

# **TRIP REPORT**

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## **National Meeting of Watershed Basin Committees**

Aracaju, SE, Brazil, August 18<sup>th</sup> – 21<sup>st</sup>, 2003

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## PROGRAM

ARACAJU/SE

HOTEL PARQUE DOS COQUEIROS  
RUA FRANCISCO RABELO LEITE NETO, 1075

BAIRRO: ATALAIA

18 A 21 DE AGOSTO, 2003



### ENCONTRO NACIONAL DOS COMITÊS DE BACIAS HIDROGRÁFICAS

ANA COMUNICAÇÃO

Realização:

Fórum Nacional  
dos Comitês de  
Bacias Hidrográficas



Secretaria de Estado  
do Planejamento e  
da Ciência e Tecnologia

Apoio:

Secretaria de  
Recursos Hídricos

Superintendência de  
Recursos Hídricos

Ministério do  
Meio Ambiente

**BANESE**  
O Banco de Sergipe



**ANA**  
Agência Nacional de Águas

Operadora do Evento: **RECANTO**

## V Encontro Nacional dos Comitês de Bacias Hidrográficas

Estamos nos preparando para a realização do V Encontro Nacional dos Comitês de Bacias Hidrográficas que acontecerá neste ano em Aracaju/SE.

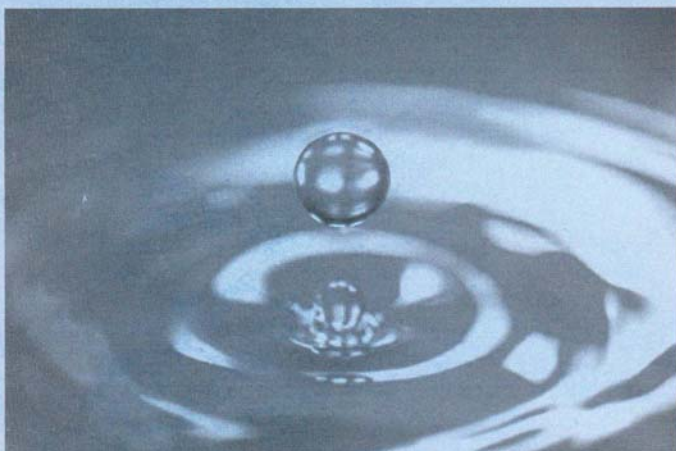
A reflexão sobre quem e quantos somos, o que planejamos e fizemos, serviu para orientar o Colegiado Coordenador deste Fórum Nacional na escolha do tema central do evento - **"As Relações Institucionais dos Sistemas de Recursos Hídricos"**.

Os Comitês de Bacias Hidrográficas que integram os Sistemas Nacional e Estaduais de Recursos Hídricos têm sua atuação vinculada, legal e institucionalmente, como se fosse uma engrenagem, aos órgãos gestores. Ou acertamos o passo ou não chegaremos a lugar algum.

O V Encontro Nacional é a oportunidade de avaliarmos o processo de implementação dos Sistemas de Gestão dos Recursos Hídricos no que se refere a sua descentralização; de compreendermos o papel do Comitê na aplicação dos instrumentos de gestão e oportunizarmos esclarecimentos sobre a natureza jurídica, o papel político e as competências dos Comitês, além de fortalecermos as relações entre os entes dos Sistemas de Gestão dos Recursos Hídricos, nesta ação conjunta e articulada.

É mais um dos nossos encontros marcados pela emoção e integração daqueles que desde Porto Alegre/RS, passando por Ribeirão Preto/SP, Fortaleza/CE, Belo Horizonte/MG e Balneário Camboriú/SC, vêm contribuindo na construção deste processo e de todos aqueles que se somam nesta caminhada.

**Colegiado Coordenador do Fórum Nacional de Comitês de Bacias**



## Programação

### 18/08 - SEGUNDA-FEIRA

**19:00**

- Abertura Oficial

### 19/08 - TERÇA-FEIRA

**Manhã - 9:00**

- Painel: A Natureza Jurídica e o Papel Político dos Comitês de Bacias Hidrográficas
- Debate

**Tarde - 14:00**

- Painel: As Relações entre os entes dos Sistemas: Comitês, Órgãos Gestores, Conselhos de Recursos Hídricos e entre os Sistemas Nacional e Estaduais de Recursos Hídricos
- Debate

**Final de tarde - 17:00**

- Palestra: Os recursos oriundos da cobrança pelo uso da água: caminhos percorridos até a sua aplicação

**Noite - 19:00**

- Palestra: A proposta de Reformulação da Lei No. 9433/97 – PL 1616

### 20/08 - QUARTA-FEIRA

**Manhã - 9:00**

Discussão em Grupos Temáticos:

- A Implementação dos Instrumentos de Gestão de Recursos Hídricos como fortalecimento da descentralização
- Plano de Bacia, Outorga, Cobrança pelo uso da água, Enquadramento legal das águas e Sistema de Informações: problemas na implantação, alternativas e estratégias de superação

**Tarde - 14:00**

- Plenária: Relato das discussões e propostas de encaminhamentos

### 21/08 - QUINTA-FEIRA

**Manhã - 9:00**

- Assembléia Anual Ordinária dos Comitês de Bacias Hidrográficas

## TRIP REPORT

Prepared by: Silvia Freedman, President do Pró-CBHSF-04

Pre-Committee of the Reservoir Watershed of Três Marias – UPG – SF04

OF. 035/2003/CBHSF-04

Três Marias, September 3<sup>rd</sup>, 2003

Illustrious  
Mr. Yogi Carolsfeld  
Project “Peixes, Pessoas e Água”

The Pre-committee for the Reservoir Watershed of Três Marias, Planning and Administrative Group SF04, compliment you on your successes and thank you for your support. We likewise extend appreciation to Project “Peixes, Pessoas e Agua” for providing this opportunity for us to participate in the Fifth National Meeting of the Watershed Committees, that took place in the Municipality of Aracaju/SE, from August 18<sup>th</sup> to 21<sup>st</sup>, 2003.

We take this opportunity to send you our Report of the Fifth National Meeting of the Watershed Committees/2003:

### **REPORT OF THE FIFTH NATIONAL MEETING OF THE WATERSHED COMMITTEES AUGUST 18<sup>TH</sup>-21<sup>ST</sup>, 2003 ARACAJÚ/SE**

The National Meeting of the Watershed Committees had the objective of exchanging, amongst the committees, their experiences and their difficulties in implementing administrative tools.

This meeting in Aracaju, was presented according to the following schedule:

#### **18/08/2003 – 19:00h: Official Opening**

The official opening was performed by the invited guests: Paulo Maciel, President of the Meeting; João Bosco Senra, of SNRH; Cláudio, of MMA; Afrânio, a representative of ANA; and two hours later, Brazil's Vice President, José Alencar and the Governor of Sergipe.

Once the meeting was opened and the [proposal for] Transposition of the São Francisco River was presented by the Vice President, the formal opening was discretely closed to start the confraternization amongst participants in the same location.

#### **19/08/ 2003 - 09:00h: The Legal and Political Roles of the Watershed Committees:**

Speakers: Alaôr Caffé Alves  
Debaters: Carlos Hugo Suarez Sampaio (CTIL/CNRH)  
Paulo Renato Paim  
Coordinator: Maria Lúcia Falcon  
Secretary: Luis Roberto Moretti

### **19/08/2003 – 14:00h: Inter-Institutional Relationships of the Systems**

Speakers: Stela Goldstein  
Eduardo Lanna  
Debaters: Dilma Seli Pena Pereira  
João Bosco Senra (SRH/MMA)  
Cláudio Antonio de Mauro CBH PCJ  
Francisco José Coelho Teixeira  
Coordinator: Antônio Francisco C. Borges  
Secretary: Cacá

### **19/08/2003 - 17:00h: Money from the Taxing [of Water]**

Speaker: Paulo José dos Reis Souza  
Coordinator: Antônio Francisco Evangelista de Souza – CEIVAP  
Secretary: Eugênio Cánepa

### **19/08/2003 – 19:00h: Proposal for the Reformulation of Law N9433/97 – PL 1616**

Speaker: Deputado Fernando Gabeira – Not Present  
Coordinator: Luis Eduardo Cheida  
Secretary:

The proposed topics for the presentation were very significant, from the point of view of the current needs of both the committees that are in place and those being formed, especially as the programming and methodology used for the event were very “closed”, not permitting a satisfactory the exchange of experiences between the committees.

As to the first topic, the best nature of the legal role of the committees is still being discussed, as the Water Agencies still need to be formed. The importance of working the committees politically was also emphasised, which led me to question what this means. That is, the decisions of the committees should be based upon both technical data and productive discussions between the government sector, those using the water and civil society. For me, “working politically” should be interpreted to refer to the necessity of paying attention to the social side of water use and the needs of the population [living in] the watershed, in which case the decisions need to also be political.

As for inter-institutional relationships, integration, implementation of information and data, sharing experiences and support amongst institutions were all reinforced [as important mechanisms]. For example, the hydrological data from a watershed is very important as a basis for the committees’ decisions. Cooperation amongst institutions should be straight-forward and and professional.

[Financial] resources derived from water taxes are still an unknown, so the legal procedures for collecting the taxes haven’t been defined, although we know that everyone who uses water will have to pay. However: How? When? and how much? have not yet been clarified. The legal instruments do not yet permit charging for the use of water, and we are still discussing how to collect these taxes and the pathways that this money will follow before it gets back to the watershed at which it originated, suggesting the need to create a “National Fund for Water Resources”. However nothing is definitive, and nothing has been agreed upon, yet. My perception is that discussions around these issues are continuing without much advance.

