**Call for Inputs**

**Too Dirty, Too Little, Too Much: The Global Water Crisis and Human Rights**

“There is simply no way to overstate the water crisis of the planet today.”

Maude Barlow, former senior advisor on water to the President of the
United Nations General Assembly

A global agreement now exists that human rights norms apply to a broad spectrum of environmental issues, including water and sanitation.

The Special Rapporteur on human rights and the environment, Dr. David Boyd, is working to provide additional clarity regarding the substantive rights and obligations that are essential to the enjoyment of a safe, clean, healthy and sustainable environment.

He has submitted reports on clean air, a safe climate, a healthy biosphere, and good practices on the promotion and implementation of the right to a safe, clean, healthy and sustainable environment. He is now preparing a thematic report focusing on human rights and associated obligations related to water pollution, water scarcity and floods. For that purpose, he is seeking inputs on the topic from States and stakeholders through responses to the brief questionnaire below.

Your replies will inform the Special Rapporteur’s analysis and contribute to his report, which will be presented to the Human Rights Council in March 2021.

**Questionnaire**

The Special Rapporteur invites and welcomes your answers to the following questions:

1. **Please provide examples of ways in which water pollution, water scarcity and floods are having adverse impacts on human rights. Adversely affected rights could include, among others, the rights to life, health, water and sanitation, food, culture, livelihoods, non-discrimination, a safe, clean, healthy and sustainable environment, and indigenous peoples’ rights.**

The cultural identities, livelihoods, and prosperity of Indigenous Peoples, Afro-descendants, and local communities who hold resources at the community level (hereinafter referred to as “communities”) depend on their ability to exercise traditional resource governance and stewardship practices that are central to maintaining a delicate social-ecological balance across vast and interconnected ecosystems of lands, forests, wetlands, and freshwater. Because communities steward over half the global land mass, are especially dependent on natural resources, and comprise up to 2.5 billion people, the tremendous ecological disruption and disasters caused by water pollution, water scarcity, and floods represent a major threat to human rights worldwide.

Water-related disasters degrade terrestrial and aquatic ecosystems that communities directly depend on, thus endangering their human rights to survival, self-determination, food security, economic security, health, cultural identity, and religion. Resource scarcity and destruction from water-related disasters also elevates pressure on the world’s remaining healthy and productive ecosystems, which in turn fuels community displacement, violence against environmental defenders, and conflict. Moreover, the tremendous ecosystem functions and services provided by the territories stewarded by communities enable all person’s human rights to life, a safe, clean, healthy and sustainable environment, and all associated entitlements.

Notably, community women and children are disproportionately impacted by water-related disasters. They have specific water, sanitation, and hygiene needs that render their rights to health and education especially dependent on access to sufficient quantities of good quality water. Moreover, as rural women are commonly responsible for obtaining water for household-level domestic and productive uses, water scarcity oftentimes exposes them to violence when they are forced to travel long distances to access clean water.

1. **How has climate change exacerbated water-related problems?**

Climate change-induced pressures exerted on the world’s land and freshwater resources are contributing to worrying levels of water scarcity in some areas, overabundance in others, and overall ecosystem degradation, while also impacting the timing, predictability, and quality of freshwater across scales and geographies. Climate threats make water-related problems more difficult to adapt and respond to. Moreover, they disproportionately harm Indigenous, Afro-descendant, and local communities who could otherwise play a central role in combatting climate change and its many water-related consequences by maintaining critical ecosystems. For example, substantial portions of the world’s forest are legally held or stewarded by communities who are now widely recognized as having the traditional and contemporary knowledge, greatest incentives, and best overall positioning to sustainably manage forest ecosystems, thus contributing to a stable hydrological cycle. Communities’ proven capacity in this regard is crucial because the world’s forest ecosystems provide a number of essential services that mitigate against climate change and associated water-related disasters (i.e., carbon capture; the regulation of both local and distant rainfall patterns; the containment of watersheds that supply three quarters of the word’s freshwater for domestic, agricultural, industrial and ecological needs; and the promotion of natural water filtration and drainage).

