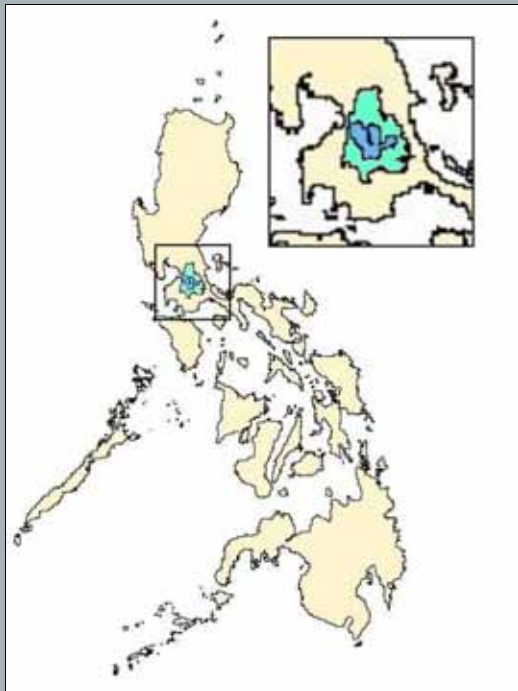




Discussion Material – 4th Thematic Workshop water allocation and water rights

Saitama, Japan
January 23-26, 2007

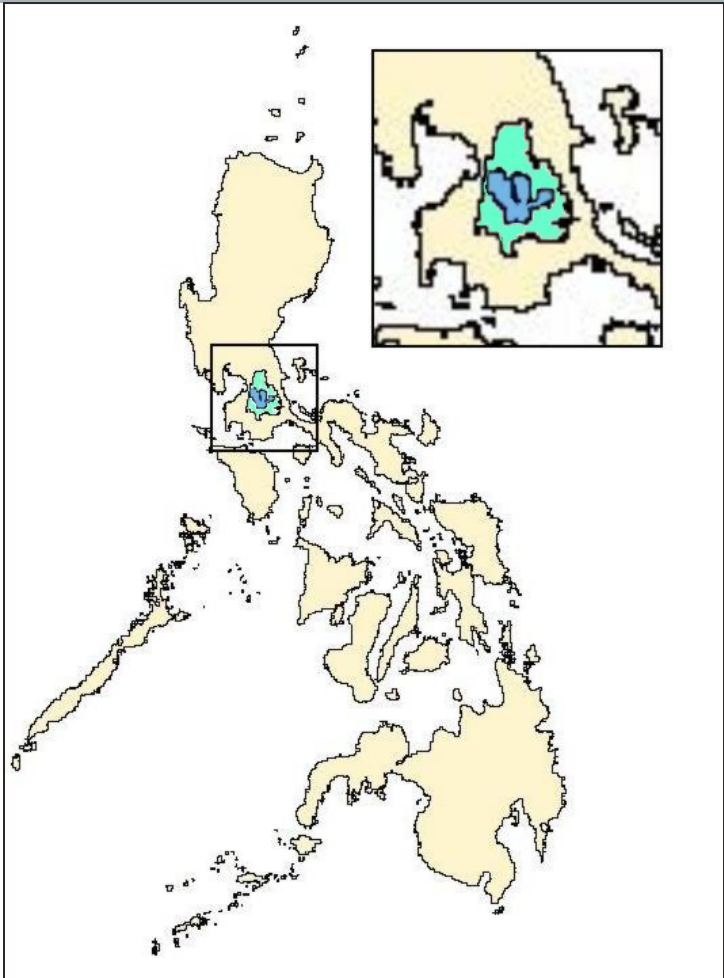


A Presentation by:

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National Water Resources Board
(NWRB)



Water Allocation and Water Rights System in the Philippines



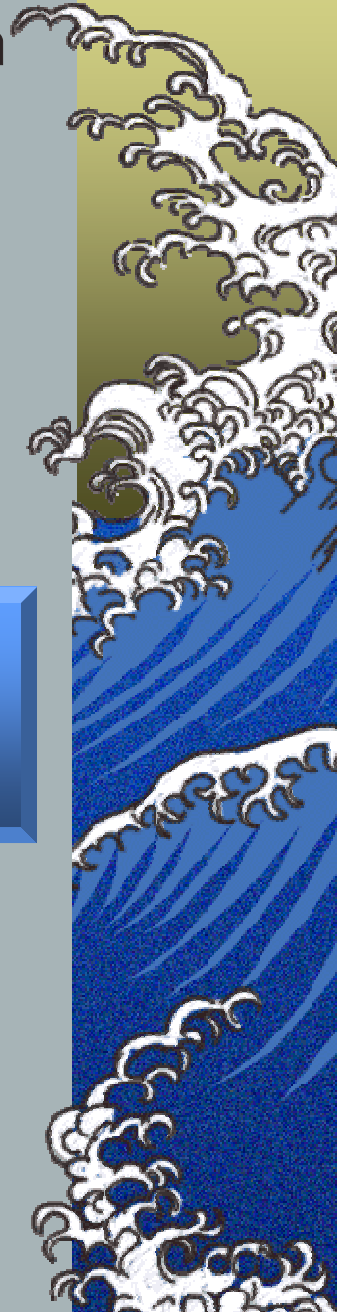
Introduction



Legal and Institutional Framework



Issues / Causes



The Philippines

Islands and islets : 7, 100

Land area : 300,000 KM²

Population : 85 Million

latitude : 4°23'N - 21°25'N

longitude : 116° - 127°E

3 main island groups :

