

Customary Water Laws And Practices Ghana

The four decades long ideological-based insurgencies and conflict in the Kabul River Basin (KRB) have seriously hampered the relations and foreign policies of both Afghanistan and Pakistan. Consequently, it restricts them to solve various bilateral issues including transboundary waters. This lack of cooperation over shared water resources is one of the barriers to achieve inclusive and sustainable development. Additionally, it has contributed to the prevailing anarchic situation where each country does what it wants. The absence of a formal water-sharing mechanism coupled with poor water management practices within both the riparian counties are resulting various foul and administration-related challenges. Moreover, these challenges are further exacerbated by regional changes in social, political, environmental and economic systems. The scholarly literature suggests that an analytical transboundary water governance framework is essential to address the challenges of water politicisation and securitisation, quality degradation and quantity reduction. Additionally, the literature rarely integrates (a) a multi-level approach, (b) an institutional approach (c) an inclusive development approach, or (d) accounts for the use of different types of water and their varied ecosystem services for improved transboundary water governance. To enhance human wellbeing and achieve inclusive and sustainable development in the KRB this research indicates that it is essential to: (1) defrost frozen collaboration; (2) bypass border dispute; (3) use biodiversity and ecosystem services approach; (4) address existing and potential natural and anthropogenic challenges. (5) remove contradictions in the policy environment; (6) combat resource limits and dependence by promoting collaboration on long-term and effective solutions; and (7) enhance knowledge and dialogue on inclusive development. Effective water governance capacity is the foundation of efficient management of water resources. Water governance reform processes must work towards building capacity in a cohesive and articulated approach that links national policies, laws and institutions, within an enabling environment that allows for their implementation. This guide shows how national water reform processes can deliver good water governance, by focussing on the principles and practice of reform. RULE guides managers and decision makers on a journey which provides an overview of what makes good law, policy and institutions, and the steps needed to build a coherent and fully operational water governance structure. Water plays a key role in addressing the most pressing global challenges of our time, including climate change adaptation, food and energy security, environmental sustainability and the promotion of peace and stability. This comprehensive handbook explores the pivotal place of law and policy in efforts to ensure that water enables positive responses to these challenges and provides a basis for sound governance. The book reveals that significant progress has been made in recent decades to strengthen the governance of water resource management at different scales, including helping to address international and sub-national conflicts over transboundary water resources. It demonstrates that 'effective' laws and policies are fundamental drivers for the safe, equitable and sustainable utilization of water. However, it is also shown that what might constitute an effective law or policy related to water resources management is still hotly debated. As such, the handbook provides an important and definitive reference text for all studying water governance and management. The American West faces many challenges, but none is more important than the challenge of managing its water. This book examines the role that water transfers can play in allocating the region's scarce water resources. It focuses on the variety of third parties, including Native Americans, Hispanic communities, rural communities, and the environment, that can sometimes be harmed when water is moved. The committee presents recommendations to guide states, tribes, and federal agencies toward better regulation. Seven in-depth case studies are presented: Nevada's Carson-Truckee basin, the Colorado Front Range, northern New Mexico, Washington's Yakima River basin, central Arizona, and the Central and Imperial valleys in California. Water Transfers in the West presents background and current information on factors that have encouraged water transfers, typical types of transfers, and their potential negative effects. The book highlights the benefits that water transfers can bring but notes the need for more third-party representation in the processes used to evaluate planned transfers.

