



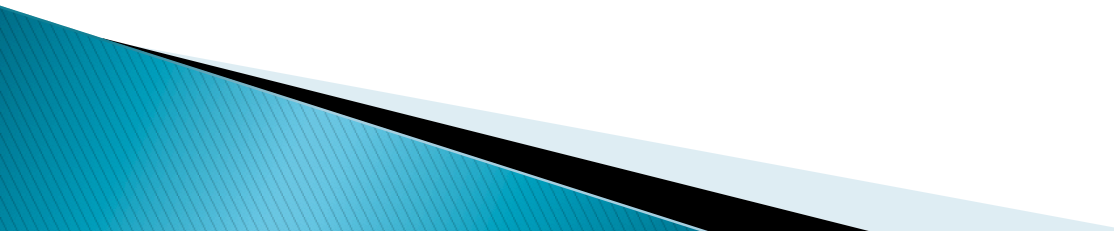
Ministry of Energy and Water MEW

National Groundwater Conference
June 7–8, 2015

Water Sector Law, Policies, Regulations, Procedures and Guide Lines

Mamarine Palace
Kabul – Afghanistan
June 08, 2015

Background

- ▶ Water law developed in 70ies,
 - ▶ Reviewed and amended in 80ies,
 - ▶ LAWRD Group
 - ▶ International Conference on Water – Kabul Understanding – May 2002
 - ▶ Strategic Policy Frame work for water sector,
 - ▶ ANDS/Water sector strategy
 - ▶ Drafting Water Law and its approval by cabinet in 2008
 - ▶ Approval of Water Law in 2009
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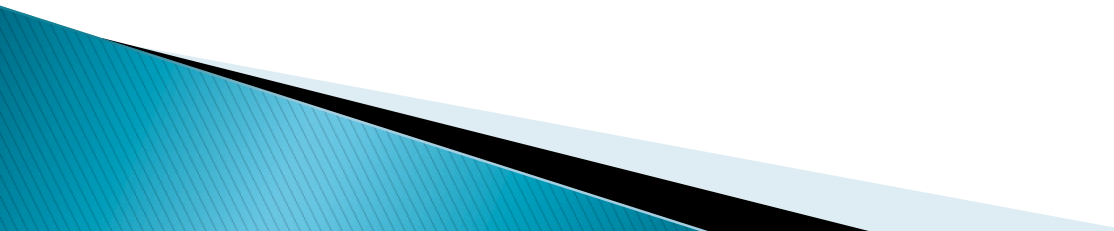
Water Law: Policies

National Water Resources Policy (art. 12-2, art. 14-2)

Different topics, as follows:

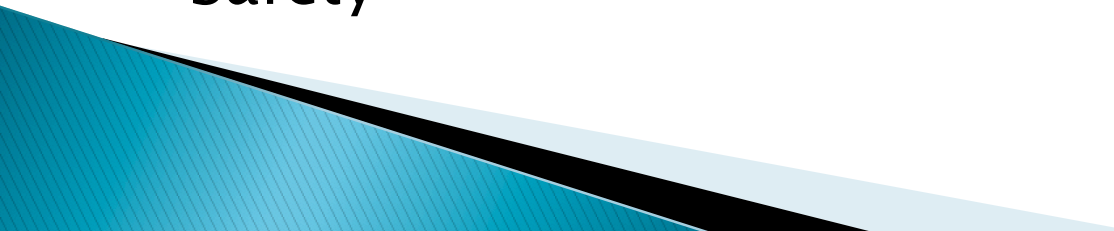
1. Water Value: social, ecological and cultural
2. Gender Policy
3. Water Allocation Policy: U/S and D/S matters: availability, equity, efficiency.
4. Private sector participation
5. Climate Change: Mitigation and Adaptation
6. Risk Mgt. Assessment: droughts, floods & natural disasters
7. Hydrological and Meteorological Information System: data sharing; data analyzing; data processing and public information
8. Groundwater and Surface Water Protection Areas/zone
9. Wetlands, Lakes and Vulnerable Areas
10. Social Awareness and Public Outreach Water: Roles of the government, mass media, Civil Society; RBA, WUA, Irrigation Associations IA and other stakeholders.
11. Resettlement basis (due to construction of large water works)

