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\* Cover Photo: Georgia Landscape by JLB1988 (Amersfoort/Netherlands)



To “better connect the Caucasus to Russia,” a new road project, Kvesheti-Kobi, is planned to be realized in Georgia. This road section will be part of a north-south corridor that passes the Caucasus and serves to connect the region to Russia. Starting in Armenia, the southeast of the Caucasus countries, the corridor crosses Georgia and continues to the big northern neighbor (Russia).

This new massive construction will go through a precious valley of Georgia and it poses considerable threats to the livelihoods, biodiversity and cultural heritage of the pristine valley of Khada. It has even raised questions about the economic and political validity of the initiative. ADB is among the project’s few supporters.

Although its impact was almost unstudied and the promoters had failed to properly inform and communicate with the locals, the international banks still allocated funds for this road.

Asian Development Bank is its biggest funder. In a USD 558.6-mil-

lion project, more than half, USD 415 million is a loan from the ADB to the Georgian government. The Government itself invests \$83.6 million. The European Bank for Reconstruction and Development (EBRD) has approved a USD 60 Million loans to co-finance the construction of a 9-km-long tunnel which is part of the project.

The public protest against Kvesheti-Kobi intensifies and local communities are no longer alone in this fight.

#### WHO WILL BENEFIT?

According to the Roads Department of Georgia, the 23-kilometer Kvesheti-Kobi highway aims at better connecting Georgia and South Caucasus to Russia and its neighbors with the shorter and more convenient road. As mentioned in an official statement, “the tunnel [of the road] provides for safer and reliable conditions during the winter for those using the road.” Another value of the project, often highlighted by its promoters, is the cut distance. Compared to the existing road section that also connects the

same geographic areas, the new one will be only 12 km shorter. And it will reduce the north-south corridor’s traffic time by only 40 minutes.

The benefits of this road locally, or for the entire country are arguable. What escalates doubts is the project documentation which does not offer any cost-benefit analysis, both in terms of land transport development as well as its impact on the country’s fiscal parameters.

The current project does not promise a clear economic return. The budget is unprecedentedly high for a 23-kilometer-long road which threatens to bulldoze the unique valley.

#### WHAT WILL BE LOST?

The Khada Valley is rare because it simultaneously brings together an untouched landscape and a large number of cultural monuments concentrated in one place, still unexplored archaeological treasures that confirm traces of life from the Eneolithic period, rare biodiversity with species from the red list, and the villages built at 1800 me-

ters above sea level, where old traditions of mountainous people are reserved.

It will be replaced by 5 tunnels and 6 bridges. One of the tunnels will be 9km long – of the rare length in construction practice. The bridges, a total length of 2 km, include a 426m long and 166m high arched structure.

Ironically, the project owners suggest that one of its outputs will be a touristic center planned to be built in the valley along the road. It remains unknown how the visitors’ center will promote flourishing tourism in the gorge which will be turned into a hedgehog of bridges and tunnels and will have lost its value and identity.

The part of the new road will be constructed by the “23rd China Railway Bureau Group”. This company was banned from participating in tenders for 9 months by the World Bank due to fraud in June 2019. It was announced as the winner after World Bank’s ban.

#### AGAINST THE ROAD

Kvesheti-Kobi road threatens to deteriorate livelihoods. Locals of Khada request for the highway to avoid crossing the valley. They have collected signatures, held protests, submitted letters to ADB and EBRD, asking them for help. In August 2019, it was a few days after Khadians had sent a letter to ADB when the bank announced the loan approval.

Chadians said they will not give their lands “at any price”. First of all, they do not want to lose their ancestral areas, full of history and memories. Second, noise and air pollution will increase. The impact threatens healthy village crops. The project kills its tourism opportunities. Expected forced economic resettlement poses risks to reducing the income. And last, but not least, it’s just dangerous: geologists warn, the tunnel could touch the areas with risk for volcanic activity.

In the struggle for protecting areas, some of the locals said they have been refused by state agencies to register their traditional properties around the road area. Meanwhile, the project does not come with a socio-economic baseline assessment on how it affects the population in terms of land acquisition or restrictions on land use. It does not identify the social impact, needs, and rights of the affected communities.

#### WHAT HAPPENS TO THE 60 TOWERS?

The Khada valley is also named ‘the place of 60 towers’. The tiny gorge ensembles up to 60 towers which are known for special, historic methods of construction and are unique in Georgia.