A History of Water Rights at Common Law

Gender Equity: Challenges and Opportunities

Traditional Customary Laws and Indigenous Peoples in Asia

Model Rules of Professional Conduct

Land and Water--the Rights Interface

Water and the Law in Hawai'i

This book, which was first published in 1992 and then updated in 2007, provides a tool for dealing with the legal and institutional aspects of water resources management within national contexts and at the level of transboundary water resources. Like its two previous editions, it seeks to cover all aspects that need to be known in order to attain good water governance, but it provides updates concerning developments since 2007. These relate, inter alia, to the following: - the "greening" of water law, which calls for the progressive integration of environmental law principles into domestic and international water law; - the adoption, by the International Law Commission in 2008, of the Draft Articles on the Law of Transboundary Aquifers, and subsequent developments; - the emergence of the right to water as a self-standing human right; - the adoption of domestic water laws supporting integrated water resources management (IWRM) and enhanced public participation in planning and decision making; - the integration into these laws of tools facilitating adaptive water management as a response to climate variability and change; - progress in the implementation of EU law; - recent international agreements and judicial decisions; - efforts of regional organizations other than the EU to steer cooperation in the management of transboundary water resources and the harmonization of national laws; - institutional mechanisms for the management of transboundary water resources (surface and underground). Unique in its scope and nature, the book identifies the legal and institutional issues arising in connection with water resources management and provides guidelines for possible solutions in a manner accessible to a wide range of readers. Thus, it is a useful reference for lawyers and non-lawyers — engineers, hydrologists, hydrogeologists, economists, sociologists — dealing with water resources within government institutions, river basin commissions, international organizations, financing institutions and academic institutions, among other things, and also for students of disciplines related to water resources.

The aim of this thesis is to examine socio-political perspectives of water scarcity in a Moroccan oasis. Drawing from political ecology, it describes the results of a transfer from community-based resource management to institutional hybridity comprising of customary and formal socio-legal institutions and actors, and evaluates how the transfer of authority from customary water user communities to individuals and state organisations, and the adoption or rejection of formal property rights, have affected water access and availability in the oasis. Data was collected during fieldwork in southeast Morocco in October-December 2014 through semi-structured interviews and water point mapping with a GPS device. In total I conducted more than 50 interviews among water users and government authorities gaining access to unpublished secondary data on water resources. Data was analysed applying qualitative and quantitative methods. Results indicate that water scarcity in Ferkla is deepest among those without any permanently available modes of access or only common-property access to water. Customary water rights have lost their value as guarantors of water access due to physical water shortages and legal reforms. Water scarcity is least severe either among individuals who rely on private irrigation with (tube)wells and who have formalised their property, or those who have abandoned farming and rely on tap water. In conclusion, water management laws and policies have targeted and benefited small- and large-scale farmers differently resulting in a clear division between formal water users with improved water security and customary water users with inferior water access and availability. State attempts to improve water management by introducing formal private property rights have resulted in the creation of illegal water users who have been deprived of their customary water and land rights. At the same time, large-scale farmers have gained numerous benefits from formalising their land.

An in-depth assessment of the century-old Wadi Laba indigenous spate irrigation system in Eritrea. This system has relied on earthen and brushwood structures and customary water rules to support subsistence livelihoods of the Wadi Laba communities for many years. This research analyses the effectiveness of the introduction of contemporary water laws and a new headwork which endeavour to increase production and standard of living. The lack of success of the new approach, compared with traditional methods of water management are discussed.

This paper seeks to answer a number of basic questions. First of all just what are land tenure rights and water rights and? Second, how do the respective regimes compare? Third what linkages, if any, are there between land tenure rights and water rights and, if there are none, does this matter, either in general or as regards specific aspects of the interface? A key objective of the paper is to examine which aspects of the rights interface merit further research. In comparing the two regimes a final subsidiary objective of this paper is to try and identify which areas, if any, in one sector can shed light on areas for future research in the other.

The Human Right to Water

Theory and Practice

Water and the Law in Hawaii

Community-based Water Law and Water Resource Management Reform in Developing Countries

Managing California's Water

Managing the Columbia River

Flows of the Columbia River, although modified substantially during the twentieth century, still vary considerably between seasons and between years. Lowest flows tend to occur during summer months when demand for irrigation water is at its highest and when water temperatures are greatest. These periods of low flows, high demand, and high temperature are critical periods for juvenile salmon migrating downstream through the Columbia River hydropower system. Although impacts on salmon of any individual water withdrawal may be small, the cumulative effects of numerous withdrawals will affect Columbia River flows and would pose increased risks to salmon survival. The body of scientific knowledge explaining salmon migratory behavior and physiology is substantial, but imperfect, and decision makers should acknowledge this and be willing to take action in the face of uncertainties. In order to provide a more comprehensive water permitting process, the State of Washington, Canada, other basin states, and tribal groups should establish a basin-wide forum to consider future water withdrawal application permits. If the State of Washington issues additional permits for water withdrawals from the Columbia River, those permits should contain provisions that allow withdrawals to be curtailed during critical high-demand periods.

