
GLOBALIZATION AND WATER RESOURCES MANAGEMENT: THE CHANGING VALUE OF WATER

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A GLOBAL WATER POLICY ARENA - THE WORLD COMMISSION ON DAMS

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ABSTRACT: Intense controversy was both a catalyst and a threat for a unique experience in global public policy making - the World Commission on Dams. Despite the diversity of their backgrounds, all twelve Commissioners reached agreement. They found that while dams have delivered many benefits, in too many cases the price paid to secure those benefits has been unacceptable and often avoidable. In offering a way forward, they provide a new framework for decision-making based on recognising rights and assessing risks for identifying stakeholders and negotiating development outcomes. Articulation of the new approach comes through seven strategic priorities that show how to gain public acceptance; assess options; address existing dams; sustain rivers and livelihoods; recognise entitlements and secure benefits; ensure compliance and share rivers across boundaries. The report supports a form of development that respects human rights, ensures equitable distribution of benefits and recognises the needs of the environment. A two year follow-up activity aimed at supporting local processes and exchanging experiences with implementation of the report's recommendations is outlined.

KEY TERMS: dams, commission, water policy, water resources, decision-making

GLOBALISATION OF THE CONFLICT OVER DAMS

Ancient and modern communities alike have depended on rivers for livelihood, commerce, habitat and the sustaining ecological functions they provide. Throughout history alterations to rivers – natural or human generated – have affected riverine communities in one way or another. Remains of water storage dams found in Jordan, Egypt and other parts of the Middle East date back to at least 3000 BC. Dams and aqueducts built by the Romans to supply drinking water and sewer systems for towns still exist today. The first use of dams for hydropower generation was around 1890. By 1900, several hundred large dams had been built in different parts of the world, mostly for water supply and irrigation.

The last century saw a rapid increase in large dam building. By 1949 about 5 000 large dams had been constructed worldwide, three-quarters of them in industrialised countries. By the end of the 20th century, there were over 45 000 large dams in over 140 countries. At its peak, nearly 5 000 large dams were built worldwide in the period from 1970 to 1975. The decline in the pace of dam building over the past two decades has been equally dramatic, especially in North America and Europe.

The huge growth of dam building in the 20th century took place against a backdrop of tremendous political, economic and technical transformations – while the world's population grew from 1.65 billion in 1900, to 6 billion by the end of the century. The last three decades especially have seen dramatic and wide-reaching changes in perceptions of development and concepts of interdependence with other people and with nature. This dynamic of change is also redefining the roles that governments, civil society and the private sector play in water and energy resource development planning.

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Conflicts over water and dams are probably as ancient as dam building itself. In medieval England, boat owners opposed millers blocking rivers to create millponds to turn their water wheels. Records from the 17th century tell of Scottish fishermen trying to destroy a newly completed weir. In the 1910s, conservationist John Muir unsuccessfully lobbied public opinion and the US Congress against the building of O'Shaughnessy dam in Yosemite National Park in California.

As dam building accelerated after the 1950's, opposition to dams became more widespread, vocal and organised. Conservationists in northern countries, especially in the United States, led the first notable successful campaign against large dams. There, conservationists were stopped the 175 metre-high Echo Park dam on a tributary of the Colorado River in the 1950s and two dams planned for the main stem of the Colorado River in the Grand Canyon in the following decade.

Over the past thirty years, the alliance of northern activist groups (environmental and human rights groups) with NGOs and affected groups' associations in the South has resulted in more vigorous and more co-ordinated opposition to dams worldwide. In many cases, the strength of these coalitions has had a major impact on dam-related planning and policy and at the level of individual dams. As a result of these concerted pressures the planning process, which until the 1970s was the restricted preserve of government agencies, engineers and economists, began to include environmental impact assessments and some public reviews. By the late 1980s environmentalists and sociologists began to play a more important role in the planning process, and by the mid-1990s the involvement of affected peoples and NGOs in the process became more significant.

The recent advance in communications technology has further highlighted local conflicts and given them a global dimension through effective campaign networks. But at the same time, this technology has made it easier for professionals to access information on good practice and keep up to date with latest developments. This aspect of globalisation has been a significant feature in the Commission's mode of operation. Without email and the internet, it would not have been possible to have completed the WCD work programme in the designated time nor to reach out to a wide range of communities in such an open and inclusive process.