Luzon , Visayas and Mindanao



The Climate

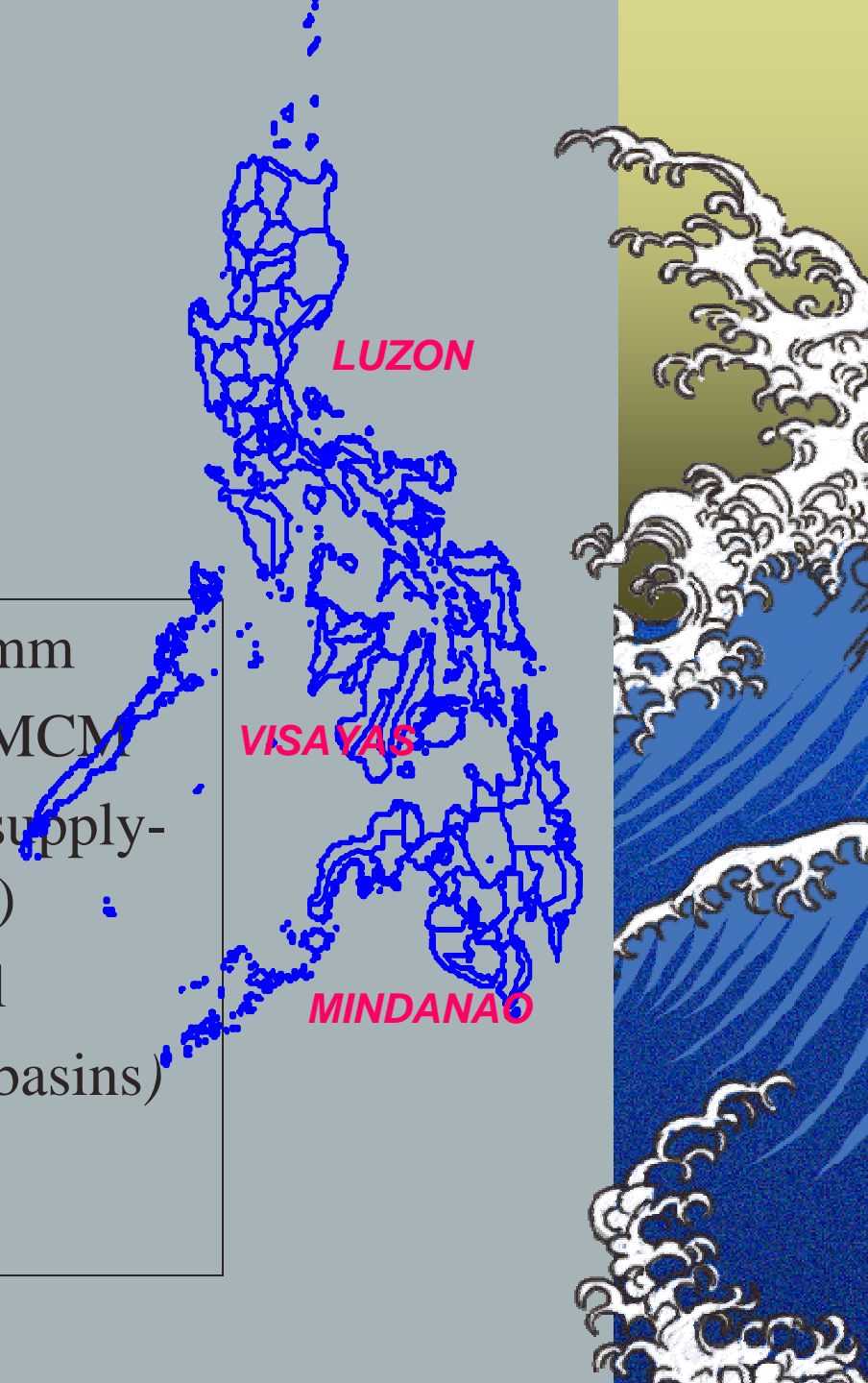
Four general types of climate:

- **Type 1 - two pronounced seasons; dry (Nov. to April), wet (rest of the year)**
- **Type 2 - no dry season with a very pronounced max. rainfall from Nov. to January**
- **Type 3 - seasons not very pronounced. Relatively dry from Nov. to April, wet during the rest of the year**
- **Type 4 - rainfall more or less evenly distributed throughout the year**



Water Resources

- Annual Average rainfall : 2,400 mm
- Groundwater potential – 20,200 MCM
- Surface water dependable water supply- 125,790 MCM (80% probability)
- The Philippines has 421 principal river basins (20 are major river basins)

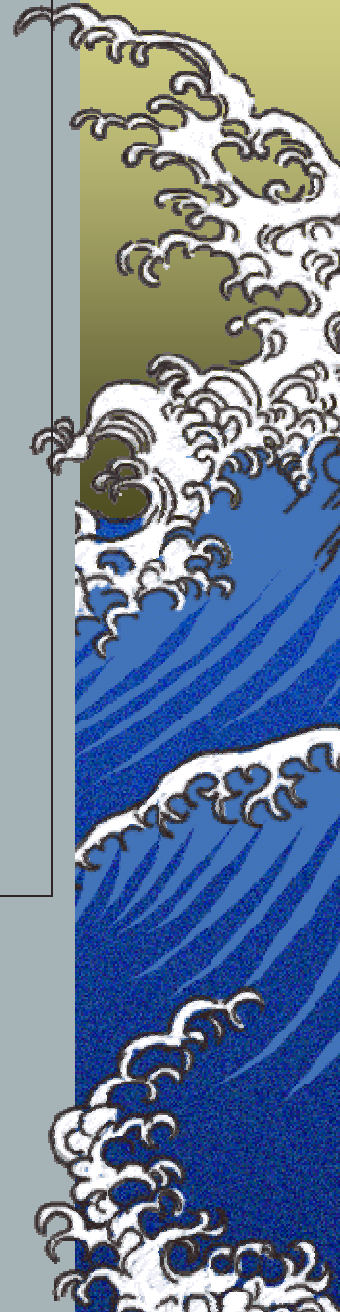


Is the apex body of the whole water sector in the Philippines.

It coordinates, monitors, and regulates the allocation, development and utilization of water resources.

Grants water rights and issues water permits for water abstraction.

With jurisdiction over private systems in terms of tariff- setting and issuance of certificate of public convenience.

