Legal and Organizational Aspects and Government Regulations Regarding Water User Associations

(Case Studies from Wadis Zabid, Rima, Abyan, and Tuban- Republic of Yemen)

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The study focuses on comprehensive legal registration. It is also based on the resolutions and regulations issued by local authorities to regulate the interaction activities in the Thana. Accordingly, it is important to study the TORs that are in place and assess the need for any potential changes.

Methodology

Consultation is a common tool in the TOR. For our remark, let the TOR speak of the W/VAs, as if any exists (which is not true), the need for workshops or in the context of the interaction project, this paper would serve a discussion of the focus of the TOR’s and legal frameworks. Whether in the TOR, existing frameworks would be specifically mentioned in the legal framework. Where and when it has been used, if possible, and the problems or concerns in the framework (laws, regulations, government decisions, etc.) can be identified.

Thus, the TORs will collect as many or as possible of the existing legal frameworks and charters, and could form a basis for this paper. The legal framework for user organizations is an important consideration in any legal framework for WVs. The legal framework includes the importance of existing laws, the legal framework for WVs, and government decisions, thus, the TOR’s framework for registration, the framework for government decisions, and government decisions. Some countries have used a collective effort to promote and strengthen WVs. Some countries have not invested much in this effort, and so they can open their accounts and manage interactions. The legal framework for user organizations is an important consideration in any legal framework for WVs.

Regulations and Government Orders Regarding Water

In particular, the TORs for this study call for protection of a paper that deals with “laws, regulations, and government orders relating to water.” In addition, the TORs call for protection of water and water cooperative of WVs. The 3rd paper III, Laws, Regulations and Government Orders Regarding Water, is described both in the following regulations and government orders relating to water. The TORs, which deal with laws, regulations, and government orders relating to water, have a significant role in the operation of a water cooperative. A significant role in the operation of a water cooperative is to ensure that the cooperative is in compliance with the legal framework. The paper focuses on the importance of promoting water user associations (WVA(s)) to enhance their efficiency.

Study Objectives

This paper comes as part of the ground work preparations for the participatory interaction.

INTRODUCTION
According to the provisions of the Cooperation Law 1994, the possibility of reference to this law for establishing cooperatives for water users in accordance with the law.

The law allows the establishment of other types of production, production cooperatives provided such are not mentioned in this article. The law does not specify the establishment of other types of cooperatives and it specifically states that none of these can interfere with the goals of cooperation. Rather, it defines the types of cooperatives (from which one can identify the goals of cooperation). Article 1(4) of the 1994 Cooperation Law states the attitude of the cooperative institutions and cooperation activities towards the formation of all kinds of cooperatives. Therefore, the goals of cooperation and cooperatives when it states that "the law emphasizes cooperation and cooperatives which do not interfere with the goals of cooperation and the creation of production cooperatives, among the public property. Cooperatives and mixed properties of the public and private, cooperatives and mixed properties, the principle to achieve the goal of cooperation among the public property and cooperatives, and enhance national independence. The cooperation also adopts several economic sectors and the equitable treatment of all sectors (article 7-d)."

1.2 | Cooperate in the Constitution

Furthermore, article (14) of the 1994 Cooperation Law also recognizes that the country's economy is based on the principle of economic activity in a manner that serves the interests of the individual and the Yemen's amended constitution of 1994 recognizes that the country's economy is based on the principle of economic activity in a manner that serves the interests of the individual and the

1.0 | THE PRINCIPLE OF COOPERATION IN YEMEN\'S LEGISLATION
A Presidential decree is required for such action.

Article (112) of the Civil Law outlines the procedure to require a change in the character of the society into a government body.

According to the approved statutes, the General Assembly and the Director of the society are responsible for the decision to change the character of the society.

The General Assembly shall consider the approval of the decision to change the character of the society, and the Director shall issue the decision to change the character of the society.

The records of the General Assembly meeting are registered in the official records of the competent authority.

The General Assembly shall also consider the approval of the decision to change the character of the society, and the Director shall issue the decision to change the character of the society.

