



REPUBLIC OF SLOVENIA
MINISTRY OF FOREIGN
AND EUROPEAN AFFAIRS



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra



Ministry for Foreign
Affairs of Finland



UN Water Conference Side Event

Sparing water systems in armed conflicts

Wednesday, 22nd March, 11:00-12:15, UNHQ (room 6)

Member States: Togo, Slovenia, Finland, Switzerland

Organizations: Geneva Water Hub, ICRC, UNICEF

Translation in English and French available

Link to the UN Web TV:

<https://media.un.org/en/asset/k1k/k1kd0cludk>

Context

A report released in 2017 revealed that nearly 180 million people are affected by the destruction, damage, and misuse of water systems,¹ with the number expected to increase by 2023. In fragile and conflict-affected areas, 210 million children, mainly residing in urban areas, do not have access to safe drinking water.² Attacks on water systems deprive people of adequate drinking water and increase the risk of public health hazards. The interconnected nature of systems means that the impacts of such attacks go beyond the target and affect other connected systems, including power supply, health facilities, education, and the economy.³ The persistent negative consequences of these attacks leave too many people behind, with devastating effects, particularly for those who continue to suffer from waterborne diseases such as cholera and diarrhea. These impacts highlight the urgent need for action.

Water systems benefit from legal protection during armed conflicts. As noted in the Expert Opinion submitted by Finland in preparation for the 2023 Conference for the Midterm Comprehensive Review of Implementation of the UN Decade for Action on Water and Sanitation (2018-2028) (hereinafter 2023 UN Water Conference), a number of international law rules and principles directly or indirectly protect water systems. In situations of armed conflict, international humanitarian law (IHL) offers critical legal protection.⁴ In principle, parties to an armed conflict must not attack, destroy, remove or render useless the objects indispensable for the survival of the

¹ See World Health Organization (WHO) and the United Nations Children's Fund (UNICEF), *Progress on Drinking Water, Sanitation and Hygiene: 2017 Update and SDG Baselines*, Geneva, 2017, p.42, 'the JMP estimates that in 2015, 466 million people lived in fragile situations. In 2015, 284 million did not use basic sanitation, and 177 million lacked basic drinking water.'

² UNICEF, *Water Under Fire Volume 1: Emergencies, development and peace in fragile and conflict-affected contexts*, New York, 2019, p.v.

³ ICRC, *Urban services during protracted armed conflict. A call for a better approach to assisting affected people*, Geneva, 2015, pp.28-29.

⁴ UNICEF, *Water under Fire Volume 3: Attacks on water and sanitation in armed conflict and the impacts on children*, New York, 2021, pp.7-14.

civilian population, these include drinking water installations and supplies and irrigation works.⁵ Installations containing dangerous forces such as dams and dykes are also protected under IHL.⁶ Attacks, using a means or method of warfare which is intended or may be expected to cause widespread, long-term and severe damage to the natural environment, are also prohibited.⁷

General objective of the event

The main objective of the event is to promote and support the adoption of commitments on the protection of water systems during armed conflicts by states at the 2023 UN Water Conference.

The UN Water Conference offers a unique opportunity to include in the Water Action Agenda commitments by states to protect the civilian population against the reverberating impacts of attacks or damage to water systems caused by military operations. In 1977, the Mar del Plata Action Plan only included a resolution on water policies in occupied territories.⁸ This was before the consolidation of the rules of international law on the protection of water systems from armed conflicts. The 2023 UN Water Conference must take stock of the impacts of past and current armed conflicts on water systems and their reverberating impacts on the civilian population and recommend states to take concrete measures to reduce the civilian harm.