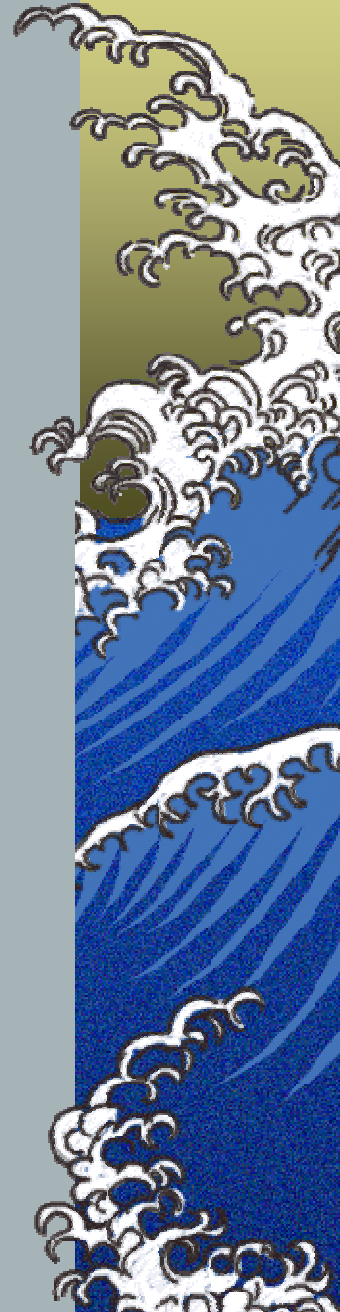


Legal and Institutional Framework

PD No. 1067 “Water Code of the Philippines”

The basic law governing the ownership, appropriation, utilization, exploitation, development, conservation and protection of water resources.

The administrative and enforcement of the provisions of the Water Code including the granting of permits and impositions of penalties are vested in the NWRB.



Issue No. 1

LACK OF COORDINATION AND CONFLICT IN THE MANAGEMENT OF WATER RESOURCES AMONG DIFFERENT GOVERNMENT AND NON- GOVERNMENT ORGANIZATION

BAD IMPACT OR REAL TROUBLE DERIVED FROM THE ISSUE (CONCRETE EXAMPLE)

An example of the trouble caused by this issue may be demonstrated in the following:

Some local government unit such as barangays are implementing programs like water supply system. Without coordination from the NWRB which is tasked by law with the regulation of water resources, water is extracted without permit and the volume of water extracted is not recorded in the NWRB data.

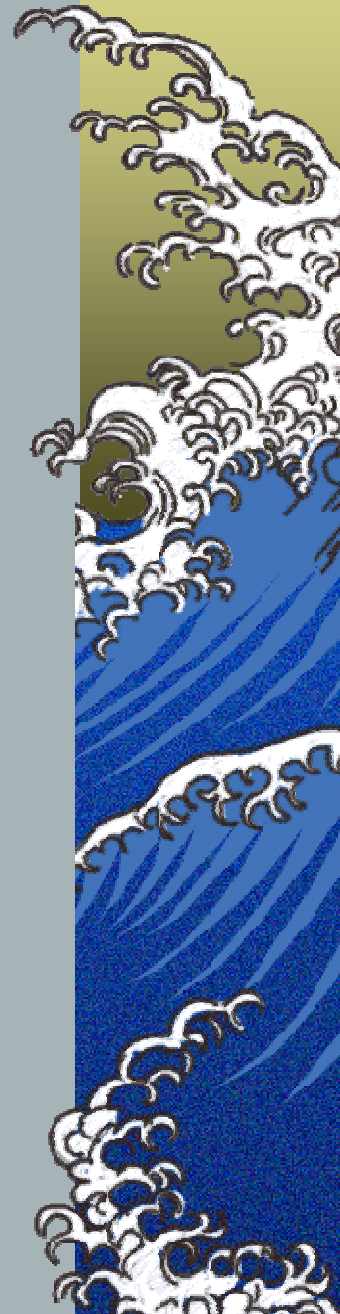


So that, when an applicant applied for a water permit on the same source, what appears in the NWRB data is that the water has not been appropriated.

When a permit is granted, the permittee will insist on extracting water granted to him by the NWRB.

The local government, on the other hand, would insist on the implementation of its program to supply water to the community.

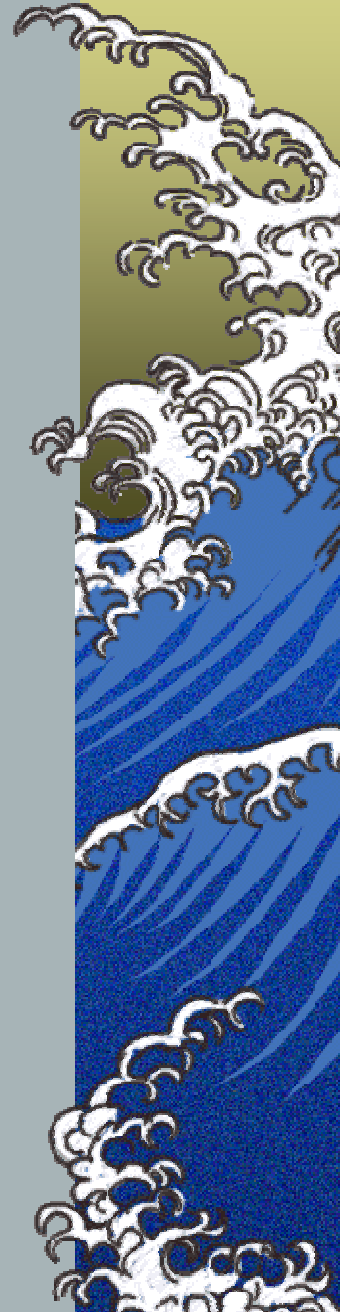
Had there been coordination between the Local Government Units and the NWRB, there would be no conflict in the allocation of water resources.



Causes of the issues

This issue causes conflict in the use of water between different sectors such as domestic use, agricultural use, hydropower use, etc., due to the following :

- a) Fragmented approach in water resources management and development;*
- b) Inconsistencies in the implementation of water-related policies;*
- c) Absence/**expanding** policy instrument mandating the adoption and institutionalization of IWRM.*



Proposal 1 – Adoption and institutionalization of IWRM in water related agencies and institution.