Reformation of Law No. 9433/97 of PL1616, proposes a modification that would increase its usefulness, including how water taxes will be applied with prioritization for the watershed of origin. The full text for the modification of Law 9433/97 is attached.

## **20/08/2003 – 09:00h – THEME GROUP DISCUSSIONS**

### **Sanctioned Authority**

Presenter: Leila de Carvalho Gomes  
Facilitator: Rosana Garjulli  
Reporter: Alexander Max Sá Figueiredo

### **Watershed Plan**

Presenter: Oscar de Moraes Cordeiro Netto  
Facilitator: Ididoro Zorzi  
Reporter: Rogério Dewes

### **Classification of Water**

Presenter: Paulo Maciel Fr.  
Facilitator: Jussara de Lima Carvalho  
Reporter: Sidnei Gusmão Agra

### **Taxing the Use of Water**

Presenter: Décio Micheles  
Facilitator: Cacá  
Reporter: Regina Greco

### **Information System**

Presenter: Jose Almir Cirilo  
Facilitator: Celso Marcatto  
Reporter: Malu Ribeiro

## **20/08/2003 – 14:00h: Plenary on Legal Instruments**

Coordinator: Luiz Roberto Moretti  
Reporter: Cacá

The thematic groups divided themselves up for round table discussions about the proposed topics, followed by presentations by the reporters, and the event organisers are to send the final results to everyone. The group that Ceiza and I chose was that dealing with taxation for the use of water and nothing new was brought forward.

On this day (August 20<sup>th</sup>, 2003) at the time of the group [round table] meetings, I was invited to participate in the informal meeting of the Directors of the CBHSF, presided over by the Exmo. José Carlos Carvalho, in which we were told of the plan for the Transposition of the Sao Francisco River. After the matter was presented, everyone present spoke their opinion, at which time I was given the floor and I explained:

Am I to understand that the political administration in this country relies on a process of social mobilisation to legitimise its actions, and then doesn't ask this society that provides that legitimacy, whether it does or does not want the proposed transposition? Furthermore, that confronted by the decision for the transposition, we won't be able to express our views against it, so that we are left to work only on actions that contribute to restoration of the quality and quantity of these waters?

### **21/08/2003 – 09:00h: General Assembly of the Watershed Committees**

Once the Assembly was in place, only the members of the committees that had already been formed had the right to vote in the election for President of the National Forum of the Watershed Committees. As such, we couldn't contribute to the electoral process, but I followed the unfolding of an internal, political dispute in the State of São Paulo, which resulted in Zorzi, of Rio Grande do Sul winning the election for the President of the National Forum of Watershed Committees. This state was also chosen to host the Sixth National Meeting of the Watershed Committees in 2004.

### **Conclusions**

The participation of Pre-CBHSF04 in the Fifth National Meeting of the Watershed Committees was very important in that it linked the different partners participating in the event, setting the groundwork for more viable relationships with administrative agencies for water resources in the State of Minas Gerais and other Brazilian states. It was also important to have participated in a closed meeting of the CBHSF, which happened at the same hotel, and at which the presentation of the transposition proposal for the São Francisco River was initiated. For the Pre-comitê SF04 it was a moment involving a great deal of searching for partners and incentives, including future projects that will be elaborated by SF04. There was also the opportunity to reinforce the request for political and institutional assistance, with the opportunity to collaborate in the restoration of the São Francisco River through projects aiming to improve the quality and quantity of water.

As for the event itself, the presentations were closed, without many opportunities to present experiences and difficulties that the committees have encountered. This point was also questioned by many other participants in the event.

As for the explanations of the Vice President of Brazil, José de Alencar, it demonstrated his acceptance of the project for transposition of the São Francisco River, with the intention of moving water to the semi-arid people of northeastern Brazil. This presentation makes us apprehensive, and reinforces for us the urgent need to restore this river of national unity.

We finished the meeting with stronger bonds related to the administration of Brazil's water [issues].

We reiterate our thanks for the first-hand opportunity to learn and collaborate in this important march of the waters.

Respectfully,

Sílvia Freedman Ruas Duraes  
President of Pre-CBHSF-04

## **TRIP REPORT**

Prepared by: Ceiça Maria da Conceição Bezerra Correia, Communications Director, Três Marias

### **FIFTH NATIONAL MEETING OF THE WATERSHED COMMITTEES**

“The control of the use of natural resources will, more than anything, control human evolution. To control without annihilating humanity will be the purpose of a sustainable development.” - Samuel Murgel Branco

“The law doesn’t have legs as such, it moves under the command of mankind.” - Alaôr Caffé Alves

The Fifth National Meeting of the Watershed Committees took place on August 18-21 at the Coconut Palm Park Hotel, in Aracaju, SE. The main theme of the meeting was “The Institutional Relations of Water Resource Systems”. Jointly sponsored by the National Forum of Watershed Committees, the Ministry of the Environment, the National Secretariat of Water Resources, the National Water Agency (ANA), and the Municipality of Aracaju, the meeting provided for an exchange of experiences amongst its delegates/participants.

