMENTAL RIGHTS¹

Madeline Ostrander©

In most legal systems, you have a right to freedom of speech or religion, but you don't have a right to breathe clean air or drink safe water. Maude Barlow—author, activist, and former senior advisor on water to the United Nations—believes that those rights should be recognized. This past summer, she helped engineer a landmark victory: The U.N. formally adopted a resolution recognizing the human right to water (though the United States abstained).

Now, Barlow is part of an international movement—of governments, scientists, and activists—working to bring a focus on environmental rights to the ongoing United Nations climate negotiations. This week, she is attending the United Nations climate meeting in Cancún, Mexico. The negotiations are thus far getting scant press attention, but thousands of people from all over the world are turning out in Cancún to voice their political views and hold alternative meetings and demonstrations outside the U.N. conference. Early this week, the international grassroots organization La Via Campesina led Barlow and hundreds of other grassroots leaders on a tour across the Mexican countryside to witness how climate change is already affecting rural communities. The tours converged in Mexico City where a few thousand people held a march to the Zócalo, the city's central plaza.

Activists in Cancún and Mexico City are rallying behind the idea of environmental rights. Many support a document called the “People's Agreement on Climate Change,” which includes a “Universal Declaration of the Rights of Mother Earth.” It's an idealistic name for a proposal that would sound either visionary or improbable, or both—if not for the fact that the declaration represents the work of representatives from 56 countries and of tens of thousands of people who attended a climate conference in Cochabamba, Bolivia, last April. The document declares that everybody has rights to basics like clean water and clean air, but it also says something even more extraordinary: that the planet's ecosystems themselves have rights.

It's unlikely that the Cochabamba proposals will end up in any formal agreements or negotiating documents to emerge from Cancún. But the idea of environmental rights is taking hold. In September 2008, Ecuador formally recognized the rights of nature in its new constitution. In the United States, a handful of local governments have passed resolutions recognizing that nature has rights, including, recently, the city of Pittsburgh.

Maude Barlow spoke with me on the phone from Cancún about how the concept of environmental rights might influence climate negotiations.

Madeline Ostrander: You worked hard on promoting the notion that we have a basic human right to water. What happens when we start talking about other environmental issues in terms of human rights?

Maude Barlow: There's no such thing as human rights if we don't protect the Earth that gives us life and if we don't start having respect for other species and for air and water and soil. The

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first face of climate change is the water crisis. People are feeling the water crisis desperately now, in community after community.

Take water, for example, because it's dear to my heart. We've seen water as a resource for our convenience, pleasure, and profit. So, we do whatever we want with it, thinking it's in unlimited supply. We dump poisons into it. We move it from where it is needed for the functioning of healthy hydrologic cycles to where we want it. We dump it into the ocean as waste. We have this worldview that water, air, and ecosystems are merely here to serve us. That has simply got to end—that notion that that's why the Earth has been put here. There's a new, deep humility that's required of humanity if we're going to change the tide.

Ostrander: How has the U.N. resolution that recognizes the right to water helped the environmental movement internationally?

Barlow: The point to the right to water declaration was to link human rights to the Earth. People keep saying, “Well, did anything change the next day for people without water?” And I say, “Yeah, actually.” I don't mean literally that someone who didn't have water one day got it the next, but now we have a tool. We now have a binding resolution from the U.N. General Assembly that says that drinking water and sanitation are a fundamental human right. It's a clear, clean statement. It says to governments that you cannot use the water primarily as an economic resource. You now have to see it as a fundamental human right, and your priorities must be to serve the most vulnerable people. We're going to use it as a tool in Canada because our First Nations communities still don't have decent drinking water. Our federal government has abdicated its responsibility to those communities.

Ostrander: Why are the statements about the rights of Earth that emerged from the Cochabamba Agreement so important?

Barlow: The Cochabamba People's Agreement is rooted in the notion of social and climate justice, and it questions the whole concept of growth, unregulated trade, and market capitalism. It says, yes, of course, there's a place for the economy and trade, but they must serve humanity and communities. It rejects climate offsets very clearly. It talks about the injustice of the Global North to the Global South—that the countries that are feeling the worst impact are the ones that have done the least [to contribute to climate change]. It's based on the notion of human rights and justice and the rights of nature. I don't think it's radical at all in terms of what the world needs, but it's radical compared to the Copenhagen Accord.