There are signs at the international level of an increasing knowledge on the need to protect water systems from armed conflicts. Under Resolution 2573 (2021), unanimously adopted by the 15 UN Security Council (UNSC) member states, the Security Council details the impacts of armed conflict on critical civilian infrastructure and calls for strengthening the protection of such infrastructure. The resolution reiterates the core principles of protection, as afforded by IHL for civilians and civilian object during the conduct of hostilities. It explicitly condemns ‘indiscriminate or disproportionate attacks, resulting in the deprivation of the civilian population of objects indispensable to their survival’ and demands that “all parties to armed conflict immediately put an end to such practices”. States are also taking some initiatives to further strengthen their commitments, e.g., the ‘Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas’.⁹ The Declaration aspiring to strengthening the protection of civilians, recognizes interconnectedness of critical civilian infrastructure, including water systems, and the devastating consequences arising from the use of explosive weapons in populated areas. Moreover, the International Law Commission’s Principles on the Protection of the Environment in relation to Armed Conflicts (ILC’s PERAC Principles) are relevant for the protection of water resources as

⁵ See [Article 54 \(2\)](#) of the 1977 First Additional Protocol to the 1949 Geneva Conventions; and [Article 14](#) of the 1977 Second Additional Protocol to the 1949 Geneva Conventions. See also, the Geneva List of Principles on the Protection of Water Infrastructure (GLP), [Principle 12](#): Starvation and water infrastructure indispensable to the survival of the civilian population.

⁶ [Article 56](#) of the 1977 First Additional Protocol to the 1949 Geneva Conventions; and [Article 15](#) of the 1977 Second Additional Protocol to the 1949 Geneva Conventions. See also, GLP, [Principle 13](#): Water infrastructure containing dangerous forces.

⁷ [Articles 35 \(3\)](#) and [Article 55](#) of the 1977 First Additional Protocol to the 1949 Geneva Conventions. See also, GLP, [Principle 15](#): Protection of the environment.

⁸ See Report of the United Nations Water Conference, Mar del Plata, 1977, *Resolution X: Water policies in the occupied territories*, pp. 80-81.

⁹ See [Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas](#).



REPUBLIC OF SLOVENIA
MINISTRY OF FOREIGN
AND EUROPEAN AFFAIRS



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra



Ministry for Foreign
Affairs of Finland



part of the environment.¹⁰ Water, as part of the environment, benefits from the PERAC principles, including from the designation of areas of environmental or cultural importance.¹¹

Given this context, the specific aims of the event include:

- To raise awareness on the impacts of attacks or damages to water systems;
- To emphasize the extent and types of impacts that attacks on water systems can have on the civilian population;
- To remind the merits of the existing legal, operational and policy responses;
- To identify ways to advance the protection of water systems;
- To discuss the need for the creation of an alliance of states and interested stakeholders to ensure better protection of water systems during armed conflicts.

¹⁰ ILC, Draft Principles on the Protection of the Environment in relation to Armed Conflicts, with commentaries, [UN Doc. A/77/10](#), 2022, para.59.

¹¹ ILC, Draft principles on protection of the environment in relation to armed conflict, *Yearbook of the International Law Commission*, 2022, vol. II, Part Two, [Principle 4](#).

Programme

Welcome and Introductory Remarks

- Mr. Affo Bôni Adjama – Director of the Cabinet of the Ministry of Water and Hydraulic of the Republic of Togo.
- H.E. Ms. Tanja Fajon – Minister of Foreign and European Affairs of the Republic of Slovenia.

Moderator

- Ms. Laurence Boisson de Chazournes – Professor, Faculty of Law, University of Geneva; Professor, Chair “Avenir commun durable”, Collège de France; Former member of the Global High-Level Panel on Water and Peace.

Roundtable discussion

- H.E. Ambassador Marja Lehto – Senior Expert at the Ministry for Foreign Affairs of the Republic of Finland and Former Special Rapporteur of the International Law Commission for the topic ‘Protection of the environment in relation to armed conflicts’ (online).
- Mr. Simon Zbinden – Head of Global Programme Water, Agency for Development and Cooperation (SDC), Federal Department of Foreign Affairs of the Swiss Confederation.
- Mr. Guillaume Pierrehumbert – Head of Water and Habitat Unit, International Committee of the Red Cross (ICRC).
- Mr. Manuel Fontaine – Director of Emergency Programmes Division, UNICEF.
- Mr. René Bayili – Trainer of the National Academy for Youth of Burkina Faso and President of National Youth Parliament for Water of Burkina Faso.

Dialogue with the public

Concluding remarks