

9th World Water Forum

Action Group 4C - Foster a water-sensitive approach to legislation and regulation (10.3, 5.C)

Proposal for actions – Synthesis Note

Objective

The Action Group seeks to propel high up on the WWF9 agenda - and its aftermath - the rule of law in the integrated management and in the governance of freshwater resources, with a particular attention to the national legal frameworks for the integrated and equitable management, development, conservation and protection of water resources from depletion and from pollution, also from a human rights perspective

Outcome

The outcome will consist of a “Manifesto on National Integrated Water Laws for Water Resources Governance” for adoption at the Forum, that –

- advocates the role of integrated water laws and improved cross-sectoral coherence and responsiveness to water’s unique life-giving properties as a foundational pillar of water resources governance, with particular attention to, among others –
 - water tenure regimes and, in general, the land/water interface at all points of intersection
 - recognition of customary rights
 - rule of law aspects (public participation, accountability, enforcement)
 - gender
 - climate resilience
- links integrated water legislation to the relevant SDGs, the Paris Agreement (and other relevant international instruments and pronouncements, like the Brasilia Declaration of Judges on Water Justice)
- invites action by concerned stakeholders at the relevant levels with a view to water law reforms, and to improved cross-sectoral coherence and responsiveness to water’s unique life-giving properties, across the spectrum of laws that impact on/contribute to water resources governance. In preparation for the Forum, the Group will engage in the conceptualization and drafting of a “Manifesto on Integrated Water Laws for Water Governance”. The Manifesto will call attention to
- the kinds of issues that integrated water laws should cover – including in particular reaching out to non-water laws that impact on/contribute to water governance;
- legal and other mechanisms and approaches to tackling such issues.

Actions

The Group will contribute to :

1. Enhance national legislation to foster integrated water resources management and water governance .



ACTION 1: Enhance national legislation to foster integrated water resources management and water governance

Overall Objective: **to propel the role of national water laws for integrated water resources management and governance high up on the agenda of national Parliaments and Governments**

Overall purpose and expected results: **to call attention of policy- and law-makers and of governments to the importance of integrated water laws for the integrated management and the good governance of water resources – Water law reform action by policy- and law-makers and by governments with active participation of diverse stakeholders**

Overall SDGs Alignment: **full alignment with SDG 6, 5c and 10.3**

Coherence with other Priorities: **several Actions across all Priorities**

PROJECTS INCLUDED <i>In order of priority and level of impact</i>	OBJECTIVE	DESCRIPTION AND PURPOSE	EXPECTED RESULTS	SDGs ALIGNMENT	IMPLEMENTATION	PARTICIPANTS AND STAKEHOLDERS REPRESENTATIVENESS	REPLICABILITY IN OTHER CONTEXTS	REGIONAL REPRESENTATIVENESS	POTENTIAL OVERLAPPING OR COHERENCE WITH OTHER AGs
<p>Project 1 – TITLE</p> <p>MANIFESTO ON NATIONAL INTEGRATED WATER LAWS FOR WATER RESOURCES GOVERNANCE</p>	<p>To generate a “Manifesto” for adoption at the Forum</p>	<p>To conceptualize and draft a Manifesto that calls attention to issues, approaches and requirements of national water laws for integrated water resources management (IWRM) and, more broadly, for the good governance of water resources</p>	<p>1. Adoption of the Manifesto at the Forum for uptake by stakeholders and</p> <p>2. Follow-up water law reform and implementation action after the Forum</p>	<p>Fully aligned with SDG 6 as a whole and, in particular, strong alignment with SDG 6.5 (but also with 6.3, 6.4, and 6.6)</p> <p>Aligned also with SDGs 5c and 10.3</p>	<p>A core drafting group will conceptualize and draft the Manifesto in good time for consideration and adoption at the Forum</p> <p>Following adoption at the Forum, the Manifesto will be disseminated through an information and outreach campaign targeted to policy- and law-makers and government officials, for implementation of the Manifesto through a mix of capacity-building/sensitization, distillation & dissemination of best practices, and – on request – direct independent assistance to countries undertaking water resources policy & legal review and reform</p>	<p>A core group of independent legal specialists will conceptualize and draft the Manifesto, with the help of independent non-legal specialists and in consultation with representatives of academia, Parliaments, government specialists, and civil society.</p> <p>After the Forum, implementation of the Manifesto will be effectuated through the direct involvement of academics, policymakers, lawmakers, government officials, opinion-makers and civil society representatives of targeted countries articulating a desire for capacity-building and sharing of expertise and/or desiring to undertake water resources policy & legal review and reform</p>	<p>The Manifesto will be applicable globally, and its implementation scheme will be replicable (through careful contextual tailoring) in all countries desiring to undertake policy and law reform as regards the governance of water resources</p>	<p>Regional representation will be ensured in the conceptualization and drafting process of the Manifesto</p>	<p>No ostensible overlap with other AGs</p> <p>Strong synergy instead with:</p> <p>Priority 1.D E F</p> <p>Priority 2.D</p> <p>Priority 3.A</p> <p>Priority 4.B, D and E</p> <p>Synergy with Priority 4D and with the relevant Action Group will enable uptake of the governance elements of participation, transparency and accountability that tend to be lost in mainstream IWRM legislation</p>

