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The Inclusion of Indigenous Juridical Systems to Frame the Concept of Sustainable Management of Groundwater

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1. General Statement about Indigenous Juridical Systems

There are socio-political and cultural contexts, e.g.: in Africa, where the legal regime of groundwaters is multiple: **State Public Property** & «**Divine Public Property**»

- Next to the **State** that owns and manages the aquifers, there are **superior invisible entities** that control the same waters and enable the local communities to have access to and manage these waters
- To use groundwaters, people must obtain **permission from the State services**. However, those who attach a religious and divine character to waters, also perform **special ceremonies** to pay tribute to the water geniuses in order to get access to water. This ancestral system is part of oral rights – and not written rights.

2. Acknowledging the Indigenous Juridical Systems to target the SDGs

To avoid increasing rivalries, it is important to formally recognize:

- the **Ancestral Techniques of Groundwaters Management** and
- the existence of an **Intangible Ancestral Legal Heritage**

**MAKE VISIBLE THIS INVISIBLE CONCEPTUAL
LEGAL FRAMEWORK RELATED TO WATER**

A framework that is often hidden by the weight of history and colonialism

3. The Role of the Global Network of Water Museums in supporting the process of recognition of traditional indigenous legal systems related to water

- Promote **scientific research** to acknowledge local water rights
- Elaborate **an inventory** of ancestral legal practices
- Foster the development of **national action plans** to recognize and combine both ancient and modern knowledge as regards groundwaters management