Churches, fortresses, towers, old cemeteries, and other memorials are only a portion of the monuments in Khada Valley. It also preserves yet unstudied archaeological artifacts.

The road project documentation suggests it will pass the cultural

**"Chadians said they will not give their lands at any price."**



sites in 50-100 meters, which means they are very likely to be ruined. Even in the Environmental Impact Assessment drawn up by the government, it is stated that “it will have a significant effect” on the monuments. Sufficient mitigation measures are absent in the project documentation.

Art experts and archeologists worry that the large scale construction will bring irreconcilable damage to the monuments, especially because the government began the project without detailed research.

#### **NATURE AT RISK**

Khada Valley is a biodiversity hotspot in the Greater Caucasus. As the greenfield project crossing Kazbegi national park and several Emerald sites, Kvesheti-Kobi road will heavily impact on its landscape and biodiversity.

As the pollution increases and habitats change, the project will influence the reduction of species listed in the Red Book and will encourage spreading the invasive species in the valley which is a biodiversity hotspot. The road will affect bird watching areas which offer one of the unique possibilities for bird watching lovers living or visiting Georgia. The area is a host to more than 30 000 migratory species per year.

Kazbegi Park is the home for at least six species found on Georgia’s red list. Most of those species were not even mentioned in the project documentation and the environmental risk management plan for them is not present.

#### **THEN, WHY THIS ROAD?**

While the locals and watchdogs try to fight for protecting human rights, save the valley and question the economic validity of the project, recently the journalists have raised another, a new angle for discussion related to Kvesheti-Kobi: national security risks. Security experts note that larger, massive (resistant to military transport) roads directly cut to Russia - a country with which Georgia has ongoing military disputes do represent a danger to consider.

It’s clear, the Kvesheti-Kobi road inspires a lot of questions, and they are not only political. Here is more of it: when the project practically does not prove its economic benefits, causes human right violations, promises irresponsible dangers, cooperates with the companies with history of fraud and does not present in-depth social-environmental studies and analysis, why do the international banks, such as ADB and EBRD go against their own rules and continue supporting it? Then, why this road?

# **WATER: BASIS FOR CONFLICT OR COOPERATION?**

MAURICE OUMA ODHIAMBO | JAMAA RESOURCE INITIATIVES

**T**here is an old saying in the western United States that “water flows uphill towards money”. An American writer and humorist Mark Twain captured the tension over water with his famous quip that “whiskeys’ for drinking, water for fighting about”. As water becomes scarcer, competition for it is increasing in many parts of the world.

In the 20th century, the natural resources that have been most associated with the wars have been oil. A number of writers on the environment and natural resources have predicted that in the 21st century, it is water that will be the main cause of war. It was Ishmail Serageldin, a former Vice-president of the World Bank that went as far as predicting that the third world war will be fought over water.

Water is a basic need for every living thing. It is estimated that up to 70% of

the human body consists of water. The figure is a little higher for babies and a little lower for old people. Even the slightest drop in the body's metabolism. For humanity, as for most life on earth make the difference between life and death.

Yet there are numerous activities associated with development that have a bearing on the availability of water. The excision of forest land for settlements of farming, the destruction of water catchments areas through the wanton cutting of trees and poor farming methods and the occurrence of persistent drought all reduce the quantity of water available to support life on earth. Population growth and global warming add to the pressure on water supply and contribute to its scarcity.

Rapidly growing cities and industries have increased the demand for water to support irrigated and other human activities. But the demands for water for irrigation compete with demands of water for irrigation competes with demands for other uses. For instance, residential and industrial demands for water can only be met by reducing the quantity of water available for irrigated agriculture. How these competing demands can be met sustainably is not immediately clear.

Apart from issues to do with quantity and the sharing of water resources across different sectors, there are also concerns related to water quality, the impact of pollution arising from the industrial production and other corporate activities on water quality is a major concern especially in urban centers. Water pollution has deleterious effects on human and aquatic health. As the demand for wholesome water exceeds the supply, the competition for access to this resource becomes a potential cause of conflict.

The general legal principles for the management of water are defined by the Convention on the Law of Non- Navigational Uses of International Watercourses ratified by the United Nations in 1997.

