



Sustainable Water  
Integrated Management (SWIM) -  
Support Mechanism



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Water is too precious to waste

**CURRENT STATUS OF COMPLIANCE AND ENFORCEMENT OF WATER LEGISLATIONS IN  
THE SWIM REGION, Athens 14 & 15 October 2014.**

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# OBJECTIVE OF 1<sup>ST</sup> PRESENTATION

- To present an overview of the general state of compliance with water and/or environment requirements in the SWIM region.
- Where are we?

# What is Noncompliance?

noncompliance may include one or more of the following:

1. Withdrawal of surface or groundwater beyond allocated volumes.
2. Tampering with water flow-meters.
3. Illegal drilling of water wells
4. Illegal taping to water networks.
5. Discharge of wastewater exceeding the maximum limits.
6. Failure to install equipment needed to meet discharge control standards.
7. Failure to affect process changes needed to eliminate pollutants from waste effluents.
8. Failure to self monitor where testing is mandatory to demonstrate achieved compliance.

# How we got the information for the Assessment ?

- SWIM-SM developed a check list encompassing all information deemed necessary to
  1. Assess the degree of compliance with water and/or environment regulations
  2. Evaluate the technical and institutional capacities available for the enforcement of these regulations.
- The check-lists (Annex I) aimed at guiding national Non-Key-Experts (NKEs) through interviews and included information to be collected from national regulating authorities. Check-lists were sent out in March 2013 with a deadline to provide replies until 18 April 2013.

1. The information was collected and analyzed to portray the current state of compliance.
2. Furthermore, valuable information was also captured through discussions and deliberations during a three-day training workshop organized by SWIM-SM followed by a 12 days study tour in three European countries, (Netherlands, Spain and France).
3. All SWIM-SM countries (except for Syria and Libya) participated in this training and study tour were represented by 29 mid-career officials from the water and environment sectors in addition to prosecutors.

# Outcomes of the assessment and study tour discussions

1. Most SWIM PCs are taking legal actions to protect their scarce water resources and to restore the quality of their aquatic environment within an IWRM context.
2. Some of SWIM-PCs were found to base their water resources and environmental management on legal requirements that are often inadequate, fragmented, technically inappropriate, or economically unaffordable, and ultimately unenforceable.
3. The lack of comprehensive & effective systems for the enforcement of the enacted legislation in some SWIM-PCs has led, in many cases, to modest degrees of success in achieving compliance with water & aquatic environment regulations.

