

Water Governance Benchmarking Criteria

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A. GOVERNANCE FUNCTIONS

1. Organizing and building capacity in the water sector

- 1.1 Creating and modifying an organizational structure
- 1.2 Assigning roles and responsibilities [1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#)
- 1.3 Setting national water policy
- 1.4 Establishing linkages among sub-sectors, levels, and national sub-regions
- 1.5 Establishing linkages with neighboring riparian countries
- 1.6 Building public and political awareness of water sector issues
- 1.7 Securing and allocating funding for the sector [9](#)
- 1.8 Developing and utilizing well-trained water sector professionals

2. Planning strategically

- 2.1 Collecting, managing, storing and utilizing water-relevant data [10](#)
- 2.2 Projecting future supply and demand for water
- 2.3 Designing strategies for matching expected long-term water supply and demand and dealing with shortfalls (including drought mitigation strategies)
- 2.4 Developing planning and management tools to support decision making

3. Allocating water

- 3.1 Awarding and recording water rights and corollary responsibilities
- 3.2 Establishing water and water rights transfer mechanisms
- 3.3 Adjudicating disputes
- 3.4 Assessing and managing third party impacts of water and water rights transactions

4. Developing and managing water resources

- 4.1 Constructing public infrastructure and authorizing private infrastructure development
- 4.2 Forecasting seasonal supply and demand and matching the two
- 4.3 Operating and maintaining public infrastructure according to established plans and strategic priorities
- 4.4 Applying incentives and sanctions to achieve long and short term supply/demand matching (including water pricing) [11](#), [12](#)
- 4.5 Forecasting and managing floods and flood impacts

5. Regulating water resources and services

- 5.1 Issuing and monitoring operating concessions to water service providers
- 5.2 Enforcing withdrawal limits associated with water rights
- 5.3 Regulating water quality in waterways, water bodies, and aquifers (including enforcement) [13](#)
- 5.4 Protecting aquatic ecosystems [14](#), [15](#)
- 5.5 Monitoring and enforcing water service standards

B. GOVERNANCE PROCESS CHARACTERISTICS

- 1. Transparency.**
- 2. Participation.**
- 3. Accountability and Integrity.**
- 4. Rule of law.**
- 5. Coherency and Integration. 16, 17**
- 6. Responsiveness.**

C. CROSS CUTTING CATEGORIES

1. Water Sources

- 1.1 Surface water
- 1.2 Groundwater
- 1.3 Derivative water (reclaimed, reused, desalinated)

2. Water Uses

- 2.1 Irrigation
- 2.2 Municipal
- 2.3 Industrial
- 2.4 Environmental
- 2.5 Hydropower
- 2.6 Fisheries, navigation, recreation
- 2.7 Other uses (including social, esthetic, and religious uses)

EGYPT

Law No. 48 of 1982 concerning Pollution Protection of the River Nile and the Water Channels 13

In the name of the People

The President of the Republic

By decision of the Peoples Assembly the following law has been issued:

Article 1: To be applied in what is considered water channels

- a) The fresh water areas which include:
 - 1.- The River Nile and its 2 branches and canals
 - 2.- Canals with its different degrees
- b) The non fresh water areas which includes:
 - 1.- Water channels with its different degrees
 - 2.- Lakes
 - 3.- Pools, water in closed system
- c) Underground water reservoir

Article 2: It is forbidden to throw in the water channels solid, liquid, or gaseous wastes from: real estates, shops or commercial, industrial, touristic establishments or from the sanitary drainage, without a licence from the Ministry of irrigation which will issue a decree according to the Ministry of Public Health recommendation to fix the measures and specifications concerning each case separately. 14

Article 3: The Ministry of Public Health will carry out a periodical sample analysis of the treated liquid wastes produced from the establishments which have the permit to drain in the water channels in the fixed time, in addition to the request of the Ministry of Irrigation for a sample analysis at any time more than the periodical analysis. 1, 10

The Ministry of Public Health is responsible to take samples for analysis on the account of the establishment hav-

ing the licence. The establishment will deposit a cost amount in the ministry fixed according to wastes quality, for expenses of sampling, transportation and analysis. The Ministry of Irrigation and the concerned party will be advised of the analysis result. If the liquid wastes drained in the water channels do not meet with measures and specifications mentioned in the licence and has not a dangerous effect, the concerned party is requested within 3 months to take action by treating the wastes and testing the samples in order to meet with specifications and measures required. If treatment is not completed within 3 months and is not suitable the Ministry of Irrigation will withdraw the licence from the concerned and will stop drainage in the water channels. 2

If the analysis result does not meet with specifications and measures fixed in the law regulations and has a direct dangerous pollution effect on the water channels, the Ministry of irrigation will advise the concerned to stop causes of pollution, otherwise the Ministry will carry out the operation on the concerned account or will stop drainage administratively. 3

Article 4: It is not allowed to give licence to establishments producing wastes to be discharged in the water channels. The Ministry of Irrigation is the only responsible - for the public interest - and when it is necessary, to give licence to establishments which will guarantee to establish a treatment unit for wastes according to specification and measures required and regulations of this law on condition that the operation of the treatment Unit starts as soon as the establishment starts working and benefits Regulations of this law will be applied. 4

A period of one year from the starting date of work, is fixed to treat wastes of the establishment. Otherwise the licence will be withdrawn and the Ministry of irrigation will have the authority to stop drainage in the water channels and will apply penalty of the law.

