



Access to Water in Lebanon

1 - Introduction

“Water is a basic human right and is fundamental to human dignity... Today, three in ten of the world’s people have no access to safe drinking water. Six in ten lack safely managed sanitation services. If people cannot enjoy their right to water, they cannot enjoy their right to life.”

*Michelle Bachelet, UN High Commissioner for Human Rights,
19 March 2019, Statement at World Water Day: “Leave No One Behind”*

In the above-stated quote, Michelle Bachelet, on behalf of the United Nations, highlights the basic need for human accomplishment and emphasizes the global responsibility to provide individuals with such resources. In the Middle East, 75 percent of the population is said to live with less than 1000 m³ of water a year (Sidaoui 2017: 6). Despite the challenges faced in reality, there is a mainstream and universal consensus on the necessity and importance of water for all (ibid: 10). The United Nations and the World Water Council, for instance, recognize water as a key primary natural resource and as primordial to economic and social development (United Nations 2015). Nonetheless, in line with neoliberal ideals of development, water resources have increasingly been commodified (Sidaoui 2017: 13). In fact, corporate actors have pushed for the privatization of water resources, as this is said to accelerate the process of reaching global sustainable development goals (ibid: 11). Scholars, however, have criticized the push for neoliberal expansion with regards to water, as it may further marginalize those who already struggle to obtain water (ibid). The pressure on water resources in the world has been attributed to multiple causes, including, but not limited to, rapid urban growth, pollution, variable consumption rates, and growing demands, and climate change (ibid: 13). In the case of Lebanon, the country struggles to equally



provide its entire population with safe drinking water despite a number of national and international accords on the human right to water. In fact, despite a legal and moral consensus on the human right to water, almost one-fourth of the Lebanese population lives without proper access to public water systems and infrastructure (El Fadel and al. 200: 357). This is especially the case for overpopulated, and sub-urban areas where public infrastructure is particularly neglected and saturated. This leads us to question the drivers of Lebanon's challenged water system and reflect on potential solutions. Is water distributed according to national and international law? This paper will rely on secondary data to observe how Lebanon struggles to address the question of water. These questions are especially relevant given the health risks involved with the lack of quantity or quality of drinking water, potentially leading to infections, disease, or even death.

2 - Domestic and International Context

Lebanon is a middle-income state with an established urban population, and water resources are coordinated around formal and informal water management infrastructure (WHO, UNICEF 2016: 9). Since the start of the twenty-first century, the responsibility for water has been given to the *Ministry of Energy and Water* (MoEW), the four public *Water Establishments* (WE's), and the *Council for Development and Reconstruction* (CDR). However, these entities struggle to provide stable water resources to the entire Lebanese population (ibid). In fact, Lebanese water laws are based on French and Ottoman civil laws, along with codified and customary sharia-based laws (Gharios and al. 2020: 1). Article 2 of Law 77 of Lebanese law stipulates that all individuals have the right to water for their needs, as it provides the standard for a decent life. Nonetheless, Lebanese national law provides a limited framework to the definition of access to water as a human right, nor does it define the conditions of access. On the international level, Lebanon has ratified a number of international agreements on human rights and the access to water. Resolution 64/292 was adopted by the United Nations



General Assembly on July 28th, 2010, and provides a broad framework for access to water (United Nations 2014). This resolution acknowledges the human right to water and sanitation and understands access to water as a stepping stone to other human rights. In line with this conviction, states and non-state actors are asked to *“provide financial resources, help capacity-building and technology transfer to help countries, in particular developing countries, to provide safe, clean, accessible and affordable drinking water and sanitation for all”* (ibid). In practice, the resolution relies on five key principles established by the UN, namely: sufficient (50-100 liters/per person), safe, acceptable, physically accessible (1 000 meters away from home or 30 minutes), and affordable (less than three percent of income). Moreover, Lebanon has ratified international conventions such as the Office of the United Nations High Commissioner for Human Rights (ICESR), the International Covenant on Civil and Political Rights (ICCPR), and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). These legally binding conventions aim to provide individuals with a standard of human decency and access to human rights. In addition, Lebanon has also adhered to soft law declarations such as Agenda 21 and the United Nation’s Millennium Declaration (Makdisi 2007: 374).