1. **To protect a wide range of human rights, what are the specific obligations of States and responsibilities of businesses in terms of addressing water pollution, water scarcity and floods? Please provide specific examples of constitutional provisions, legislation, institutions, regulations, standards, policies and programmes that apply a rights-based approach to preventing, reducing, or eliminating water pollution, water scarcity and floods. Please include, inter alia, any instruments that refer directly to the right to a healthy environment and/or the rights to clean water and adequate sanitation.**

As demonstrated in *Whose Water*, states and businesses bear numerous positive obligations under both international and national laws that, if fulfilled, would contribute to the reduction or prevention of water pollution, water scarcity, and floods:

Nine of 15 analysed countries recognize the **human right to water** per their national constitutions,[[1]](#endnote-1) specific provisions in constitutional bills of rights,[[2]](#endnote-2) constitutional court decisions,[[3]](#endnote-3) or supreme court decisions,[[4]](#endnote-4) thus obliging states to provide, at a minimum, all persons with sufficient, safe, acceptable, accessible, and affordable water for personal and domestic use. Notably, both Colombia and India recognize the human right to water as a necessary component of other constitutionally guaranteed human rights,[[5]](#endnote-5) and Bolivia’s constitution explicitly guarantees the human right to water and sanitation.[[6]](#endnote-6)

Five focus countries[[7]](#endnote-7) have national-level laws explicitly requiring government actors to **prioritize domestic water uses over other types of uses**. Of these countries, Zambia defines prioritized water uses to include both domestic and “non-commercial uses” and Peru extends prioritization to cultural/religious uses.[[8]](#endnote-8) Countries recognizing the human right to water were especially likely to legislatively prioritize domestic water uses (and potentially some livelihood and cultural/religious uses), and such legal provisions provide an important mechanism for the realization of the human right to water by **requiring countries to prioritize the availability and allocation of good quality water for basic human, livelihood, and cultural/religious needs**, and also by strengthening the legal position of local rightsholders seeking to defend their most essential water use rights by preventing water pollution, scarcity, and floods caused by external actors.

All 14 focus countries recognizing community-based freshwater rights are obliged by national-level legal instruments to provide communities and other rightsholders with **due process rights** of: (1) **prior notice and consultation** regarding decisions or proposed actions within the focus country that could impact their freshwater rights; and (2) an opportunity to **judicially appeal** governments’ decisions/actions to extinguish all or some of their freshwater rights. In addition, Panama and Zambia[[9]](#endnote-9) are also parties to agreements guaranteeing downstream water users’ **transboundary due process rights** where decisions in another upstream country could impact their freshwater rights.[[10]](#endnote-10) In addition to transboundary and domestic due process provisions, some national laws explicitly require states and business actors to abide byindigenous and tribal peoples’ specific rights to **free prior and informed consent (FPIC)**.[[11]](#endnote-11)This broad suite of domestic and international instruments, in addition to those outlined under Annex 1 of *Whose Water,* oblige both states and businesses to provide rightsholders with means to learn about, influence, halt, and prevent activities or decisions that may result in water scarcity, pollution, or flooding, and that may devastate ecosystems, cultural/religious practices, and rural livelihoods for generations.

National laws across 9 of 14 countries recognizing community-based freshwater rights also oblige both states and private parties to address water pollution, water scarcity, and floods that they are responsible for by **compensating impacted communities and other rightsholders**. However, such obligations were more limited than those associated with due process rights, with some countries restricting compensation obligations to either private or public parties.[[12]](#endnote-12)

1. If your State is one of the 156 UN Member States that recognizes the right to a safe, clean, healthy an sustainable environment, has this right contributed to preventing, reducing, or eliminating water pollution, water scarcity and floods? If so, how? If not, why not?
2. **Please provide specific examples of good practices in preventing, reducing, or eliminating water pollution, water scarcity and floods. These examples may occur at the international, national, sub-national, or local level. Examples may involve water quality and quantity monitoring; guaranteeing procedural rights (e.g. public access to water quality information, public participation in decision-making about proposed uses of water, access to remedies); water use and water quality legislation, regulations, standards, and policies; and initiatives to reduce water consumption and/or water pollution from specific sectors (e.g. agriculture, electricity generation, industry, transportation, domestic use). Where possible, please provide evidence related to the implementation, enforcement, and effectiveness of the good practices.**

Several **legislative best practices** could facilitate the prevention or reduction of floods, water pollution and water scarcity by better securing the freshwater tenure rights of communities, community women, and other local water users:

