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WATER LEADERSHIP AND THE RIGHTS OF YOUTH TO SUSTAINABLE DEVELOPMENT

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WATER LEADERSHIP AND THE RIGHTS OF YOUTH TO SUSTAINABLE DEVELOPMENT

*Elizabeth Burleson**

I. INTRODUCTION

Lack of safe drinking water and sanitation kills roughly 4500 children a day according to the World Health Organization.¹ Effective water governance encompasses a shared responsibility. Young people are equal partners in the global effort to eradicate poverty and achieve the Millennium Development Goals (MDGs).² These commitments include reducing by half the proportion of people without sustainable access to safe drinking water by 2015.³ In 2007, young people gathered in Paris for the 5th UNESCO Youth Forum, where they built consensus on how young people define education for sustainable development.⁴ They discussed ways to increase support of environmentally sustainable economic growth, entrepreneurship, effective and equitable public-private water partnerships, and clean technology transfer.⁵

We have recently reached a turning point. Half of humanity now lives in urban areas. This number will grow from 3.3 billion people to almost 5 billion by 2030.⁶ In a single generation our urban population will grow from half to two-thirds of humanity.⁷ Rapid urbanization has outpaced

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¹ WHO/UNICEF JOINT MONITORING PROGRAMME FOR WATER SUPPLY AND SANITATION, WATER FOR LIFE MAKING IT HAPPEN 5 (2005), *available at* http://www.unicef.org/wes/files/JMP_2005.pdf.

² The Secretary-General, *Message on International Youth Day*, (Aug. 12, 2006), *available at* <http://www.un.org/esa/socdev/unyin/documents/iyd2006sg.pdf>.

³ UN Millennium Development Goals (MDGs), <http://www.un.org/millenniumgoals> (click on link to "Ensure environmental sustainability," under the list of the goals) (last visited June 11, 2008).

⁴ UNESCO, REFERENCE DOCUMENTS ON EDUCATION AND ECONOMIC DEVELOPMENT FOR 5TH UNESCO YOUTH FORUM 1 (2007), *available at* http://portal.unesco.org/shs/en/files/11398/11914169971reference_documents_education.pdf/reference_documents_education.pdf.

⁵ UNESCO, REFERENCE DOCUMENTS ON SCIENCE AND TECHNOLOGY FOR SUSTAINABLE DEVELOPMENT AND THE ROLE OF UNESCO FOR 5TH UNESCO YOUTH FORUM 1 (2007), *available at* http://portal.unesco.org/shs/en/files/11365/11907131681reference_documents.pdf/reference_documents.pdf [hereinafter UNESCO, REFERENCE DOCUMENTS ON SCIENCE AND TECHNOLOGY].

⁶ UNITED NATIONS POPULATION FUND (UNFPA), STATE OF THE WORLD'S POPULATION 2007: UNLEASHING THE POTENTIAL OF URBAN GROWTH 1 (2007), *available at* http://www.unfpa.org/swp/2007/presskit/pdf/sowp2007_eng.pdf.

⁷ *Id.*

infrastructure planning, leaving 1 billion people living in slums in 2007.⁸ Slum dwellers lack one or more of the following: access to clean water, sanitation, secure tenure, and durable housing.⁹ Urbanization has increased access to education and lowered child mortality, but has also resulted in the breakdown of family and social networks, poverty, and violence.¹⁰

Young people under the age of 19 comprise 50% of the population in many cities.¹¹ Youth-led households increase as HIV/AIDS and armed conflict devastate communities.¹² Many poor, urban children live in informal/illegal settlements that lack municipal services. The International Year of Sanitation in 2008 offers the opportunity to coordinate water leadership with human development.

This Article considers how good water governance can encompass broad participation throughout the decision-making process.¹³ Part II addresses the Convention on the Rights of the Child in an urbanizing world. This section provides a context within which to consider the role that youth can play in effective water management. Part III discusses existing youth water leadership. This Article concludes that young people can help ensure that sound water quality and quantity measures can minimize water insecurity.

II. YOUTH IN AN URBANIZING WORLD

The Convention on the Rights of the Child calls upon States to provide safe drinking water to children and to involve youth in the decision-

⁸ Mrs. Anna Tibaijuka, Under-Secretary-General of the United Nations and Executive Director of UN-HABITAT, Address at the Opening Ceremony of the Young Entrepreneurs Day (Apr. 15, 2007), available at <http://www.unhabitat.org/content.asp?cid=4665&catid=531&typeid=8&subMenuId=0>.

⁹ Daniel Howden, *Planet of the Slums: UN Warns Urban Populations Set to Double*, THE INDEPENDENT, June 27, 2007, available at <http://news.independent.co.uk/world/politics/article2714169.ece>.

¹⁰ Paulo Sérgio Pinheiro, Independent Expert for the United Nations, WORLD REPORT ON VIOLENCE AGAINST CHILDREN 310 (2006), Secretary-General's Study on Violence Against Children, available at http://www.violencestudy.org/IMG/pdf/2._World_Report_on_Violence_against_Children.pdf.

¹¹ UN-HABITAT, GLOBAL CAMPAIGN ON URBAN GOVERNANCE POLICY DIALOGUE SERIES: NUMBER 2: YOUTH, CHILDREN AND URBAN GOVERNANCE 3 (2004), available at <http://www.unhabitat.org/pmss/getPage.asp?page=bookView&book=1810> (click on Adobe Acrobat link to download the document) [hereinafter UN-HABITAT, GLOBAL CAMPAIGN ON URBAN GOVERNANCE].

