

**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**