Water and the Law in Hawaii provides an intellectual and legal framework for understanding both the past and future of Hawai'i's freshwater resources. It covers not only the kānāwai (Laws) governing the balancing act between preservation and use, but also the science of aquifers and streams and the customs and traditions practiced by ancient and present-day Hawaiians on the āina (land) and in the wai (water). In placing Hawaii water law in the context of its historical development, the author condenses an enormous amount of information on traditional Hawaiian social structure and mythology. His analysis and explanation of the Hawaii Supreme Court decisions on water rights pose difficult questions and reveal the Court's at times defective reasoning by referring readers to original source material. He is the first author to explain fully how water use permits will play out in a variety of circumstances that may arise in the future, and he discusses the interrelationship between the State Water Code and the common law on water rights, which few people understand or are aware of. Water and the Law in Hawaii is a vital contribution to understanding water law in Hawaii. It will prove invaluable to students of the subject and will appeal to those with an interest in cultural anthropology, planning, Hawaiian history, and political science.

The lack of sufficient access to clean water is a common problem faced by communities, efforts to alleviate poverty and gender inequality and improve economic growth in developing countries. While reforms have been implemented to manage water resources, these have taken little notice of how people use and manage their water and have had limited effect at the ground level. On the other hand, regulations developed within communities are livelihood-oriented and provide incentives for collective action but they can also be hierarchical, enforcing power and gender inequalities. This book shows how bringing together the strengths of community-based laws rooted in user participation and the formalized legal systems of the public sector water management regimes will be more able to reach their goals.

Water resources were central to England's precarious economic development in the thirteenth and sixteenth centuries, and then again in the industrial, transport, and urban revolutions of the late eighteenth and early nineteenth centuries. Each of these periods saw a great deal of legal conflict over water rights, often between domestic, agricultural, and manufacturing interests competing for access to flowing water. From 1750 the common-law courts developed a large but unstable body of legal doctrine, specifying strong property rights in flowing water attached to riparian possession, and also limited rights to surface and underground waters. The new water doctrines were built from older concepts of common goods and the natural rights of ownership, deriving from Roman and Civilian law, together with the English sources of Bracton and Blackstone. Water law is one of the most Romanesque parts of English law, demonstrating the extent to which Common and Civilian law have commingled. Water law stands as a refutation of the still-common belief that English and European law parted ways irreversibly in the twelfth century. Getzler also describes the economic as well as the legal history of water use from early times, and examines the classical problem of the relationship between law and economic development. He suggests that water law was shaped both by the impact of technological innovations and by economic ideology, but above all by legalism.