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(d)_assets of the society (Article 94) protect the society against loss and ensure that the assets of the society are not used for personal gain.

(e)_disestablishment of the society (Article 95) of the law states that the legal personality of the society is disestablished when the society is dissolved.

1.7.5.2. Societies in the Civil Law (W/29)

Societies in the Civil Law (W/29)

2.2. Societies in the Civil Law (W/29)

Societies in the Civil Law (W/29)

2.1. Cooperatives (W/29)

2.0. Cooperatives (W/29)
Article 37: The cooperative is registered and published through the Ministry of Social Affairs. Article 37 (a) of the law, the legal person of the cooperative becomes effective from the date of the approval by the competent authority in this case the Ministry of Agriculture and Irrigation (MAI) and the General Federation of Cooperatives in their head office.

According to Article 37 (b) of the law, the legal person of the cooperative becomes effective from the date of the approval by the competent authority (article 37).

In the event of an increase in the number of the WVA's shareholders, the amendment of the law on cooperative law (law no. 8 of 1991) amended the previous law by adding two new chapters:

1. Kinds of agricultural cooperatives:
   Conditions for the establishment of agricultural cooperatives

2. Improved production, where the above definition of improved production would also apply to WVA's and WVA's needs. Agricultural cooperatives are essential not only for the production of agricultural products but also for the processing and modernization of agricultural means and techniques.

Agricultural cooperatives: There is no exception in the law to WVA's law (article 8 of the law) or the law on agricultural cooperatives which contributes to the development of the national economy.

The law (article 6) also gave a list of objectives of the cooperatives as follows:

- Capital and productive resources of consumers, and production of agricultural activity.
- Cooperatives (agricultural cooperatives, farmers' etc.)

The law (article 3) gives a broad definition of cooperatives as follows:

- Cooperatives shall be organized on the basis of their kind of consumer and their production in agriculture. By the amendment of the law in this law, the objectives of agricultural social, economic, and demographic cooperatives are defined in the law. In this law, cooperatives are organized to retain their status in place with this law.
the main elements of organisation of these societies.

To conclude, it should be emphasised that the law of societies' cooperatives is of no relevance to W/V/A and that the law of cooperation is the one of relevance in this regard.

The 1965 Law gave a slightly different definition of societies than that in the Civil Law. It examined the legal and in the law of cooperation (1964), and in the civil law (1976, 1976/61) are subsequently included by the constituent. The society/associations in this World Bank consultation was prepared by the Ministry of Social Affairs (MSA), and the draft prepared by a committee composed of the Ministry of Social Affairs, which are the draft proposal by the constituent committee known as the 'law of NGOs.' These are the draft law proposal by the constituent committee jointly.

Currently, there are 3 draft laws which are meant to replace the Law of 1963. They are all article (130) of the constitution was cancelled and the law of 1963 is now applied to all the same time, after the end of the transition period (after publication) in 1994, corporate cooperative will until unified laws are issued. However, until today no unified law has been issued for cooperation.
Utilization in proportion to the benefits be received.

Civil Article (1376): The water of a land which is located in between the water source and the land has to be irrigated should equal mean address and the rights of the water in exchange for the construction to be built in advance. The may utilize these waters in exchange for a fair compensation to be paid in advance. The may utilize these waters in exchange for a fair compensation to be paid in advance.

Civil Article (1377): A landowner who irrigates his land using extracted natural water and the costs is paid by the intermediate land to benefit from the passing situations (canals or pipes) provided a share of the water is required issue of compensation to intermediate land, the right of the intermediate land to require in compensation, and pay for the repairs then claim the expenses.

Civil Article (1378): A water channel over must be operated and repaired so to remove the water-way so as to prevent damage to the intermediate land (Article 1374).

It also set the obligations of each party with respect to minimizing and rehabilitating the water-way as to prevent him.

Civil Article (1379): The right of water-way is the right of a land owner to have the water flow have no right to prevent him.

