

ROBYN STEIN

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Current position

Consultant/Director – Buchler-Stein Consultants (Water, Socio and Economic Law)

Qualifications

Bachelor of Arts (Political Studies and Law) University of the Witwatersrand 1985-1987

Bachelor of Laws (cum laude) University of the Witwatersrand 1988-1990

Master of laws (LLM with Distinction) London School of Economics and Political Science 1992

Admitted as Attorney in the High Court of South Africa (1993)

Employment History

1990-2003 Bowman Gilfillan Incorporated (final position: Director: Practising Attorney managing the Environmental Law Department)

2003-2020 Edward Nathan Sonnenbergs Incorporated (Director: Practising Attorney in the Environmental Law Department)

2021-present General water law consultancy

Expertise

Specialising in: advising local and foreign governments, businesses, NGOs, Non-Profit and international organisations on the development and implementation of effective policy and legislative frameworks in the fields of Water Law, Environmental Law, Socio-Economic Law and Governance.

Key areas of practice: Regional and Domestic Water Law, International Water Law, Transboundary Water Law and Water Policy.

Extensive experience advising on or to:

all legal and policy aspects of shared watercourse arrangements;

the legal and policy aspects of large-scale infrastructural development projects in the water sector such as inter-catchment water transfer as well as shared watercourse arrangements within such sector;

governmental and non-governmental sectors on integrated water management projects with a focus on the constitutional and national legislative imperatives of integrated water resources management and sustainable development;

national, provincial and municipal aspects of co-operative governance in the water sector both nationally and internationally;

implementation of water and sanitation services agreements;

numerous matters and legal opinions pertaining to due diligence aspects of mergers and acquisitions, project finance and corporate and permit processes, together with litigation, including advising on complex commercial litigation arising from environmental liability disputes.

Academic, Industry Appointments and Recognitions

Special Advisor to the Minister of Water Affairs and Forestry in 1997 on the Water Law Reform Process, including participating in drafting the National Water Act 1998, the Water Services Act 1997, the White Paper on a National Water Policy for South Africa and various accompanying Regulations, and subsequent ongoing participation in Water Law reform as well as regulatory and policy drafting projects for the South African Government;

Lecturing various short courses on Water Law topics encompassing hydro-political aspects of inter-country water competition, water regulatory structures and technical regulation in, inter alia, Lebanon, the Philippines and providing learning to the Jordanian Water Ministry;

Visiting Professor – Mandela Institute, School of Law, University of the Witwatersrand, South Africa, (2002 - 2004) lecturing Water Law, Advanced Environmental Law and Energy Law to LLM students;

National contact point for South Africa: Global Water Partnership in respect of Vision for Water, Life and the Environment in the 21st Century (1999);

Honorary Associate of the Centre for Energy, Petroleum & Mineral Law & Policy of the University of Dundee, Scotland, UK, (1999-2004);

Member of the Interim Dam Safety Advisory Committee established under the National Water Act 36 of (1998 -1999);

Member of the International Bar Association (1998-2011), Member of the Water Law Committee of the International Bar Association's Section on Energy and Natural Resource Law (1998 -2007);

Member of the National Water Advisory Council established under the National Water Act 36 of 1998 (1999 -2004);

Chairperson of the Dam Advisory Committee established under the National Water Act 36 of 1998 (1999-2005);

Member of the International Nuclear Law Association (1998 -2011);

Deputy-Chairperson of the Water Tribunal established under the National Water Act 36 of 1998 (2004 - 2007);

Trustee of the Endangered Wildlife Trust (2000 -2011) and Chairperson (2001 -2004);

Member of the IUCN (World Conservation Union) Commission on Environmental Law (1996 – 2024), Vice-Chairperson-Southern African Region of the IUCN Steering Committee of the Commission on Environmental Law (2005 -2007);

Recognised as a leading/recommended lawyer by Chambers Global Guide 2021, 2020, 2019, 2018, 2017, 2016, 2015 – Environment (South Africa).

Member of the International Water Law Association (2024)

Experience in specific areas of interest and/or projects

Participating on expert legal panel (EU ORASECOM Project), researching and drafting section on the introduction on the general principles of international water law, and how they differ from national law;

Providing Legal Advisory support to Equivalence Assessment of National Water Laws among Riparian States in the Zambezi River Basin;

Providing water law advice to the Food and Agriculture Organisation of the United Nations and Namibian governmental water authorities, reviewing and advising on reform of the Namibian water regulatory framework, and drafting and developing the Namibian National Water Bill;

Advising Ugandan national and local governmental bodies on the Ugandan Government's Urban Sector Water Reform policy reforms and drafting associated legislation;

Advising on regulatory frameworks and multi-national arrangements within the Mekong River Commission;

Advising a significant international mining house in the preparation of applications for new water use licenses and applications for amendments to existing water use licences pursuant to its Integrated Water Use License Project;

Advising a South African/multi-national consortium constructing a high-speed rail network on various water and environmental aspects of the project.

Selected Publications and Papers

Co-editor of "Rule - Reforming Water Governance 2009" published by the International Union for the Conservation of Nature and Natural Resources.

Dam Law Review in Land & Agricultural Policy Centre (LAPC Water Law Legal Grouping) Submissions to the Department of Water Affairs and Forestry (1995).

Environmental Impact Assessments of Large Scale Developments Adjacent to Water Courses (with T Winstanley) in Land & Agricultural Policy Centre (LAPC Water Law Legal Grouping) Submissions to the Department of Water Affairs and Forestry (1995).

South African Water Legislation Regulating Dams for Project on National Laws applicable to Large Dams for World Commission on Dams (1999, 2000).

South Africa's Water and Dam Safety Legislation: A Commentary and Analysis on the Impact of the World Commission on Dams' Report, Dams and Development (American University – International Law Review, Volume 16, Number 6, 2001).

South Africa's New Democratic Water Legislation: National Government's Role as Public Trustee in Dam Building and Management Activities (World Commission on Dams, African Consultation, Cairo, 1999, published in Journal of Energy & Natural Resources Law, August 2000).

Water Law in a Democratic South Africa: A Country Case Study Examining the Introduction of a Public Rights System (Texas Law Review, Vol. 83, No. 7, pp. 2167-2183, June 2005).

Contributor and Co-Author for the International Water Law Association Comparative Groundwater Regulation Project (2024).

Contributor and Co-Author for the IUCN World Commission on Environmental Law (WCEL/WWSG) Reverberations in domestic legislation of the ecosystem-support function of groundwater Project (2024).