Groundwater Wells Versus Surface Water and Ecosystems

From Conflict to Reconciliation

Rural Water Management in Africa

Water Transfers in the West

The State of the World's Land and Water Resources for Food and Agriculture

Water Rights, Politics and Identity

As one of the most important natural resources, the management of water is becoming increasingly important as water resources are growing more scarce. This is especially the case for rural areas and developing countries, such as Africa. In sub-Saharan African (SSA) countries today, the demand for water resources is increasing. In this innovative study, the author examines these forms of traditional or customary institutions of water management in a manner that has never been done before. First, the author provides us with an understanding and appreciation of the differential impact of customary institutions on drinking- and irrigation-water management. Most sociological studies on rural water management in SSA have addressed water-management issues without adequately analyzing customary institutions and showing how they affect rural water management. Most studies in river-basin management focus on water for irrigation. Few studies have examined how the customary and statutory institutions influence water management for different water uses. This study looks at how the management of water for domestic use differs from the management of water for livestock and small-scale irrigation. The second unique contribution of this book is the analysis of the role of customary institutions and statutory institutions affect women's participation in water management. Few studies have looked at the role of women and their contribution to rural water management. Previous studies have focused only on the statutory institutions. Finally, the study offers a valuable comparison of the effectiveness of statutory and customary institutions in enforcement of their regulations, resolving natural-resource conflicts, and in ensuring access to water for different uses. Although many researchers recognize the importance of customary institutions, their analysis tends to focus more on the statutory institutions for water management. In this book, both formal and informal water-management institutions are considered for a more balanced understanding. The findings of this study will serve as the basis for formulating policies and programs that include customary institutions in the management of rural water resources in Tanzania. In Tanzania, lack of access to safe water for many rural populations is a major concern. Lack of safe water has implications for rural people and the country as a whole. Policy makers, nongovernmental organizations, planners, and water providers need to be informed so they can incorporate customary institutions into policies and strategies for management of rural water resources. This is an important book for African studies, environmental studies, and policy studies.

This book is important in such ways as such that most societies and cultures have sought to establish legal rules over its use and allocation. In most jurisdictions legal rights to water have been linked to land tenure and ownership rights. A number of countries have recently undertaken substantive water law reforms, usually involving the introduction of formal and explicit water rights that clearly specify the volume of water that is subject to each right ("modeled water rights"), together with institutional arrangements for their allocation, registration, monitoring and enforcement. Modern water rights are not intrinsically tied to specific land plots, are often transferable and available to be traded on a temporary or permanent basis. This book reviews international experiences of the introduction and use of modern water rights. It is based on a survey of relevant primary and secondary legislation, published literature, internet sources and practical experience.

First published in 2011, Water Law in India is the only book to offer a comprehensive survey of the legal instruments concerning water in India. It presents a variety of national and state-level instruments that make up the complex and diverse field of water law and policy. This book fills a critical gap in the study of water law, providing a rich reference point for the entire gamut of legal mechanisms available in India. This edition has been extensively revised to include new instruments on water regulation, such as the draft National Water Framework Bill, 2016, and the Model Groundwater (Sustainable Management) Act, 2016. It covers water law, and its relation to land law, and rural water law, and a chapter on international legal instruments. Chapters on drinking water supply, environmental dimensions of water conservation, water infrastructure for irrigation and flood control, groundwater regulation, and institutions catering to water have been thoroughly updated for a complete coverage of water law.

In the main a translation of ... Die Rechtsquellen des internationalen Wassernutzungsrechts.

Contribution of the International Law Association (1954-2000)

Commonwealth Caribbean Business Law

Connecting People to Their Land and Water

A Tradition in Transition, Water Management Reforms and Indigenous Spate Irrigation Systems in Eritrea

Water Laws in Moslem Countries

Modern Water Rights

According to a famous Talmudic story (Babylonian Talmud, Tractate Shabbat: 31a), a gentle once approached Rabbi Hillel and asked to be taught the entire Torah while standing on one foot. Hillel replied, "Love your neighbour as yourself. That is the entire Torah. The rest is simply an explanation. Go and learn it!" In much the same way, Jewish law can be described in one word—Torah. All the rest is simply an explanation. The Torah, also known as the Bible, the five books of Moses, and the Pentateuch, was written over 3,000 years ago. Since then, Jewish law has developed various interpretations and applications of the Torah, interpretations of those interpretations, and so on. Jewish law contains civil dictates as well as religious protocol. Problems that arose in the framework of religious life and problems surrounding civil relationships both found solutions in the same legal source—the Torah and the Halacha, the Jewish legal interpretations and rulings. This chapter on water law in the Jewish tradition provides insight into Jewish law and custom in general, and rules related to the protection of water sources in particular. One should not look, however, to find a written code of Jewish law, as there is none.

