

WATER MANAGEMENT IN FEDERAL AND FEDERAL-TYPE  
COUNTRIES: NIGERIAN PERSPECTIVES

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# OUTLINE OF PRESENTATION

-INTRODUCTION

-SIGNIFICANT FEATURES OF WATER RESOURCES MANAGEMENT IN  
NIGERIA

-LEGAL FRAMEWORK: Legislative Summaries

-MAJOR ISSUES AND CHALLENGES  
(Legal Framework: Need for New Approach)

-RECOMMENDATIONS AND CONCLUSION

## INTRODUCTION

-Nigeria: Federation of 36 States and a Federal Capital Territory

-Water Resources in Nigeria:

8 Hydrological Zones Drained by Rivers Niger and Benue

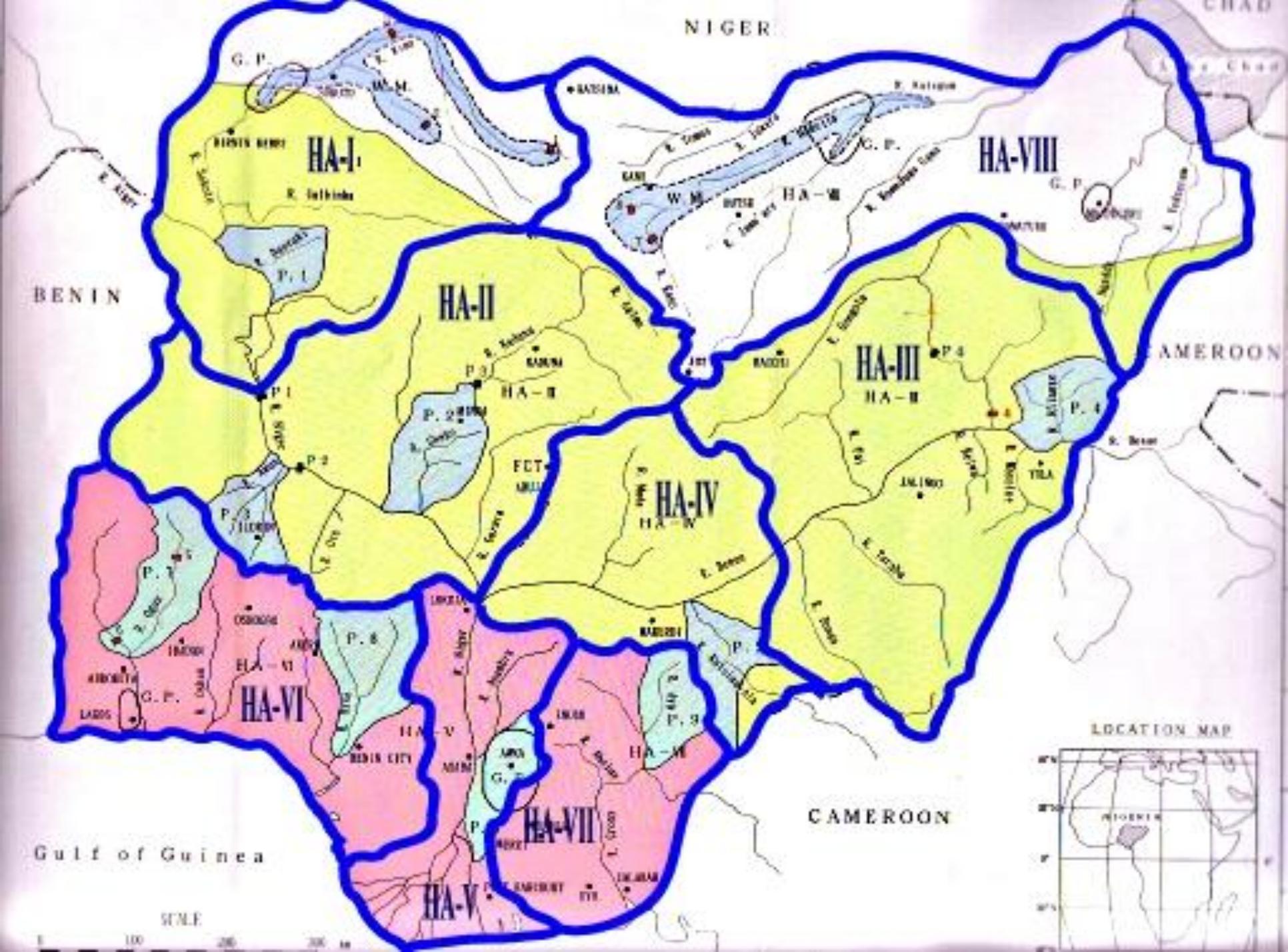
-Irrigation and Dams

-Constitutional Structure

- \* Water Supply on Current Legislative List

- \* Lack of Inter-sectoral Co-ordination

- \* Need for Proper Blend of Institutional, Policy, Economic, Financial and Regulatory Framework