* **Prioritize water uses for domestic, livelihood and cultural/religious purposes**, as described under Question 3.
* **Prioritize communities’ water use rights** (and, as appropriate, the uses of other rural smallholders) over the use rights of other entities, such as business actors.[[13]](#endnote-13)
* **Explicitly recognize and protect community women’s rights to participate in community-level water governance processes** within land, forest, water, and/or community rights laws recognizing communities’ resource governance rights.[[14]](#endnote-14)
* To better support the specific freshwater needs of community women, **explicitly acknowledge community women’s rights to use water.**[[15]](#endnote-15)
* **Anticipate situations where third parties seek commercial water use permits within communities’ customary lands** in order to carry out activities that would likely impact communities’ non-commercial water supply. For example, under Zambia’s Water Resources Management Act, third parties interested in obtaining a commercial water use permit that may impact communities’ customary land area must first obtain the consent of traditional authorities and establish alternative measures to secure water resources for communities’ domestic purposes.[[16]](#endnote-16)
* Strengthen indigenous and tribal peoples’ ability to protect their territorial waters by explicitly affirming their rights to FPIC under national laws.[[17]](#endnote-17)
* Explicitly refer to Indigenous Peoples, Afro-descendants, and local communities in **transboundary agreements** establishing due process rights regarding freshwater.[[18]](#endnote-18)
1. **Please identify specific challenges that your government, business, or organization has faced in attempting to employ a rights-based approach to address water pollution, water scarcity and floods and the impacts of these problems on human rights.**

Communities’ ability to steward their territorial waters and ecosystems is inhibited by the absence of an integrated water tenure rights approach that reflects communities’ relationships with freshwater resources and the territories these freshwaters sustain. More specifically, community freshwater rights are inadequately supported because across sectors, geographies, and stakeholders, there is insufficient awareness of:

(1) the importance of approaching water-related challenges through the lens of “*water tenure*” (a social construct encompassing relationships between groups or individuals and water resources);

(2) the legal status of the interrelated bundle of *community-based water tenure rights* that are most central to communities’ freshwater and territorial security; and

(3) the various means by which community-based water tenure rights are *legally and practically tied to community land tenure rights*.

Consquently, communities’ ability to protect their human rights and territorial waters from the impacts of water pollution, scarcity, and overabundance are often limited, as is RRI’s ability to support such efforts.

1. **Please specify ways in which additional protection is provided (or should be provided) for populations who may be particularly vulnerable to water pollution, water scarcity and floods (e.g. women, children, persons living in poverty, members of Indigenous peoples and traditional communities, older persons, persons with disabilities, ethnic, racial or other minorities and displaced persons). How can these populations be empowered to protect and improve water quality and availability?**

*Whose Water* demonstrates that community-based freshwater rights are often heavily dependent on the status of community land rights within national laws, and legal frameworks characterized by this “land-water nexus” more consistently recognize a wider range of legal entitlements to water for both communities and community women. However, the study also points to several seminal legislative failures that, if rectified, would strengthen the ability of communities and community women to protect their territorial waters, improve water quality, and increase water availability:

**First, there is a pervasive need for harmonization across natural resource laws**. Legislation supporting community-based resource rights is **rarely harmonized** across water, land, forest, and other natural resource sectors. Land laws frequently address water only implicitly or in passing, while water laws rarely speak directly to the legal status of communities’ customary resource rights or address how legislatively-imposed, community-based water management mechanisms or water permit systems interact with acknowledged community land rights. These failings weaken communities’ ability to protect their territorial waters—regardless of whether communities’ water rights are legally dependent on community land rights—as they: (1) run counter to the highly integrated manner in which communities govern their territorial resources and; (2) fail to support inherently inter-dependent ecological relationships between aquatic and terrestrial ecosystems.

**Second, the rights most essential to communities’ water protection efforts should be legally recognized and supported, as should communities’ capacity to realize their due process rights.** Many of the rights most essential to communities’ ability to protect the freshwater resources they depend on receive the least amount of legal recognition. Over three quarters of the 39 legal frameworks analysed in *Whose Water* recognize customary water rights and communities’ rights to contribute to freshwater governance through rulemaking, planning and management, and internal dispute resolution. Yet, nearly 80 percent of these same legal frameworks fail to recognize communities’ right to **enforce their internal water-related rules against third parties** who violate, encroach upon, or otherwise interfere with community freshwater rights. Moreover, approximately 40 percent of legal frameworks do not establish ways for communities to consistently **exclude third parties** from using and impacting their freshwater resources. These legislative gaps subject communities to the willingness and capacity of government institutions to protect their freshwater rights through **due process procedures** that are oftentimes legally complex, expensive to successfully navigate, time-intensive, and otherwise difficult to meaningfully access. Given these challenges, increasing community access to **affordable legal services** is another critical component to empowering communities to protect their freshwater rights.