Procedures and Processes for the Proposal :

- a) Review mandates, roles, plans and programs of water-related agencies.
- b) Create enabling policy environment for IWRM.
- c) Establishment of RBO's/RBC's.
- d) Formulate water resource plan for priority river basin.

Comment: hard to implement ambitious proposal



Evaluation (1) from the viewpoint of effectiveness

- 1) This will create a favorable and enabling environment among stakeholders and water-related agencies in the regulation and allocation of water resources within the basin area.

Evaluation (2) from the viewpoint of feasibility

- 2) Maybe feasible with the financial support of the national government, other financial institutions, local and international water-related organizations, etc.

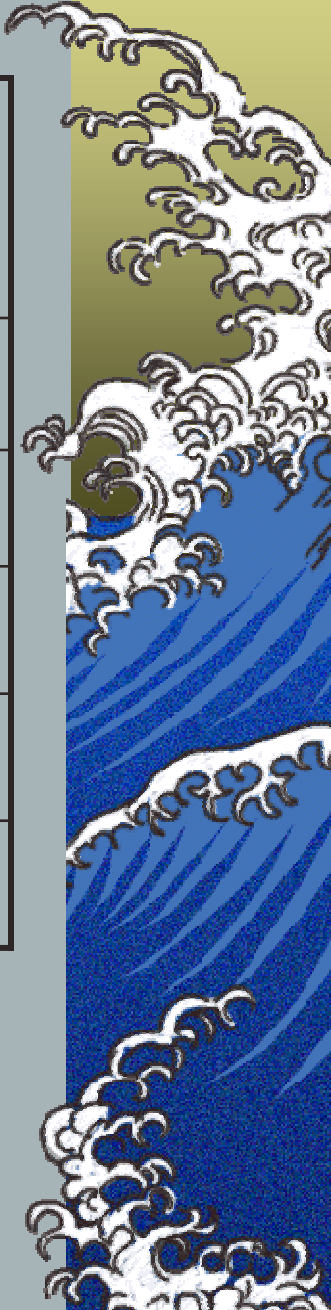
Evaluation (3) from the viewpoint of sustainability

- 3) Sustainability of the proposal is achievable with the full support of the National Government, water-related agencies, LGU's and key stakeholders.



Implementation Agenda

Items in procedures/ processes	2007	2008	2009	2010	2011
	<i>a</i>				
	<i>b</i>				
		<i>c</i>	<i>c</i>		
		<i>d</i>	<i>d</i>		

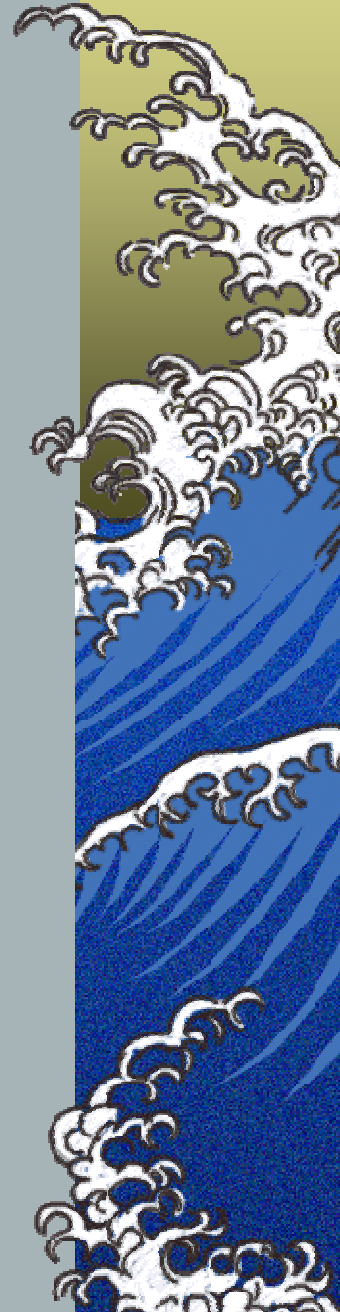


Difficulty in Implementation of the Proposal

It may be difficult to implement if the National Government and other agencies will not fully support the proposal.

Other Related Organizations

NG, NGA's, LGU's, NGO's, JICA, AUSAID, ADB, WB, etc.

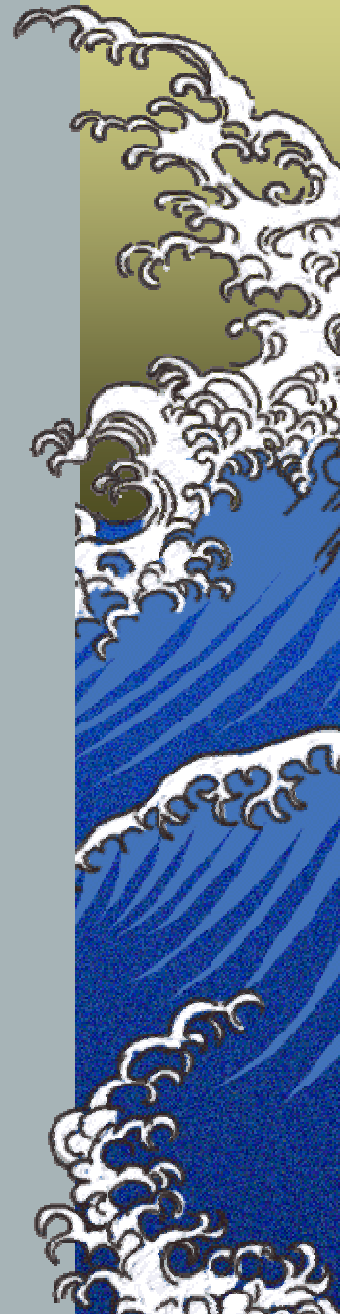


Issue No. 2 Difficulty in Implementation of Water Rights System

BAD IMPACT OR REAL TROUBLE DERIVED FROM THE ISSUE (CONCRETE EXAMPLE)

