

**2nd Thematic Workshop
on
Water Allocation and Water
Rights**

The Philippines, 5 – 9 June 2006

Priority of Water use is not clear

- It is clear in the Law for Water Resources for 1st & 2nd priority.
- The unclearness is for the 3rd & further which is let to the local authority to determine based on priority of local needs.
- This is based on previous disputes when exact priority is stipulated in the law (11/74).
- Proposal; a procedure in every local authority for negotiating the priority shall be established.
- Evaluation; it should be better than previous one, that the blame is not placed to the law.

Water right system has not yet functioned although the system is regulated in the Law

- **Latest GR for Irrigation has been signed by the President. Some clauses stated the farmers in WUA got their water right collectively, and served from the intake (clauses 31 – 35).**
- **3 attempts are being made in 2 basins with reservoirs, and 1 basin without reservoirs.**

Evaluations;

- **It shall be a good start for implementation of water right. Need further efforts for other uses.**

Proposal;

- **To be consistently maintained, for more intensive promotion for GR for Water Right.**

Judicial Review Process requested by people to the Law.

Causes;

- People do not study the Law intensively.

Proposal;

- socialization of the Law, through Banners, posting some clauses on TV, seminars, meetings etc.

Evaluation;

- Like any other laws, we don't know until we face a problem related with laws.

Law enforcement

Example; occupation of river corridor, illegal logging.

Causes; inadequate supervision, unclear assignment, low incentive of personnel, etc

Proposal; derive the law for clarity and detail of implementation, provide more personnel w/clear assignment and enough incentive.

Evaluation; It will work well if everybody if the root problems are solved.

Promotion of some Government Regulations

We are working on about 9 GR for the New Law

Currently only 2 have been signed by the President.

Priority shall be made.

More participation means more time, and more money.

Hopefully by end 2006 some more GRs are enacted.

Conflicts on water management

The Water Law shall solve the problems, through

- Integration of conservation, utilization and damage control of water resources (3 aspects).
- allocation plan and master plan of management of basin water resources.
- Reorganization of River Basin Organization, incl. decentralizations.

Reorganization of RBOs

- Implementation of Water Law.
- Distribution of authority through decentralization.

Obstacle; change or elimination of current organization is not a one night work. New GRs with many involvement. Participation requires longer time and efforts.

Evaluation; We are optimistic to be consistent with the new Law, the reorganization will work.

Securing budget for O&M

- Public corporation have been made. There are two Perum Jasa Tirta in Indonesia.
- They were successful in covering 30 – 50% of O&M budget requirement, still not adequate.
- The existence of the public corporations is not in line with the Law, need reorganization.

Inadequate budget for canal Maintenance

Primary and secondary canals are government to maintain, farmers are to maintain tertiary canal. However, the maintenance from government is sometimes inadequate.

If the farmers considers that they can contribute to maintain, they are welcome.

Proposal; Government shall do the best, besides encourage farmers to have a mutual supervision and improvement of the infrastructures.

Evaluation;

It may work well if both parties have mutual trust.

The hydrology data is not available, if available they are unreliable.

- Hydrology data is the basic data for water allocation. Manual collection is unreliable, automatic collection is constrained by theft.

Proposal; improve the knowledge of data collector, clarify the assignment, show the result of carelessness, relate the work to the consequence from the surrounding (the harder the rain, the more probable the slope sliding), pay them more, involve NGOs

Evaluation; it will work very intensive when people can relate the importance of the data to their own concerns.

Water use changes due to changes of landuse

- Change of agricultural land to housing or industrial estate will lead to change in water allocation. To optimize water use, allocation shall be revised.
- Proposal; Review the land use and consequently water use periodically, through Water council.
- Evaluation; It will work well,

Thank you so much