Legal Mechanisms for Water Resources in Practice

Introductory Remarks

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* 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
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.