Action 1

1. Organisation(s) // **Organisation(s)** : International Association for Water Law (AIDA)

2. Main Contact Details // **Coordonnées principales** :

- a. Person's Name // **Nom de la personne** : Stefano Burchi
- b. Email Address // **Adresse e-mail** : stefano.burchi@gmail.com

3. Describe your action in one sentence (*Example: Dissemination and application of Water-Energy-Food-Ecosystem nexus in transboundary basins*) // **Décrivez votre action en une phrase (Exemple: diffusion et application du lien eau-énergie-alimentation-écosystème dans les bassins transfrontaliers)**

To propel the role of national water laws for water resources governance high up on the agenda of national Parliaments and Governments

4. What kind of action are you proposing (multiple choice is possible)? // **Quelle sorte d'action proposez-vous (plusieurs choix possibles) ?**

- Local initiative // **Initiative locale**
- Funding mechanism // **Mécanisme de financement**
- Legal mechanism // **Mécanisme juridique**
- Governance // **Gouvernance**
- Stakeholder coordination // **Coordination entre parties prenantes**
- Data/knowledge/experience sharing // **Partage de données/connaissances/expériences**
- Awareness raising // **Sensibilisation**
- Other // **Autre** : Capacity-building/training

Has the action already started? // **L'action a-t-elle déjà débuté ?**

- Yes // **Oui**
- No // **Non** XXX

5. Describe your action in 300 words. The activities or projects can consist of new initiatives identified by the group. Members could also present to the group projects that they have already initiated that they are willing to scale up or adapt by involving other actors. // **Décrivez votre action en max. 300 mots. Les activités ou projets peuvent consister en de nouvelles initiatives identifiées par le groupe. Les membres peuvent également présenter au groupe des projets qu'ils ont déjà initiés et qui sont disposés à développer ou à adapter en impliquant d'autres acteurs.**

The Group will conceptualize and draft a "**Manifesto on National Integrated Water Laws for Water Resources Governance**" for adoption at the Forum. The Manifesto will call attention to -

- the kinds of issues that integrated water laws should cover – including in particular reaching out to non-water laws that impact on/contribute to water governance, and to the human rights dimension of resource regulation;
- legal and other mechanisms and approaches to tackling such issues;
- implementation, compliance and enforcement mechanisms and requirements of water and water-related laws.

The Manifesto will also invite after-the-Forum action with a view to water law reform, aligning with the Manifesto's contents.

After the Forum, a menu of concrete actions for the implementation of the Manifesto, and with a view to water law reform, may include –

- analysis of examples and distillation of best practice(s) in water laws and relevant institutional reform, for uptake by stakeholders involved in the relevant policy and in the political debate
- capacity-building/training/awareness raising instruments, for uptake and use by concerned stakeholders
- targeted country-level interventions in response to stakeholders' requests (review of policies, legislation and relevant institutions; awareness-raising and capacity-building events)

6. What outcomes are you expecting, and by when? (Max. 200 words) // **Quels résultats espérez-vous attendre, et quand ? (Max. 200 mots)**

The tangible outcome will consist of a “Manifesto on Integrated Water Laws for Water Governance” for adoption at the Forum, that advocates the role of integrated water laws and improved cross-sectoral coherence and responsiveness to water’s unique life-giving properties as a foundational pillar of water resources governance, with particular attention to, among others –

- water tenure regimes and, in general, the land/water interface at all points of intersection
- recognition of customary rights
- rule of law aspects (public participation, accountability, enforcement and, in particular, the role of an informed Parliament and an informed Judiciary in ensuring water resources stewardship
- gender
- climate resilience

The Manifesto will link integrated water legislation to the relevant SDGs, the Paris Agreement, and other relevant international instruments and pronouncements, like the Brasilia Declaration of Judges on Water Justice (adopted at WWF-8 in Brasilia).

The Manifesto is expected to be adopted at the Forum. Its implementation will follow after the Forum, in a flexible timeframe that will depend on (a) uptake by concerned country-level stakeholders and (b) funding possibilities. To this end, the Manifesto will call on IPU’s reach and platform, as well as on that of other parliamentary organizations, to bring this agenda to the consideration of parliamentarians around the world, and encourage them to take concrete legislative action on national water laws that:

- adequately represent interests of constituencies who are most at risk from water-scarcity-related problems;
- are informed by networks at the grassroots levels with stakeholders in civil society;
- provide for proper financing to ensure that it can be implemented on the ground; and
- hold governments accountable for progress on this subject through proper mechanisms for legislative oversight.