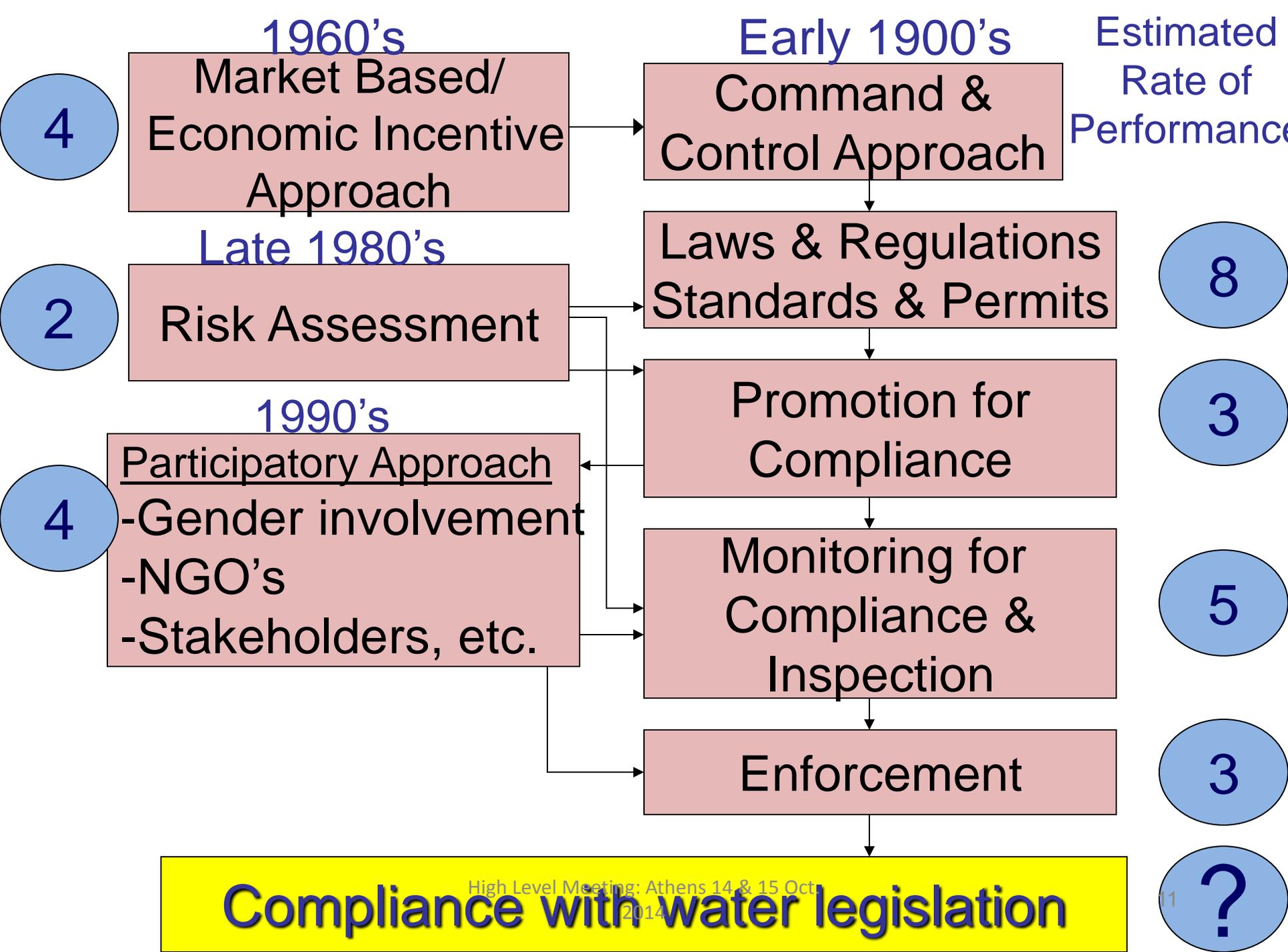
4. In some countries, managers of government-owned facilities were found to have little incentives to comply with the enacted water and aquatic environment regulations.
5. In few cases, monetary penalties for noncompliance, if imposed, are paid out of a central government budget, thus would have no impact on individual attitude. It was evident that it is very difficult to sue government entities or public sectors for noncompliance.
6. Voluntary approach, that encourages or assists change without explicitly requiring it, is hardly applied in many SWIM-SM countries.

7. Requirements for reporting information through self-monitoring, self-inspection, and self-reporting programs were not familiar in most of SWIM-SM region.
8. The market based/economic incentives approach that uses market forces to induce behavioral changes is practically applied by very few countries in the region.
9. The risk-based approach, which establishes priorities for compliance and enforcement, based on the potential for reducing risks to water resources and aquatic environment, is used by very few SWIM-PCs for purposes other than compliance and enforcement.

10. In nearly all cases, the developed regulations are fragmented and catered for single medium regulations that naturally require single medium monitoring, inspection & enforcement systems.
11. The implementation of technology standards, which require the regulated community to use a particular type of technology, is hardly considered by SWIM-PCs.
12. Practice standards that prohibit certain work activities that have significant impacts on water resources and aquatic environment, are widely recognized and implemented.
13. Requirements for periodic permits and licenses, which control activities related to water or protect aquatic environment, are widely used as simple, affordable and effective enforcement tools both at the national and local levels in SWIM-PCs.

# CONCLUSION

1. All SWIM-PCs have issued water and aquatic environment laws giving various degrees of authority to the regulating agencies, and establishing the institutional framework required for enforcement. However, some of these laws were found to be non-consistent, fragmented, overlapping, and sometimes conflicting with existing laws.
2. Command and control approach is the most preferred and prevailing water and aquatic environment management formula in the SWIM-SM region.
3. This approach, partially failed to produce the desired results in SWIM-PCs, especially because most of the effort was allocated to develop the command measures, neglecting the much more demanding control measures.



مع خالص شكري  
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Thank you  
for your attention

Merci pour  
votre attention



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