At the UN General Assembly in 1997, an overwhelming majority of States voted for the adoption of the United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses – a global overarching framework governing the rights and duties of States sharing freshwater systems. Globally, there are 263 internationally shared watersheds, which drain the territories of 145 countries and represent more than forty percent of the Earth's land surface. Hence, inter-State cooperation towards the sustainable management of transboundary water supplies, in accordance with applicable international legal instruments, is a topic of crucial importance, especially in the context of the current global water crisis. This volume provides an assessment of the role and relevance of the UN Watercourses Convention and describes and evaluates its entry into force as a key component of transboundary water governance. To date, the Convention still requires further contracting States before it can enter into force. The authors describe the drafting and negotiation of the Convention and its relationship to other multilateral environmental agreements. A series of case studies assess the role of the Convention at various levels: regional (European Union, East Africa, West Africa, Central Asia, Central America and South America), river basin (e.g. the Mekong and Congo) and national (e.g. Ethiopia and Mexico). The book concludes by proposing how future implementation might further strengthen international cooperation in the management of water resources, to promote biodiversity conservation as well as sustainable and equitable use.

A multidisciplinary text, considering both general issues and principles of water law and administration at national and international level, dealing with current legal and institutional aspects of water resources management. New information has been added in this latest edition, including the situation in countries previously a part of the former Soviet Union. Added emphasis is given to areas of growing topical importance, such as stakeholders' influence on decisions, the need to maintain a minimum flow in water bodies and the necessity for legislation in support of water resource monitoring. There is new material on the European Union Water Framework Directive which is referenced heavily in the work. The book is aimed at those who carry out functions in water resources administration and those who deal with legal issues raised by water management. The book will be particularly useful to academics and graduate students of law, engineering, hydrology, hydrogeology, sanitary engineering and planners, as well as national and international water resources managers.

The right to water emerged in the Nineties primarily as the right to domestic water for drinking, washing and cooking, and was closely related to the right to sanitation, both of which are seen as a component of the right to an adequate standard of living. This study examines the question of the right to water for food and agriculture and asks whether such a right can be found in the right to water, or whether it is more appropriate to examine the right to adequate food for that purpose. Seeking inspiration from the right to adequate food and from other fields of international law, the study explores the content of the right to water for food and agriculture and then considers its implications for water law. Recognizing a human right to water – for drinking and household needs and well as for growing food – has implications for water allocation and sets limits to the extent that water can be allocated for other uses. In addition, it entails the respect for procedural rights and attention to important principles, such as the principle of non-discrimination and the rights of indigenous peoples.

An Analytical Approach to Law and Policy Challenges and Solutions

Instream Flows, Water Withdrawals and Salmon Survival

Water Legislation in Selected ESCWA Member Countries

Principles of Water Law and Administration

Hydro-political assessment of water governance from the top-down and review of literature on local level institutions and practices in the Volta Basin

International Law of Water Resources

The Model Rules of Professional Conduct provides an up-to-date resource for information on legal ethics. Federal, state and local courts in all jurisdictions look to the Rules for guidance in solving lawyer malpractice cases, disciplinary actions, disqualification issues, sanctions questions and much more. In this volume, black-letter Rules of Professional Conduct are followed by numbered Comments that explain each Rule's purpose and provide suggestions for its practical application. The Rules will help you identify proper conduct in a variety of given situations, review those instances where discretionary action is possible, and define the nature of the relationship between you and your clients, colleagues and the courts.

The State of the World's Land and Water Resources for Food and Agriculture is FAO's first flagship publication on the global status of land and water resources. It is an "advocacy" report, to be published every three to five years, and targeted at senior level decision makers in agriculture as well as in other sectors. SOLAW is aimed at sensitizing its target audience on the status of land resources at global and regional levels and FAO's viewpoint on appropriate recommendations for policy formulation. SOLAW focuses on these key dimensions of analysis: (i) quantity, quality of land and water resources, (ii) the rate of use and sustainable management of these resources in the context of relevant socio-economic driving factors and concerns, including food security and poverty, and climate change. This is the first time that a global, baseline status report on land and water resources has been made. It is based on several global spatial databases (e.g. land suitability for agriculture, land use and management, land and water degradation and depletion) for which FAO is the world-recognized data source. Topical and emerging issues on land and water are dealt with in an interactive rather than sectoral manner. The implications of the status and trends are used to advocate remedial interventions which are tailored to major farming systems within different geographic regions.