My biggest hope is that this movement of ours is getting stronger and stronger and that we're being listened to. We have had a number of wins in a number of countries recently and there's a movement, for instance, from some of the Latin American countries that have endorsed this notion of the rights of nature. I think the most important thing about the Agreement is that, at its core, it says we can't continue with the current policies that dominate, for instance, the G20. On one hand, our governments are saying that they care about the climate and the environment, and then on the other hand, they are promoting international trade and policy agendas that are just devastating to the world. The Cochabamba Agreement says that it's not possible to either cut greenhouse gas emissions or deal with any other crises that are facing humanity and the Earth without challenging the system. That's the motto of our movement: Change the system, not the climate.

Madeline Ostrander: Do you still hope that the Cochabamba statement on the rights of Earth will have an influence on climate negotiations?

Maude Barlow: I think it will, but probably not here. The powerful governments, the Western governments, have decided to put a damper on expectations for this round of negotiations in Cancún. And most of them don't have any intention of honoring very deep commitments. I certainly know Canada doesn't, I don't think the U.S. or Japan does. That doesn't mean the Cochabamba Accord doesn't matter. The difference between this year and last is that our movement is getting stronger. They expected something like 7,000 to 8,000 people to attend the conference in Bolivia, and 30,000 of us descended on Cochabamba. It was really a wonderful and important gathering. While it may not produce results at the Cancún summit, I think the Cochabamba Accord is the guiding principle for our movement.

Ostrander: What is it your best hope for the Cancún negotiations?

Barlow: My best hope is not that they come out with a deal; it's that they don't come out with a bad deal. The whole issue of forest restoration—that is a wonderful concept in theory, but the way it's being actualized is really dangerous. It's being used as an offset. You can legally offset your pollution by planting a monoculture forest somewhere that's going to be cut down in 10 years. That offset will allow you to continue bad practices. I'm worried that they are going to make progress on things that do not fundamentally change or challenge the current system. And then they'll say, "Look how far we've come." When, in fact, it will be steps in the wrong direction. That is my biggest fear.

My biggest hope is that this movement of ours is getting stronger and stronger and that we're being listened to. We have had a number of wins in a number of countries recently and there's a movement, for instance, from some of the Latin American countries that have endorsed this notion of the rights of nature. That's not a case of giving up on the U.N. process. I want to be really clear that I think it's the only legitimate process we have. It takes forever. Democracy is slow and plodding and can drive you crazy. But it's the only international process that isn't, yet, driven by corporations. We're really worried that the big countries will say, "We're going to turn [the negotiations] over to the G20." I think that would be a disaster. It would leave the countries that are suffering the most without restitution.

Ostrander: You've just spent the last few days traveling with activists across the Mexican countryside. How do you think the Mexican perspective might influence the climate movement or the negotiations?

Barlow: Well, I have long wanted the water movement and the climate movement to get together because I think they should be the same movement. The tours [led by La Via Campesina] brought members of the international community and Mexicans into local villages and towns throughout Mexico to learn about what's happening on the ground. The idea was, you're really not going to know this in your head; you're going to know it in your heart. We came into communities, and we saw the actual reality of people's lives.

Everybody kept hearing about water. The first face of climate change is the water crisis. People are feeling the water crisis desperately now, in community after community. Maybe a Canadian gold mine has dumped cyanide into the water, and it's poisoned. Maybe a big hydroelectric dam paid for by the World Bank has cut off an entire river. People start to put it together—their own crisis, the fact that they can't grow food any more in their local community, the fact that somehow they have to find the money for bottled water because their kids should not be drinking the local water, the fact that they've lost their local water rights and the best water is

being guaranteed to corporations or tourism. This isn't a kind of esoteric thing anymore. This is suddenly real, this understanding of how climate connects to the water crisis and to corporate control.

Ostrander: And the tours ended in a demonstration in Mexico City?

Barlow: The demonstration was wonderful, it was peaceful, it was joyous. It ended with a declaration of solidarity with all of the international and domestic people there. Very exciting, very moving, and I think you are going to see a most exciting set of meetings here, and protests, and life coming off the ground here in Cancún.