The findings of *Whose Water* also underscore that even the most progressive national-level laws may be undermined by a **lack of transboundary protection for communities’ freshwater rights under international agreements**. Despite the fact that all 15 focus countries are party to international treaties governing transboundary water courses, thirteen were not party to any international agreements requiring upstream countries to provide water users in other downstream countries with prior notice, consultation, and means of appeal where upstream decisions could impact freshwater rights of downstream water users.

**Lastly, legislation recognizing community-based freshwater rights should be gender-sensitive**. Consistent, gender-sensitive statutory acknowledgment of community-based freshwater rights are essential for empowering women to contribute their unique knowledge and experience to solving water-related challenges at all levels. All 15 countries analysed in *Whose Water* are Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) signatories. Yet, only one-third of the 39 frameworks identified recognize community women’s rights to use or govern freshwater resources. The dearth of specific legal protections for community women’s water governance and use rights exacerbates gender inequalities in decision-making processes and due process procedures, suggests that women’s unique water responsibilities and challenges are being overlooked by lawmakers, and parallels evidence regarding the status of women’s recognized rights to community lands and forests.[[19]](#endnote-19) Since women comprise half the world’s Indigenous, Afro-descendant, and local community members, the pervasive lack of gender sensitivity across natural resource laws represents a tremendous obstacle to the empowerment of vulnerable communities seeking to protect and improve water quality and availability.

