



Sustainable Water  
Integrated Management (SWIM) -  
Support Mechanism



Project funded by  
the European Union

*Water is too precious to waste*

**Reflections on activity 2.3.1 “Training workshop & study tour for developing the capacity of prosecutors & investigators for the enforcement of water & environment legislations”**

**From 3-18 June 2013,**

**Third SC Meeting, 12-13 November 2013, Athens**



**Integrated Water  
Resources Management**

**Environmental  
Sustainability**

**Economy  
Efficiency**

**Social Equity**

**The three pillars of IWRM**

# ASSESSMENT OF IWRM IMPLEMENTATION IN SWIM COUNTRIES

- SWIM organized a regional dialogue to discuss the outcomes of the IWRM assessment in Athens in June 2012. One of the most prominent constraints towards the implementation of IWRM was identified as ineffective water governance particularly **rule of law**.
- IWRM was often found to be hampered by insufficient policies, inadequate & appropriate legislations & regulation, ill prepared judiciary systems, deficient technical & institutional capacities & lack of modalities & operating systems to ensure compliance & enforcement.

**Integrated Water  
Resources Management**

**Environmental  
Sustainability**

**Economy  
Efficiency**

**Social Equity**

**Water Governance**

# What is Water Governance ?

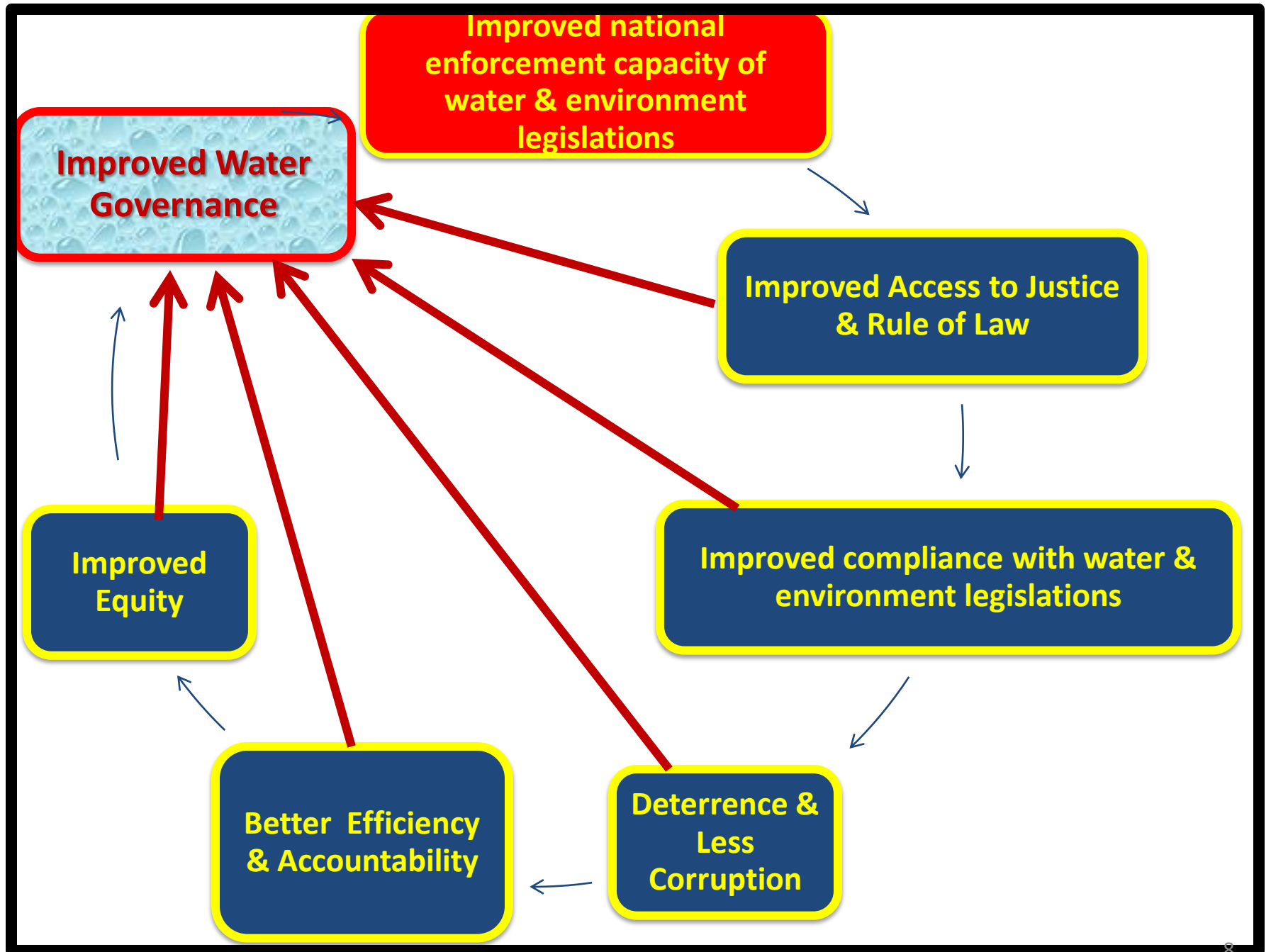
1. **Participation**: including bottom-up approach, stakeholders participation, WUAs, community involvement, NGOs, gender balance, decentralization, etc.
2. **Transparency**: Including monitoring, reporting, disclosing, sharing & disseminating water information. Media involvement in addressing water scarcity & quality problems, freedom of speech & availability of public forums to voice water concern.
3. **Equity**: including equity in water rights between poor & rich, men & women, advantaged & disadvantaged, etc.

