

Legal Mechanisms for Water Resources in Practice

Introductory Remarks

7 August, 2017

WATER INTERNATIONAL, VOL. 41, No. 6, 2016

- * Contributions by AIDA members
- * Cover a wide range of contemporary water law issues
- * Based on practice, not academic

WHAT IS AIDA?

- *Created in Washington, D.C., during Water for Peace Conference*
- *Purpose: foster the evolution, study, understanding & application of water law, national and international*
- *Website: <http://www.aida-waterlaw.org>*

CONTEMPORARY LEGAL MECHANISMS TAKE INTO ACCOUNT :

- * Growing water demands for various purposes
- * Recognition of the importance of groundwater
- * Scientific and technological progress,
 - * to enhance the knowledge base,
 - * to facilitate development (but might lead to WR depletion or degradation)
- * Environmental degradation
- * Climate variability, (requires adaptive tools)
- * Need to facilitate access to WSS at affordable price
 - * Need for regulation (case of Scotland)

THUS, THEY TEND TO :

- * Provide for water resources management & infrastructure development within river basin contexts (cases of the Senegal & Niger basins; also Tisza river),
- * While providing for secure water rights, introduce mechanisms for allocation/reallocation responsive to changing needs
 - * but success largely depends on implementation (cases of Nicaragua & South Africa)

LEGAL MECHANISMS TEND TO (*continued*) :

- * address environmental concerns
 - * minimum flow requirements/reserves
 - * EIA under given circumstances;
- * devote more attention to groundwater
 - * recent & ongoing developments on transboundary aquifers
 - * state of California (USA)
- * introduce economic tools to support efficiency in water use & water protection;
- * enable public participation in decisionmaking;
- * recognize customary water uses.