1. How do you ensure that the rights of environmentalists working on water issues (environmental human rights defenders) are protected? What efforts has your Government or business made to create a safe and enabling environment for them to freely exercise their rights without fear of violence, intimidation, or reprisal?
2. There is substantial evidence that the actions of high-income States (from high levels of material consumption to high levels of greenhouse gas emissions) are linked to adverse effects on water availability and water quality in low and middle-income States. What are ways in which high-income States should assist low-income States in responding to and preventing water pollution, water scarcity and floods?
3. For businesses, what policies or practices are in place to ensure that activities, products, and services across the entire supply chain (extraction/sourcing, manufacturing, distribution, sale, and end-of life management) minimize water use and water pollution and meet human rights standards, especially those articulated in the Guiding Principles on Business and Human Rights?
1. *See, for example*: Government of Bolivia. 2009. Constitución Política del Estado de 2009. Arts. 16(l) and 20(III); and Government of Mexico. 1917 (2019). Constitución Política de los Estados Unidos Mexicanos del 1917 (amended in 2019). Arts. 1, and 4(6). Furthermore, Panama’s Supreme Court has ruled that the human right to water is binding based on constitutional provisions recognizing the State’s duty to comply with international law and to recognize other fundamental rights not explicitly include in the constitution, including the international human right to water. *See* Supreme Court of Justice of Panama. Magistrado Ponente: Jerónimo Mejía. Acción de Amparo de Garantías Constitucionales interpuesta por la Firma Forense LAC, actuando en representación de Gloria María Chaperón de Ruiz, contra la orden s/n de 2016, emitida por el Instituto de Acueductos y Alcantarillados Nacionales IDAAN. Expediente 1115-16. May 27, 2017. [↑](#endnote-ref-1)
2. Government of Zambia. 2016. Constitution of Zambia. Arts. 52(d) and 266. Government of Kenya. 2010. Constitution of Kenya. Arts. 21(2), 40, 43, and 259(1)(b). [↑](#endnote-ref-2)
3. In Colombia, the human right to water is affirmed by the Constitutional Court, which also notes its essential character for the realization of other human rights protected by international treaties (including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the UN Convention on the Rights of the Child) and the Colombian Constitution, including rights to life, health, a safe environment, and adequate food and housing. *See, for example,* Constitutional Court of Colombia. Acción De Tutela para Solicitar Protección del Derecho al Agua (Sentencia T-028/14). 2014. Available at: https://www.corteconstitucional.gov.co/RELATORIA/2014/T-028-14.htm. In addition to following the guidelines provided by the UN Committee on Economic, Social and Cultural Rights in General Comment 15, Colombia’s Constitutional Court ruling in this case notes the State’s obligation to provide access to drinking water to all Colombians pursuant to Article 365 of the country’s constitution. [↑](#endnote-ref-3)
4. For example, the Indian Supreme Court holding in *Subhash Kumar v. State of Bihar* found that the “right to life guaranteed by Article 21 [of the constitution] includes the right of enjoyment of pollution-free water and air for full enjoyment of life.” Supreme Court of India. Subhash Kumar v. State of Bihar (A.I.R.1991, SC 420). Judgement, September 1, 1991. Available at: <https://www.globalhealthrights.org/asia/subhash-kumar-v-state-of-bihar-ors/>. Additionally, the Court held that if anything endangers or impairs that quality of life in derogation of laws a citizen has recourse to Art. 32 of the Constitution for removing the pollution of water or air which may be detrimental to life. Similarly, in *Narmada Bachao Andolan v. Union of India and Others*, the Supreme Court held that the right to water is a fundamental right under Article 21 of the Indian Constitution, although this right was used to justify the mass displacement of tribes from their lands and customary water sources. The Court further observed that water is the basic need for the survival of human beings and is part of the right to life and human rights as ensured in Article 21 of the Constitution, and can be served only by providing sources of water where there is none. Supreme Court of India. Narmada Bachao Andolanv. Union of India (9 SCC 571). October 18, 2000. Available at: <https://www.informea.org/en/court-decision/narmada-bachao-andolanpetitioner-v-union-india-and-others-respondents>. [↑](#endnote-ref-4)
5. See endnotes iii and iv. [↑](#endnote-ref-5)
6. Government of Bolivia. 2009. Constitución Política del Estado de 2009. Art. 20. [↑](#endnote-ref-6)
7. These countries are: Mexico (*See* Government of Mexico. 1917 (2019). Constitución Política de los Estados Unidos Mexicanos del 1917 (amended in 2019). Art. 4; and Government of Mexico. 1992 (2016). Ley de Aguas Nacionales. Arts. 17 and 22);Panama (*See* Government of Panama. 1966. Decreto Ley No. 35 de 22 de septiembre de 1966. Arts. 16, 41, 42); Peru(*See* Government of Peru. 2005. Ley No. 28611 - Ley General del Medio Ambiente en Perú. Arts. 36 and 72; and Government of Peru. 2009. Ley No. 29338, 2009 - Ley De Recursos Hídricos. Art. 64); Vietnam (*See* Government of Vietnam. 2012. Law on Water Resources (No. 17/2012/QH13). Art. 45(1-2)); andZambia (*See* Government of Zambia. 2011.Water Resources Management Act, 2011. Arts. 2, 6(b and m), 52(1), 61(2)(e), (62), and 70(a)). [↑](#endnote-ref-7)