An "hydro-political" assessment of water governance in the Volta Basin is one of two preparatory activities intended to guide and inform the development of a generic methodological model for building local indigenous institutional principles into international/transboundary river basin institutional arrangements. This report details from a "top-down" perspective, the historical developments of water governance of the Volta River Basin, paying special attention to the economic, political and social dynamics of water management within the legal and institutional frameworks in the Ghana and Burkina Faso portions of the Volta basin. The findings are based primarily on literature review, interviews with some key professionals and to some extent, previous knowledge and field experience.

He is the first author to fully explain how water use permits will play out in a variety of circumstances that may arise in the future, and he discusses the interrelationship between the State Water Code and the common law on water rights, which few people understand or are aware of."—BOOK JACKET.

The Evolution of the Law and Politics of Water

Rivers in International Law

International Law and Transboundary Aquifers

Rule

Reforming Water Governance

An Introduction to Legal Instruments

Groundwater supplies cities and industries, feeds rivers and lakes, and supports an astounding array of biodiversity and land features, from desert oases to geysers. Despite its importance, groundwater allocation laws tend to be relative newcomers to water law frameworks globally. As frequently noted in the water management and legal deal with competition between groundwater users, on the one hand, and human and ecological users of hydrologically "connected resources"—Surface water right holders and advocates for groundwater-dependent ecosystems ("GDEs") --on the other hand, which groundwater pumping may affect. If law does not make these links, it may water rights and allow pumping to damage or destroy GDEs. Three stand-alone, but interconnected, empirically focused studies deal with law and policy tools for linking groundwater pumping and its potential impacts on connected surface water rights and GDEs ("linking tools"). They span the laws and policies of 25 state jurisdictions across manifest key differences, as well as important similarities. The first, Framework Study, builds a typology of linking tools, and analyzes the issues that arise in implementing them from two perspectives: administering agency practitioners, and policy design theory. The second, Offsets Study, evaluates a promising and under-studied linking tool: pumping stream-connected groundwater provided the pumper neutralizes adverse impacts on surface water rights before they manifest. The third, Conflicts Study, examines for the first time how California deals with conflicts over groundwater pumping and connected resources without a specific law and policy regime to manage them. The policy review, 40 hours of interviews with state agencies: quantitative analysis of a large state water rights database; and the construction and analysis of a database of conflicts using content analysis, descriptive statistics and geographic information systems. A broad range of linking tools exists on paper and in practice. Tools either prevent rights and GDEs at the groundwater permitting stage, or remedy existing impacts. They set thresholds of acceptable impact using either regulatory (achieved through government regulation) or voluntary (generally achieved directly or indirectly through government payments) methods. Markets offer flexibility in meeting thresholds generally than restrict their own pumping. In practice, state-based, direct regulatory linking tools dominate. In the western U.S., these often adopt very low preventive thresholds of acceptable risk to surface water rights, but include few tailored protections for GDEs. Along each dimension, the opposite generally applies in Australian states, likely due for water shortage-sharing, notions of property rights, and preferences for maintaining status quo conditions associated with both. States in very nations generally lack many theoretical linking tools, including groundwater rights equivalent to instream flows, self-regulatory and co-regulatory strategies, and economic tools that set accept gaps appear starkly compared to their significant development in environmental policy tools. Significant reform opportunities are identified through the framework typology, analysis based on practical implementation issues (which often relate to the burden of obtaining groundwater information), and policy design analysis that uncovers water cost and equity inherent in different tools. Opportunities include developing missing tools, and strengthening weaknesses, inspired by outstanding state approaches to implementation issues—particularly those which redress gaps in protection for GDEs and address cost concerns in implementation, especially relating to information burdens rules, could be extended beyond its geographical limits in eight western U.S. states, and beyond its conceptual focus on protecting surface water rights (but not yet GDEs) from the impacts of groundwater pumping. Effective groundwater offset rules deal with two key threats to the equivalence of stream depletion impacts (I) and offsets fungibility between I and O in relation to space (where each has effect), type (the "units" of each), or time (when each has effect). Relative to offset rules in the environmental sphere, western U.S. states often adopt groundwater offset measures that require extensive, case-specific technical and administrative work (as tends to occur for with high potential costs for agencies and pumps. Theory suggests such measures should encourage thin markets and little practical use of the rules, particularly where the groundwater is of relatively low value. However, a case study of Idaho's offset rules shows that they are widely used and that certain requirements, for example, pool the environmental offset literature fears. On the other hand, Idaho's active water markets are little used to combat potential cost issues associated with finding offsets to purchase. Western U.S. groundwater offset rules tend to lack several features of environmental offset rules, notably mitigation sequencing, high offset ratios, and out-

