



## EDITORIAL

We are pleased to offer you news on recent events and developments in the field of water law and administration, and on future events. As you will notice, much is happening in this field, this being an indicator of the importance of water resources, which is increasingly being acknowledged worldwide. Numerous sources report on the alarming rate at which water scarcity becomes apparent, especially in arid regions. The reasons for this scarcity are not only climatic, but also – and primarily – rooted in the absence of adequate resource management efforts and, in turn, in lack of adequate legal and institutional frameworks.

We would be happy to provide you with even more news, but we may be able to do so only if you take part in the development of AquaForum by contributing information of interest to AIDA members. Thus, the Editor invites you, once again, to submit news on water legislation, international water agreements, capacity-building initiatives, conferences and seminars and publications relevant to water law and administration.

Also, be informed that since many years have lapsed since AIDA held its last international conference (Alicante-Valencia, 1989), we would like to invite you to offer suggestions as to the possible venue of and logistics for, a new conference.

Bernard J. Wohlwend

## 1. MEETINGS AND CONFERENCES

- The Workshop of Experts in **Water Governance, Customary Law and Indigenous Rights** was organized by the IUCN Environmental Law Center at Antigua, Guatemala, on 18-20 September, 2006, within the framework of the project 'Customary Law, Local Practices and Good Governance of Water Resources,' managed by AIDA member Alejandro Iza (Argentina), director of the Center. The project focused on case studies conducted in four Latin American countries in order to assess the relationship between customary water management practices and modern written laws and institutions. Based on the analysis, it examined flaws in the legislation and institutional setup of the four countries and made proposals for a better absorption of custom in the legislation, to the benefit of the indigenous and local communities. Information may be had at: [www.iucn.org](http://www.iucn.org)

- The European Union launch of the **UNESCO IHP-HELP Centre for Water Law, Policy and Science** of the University of Dundee, Scotland, took place at Scotland House in Brussels, Belgium, on 28 November 2006. The establishment of the Centre was approved by the UNESCO General Conference during its 33rd session, in 2005. The Brussels launch included an afternoon discussion on water issues and EU initiatives. For more information, visit the Centre's website at: <http://www.dundee.ac.uk/water/index.php>

- The **5th Iberian Congress on Water Management and Planning** was organized by the New Water Culture Organization and the University of Algarve, Portugal, at Faro, Portugal, on 4-8 December 2006. The congress coincided with the revision of the river basin plans in the Iberian Peninsula and the review of the agreement between Portugal and Spain on shared river basins. The main themes included water landscapes and water systems conservation, institutional aspects of water management, participation of citizens and media in relation to water issues, water and public health, innovation and technology. For details, visit: <http://www.ualg.pt/Scigpa/uk/index.php>

- The **First Meeting of the Parties to the Protocol on Water and Health** to the United Nations Economic Commission for Europe (UNECE) Convention of the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) was held at Geneva on 17-19 January 2007. The Meeting reviewed progress in the implementation of the Protocol, which entered into force on 4 August 2005, and adopted the workplan for the period 2007-2009. Furthermore, it discussed the possibility of opening the Protocol to the participation of states outside the UNECE area. For more information, visit: <http://www.unece.org/env/water>

- The **2nd Congress on Rivers and Wetlands Restoration** was organized by the Catalan Water Agency and the New Water Culture Foundation on 23-25 January, 2007, at Tarragona, Spain. This congress followed the first congress celebrated in 2002 in Madrid, Spain. In this second edition, new features and issues of relevance to river and wetland restoration were discussed, including legal and institutional aspects. To read more, visit: <http://www.unizar.es/fnca/>

## 2. DEVELOPMENTS AND PROGRAMMES CONCERNING WATER LAW

- **European Commission** - The European Commission is taking Finland, Sweden and Portugal to the European Court of Justice (ECJ) for failing to ensure proper treatment of urban waste water in a significant number of towns and cities, and thus for noncompliance with the Urban Wastewater Treatment Directive (Directive 91/271/EEC). The claim is that Finland and Sweden have failed to remove nitrogen when treating the wastewater of their inland cities and towns, thus contributing to environmental problems for the Baltic Sea. The EC claim against Portugal is that of failure to respect a special decision on urban wastewater discharges from Estoril, near Lisbon, and the surrounding area. In addition, The Commission has decided to pursue legal action against Spain in six separate cases over breaches of EU laws to protect the environment and public health. In four