4. **Effectiveness & Efficiency**: Socio-economic return from water use & internalization of environmental externalities.
5. **Rule of Law**: **Adequacy of water legislations, degree of compliance, capacity to inspect, audit & report on non-compliance, capacity to enforce through accredited monitoring, qualified law enforcement officers, prosecutors & judiciaries, public access to justice**, etc.
6. **Accountability**: Accountability of the government, public sector, private sector & civil societies to the public; public response to lack of accountability; institutional & political structures affecting accountability in water sector.
7. **Coherence & Integration**: Including horizontal coordination among relevant water sectors & vertical coordination within the water sector down to communities level.

# WHY RULE OF LAW IS A CONSTRAINT?

**Rule of law**, was found to be hampered by:

- Insufficient policies,
- Inadequate appropriate legislations & regulations,
- Ill prepared judiciary systems (prosecutors & magistrates) to address water & environment violations,
- Deficient technical & institutional capacities, and
- Lack of modalities, guidelines & operating systems to ensure compliance & enforcement.






## ACTIVITY 2.3.1

**Objective:** To develop & execute a capacity development program for water & environment prosecutors and investigators including three days workshop followed by 12 days study tours in 3 European countries known for their advancements in this field.



### Investing in Credible Evidence

- Results generated from states of environment monitoring systems in support of regulatory compliance monitoring requirements have the potential of setting up in great numbers of critical areas where the regulatory requirements are much more stringent.
- This implies that all analysis work is based on a foundation of data in a...

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- If the non-complier does not intend to contest the integrity of the sample or testing evidence, admission of evidence can save a great deal of trial time.
  - To avoid contesting the case, the procedures followed in the collection, preparation & analysis of evidentiary samples need to be standardized & detailed in a manual, which if necessary can be offered as evidence of the regularly conducted procedures followed by the laboratory in generating results.
  - Thus, whether or not the inspector anticipates that a report will be introduced as evidence, the inspector should make certain that the report is as accurate & objective as possible.

The training workshop covered the following issues:

1. Scope & contents of legislation for the sustainable management of water resources within the IWRM context.
2. Legal mechanisms for the enforcement of water resources legislation.
3. Institutional arrangements for the administration, monitoring & enforcement of water resources legislation.
4. Technical & administrative capacities needed for inspection, monitoring, measuring, recording & reporting for indicting non compliance with legislations.

5. Rule of law as a necessity for Integrated Water Resources Management.
6. Types and levels of inspection & authority that should be given to inspectors by the water & environmental regulating authorities.
7. Qualifications, training, experience & competence of inspectors, field & testing laboratory operators & prosecutors to ensure compliance & enforcement of water & environment legislations.
8. Universally accredited methods of sampling, monitoring, measuring & reporting including the necessary precision, accuracy, reproducibility, sensitivity & detection limit of the measuring methods.

9. Reliability & credibility of evidence of non compliance including routine inter and intra-calibration, maintenance & operation of monitoring systems, sampling gears and measuring instruments.
10. Minimum acceptable (QA/QC) programs including blind samples, blanks, replicates, spikes in water monitoring and inspection systems.
11. The structure and mechanism of maintaining a chain of custody in accredited water & environmental monitoring systems.
12. Proper documentation of all aspects related to methods of monitoring, inspection, sampling, analyses and reporting.
13. Self-monitoring, self-record-keeping & self-reporting in managing water resources and environmental protection.
14. Area monitoring, citizen complaints and community involvement for better compliance with water and environment legislations.

# **The 12 Days Study Tour**

- Immediately following the training workshop the participants started their study tour & field visits to Netherlands, Spain and France, recognized for their experience & best practices in compliance & enforcement of water and environmental legislations.
- In each country & through guided tours, the participants visited (1) water & environment regulating bodies, (2) inspection & auditing departments, (3) enforcement systems, (4) central & remote water & environment monitoring systems, (5) monitoring & testing facilities including accredited testing laboratories, (6) surveillance, remote sensing facilities, etc.













### L'eau un enjeu en Provence Alpes Côte d'Azur (PACA)

- Climat méditerranéen évoluant vers climat montagnard dès 800 m d'altitude
- Pluométrie moyenne annuelle d'environ 800 mm (+ Paris) mais **inégalement répartie** avec sécheresse estivale, trois fois moins de jours de pluie
- Hydrologie contrastée entre le littoral, les plaines, la montagne, mais aussi en fonction des saisons, des années.
- Sécheresse estivale et crues violentes (juin 2010 et novembre 2011 dans le Var) sont les signes caractéristiques de l'hydrologie en PACA



مع خالص شكري  
وامتناني

Thank you  
for your attention

Merci pour  
votre attention



*For additional information please contact:  
Sustainable Water Integrated Management – Support Mechanism: [info@swim-sm.eu](mailto:info@swim-sm.eu)*