¹² Making Cents International, *Purpose & Background of Youth Microenterprise Conference*, Sept. 11, 2007, http://www.ymconference.org/purpose_background.asp#top; see also UN-HABITAT, GLOBAL CAMPAIGN ON URBAN GOVERNANCE, *supra* note 11, at 13; Pinheiro, *supra* note 10, at 50.

¹³ UNESCO WORLD WATER ASSESSMENT PROGRAMME, WORLD WATER DEVELOPMENT REPORT: WATER FOR PEOPLE, WATER FOR LIFE 371 (2007), available at <http://www.unesco.org/water/wwap/wwdr/pdf/chap15.pdf>.

making process affecting their lives.¹⁴ The urban poor are increasingly young and unemployed.¹⁵ Between 1995 and 2005, the number of young unemployed increased by 14.8%.¹⁶ Low-paid, non-secure positions that offer little advancement leave youth marginalized.¹⁷ Roughly 60% of children under age 12 and 50% of young people ages 13 to 19 live in poverty.¹⁸ Urban capacity to keep pace with young people's need for employment will shape the future of cities. The award of the Nobel Peace Prize to Professor Muhammad Yunus and the Grameen Bank shows how progressive economic measures can help marginalized communities.¹⁹ Microfinance involves small loans to help poor people start or expand entrepreneurial endeavors.²⁰ The new UN-HABITAT Youth Fund will make available credit mechanisms to youth entrepreneurs.²¹ The United Nations Secretary-General launched the Youth Employment Network in collaboration with the ILO and the World Bank in July 2001. The Youth Employment Network is based on four global priorities (the four "E's"): Employability, Equal opportunities, Entrepreneurship, and Employment creation.²²

Sustainable human settlements in an urbanizing world require inclusive and participatory governance. Urban governance plays a role in poverty, which can be reduced by strengthening the capacity of local

¹⁴ U.N. Convention on the Rights of the Child (CRC), Nov. 20, 1989, 1577 U.N.T.S. 3 (entered into force Sept. 2, 1990), *available at* <http://www.unhchr.ch/html/menu3/b/k2crc.htm>. The only two members of the United Nations that have not ratified the Convention on the Rights of the Child are the United States and Somalia.

¹⁵ Howden, *supra* note 9.

¹⁶ INT'L LABOUR ORGANIZATION (ILO), GLOBAL EMPLOYMENT TRENDS FOR YOUTH 3 (2006), *available at* http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_077664.pdf. "The youth unemployed make up almost half (43.7 per cent) of the world's total unemployed despite the fact that, in comparison, the youth share of the total working-age population (ages 15 and over) was only 25.0 per cent (table 2.7)." *Id.*

¹⁷ WORLD BANK, EMPLOYMENT 2 (2007) *available at* <http://youthink.worldbank.org/4teachers/pdf/employment/brief-employment.pdf>.

¹⁸ UNICEF, INVESTING IN CHILDREN AND ADOLESCENTS: ARGUMENTS AND APPROACHES FOR ADVOCACY 5 (2003), *available at* http://www.unicef.org/india/Investing_in_children_and_adolescents.pdf.

¹⁹ UN-HABITAT, THE STATE OF THE WORLD'S CITIES 2006-2007: FACTS ON YOUTH 1 (2007), *available at* <http://www.unhabitat.org/list.asp?typeid=3&catid=531>. *See also* Press Release, Nobel Foundation, The Nobel Peace Prize for 2006 (Oct. 13, 2006), *available at* http://nobelprize.org/nobel_prizes/peace/laureates/2006/press.html (stating the award was based on Yunus' and Grameen Bank's "efforts to create economic and social development from below").

²⁰ WORLD BANK, *supra* note 17, at 3.

²¹ UN-HABITAT, *Governments Approve New UN-HABITAT Youth Fund*, Apr. 19, 2007, <http://www.unhabitat.org/content.asp?cid=4727&catid=531&typeid=6&subMenuId=0>.

²² Tibaijuka, *supra* note 8.

governments and stakeholders to work together in urban settings.²³ Vulnerable young people often lack access to decision-making forums.²⁴

Inclusive cities have begun involving young people in present and future policy decisions such as water management.²⁵ Initiatives such as the Youth Employment Network and micro-credit are enhancing the capacities of youth to cope with the rapid pace of urbanization. Genuine youth participation has facilitated international cooperation to involve young people in decision-making.

A. Background

The United Nations General Assembly unanimously adopted the Declaration of the Rights of the Child in 1959.²⁶ Twenty years passed before the 1979 International Year of the Child provided the impetus to draft a legally binding convention.²⁷ The process required a decade of consensus building.²⁸ The Convention was adopted on November 20, 1989.²⁹ It entered into force on September 2, 1990, with the ratification of twenty countries.³⁰ Only the United States and Somalia have yet to ratify the Convention on the Rights of the Child.³¹ Countries strengthened the rights of high-risk youth in 2002 when optional protocols were added on the involvement of children and youth in armed conflict, human trafficking, prostitution and pornography.³² The Convention on the Rights of the Child sets forth four foundation principles: (a) non-discrimination; (b) best interests of the child; (c) right to life, survival and development; and (d) views of the child.³³ Article 6 of the Convention on the Rights of the Child notes that:

²³ UN-HABITAT, GLOBAL CAMPAIGN ON URBAN GOVERNANCE, *supra* note 11, at 1.

²⁴ *Id.*

²⁵ *Id.* at 41.

²⁶ Declaration of the Rights of the Child, G.A. Res.1386 (XIV), 14 U.N. GAOR Supp. (No. 16) at 19, U.N. Doc. A/4354 (1959).

²⁷ CRC, *supra* note 14.

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ The Office of the United Nations High Commissioner for Human Rights, *Convention on the Rights of the Child New York, 20 November 1989*, available at <http://www2.ohchr.org/english/bodies/ratification/11.htm>.

³² Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, U.N. Doc. A/RES/54/263 (May 25, 2000) (entered into force Feb. 12, 2002), available at <http://www2.ohchr.org/english/law/crc-conflict.htm>. See also Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, U.N. Doc. A/RES/54/263 (May 25, 2000) (entered into force Jan. 18, 2002), available at <http://www2.ohchr.org/english/law/crc-sale.htm>. See also UN-HABITAT, GLOBAL CAMPAIGN ON URBAN GOVERNANCE, *supra* note 11, at 15.

³³ UNICEF, HUMAN RIGHTS FOR CHILDREN AND WOMEN: HOW UNICEF HELPS MAKE THEM A REALITY 8 (1999), available at www.unicef.org/publications/index_5587.html.

- (1) States Parties recognize that every child has the inherent right to life.
- (2) States Parties shall ensure to the maximum extent possible the survival and development of the child.³⁴

This includes a right to a clean environment. UNEP notes that, "the degradation of the environment is killing children."³⁵ When one considers that children comprise nearly half the population in many developing countries, this constitutes an enormous population for whom the environmental crisis is a fundamental issue of survival.

B. Youth Participation

Children have a right to participate and be heard. Article 12 of the Convention on the Rights of the Child declares that:

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.³⁶

UNICEF points out that "[e]xperts are often needed to help us find the answers to some of the questions we ask, but many different people are experts in different things. Often children themselves are the best experts we can find."³⁷

Roger Hart examines the different realities of childhood in industrialized and developing countries.³⁸ In the former, children are confined by childhoods where work is prohibited until age 15. In contrast, children as young as five years old do much of a family's domestic work in developing countries. Older children spend long days in fields and factories.³⁹ A child's ability to learn about or improve his or her environment depends upon governments taking seriously their commitments under the Convention on the Rights of the Child by facilitating youth participation.

See also UN-HABITAT, GLOBAL CAMPAIGN ON URBAN GOVERNANCE, *supra* note 11, at 4 ("In 1995, the UN General Assembly adopted the World Programme for Action for Youth to the Year 2000 and Beyond. During its 58th session, the General Assembly decided to devote, in 2005, two special plenary meetings to review the world situation of youth and the achievements produced in the implementation of the programme. In 2002, the UN General Assembly Special Session on Children issued its Declaration and Plan of Action A World Fit for Children (WFFC), pledging to put children and youth at the heart of development.").

³⁴ CRC, *supra* note 14, at Article 6.

³⁵ UNEP, 1990 *Media Pack* (Kenya 1990). *See generally* <http://www.unep.org> (last visited June 11, 2008).

³⁶ CRC, *supra* note 14, at Article 12(1).

³⁷ CHILDREN FOR HEALTH 43 (Hugh Hawes & Christine Scotchmer, eds., 1993).

³⁸ ROGER A. HART, CHILDREN'S PARTICIPATION: FROM TOKENISM TO CITIZENSHIP 20 (UNICEF International Child Development Centre 1992), *available at* http://www.unicef-irc.org/cgi-bin/unicef/download_insert.sql?ProductID=100.

³⁹ *Id.* at 23.

Social mobilization may spread a given slogan throughout a community or hasten the installation of a water pipe, but it does not foster an understanding of a participatory civil society.⁴⁰ Children's energy has been tapped, but not always in positive ways. UNEP points out that, "[w]hat the 1987 report, *Our Common Future*[,] said of future generations is true of children today: they do not vote; they have no political or financial power."⁴¹ Stealth bombers and space shuttles excite the technical imagination, while children who will be expected to take on the complexities of keeping society functioning do not receive sufficient health care and nutrition to maintain the capacity to learn. It is hard to learn to spell when you are hungry. It is equally difficult to do homework when you do not have a home.

Girls are particularly vulnerable. Poor health and nutrition of pregnant women and neglect or infanticide of female infants have led to high infant mortality rates. Girls who survive continue to struggle through childhood. Many girls, if they have the opportunity to go to school at all, only go in the afternoon because they must fetch water and fuel all morning. Many parents will send their children to schools that are free, accessible, and of acceptable quality.⁴² Limits to a girl's education on the demand side are directly related to her families' economic status. Girls' access to education can be facilitated by increasing the availability of water infrastructure to households and daycare for younger siblings, reducing or eliminating school fees, and making textbooks and transportation free. On the supply side, girls' school attendance depends upon separate water and sanitation facilities, curriculum development and sufficient female teachers.⁴³ Girls in India have

⁴⁰ Roger A. Hart, *Children's Role in Primary Environmental Care*, 2 CHILDHOOD 92, 94 (1994), available at <http://chd.sagepub.com/cgi/reprint/2/1-2/92>; see also U.N. PROGRAMME ON YOUTH, DIV. FOR SOC. POLICY AND DEV., DEP'T OF ECON. AND SOC. AFFAIRS, REPORT OF THE EXPERT GROUP MEETING ON YOUTH DEVELOPMENT INDICATORS 10 (Dec. 12-14, 2005), available at <http://www.un.org/esa/socdev/nyin/documents/youthindicatorsreport.pdf>.