of these cases, the Commission is following up earlier rulings by the European Court of Justice. It is sending Spain a final written warning for failing to comply fully with a ruling requiring measures to reduce pollution in its coastal waters. Spain will receive first written warnings for failing to comply with rulings in three other cases, concerning urban wastewater treatment, pollution of shellfish waters, and environmental impact assessments. In another case, the Commission is taking Spain to the Court for not properly transposing into national law a EU directive aimed at curbing industrial pollution, the Integrated Pollution Prevention and Control (IPPC) Directive. Finally, the Commission will send Spain a first written warning for failing to properly transpose the EU directive on drinking water. For more information, visit: <http://europa.eu.int> (press releases of 12 December 2006).

- **European Union** - Directive 2006/118/EC of the European Parliament and the Council of 12 December, 2006, on the protection of groundwater against pollution and deterioration – the ‘daughter’ directive on groundwater - was adopted on 12 December, 2006. The daughter directive aims at defining criteria for assessing the good chemical status and groundwater quality trends, identifying significant and sustained upward trends in the concentration of pollutants and defining a starting point for trend reversal, among other things. For groundwater bodies which are considered to be at risk pursuant to the analysis of pressures and impacts to be carried out under the Water Framework Directive, member states must establish threshold values and report on them to the European Commission. The text of the directive is reproduced in the Official Journal, L 372, 27/12/2006, 19, and may be downloaded from the web, at: [http://eurlex.europa.eu/LexUriServ/site/en/oj/2006/l\\_372/l\\_37220061227en00190031.pdf](http://eurlex.europa.eu/LexUriServ/site/en/oj/2006/l_372/l_37220061227en00190031.pdf)

- **USA**- On December 22, 2006, the US-Mexico Transboundary Aquifer Assessment Act (Public Law No: 109-448) was signed into law. The law, which had been pursued for many years, directs the US Department of the Interior to cooperate with the US states of Arizona, California, New Mexico and Texas along the border, and other appropriate entities, to systematically conduct a hydrogeological characterization, mapping, and modeling program for priority transboundary aquifers. Priority transboundary aquifers are defined by criteria that include proximity to areas of high population density, extent of use, susceptibility to contamination, and other relevant criteria. The purpose of the program is to: 1) evaluate all available data; 2) create a new or enhance an existing geographic information system database to characterize the spatial and temporal aspects of each aquifer; 3) support ongoing monitoring and metering efforts; and 4) develop scientifically sound ground water flow models, including modeling of relevant water interactions. The program is also intended to expand existing agreements between the US Geological Survey, the four U.S. border states, relevant water resources research institutes, and appropriate US and Mexican authorities to conduct joint scientific investigations and archive and share relevant data. The act establishes a tri-regional planning group comprised of the El Paso Water Utilities Public Service Board, Lower Rio Grande Water Users Organization, and Junta Municipal de Agua y Saneamiento de Ciudad Juarez, and also involves the International Boundary and Water Commission, water resources research institutes in each US state, Sandia National Laboratories, and Indian tribes whose reservations include a transboundary aquifer. The Act is authorized through 2016 and provides that up to \$50 million may be appropriated to carry out its purposes.

### 3. TRAINING AND RESEARCH CONCERNING WATER LAW

- The **NATO Advanced Study Institute (ASI) on ‘Overexploitation and Contamination of Shared Groundwater Resources: Management, (Bio)technological, and Political Approaches to Avoid Conflicts’** took place in Varna, Bulgaria, on 1-12 October, 2006. The topics covered were, principles of depletion and contamination of shared groundwater resources; techniques to assess the depletion and contamination of shared groundwater resources; tools to predict/forecast the future depletion and contamination of shared groundwater resources; sustainable measures to palliate the overexploitation of aquifers and to decontaminate groundwater; and, approaches to the management of shared groundwater resources: conflict resolution and

prevention. For more information, visit:  
[http://esd.lbl.gov/people/shubbard/agu/varna\\_natoasi.htm.gz](http://esd.lbl.gov/people/shubbard/agu/varna_natoasi.htm.gz)