Civil Article (1381): The intermediate land to have the water supply over the land of other people so to reach the land owner to have compensation water over the land of other people is in order to reach this land. If the right is prevented by the intermediate land the water-way right is given in article (1387) of the Civil Law.

Civil Article (1382): The intermediate land to have the water supply over the land of other people so to reach the land owner to have compensation water over the land of other people is in order to reach this land. If the right is prevented by the intermediate land the water-way right is given in article (1387) of the Civil Law.

Civil Article (1384) of the Civil Law provisions dealing with intermediate and other people (6) which deals with the water flow or drainage rights.

Two subchapters in this chapter of interest are subchapter (5) which deals with the water-way rights, and subchapter (6) which deals with the water flow or drainage rights.

Civil Article (1387): The right of water-way is a kind of obligation of liability on one property to serve of which deals with “wetlands rights”.

Civil Article (1384) of the Civil Law provisions dealing with intermediate and other people (6) which deals with the water flow or drainage rights.

3.1) Irrigation in the Civil Law

Traditional water-related irrigation systems in the Thimar, Abyan and Lahj.

Yemen's history is with experience in cooperative irrigation, as evidenced by the extensive

3.0) Experience with Cooperative Irrigation in Yemen
Article 1380: The owners of land who receive food water (spare) have the right to utilize this water in the manner that the owner or land who receives this land from naturally flowing or extracted water has the right to utilize the water to which the land is naturally having.

The law contains several rules regarding the drainage right, as follows:

Article 1379: The right of drainage is the pathway of water, through the property or others.

Article 1378: The flow channel is the pathway of water, over or through the land or others.

The details of the rights of drainage and downstream land owners.

The law on drainage of downstream land (article 1380) also regulated the rights of drainage of downstream land from the land or others. The law provides that the owner of drainage water shall not exceed the width of the drainage channel, which would increase water away from a land or house. The difference between this and the right to a waterway is that the latter

This is the right to drain excess of surplus (naturally flowing) water or wastewater from a property owned by others.

Article 1377: If a property is damaged due to water transported pipes, then the owner of the property has the right to ask for compensation from the property owner.
Responsibilities of the Director and carry out duties assigned to him by the Director.

3. Duties and Instructions of the Director and his Deputy:

- Monitor the implementation of the National Plan, note the DG of the MFA office in the government of any violations.
- Provide strategic guidance and substantive advice.
- Supervise the implementation of the National Plan, build on the government, fulfill more effectively.

2. Tasks of the Information Department:

- Implement policies to develop and improve information policies.
- Express opinions on how to develop/improve information policies.

Chapter (9)

No Title

Chapter (7)

Regulations of the Information Workers

Chapter (6)

Function of the Information Council

Chapter (5)

The Information Council in the Government

Chapter (4)

Duties and Instructions of the Director and his Deputy

Chapter (3)

Tasks of the Information Department

Chapter (2)

Purpose

Chapter (1)

Title and Definitions

Governmental. These regulations were organized in (9) chapters as follows:

In April 1996, the Government of Laos issued a proposal of the Office of the MFA, No. 14/1996, regarding the involvement of the government in the Information Department.

3.2) Information in a Private Park

(6) when it becomes no more useful

(5) when the owner to the right conceives this use right and no other property

(4) when it becomes no more useful to use the servitude right due to changes in the condition

(3) when the use no longer becomes the property of a single owner

(2) of disappearance of the condition

(1) a servitude which may be terminated under the following circumstances:
(75%) for O&M and 25% for management expenditures. The regulations also imposed
additional regulations for irrigation at the district level, which are designed to
reduce the impact on the environment and local communities.

(2) General Provisions: These deal with implementation and modification of these regulations,
and the enforcement of their provisions. They provide for the establishment of
the Irrigation District, the selection of its board members, and the
operation and maintenance of irrigation facilities.

(3) The Irrigation District: This is established in accordance with the law of "Local
Administration", by a resolution to be issued by the Governor upon a proposal by the DC of
Irrigation, which is then subject to approval by the Governor of the State.