NIGER

G. P.

HA-I

BIKETA BENT

R. Ibbida

BASSIMA

HA-VIII

G. P.

BENIN

HA-II

BAMUNI

HA-II

HA-III

HA-II

CAMEROON

FCT

HA-IV

HA-IV

P. 4

ANLINGO

WILBER

TIKA

P. 4

S. BANI

P. 3

ILORIN

P. 2

OSOGUN

P. 3

LAGOS

P. 8

IBADAN

P. 2

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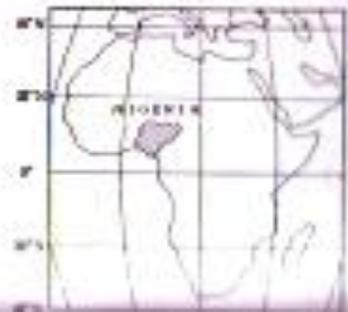
CAMEROON

Gulf of Guinea

SCALE

0 100 200 300 km

LOCATION MAP



## SIGNIFICANT FEATURES OF WATER MANAGEMENT

- Weak Data Base
- Fragmented Responsibility
- Weak Institutional Framework (RBDAs)
- National Water Resources Institute
- Response to Natural Disasters

# LEGISLATIVE SUMMARIES

## A: Customary Laws (Traditional Practices)

- Right to water is communal
- water right is subject to reasonable use
- Private right to water not recognized for domestic use
- Restriction on water rights preserves points of stream from pollution.

# **LEGISLATIVE SUMMARIES (Contd.)**

## **B: Statutory Enactments**

Several Laws touching on water, sanitation and Environment.

- \* Water Works Act, 1915
- \* The Minerals Act, 1917
- \* The Public Health Act, 1917
- \* The Oil in Navigable Water Act, 1968
- \* The Petroleum Act, 1969
- \* The Petroleum (Drilling and Production) Regulations Act, 1969
- \* The RBDA Decree 25 of 1976
- \* The Water Decree No. 101 of 1993

# LEGISLATIVE SUMMARIES (Contd.)

- STATE AND LOCAL GOVERNMENTS:
  - \* Each pursuing a different Agenda
  - \* Local Governments Exercise additional authority
  
- Legislative instruments do not recognize role of Private Sector Investors
  
- Lack of Consultation result in:
  - \* Unclear definition of responsibilities
  - \* Improper conflict resolution mechanisms
  - \* Failure to recognize role and interest of stakeholders.

# **MAJOR ISSUES AND CHALLENGES**

# MAJOR ISSUES AND CHALLENGES

- The major issues and challenges which call for reform include, in the main, the following:
- The need to approve a national water policy framework document as absence of policy framework

Perpetuates:

- 1) Fragmented responsibility for water
- 2) Lack of inter-sectoral co-ordination
- 3) Need for proper blend of institutional, policy, economic, financial and regulatory framework.

- \* Development of incentives for proper private sector participation
- \* The need to promote inter-sectoral linkages and control, optimum watershed management with respect to abstraction, pollution control, and overall sustainable development.
- \* The need to modify existing laws and/ or enact new ones to achieve all the above major issues and challenges

# LEGAL FRAMEWORK

## Need for New Approach

\* Need to establish and enforce standards, regulate and control criteria for:

- Pollution Control
- Watershed management
- Environmental preservation

# RECOMMENDATIONS

# ENCOURAGING PRIVATE INVESTMENT

- \* Investors to be guaranteed regulatory mechanism free from undue interference from vested interest groups.
- \* Synchronizing federal and state laws to ensure availability of raw water
- \* Government to shoulder some responsibilities to cushion the effects of investors' financial risks

# FAIR REGULATORY FRAMEWORK

\* Ensure independence of regulatory agency through:

1 Insulating of agency from any conflict of interest

2 Guarantee continuity during change of government

3 Instilling confidence in public and private sector suppliers.

# FAIR REGULATORY FRAMEWORK (Contd.)

\* participatory management to be the basis for regulatory framework

- Focuses on the interest of the consumers

- Protect investors from arbitrary actions

- Eliminate costs of regulatory interventions

- Provide incentives for enhanced efficiency.

# CONCLUSION

- \* Water resources of the country to be put to beneficial use to the optimum level of which they are capable.
- \* Funds- Public and Private- for the promotion and expansion of the beneficial use of water resources should be invested to the that best interest and welfare of the people.
- \* Regulatory and control should be vested in a “National Water Commission”.

BLESS YOU ALL

AND

THANK YOU FOR LISTENING