The intensifying controversy surrounding large dams is not about the technical designs, but their social and environmental consequences and the decision making processes that lead to their construction. It revolves around whether a dam is the most suitable option to meet a particular development need, and if so, the extent that its implementation can accommodate the increasing social and environmental concerns. At the heart of the dams debate are issues of equity, governance, justice and power.

At one level, the protests against dams bear a resemblance to other global uprisings such as the riots at the World Trade Organisation meeting in Seattle, standoffs with the World Bank/International Monetary Fund in Washington, DC, May Day clashes in London and Berlin and protests at the World Economic Summit in Davos. Yet, in the case of dams, a way was found to include those with opposing viewpoints in a joint process to search for a solution - a solution that no one side on its own could achieve. By being inclusive, the protests have been avoided.

SEEDS OF A FRESH APPROACH - ESTABLISHING THE WORLD COMMISSION ON DAMS

It would be hard to find an environmental subject more potentially explosive than dams, nor one that impacts the lives of so many, for better or for worse. At its peak, dam building was a \$42 billion a year industry. Large dams supply a fifth of the world's energy, and a sixth of its food. An eighth of all dams provide municipal and industrial water. Yet large dams have also displaced up to 80 million people, fragmented half the world's rivers and been subject to cost overruns and delays.

Not surprisingly, conflicts between governments building dams and people affected by dams have resulted in violence, occupation and alienation; conversely, there have been strong criticisms on governments when dam projects were cancelled. Clearly, a new approach was needed and the seed of that new approach was sown at a unique meeting in Gland, Switzerland.

In 1997, the Director General of IUCN and President of the World Bank agreed to host a joint workshop to review a World Bank desk study of 50 dams and its implications for future dams. Thirty nine stakeholders representing all sides of the dams debate met in Gland to elaborate their perspectives and exchange ideas. Discussions were held over two days to see if they could devise a way of working together - both to review the effectiveness of dam projects and to explore new ways of doing business. Given the background of acrimonious debate between the parties, it was especially encouraging that the workshop developed a common direction and mandate for a global process - the establishment of the World Commission on Dams.

Both the World Bank and IUCN followed up on their commitments to see the process through a complex and politically charged atmosphere to select the Chair and fellow Commissioners. Although at times the future of

this process looked uncertain, there was a clear understanding of the importance of independence, objectivity and openness. It was with this independence in mind that the two founding partners handed over to a totally new and unknown organisation headed by the then Minister of Water Affairs for South Africa, Professor Kader Asmal. The following six months saw a highly politicised process of selecting the other 11 Commissioners, to ensure that each constituency was represented.

From the outset and by deliberate design, the Commission adopted a partnership approach in fulfilling its mandate. The World Bank and IUCN stepped back from its initial leadership role in establishing the Commission, but remained active as a core partners. This vital partnership matured to include financial support, information exchange, facilitating funding from third parties, provision of resource persons and institutional support to the WCD in its outreach activities across the globe. At the same time, the two founders relinquished any influence on the course of the Commission's work programme and output, leaving this to the Commission as a whole.

WCD GETS TO WORK AS AN INDEPENDENT BODY

From June 1998 to August 2000, the Commissioners met nine times to direct the work programme, debate the issues and draft their report. The Commission developed and implemented a comprehensive work programme comprising 7 case studies, 3 country studies, a cross check survey of 125 dams, 17 thematic review papers, over 120 contributing papers, four regional consultations and an open access policy that yielded 950 submissions. Both founding partners joined multi-sectoral review panels for individual elements of the knowledge base. It was this common knowledge base that formed the basis for the Commission's findings and recommendations. At times there were clear disagreements between the authors of the studies and members of the review panels. These differing perspectives were brought to the attention of Commissioners and the comments on various drafts form part of the published knowledge base.

Other forms of partnership supported the process. A multi-stakeholder forum of 68 members from 36 countries was established as a sounding board for the work programme. It met three times - in the first year to provide inputs to the work programme, in the second year to review draft elements of the knowledge base and provide input into key areas emerging for discussion by the Commission, and after the launch, to provide institutional feedback and determine the nature of any follow-up activity. Each of the members provided access to a wider network of voices in the dams debate.

