

Water boards in Honduras advocate for the Right to Water

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In 2013, Honduras incorporated the right to water in the national constitution. This is a promising step on paper, yet its implementation and enforcement in practice is weak. People's access to safe water, so vital for their livelihoods, is increasingly and severely under pressure. Both ENDS partner ARCA and local partners have successfully empowered local water boards to advocate for the enforcement of their legal right to water.

THE CHALLENGE: INFRINGEMENTS ON THE RIGHT TO WATER

Since the military coup of 2009, there have been increasingly harsh conflicts in Honduras over access to and distribution of water. The government has made investments in mining, forestry, agribusiness and hydroelectric dams a national priority. Licenses and concessions are generously, and often illegally, issued to powerful businesses. The rapid expansion of extractive industries and agro-commodity production implies a run on natural resources, not least water. Local communities tend to be shut out of access to sufficient and safe water sources, while the right to water of local farmers and fishermen, whose livelihoods depend on this resource, is directly infringed upon by these developments. This reality stands in stark contrast to the fact that in 2013, Honduras incorporated the right to clean and safe water, recognised as a basic human right by all UN member states in 2010, in the national constitution. This means that the right to water is enforceable at national level and that anyone whose right to water is violated can seek legal remedy. But this is merely the situation on paper as enforcement in practice is lagging far behind.



THE APPROACH: EMPOWERING LOCAL WATER BOARDS

Similar to other countries in Central America, Honduras has long known a local system of water boards, which enables local communities to become involved and influence decisions regarding water management. However, this unique system which draws on the country's ancient communal systems of participatory water governance, has come under enormous pressure since the current regime took power. Mechanisms for social participation have been curtailed. People have no say in environmental decision-making and there are very few avenues to challenge decisions that violate their rights or harm ecosystems.

Both ENDS and its partner organisation ARCA take a strong stance against the unequal allocation of scarce water resources in Honduras. Inspired by the vision of achieving water security for all, ARCA supports Honduran water boards to advocate for policies that protect natural resources and ensure the human right to water. ARCA has trained the participating water boards in designing strategic plans for proposing and negotiating policies and claiming their rights. Participants have been capacitated to make

in-depth problem analyses and get a solid understanding of the institutional and legal frameworks that relate to water governance. Through power mapping exercises they have analysed where decisions are taken and who pulls the strings. With the support of ARCA, the water committees enhanced their claim-making power and their ability to participate meaningfully in decision-making processes.

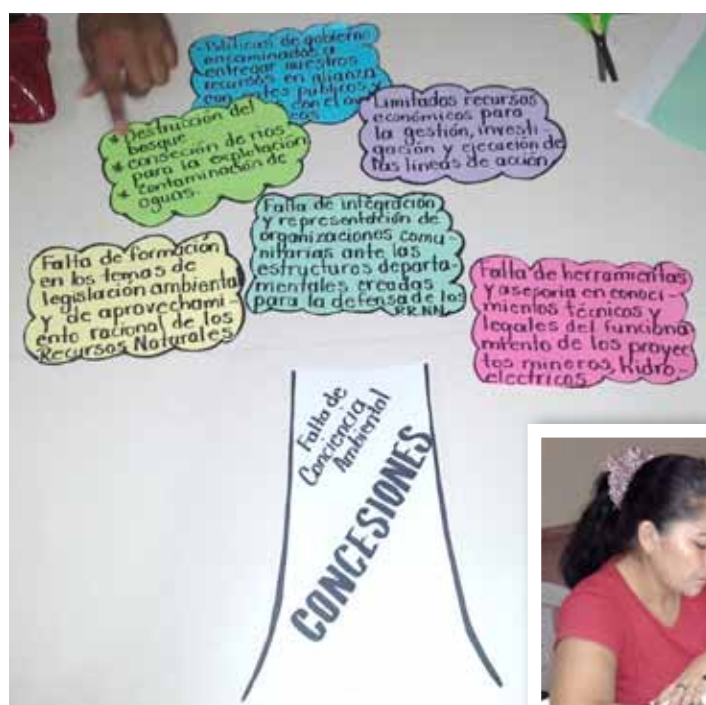
THE RESULT: NEW AND PROGRESSIVE LOCAL LEGISLATION

In the region Atlántida, where hydroelectric power stations and a heavily polluting mining industry threaten the water supply to some 40,000 people, an association of water committees designed a strategic plan for better governance and usage of land and water resources. The association presented the plan, which is based on already existing land and water legislation, to local authorities as well as representatives of the Ministry of Environment. With support from ARCA, they organised roundtable talks with authorities and communities. In 2014, after several months of negotiations, two municipalities (El Porvenir and San Francisco) accepted the plan and incorporated it into local legislation. This new legislation stipulates that water usage for human consumption has priority over other (commercial) usages and that micro-stream and micro-basin areas in the region are to be registered as protected areas and be treated accordingly. Another concrete result is that the municipality of La Masica established mining-free zones to prevent water pollution of the main river. Experience from this project shows that especially in

countries with weak legal institutions and repressive governments, political space for negotiation and planning on livelihood development is most likely found at local level. Local governments are familiar with the issues and realities of the communities and therefore more inclined to work with and for them. Involving local governments while at the same time strengthening the capacities of local communities is a powerful strategy to achieve tangible results. As part of this project, an Advocacy Strategy Planning Handbook was written to support the efforts of the local communities.

THE WAY FORWARD

Water boards in several municipalities in Honduras have been mobilised and strengthened. They managed to build relationships with local governments and can now use the local law to enforce their right to water. However, it remains to be seen to what extent new legislation will be lived up to in practice. The national government of Honduras is supposed to respect local regulations, but corruption is rife and pressure from the private sector to ignore local regulations is strong. ARCA will support the local water boards in monitoring this situation. Meanwhile, awareness raising and capacity building of civil society and local communities will continue. The potential benefits of a human rights framework and progressive policies will only materialise when a strong civil society is in place that can hold authorities accountable for the enforcement of people's constitutional and legal rights.



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