#### **WATER AS A UNIFYING FACTOR.**

To respond to fears and concerns about water wars, UNESCO launched a programmed investigation of how far these fears are justified and how the world could be prepared to respond to the challenges inherent in the management of shared water resources in such a way as to avoid these gloomy prophecies becoming true.

**"Everyday we have not reached our goal; people are dying due to lack of water or diseases carried by polluted water.**

**Fresh water for all will not guarantee peace, but without water there will be no peace. Through the gift of knowledge we can eliminate this problem. We can do this".**

**- Dr. Della Laura.  
Founder and president  
Water for PEACE,  
Chicago**

The essence of water to life on earth means that the crisis about water has implications for all aspects of human life from health to human rights, the environment to the economy, and civilization to cooperation and conflict. The water crisis goes beyond boundaries and cannot be addressed effectively without reference to the entire context.

Yet, although it is always seen as potential sources for conflict and war, water has historically been a powerful incentive for co-operation.

Research conducted under Prof. Aaron T Wolf has confirmed this. His research team compiled data for water conflict/ cooperation reported during the past 50 years in

the international media. On the basis of the data they gathered, they observed that most "water relations" between countries are cooperative. Otherwise, water-related issues likely to cause conflict are quantity, quality and infrastructure-related.

#### **CONCLUSIONS**

There has been a growing literature warning of future "water wars". Yet historic records show a different picture. We have not and not in all likelihood will not go for war over water.

Several treaties have been signed over different aspects of international waters. While it cannot be denied that there has been a conflict over water, such disputes have tended to be at the macro-

level between individuals, tribes, and water sectors. There is no indication from the records and data about water being a source of abiding conflict between nations

It is important to focus on the prospects of water as a basis for cooperation rather than conflict. This will be useful perspectives for addressing the challenges relating to the management of such shared water resources as the Nile and Lake Victoria. At both the national and global levels, the real challenge is to ensure an adequate supply of clean fresh water to the people of the world and to design frameworks for ensuring equitable access.



# DE-COMMODIFYING NATURAL RESOURCES: RESURRECTING THE PUBLIC SECTOR

RENE E. OFRENEO | FREEDOM FROM DEBT COALITION

President Duterte continues to berate the two giant water companies—Manila Water and Maynilad. He fumes as to why these companies are able to treat water, a natural resource, as a commodity and as an object of endless profit-making exercises, made possible by onerous or one-sided water concession contracts forged by the water twins under the Ramos and Macapagal-Arroyo administrations.

We agree with him that water, a natural resource, should not be treated as another commodity. It is part of the national “commons” that should be equitably shared and enjoyed by all. The commons include land, forests,

seas, culture and other resources, including the digital commons that form part of our national patrimony. They should be developed and managed in a sustainable way to meet the needs of both the present and future generations.

The commons also cover the essential public services, such as education, social protection, health, electricity and other basic amenities that the Constitution says should be developed by the State for the benefit of all citizens.

In the development of the foregoing natural resources and public services, the government

naturally plays a central visioning, organizing and managing role. A strong public sector is needed. Go to China, go to Singapore, go to Scandinavia and so on, and see the pivotal role of the government in ensuring that all citizens are able to enjoy efficient, affordable and accessible public services.

The problem is that, in the case of the Philippines, these natural resources and public services have become a special target of the narrow privatization program promoted (imposed is a more accurate word) by the IMF-World Bank tandem. This privatization program was an integral part of the so-called structural

adjustment program that the twins devised for the country in the 1980s to 1990s. The Philippines was one of the original guinea pigs for the SAP program that is now widely denounced in Latin America and other heavily indebted developing countries, as well as by a number of World Bank researchers, past and present (e.g., former WB Chief Economist Joseph Stiglitz).

The country's problem has been compounded by the neoliberal attitude of the Filipino economic technocrats who embraced the privatization program in full because they, apparently, believe that everything, such as the water distribution business, can be reduced to a market issue. In addition, they can avoid doing the difficult task of attending to all the details of planning, budgeting and implementing the delivery of a public service, such as water or power distribution. Let the big corporations do the job. And let the different household consumers, big and small, pay the “right-water tariffs” if they want water to continue flowing in their faucets. In short, let the public service become another tradable commodity, subject to the supply-demand dynamics in a market economy.