Water Law: Regulations and Standards

- ▶ Priority on Water Use (Art. 6)
 - ▶ Water Services Fees Setting (Art. 7)
 - ▶ Groundwater and Surface Water Quality (Art.7, 29,30)
 - ▶ Rights-of-way for water resources and water infrastructure, storage facilities, diversions and rivers (art. 8-8)
 - ▶ Establishment of River Basin Agencies (art. 10, art. 12) and River Basin Councils (art. 13) and SBC (art. 17)
 - ▶ Establishment of Water User Associations (art. 10, art. 18, art 34)
 - ▶ Permit/License for Water Rights (art. 19 and art 20, art. 21, art. 28, art. 36, art. 37)
 - ▶ Water Quality Standards (art. 24)
 - ▶ Dam Safety (Art. 33)
 - ▶ Water misuse, disturbance and pollution penalty/fine/sentence regulation
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Procedures

Different topics, as follows:

- ▶ Procedure for water allocation
 - ▶ Procedure for Licenses and Permits.
 - ▶ Procedures for the identification, characterization, application and appeal of penalties
 - ▶ Procedure for determining water availability in surface waters.
 - ▶ Procedure for determining water availability in groundwater.
 - ▶ Procedure for Dam Potential Hazard
 - ▶ Procedure for an Emergency Plan Model for Dam Safety
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Guidelines / Manuals

- ▶ **Provision of Water Supply and Sanitation in Urban Settings** (art. 8–6)
- ▶ **Manuals or Code of Good Practices** for the design, construction and O&M of water works.
- ▶ **Deep Wells Drilling** (Art. 38)
- ▶ **Guidelines for Dam Safety**
- ▶ **Guidelines for the formulation of River Management Plans**
- ▶ **Guidelines for the management of glacier and Snow Data**
- ▶ **Guidelines for International research and data sharing on water**
- ▶ **Guidelines for Navigable Waters**
- ▶ **Rainwater Harvesting Manual**
- ▶ **SCoW's Manual of Organization & Functions. Rule of Operation** (Art. 9)
 - Composition and representation
 - Procedures for presentation and draft approvals
 - Reporting system
 - Public enclosure
 - Responsibilities
 - Plans

Guidelines / Manuals

Adapting for Climate change Manual: Water and the next generation

- Drinking and Sanitation
- Irrigation
- Power generation
- Industrial
- Mining
- Environment: ecologic discharge

Manual of indigenous and traditional experiences and good practices for policy makers to strengthen water policies in Afghanistan

- Indigenous knowledge
- Traditional good practices
- Success stories
- Water allocations
- People participations
- Water related Conflict resolution mechanisms
- Miscellaneous chapter

Policies / Regulations / Approved/ in Progress

- ▶ Flood Policy and Strategy
 - Status: Under Review by SCLW
- ▶ Drought Policy and Strategy
 - Status: Drafted
- ▶ Transboundary Policy
 - Status: Drafted/cleared by MoFA
- ▶ Groundwater Policy
 - Status: Drafted
- ▶ Capacity Development Policy
 - Status: Drafted
- ▶ Water User Association Regulation/Procedure
 - Status: Drafted
- ▶ River Basin Agency Regulation/Procedure
 - Status: Approved

Policies / Regulations / Approved/ in Progress

- ▶ Right of way Regulation/Procedure
 - Status: Approved by MoJ
- ▶ Regulation (Policy) of Wastewater disposal
 - Status: Drafted
- ▶ Regulation (Policy) on Dam Classification + Resettlement Policy Framework
 - Status: not developed
- ▶ Regulation/Procedure for Permit and License
 - Status: Drafted/Approved
- ▶ Establishment of Irrigation Association,
 - ▶ Status: Drafted

Thank you for your
attention.

