

Guest Editorial: Water Management in Aragon

Understanding water management peculiarities in Aragon requires previous knowledge of some territorial, historical, social, political and legal data specific to the Autonomous Region of Aragon.

Territory-wise, it has to be underlined that this is a fairly extensive territory (almost 50 000 km²) with a low population (1 300 000 inhabitants, most of whom are gathered round the city of Zaragoza (Saragossa) and along the River Ebro's 40-km-long corridor running across Aragon). The contrasts are enormous in the water field, since, despite the rich water supply coming from the Pyrenees, there are vast areas with such scarce precipitations that they cause real desert-like aspects (the Monegros area of Aragon, for instance, has a smaller population density than that of the Sahara). Life in such a territory, and the development of the economic activities, has made it necessary to build large regulation and canalization infrastructures yet, even so, there are some municipalities that have to be supplied with water from lorries in crisis situations. Water resources are, obviously, a very important tool towards a well-balanced economical development in Aragon's different areas in the effort to avoid their depopulation.

From a historical point of view, there are ancient traces showing the relevance of water for the lives of Aragon's old inhabitants. For example, the so-called bronzes of Contrebia (describing the over 2000-year-old litigation for water between Zaragoza and Alagón in which the Roman law authority took part) and Agón (containing a set of rules and regulations for irrigation communities). In the same way, regulation and canalization infrastructures dating back to Roman domination in Hispania (Roman Spain) are still visible in the territory nowadays. From that moment on and with better documentation, there are constant signs of human intervention taking advantage of water for irrigation and transport purposes for the cities' supply.

All this has progressively shaped the features of a society concerned with, and aware of, the key role of water with regard to life. The climax was reached when, at the end of the 19th century and beginning of the 20th, Joaquín Costa, the most representative figure among the later so-called regenerationists, carried out intense campaigns advocating active state intervention in building up water infrastructures, and a reaction against the subsidiary role which he had inherited from the prevailing liberal ideology in this respect. All this led to a water crusade that has been going on for the entire 20th century and during which the association of the concepts of water, hydraulic works and irrigation was seen as something natural in agriculture-oriented Spain at that time. Today's Aragonese society, as befits a developed country's vibrant population, has excellent economic activity, work,

cultural and academic education indexes. Even so, it maintains its love and interest for water issues, and foresees its use in a more plural and complex way, in keeping with its level of development.

Politically speaking, there is a correlation between the most widespread values in society and those embodied and represented by political parties. This means that water has a great weight in public office and that parliamentary debates on the issue are frequent. Political positions are embodied in two capital documents: *1992 Water Pact*¹ is a parliamentary resolution very much influenced by the old conceptions of water policies. In 2006, the so-called “Bases for the water policy in Aragon”² have been approved. This denser and more complex document, with a planning-oriented content, is basically influenced by the perspective of water as a natural resource that has to be preserved above all, without prejudice to its use in the service of society. In any case, Aragonese society and its political representation have also shown their interest in water issues recently: there was a stunning and massive reaction (demonstrations of several hundred thousand people on the streets) against the state government’s intention to carry out a water transfer from the Ebro River catchment to the various Mediterranean area basins. This was part of the 10/2001 Act, of the 5th of July³, belonging to the Spanish National Hydrological Plan, which was finally repealed by Royal Order in Council in 2004 and turned into Act in 2005.

Legally, Spain’s quasi-federal structure has to be taken into account. It is based on the 1978 Constitution, which creates the autonomous regions (called *comunidades autónomas* in Spanish), collecting the Spanish decentralizing tradition of the last century and a half. These regions even have legislative powers in very important areas of competence: nowadays the *comunidades autónomas* manage practically 40% of Spain’s public expenditure and the state’s participation has fallen far below 50% since the local administration (municipalities and provinces) handles around 20% of that public spending.

In the case of water, management is based on hydrographic catchments, being the state’s responsibility to manage those basins that are included in the territory of two or more *comunidades autónomas* and the latter’s duty to manage the water catchments that are wholly included within their own territory. This is the reason why Aragon cannot have any competence on water management because, being an inland Region, not a coastal one, there is no hydrographic catchment within its territory. Therefore, the three basins situated in Aragon (those of the Rivers Ebro, Júcar and Tagus) are integrated in the state’s jurisdiction.

Thus, Aragon participates in water management through its presence in the catchment’s bodies (basin authorities) that are part of the state’s institutions, although it has important competencies in water supply, sewage treatment, non-point (or diffuse) pollution reduction, and in water ecosystems protection.

