



Summary of the Workshops on Water Allocation and Water Rights

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Thematic Workshop on Water Allocation and Water Rights

- Conducted: December 2005 – January 2007
- Total: 4 workshops
 - 1st: Hanoi – **Identifying Issues**
 - 2nd: Manila – **Analysing Causes & Recommending Improvements**
 - 3rd: Bangkok – **Reviewing Completed Workshops & Polishing Recommendations**
 - 4th: Saitama – **Drafting Action Plan**

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Making water rights system work

- Basic law
- Secondary legislature & technical guidelines for implementation (eg. application procedures for water use permission)
- Organization involved to implement, with adequate administrative and regulatory power, and manpower and financial sources
- Data and information
- Consensus on introducing and implementing water rights system

Status, Challenges, and Proposed Actions for Water Rights (Viet Nam) 1

Status

- Comprehensive water resources law was enacted in 1998, with provisions on water rights
- Decrees also enacted for implementation

Challenges

- Unclear institutional set-up (inconsistency between law and decree)
- No technical guidelines

Status, Challenges, and Proposed Actions for Water Rights (Viet Nam) 2

Proposed Actions

- Clarifying mandates on water resources management at national and provincial levels
- Developing technical guidelines for water rights

Status, Challenges, and Proposed Actions for Water Rights (Lao PDR) 1

Status

- Comprehensive water resources law enacted in 1996, with provisions on water rights

Challenges

- Lacks secondary legislature for implementing water rights system
- Weak capacity of organizations in charge of water resources management (including water rights system)

Status, Challenges, and Proposed Actions for Water Rights (Lao PDR) 2

Proposed Action

- Strengthening the water resources coordination body for better water resources management

Status, Challenges, and Proposed Actions for Water Rights (Thailand) 1

Status

- Awaiting enactment of comprehensive water resources law

Challenges

- No law yet for water rights system
- In the interim, needs to build consensus on introducing water rights system
- Needs to collect data and information on river water use

Status, Challenges, and Proposed Actions for Water Rights (Thailand) 2

Proposed Actions

- Creating social process for water allocation (consultation & dialogue with stakeholders)
- Developing local regulation for water allocation in a pilot basin
- Collecting and sharing water resources data among stakeholders

Status, Challenges, and Proposed Actions for Water Rights (Indonesia) 1

Status

- New Water Resources Law enacted in 2004, with provisions on water rights
- No secondary legislature (Government Regulation) for the new Water Resources Law yet

Challenges

- Secondary legislature is vital for making water rights system functioning

Status, Challenges, and Proposed Actions for Water Rights (Indonesia) 2

Proposed Actions

- Prepare the Government Regulation for the New Water Resources Law
- Restructure the institutional arrangement for water resources management (i.e. Water Resources Council, Basar Balai...)

Status, Challenges, and Proposed Actions for Water Rights (Philippines) 1

Status

- Implements a system of water rights pursuant to the Water Code, secondary legislatures and technical guidelines

Challenges

- Difficulties in implementing water rights system: (limited manpower and financial resources, non-compliance of provisions of the law, or lack of awareness of the legal framework for water resources)

Status, Challenges, and Proposed Actions for Water Rights (Philippines) 2)

Proposed Actions

- Information and Education Campaign for disseminating the legal framework for water resources management
- Strict implementation of the law
- Establish financial mechanism for implementing effective water rights system

Status, Challenges, and Proposed Actions for Water Rights (Sri Lanka) 1

Status

- The State Land Ordinance (1947) contains provisions on water rights
- Water allocation is carried out not by water rights system but by traditionally-accepted practices

Challenges

- (Challenges on water rights system did not surface prominently during the workshops. Historically-accepted practices seem to function well)

Status, Challenges, and Proposed Actions for Water Rights (Sri Lanka) 2

Proposed Actions

- Promoting coordination among concerned organizations to strengthen water resources planning
- Promoting new concepts on irrigation water management (PIM, IMT, and Bulk Water Allocation) and introducing incentive policy for farmers

Workshop on Water Rights in Manila, 29-31 May 2007

- Follow-up to the four completed workshops
- Focused on water rights