(4) Implementation: The implementation of these regulations is
~

(5) How the Irrigation Council: The council is established in accordance with the
law of "Local Administration", by a resolution to be issued by the Governor upon a proposal by the
DC of Irrigation, which is then subject to approval by the Governor of the State.

(6) Organizing the Irrigation Activities: Also defined in the regulations are the standards and rules for
irrigation and flood management, and the establishment of local committees to
oversee the implementation of these regulations.
3.3) Intention in Abyan Delta

Chapter (1): Ch thereof (article 1)
Chapter (2): Ch thereof (article 2)
Chapter (3): Ch thereof (article 3)
Chapter (4): Ch thereof (article 4)
Chapter (5): Ch thereof (article 5-24)

Laws and Decrees

Article 1: The roles of the Intention Unit are defined in the Intention Plan.

Chapter (1): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (2): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (3): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (4): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (5): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (6): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (7): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (8): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (9): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (10): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (11): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (12): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (13): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (14): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (15): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (16): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (17): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (18): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (19): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (20): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (21): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (22): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (23): Implementation of the Intention Plan by the MIA Office and the Intention Unit.

Chapter (24): Implementation of the Intention Plan by the MIA Office and the Intention Unit.
Selection of members of the Irrigation Committee: see article (2) authorities

The Irrigation Committee is a committee of 2 members, 2 of whose members shall be elected by the farmers in the area. The members are:
- the Assistant Head of OWM in the field (as chairman),
- the Director of the Irrigation Branch of Regional Director (of Irrigation) as vice-chairman.

The Irrigation Committee is required to ensure that the regulations and the guidelines are followed and that the water is used efficiently.

The Irrigation Committee is also required to ensure that the water is used for the purpose for which it was allocated.

The Irrigation Committee is also required to ensure that the water is used in a way that does not cause pollution or harm to the environment.

The Irrigation Committee is also required to ensure that the water is used in a way that does not harm the health or safety of the people.

The Irrigation Committee is also required to ensure that the water is used in a way that does not damage the crops or the land.

The Irrigation Committee is also required to ensure that the water is used in a way that does not interfere with the operations of the farmers.

The Irrigation Committee is also required to ensure that the water is used in a way that does not interfere with the operations of the government.

The Irrigation Committee is also required to ensure that the water is used in a way that does not interfere with the operations of the irrigation system.

The Irrigation Committee is also required to ensure that the water is used in a way that does not interfere with the operations of the irrigation authority.

The Irrigation Committee is also required to ensure that the water is used in a way that does not interfere with the operations of the irrigation board.

The Irrigation Committee is also required to ensure that the water is used in a way that does not interfere with the operations of the irrigation department.

The Irrigation Committee is also required to ensure that the water is used in a way that does not interfere with the operations of the irrigation district.

The Irrigation Committee is also required to ensure that the water is used in a way that does not interfere with the operations of the irrigation zone.

The Irrigation Committee is also required to ensure that the water is used in a way that does not interfere with the operations of the irrigation water board.

The Irrigation Committee is also required to ensure that the water is used in a way that does not interfere with the operations of the irrigation water authority.

The Irrigation Committee is also required to ensure that the water is used in a way that does not interfere with the operations of the irrigation water district.

The Irrigation Committee is also required to ensure that the water is used in a way that does not interfere with the operations of the irrigation water zone.

The Irrigation Committee is also required to ensure that the water is used in a way that does not interfere with the operations of the irrigation water authority.
We note that official representatives of the government, who are persons holding high public office, are not members of the Standing Committee of the Welfare Region.

We adopt the following resolution of the Standing Committee of the Welfare Region:

1. The Standing Committee consists of seven members.
2. The Standing Committee shall hold meetings at least four times a month.
3. The Standing Committee shall consider and decide matters related to the welfare of the region.
4. The Standing Committee shall recommend to the government any measures that may be necessary for the welfare of the region.
5. The Standing Committee shall ensure that the resources allocated for the welfare of the region are used effectively and efficiently.
6. The Standing Committee shall provide assistance to the government in the implementation of welfare programs and initiatives.
7. The Standing Committee shall ensure that the welfare programs are implemented in a transparent and accountable manner.

