



By Jean Launay,
Chairman of the Comité National de l'Eau (CNE)

THE INTEGRATED MANAGEMENT OF WATER RESOURCES FOR A FRESH APPROACH TO WATER

Before addressing how we can “act at every level, from cross-border cooperation to the integrated management of water in river basins”, it is worth first taking a look at the legislative basis for water management in France and Europe.

In this respect, in our country, **the founding law of 16 December 1964 organised the management of water** based on a number of key principles: water services must be fully financed by users (*l'eau paye l'eau*), the polluter pays principle and, above all as regards our topic, upstream/downstream solidarity, reflected in:

The integrated management of water resources (*gestion intégrée des ressources en eau* – GIRE).

This concept goes beyond the technical management of water to take into account the socio-economic conditions of territories and States, as well as environmental issues and their political and strategic implications. As well as being implemented by States internally, they can also be applied to good effect in cross-border contexts. According to Richard Laganier in a contribution published in a special edition of *Le Monde* dedicated to the atlas of water and oceans (2017), GIRE “seeks to promote human well-being and help to reduce poverty, protect the environment and ensure balanced economic growth, thanks to development anchored in democracy and in stakeholders’ participation in the decision-making processes.”. This approach attracted international interest at the first United Nations Water Conference held in Mar del Plata in 1977, thankfully and at long last followed by the New York conference held in 2023.

Management by catchment area

Metropolitan France is divided into six major river basins and five in the overseas territories, each of which has its own river basin committee (*comité de bassin*), a deliberative body composed of representatives of central government, all levels of local government and users of water, both economic (industry, farmers and electricity producers) and non-economic (consumers, the fishing community and environmental protection organisations).

This innovative law also created water agencies; executive bodies composed of a board of directors (programme subsidies, finance, assessment and planning, etc.) and specialised technical committees focused on various topics such as natural environments, flooding, users (agriculture and industry) and international issues.

The water agencies fund water policies through the proceeds they receive from various charges based primarily on water consumption and pollution, in line with two key principles: the polluter pays principle and the principle that water services must be paid for by users.

The very notion of a river basin defies administrative limitations, both between departments and regions in France and across borders with other States. In his two books, *L'avenir de l'eau* (Fayard/2008) and *La terre a soif* (Fayard/2022), Erik Orsenna, a member of the Académie Française, examines relationships between States through the prism of the major rivers they share.

The 1964 water law is still highly relevant today, 60 years on!

It constituted one of the first acts of decentralisation, at a time when decentralisation was not yet on the agenda. Catchment areas in effect concern different regions directly, in all their diversity, and require specific responses to situations encountered on the ground.

It also signalled a first step towards deconcentration, at a time when this concept was not yet in vogue. The six water agencies are public administrative bodies (*établissements publics de l'Etat à caractère administratif*) and play a central role in water and biodiversity policies. Under the supervision of the Ministry for Ecological Transition and Territorial Cohesion, they implement the water development and management master plans (*schémas directeurs de gestion et d'aménagement des eaux* - SDAGE) by seeking to promote a balanced and sustainable management of water resources and aquatic environments, the supply of drinking water, flood control and the sustainable development of economic activities.

PI would also defend the idea that this decentralised and deconcentrated model generated green taxation and participatory democracy before these two concepts became commonly used terms in the political sphere.

These great achievements of the 1964 law must be constantly defended. In effect, by involving all those concerned by water in consultative and even decision-making structures, decisions are made in a more concerted manner, supported by a lengthy dialogue process beforehand.

Latent Jacobinism and the risk of the financial rebudgeting of water policy constantly threaten to undermine these achievements.

Taking climate change and global warming, now indisputable, into account requires a fresh approach to water.

We increasingly face the problem of water shortages: droughts are now common, arriving earlier in the year, from spring onwards, and lasting longer, into autumn. The heatwaves of 2022 and 2023 are not comparable but had a real impact, exhausting whole areas and affecting the soil, aquatic habitats, biodiversity and our own bodies. Forest fires are also becoming increasingly common, more intense and longer lasting.

Excess water is also a problem, though, and just as visible: the recent floods in the Pas de Calais department, which have struck three times now, are a dramatic illustration of this.