The unique diversity of financial contributions provided a further partnership. A total of 53 contributors supported the Commission including multi-lateral development banks, international agencies, developed and developing country governments, NGOs and foundations, and the private sector. No single organisation contributed more than 13% of the total budget. And lastly, work programme partnerships were forged with many institutions including UN agencies, professional associations and other networks.

Throughout the work programme, the Commission had been in listening mode, but ultimately it was the time for them to speak. As with other Forum members, the World Bank and the IUCN were not party to initial drafts of the Commission's report. Rather they undertook to wait until the launch, in anticipation of whether the process that they had initiated would produce a report capable of taking the debate onto a new plane and provide space for stakeholders to collaborate and take responsibility for follow up activities.

This independence was at the core of the Commission's work. Inevitably there was speculation from observers in the lead up to the launch and also some frustration. However, the final report was the responsibility of the Commissioners alone - to agree on the findings and policy principles and formulate its criteria and guidelines. Any other approach would have been both unmanageable and a challenge to the responsibility invested in the Commission at the outset.

The commitment of IUCN and the Bank to the WCD process, and their involvement as equal partners with all other organisations, contributed to the Commission's success by empowering it to engage in a similar fashion with other stakeholders involved in the dams debate. Such openness and confidence exhibited by the management of these organisations greatly enhanced the WCD's perceived legitimacy.

TWO AND A HALF YEARS DOWN THE ROAD - DELIVERY OF THE WCD REPORT

Unanimous agreement of the Commissioners was reached with all twelve signing the report, *Dams and Development: a New Framework for Decision-Making*. This in itself was a major achievement. Many had expected the process to fall apart rather than to develop a clear agreed position on the findings of the knowledge base and a vision of the way forward.

In terms of its review of performance, the report concludes that while dams have delivered many benefits -

including hydropower generated, agricultural production increased, water supply delivered and areas protected from flood damage - in too many cases the price paid to secure those benefits has been unacceptable and often unnecessary. Large dams in the WCD sample displayed a high degree of variability in delivering predicted water and electricity services, and their related social benefits, with a considerable portion falling short of physical and economic targets, while many continue to generate benefits beyond their projected economic life.

Dams generally have a range of extensive impacts on ecosystems – these impacts being more negative than positive with the loss of habitats, species and aquatic biodiversity. In many cases mitigation measures have been ineffective. On the social impacts, the Commission found that the negative effects were frequently neither addressed nor accounted for. The extent of these impacts on the lives, livelihoods and health of the affected communities is substantial.

Perhaps of most significance is the fact that social groups bearing the social and environmental costs and risks of large dams, especially the poor, vulnerable and future generations, are often not the same groups that receive the water and electricity services, nor the social and economic benefits from these. Applying a traditional 'balance-sheet' approach to assess the costs and benefits of large dams, where large inequities exist in the distribution of these costs and benefits, was seen by the Commission as unacceptable given our existing commitments to human rights and sustainable development.

FORMULATING GLOBAL PUBLIC POLICY

The WCD Report, *Dams and Development* seeks to replace the traditional 'balance-sheet' approach with a framework based on recognising rights and assessing risks of all interested parties. It encompasses the concept that those adversely affected should be part of the development opportunity, and to share a project's benefits.

Clarifying the rights context for a proposed project is an essential step in identifying those legitimate claims and entitlements that might be affected by the proposed project – or indeed, its alternatives. It is also the basis for effective identification of stakeholder groups that are entitled to a formal role in the consultative process, and eventually in negotiating project-specific agreements relating, for example, to benefit sharing, resettlement or compensation.

The notion of risk adds an important dimension to understanding how, and to what extent, a project may have an impact on such rights. Traditional practice is to restrict the definition of risk to that of the developer or corporate investor in terms of capital invested and expected returns. These voluntary risk-takers have the capacity to define the level and type of risk they wish to take and explicitly to define its boundaries and acceptability. In contrast, as the report showed, a far larger group often has risks imposed on them involuntarily and managed by others. Typically, these involuntary risk-bearers have little or no say in overall water and energy policy, in the choice of specific projects or in project design and implementation. The risks they face directly affect individual well-being, livelihoods, quality of life, even their spiritual world view and very survival.