- The **Swedish International Development Cooperation Agency (SIDA)** organizes **international and regional training programmes** on such topics as transboundary water resource management and integrated water resource management at various locations and in Sweden. The target groups for these programmes include decision-makers, water resources planners, specialists and managers from water-related ministries and government departments, international water commissions, research organizations, NGOs and consultancy firms. The general programme objective is to help participants to identify the advantages associated with realistic and operational transboundary agreements and IWRM. The programmes also aim at strengthening and/or establishing water resources management within national and transboundary contexts, and providing tools for enabling the participants to negotiate international water agreements. The next training programme will focus on transboundary water resources management and will cover legal aspects and international agreements. The programme will take place in South Africa on 19-30 March 2007, and in Sweden on 11-15 June 2007. For more information, visit:  
<http://www.siwi.org/courses/coursesgeneral.html>

- The UNESCO Centre for Water Law, Policy and Science of the University of Dundee, Scotland, will host a **Young Professionals' Forum on Transboundary Waters** in Dundee, Scotland, on 25-29 June, 2007. Organized by the Young Partners of the Universities Partnership for Transboundary Waters, the forum will provide a venue for a diverse group of young professionals to receive training, share experiences, exchange ideas and build relationships. The forum will be structured along three main topic areas, i.e., conflict resolution, international water law and institution-building. While a series of speakers will set the stage, the main focus will be placed on role-plays of transboundary water projects and on presentations by the participants. It is expected that this approach will allow for dynamic and extensive interactions between the participants. For more information on the Forum, visit: [http://waterpartners.geo.orst.edu/young\\_partners.htm](http://waterpartners.geo.orst.edu/young_partners.htm)

#### 4. PUBLICATIONS AND SOURCES OF INFORMATION OF INTEREST TO AIDA MEMBERS

- **Water Governance for Development and Sustainability**, by Miguel Solanes and Andrei Jouravlev, 2006. This document aims to identify the characteristics of water institutions which promote the sustainable integration of water, both as a resource and as a service, into socioeconomic development. As this does not depend only on formal institutional factors, such as legislation and organizational structures, there are also references to dynamic conditions, such as socioeconomic circumstances and the quality of the administration, summarized in the concept of governance, understood as the capability of a social system to mobilize energies, in a coherent manner, for the sustainable development of water resources. The document may be accessed at: <http://www.eclac.org/publicaciones/xml/0/26200/lcl2556e.pdf>

- **Protecting Groundwater for Health**, published by the World Health Organization, Geneva, in 2006, provides a structured approach to analyzing hazards to groundwater quality, assessing the risk they may cause for a specific supply, setting priorities in addressing these, and developing management strategies for their control. For health professionals, it is a tool for access to environmental information, while for professionals from other sectors it provides a point of entry for understanding health aspects of groundwater management. The publication may be downloaded from: [http://www.who.int/water\\_sanitation\\_health/publications/protecting\\_groundwater/en/](http://www.who.int/water_sanitation_health/publications/protecting_groundwater/en/)

- How can **International Donors Promote Transboundary Water Management?**, by E. Mostert, study for the research and consultancy project 'Cooperation on Africa's Transboundary Water Resources,' on behalf of the German Ministry for Economic Cooperation and Development, BMZ, Bonn, 2005.

- **A Legal Review of the South African Natural Resources Management Mechanisms, Towards Integrated Resources Management**, Report to the Water Research Commission by Maritza Uys, WRC Report No. KV 176/06, ISBN 1-77005451-0, May 2006.

- **La loi sur l'eau et le droit à l'eau, Une interprétation de la réglementation de l'eau**, by Mohamed A. Chaouni, 2005. This paper analyzes the legal framework of water resources management in Morocco, and in particular the 1995 Water Law, with a view to determining whether it addresses issues relating to the right of access to water in an adequate manner. Target readers include water resources users and managers.

FORTHCOMING:

***Principles of Water Law and Administration, National and International*, by Dante A. Caponera, 2nd edition, revised and updated by AIDA member Marcella Nanni will be published in August 2007.**

The purpose of this book, which was first published in 1992, is to provide a tool for dealing with the legal and institutional aspects of water resources management to those who are called upon to carry out functions within the context of water resources administration and to face the legal issues raised by water management. Given that there have been a number of developments in the field of water law, policy and administration since 1992, the book has been revised and updated to reflect elements of growing topical importance, such as groundwater management, river basin planning, water quality protection and the participation of stakeholders in decision-making.