Such features could help reduce risks of non-equivalence and deal with challenges noted by administering water agencies, particularly those relating to cost. The five-year database of 55 Californian conflicts about the impacts of pumping groundwater on connected resources demonstrates the danger of relying on incidental regulation of surface generic laws, rather than tailored linking tools. These conflicts occur widely across California, both in terms of geography and the water use sectors and ecosystems involved. Conflicts appear outside the geographical focus of current groundwater management efforts, which are largely blind to them, and practical problems confound the environmental) laws to these conflicts, in even those situations where they clearly apply. Yet these weaknesses have inspired both the creative use of existing laws, and the notable involvement of non-traditional participants in groundwater management, prominent among which is the federal government. Tailored linking tools are highly dependent on groundwater on connected resources. Many tools are available. They could be modified, and others created, to suit different contexts, fill existing gaps, and deal with weaknesses and implementation problems. Offsets deserve particular exploration. The broad-ranging lessons of this project could inform not just groundwater policy development but also the design and implementation of tools in the context of an equally complex, larger, often data-poor natural world that is so often subject to fragmented administrative and regulatory systems.

For the past two decades, Integrated Water Resources Management (IWRM) has been the dominant paradigm in water resources. This book explores how ideas of IWRM are being translated and adapted in Mozambique, South Africa, Tanzania, Uganda and Zimbabwe. Grounded in social science theory and research, it highlights the important shaping water management practices and reform, and demonstrates how Africa has clearly been a laboratory for IWRM. While a new cadre of professionals made IWRM their mission, we show that poor women and men may not have always benefited. In some cases IWRM has also offered a distraction from more critical issues such as water negative impacts of water permits, and a range of institutional ambiguities that prevent water allocations to small and poor water users. By critically examining the interpretations and challenges of IWRM, the book contributes to improving water policies and practices and making them more locally appropriate in Africa and beyond.

Commonwealth Caribbean Business Law breaks away from the traditional English approach of treating business law primarily as the law of contract and agency. It provides a broad overview of the foundation of various legal systems and goes on to examine the various areas of legal liability that may impact on business activities.

Effectively managing increasingly scarce transboundary water resources in many parts of the world may become one of the most critical challenges facing the international community in the 21st century. Global warming is expected to exacerbate the existing problems of water scarcity in Africa, the Middle East and Central Asia, and three regions and countries. Global freshwater resources are shrinking at an increasing pace. Forty percent of the world's population depends on transboundary water resources, a situation that raises serious concerns at the international level. Unresolved issues of water resource use and allocation may create the potential for serious interstate is imperative that existing and potential disputes over access to shared water resources are resolved through peaceful means within the framework of legal principles and norms provided by international law. While not yet in force, the 1997 UN Convention on the Law of the Non-Navigational Uses of International Watercourses codifies a right to international watercourses. However, even in the absence of a universally ratified instrument there is a body of international rules widely acknowledged as an authoritative statement of international law governing international watercourses - the International Law Association (ILA) rules on the law of international water resources. The collection of the ILA rules on international water resources, together with comments, explanatory notes and other supporting materials, will be of significant academic and practical value to the range of experts working in this field. There is no doubt that legal scholars and researchers will find this book very helpful in discovering the content of international water law. For the practitioners, this collection will serve as a useful reference tool containing a wealth of "black letter" normative material.

