



**Questionnaire for seeking information for developing the Legal Framework for
Protecting Water Bodies from Lawyers of Respective Countries**

Section I: On the Existing Policy, Legal and Institutional Framework on Wetlands

- **Policy Framework Governing Wetlands:**
 - Is there a defined national or state policy which guides the management principles of the wetlands
 - Is your country signatory to the international conventions relating to wetlands such as RAMSAR and if yes then are the principles of the convention reflected in the National Policy
 - Is the policy reflected and followed in the legislation

- **Existing Legal Framework Regulating Wetlands:**
 - Are there any Constitutional Provisions Regulating Water Bodies generally and wetlands specifically
 - Is water a central subject (federal) or a state (provincial) subject
 - What are the existing Acts and Rules or Statutory Notifications issued thereunder relating to wetland protection in your country.
 - Is there any legal definition of what is a wetland
 - Are there different regulatory frameworks for protection of wetlands in different landscapes of your country. For instance management of wetlands in rural areas vis a vis urban areas, management of wetlands in forest areas from non forest areas, management of catchment areas and feeder channels etc.
 - How is access and control of wetlands regulated under various legislation. Is there any provision to safeguard customary rights?

- **Institutional Framework Governing Wetlands:**
 - Which is the governing authority regulating wetlands-is there a single authority which governs wetlands across the country or does it vary depending upon the type of wetland (i.e. whether it is a lake or a swamp or a mire or a still water or a running water wetland), landscape (rural- urban management practices, forest wetland management etc), also depending on the use of the wetland (So for instance, is there a different authority regulating fishing from a wetland and a different authority regulating irrigation from the wetland)
 - Listing of the institutions which protect the wetlands or give rights for the use of the wetlands
 - Who is the nodal person in the government set up to monitor international conventions relating to Wetlands

- **Section II: On the Administrative Steps –Programs and Schemes:**
 - Are there any ongoing state programs or schemes for conservation of wetlands in your country
 - Are there any ongoing and proposed participative programs for conservative management of wetlands

Section III: On Judicial Stand on Management of Wetlands

- Summary of cases relating to protection of wetlands, along with judgements on the same

Section IV: Legal Opinion of the Expert

- What are the top 2-3 threats to the wetlands in your country? eg. industrial pollution, encroachment by real estate etc.
- As an environmental lawyer/legal consultant what is your analysis of national situation: what works, what does not, why, what should be improved, what should be stopped, brief analysis of major successes and failures with regard to wetland conservation and protection
- What are the key gaps in the legal measures for protecting wetlands management in your country. Please elaborate on the measures that in your opinion area the provisions that need to be amended and the provisions that should be used in a more effective.
- What are the best practices where exemplary action has been taken to protect wetlands and how
- What are the innovative legal mechanisms for restoration of various categories of wetlands
- What are the key aspects that need to be kept in mind which drafting the new wetland regulation i.e. which activities should be prohibited/permitted, provisions that would help in speedy redressal of the matters, mechanisms to tackle the overlaps in the existing laws to manage water bodies etc.

P.S.: Please also send us copies of all the legal instruments, policies, acts rules, government orders, notifications, office memorandums, preferably in English. In case it is not available in English, please send us the respective documents in the national language and in case it is possible a translated copy (official or otherwise).

Name:

Designation:

Organisation:

Address:

Email:

Phone/Mobile: