

Abstract

The water resources policies pursued by neighboring riparian countries with Iraq in the Tigris and Euphrates basins had significant effects on Iraq's shares of water resources, It started in the early seventies of the twentieth century, And that was when Turkey began filling the Kiban reservoir, and continued to work on the completion of the Southeast Anatolia Project (GAB), And Syria by dictating the Tabqa dam, and Iran's work to restrict water releases in the tributaries of the Tigris and the Karkheh and Karun rivers, This is in addition to the climatic changes that occurred during this period, so Iraq's share of water resources began to decrease, and this was accompanied by an increase in demand for it, This share is no longer sufficient to meet Iraq's needs of water resources, unless there is a rational policy for its distribution Therefore, the distribution of water resources in Iraq is the most important legislative and regulatory measure that constitutes an effective guarantee of the water rights of individuals and bodies, This importance necessitated that this distribution should have principles that govern its rules, that it be implemented by federal public bodies, and that local bodies and individuals be subject to it, This study dealt with the issue of the legal regulation of the distribution of water resources in Iraq by following up on the developments that have occurred over time, and clarifying its concept and the philosophical and legal principles that govern its rules In it, she explained the legal mechanisms used in Iraq as a federal state once, and administrative decentralization once again, This study examined the constitutional flaws in the legal structure of the state and the distribution of competencies in it, which negatively affected the distribution of water

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resources, The scope of this study was limited in terms of place in Iraq, and in terms of time in the Constitution of the Republic of Iraq for the year 2005, and in terms of tools, the study focused on the most important water resources in Iraq, namely the Tigris and Euphrates basins, The importance of this study lies in the fact that it sheds light for the first time on this title in response to constitutional reasons, and it addressed the major problem that it targeted, which lies in the legislative deficiency of this subject, And she was able to reach the conclusion that the entire legislative system that governs water resources in Iraq, did not address the legal regulation of the distribution of water resources in it between the region and the governorates that are not organized in a region, on this one hand, On the other hand, it touched in one text that is timid and disturbing to the distribution of water resources within the single local unit, and that this study tried to address this legislative deficiency and proposed, for this purpose, a law for the distribution of water resources, which included the most important standards it reached in accordance with the principle of justice in the distribution of water resources, which Wanted by the Constitution of the Republic of Iraq menti

