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Hilmer J. Bosch

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Evolving Property Rights in Water and Their Impact on Water Allocation and Reallocation

ACADEMISCH PROEFSCHRIFT

ter verkrijging van de graad van doctor

aan de Universiteit van Amsterdam

op gezag van de Rector Magnificus

prof. dr. ir. P.P.C.C. Verbeek

ten overstaan van een door het College voor Promoties ingestelde commissie,

in het openbaar te verdedigen in de Agnietenkapel

op vrijdag 30 juni 2023, te 10.00 uur

door Hilmer Jan Bosch

geboren te Dongeradeel

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List of Abbreviations

BITs	Bilateral Investment Treaties
BRICS	Brazil, Russia, India, China, and South Africa
CAR	Central African Republic
DRC	Democratic Republic of the Congo
DWS	Department of Water and Sanitation
ELU	Existing Lawful Use
GA	General Authorisation
GDP	Gross Domestic Product
HAI	Historically Advantaged Individuals
HDI	Historically Disadvantaged Individuals
IB	Irrigation Board
IWRM	Integrated Water Resources Management
MoU	Memorandum of Understanding
MPRDA	Mineral and Petroleum Resources Development Act 28 of 2002
NEMA	National Environmental Management, Act 107 of 1998
NWA	National Water Act, Act. 36 of 1998
SDGs	Sustainable Development Goals
WUL	Water Use Licence

Publications

This thesis builds on 5 scholarly papers and 3 chapters in books on water governance.

Relevant thesis chapter	Title	Journal	Status	Authors
Papers				
3.	The tension between state ownership and private quasi-property rights in water.	Wiley Interdisciplinary Reviews Water (WIREs)	Published, October 2022	Bosch, H.J., & Gupta, J.*
4 & 5.	A water property right inventory of 60 countries.	Review of European, Comparative & International Environmental Law (RECIEL)	Published, May 2021	Bosch, H.J., Gupta, J., & Verrest, H.J.L.M.**
4 & 5.	Water Permits: Do they enhance or hinder water governance?	IUCN AEL Journal of Environmental Law	Published, April 2021	Bosch, H.J., & Gupta, J.*
6.	Water property rights in investor-state contracts on extractive activities, affects water governance: An empirical assessment of 80 contracts in Africa and Asia.	Review of European, Comparative & International Environmental Law (RECIEL)	Published, April 2022	Bosch, H.J., & Gupta, J.*
7.	An analysis on the status of water 'property rights' in India and its 28 States.	Economic and Political Weekly (EWP)	Submitted, October 2022	Bosch, H.J., & Gupta, J.*
8.	Access to and ownership of water in Anglophone Africa and a case study in South Africa.	Water Alternatives (WA)	Published, June 2020	Bosch, H.J., & Gupta, J.*

Relevant thesis chapter	Title	Journal	Status	Authors
Book chapters				
2 & 3.	Changing 'ownership' in water law: Comparative experiences in the developing world.	Elgar Encyclopedia of Environmental Law: Water Law	Published, September 2021	Gupta, J & Bosch, H.J.**
1.	The UN contribution to water law, environment, climate disruption, and the Sustainable Development Goals	Elgar Encyclopedia of Environmental Law: Water Law	Published, September 2021	Gupta, J & Bosch, H.J.**
1.	SDG 6: Ensure Availability and Sustainable Management of Water and Sanitation for All	Cambridge University Press.	Published, September 2022	Gupta, J., & Bosch, H.J.**

* Bosch conceptualised and developed the research, analysed the data, and wrote the first draft of the manuscript which was revised with inputs and constructive comments provided by Gupta.

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*** Gupta conceptualised and developed the research. Gupta with input from Bosch wrote the manuscript.