8. Government of Zambia. 2011.Water Resources Management Act, 2011. Art. 2; and Government of Peru. 2009. Ley No. 29338, 2009 - Ley De Recursos Hídricos. Art. 36 (defining water uses necessary to “satisfy basic human needs” to include uses for ”preparing food, direct consumption and personal hygiene,” and “cultural, ritual, or religious ceremonies”). [↑](#endnote-ref-8)
9. The Agreement Between Panama and Costa Rica on Cooperation for Border Development (1992), (ratified through Panama’s Law 16 of 1994) governing the Sixaola River Basin (Panama’s only transboundary waterway); Reglamento para el Establecimiento del Estatuto de la Comision Binacional de la Cuenca del Rio Sixaola (January 14, 2013) (Between Costa Rica and Panama); The Convention on the Sustainable Management of Lake Tanganyika (June 12, 2003) (between Zambia, Burundi, the Democratic Republic of the Congo, and Tanzania); and The Agreement on the Establishment of the Zambezi Watercourse Commission (ZAMCOM Agreement, 2004, signed by Zambia, Botswana, Malawi, Mozambique, Namibia, Tanzania, and Zimbabwe). [↑](#endnote-ref-9)
10. In addition, Mali recognizes communities’ (and all water users’) transboundary rights of prior notice and consultation, but not appeal rights. *See* The Charter of the Niger Basin. 2008. Signed by Mali, Niger, Benin, Chad, Guinea, Côte d’Ivoire, Nigeria, Cameroon and Burkina Faso. [↑](#endnote-ref-10)
11. For example, Bolivia has adopted the full text of the United Nations Declaration on the Rights of Indigenous Peoples as national-level legislation, and Chile has passed legislation specifically aiming to enforce the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention No. 169 (1989), which is self-executing under Chilean law. *See* Government of Bolivia. 2008. Ley No. 3897 del 26 Junio 2008 - Modifica el Artículo Único de la Ley No. 3760 de 7 de noviembre de 2007, que eleva a rango de Ley los 46 artículos de la Declaración de las Naciones Unidas, sobre los Derechos de los Pueblos Indígenas, aprobada en el 61º Período de Sesiones de la Asamblea General de la Organización de las Naciones Unidas (ONU), realizada en Nueva York el 13 de septiembre de 2007; and Government of Chile. 2013. Decreto 66 - Aprueba reglamento que regula el procedimiento de consulta indígena en virtud del artículo 6 no. 1 letra a) y no. 2 del convenio no. 169 de la organización internacional delctrabajo y deroga normativa que indica. Additionally, several decisions of Colombia’s Constitutional Court have expanded the prior consultation rights of Indigenous and Afro-descendant communities, including one decision affirming the *Saramaka* holding of the Inter-American Court of Human Rights, which found FPIC to be required where large-scale developments could impact Indigenous resource rights. *See* Constitutional Court of Colombia. 2009. Sentencia T-769, October 29, 2009. Citing Saramaka People v. Suriname IACHR Series C No 185, IHRL 3058 (IACHR 2008). Available at: https://www.corteconstitucional.gov.co/relatoria/2009/t-769-09.htm. [↑](#endnote-ref-11)
12. For example, government compensation in Panama is only available where infringed water rights are appurtenant to an injured party’s land ownership rights. In Colombia, the state’s assertion of the public trust doctrine has been interpreted to preclude water resources from qualifying as private property that can be subject to a claim for state compensation. In Nepal, Mexico, Vietnam, and Zambia, private actors are not legally required to compensate injured parties for infringements on their freshwater rights. [↑](#endnote-ref-12)
13. Legal provisions prioritizing community water use for cultural/religious, domestic, livelihoods and/or commercial purposes are found in the national laws of the following countries recognizing community-based freshwater rights: Bolivia (*See, for example*, Government of Bolivia. 2009. Constitución Política del Estado de 2009. Art. 30(17)); Cambodia (*See, for example*, Government of Cambodia. 2002. Law on Forestry (NS/RKM/0802/016). Art. 14); Colombia (*See, for example*, Government of Colombia. 1978. Decreto 1541 de 1978. Art. 43, prioritizing collective water use over individual uses); Liberia (*See, for example*, Government of Liberia. 2017. Community Rights Law Regulations, Chp 5. Secs. 2 and 4); Mali (Government of Mali. 2001. Loi No. 01-004 du 27 fev. 2001, portant charte pastorale du Mali. Art. 40); Mexico (*See, for example*, Government of Mexico. 1917 (2019). Constitución Política de los Estados Unidos Mexicanos del 1917 (amended in 2019). Art. 2 A.VI; and Government of Mexico. 1992 (2016). Ley de Aguas Nacionales. Art. 17); Panama (*See, for example*, Government of Panama. 1998 (2016). Ley No. 41 de 1 de julio de 1998 (amended in 2016). Arts. 94, 99 and 100); and Peru (*See, for example*, Government of Peru. 2005. Ley No. 28611 - Ley General del Medio Ambiente en Perú. Art. 72). [↑](#endnote-ref-13)
14. Government of Zambia. 2011. The Water Resources Management Act, 2011. Arts. 6(k), 8(1), 20(1)(q), and 25(e); Government of Nepal. 2000. Irrigation Rules, 2056 (2000). Sec. 3(1); and Government of Nepal. 1998. Drinking Water Rules, 2055 (1998). Sec. 3(2). [↑](#endnote-ref-14)
15. Government of Zambia. 2011. The Water Resources Management Act, 2011. Art. 18(1)(l). [↑](#endnote-ref-15)
16. *Ibid*., Art. 63. [↑](#endnote-ref-16)
17. *See* endnote xi. [↑](#endnote-ref-17)
18. *See* endnotes ix and x. [↑](#endnote-ref-18)
19. Rights and Resources Initiative. 2017. Power and Potential: A Comparative Analysis of National Laws and Regulations Concerning Women’s Rights to Community Forests. Rights and Resources Initiative: Washington, DC. Available at: <https://rightsandresources.org/publication/power-and-potential/>. [↑](#endnote-ref-19)