



Panjwani – Hisaar
Water Institute



Panjwani-Hisaar Water Institute (PHWI)

A Comprehensive Course for Professionals in Water Sector on WATER LAW

30th August to 3rd September 2019

Comprehensive Course on Water Law

To understand water, one must be aware of the scale in which water is operating. For example, we may hear of dams, of water scarcity, of MAF (Million-acre-feet), and cusecs. This is water operating on the hydrological, security, agricultural and irrigation scales. Our cities dump their sewage, untreated, into rivers and water bodies, causing ecological ruin. We speak of the need of flushing the Indus Delta to maintain its ecosystem and the mangrove forests. This is water operating on an environmental scale. But it doesn't have to all be science or climate change. Just as water cannot be confined to a single shape, nor can one limit the scale on which it operates. Water can operate on a cultural scale as well. It takes water to produce the cotton we wear. That is virtual water at work translating everyday things to the amount of water it takes to produce them. There are innumerable scales to water. This is why water law is complex.

In Pakistan, there are a number of laws on water. Provincial canal and drainage legislation is the first to come to mind. We have the Indus River System Authority and a Water Apportionment Accord. Balochistan has an ordinance that regulates groundwater. There are laws for fisheries. The KPK's forest legislation has specific provisions relating to water. Pakistan is signatory to the Convention on the Law of the Sea. Environment Quality Standards determine what industry can discharge into water bodies. A National Water Policy was announced earlier this year. So how can one make sense of water law? What is a rational way of approaching the subject? This course is designed for professionals to understand the existing legal environment around water (international, national, provincial and local) and implications for water governance, management and conservation in Pakistan.

The course was a first of a series of courses that will be offered regularly by the Panjwani-Hisaar Water Institute (PHWI). It was designed for lawyers, researchers, writers, journalists, leaders and thinkers working in the water sector, as well as water professionals, managers, engineers, hydrologists, government officials (especially those in Irrigation Departments and water utilities) as well as natural scientists, social scientists, geographers and historians of water.

Proceedings of the Course

PHWI successfully completed its first academic programme on '**WATER LAW**', a comprehensive course spread over 5 days (18 hours) from 30th August to 3rd September 2019. It was attended by 40 participants who were lawyers, water practitioners, researchers, journalists and policy makers. The course was designed for professionals to understand the existing legal environment around water (international, national, provincial and local) and implications for water governance, management and conservation in Pakistan.

As a part of the proceedings of the course, a seminar was held at Marriott Hotel where the PHWI academic programme was inaugurated by Dr. Arif Alvi, the President of Pakistan. Water issues are being accorded the highest priority by the current government of Pakistan and this was proven by the presence of the President at the event. Participants of the course attended the seminar and were provided an opportunity to directly engage with the President on water issues. The seminar was entitled, '**Pakistan Water Crisis – Time to Deliver on Promises**' and was commenced by Dr. Sarosh Hashmat Lodi, Vice Chancellor of NED University. He welcomed the audience and briefed

that PHWI is designed to be Pakistan's leading water institute for the 21st century. With the Panjwani Foundation taking the lead in its establishment, this cutting-edge institute is placed at the NED University – the university originally created to support the emerging irrigation infrastructure of Pakistan. Ms. Simi Kamal Advisor PHWI talked about 21st Century Solutions to Pakistan's Water Problems and Ms. Nadira Panjwani, Chair, Panjwani Charitable Foundation spoke on 'Building Institutions through Philanthropy'. She lauded the philanthropic spirit of people of Pakistan and Karachi itself and the integral role generosity has played in the establishment of various vital organizations throughout the city. Addressing the seminar as Chief Guest, President of Pakistan, Dr. Arif Alvi, stressed upon the need for creating awareness on water conservation in society particularly among the young generation. He called for making laws and introducing pricing for water so that its conservation could be ensured. The President lauded the initiatives of Panjwani Hisaar Water Institute and NED University for water education. He said efforts were also needed to be taken to avoid water losses and ensure its use for agriculture purposes in proper manner. The president said that steps were also required to be taken to counter the impacts of global warming.

Advocate Ahmad Rafay Alam (Expert in Environmental Law), Dr. Noman Ahmed (Architect and Urban Planner) and Ms. Simi Kamal (Water Specialist) were the renowned trainers of the water law course while Advocate of the Supreme Court Mr. Feisal H Naqvi gave lecture on Indus Water Treaty, disputes and arbitration and eminent Dr. Hassan Abbas (Chairman ZIZAK Pvt. Ltd) and former UNESCO Chair on IWRM) talked about water infrastructure, relevant laws and Indus delta.

A field trip to Dhabeji pumping station and Pipri treatment plant of KWSB was also organized to learn about Karachi water supply related to the module presented by Dr. Noman Ahmed. Participants were also encouraged to look out for the legal angles in urban scenario and identify the legal gaps. The course concluded with a Certificate Distribution Ceremony by Vice Chancellor of NED, Dr. Sarosh Hashmat Lodi and closing remarks given by Dr. Noman Ahmed.

Outcomes

The Panjwani-Hisaar Water Institute Short Course on Water Law brought a multidisciplinary understanding of water law to legal and non-legal practitioners alike. The course was designed to focus on the law, but also included a field visit and day-of-reflection over a number of non-legal water related subjects. At the end of the course, it was seen that the participants:

- Were generally familiar with the history and origins of water law
- Had a basic understanding of the principles of international water law
- Appreciated the nature and role of water-related institutions and organizations operating in Pakistan
- Had an understanding of the complexity of urban water supply; and an understanding of the laws regarding drinking water
- Understood the water-related dispute resolution processes and forums envisaged in the Constitution and our laws
- Were generally familiar with the legal and technical aspects of the Indus Waters Treaty
- Were generally familiar with the climate, water food nexus and its impact on future policy
- Understood the monitoring and enforcement role of the provincial EPAs in relation to water and water pollution
- Were generally familiar with the law and operations of the Indus River System Authority

COURSE OUTLINE

	Day 1 30 August Friday	Day 2 31 August Saturday	Day 3 1 September Sunday	Day 4 2 September Monday	Day 5 3 September Tuesday
Class 1	Introduction (Course objectives and learning outcomes) Pakistan's water balance	Indus Waters Treaty (IWT), disputes and arbitration	Water Infrastructure and relevant laws	Field Trip	Sharing Learning Experiences, Tests and quiz (in class and to be completed later)
Tea Break					
Class 2	Introduction to International Water Law (UN Watercourse Convention, "Equitable Use")	Water laws of Pakistan 2 (Provincial and Local Government laws, KWSB Act, water laws in other statutes)	Water-Energy- Food nexus and water conservation	Field Trip	Closing Session Summing up Certificate ceremony
Lunch Break					
Class 3	Locating Water Law (Explaining the interdisciplinary nature of the subject)	Prov. water disputes (Rau Commission, CJ Commission, Water Accord & IRSA, NWFP/WAPDA Arbitration)	Thinking and reading time (trainers available)	Field trip	Departures
Tea Break					
Class 4	Water laws of Pakistan 1 (Constitutional provisions, structure of water institutions)	Outstanding water issues: Indus Delta, Urban Water, Pollution and Degradation of Water Bodies	Thinking and reading time (trainers available)	Field trip	Departures

Partners & Collaborators:

- Hisaar Foundation
- Panjwani Charitable Foundation
- NED University of Engineering and Technology
- Universities for Water Network