Clearly missing in the foregoing commodification/privatization framework is the central role of the government, both at the national and regional/local levels, as a visionary development leader and as a “balancer” of competing development goals. In the case of the water public service, these goals include the following: affordable and accessible water for all; equitable social and economic development in all areas served and to be covered; sustainable water generation and environmental management; well-being of communities along the water generation-distribution value chain; and consultation/participation of the consumers and concerned communities in the waterbusiness.

The last means the citizens from the developed and underserved communities should have a say in the formulation and implementation of a holistic and people-focused water development program, from generation to infra development and distribution. There is none in the present system. There are no consumer and civil society representatives (not even Rotarians) in the boardrooms of the water companies. The Local Water Utilities Administration are also silent on why the big water companies (Prime Water, FilCapital Water, Manila Water and so on) are competing with one another in “privatizing” the more developed water districts. The LWUA has also not issued any statement on the numerous complaints by consumers of “privatized” water districts over rising water tariffs and declining water service.

It appears that under the water privatization program, the government's role is reduced to that of a passive onlooker, unable even to tame or regulate the insatiable desire of the water companies for more and more profits. The regulators have been captured by the industry players.

So can the Duterte administration reverse the commodification/privatization program in the water and other public services? What is the government's game plan? As it is, the water consuming public in Metro Manila is mesmerized by the capacity of the government to threaten the water giants with the possible filing of plunder cases and possible imprisonment of the multibillionaire owners of Manila Water and Maynilad? But are there programs then to reverse privatization? To stop



the ongoing privatization of the most developed water districts by the big corporations?

If the government economic planners are thinking along this line, they can educate themselves on the studies conducted by the Public Sector International and Transnational Institute. In *Reclaiming Public Services* (2017), the PSI and TNI reported that there have been at least 835 examples of “re-municipalization,” or de-privatization, involving more than 1,600 cities and 45 countries worldwide.

One notable case documented by the book is the success of the city government of Grenoble, France, and its citizens in putting “an end to a corrupt contract with water multinational Suez” in the early 2000s. Grenoble, a pioneer in Europe on water privatization, has become a pioneer in de-privatization. The city created a new public water operator that provides better quality water at lesser cost, and includes citizen participation in the running of the public service.

Another notable case that should excite the lawyers

of the Duterte administration is the re-municipalization of the centralized heating system of Vilnius, Lithuania. The city government decided against the renewal of a 15-year contract with the French energy multinational Veolia, which was charged by the city government for price gouging and generating “unlawful excess profit of €24.3 million between 2012 and 2014.” Veolia brought the case for international arbitration under the France-Lithuania Bilateral Investment Treaty, demanding a retention of the contract and payment of €100 million in damages. The city government stood firm, and took over the management of the heating system even if the arbitration case was still pending (as of 2017).

Clearly, political will is central in any program to bring back sanity in a privatization program that has become highly commercialized and inimical to the consumers and the nation. Will the Duterte administration be able to summon the same political will in altering the four-decade-old SAP and privatization program in support of the people’s interests?

*\* This article originally appeared in Business Mirror, January 2, 2020.*



Many know by now that another two-weeks long United Nations negotiation on climate change ended with the world's richest countries and biggest emitters of greenhouse gases blocking agreements on mitigation, adaptation and recovery. Close to 27,000 representatives from 200 countries, including dozens of heads of states convened in Madrid from 2-13 December for the 25th Conference of Parties on Climate Change (COP25). As the number implies, it was the 25th of such annual sessions under the UN Framework Convention on Climate Change (UNFCCC) process. It is the only international

legal forum that discusses how to solve the climate crisis that is partly open to observers.

COP25 was supposed to prepare for the important stock-taking process on the 2015 Paris Agreement, which is scheduled to happen in COP26 to be held from 9-19 November in Glasgow this year. Studies now show that existing commitments under the Paris Agreement are likely to shoot global average temperatures up by 3.3°C by the end of this century instead of the target of below 2°C compared to pre-industrial levels. The plea from vulnerable developing countries in that ses-

sion five years ago to keep global warming to 1.5°C for the majority to stay alive, which was placed in the preamble of the agreement, is obviously not being heeded. The current track will leave major coastal cities and whole nations underwater and lead to collapsing food yield globally.

Before the start of the Madrid talks, UN Secretary-General Antonio Guterres had already spoken of concerns that the inadequacy of current actions could lead global warming to pass the “point of no return”. On the first week of the negotiations half a million people protested against the lack



of proper actions and demanded more ambitious climate policies from governments just up the road from the venue. On the crucial last days of the negotiation before the two-day extension, some 300 climate justice campaigners, many of them veterans of the COP, were shut out from the talks.

### IS RADICAL ENVIRONMENTAL ACTIVISM ATTRACTING CLIMATE FASCISM?

The increased level of recognition of the climate emergency, as well as the mounting frustration over the lack of appropriate actions to match the severity of ongoing and future impacts of climate change from government authorities and powerful businesses, have contributed to recent dramatic and huge climate-related protests and mobilisations held in major cities. The youth-led Friday strikes and paralysing protests by the environmental network Extinction Rebellion made climate change one of the major election issues in this country for the first time last year.

Extinction Rebellion was recently listed by British counter-terrorism police alongside violent neo-Nazi and Islamist groups in a guide to “extremist ideologies”. The guide document is issued to schools and includes instructions on what to look out for among those who use “strong or emotive terms” when discussing climate change or pollution. Some may argue that if a group or network call themselves a “rebellion” and demand fundamental change from powerful forc-



es like the state and corporations, they are opening themselves to certain responses from the security arm of the state. The stakes are high in forcing climate actions and will be a threat to those whose wealth and power are based on polluting and thrashing the planet.

The crackdown on and persecution of environmental activists – and the impunity with which this has been carried out – can be seen in clear violations of human rights like the high-profile murders of Berta Caceres in Honduras 2016 and Gloria Capitan in the Philippines in the same year. In the past even northern environmentalists like Petra Kelly have been killed in Germany. As the ecological breakdown deepens and more people sympathise with, and are encouraged to join, direct climate actions, security forces worldwide are beginning to use more stringent measures against movements for environmental protection.

This brings the question, why is the force of the state more focused on those who are wishing to prevent the destruction of life on this planet and the future of humankind than against those who are profiting from causing them?

### CORPORATE-INFLUENCED CLIMATE POLITICS HAS LONG FAILED THE ENVIRONMENT

Protests and walk-outs (even by official climate negotiators from developing countries) have been



part of the climate negotiations for more than a decade now. In 2009, the Copenhagen climate talks (COP15) collapsed due to wealthy countries’ refusal to follow on years of work on the 1997 Kyoto Protocol, which acknowledges as a fundamental principle the common but differentiated responsibilities of countries that are party to the convention to lower emissions that causes global warming. The Copenhagen Accord that emerged from COP15 started the reversal of agreements and lowering of ambitions.

Fast forward to 2019: major loopholes and the corporate-influenced climate politics gave polluters a way out to keep on with business as usual. Climate negotiators failed in their goals in Madrid to strengthen targets to cut emissions or to create a global carbon-trading system, which are the two main goals of the 2015 Paris accord. The conference ended without setting new emissions targets before next year’s COP in Glasgow or creating a framework to reward and encourage efforts to cut emissions. The main sticking point is about how much the US, as the world’s largest historical emitter of fossil fuels, owes to the global south. The country’s withdrawal from the Paris Agreement doesn’t absolve it of its huge responsibilities.

Wealthy countries owe a climate debt to poor and climate vulnerable nations that will require financial and technical assistance to sustainably build decarbonised

and resilient economies to deal with climate impacts that are already happening. It must be recognised that the prosperity enjoyed by wealthy countries now was achieved by emitting greenhouse gases through burning fossil fuels and extracting resources from the global south (especially, in the UK, in its former colonies) and exporting our waste and pollution-causing manufacturing to the south. That historic and continuing responsibility limits the future development of poor countries. Our continuing disproportionate emissions and abdication of responsibilities are making the problems worse. Under the Paris Agreement, all countries are required to make nationally determined contributions, which means what each country is prepared to do and not what must be done which produced the significant gap between pledges and what’s needed.

The US together with other rich country polluters – which include the UK – blocked the nonbinding discussions in Madrid encouraging more ambitious targets. The debate on loss and damage, defined in the UNFCCC as harms resulting from sudden-onset events (climate disasters, such as cyclones) as well as slow-onset processes (such as sea level rise) that impact on the ecology as well as lives and livelihoods, will continue in Glasgow.

As groups gear up to protest against this farce, will the climate justice movement experience further repression from the state?

*\* This article originally appeared in Gloabl Justice Now!, January 17, 2020.*

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