Nevertheless, the interest of the *comunidad autónoma* on water issues has led to its own law creation (6/2001 Act)⁴ by means of which not only competencies as regards water supply and treatment are regulated, but also citizen participation and information processes through which the autonomous region’s own opinion can be formed. This is the above-mentioned “Bases for the water policy in Aragon” document’s assumption, transferred to the state so that it appears in its water planning documents (Ebro Basin Hydrological Plan).⁵

We think that this volume’s publication, considering the various issues dealt with in it, reflects all those data of Aragon’s water management that have been summed up in the preceding pages of this editorial. In their contributions, the authors have shown the history

and present of Aragon's water problems from technical, legal, economic, environmental and social points of view, no matter whether the sectorial interventions described are effectively carried out by Aragonese or state institutions.

Finally, we would like to highlight two aspects that appear in the various works making up this volume: The first is the relevance of the *2000/60/CE European Water Framework Directive*⁶ for the current configuration of Spain's water policy and, obviously, also of Aragon's. This Directive's value has been largely emphasized, since it sums up a series of environmental objectives that must be achieved by the state members within different periods. In order to attain these goals, it implements organizational (management by catchments), planning (catchment plans by catchment areas) or economic techniques (cost recovery principle and point and non-point pollution control tools) just to mention the most important ones. And, above all, stands the fundamental citizens' participation and exercise of their right to information. These are important challenges that Spain, to some extent, has already been dealing with for time. For instance: a management by catchments that started in 1926; the catchment water planning existing since 1998; an economic and financial regime that formally answers to the cost recovery principles, although it is still strongly subsidized in some fields; the users' participation in the catchment's bodies with a reserve of one-third of their seats since 1985; and the right to environmental issues information with own legislation since 1995. But the enactment of the above-mentioned Directive is giving these challenges a new boost.

The second aspect is the value of citizen participation and the participation of the parties concerned, fundamental to configure water policies. This is a relevant issue, for water resources are public goods and have environmental externalities, and to manage them both collective action and the cooperation of all interested parties are indispensable. In this field, the Aragonese example is remarkable, as can be seen in many of this volume's contributions, specially from the 6/2001 Act and its regulation of the Aragon Water Commission, which has rendered such good service over the past two years as regards overcoming old water conflicts and creating a modern water policy.

Lastly, the celebration of the 2008 Universal Exhibition in Zaragoza (capital city of the Autonomous Region of Aragon) is worth mentioning. The motto "Water and Sustainable Development" chosen for it is, apart from being very appropriate, considering the current situation—also suitable given the importance that water has in the territory—Aragon—in which this Exhibition is going to take place. Undoubtedly, this volume clearly connects with the Exhibition's motto and can play an important role in preparing those persons interested in water issues to better enjoy the contents of the Exhibition which, we are sure, will have all the success that it deserves.

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Zaragoza, 8 January 2007*

Notes

1. Resolución aprobada por el Pleno de las Cortes de Aragón en su sesión de 30 de junio de 1992, con motivo del debate de la comunicación de la Diputación General de Aragón, relativa a criterios sobre política hidráulica en la Comunidad Autónoma de Aragón.

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2. Ley 6/2001, Mayo 17, de Ordenación y Participación en la Gestión del Agua en Aragón. Boletín Oficial de Aragón, núm. 64, 1 Junio, 2001.
3. Ley 10/2001, 5 de julio, del Plan Hidrológico Nacional. Boletín Oficial del Estado, núm. 161, 6 Julio, 2001.
4. Ley 6/2001, Mayo 17, de Ordenación y Participación en la Gestión del Agua en Aragón. Boletín Oficial de Aragón, núm. 64, 1 Junio, 2001.
5. Real Decreto 1664/1998, de 24 de julio, por el que se aprueban los Planes Hidrológicos de Cuenca, Boletín Oficial del Estado, núm. 191, 11 Agosto, 1998. Additionally, Orden Ministerial de 13 de agosto de 1999 por la que se dispone la publicación de las determinaciones de contenido normativo del Plan Hidrológico de la Cuenca del Ebro, aprobado por el Real Decreto 1664/1998 de 24 de Julio, Boletín Oficial del Estado, núm. 222, 16 Septiembre, 1999.
6. European Water Framework Directive (2000/60/EC). Official Bulletin of the European Union (L-327, December 22, 2000).