

Implications of National Water Resources Policy on Effective RBM – A case study of Sri Lanka

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Understanding the context

- Early IWRM efforts
- Decline in irrigation Civilization
- Vesting nearly 80% of land in the state
- Introduction of Colonial admin and removal of integration at local level
- Opening of plantation economy and destruction of watersheds in 19th century

Emerging Crisis

- A crisis of governance
- Change in institutional arrangement from sectoral to integrated holistic approach
- 50 legislations and 40 agencies dealing in water
- Lack of political will, resistance to change, over possession of natural resources in the state.

Emerging crisis cont...

- Water rights linked to land rights
- Unregulated extraction of ground water
- Lack of understanding and project centered development
- Poor enforcement of environmental regulations
- ❖ Unregulated extraction of water along RBS impacting on development and livelihoods

Water rights

- Not very well defined
- Prevailing customary rights
- Riparian and prior appropriate rights
- Proportional Stream flow rights
- ❖ Introduction of 'formal rights' to meet growing demand for water

Establishing Formal Rights and New institutional Arrangements

- National Water Resources policy
- Salient Features
 - ❖ Water is a public property
 - ❖ Access to drinking and domestic water will be ensured
 - ❖ Drinking will be given priority in allocation
 - ❖ Traditional and customary rights will be respected

National Water Resources Policy cont...

- ❖ Future WRD will follow IWRM principles
- ❖ River Basin will be the unit of planning for future WRD
- ❖ WRD will be appropriately decentralize
- ❖ Future WRD will follow participation, transparency and openness.

Problems encountered

- Attempts made to formalize rights in a strong customary rights domain
- Introduction of new Institutions ignoring existing institutional arrangements
- NWRP process still continues (9 years)

Alternate Approach

- 'Negotiated rights' through extensive stakeholder participation in future WRD
- Strengthening RBOs as a key decision making body for water allocation among stakeholders

Key functions of RBOs

- Participation in preparation of Basin plans
- Reviewing draft basin plans
- Monitor implementation of basin plans
- Conflict resolution among stakeholders
- Facilitate stakeholder consultation
- Promote practices of IWRM

National policy on Sand as a Resource for Construction Industry

- Effective management of environment effected by sand mining is only possible by linking Activities, Interest and Perception of all stakeholders including civil society, NGOs, industry and government at central, provincial and local level

Sand Policy further states that..

- It recognizes the strong role of CBOs, where sole extraction rights for sand extraction in “ river extraction zones” are given to CBOs for a period of 5 years

Lesson Is that..

- Recognition of community based participation in National Policy implementation is a clear indication that 'formal' systems alone have proven inadequate in dealing with Natural Resources Management

What's need to be done

- Recognize the importance of establishing 'formal rights' in a strong 'customary rights' domain and combine this with a focused attempt to draw stakeholder participation in decision making and implementation