3 - How and why does Lebanon have unequally distributed water?

Access to water in Lebanon is largely unequal, and despite sufficient resources, distribution management remains a key issue (Makdisi 2007: 170). Main issues surrounding water management in Lebanon include irregular annual rainfall, complex geographical dispositions, conflicts between urban and rural needs for water, lack of waste and sewage systems, and lack of data for further research (El Fadel and al. 200: 373). Alongside these challenges, an important part of Lebanon’s public infrastructure was destroyed during the 2006 war with Israel, and the post-war context has not allowed for successful capacity-building. Unequal rainfall and complex geographical dispositions



have made the distribution of water throughout the country. The conflict between rural and urban needs for water has also undermined the country's ability to distribute water evenly across various terrains, and processing water resources has been a challenge given the shortage of electricity. Increasing urban populations have put pressure on existing water management systems, and over 22 percent of the population is not connected to public water systems, which has paved the way for the informal sector (El Fadel and al. 200: 357). In Tripoli, for example, a city to the North of Lebanon that houses over half a million people and a large part of the refugee population, has increased its demand for water by seven percent (Sidaoui 2017: 51). Only 100,000 Tripoli residents are officially registered to the national water network, which raises questions not only about access to water but also about its distribution and the underground networks providing for the lack of public water (ibid). Informal water vendors have partially filled the gaps of public water supply, which has created a new demand for underground sources of water. The development of an informal economy leaves room for consequent sanitary issues and health concerns, given the uncertainty of its provenance. From a sanitary perspective, surveys conducted by the WHO and UNICEF in 2016 show that while water is relatively accessible in the country despite its inequality, it is not always safe to drink (WHO, UNICEF 2016: 46). Specifically, piped supply, tanker water, and protected wells are more poorly managed than bottled water (ibid). Up to 70 percent of the countries' natural water sources are contaminated by potentially dangerous bacteria. The sanitary concerns brought up by inadequate water supplies adds another dimension to the discussion about unequal access to water, and poses another humanitarian threat to the health and safety of particularly vulnerable social groups. Moreover, in Lebanon, the difference between natives and refugees in terms of access to water is more significant than in neighboring states, such as Jordan (Jemmali 2020: 13). As the Syrian crisis is expected to deepen, the number of refugees and their access to water in Lebanon is



expected to worsen in parallel (ibid: 14). In parallel, the ongoing social and economic crisis has further limited the resources of those living in Lebanon, which undermines the safe and consistent access to water for low-income groups and those who are most affected by the crisis.

4 - Recommendations

In light of the challenges discussed above, the CLDH suggests multiple policy recommendations related to the management of water in Lebanon.

The Lebanese government has the legal obligation to provide all individuals with access to water resources, regardless of income, legal status, or personal characteristics. Primarily, raising awareness about the importance of access to water as a fundamental human right is the first step to recognize its relevance. In fact, this issue has been under-discussed and drawing attention to water inequality and scarcity would draw political and associative attention. The presence of the issue on the political stage will also allow for broader recognition of its intersectional nature. Other social injustices and inequalities in the country have an impact on individual access to water resources. Access to water, along with other vectors of inequality, are interconnected and interdependent. Addressing poverty and state capacity-building would consequently positively affect the access and distribution of resources on the national level. Moreover, exposing the dangers of privatization of natural resources is another important step to recognize water as a human right in theory and practice. While it could accelerate the process of modernization and optimization of infrastructure, opening the water sector and its management to corporate actors would jeopardize the conceptual understanding of water as a human right. Processes of commodification entail deepening inequalities and this could be catastrophic from a humanitarian perspective, as it would further limit access to resources for low-income households. From a policy perspective, the Lebanese



government should adopt a people-centered approach to decision making, and encourage a consultative policy-building process.

As for global and domestic donors, the CLDH calls for greater transparency regarding the funding of local and international projects. Moreover, international actors have an advocacy role in promoting inclusive policies and laws on the national level. Lastly, actors within civil society organizations could establish an alliance to advocate for the creation of a nationwide workshop targeting the issue and come up with a joint advocacy plan, between state and non-state actors.

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