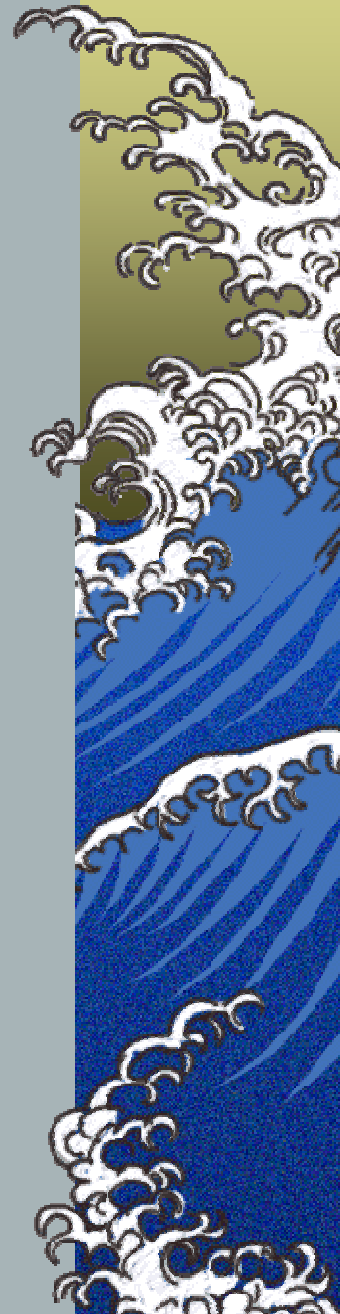
This issue is one of the problems of the NWRB in the effective regulation and management of water resources.

Sad to say, there are more illegal appropriators of water in the Philippines than the one issued by the Board.



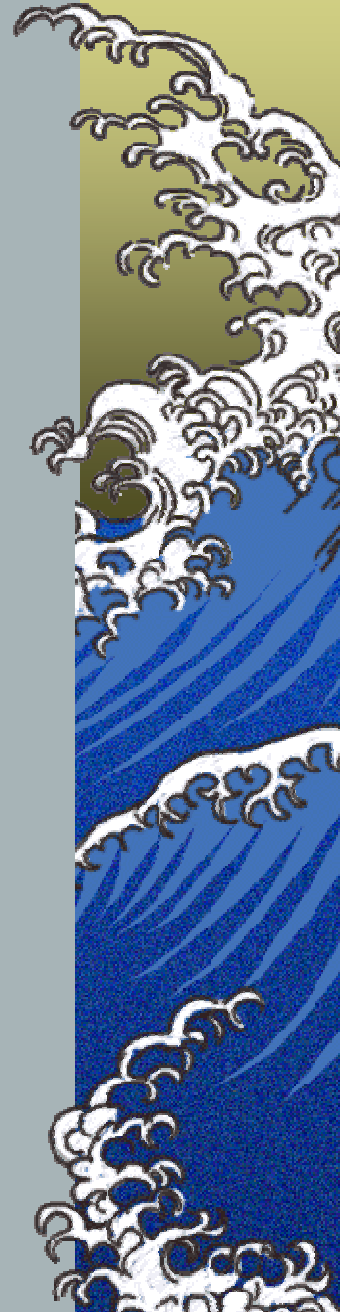
An example of difficulty in the implementation of water rights system in the Philippines is the refusal of some non-government organizations or indigenous people to recognize the water permit issued by the Board to appropriate water within their ancestral domain believing that all natural resources including water within their ancestral domain are owned by them.

Hence, not only that they do not allow other people to use water in the area, but they also appropriate water without securing a water permit.



Causes of the issues

- a) Lack of information dissemination on the policies and laws related to water rights system;*
- b) Lack of human and financial resources to monitor and enforce the policies;*
- c) Lack of cooperation with some local government units;*
- d) Some water related laws are susceptible to different interpretations;*
- e) Highly centralized responsibility in water allocation.*



Proposal 1

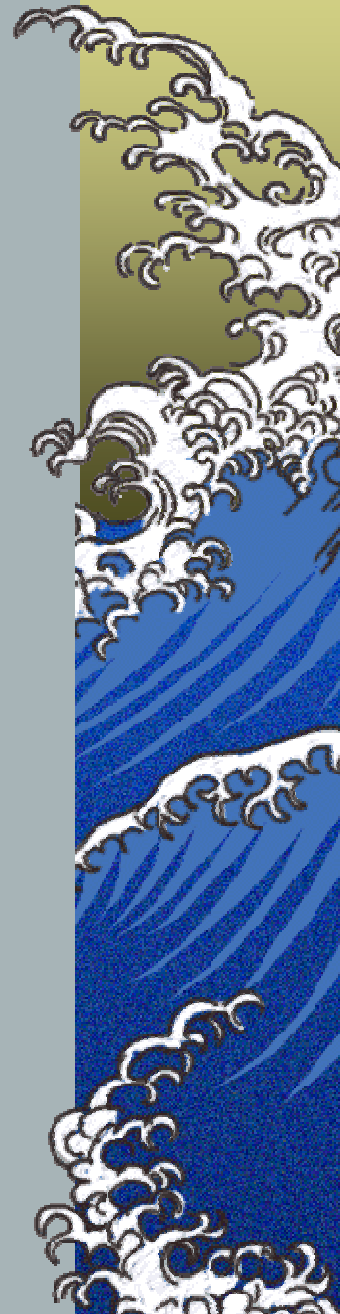
Conduct of intensive IEC Campaign.

Proposal 2

Strict implementation of the laws, rules and regulations and policies issued by the Board.

Proposal 3

Establish financial mechanism.