Having laid the groundwork of rights and risks approach, the Commission developed a constructive and innovative way forward for decision-making in the form of seven strategic priorities and corresponding policy principles. They are written in terms of the outcomes to be achieved (see Box), and show how to: gain public acceptance; assess options; address existing dams; sustain rivers and livelihoods; recognise entitlements and secure benefits; ensure compliance and share rivers across boundaries.

Guidance on implementing the seven strategic priorities is provided through a set of criteria for five key decision points in the planning and project cycle together with a set of 26 guidelines based on examples of good practice from around the world. Chair of the Commission, Professor Asmal said recently, 'Our guidelines offer guidance - not a regulatory framework. They are not laws to be obeyed rigidly. They are guidelines, with a small "g," that illustrate best practice and show all nations how they can move forward. But guide us they should, as they will reduce the risks and costs for all parties involved'. The WCD report and knowledge base is available on the web at www.dams.org and on CD Rom.

The Commission's report offers the opportunity to avoid conflicts, reduce delays and lower overall lifetime costs to the operator, the government and to society in general. In doing so, it raises standards for dealing with social and environmental aspects, identifying the need for more comprehensive studies at early stages of planning. Conversely, ignoring the reports' recommendations will raise the risk of delay, scare off potential investors and leave projects stranded in the courts. In the end, it is the people on the ground who will lose, both those people scheduled to reap the benefits of a project and those whose livelihoods are unnecessarily put at risk.

As indicated in the report, it is the conclusion of the first stage of a wider process. It is now up to individual countries and organisations to review the report and determine how best to take its recommendations forward through appropriate local processes into practice.

LEARNING FROM THE PROCESS

Participatory processes are not predictable and it is not possible to foresee their course. To some, this lack of control remains an obstacle to embracing an open process. Looking back, the course of the WCD work programme appeared to have flowed like a river, but one with some intense whitewater rapids. The four regional consultations provide some insight into the nature of these 'rapids'

At the last minute a regional consultation to be held in India in September 1998 was cancelled as a result of local sensitivities surrounding the Sardar Sarovar project. Three months later however, it did take place in a new venue, Sri Lanka, and was conducted in a climate of pluralism and understanding that allowed the pro- and anti-dam forces from Pakistan, India, Bangladesh and Nepal each to tell their story uninterrupted by others.

Naturally, there were heated moments. Government officials spoke passionately of the contribution that dams had made in their region over hundreds of years, of growing populations, increasing demands for food, power and drinking water, of national development goals and of their responsibility to the people. Affected peoples responded equally passionately of their villages destroyed, resettlement in inadequate sites and the impersonal nature of the State when faced with real people living real lives with little food security and real livelihood risks.

For two days they talked and the Commission listened. WCD absorbed a clash of perspectives and built on common ground, noting and respecting divergences. Progress was made only due to the fact that people felt they finally had the chance to put their case in a neutral arena, and that the Commission had listened to all sides.

In Sao Paulo, Brazil, in August 1999, the Latin American consultation had no sooner begun than word came that more than five hundred people who had been displaced by dams in Brazil were on their way. Although their representatives had been invited to make their case, they decided to come to the meeting themselves. They were accommodated as observers, sat and listened to the debate and departed as quietly as they had come, assured that their points had been made, listened to, and documented.

In Cairo, in December of the same year, the Commission heard of the delicate Middle Eastern politics of trans-boundary waters between Turkey and Syria, Jordan and Israel, and even protests from people directly affected by dams financed in large part by South Africa where the Chair was Minister for Water Affairs. Despite political lobbying to exclude some speakers or include others, an independent and objective consultation had been achieved.

For the Hanoi meeting in February, 2000, the Commission had to wrestle with the delicate dynamic of complex relations between governments and civil society movements, including lobbying to exclude specific presentations. Yet, acceptable ways were found for such presentations to be heard and ensure that all facets of the debate were on the table.

No one party was excluded - for exclusion breeds resistance. The Commission provided a neutral, free and ordered space, where violence was replaced by verbal debate, shouting by listening, and chaos by calm. There is nothing novel to this approach, it is just rarely tried on the scale of a global policy arena. One lesson is to avoid reaching a standstill by providing space and opportunity to harness the constructive energies of all sides.

