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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