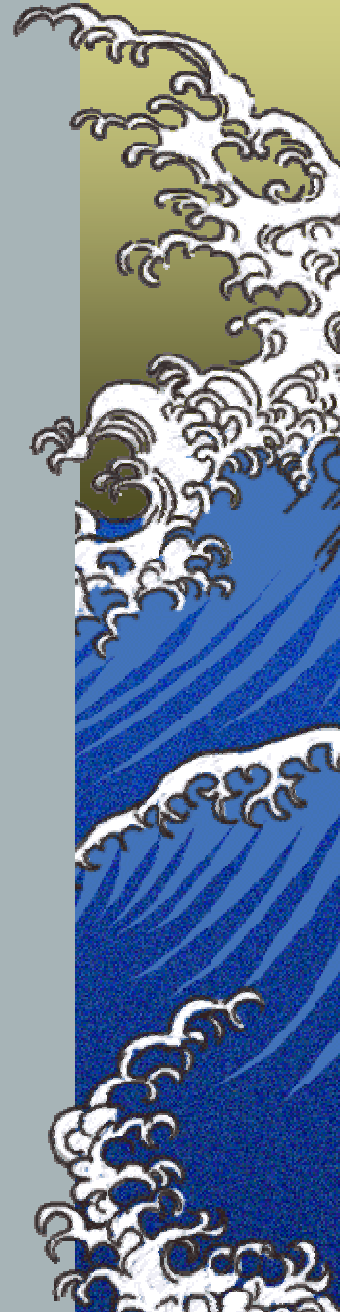
Issue No. 2

Difficulty in Implementation of Water Rights System

Proposal 1 – Conduct of intensive IEC Campaign.

Procedures/Processes for the Proposal

- a) Posting of policies and laws related to Water Rights System;
- b) Conduct seminars, workshop and education campaigns to enhance awareness of stakeholders on Water Rights System;
- c) Distribute primers (local dialect), brochures, CDs and other materials containing information about processing of water permit application.



Evaluation (1) from the viewpoint of effectiveness

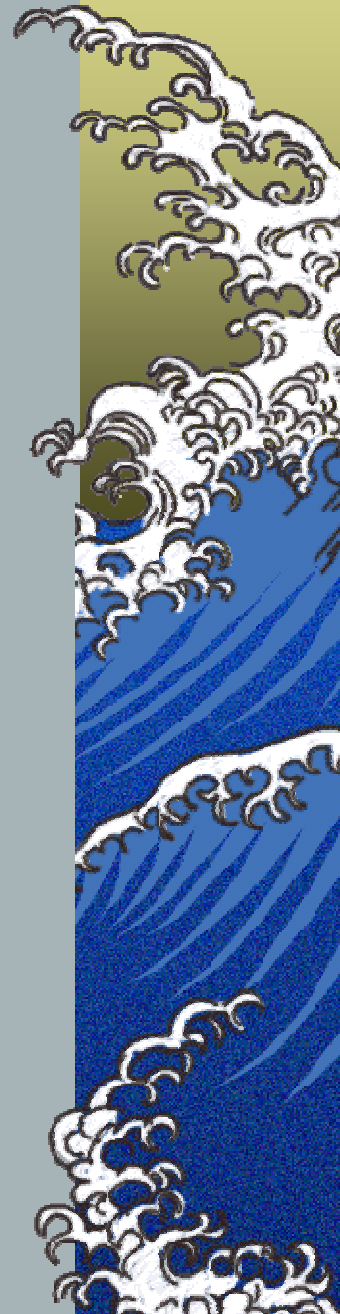
- 1) IEC will enhance awareness of the stakeholders of the laws and policies relating to water rights and will ensure effective management and efficient use of water resources.

Evaluation (2) from the viewpoint of feasibility

- 2) The proposal is feasible considering that the financial cost is minimal and the NWRB staff are technically capable of conducting information and education campaign.

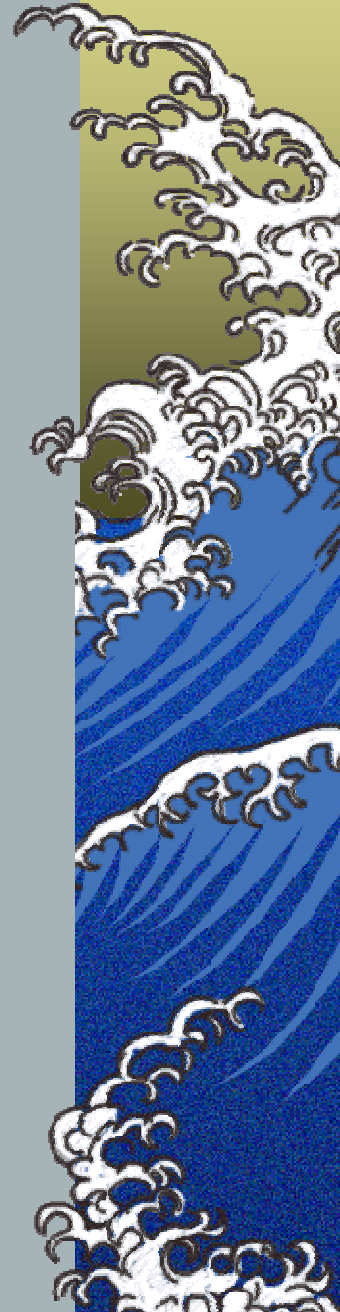
Evaluation (3) from the viewpoint of sustainability

- 3) The proposal can be sustained even with a limited budget of the NWRB.



Implementation Agenda

Items in Procedures/ Processes	2007	2008	2009	2010	2011
	a				
	b	b			
	c	c			

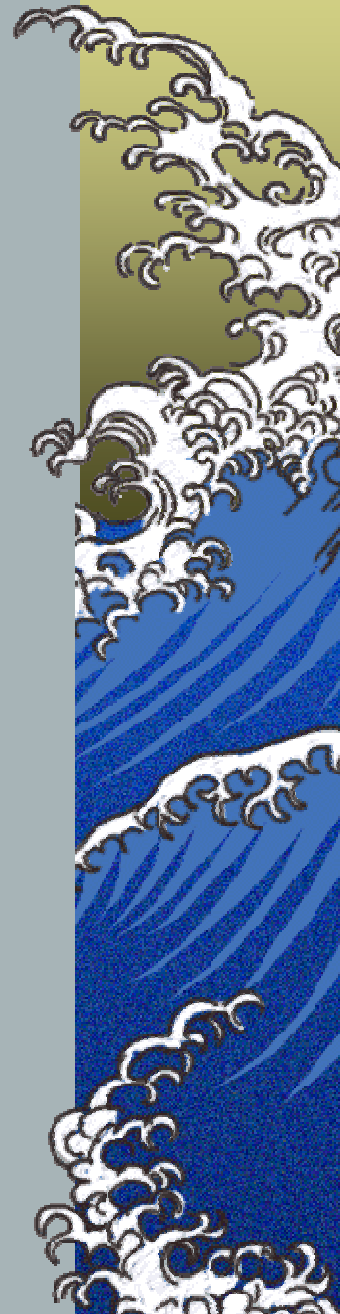


Difficulty in implementation of the Proposal

Easy to implement with the help of stakeholders.