AFTER THE LAUNCH – MOVING TO LOCAL PROCESSES

The conflict surrounding dams did not end with the launch of the report in London in November 2000 - that would have been an unreasonable expectation. Some may say that extreme positions had not changed, with opponents of dams quick to use parts of the report to support their positions and proponents quick to react against what they perceive as an increasing burden that might frustrate the delivery of water and energy needs. However, beyond the rhetoric there is a wide range of processes that have been initiated to work with the report to find a way out of local conflict.

The willingness of twelve Commissioners with very different backgrounds, experiences and perspectives to sign the report was indeed a significant achievement and one that should provide encouragement for local processes to move forward. Already there is evidence of partnerships at a local level emerging that would not have been considered possible five years ago. These involve national multi-stakeholder processes, reviews by multilateral and bilateral financing organisations, assessments of how dams in the pipeline match against the Commission's recommendations and reviews by professional organisations, NGOs and affected peoples' groups.

SEVEN STRATEGIC PRIORITIES OF THE WORLD COMMISSION ON DAMS

Gaining Public Acceptance Public acceptance of key decisions is essential for equitable and sustainable water and energy resources development. Acceptance emerges from recognising rights, addressing risks, and safeguarding the entitlements of all groups of affected people, particularly indigenous and tribal peoples, women and other vulnerable groups. Decision making processes and mechanisms are used that enable informed participation by all groups of people, and result in the demonstrable acceptance of key decisions. Where projects affect indigenous and tribal peoples, such processes are guided by their free, prior and informed consent.

Comprehensive Options Assessment Alternatives to dams do often exist. To explore these alternatives, needs for water, food and energy are assessed and objectives clearly defined. The appropriate development response is identified from a range of possible options. The selection is based on a comprehensive and participatory assessment of the full range of policy, institutional, and technical options. In the assessment process social and environmental aspects have the same significance as economic and financial factors. The options assessment process continues through all stages of planning, project development and operations.

Addressing Existing Dams Opportunities exist to optimise benefits from many existing dams, address outstanding social issues and strengthen environmental mitigation and restoration measures. Dams and the context in which they operate are not seen as static over time. Benefits and impacts may be transformed by changes in water use priorities, physical and land use changes in the river basin, technological developments, and changes in public policy expressed in environment, safety, economic and technical regulations. Management and operation practices must adapt continuously to changing circumstances over the project's life and must address outstanding social issues.

Sustaining Rivers and Livelihoods Rivers, watersheds and aquatic ecosystems are the biological engines of the planet. They are the basis for life and the livelihoods of local communities. Dams transform landscapes and create risks of irreversible impacts. Understanding, protecting and restoring ecosystems at river basin level is essential to foster equitable human development and the welfare of all species. Options assessment and decision-making around river development prioritises the avoidance of impacts, followed by the minimisation and mitigation of harm to the health and integrity of the river system. Avoiding impacts through good site selection and project design is a priority. Releasing tailor-made environmental flows can help maintain downstream ecosystems and the communities that depend on them.

Recognising Entitlements and Sharing Benefits Joint negotiations with adversely affected people result in mutually agreed and legally enforceable mitigation and development provisions. These recognise entitlements that improve livelihoods and quality of life, and affected people are beneficiaries of the project. Successful mitigation, resettlement and development are fundamental commitments and responsibilities of the State and the developer. They bear the onus to satisfy all affected people that moving from their current context and resources will improve their livelihoods. Accountability of responsible parties to agreed mitigation, resettlement and development provisions is ensured through legal means, such as contracts, and through accessible legal recourse at the national and international level.

Ensuring Compliance Joint negotiations with adversely affected people result in mutually agreed and legally enforceable mitigation and development provisions. These recognise entitlements that improve livelihoods and quality of life, and affected people are beneficiaries of the project. Successful mitigation, resettlement and development are fundamental commitments and responsibilities of the State and the developer. They bear the onus to satisfy all affected people that moving from their current context and resources will improve their livelihoods. Accountability of responsible parties to agreed mitigation, resettlement and development provisions is ensured through legal means, such as contracts, and through accessible legal recourse at the national and international level.

