

# Setting up a Muda River Basin Authority a way forward

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**LETTERS:** The proposal by the Environment and Water Ministry (KASA) to resolve the dispute between Kedah and Penang over the Sungai Muda water resources by setting up a Muda River Basin Authority (MRBA) is a fair and workable solution.

Water Watch Penang (WWP) acknowledges that although water (including water resources management) is strictly under the purview of state governments who have jurisdiction of the water resources within their borders, as clearly stipulated in the state list of the Constitution, the jurisdiction should either be transferred to the Federal Government or an independent body if and when water resources are

shared between two or more states, as is the case of the water from the Muda River Basin between Kedah and Penang.

Such is the case of the Muda River Basin in which the river and its catchment originates in Kedah but subsequently flows into Penang, rendering neither state having "total" jurisdiction over the river and its resources. Hence, the recent spat between the two state governments over who owns the water resources of the river and who should pay for the water resources, which went ugly and unresolved.

Clearly, in such a case whereby a river basin is shared by two states (though unequally in terms of area coverage – Kedah has a greater part of the basin compared to Penang), the Federal Government must assume the mediator's role to negotiate and settle inter-basin management issues.

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Obviously sitting on the sidelines and not doing anything would see the confrontation between the two states escalate and become even uglier.

The country's Federal Constitution allows for the federal government to mediate in cases like this whereby the Muda River is no longer under the State List but comes under the Concurrent List.

Water Watch Penang strongly supports the setting up of the Muda River Basin Authority (MRBA) as we have proposed in our press statement issued on March 26, 2021.

The MRBA should comprise not only representatives from the federal and two state governments, but should also comprise respectable federal NGOs as well as NGOs from the two states. In this respect, as a Water NGO that works on water issues in the country, WWP would be more than happy to contribute its expertise and resources if invited to join the MRBA.

WWP has amongst its members not only water experts with PhDs but also experts/professionals with PhDs on geography, water history, chemistry, biology, climate change, hydrology, geographic information system and remote sensing (using satellites to monitor water resources), etc.

Once the MRBA is set up, WWP anticipates that all the disputes between the two states will disappear, and replaced by mutual collaboration, mutual problem solving, mutual resources sharing and mutual benefits. The role of the MRBA is vital in securing the water security in the northern Peninsular Malaysia, much like the Murray-Darling Basin Authority in Australia and the Mekong River Commission in Asia.

With the MRBA, it is highly expected that logging will be controlled, the Ulu Muda Forests (Main water catchment for the three northern peninsula states of Kedah, Perlis and Penang) protected, and the sustainability of water resources achieved.

The MRBA is certainly the way forward to amicably solve the water issue between Kedah and Penang. We fully support the move to set up the MRBA.

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