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978-1-107-03597-3 - Cooperation in the Law of Transboundary Water Resources

Christina Leb

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Cooperation in the Law of Transboundary Water Resources

Climate change, population growth and the increasing demand for water are all capable of leading to disputes over transboundary water systems. Addressing these challenges will require enhancement of adaptive capacity, improvement of the quality of water resources management and reduction in the risk of conflict among riparian states. Such changes can be brought about only through significant international cooperation.

Christina Leb's analysis of the duty to cooperate, as well as the related rights and obligations, highlights the interlinkages between this duty and the principles of equitable and reasonable utilisation and the prevention of transboundary harm. In her analysis, she considers the law to be applicable to both international watercourses and transboundary aquifers. She explores the complementarities and interaction between the rules of international water law and the related obligations of climate change and human rights law.

CHRISTINA LEB is an associate member of the Platform for International Water Law at the University of Geneva and a consultant for the World Bank. Her primary focus is on transboundary water resources management and cooperation.

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In memoriam Professor Enzo Grilli

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List of abbreviations

ACTO	Amazon Cooperation Treaty Organization
ADB	Asian Development Bank
AfDB	African Development Bank
<i>AJIL</i>	<i>American Journal of International Law</i>
ASEAN	Association of Southeast Asian Nations
AU	African Union
AWG-LCA	Ad-Hoc Working Group on Long-Term Cooperative Action
BBl	<i>Bundesblatt</i> (Switzerland)
<i>BYIL</i>	<i>British Yearbook of International Law</i>
CARU	Administrative Commission of the River Uruguay
CBDR	common but differentiated responsibilities
CESCR	Committee on Economic, Social and Cultural Rights
<i>CJIELP</i>	<i>Colorado Journal of International Environmental Law and Policy</i>
Consol. TS	Parry's Consolidated Treaty Series
COP	Conference of the Parties
cusecs	cubic feet per second
EC	European Community
ECAFE	Economic Commission for Asia and the Far East
EEC	European Economic Community
EFAS	European Flood Alert System
EIA	environmental impact assessment
ENVSEC	Environment and Security Initiative
EU	European Union
EU WFD	European Union Water Framework Directive
EUTSer	EU Treaty Series
FAO	Food and Agriculture Organization (UN)
GA	General Assembly
GEF	Global Environmental Facility

GHG	greenhouse gas
GoS	Government of Sudan
HRC	Human Rights Council
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICJ	International Court of Justice
ICPDR	International Commission for the Protection of the Danube River
ICPR	International Commission for the Protection of the Rhine
IDA	International Development Agency
IIL	Institute of International Law
IJC	International Joint Commission (United States, Canada)
<i>IJGEnvI</i>	<i>International Journal of Global Environmental Issues</i>
ILA	International Law Association
ILC	United Nations International Law Commission
ILM	International Legal Materials
INIWEH	Institute for Water, Environment and Health
IPCC	Intergovernmental Panel on Climate Change
IUCN	International Union for the Conservation of Nature
IWRM	integrated water resources management
<i>JAWRA</i>	<i>Journal of the American Water Resources Association</i>
KBO	Kagera Basin Organization
LCBC	Lake Chad Basin Commission
LDCF	Least Developed Countries Fund
LN	League of Nations
<i>LNTS</i>	<i>League of Nations Treaty Series</i>
LVFO	Lake Victoria Fisheries Organization
MDG	Millennium Development Goal
MEA	multilateral environmental agreement
MOP	Meeting of the Parties
MRC	Mekong River Commission
NAPAs	National Adaptation Programs of Action
NBI	Nile Basin Initiative
OAU	Organization of African Unity
OAU Doc.	Official Document of the Organization of African Unity
OECD	Organisation for Economic Cooperation and Development
<i>OJ</i>	<i>Official Journal of the European Union</i> (unless otherwise indicated)
OMVS	<i>Organisation pour la Mise en Valeur du Fleuve Sénégal</i>

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OSCE	Organization for Security and Cooperation in Europe
PCIJ	Permanent Court of International Justice
ppm	parts per million
RCADI	<i>Recueil de Cours de l'Académie de Droit International</i>
RECIEL	<i>Review of European Community International Environmental Law</i>
RGDIP	<i>Revue Générale de Droit International Public</i>
RIAA	<i>Reports of International Arbitral Awards</i>
SADC	Southern African Development Community
SBSTA	Subsidiary Body for Scientific and Technological Advice
SCCF	Special Climate Change Fund
SDD	USSR Treaty Collection (<i>Sbornik desitvuiushchikh dogovorov, soglashenii i konventsii zakliuchenyuhk SSR inostranymi gosudarstvami</i>)
SICJ	Statute of the International Court of Justice
SOGED	<i>Agence de Gestion et d'Exploitation du barrage de Diama</i>
SOGEM	<i>Société de Gestion de l'Energie de Manantali</i>
SPA	Strategic Priority for Adaptation
SPLM/A	Sudan People's Liberation Movement/Army
UN	United Nations
UNC	Charter of the United Nations
UNCED	United Nations Conference on Environment and Development
UNCLOS	United Nations Convention on the Law of the Seas
UN Doc.	Official Document of the United Nations
UNDP	United Nations Development Program
UNECE	United Nations Economic Commission for Europe
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNESCWA	United Nations Economic and Social Commission for Western Asia
UNFCCC	United Nations Framework Convention on Climate Change
UNFPA	United Nations Population Fund
UNITAR	United Nations Institute for Training and Research
UNTS	<i>United Nations Treaty Series</i>
UNU	United Nations University
US	United States of America
USTS	<i>United States Treaty Series</i>

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WFD	Water Framework Directive
WHO	World Health Organization
WMO	World Meteorological Organization
WTO	World Trade Organization
YBILC	<i>Yearbook of the International Law Commission</i>