⁴¹ UNEP, *supra* note 35; see also *Low-Cost Technologies Could Ensure Sanitation for All, Says Senior UN Official*, UN NEWS CENTRE, Oct. 31, 2007, available at <http://www.un.org/apps/news/story.asp?NewsID=24490&Cr=sanitation&Cr1=> (quoting the Executive Director of the United Nations Human Settlements Programme (UN-HABITAT), Anna Tibajuka, "[g]reater community involvement, particularly of women, in water and sanitation management combined with simple technology for easy maintenance can greatly facilitate cost recovery and help ensure equitable access"); Anwulika Okafor, *International Year of Sanitation 2008: A Plea for Dignity and Health for All*, UNICEF, Nov. 21, 2007, available at http://www.unicef.org/wes/index_41911.html (explaining that UNICEF has found that "[w]orldwide, lack of access to proper sanitation is linked to the deaths of 1.5 million children each year." His Royal Highness Prince Willem-Alexander of the Netherlands, Prince of Orange chairs the Secretary-General's Advisory Board on Water and Sanitation and has noted that each dollar invested in sanitation produces up to \$34 in health, education, social and economic development savings.).

⁴² REPORT OF THE DIR.-GEN., INT'L LABOUR ORG. (ILO), THE END OF CHILD LABOUR: WITHIN REACH 60 (2006), available at <http://www.ilo.org/public/english/standards/relm/ilc/ilc95/pdf/rep-i-b.pdf>.

⁴³ *Id.*

recommended that “schools be located closer [to] home, that they be safe and clean with functioning toilets, that there be qualified, female teachers and that education be relevant and meaningful.”⁴⁴ UNICEF urges that,

Particular attention must be given to the plight of girls, whose contribution to the family is frequently taken for granted, and whose needs are often overlooked, to the detriment of their development, their future and the future of the families and societies that they will someday help to sustain. a) Domestic work, such as carrying water and fuel for cooking, must not expose children to risk or be beyond their physical capacity. b) Children’s contribution to domestic work must not interfere with their opportunities for play, rest and education.⁴⁵

Education contributes 36% and rule of law contributes 57% of a nation’s intangible wealth.⁴⁶ “Education can also break the inter-generational transmission of poverty. Every additional year of schooling increases a person’s earnings by some 10-to-20 percent,”⁴⁷ according to the World Bank. UNESCO calls for 18 million new teachers to meet the MDG goal of providing quality education for all children by 2015.⁴⁸

It is challenging to establish processes that integrate children’s views into decision-making. Use of the Internet has begun to connect people across Cyberia. Education and a commitment to engage with young people in a meaningful way have helped bring youth into decision-making forums. Youth participation would be greatly facilitated through events such as annual days of access. Leaders are beginning to congregate to listen to the concerns of young people. David Inkey notes that, “children ask us innocent questions for which we have no innocent answers.”⁴⁹ Yet, if questions

⁴⁴ Sandeep Biswas, *Girls Speak Out for Equal Access to Education*, UNICEF, 2005, available at http://www.unicef.org/india/education_622.htm; see also UNICEF, *THE STATE OF THE WORLD’S CHILDREN 2007* at 73 (2007), available at <http://www.unicef.org/sowc07/docs/sowc07.pdf>.

⁴⁵ UNICEF, *CHILDREN’S RIGHTS AND HABITAT: WORKING TOWARDS CHILD-FRIENDLY CITIES* 8 (2002), available at http://www.childfriendlycities.org/cgi-bin/cfc/main.sql?file=search_simple_result.sql&lunga=Yes&ProductID=339.

⁴⁶ Ronald Bailey, *The Secrets of Intangible Wealth*, WALL ST. J., Sept. 29, 2007, at A9. See also Daniel Kaufmann, Aart Kraay, & Massimo Mastruzzi, *Governance Matters III: Governance Indicators for 1996-2002* (World Bank, Policy Research Working Paper No. 3106, 2003), available at http://siteresources.worldbank.org/INTWBIGOVANTCOR/Resources/govmatters3_wber.pdf.

⁴⁷ Ruth Kagia, *Education: Broad-Based, High-Quality Education Reduces Poverty and Inequality*, WORLD BANK, available at <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20040939%7emenuPK:34480%7epagePK:34370%7etheSitePK:4607,00.html> (last visited June 11, 2008).

⁴⁸ *Shortage of Qualified Teachers Main Obstacle to Achieving Education for All*, UN NEWS CENTRE, Oct. 5, 2007, available at <http://www.un.org/apps/news/story.asp?NewsID=24200&Cr=teachers&Cr1=unesco>.

⁴⁹ DAVID INKEY, *A PERFECT POET: CONFESSIONS OF A REFORMED HARVARD ANTHROPOLOGIST* 75 (2006), available at arteonline.arq.br/museu/library_pdf/david_HeinOnline -- 31 Hamline L. Rev. 762 2008

remain unasked, individuals and organizations shed accountability. Members of civil society often do not feel that they have meaningful ways to affect change. Feeling overwhelmed, individuals give up on participation as a means of fostering a humane society.

How one asks for protection affects what kind of protection one will receive. Language of tolerance minimizes criticism that can be directed at a given group. On the other hand, such an approach runs the risk of providing limited immunities rather than full equality and participation. Through public accountability and a re-definition of development, governments around the world have committed themselves to prevent discrimination, use the best interest of the child standard, protect children from harm and promote their development, and facilitate youth participation.⁵⁰ Fundamental rights do not rest upon an individual's future productivity. Youth have a right to participate irrespective of the wealth generated by their inclusion.

Intertemporal resource misallocations occur when politicians base decisions upon short-term outcomes at high discount rates. They place little value on future harms.⁵¹ Daniel Esty states that, "[t]he prospect of getting environmental decisionmakers [sic] to give proper weight to issues of intergenerational equity is a moral and philosophical matter that lies largely outside the realm of environmental policymaking."⁵² This argument does not recognize that involving youth in genuine environmental decision-making facilitates intergenerational equity. NGOs can help gather citizens of all ages to respond when national and international entities fall short in meeting their obligations.⁵³

Experts help decision-makers find optimal solutions to societal problems. People from all walks of life can provide expertise. UNICEF explains:

The Convention recognises that children in different environments and cultures who are faced with diverse life experiences will acquire competencies at different ages, and their acquisition of competencies will vary according to circumstances. It also allows for the fact that children's capacities can differ according to the nature of the rights to be exercised. Children, therefore, require varying degrees of protection, participation and opportunity for autonomous

inkey2.pdf (last visited June 11, 2008).