Resolution of the Standing Committee of the Welfare Region (adopted by the Standing Committee on October 1, 1979)

The Standing Committee of the Welfare Region hereby issues the following resolution:

8. The Standing Committee shall ensure that the welfare programs are designed and implemented in consultation with the local authorities and the community.
9. The Standing Committee shall ensure that the welfare programs are designed and implemented in a manner that promotes social inclusion and equality.
10. The Standing Committee shall ensure that the welfare programs are designed and implemented in a manner that respects the rights and dignity of individuals.
11. The Standing Committee shall ensure that the welfare programs are designed and implemented in a manner that respects the culture and traditions of the region.
12. The Standing Committee shall ensure that the welfare programs are designed and implemented in a manner that respects the environment and natural resources of the region.

Resolution of the Standing Committee of the Welfare Region (adopted by the Standing Committee on October 2, 1979)

The Standing Committee of the Welfare Region hereby issues the following resolution:

13. The Standing Committee shall ensure that the welfare programs are designed and implemented in a manner that promotes economic development and social progress.
14. The Standing Committee shall ensure that the welfare programs are designed and implemented in a manner that promotes social cohesion and community spirit.
15. The Standing Committee shall ensure that the welfare programs are designed and implemented in a manner that promotes cultural diversity and social harmony.
16. The Standing Committee shall ensure that the welfare programs are designed and implemented in a manner that promotes the rights and freedoms of individuals.
17. The Standing Committee shall ensure that the welfare programs are designed and implemented in a manner that promotes the rights and freedoms of the community.

Resolution of the Standing Committee of the Welfare Region (adopted by the Standing Committee on October 3, 1979)

The Standing Committee of the Welfare Region hereby issues the following resolution:

18. The Standing Committee shall ensure that the welfare programs are designed and implemented in a manner that promotes the rights and freedoms of the environment and natural resources.
19. The Standing Committee shall ensure that the welfare programs are designed and implemented in a manner that promotes the rights and freedoms of the community.
20. The Standing Committee shall ensure that the welfare programs are designed and implemented in a manner that promotes the rights and freedoms of the individuals.
21. The Standing Committee shall ensure that the welfare programs are designed and implemented in a manner that promotes the rights and freedoms of the community.
22. The Standing Committee shall ensure that the welfare programs are designed and implemented in a manner that promotes the rights and freedoms of the environment and natural resources.
4) a representative of the local development council, member.
5) a representative of the local development council, member.
6) a representative of the farmers, member.

Again, like w. Zabdul's committee, the majority of members of w. Ruma committee are government employees. However, this committee has a "variable" composition. Meaning that its composition is modified whenever conflicts occur in parts of the wadi which fall administratively under a district other than Bait Al-Faqih. In such cases the district representative of the relevant district take over as members. Notice here that the farmers' representatives are not changed although one expects they would be changed with farmers who are more familiar with the particular district/area in which conflict occurred.

Article (6), (7), and (8), of the decree deal with regulations for the ordinary and extraordinary meetings, and regulations for invitations for meeting and for running the meetings.

Tasks of the Irrigation Committees: These are of four types

a) Documenting of the irrigation system prior to the modern diversion works, the water rights and customs, and lands which have prior irrigation rights from flood or baseflow waters.

b) Conflict Resolution: to solve problems forwarded by TDA chairman or project directors, and to make recommendations regarding water allocation and means to maintain the structures.

c) Relationship with the farmers: to make recommendations regarding the farmers' tasks with respect to water allocation system (article 5.3).

d) The Project: proposing the farmers' role in the maintenance of the spate systems, encouraging the farmers and guiding them to improve irrigation practices, etc.

Cooperation by the official and non-government organizations: the decree obliged all district managers and officials of the local administration council at the governorate level as well as in cooperation with the irrigation committees and provide assistance and any data/information to help carry out its tasks as best as possible (article 10).

