

# WP5.2 – Legal and governance frameworks for innovations in freshwater management

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AI-generated with the prompt:  
“water technology, city and nature”

## What are the legal and governance possibilities to create a circular water system in the Netherlands?

The need to develop socio-hydrological resilience requires new legal and policy frameworks at national, regional, and local levels. Current legal and governance frameworks are often developed for linear resource systems, not allowing reuse and circularity. Sophie analyses and evaluates local, regional, national and supranational (EU) legal and policy frameworks, in collaboration with the regions involved in AquaConnect. Her aim is to identify good legal and governance practices and areas that need improvement for socio-hydrological resilience. These revolve around

- **managing uncertainty from innovations,**
- **balancing rights and interests between all stakeholders, and**
- **creating a practical and just division of responsibilities.**

Another key element in her research is how the Dutch legal framework can be used by all stakeholders to develop and implement innovations related to water reuse.

## What can we learn from water reuse regulation abroad?

Elements of regulation	Catalonia	Malta	The Netherlands
<b>Institutions and stakeholders</b> (clear division of rights and obligations & low level of fragmentation between decision-making authorities)	Cooperation where necessary, otherwise clear-cut division of rights and obligations among stakeholders; the river basin authorities have the most rights and obligations	Stakeholders are listed and one is charged with leading water reuse schemes; rights and obligations of other named stakeholders unclear	Competences are shared among all stakeholders, although exact division of rights and obligations is largely unclear; the responsibility for parts of the reuse process is not regulated
<b>Clarity of obligations</b>			
<b>Level of fragmentation</b>			
<b>Substantive water reuse</b>	Exceeds EU guidelines; covers water reuse for a wide variety of purposes	Exceeds EU guidelines, strong emphasis on public support and education	National regulation only created to meet the obligations from the EU Reuse Regulation; no real regulatory innovation
<b>Financial incentives and disincentives</b>	Includes a “waterbank”; flexible tax rates for water-saving; cost-recovery for the construction of reuse installations	Reused water appears to be free of charge for consumers	Costs for permitting, monitoring, and enforcement are borne by the province, but subsidised by the national government for the first five years; costs of operation of water reuse not regulated; water reuse not financially stimulated for consumers

Legend: Great Moderate Poor

## Future plans

Two big questions left between now and the end of the AquaConnect project:

- What is the EU legal framework on water reuse? How do all these pieces of regulation fit together? What are the consequences for the Netherlands?
- If we are fully circular by 2050 – as is the goal – how would Dutch water governance be structured? Can we create a blueprint for the future?

The next six months will see the first developments for these ideas.

### WANTED

legal or policy experts on water reuse

To get a better understanding of the laws, policies, and governance frameworks that help or hinder the transition to a circular water system, it is important to understand the vision of practitioners

(beleidsmedewerkers, juristen, beleidsadviseurs, etc.)

## Take-home message

Water reuse in the Netherlands knows great successes and developments. Unfortunately, there seem to be quite some issues in translating these local successes into concrete, nation-wide legislation. However, the *wiggleroom* in existing regulation can also be used to take great steps forward, if the stakeholder(s) is/are willing to do so.