

Water Rights and Community Management

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Why Community Management?

- Limits of government ability to build, operate, maintain water systems
- Scale of water systems is beyond what one individual can manage
- Need for community involvement

Potential Advantages of Community Management

- Local people most directly affected, highest stakes in good operation
- Tap into local knowledge
- Tap into local resources
- Empower local communities

Examples of Community Water Management

- Community water supply and sanitation (WSS) programs
- Farmer-built irrigation systems
- Irrigation management transfer
- Community animal watering points
- Water harvesting/watershed management
- Fisheries co-management



Why Water Rights?

- Water rights give communities:
 - Authority
 - Incentive
 - Ability to accommodate multiple interests
 - Sense of identity



Water Rights and Authority

- Water rights give communities **authority** to manage water
 - To build systems
 - To make decisions
 - To change flows
 - To exclude some users
 - To enforce rules

Water Rights and Incentive

- Water rights give **incentive to build systems, manage water**
 - Long-term investments pay off
 - Careful water use is rewarded

Water Rights Accommodating Multiple Uses

- Most water systems involve many uses, users
- Water rights clarify the rights, responsibilities of different water users
- Potential to reduce, resolve conflicts



Water Rights and Community Identity

- Holding rights in common as a bond among community members
- Focal point for mobilizing labor, resources
- Ensuring the survival of communities

Pani Panchayats in India

- Community investment in water harvesting structures
- All community members can participate, even landless
- Water rights allocated to those that build the system, to households not to land
- Limits on sugarcane, rice, water-intensive crops
- Leasing fishing rights



Beyond “Sense of Ownership”

- Responsibility needs to be balanced with rights
- Real rights, not just “sense of ownership”
- More to rights than “ownership”

Water Rights Definition

Claims to use or control water by an individual or group that are recognized as legitimate by a larger collectivity than the claimants and protected through law.

Types of Water Rights

- Use rights
 - Access
 - Withdrawal
- Control/decision-making rights
 - Management
 - Exclusion
 - Transfer
- Rights to earn income from the resource



Sources of Water Rights

- Government law
- Local, customary law
- Religious law
- Project regulations

Strengthening Community Management and Water Rights

- Recognizing community water rights to strengthen community management
- Participation in water users' associations strengthens water rights





Conclusions

- Balance state and local involvement
- Balance rights and responsibilities
- Rights to water resources are empowering, so be careful who is empowered
- Government-recognized water rights are important, but not the only source of rights
- Water rights need to be adapted to local conditions