



Summary of Water Advocacy Taskforce presentation on the Murray-Darling Basin

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The Water Advocacy Taskforce is part of ISMAPNG's Integral Ecology Advisory Group and the Ecological Reference Group. MGA has identified "Water" as one of three priorities for advocacy.

Broad context: A “Rights of Nature Approach” and Laudato Si’

(Cathy Solano)

A Rights of Nature Approach (RN): Fundamental Premise

“Ecosystems and natural communities are living entities and have independent and inalienable rights to “exist, flourish, evolve and regenerate”

2008: Ecuador, First country to enshrine RN in its constitution and to date: NZ, Australia, Bolivia, Columbia, Brazil, USA, Mexico, Costa Rica, India, Bangladesh, Bhutan, the Philippines, Uganda. (2010: Universal Declaration on the Rights of Mother Earth)

Basic principles of RN:

- a. recognizes nature is not mere human property, but instead possesses basic rights as humans do
- b. is a movement with ancient roots, arising from indigenous traditions: that recognise humans are part of nature, rather than distinct from it.
- c. involves collaboration with civil society, legal experts, indigenous peoples, youth to rewrite legal systems for the environment, and demand systemic reform to prevent the exploitation of nature.

Rivers have become a central focus in RN

Globally, river systems are under extreme pressure. Many of the world’s rivers suffer from extreme exploitation: extraction, pollution, damming, alteration of natural flows, loss of water quality, changes to river ecosystems and watersheds. Freshwater vertebrate species are declining more than twice as fast as land-based and marine vertebrates.

There is urgent need to bring legal shape to the ways rivers are valued and understood: as sacred, living entities, as holistic, interconnected ecosystems, and as watersheds incorporating water, land, & forests. Humans have caused significant pollution of rivers worldwide and have caused widescale physical changes to rivers through dams and other infrastructure (57,000 large dams worldwide impact two-thirds of all rivers)

The Universal Declaration on the Rights of Rivers (UDRR-2020) states that ALL RIVERS ARE:

- living entities.
- entitled to fundamental rights.
- entitled to legal guardians.

And that:

- these rights extend to the health of watersheds and river basins.
 - indigenous communities will be represented in river guardianship.
 - all states are urged to implement these rights and provide resources to ensure rivers are restored
- https://static1.squarespace.com/static/55914fd1e4b01fb0b851a814/t/5fb2a147e72ae9517867f45e/1605542218936/UDRR_Nov+2020+Final.pdf

All rivers shall possess (at minimum) the following BASIC RIGHTS:

- to flow
- to perform essential functions within their ecosystem
- to be free from pollution
- to feed and be fed by sustainable aquifers

- to support native biodiversity
- to regeneration and restoration
- to maintain lateral and longitudinal connectivity

Laudato Si'

The “Issue of Water” is the second concern highlighted by Pope Francis in chapter 1 of LS, after Pollution and Climate Change. (see paras 27 – 31: and Francis’ concern for those living in what he calls “water poverty”)

[Case Study]: The Yarra River in Victoria

In response to environmental degradation, the Vic govt enacted the 2017 Yarra River Protection Act (Wilip-gin Birrarung murrn). [I]t declares the river to be “one living and integrated natural entity” ... and creates the new Birrarung Council, to act on behalf of the river and advocate “for protection and preservation” ...[any] proposed development and decision-making should be based on the effective integration of environmental, social and cultural considerations in order to improve public health and well-being and environmental benefit” ... [and] recognizes the intrinsic connection between the river and local communities, particularly the local Indigenous owners who are recognized as “custodians” of the river. (Report: co-pub. The Cyrus R. Vance Center, Earth Law Center, and International Rivers in Oct 2020). www.InternationalRivers.org

The Murray-Darling Basin (MDB): Summary of Presentation

(Helen Nolen)

Brief Literature Search:

- Margaret Simon *‘Cry Me a River ...the tragedy of the Murray -Darling Basin (2020) ...* The essay looks at rural Australia and the failure of politics over decades to meet the needs of communities forced to bear the heaviest burden of change. Whether it was fish kills or state rivalries, drought or climate change, she says in the Basin our ability to plan for the future is being put to the test
- Quentin Beresford *‘Wounded Country: The MDB-a Contested History’ (2021) ...* provides a warning...claiming State officials, politicians and agribusinesses risk turning Australia’s premier food bowl—the MDB, which covers 14% of the Australian mainland—into desert.
- Richard Beasley *‘Dead in the Water’ (2018) ...* a political satire that is tragically true.
- Barry Hart, Neil Byron, et al (eds); *‘Murray Darling Basin: Its Future Management’ (2020) ...* experts in their various fields writing for academics, environmental water managers, irrigation companies, policy and management personnel ... the book identifies and discusses desirable changes to the current Basin Plan, including further adjustments to sustainable diversion limits (SDL) and revisions to environmental objectives because of climate change; addressing emerging water quality issues; improving environmental water management; strengthening the links with management of the Lower Lakes, Coorong and the coastal zone; improving monitoring, evaluation, and adaptive management; and strengthening compliance arrangements.