The present edition contains information as to the situation in the countries of the former Soviet Union, developments in international water law and administration, including the codification process led by the International Law Commission of the United Nations, and the legal framework for water resources management which has been introduced at the level of the European Union. Reference to new water legislation and institutional arrangements is made throughout the text.

Multidisciplinary in nature, this basic textbook is unique in its scope, as it considers general issues and principles of water law and administration, both at the national and the international levels. It identifies the legal and institutional problems that may arise in connection with water resources management and provides guidelines for possible solutions.

The book will also be useful as a reference for academics and students of engineering, hydrology, hydrogeology, sanitary engineering, planners and those in similar disciplines.

**The book may be ordered by telephone (+44 (0) 1264343071), by fax (+44 (0) 1264 343005), or by post, writing to Customer Services, Taylor & Francis, FREEPOST, Andover, Hants SP10 5BR UK, or online, by visiting the Publishers' website at: <http://www.taylorandfrancis.co.uk/books>. For enquiries, write to [info@taylorandfrancis.co.uk](mailto:info@taylorandfrancis.co.uk)**

## 5. FUTURE EVENTS

- **The International Conference on Water Management in Islamic Countries will be organized** by the Regional Center for Urban Water Management (RCUWM) and the Islamic Development Bank (IDB) at Tehran, Iran, on 19-20 February 2007, as a follow-up to the international Workshop which was held in 2003, on 'Policies and Strategic Options for Urban Water Management in Islamic Countries.' The main themes of the conference are: challenges of water resources management in Islamic countries; strategies and priorities on water resources planning and management; institutional arrangement and capacity building; water quality management; demand management and improvement of water use and allocation efficiency; non-conventional water resources; management of mitigation strategies of droughts and floods; groundwater mining; and, potential cooperation among Islamic countries in the water sector, including transboundary issues. For more information, visit: <http://www.rcuwm.org.ir>

- An **International Conference on ‘WFD Status Monitoring under the WFD’** organized by the Royal Society of Chemistry (Water Science Forum), the Society of Chemical Industry Environment Group) and the Institution of Water Officers will be held in Lille, France, on 12-14 March 2007. This event will review issues of status monitoring of aquatic ecosystems in the context of the European Water Framework Directive (WFD). The programme includes a policy session covering ecological status and chemical monitoring, a science session with input from related EU-funded projects, and an industry session (spreading the technology – perspectives on science and technology integration into WFD implementation). The conference is timed to share information on science-policy interactions related to chemical/ ecological water monitoring within WFD programmes, the design of which is due to be reported by the EU member states in March 2007. Read more on the conference website at: [www.WFDLille2007.org](http://www.WFDLille2007.org)

- The European Commission's Environment Directorate-General, in cooperation with the Joint Research Centre, Eurostat and the European Environment Agency will organize the **European Water Conference 2007** in Brussels, Belgium, on 22-23 March, 2007. Environment Commissioner Stavros Dimas will present the first implementation report for the Water Framework Directive, and the Water Information System for Europe (WISE) will be launched. For more information, visit: <http://ec.europa.eu/environment/water/water-framework/conference.html>, or contact: Euro Keys, Tel : +32 (0)2 777 99 79; Fax: +32 (0)2 770 36 01; e-mail: [euro.keys@eurokeys.com](mailto:euro.keys@eurokeys.com)

- The **International Congress on River Basin Management** will be jointly organized by the Turkish General Directorate for Hydraulic Works (DSI) and the World Water Council (WWC) in Antalya, Turkey on 22-24 March 2007, to provide a forum for the exchange of information and experiences relating to river basin management. Topics for discussion will include water resources planning and management, water resources protection, demand management, information and decision support systems, flood management, environmental, social and economic aspects and water legislation and institutions. Case studies will also be presented. The conclusions will offer a background to the 5th World Water Forum, which is to be held in Istanbul in 2009. This congress will bring together international experts, academicians, public and private sector representatives and researchers working on matters related to river basins. For further information, contact DSI Genel Müdürlüğü , İnönü Bulvarı, Yücetepe, 06100, Ankara, Türkiye. Tel: +90 312 425 46 14; Fax: +90 312 425 46 14; e-mail: [riverbasinmanagement@dsi.gov.tr](mailto:riverbasinmanagement@dsi.gov.tr); web page: [www.dsi.gov.tr](http://www.dsi.gov.tr)