Sharing Rivers for Peace, Development and Security Storage and diversion of water on transboundary rivers has been a source of considerable tension between countries and within countries. As specific interventions for diverting water, dams require constructive co-operation. Consequently, the use and management of resources increasingly becomes the subject of agreement between States to promote mutual self-interest for regional co-operation and peaceful collaboration. This leads to a shift in focus from the narrow approach of allocating a finite resource to the sharing of rivers and their associated benefits in which States are innovative in defining the scope of issues for discussion. External financing agencies support the principles of good faith negotiations between riparian States.

Each process will take its own course, but it is already clear that the report is making its mark with over 1000 media articles and discussion in more than 50 meetings worldwide. The responses have also shown that stakeholder groups are not necessarily homogeneous bodies. Wide divergence of opinion on the report is evident even in comments by members of the same organisation - a point worth remembering for any participatory process. It is clear though that the debate on dams has changed and that the report marks a new reference point for discussion.

The WCD was an experiment in applying a new policy-making approach to development practice. The experience will reinforce a form of development which respects human rights, ensures equitable distribution of development benefits and recognises needs of the environment. The WCD report, *Dams and Development*, is likely to be seen as reinforcing development through speeding the transition from traditional approaches based on political and financial power, to the new consensus emerging around the notion of sustainable human development.

Seven months before the launch of the report, the Chair of the Commission made it clear at the second Forum meeting that the release of the report would not lead to a transition overnight, but that it would occur gradually "*over the weeks and months and years ahead, through seminars, summits and briefings for all the multi-stakeholders*". He stressed to the Forum members that "*Workshops will involve each of you.....The Forum is critical to that transition. For that reason we welcome the proposal to reconvene the Forum early next year to chart the future course of action*". Without knowing what form the report would take, the Forum was clear in its desire to meet several months after the launch to determine the future course of action.

FOLLOWING UP - THE DAMS AND DEVELOPMENT UNIT

Review processes at national levels and within organisations have begun remarkably quickly. To complement these, the final WCD Forum concluded that a form of co-ordinated networking support was needed - not only to assist with dissemination and translation of the report, but to provide information on the various follow up activities around the world, collect examples of good practice and provide support for capacity building activities where requested.

As with the Gland meeting, the level of agreement at the third WCD Forum meeting on the direction of follow up was impressive. Again it demonstrated that agreement can be reached on a highly contentious issue where there are clear advantages to those involved in terms of a new way of doing business.

The Forum agreed that a small *Dams and Development Unit (DDU)* will be established by August 2001 to facilitate working with the WCD report and the exchange of information among stakeholders. Hosted by an international organisation that provides basic financial and administrative services, the new Unit would retain its independence in terms of policy, work plan and finances, clear accountability and balanced governance through a multi-stakeholder forum.

A subgroup of the Forum was mandated to take the lead in establishing the new arrangements and a proposal is currently under discussion to host the Unit within the United Nations Environment Programme (UNEP). Both the Bank and IUCN continue to support this initiative, building on the groundbreaking dialogue that their partnership initiated four years ago.

As with the WCD, the DDU needs to enshrine a multi-stakeholder character, and complement the range of local initiatives which individual stakeholders will take. Its immediate objectives are to:

- support the widespread dissemination of the WCD report, its messages, recommendations and related products;
- support regional and country-level dialogues on the report and the issues it addresses;
- strengthen interaction and networking among participants in the dams debate; and
- facilitate the flow of information and advice concerning initiatives taken by individual stakeholders or stakeholder groups pursuant to the WCD report.

The DDU will be governed by a multi-stakeholder Steering Committee on policy issues and will report to its host organisation, UNEP, on administrative matters. It is not a permanent institution, but has been established for a limited two-year period to facilitate the immediate needs of emerging local processes - a function requiring independence and objectivity that no single existing institution could provide.

CONCLUDING REMARKS

Observers from both sides, have cited the World Commission on Dams as a model for resolving disputes over globalisation. However, it is still too early to gauge how far its message will be implemented. The level of activity it has generated so far is a good sign. After the launch of the report, the WCD Chair said, '*We have merely*

managed to take the debate off the streets, and clear one small patch of political ground over which the terms and conditions of a key dimension of global capitalism – imparting the wealth of water – can be negotiated'. In doing so, the Commission has demonstrated through its own processes that people with widely differing perspectives can come together in a rational and constructive manner. The challenge is for both sides to maintain an approach of objectively dealing with the issues, and for leaders and facilitators at national and local levels to step forward and take this process to its logical conclusion.

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