Out of the Mainstream

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The Politics of Integrated Water Resources Management in Eastern and Southern Africa

Routeledge Handbook of Water Law and Policy

Flows and Practices

Strengthening International Law for Transboundary Water Management

"Water is not only a source of life and culture. It is also a source of power, conflicting interests and identity battles. Rights to materially access, culturally organize and politically control water resources are poorly understood by mainstream scientific approaches and hardly addressed by current normative frameworks. These issues become even more challenging when law and policy-makers and dominant power groups try to grasp, contain and handle them in multicultural societies. The struggles over the uses, meanings and appropriation of water are especially well-illustrated in Andean communities and local water systems of Peru, Chile, Ecuador, and Bolivia, as well as in Native American communities in south-western USA. The problem is that throughout history, these nation-states have attempted to 'civilize' and bring into the mainstream the different cultures and peoples within their borders instead of understanding 'context' and harnessing the strengths and potentials of diversity. This book examines the multi-scale struggles for cultural justice and socio-economic re-distribution that arise as Latin American communities and user federations seek access to water resources and decision-making power regarding their control and management. It is set in the dynamic context of unequal, globalizing power relations, politics of scale and identity, environmental encroachment and the increasing presence of extractive industries that are creating additional pressures on local livelihoods. While much of the focus of the book is on the Andean Region, a number of comparative chapters are also included. These address issues such as water rights and defence strategies in neighbouring countries and those of Native American people in the southern USA, as well as state reform and multi-culturalism across Latin and Native America and the use of international standards in struggles for indigenous water rights. This book shows that, against all odds, people are actively contesting neoliberal globalization and water power plays. In doing so, they construct new, hybrid water rights systems, livelihoods, cultures and hydro-political networks, and dynamically challenge the mainstream powers and politics."—Publisher's description.

Groundwater amounts to 97% of available global freshwater resources. Emphasising the crucial importance of this in the context of increasing population, climate change and the overall global water crisis, Francesco Sindico offers a comprehensive study of the emerging body of international law applicable to transboundary aquifers. As human populations expand and demands upon natural resources increase, the need to manage the environments in which people live becomes more important but also more difficult. Land and water management is especially critical as the use of upstream watersheds can drastically affect large numbers of people living in downstream watersheds. An integrated approach that stresses both the importance of participatory planning and the institutional and technical constraints and opportunities is therefore necessary. The institutional and technical context for managing watersheds and river basins, including the involvement of both the public and private sectors, is also examined.

In a short space of time, the right to water has emerged from relative obscurity to claim a prominent place in human rights theory and practice. This book explores this rise descriptively and prescriptively. It analyses the recognition, use and partly impact, of the right to water in international and comparative law, civil society mobilisation and public policy. It also scrutinises the normative implications of the right to water with a focus on challenges and puzzles it creates for law and policymaking. These questions are explored globally and comparatively within different dynamics of the sector - water allocation, water access and urban and rural water reform - and in conjunction with the right to sanitation. This multi-disciplinary volume reveals the diverse ways in which the right to water has been adopted, but also its limitations when faced with the realities of political economy, political ecology and party, traditional legal thought.

The UN Watercourses Convention in Force

National and International, 3rd Edition

Integrated Watershed Management

Between Rights and Drought -socio-political Perspectives of Water Scarcity in a Moroccan Oasis

The right to water for food and agriculture

Water Law in India