Article 5: The owners of House-Boats or touristic House-Boats standing on the river Nile or its two branches are requested to find a system to treat or gather the wastes and discharge them in the sewage drain or in the sanitary drain. It is not allowed to throw wastes in the Nile or in

the water channels. Periodical inspection of the House-Boats will be done by assigned engineers to apply regulation of the law. If it does not comply with regulations, a fixed period of 3 months is given to the House-Boat's owner to treat wastes and stop source of harm. If it is not achieved in the fixed period, the licence will be withdrawn.

Article 6: The Ministry of Irrigation is responsible to issue licences for the new House-Boats on the Nile and renewal of licences of existing ones and also issuing licence for any establishment producing wastes to be discharged in the water channels. **5**

Article 7: It is forbidden for the Ferry-Boats Unit used for transportation, touristic or other, to discharge the fuel leakage used in the water channels.

Article 8: The sanitary drainage Facility will put a sample or more to the Treatment Units of vicious and liquid wastes produced from: Plants, Houses, establishments, House-Boats and Ferry-Boats Units on the River Nile, with specifications and measures fixed in the law regulations.

Article 9: It is requested from the Applicant for a licence to submit to the Ministry of Irrigation, a guarantee of establishing a Unit for wastes treatment and a certificate from the Sanitary Drainage Facility approving its suitability.

Article 10: Precaution is to be taken by The Ministry of Agriculture when choosing pesticides to abate agricultural pests, not to pollute the water channels, resulting from direct means during irrigation operations or mixed with drained water of irrigated agricultural lands or by washing the irrigation or pesticides equipments in the water channels, according to measures decided by the Ministries of Agriculture, Irrigation and Public Health. **15, 16**

Article 11: Precaution is to be taken by the Ministry of Irrigation when choosing herbicides to abate water herbs, not to pollute the water channels, before operation treatment, during, and after to prevent use of the drainage water which is under treatment until the effect of the chemical products disappears and the water is available to be used for all purposes. **17**

Article 12: It is not allowed to reuse the water channels directly or mixed with fresh water for any purpose, unless it is proved valid for use. The Ministry of Irrigation will carry out the treatment of the water channels to be reused after consulting the Ministry of Irrigation. **6**

Article 13: The water area Police under the Ministry of Interior will carry out continuous shift inspections along the water channels and will help the concerned to find out any abuse of the law and will stop sources of pollu-

tion and will report. **7**

Article 14: A special budget account will be opened resulting from penalties or expenses due to law application and will be allocated to the following cases: **9**

- 1.- Administrative moving for abusing of the law.
- 2.- Contribution to establishments for erecting Units for wastes treatments before drainage.
- 3.- Studies and Laboratory researches.
- 4.- Bonuses for dirrigeants and inspectors of crimes of the regulations law.

Article 15: The executive regulations of this law will fix due fees without exceeding the maximum amount mentioned in the attached statement and also will fix expenses for executing regulations of this law. It is possible by seizure. **11**

Article 16: Without deviation from the regulations mentioned in the penalty law,, - Who will not follow the article 2 & 3 last item and 4, 5, & 7 of this law and its executive decrees will be imprisoned for a period not exceeding one year and a fine of not less than 500 Pounds and not exceeding 2000 Pounds or one of the 2 penalties. If the abuse of law is repeated, the penalty will double. A period is fixed by the Ministry of Irrigation to the concerned for correction, otherwise administrative actions will be taken on the account of the concerned and licence will be cancelled. **12**

Article 17: The Ministry of Irrigation will issue the executive regulation of this law after consulting the concerned Ministries within 3 months of THE Law Publication.

Article 18: The articles 10, 11, 12, 16 & 19 are cancelled from law 93 of 1962 concerning liquid wastes discharge and also any regulation contradicting regulations of this law.

Article 19: A decree issued by the Minister of Justice in collaboration of the Minister of Irrigation will give legal authority to assigned Irrigation Engineers to implement the regulations of this law. **8**

Article 20: This law will be published in the official newspaper and will be put into action after 3 months from date of publication. This law will be stamped by the official State stamp and will be applicable as one of other laws.

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(HOSNY MUBARAK)