Other Related Organizations

LGU's



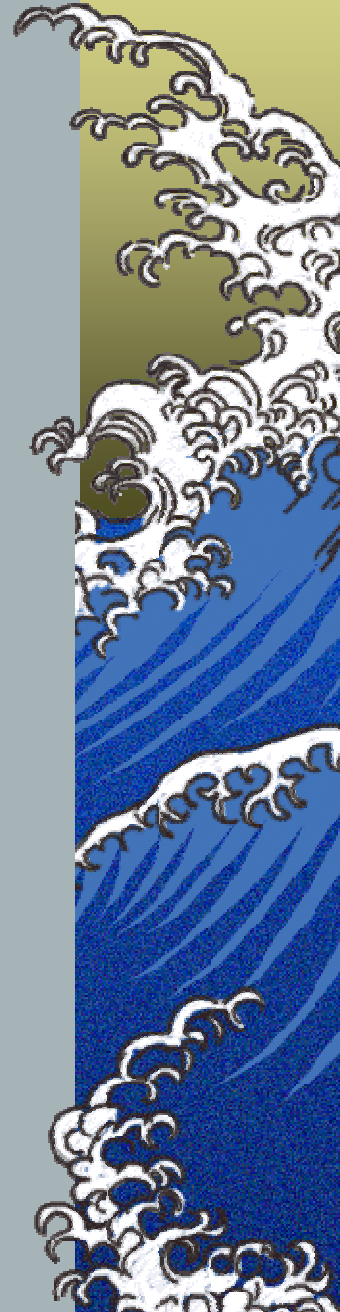
Issue No. 2

Difficulty in Implementation of Water Rights System

Proposal 2 – Strict implementation of the laws, rules and regulations and policies issued by the Board.

Procedures/Processes for the Proposal :

- a) Issuance of Cease and Desist Orders on illegal appropriators and violators;
- b) Imposition of fines and penalties;
- c) Cancellation and/or revocation of permits;
- d) Filing criminal case on violators in extreme cases.



Evaluation (1) from the viewpoint of effectiveness

- 1) Strict implementation of the laws and rules and regulations will encourage water users to obey the laws related to water.

Evaluation (2) from the viewpoint of feasibility

- 2) The proposal is feasible specially with the support of the stakeholders, LGUs and other non-governmental organizations.

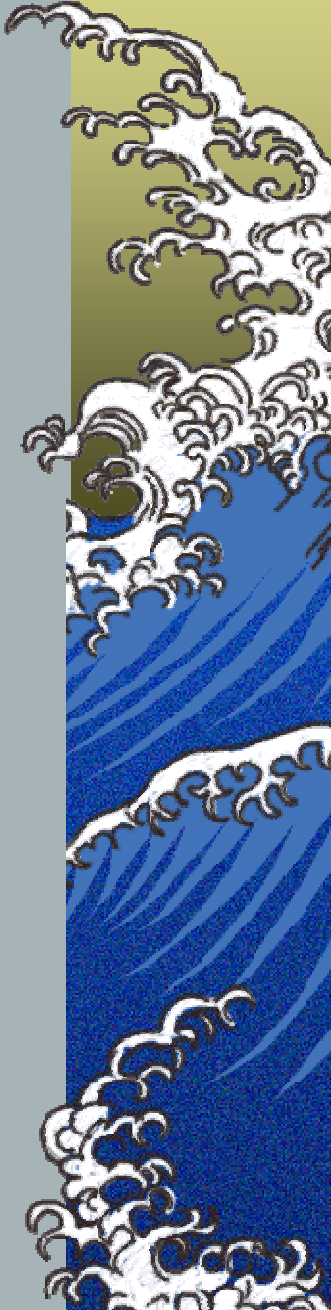
Evaluation (3) from the viewpoint of sustainability

- 3) It can be sustained financially and with additional manpower.



Implementation Agenda

Items in Procedures/ Processes	2007	2008	2009	2010	2011
	a	a			
	b	b			
	c	c			
	d	d			

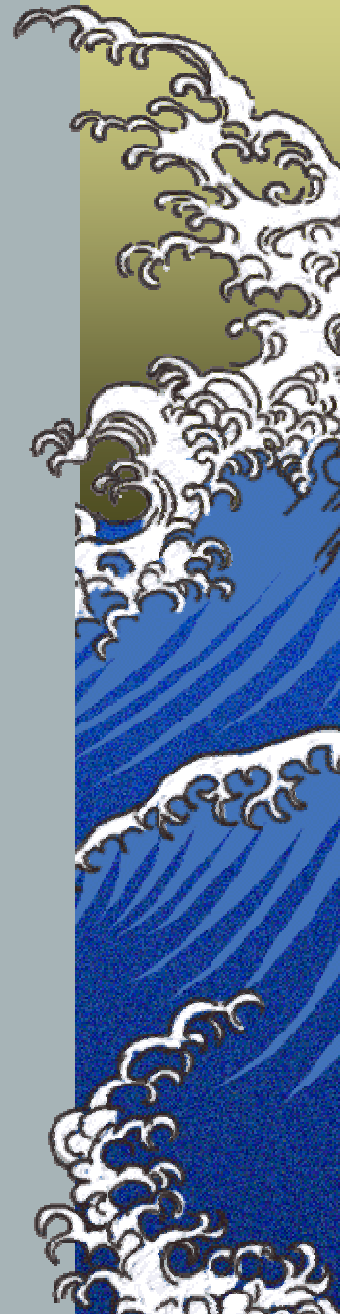


Difficulty in Implementation of the Proposal

Easy to implement if supported by LGUs and other authorities like police, barangay officials, etc.