- The International Network on Participatory Irrigation Management (INPIM)'s **10th International Seminar on Participatory Irrigation Management (PIM)** and the International Commission on Irrigation and Drainage (ICID)'s **4th Asian Regional Conference** will be held in Tehran, Iran, on 2-5 May, 2007 and will be hosted by the Iranian National Committee on Irrigation and Drainage (IRNCID), ICID & INPIM. Topics for discussion will include the implementation of participatory measures in irrigation (success stories and proposed approaches), legal, institutional and organizational requirements for PIM and support systems for PIM sustainability, including policies and strategies, capacity building and monitoring and evaluation. For more information, contact IRNCID at: [irncid@gmail.com](mailto:irncid@gmail.com), or visit: <http://www.pim2007.org>; <http://www.irncid.org>

- The **7th World General Assembly of the International Network of Basin Organizations (INBO)** will take place in Debrecen, Hungary, on 7-9 June 2007. Host institutions are the Hungarian Ministry of Environment and Water and the Regional Environmental and Water Directorates. The assembly will focus on four large strategic topics relevant to the good implementation of river, lake and aquifer basin management, namely the prevention and management of floods and droughts, transboundary basin management, resource monitoring, and the preparation of action plans for basin organizations. A special session will be devoted to public

and water users' participation in resource management. For more information, contact INBO's Permanent Technical Secretariat, 21 rue de Madrid, 75008 Paris, France. Tel: +33.1.44.90.88.60; Fax: +33.1.40.08.01.45; email: [inbo@wanadoo.fr](mailto:inbo@wanadoo.fr) Website: [www.inbo.org](http://www.inbo.org)

- The 2007 **World Water Week** will take place on 12-18 August 2007 in Stockholm under the theme 'Progress and Prospects on Water – Striving for Sustainability in a Changing World.' Its aims are to scrutinize progress on water-related development, to anticipate and promote the prospects for achieving a desirable future and to look to renew partnerships for sustainable development. The first announcement and call for abstracts are available on the website of the Stockholm International Water Institute (SIWI), at: [www.siwi.org](http://www.siwi.org)

- The **XIII World Water Congress**, entitled 'Global changes and water resources: confronting the expanding and diversifying pressures' will take place in Montpellier, France, on 1-4 September 2008, under the auspices of the International Water Resources Association (IWRA). The objective of the congress will be to enhance the world's knowledge and raise global consciousness of the impact of global changes on water resources. Legal aspects will be dealt with under topic 5, 'Water governance and water security: 30 years after the UN Mar del Plata Conference of 1977.' The Congress targets many audiences, ranging from professional water workers to the general public, and will combine exhibitions with scientific presentations. It will represent an important global meeting point for open dialogue between public and private partners, between users and decision makers and between developing, emerging and developed countries. For more information, visit: <http://wwc2008.msem.univ-montp2.fr>

## **6. COMMUNICATION OF CHANGE OF ADDRESS AND E-MAIL**

Please communicate any change of address and e-mail address to the Association and, possibly, provide us with information on what is happening in your part of the world in the field of water law and administration. *AquaForum* should continue to be a product of the Association as a whole.

**AIDA is reachable via e-mail at:** [stefano.burchi@gmail.com](mailto:stefano.burchi@gmail.com)

## **7. PAYMENT OF ASSOCIATION DUES**

**THE ANNUAL ASSOCIATION DUES, AMOUNTING TO 30 EURO OR THE EQUIVALENT IN US\$, ARE PAYABLE**

either by personal cheque, net of commission charges, written out to Stefano Burchi, and mailed to:  
Stefano Burchi,  
Via E. Faà di Bruno 52  
00195 Rome, Italy

or by direct bank transfer: Bank coordinates available at <http://www.aida-waterlaw.org/payments.php>

To ensure better record keeping by the Secretariat, please inform the Chairman of the Executive Council of payments made, by e-mailing to [stefano.burchi@gmail.com](mailto:stefano.burchi@gmail.com)