⁵⁰ See CRC, *supra* note 14.

⁵¹ Daniel C. Esty, *Toward Optimal Environmental Governance*, 74 N.Y.U. L. REV. 1495, 1515-1516 (1999).

⁵² *Id.* at 1567.

⁵³ See Ellen Lutz, *The Growing Role of Nongovernmental Organizations*, 89 PROC. AM. SOC'Y INT'L L., 413, 413 (1995).

decision-making in different contexts and across different areas of decision-making.⁵⁴

Youth capacity to develop decision-making expertise depends upon parental relationships and expectations and supportive communities.⁵⁵ Public participation offers youth the opportunity to voice their recommendations—voice goes beyond expression to encompass recognition and involvement in decision-making.⁵⁶ UNICEF notes:

Like adults, children build competence and confidence through direct experience: Participation leads to greater levels of competence, which in turn enhances the quality of participation. It is the involvement in shared activities with both adults and peers where there is a presumption of ability to complete a task successfully that encourages children's development. Such skills are neither innate nor an inevitable consequence of social maturation. They develop in accordance with experience, with adults' assumptions of competence and the levels of responsibility afforded to the child.⁵⁷

Children in some countries have less independence than a generation ago. For instance, 80% of UK seven and eight year-olds were allowed to go to school alone in 1971, a number that had dropped to 9% by 1990.⁵⁸ Given high expectations for their own care, young children can develop the capacity to look after themselves and other family members.⁵⁹ Yet as UNICEF notes, "as war and HIV/AIDS produce a growing number of child-headed households, it becomes apparent that many young children who are carrying high levels of family responsibility do so at enormous cost to their well-being."⁶⁰ Scarcity can lead to competition and conflict. Alternatively, population education and sustainable consumption can minimize the pressure that people place upon one another.

⁵⁴ Gerison Lansdown, *The Evolving Capacities of the Child*, UNICEF INNOCENTI RESEARCH CENTRE, INNOCENTI INSIGHT ix, available at http://www.unicef.org/india/Evolving_capacities_of_the_child.pdf.

⁵⁵ WORLD BANK, *WORLD DEVELOPMENT REPORT 2007: DEVELOPMENT AND THE NEXT GENERATION 20* (2007), available at http://www-wds.worldbank.org/external/default/WDSCContentServer/WDSP/IB/2006/09/13/000112742_20060913111024/Rendered/PDF/359990WDR0complete.pdf.

⁵⁶ *Id.* at 52.

⁵⁷ Lansdown, *supra* note 54, at 17.

⁵⁸ *Id.* at 33.

⁵⁹ *Id.*

⁶⁰ *Id.* HeinOnline -- 31 Hamline L. Rev. 764 2008

III. YOUTH WATER LEADERSHIP

Convention on the Rights of the Child Articles 13 and 15 recognize that children have rights to freedom of expression and association.⁶¹ Children's World Water Forum delegates have called upon governments to "[c]reate a children's parliament in every country, which includes a committee on water, environment, sanitation and hygiene issues. Take these parliaments seriously in decision-making processes."⁶² Other recommendations include facilitating youth networks that can exchange ideas and support one another and using direct language in plans and strategies. Children request that governments "not allow water to become what oil is today: scarce and expensive. Big water (and other) companies should invest ten cents of every dollar of their profits to guarantee safe water for children wherever they are."⁶³ Young people have requested their representatives to involve children in national agendas for poverty reduction, sustainable safe drinking water supply, sanitation, education and gender equality. They have noted that governments should consider the cost of medical treatment and school days missed when children fall sick from polluted drinking water and lack of hygiene and sanitation.⁶⁴ Dehydration from diarrhea is one of the most deadly killers of children.⁶⁵ Fatal dehydration due to diarrhea has been easily preventable since 1968, when researchers in India and East Pakistan discovered the ratio of salt, sugar, and water that humans can absorb.⁶⁶ This has come to be known as oral rehydration therapy.⁶⁷ Prevention requires improved water and sanitation, hygiene education and increased resources.⁶⁸

Osborne Odongo has founded a Kenyan organization that teaches people how to harvest water during the rainy season and store it for use during droughts. As a youth delegate to the World Urban Forum, Odongo shared his rainwater harvesting leadership experience with World Urban Café participants and learned how similar projects are progressing around the world.⁶⁹ Communities can gather rainwater collectively by contributing the

⁶¹ CRC, *supra* note 14. See also UN-HABITAT, GLOBAL CAMPAIGN ON URBAN GOVERNANCE, *supra* note 11, at 14.

⁶² UNICEF, *2nd Children's World Water Forum: Call for Action* (2006), available at http://www.unicef.org/voy/explore/wes/explore_2711.html. The forum was an opportunity for over a hundred youth from twenty-nine countries to meet government leaders "to discuss how children can help solve the world's growing water crisis." *Id.* at *Introduction*, available at http://www.unicef.org/voy/explore/wes/explore_2706.html.

⁶³ *Id.* at *Call for Action*.

⁶⁴ *Id.*

⁶⁵ UNICEF, 1946–2006 SIXTY YEARS FOR CHILDREN 21 (2006), available at http://www.unicef.org/publications/files/1946-2006_Sixty_Years_for_Children.pdf.

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ WHO/UNICEF, *supra* note 1, at 31.