The Fifth National Meeting was an opportunity for the appraisal of the implementation process for Water Resource Administration Systems with regard to its de-centralization; an understanding of the role of the committees in applying administrative tools; making clarification of legal considerations available; understanding the political role and functions of the committees; and strengthening the relationships between the entities within the Administrative Systems of the resources in a co-ordinated and articulate way.

The representatives of the commissions participated in technical lectures about licensing systems for using rivers, charging for the use of water and indications for watershed management planning.

During the meeting there were panel presentations followed by debates, and five workshops (topic groups) in which there were discussions about: watershed planning; sanctions; charging for the use of water; legal damming/impoundment of water; and information systems.

At the opening of the meeting, the Vice-President of Brazil, José Alencar, talked about the “Transposition of the Sao Francisco River” project, that is estimated to cost six billion Reals, of which one billion will be for restoration work. He reiterated that funding for the transposition [project] would be provided by the World Bank (BID) and The National Economic and Social Development Bank (BNDES) and included in Brazil’s general budget in 2004. Restoration

should begin with dredging of the riverbed, reforestation of river margins, and the basic sanitation of cities on the river.

Alencar recognized that the [transposition] project is old, but then only dealt with the transposition of river water to the semi-arid northeast. "Now, we are presenting a global project to save the Sao Francisco [River], that is degraded and needs to be recuperated", commented the vice [president], coordinator of the project.

One of the principal changes made to the old project is the transposition of waters from the Palmas River (tributary to the Tocantins River) to the Preto River of the Sao Francisco drainage.

Transposition of the Sao Francisco to the Vaza-Barris, Jacuipe, and Itapicuru rivers (all in Bahia) is also planned. The vice-president said that the study group is not restricting itself only to the theme of transposition. A broader program will be developed, in which environmental recuperation and revitalization of the hydrographic basin of the Sao Francisco will be included as a priority.

After the instalation of the Forum, Alencar received a Manifesto from politicians of Bahia, Sergipe, and Alagoas against the transposition of the Sao Francisco.

Agreements were signed at the meeting for a value of R\$8.75 million for studies and projects to permit the provision of high quality water in eight states of the Northeast and Minas Gerais.

The agreements were signed by the Executive Secretary of the Environment Ministry, Claudio Langone; the National Secretary for Water Resources, Joao Bosco Senra; the director of the National Water Agency, Benedito Braga; and representatives of the governments of Rio Grande do Norte, Alagoas, Bahia, Ceara, Minas Gerais, Paraiba, Pernambuco, Piaui, and Sergipe. The signed agreements are part of the Pro-Agua program, financed by the World Bank, whose objective is the strengthening of the management system of water resources by means of, in the first phase, studies for technical training and identification of the availability of water in the semi-arid region. In a second phase, the program foresees infrastructure projects that will guarantee high quality water for the populations of the semi-arid region.

In the final plenary of the V Meeting of the Water Basin Committees, a motion was voted on to alter resolution no. 5 of the National Council of Water Resources, which regulates the constitution of the water basin committees. According to the text of the motion, Law 9433 establishes that the river committees of rivers that go through more than one state can only be constituted with the approval of the National Council of Water Resources. For this, there is a long list of requirements and documents that need to pass from the state to the union. The documentation needed to create a committee for a river the size of the Sao Francisco – which passes through 503 municipalities - is the same as the documentation needed for a committee of the Mucuri River in Minas Gerais, which passes through only 17 municipalities. One conclusion of the V Forum was that the excessive beaurocracy is compromising the progress of

processes, and that there are groups that have been waiting more than a year for the constitution of their committee.

The technician Rosana Garjulli, of the Superintendency of Management of the National Water Agency (ANA) explained that resolution 05 of the Council is already being discussed and that there are proposals to change it. She agreed that the need for so many steps to form committees is making the process difficult for rivers that cover smaller areas and, because of this, have a greater facility to mobilize users, industry, and non-governmental organizations around the committee.

The V National Meeting was of great importance for the enrichment of discussions, exposition of diverse problems that affect all the committees of Brazil, and principally in the incessant search for resolutions to the impasses and conflicts lived in the states.

“The river is a person. It has a name. This name is very old, because the river, while always a youth, is very old. It existed before man and birds. Since humans were born, they loved the rivers, and as soon as they could speak, they gave them names.” - Rémy De Gourmont