

## Towards a New Public-Private Sector Engagement in Water Security in the Philippines: A Preliminary Discussion

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There is an emerging international recognition today that access to water is in itself a human right, being constitutive of the more categorical recognition of the human right to an “adequate standard of living.” As a human right, access to water must therefore be made available to every person, regardless of economic, social, cultural, and political status.

Despite this, access to water in the Philippines today, however, largely remains a matter of politics. The situation is made more difficult by the institutional and policy development of the Philippines, which have increasingly relied on the private sector to maintain, operate, and expand the country’s public utilities. Particularly, the privatization of the Metropolitan Waterworks and Sewage System (MWSS) pointedly illustrates the sad interplay between urban development, on the one hand, and the enforcement of the right to water on the other. This has resulted to relatively efficient gains in the operation of the MWSS, but at the cost of higher (and usually unaffordable) water rates as well as an increase in the number of environmental concerns.

This Article explores a human-rights based approach to the problem of water security in the Philippines. By recognizing that access to water is a basic human right towards fuller human development, this Article argues that the State must comply with its international obligation to secure to everyone the right and access to safe and clean drinking water. In doing so, the Article also shows that other human rights concerns, such as on gender among others, can also be adequately responded to if only access to water is treated as a legally demandable human right.

The result is a proposition that should the private sector fail in ensuring access to water for everyone, then the State has the correlative obligation to secure this right. In order to do so, the Article recommends the creation of a centralized national agency in charge of all functions related to water security. Clothed as well with quasi-judicial powers, the Article hopes that such proposed agency, being aware of the human rights dimension of water security, would help the State secure to every Filipino a better quality of life.