Other Related Organizations

LGU's, NGA's, WD's, Police, Barangay authorities



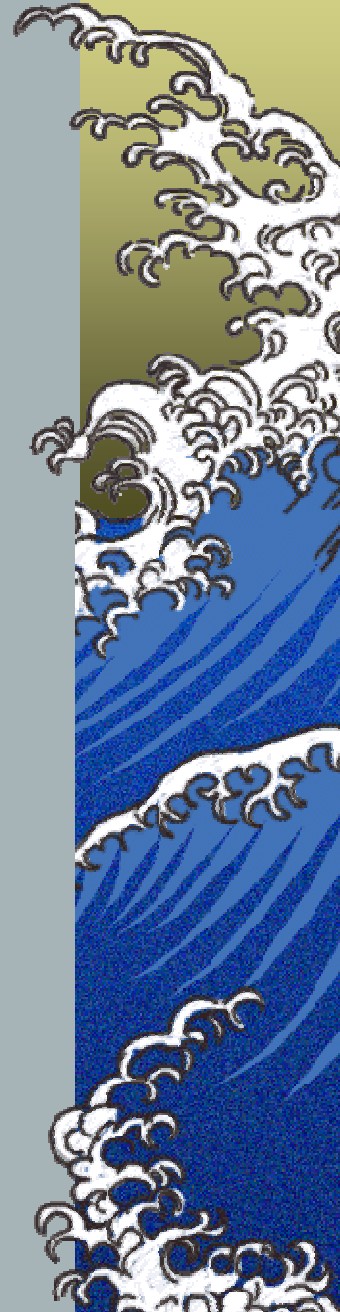
Issue No. 2

Difficulty in Implementation of Water Rights System

Proposal 3 – Establish financial mechanism.

Procedures/Processes for the Proposal :

- a) Mapping of available funds and resources;
- b) Develop adoptive, responsive and sound tariff-setting;
- c) Formulate water resources investment plan;
- d) Develop funding mechanism, e.g., revolving fund, raw water pricing, etc.



Evaluation (1) from the viewpoint of effectiveness

- 1) Additional funds will strengthen the organizational structure of the NWRB and will improve enforcement of water rights system and allocation.

Evaluation (2) from the viewpoint of feasibility

- 2) It is feasible administratively if fully supported by the National Government and other financial institutions (local and international).

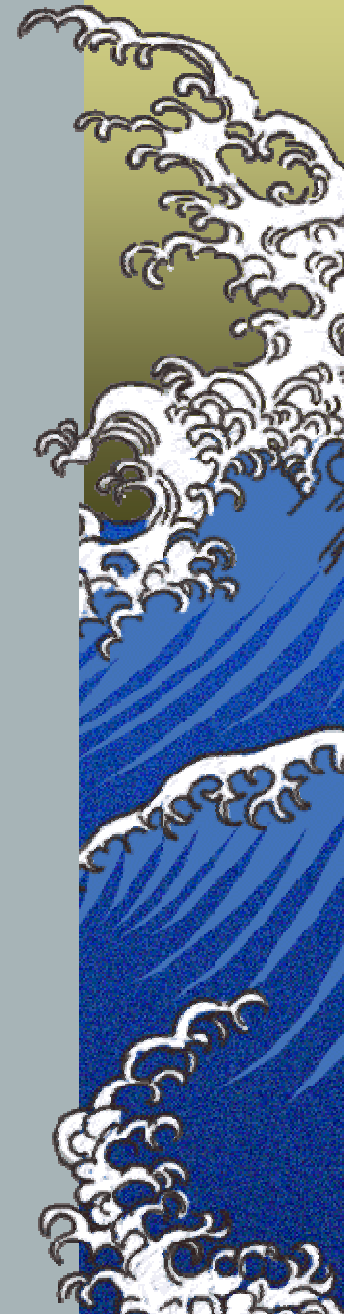
Evaluation (3) from the viewpoint of sustainability

- 3) If fully implemented, sustainability of the proposal can easily be achieved.



Implementation Agenda

Items in Procedures/ Processes	2007	2008	2009	2010	2011
	a				
	b	b			
	c	c			
	d	d			

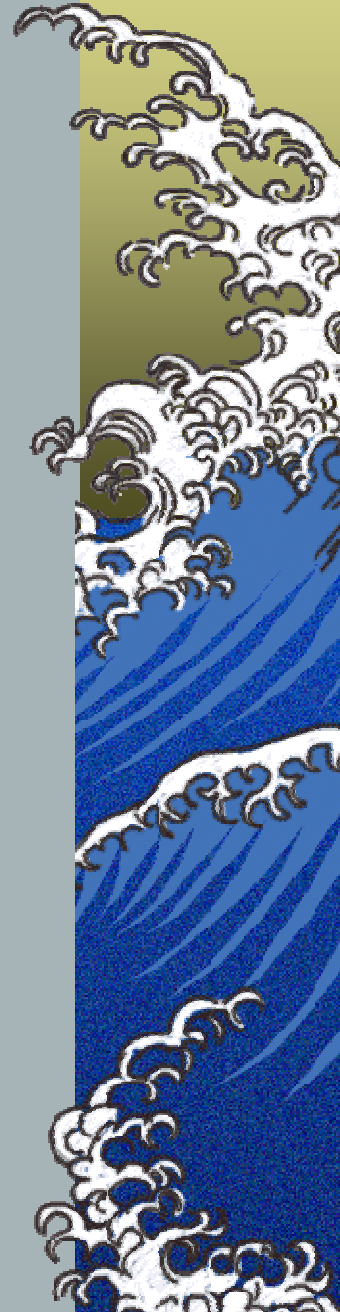


Difficulty in implementation of the Proposal

Difficult to implement without the support of the National Government, other NGA's, LGU's and stakeholders.

Other Related Organizations

NG, NGA's, WD'S, private water utilities and stakeholders



THANK YOU !