Add to this the melting glaciers, the shrinking ice cap and rising coastlines and we can clearly see that the combined effects of these phenomena on our country and on the world as whole present major natural risks for the planet and the populations inhabiting it and will, unfortunately, soon give rise to a new type of refugee: climate refugees.

National Adaptation Plans for Climate Change (NAPCC) and the climate change adaptation plans of river basins and regions call for the development of regional policies and the definition of new forms of solidarity.

These documents will have to take into account projected changes in the water resources available and how they are used. In the Adour-Garonne river basin, for example, the river basin committee discussed the principle of water savings at its meeting on 25 April 2023, based on work carried out with local public river basin bodies to determine a saving trajectory for each sub-basin, to be defined by spring 2024 in the framework of local commissions.

By calling for political leadership at every level of responsibility, the clarification of goals, the need for governance involving all stakeholders, the definition of priorities and the furthering of our knowledge about the risks, the latest report of the IPCC gives us all the keys we need to lay out dynamic trajectories for adaptation.

This applies not only to us in France but everywhere on Earth; **cross-border cooperation offers a gateway to river geopolitics.**

Civilisation sprang from the banks of rivers and the development of hierarchical urban societies is closely linked to our mastery of water. As Richard Laganier says: "Water is central to power relationships: between users on the left banks and right banks of rivers to access the water, between users upstream who take water to the detriment of those downstream, and for control of the water and how it is shared between users."

Water flows, but it is not free-flowing for everyone! A lack of infrastructure and poor quality water poses the problem of access to water, because water also means sanitation. The UN's Sustainable Development Goal 6 is dedicated to water and states the aim of eliminating inequalities in accessing water services and safe sanitation. Sanitation and public health therefore constitute issues to be addressed, as is the circular economy: reducing our water consumption and our increasing our capacity to reuse the waste we produce means better reuse of treated used water and the recovery of sludge.

Using but not abusing our use of water! While irrigated agriculture has enabled us to meet the demand of a growing global populations, its development has harmed the environment, both by putting pressure on water resources and by modifying aquatic habitats. We need to move towards eco-efficient irrigation, with sobriety as the goal.

Large-scale hydroelectric plants have shaped and continue to shape global diplomatic relations. Often seen as symbols of modernity, dams provide a form of renewable energy. They also, however, create a whole series of negative impacts, first and foremost of which is the displacement of local populations (see the Three Gorges Dam in China). They can also constitute geopolitical time bombs, as their capture and storage of water can poison relations between countries faced with dwindling water resources and growing needs.

A concrete example of cross-border cooperation; Oyapock - Maroni: “a catalogue of borders” (Erik Orsenna) between France, Brazil and Suriname.

The Bio Plateaux initiative constituting action 62 of the biodiversity plan of Nicolas Hulot, the former Minister for the Ecological and Solidarity Transition, was launched in 2019 with a conference in Cayenne in the presence of Annick Girardin, then Minister for Overseas Territories. France (French Guiana), Brazil and Suriname all face similar issues and some significant challenges with regard to these river basins: hydrology (uncrossable rivers and the vulnerability of populations), quality of habitats (gold panning) and essential services (access to water and waste). Today, the goal is to move beyond the diversity plan to the creation of a cross-border river basin body, including the French Guiana territorial authority. Patrick Lecante, chairman of the River Basin Committee of French Guiana, is a driving force in the territory and is behind the project, particularly as it was included as a voluntary commitment under the 2030 Agenda at the UN conference in New York in March 2023.

Conclusion**Water, a common resource, needs to become a force for peace rather than grounds for war.**

Almost 250 river basins worldwide are shared between two or more States, constituting de facto hotbeds of tension in the context of global warming, which is accelerating the depletion of this resource. According to Frédéric Lasserre, a professor of geography at Université Laval in Quebec, “water in itself is not a source of conflict but the rivalry that sharing it provokes combines with other sources of tension to create fractures.” Around the globe, it will be the sharing of water that forms the basis of lasting peace. The cross-border management of rivers between States, under the aegis of the United Nations or the World Bank, will demonstrate that through collaborative management, water, so often a source of conflict, can also be a force for peace and cooperation.