⁶⁹ Jonathan Fowlie, *Plotting to be Heard: Groups of Young People in Vancouver and Nairobi, Kenya Push for a Direct Role in UN Discussion of Urbanization*, VANCOUVER

labor and materials needed to build a rainwater harvesting system, agreeing upon equitable water use fees, and forming community water management committees. Across India villages have constructed and managed rooftop rainwater harvesting systems using inexpensive suction hand pumps and local stone.⁷⁰

The Final Report of the Ad Hoc Working Group for Youth and the MDGs recommends that the international community

[f]und a Youth World Water Forum event annually to ensure the continued growth of the YWAT network and thereby the number of young people working for safe water. Provide incentives such as grants or micro-finance for youth to work for safe water in their community, and for youth-led clean water projects. Establish a fund to support youth-led renewable energy enterprises. Develop partnerships in areas without access to safe water to train youth to lead community-based water supply projects.⁷¹

Basic water infrastructure and other services are less expensive to provide in cities than in rural areas.⁷² Yet, population growth and accelerating urbanization leaves countries struggling to stay on track to meet the MDG of reducing the proportion of people without sustainable access to safe drinking water.⁷³ In 2006, UNICEF spent approximately USD \$57 million in Iraq trucking water, providing water/sanitation services, and other emergency response efforts.⁷⁴ UNICEF Director of Emergency Programmes Dan Toole points out that, "first and foremost the violence must end."⁷⁵ UNICEF has never left Iraq but brave staff cannot help weave the country's social fabric back together without the commitment of all the stakeholders. Water

SUN, May 30, 2006, available at <http://www.canada.com/vancouver/sun/news/story.html?id=5107da9f-0dc3-4d8f-bf46-6e1f1495d434&k=91978>.

⁷⁰ UNICEF/IRC, WATER, SANITATION AND HYGIENE EDUCATION FOR SCHOOLS: ROUNDTABLE MEETING 52 (2005), available at http://www.unicef.org/wes/files/SSHE_OxfordRoundTable_2005.pdf. "The underground tanks that are constructed to collect rainwater from rooftops in rural schools have a capacity to store 30,000-50,000 litres of rainwater at a cost of Rupees 1.50 per litre (US \$0.003)." *Id.* See also Elizabeth Burleson, *Middle Eastern and North African Hydropolitics: From Eddies of Indecision to Emerging International Law*, 18 GEO. INT'L ENVTL. L. REV. 385 (2006).

⁷¹ THE AD HOC WORKING GROUP FOR YOUTH AND THE MDGS, YOUTH AND THE MILLENNIUM DEVELOPMENT GOALS: CHALLENGES AND OPPORTUNITIES FOR IMPLEMENTATION iv (2005) (final report) (bullet points omitted), available at <http://www.un.org/esa/socdev/unyin/documents/youthmdgs.pdf>. See also Young Water Action Team (YWAT), Current Projects, <http://www.ywat.org/currentprojects/index.html> (last visited June 11, 2008).

⁷² UNFPA, *supra* note 6, at 35.

⁷³ UNICEF, PROGRESS FOR CHILDREN, NO. 5: A REPORT CARD ON WATER AND SANITATION 28 (2006), available at http://www.unicef.org/publications/files/Progress_for_Children_No._5_-_English.pdf.

⁷⁴ Statement by Dan Toole, Director of the Office of Emergency Programmes, UNICEF, on Launch of Iraq Immediate Needs Report, (May 23, 2007), available at http://www.unicef.org/media/media_39812.html (para. 13).

⁷⁵ *Id.* (para. 14).

infrastructure is desperately needed. At the UNESCO Youth Forum that met in Paris in October 2007, participants discussed how to promote science and technology for the management of complex environment systems, including water, oceans, the biosphere, climate change and natural disasters.⁷⁶

Children and youth can provide accurate information about their circumstances and needs through junior councils, surveys, audits, and similar means by which to develop a profile of their peers across different sectors of a given municipality.⁷⁷ In Barra Mansa, Brazil, “[e]ighteen boys and eighteen girls are elected by peers to participate in decision-making on the municipal budget.”⁷⁸ Individuals “between ages 9 and 15 years [are] eligible to vote and delegates [attend] district assemblies where youth council members are selected.”⁷⁹ The annual budget of USD \$125,000 has funded water infrastructure, planting trees, health and security services, and school repairs.⁸⁰ Youth have been establishing local information centers and international youth networks, building alliances through websites, newsletters, research, field projects and conferences. They have advocated for youth banking opportunities and youth entrepreneurial loans.⁸¹ Based upon peer youth surveys, youth concerns include access to credit, employment, acquisition of marketable skills, improved safety and access to information.⁸²

UNESCO’s project, Growing Up in Cities, part of Management of Social Transformations (MOST), facilitates children’s participation.⁸³ In Sathyanagar, India, the project involved thirty-eight girls and boys, ages ranging from 10 to 14, who represented “a cross-section of the religious and linguistic groups.”⁸⁴ The rapid growth of Bangalore had led to insufficient water and sanitation services.⁸⁵ Children expressed their views through drawings, interviews, photographs, child-led tours, and daily activity logs.⁸⁶ Local officials’ views on the needs of young people had focused upon sports

⁷⁶ UNESCO, REFERENCE DOCUMENTS ON SCIENCE AND TECHNOLOGY, *supra* note 5 (bullet points).

⁷⁷ UN-HABITAT, GLOBAL CAMPAIGN ON URBAN GOVERNANCE, *supra* note 11, at 28.

⁷⁸ *Id.* at 31.

⁷⁹ *Id.*

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² *Id.* at 32.

⁸³ UN-HABITAT, GLOBAL CAMPAIGN ON URBAN GOVERNANCE, *supra* note 11, at 43.