The Murray Darling Basin Plan: Some Basic Information

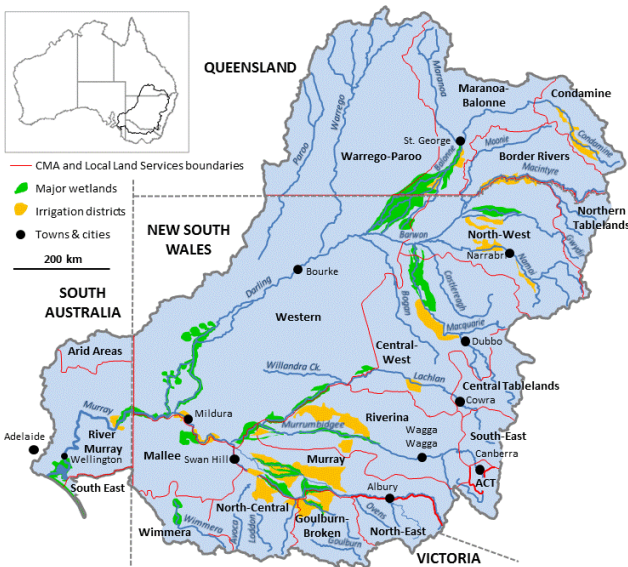
The MD is Australia’s biggest and most important river system. Its future is critical for the livelihoods and welfare of millions of Australians and for our environment and natural resources. It supports about 41 percent of the total gross value of Australia’s agricultural production, including 46% of the gross

value of national irrigated agriculture. It is also of immeasurable value to local communities, First Nations peoples, and to the natural environment – including the Ramsar wetlands it supports.



The MDB is part of 4 states and the ACT and covers 14% of Australia’s land area, or about 1 million km², with 75% in NSW. In the MDB, the water drains into the Murray and Darling or Baaka Rivers and then into the Southern Ocean near Goolwa in the Coorong and Goolwa in South Australia. It’s divided into the Northern Basin and the Southern Basin. This map shows the different catchment areas. The colour coding helps us understand some of the complexity.

Responsible Bodies



Having such a large number of Natural Resource Management Organisations in four states and one territory adds to the difficulty of managing this large and important system. Within this system we then have irrigation districts and major wetlands. The MDBA is the umbrella authority for the Basin and its wetlands.

The colour coding of this map helps us understand some of the complexity. It becomes more complicated when there is joint ownership of water in some dams. For example, water released from the Menindee Lakes system flows through the Darling or Baarka, down to Wentworth where it joins the Murray and then on the Lake Victoria, which is in NSW, but is a holding storage for South Australian water.

- Menindee Lakes water storage is **owned and operated by New South Wales**.
- The **Murray–Darling Basin Agreement** sets out the rules for the **shared resources of the River Murray** system, including Menindee Lakes.

- The **MDBA can only use the water** in the Menindee Lakes when volumes are high (above 640 GL) until they fall below 480 GL.
- The **MDBA cannot drain Menindee Lakes**. Once the water level is low (below the 480 GL trigger point), New South Wales manages the water to best meet local demands.

Lake Victoria – filled in winter and spring from the Murray, with water transferred from Hume Reservoir. The lake is used to supply water to SA when it’s not practical to deliver such water via the full length of the Murray. Since 1988 Lake Victoria has been operated in conjunction with the Menindee Lakes. Lake Victoria plays a key role in water quality in SA, and aids in reducing salinity. It is also a significant cultural heritage site for the Maraura (Marura) Nation- subgroup of the Barkindji. For further information on how the water is shared Click on this link.

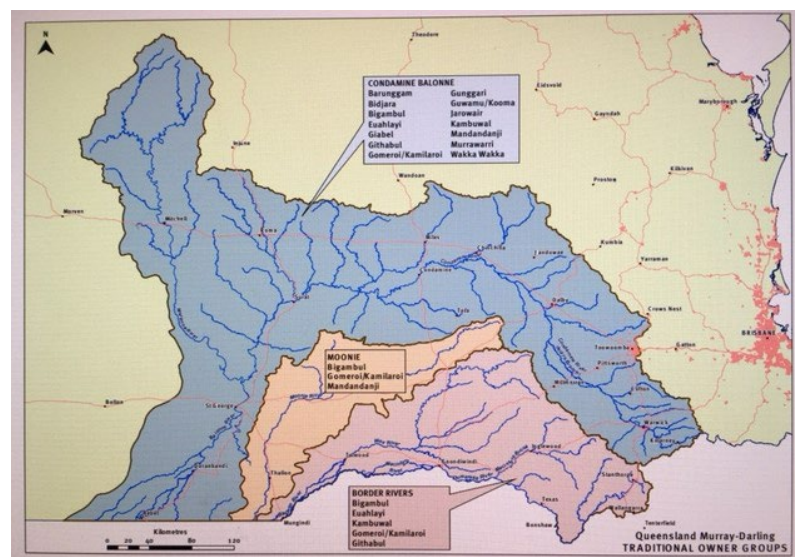
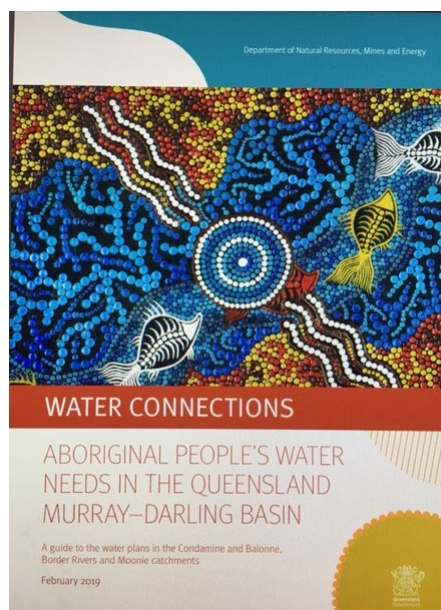
Video: *Sharing the Water* (2’42’): <https://vimeo.com/345602469>

