



**RESOURCE**

# Mechanisms for water allocation and water rights in Europe and the Netherlands: lessons from a general public law perspective

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**Description / Abstract**

This article focuses on the allocation and regulation of water rights. Although there is a general concern about the allocation and restriction of the right to use scarce water resources, there is also a debate regarding the implementation of a public right to water in general and, in particular, the mechanisms that are used to create a transparent allocation regime based on equality. First, an analysis of the various allocation systems at the international, European and national levels is undertaken; these mechanisms are all based on the transboundary river basin water management framework. At the national level, the Netherlands is taken as an example. The allocation of water rights is determined by natural as well as political and legislative factors, all of which have an impact on setting abstraction limits. Different allocation procedures have been developed worldwide according to national water laws and public law in general. It is argued that European and, in particular, Dutch allocation mechanisms need to be developed further, having regard to the special status of water, the protection of ecosystems and to the procedures and principles used in other allocation mechanisms with a view to guaranteeing the sustainable, balanced and equitable use of water.

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## **Water Rights**

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