⁸⁴ *Id.* See also Dr. David Satterthwaite, *City Governance for and with Children*, Conference Paper for the Children and the City Conference, at 1, available at <http://www.araburban.org/ChildCity/Papers/English/David%20S.pdf> (last visited June 19, 2008).

⁸⁵ UN-HABITAT, GLOBAL CAMPAIGN ON URBAN GOVERNANCE, *supra* note 11, at 43.

⁸⁶ *Id.*

facilities, while the children called for clean water, waste management, reduced traffic, and tree planting.⁸⁷

Young people have engaged in significant public interest work around the world. Children have raised over USD \$210 million for UNICEF.⁸⁸ “Trick or Treat for UNICEF” provides many children their first opportunity to make a contribution to society. UNICEF’s Voices of Youth has provided young people with a network with which to respond to natural disasters, such as the 2004 tsunami and ongoing human rights and development struggles. Through such initiatives, young people have contributed practical solutions to real problems.⁸⁹ UNICEF and the Saarthi Foundation are supporting 8 to 14 year olds in India to become child reporters.⁹⁰ Through drawings, poems, and articles children, convey the reality of their lives to provincial decision-makers.⁹¹ All India Radio’s “Samishti” project involves youth in documenting success stories of child workers going back to school, use of iodized salt, and water projects.⁹² The Academy Award winning film *Born into Brothels*, by Ross Kauffman and Zana Briski, has raised awareness about the marginalized lives of children in the red light district of Calcutta and their capacity to share their stories.⁹³ In tsunami-affected regions of India, children are conducting social audits of the relief and rehabilitation process. UNICEF notes that “[t]he photographs taken by the children highlight that children see the world differently and can provide meaningful insights.”⁹⁴ The traveling photo exhibition and film have raised community awareness about young people’s ability to participate in achieving child friendly communities.⁹⁵

UNICEF’s Child Friendly Cities movement began in 1992 and has resulted in a growing number of cities committing to policies and resource allocation guided by the “best interests of children principle” and involving

⁸⁷ *Id.*

⁸⁸ UN NEWS, *Trick or Treat for UNICEF Tonight and Help a Deprived Child*, Oct. 31, 2006, at 1, available at <http://www.un.org/apps/news/story.asp?NewsID=20429&Cr=unicef&Cr1=>.

⁸⁹ UNICEF, VOICES OF HOPE ADOLESCENTS AND THE TSUNAMI 1, available at http://www.unicef.org/publications/files/Tsunami_newbackcover.pdf (last visited June 11, 2008).

⁹⁰ Kulsum Mustafa, *30 Village Child Reporters Geared Up to Change the World*, UNICEF INDIA, http://www.unicef.org/india/children_2755.htm.

⁹¹ *Id.*

⁹² Mohd Arif, *Students Pioneer Radio Reporting in Medak*, UNICEF INDIA, http://www.unicef.org/india/children_3050.htm.

⁹³ About the Film *Born into Brothels*, <http://www.kids-with-cameras.org/bornintobrothels/> (last visited June 11, 2008). The photographs taken by the children in film are available for purchase to fund the children’s education. *Id.*

⁹⁴ Neelam Singh, Ruchika Negi, & Subhashim Goswami, *Experiences in Engaging with Children in Developmental Processes: Process Documentation of Some Organizations and Networks*, UNICEF India, Nov. 2006, at 1, available at http://www.unicef.org/india/children_2740.htm.

⁹⁵ *Id.*

young people's participation.⁹⁶ Children's participation has included discussion groups to prioritize issues, safety walks that highlight problem areas for children, and maps illustrating local favorite and dangerous places. Children have made site-specific and general recommendations to city council representatives including lack of pedestrian safety, transportation, lack of safe play areas, harassment, and water and waste management.⁹⁷

IV. CONCLUSION

Roughly 11 million children die every year. Most of these deaths are preventable.⁹⁸ "Unplanned and overcrowded informal settlements present numerous problems for the delivery of urban services. Many cities lack the capacity to develop or maintain their infrastructure."⁹⁹ UNICEF points out that:

There is nothing mysterious about the origin of these threats to children. Poverty does not persist for unfathomable reasons; war does not emerge out of nowhere. These ravages are often the result of choices made by governments and others in power, reflected in the ways resources are allocated, in how often children are central to decision-making and in how the impact of such choices is assessed.¹⁰⁰

The Youth Employment Network, Safer Cities, Growing Up in Cities, micro-credit and other initiatives are strengthening the capacities of children and youth to meet the challenges of rapid urbanization. Public participation must be meaningful.¹⁰¹ Civil society youth caucuses contribute youth voices to United Nations proceedings. Year-round advocacy networking occurs through the Youth Caucus to the UN Commission on Sustainable Development (CSD), Commission on the Status of Women, World Summit on the Information Society, and the Permanent Forum on Indigenous Issues.¹⁰² There is a growing capacity on the part of governments and international organizations to listen to children, engage fully, and act on young people's recommendations. UNICEF notes that:

⁹⁶ UN-HABITAT, GLOBAL CAMPAIGN ON URBAN GOVERNANCE, *supra* note 11, at 21.

⁹⁷ *Id.* at 26.

⁹⁸ UNICEF, INVESTING IN THE CHILDREN OF THE ISLAMIC WORLD 4 (2005), available at [http://www.unicef.org/publications/files/Investing_in_the_Children_of_the_Islamic_World_\(English_Summary_Advance\).pdf](http://www.unicef.org/publications/files/Investing_in_the_Children_of_the_Islamic_World_(English_Summary_Advance).pdf).

⁹⁹ UN-HABITAT, GLOBAL CAMPAIGN ON URBAN GOVERNANCE, *supra* note 11, at 8.

¹⁰⁰ UNICEF, *supra* note 98, at 4.

¹⁰¹ See Elizabeth Burleson, *Tribal, State, and Federal Cooperation to Achieve Good Governance*, 40 AKRON L. REV. 207, 245-46 (2007).

¹⁰² U.N. PROGRAMME ON YOUTH, *U.N. Youth Flash*, 4(4) (June 2007), available at <http://www.un.org/esa/socdev/unyind/documents/flashv4no4.pdf>.

Of course, it is not always going to be possible to give children what they want. But children will accept this if they feel that they are being treated with respect, they understand the process of decision-making and what they say has been given proper consideration.¹⁰³

Kristin Eskeland, Founder of Voice of the Children, explained that children are not saying that they are always right but that they have a right to be heard and a right to be taken seriously.¹⁰⁴

Opportunities for youth to participate in international consensus building continue to increase. Students use the GA Newsflash on the United Nation's site developed for younger audiences.¹⁰⁵ Young people join informal interactive hearings before the opening of each General Assembly session¹⁰⁶ and access materials through the Official Document System, which was introduced in 2004.¹⁰⁷ United Nations news footage is transmitted via satellite to broadcasters around the world.¹⁰⁸ The UN News Centre website provides daily webcasts of General Assembly and Security Council meetings as well as Secretary General press briefings. The Department of Public Information offers webcasts of conference proceedings worldwide. This facilitates access to current and archived United Nations deliberative and legislative material to anyone with an internet connection.¹⁰⁹ Youth have made effective use of these tools and opportunities to engage in international decision-making.

UNDP notes that countries need
a civil service that pays a decent wage; a justice system that operates independently; a parliament that stands up when those in power step out of line; power, water and other utilities that deliver services efficiently to all and a free media that gives citizens the information they need to decide how to cast their next vote.¹¹⁰

¹⁰³ GERISON LANSDOWN, UNICEF INNOCENTI INSIGHT, PROMOTING CHILDREN'S PARTICIPATION IN DEMOCRATIC DECISION-MAKING 11 (2001), available at http://www.unicef.org/india/Promoting_Children_Participation_in_Democratic_Decision-Making.pdf.

¹⁰⁴ *Voice of the Children*, MOVING PICTURES BULLETIN 16 (Nov. 1993).

¹⁰⁵ Kofi Annan, *United Nations Report of the Secretary-General on the Work of the Organization*, GENERAL ASSEMBLY OF THE UNITED NATIONS, Sixtieth Session, New York, A/60/1, at para. 270 (2005).

¹⁰⁶ *Id.* at para. 282.

¹⁰⁷ *Id.*

¹⁰⁸ *Id.* at para. 262.

¹⁰⁹ *Id.* at para. 267. See generally Kofi Annan, *Committee on Information: Report on the Twenty-seventh Session*, GENERAL ASSEMBLY OF THE UNITED NATIONS, Sixtieth Session, New York, A/60/21, 2005, available at <http://daccessdds.un.org/doc/UNDOC/GEN/N05/369/13/PDF/N0536913.pdf?OpenElement> (last visited July 8, 2006).

¹¹⁰ UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP), UNITED NATIONS DEVELOPMENT PROGRAMME ANNUAL REPORT 2007 at 20 (2007), available at <http://www.undp.org/publications/annualreport2007/LAR07-ENG.pdf>.

Just as there is a difference between an international declaration and a treaty, there is a difference between notice, consultation and consensus. Intergenerational equity is crucial to achieving sustainable development. Living sustainably depends upon our ability to find common ground amidst an array of competing interests. Young people can bring a long-term perspective to the environmental decision-making process. The insight of youth must be sought and taken into account.

Forums and activities include: child and youth parliaments, national youth councils, participatory budgeting, research, policy and project design, and participation in the management of local institutions such as youth centers.¹¹¹ Countries have developed networks of youth councils and established national child and youth plans that involve children and youth at all decision-making levels.¹¹² Local governments have enacted charters on the rights of the child and have involved children and youth in developing gender-sensitive action plans, micro-credit, job creation and research and advocacy on urban environmental issues.¹¹³

The Convention on the Rights of the Child recognizes children as subjects of international law with rights.¹¹⁴ In the history of ethics, several alternative approaches to formulating a theory of rights and freedoms have developed. Among these the Kantian view of universalism has become paradigmatic.¹¹⁵ Yet, law merely provides a skeletal framework for society. Without individual creativity and a sense of genuine community, such a skeleton can become an ominous presence inspiring only fear. Bringing divergent traditions together is an ambitious challenge. Property and water rights should not be designed to liberate industries from interacting with communities. Balancing access to information and process transparency with guarantees of finality is not an insurmountable challenge. Public participation by civil society increases procedural legitimacy. Meaningful consent requires governments to facilitate processes by which members of the public analyze the appropriate level of governmental intervention. While scientists can narrow the range of technical uncertainty, ordinary individuals have the capacity to make value judgments. Children and youth have an important role to play as stakeholders with the longest range interests in policy outcomes.

¹¹¹ UN-HABITAT, GLOBAL CAMPAIGN ON URBAN GOVERNANCE, *supra* note 11, at 23-24.

¹¹² *Id.* at 24-25.

¹¹³ *Id.* at 27.

¹¹⁴ Lansdown, *supra* note 54, at ix.

¹¹⁵ Julian Nida-Rümelin, *Structural Rationality, Democratic Citizenship and the New Europe*, in CITIZENSHIP, DEMOCRACY AND JUSTICE IN THE NEW EUROPE 36 (Percy B. Lehning & Albert Weale eds., Routledge 1997).