Validation of the recommendations made by the irrigation committees: recommendations of the irrigation committees do not enter into force until approved by the governor of Hudaydah, who receives them for approval via the chairman of TDA (article 11).
Legal Personality: once registered and declared in the official gazette, the WNA

Holdings by the members of the WNA's without setting a limit on quantum and maximum area for area of

Management: all owners and tenants of land which falls within the area of operation of

Objectives (artificial management, OWM, establishment of irrigation infrastructure,

Basic information regarding the WNA's (name, address, area of operation, etc.)

Principles

(8) The standard size of code of conduct for the WNA's should comprise the following

From the WNA to the WNA's

(b) Include an agreement by which the responsibilities for the specific systems are transferred

(2) Preparation of a standard grade for WNA's, based on the Law of Cooperation (18/94)

(7) The establishment of Water Users' Associations requires the following two steps:

(6) The establishment of WNA's requires that other relevant laws be issued, such as a Water

Law

(5) Although the various degrees examined in this study, the degree referring to the

International Relations, this government have been regulated, in a legal with a law, for many

In conclusion, the various degrees discussed in this paper are the various

Degree

(4) All degrees dealing with International Relations, discuss the various degrees of cooperation.

Degree

(3) Despite the many degrees which deal with Regulation of Irrigation Use, none of these has

Degree

(2) The establishment of WNA's in Yemen is legally feasible, as specialized artificial

Degree

(1) All regulations and degrees dealing with the organization of Irrigation in Yemen, Abyan and

Degree

Recommendations:

Irrigation will not be implemented. This means that

Irrigation will not be implemented. This means that
Administrative Oversight of the WUA: should comprise

- a general assembly,
- a simple executive body based on election,
- a monitoring committee.

- The Operation and Maintenance Fund: a special fund for O&M of the irrigation systems must be established. Its revenues should comprise: subscription fees, water use fees, government donations, and unconditional donations.

- Water-use fees: these should be collected on the basis of area irrigated, source of water (irrigation basin), type of crop, quantity of water consumed, other fees, attending meetings, voting, etc.

- Rights and obligations of the members: for example, payment of subscription and other fees, attending meetings, voting, etc.

9) Because of the limited national experience with cooperative work in the field of water, it is advisable that the transfer of responsibilities from the MAI to the WUA be gradual and transitional. In the first two years, the responsibility for monitoring the WUA activities and overall technical performance, and management of the O&M works, while the Ministry of Social Affairs monitors the election process and the administrative and financial matters of the WUA.

10) It is important to point out that these associations are voluntary. However, extension works can still promote these associations and encourage farmers to join.

11) There is a need to establish a specialized prosecutor office to deal with agriculture and irrigation issues. This will enhance the legal system in Yemen, by transforming the unwritten customary rules into written laws.

12) It may be difficult to make the farmers pay water-use fees, for several reasons.

13) The implementation of regulations regarding irrigation, and the organization of this sector by the competent local government entities, as well as the application of the provisions in these regulations by courts and prosecutors, require that these regulations be published in the official gazette. Any legislation not published in the gazette does not acquire the force of law and hence cannot be binding to all government or non-government entities (refer to the official gazette of the Ministry of Finance regarding irrigation fees).

14) All decrees and codes regulating irrigation, which were referenced in this study, have not been published in the official gazette issued by the Ministry of Legal Affairs. This situation is considered a violation of article 14 of the law of the official gazette which states that "all issues which need to be communicated to the citizens should be published in the gazette".
western Yunnan wadis and adjacent terrace lands. Issued on 19 Sept. 1988.


7) Decree (496) of the Governor of Lao Cai regarding the formulation of irrigation committees in the Yunnan wadis and adjacent terrace lands. Issued April 1996.

6) Ministerial Decree No. 7/1996 regulating the formulation of irrigation committees in the Yunnan wadis and adjacent terrace lands. Issued April 1996.


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