Water for the Environment

Who holds and manages **Water for the Environment**?

This is water managed to maintain the health of rivers, wetlands and floodplains and helps to restore a more natural flow regime; i.e. before weirs and dams were built. This is also a very complex situation. When is Water for the Environment released to ensure the right amount of water is released at the right time for the health of rivers and wetlands?

In the **Northern Basin**, extensive consultation with First Nations Peoples of 3 catchments: Condamine Balonne, Moonie and Border Rivers has produced the document *Water Connections*. Indigenous perspectives on Water for the Environment.



How then can we *maintain* the balance between the environmental, cultural, social and economic needs of the Murray Darling Basin?

Balancing the needs of the human and other than human is one of the most urgent questions we are facing at this time in our history.

Water Markets are in need of urgent reform.

The ACCC released the results of its inquiry into water markets in the MDB

<https://www.accc.gov.au/focus-areas/inquiries-finalised/murray-darling-basin-water-markets-inquiry-0>

Water Allocations to First Nations Peoples

There are good news and bad news stories associated with these allocations: Tati Tati peoples have been seeking water allocations to country: see a clip of (11.49 mins) https://youtu.be/pYtG_Km5hP4 and also the location of the Margooya Lagoon in Vic <https://www.kaiejn.org.au/>

Key Players in the MDBA

- MBDA Board Members <https://www.directory.gov.au/portfolios/climate-change-energy-environment-and-water/murray-darling-basin-authority/murray-darling-basin-authority-board>
- MDB Ministerial Council members <https://www.mdba.gov.au/publications/mdba-reports/murray-darling-basin-ministerial-council>
- Independent Advisory Committee on Social, Economic and Environmental Sciences (all are eminent scholars in their fields). <https://www.mdba.gov.au/about-us/governance-water-management-murray-darling-basin/advisory-committee-social-economic>

The 5-Point Plan: Promises made by the Labor Party before the election to: “safeguard and uphold the Murray Darling Basin Plan, and lay the groundwork for the Basin’s future:

- Delivering on water commitments, including the 450 gigalitres for South Australia.
- Increasing compliance, and improving metering and monitoring.
- Restoring transparency, integrity and confidence in water markets and water management.
- Increasing First Nations ownership and involvement in decision-making.
- Updating the science.”

<https://www.alp.org.au/policies/labors-five-point-plan-to-safeguard-the-murray-darling-basin>

Our task is to ensure that these promises are upheld and we continue to foster our interdependence and interconnectedness across the issue of water- water for agriculture, water for communities, water for the environment.

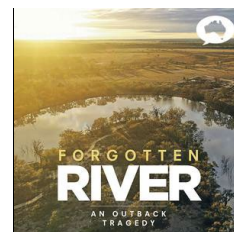
Other recommended viewing/listening re the Murray Darling Basin:

Podcast: The Forgotten River, a four-part [podcast special](#) and accompanying series of articles, photos and videos telling the stories of the Darling River and its people. Three Australian Community Media storytellers were sent deep into Outback NSW to listen to the stories of the people of the Darling or the Barka, as First Nations people know it. (<https://open.spotify.com/show/OJAhxdKv731IngtUE7lIHg> or <https://www.listennotes.com/podcasts/forgotten-river-voice-of-real-australia-GYSExt-lqeR/>)

Episodes:

Forgotten River: An Outback Tragedy (Intro 2')

- 1: Dead Fish and an Empty Lake (39')
- 2: Piggy in the Middle (36')
- 3: Where will the River People Go? (37')
- 4: There's Money in Mud (36')



ABC iview program: River: Rivers have shaped our landscapes and our journeys, flowing through our cultures and dreams. This collaboration with the Australian Chamber Orchestra creates a powerful union of image and music, honouring the wildness of rivers and recognising their vulnerability. (2021) (Note: This is only available on iview till 12th August, 2022. (<https://iview.abc.net.au/show/river>).