

National Sovereignty and International Waters

Earth Dialogues

Puerto Madryn

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Pending Questions

- What are the principles that should regulate the use of shared water?
- Can such a set of principles be codified in a meaningful sense?
- Is there a need for intergovernmental mechanisms for dealing with potential environmental conflicts?
- How can we link these mechanisms with national sovereignty, the keystone of international legal agreements?



Problematic of International Waters

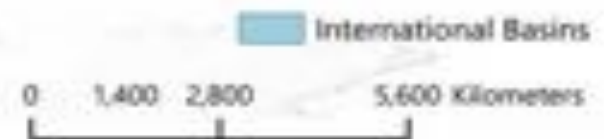
- 261 River Basins shared by more than one country



Transboundary river basins of the world



© 2017 Transboundary Freshwater Dispute Database
Oregon State University
Cartographer: Melissa McCracken
Robinson Projection



Problematic of International Waters

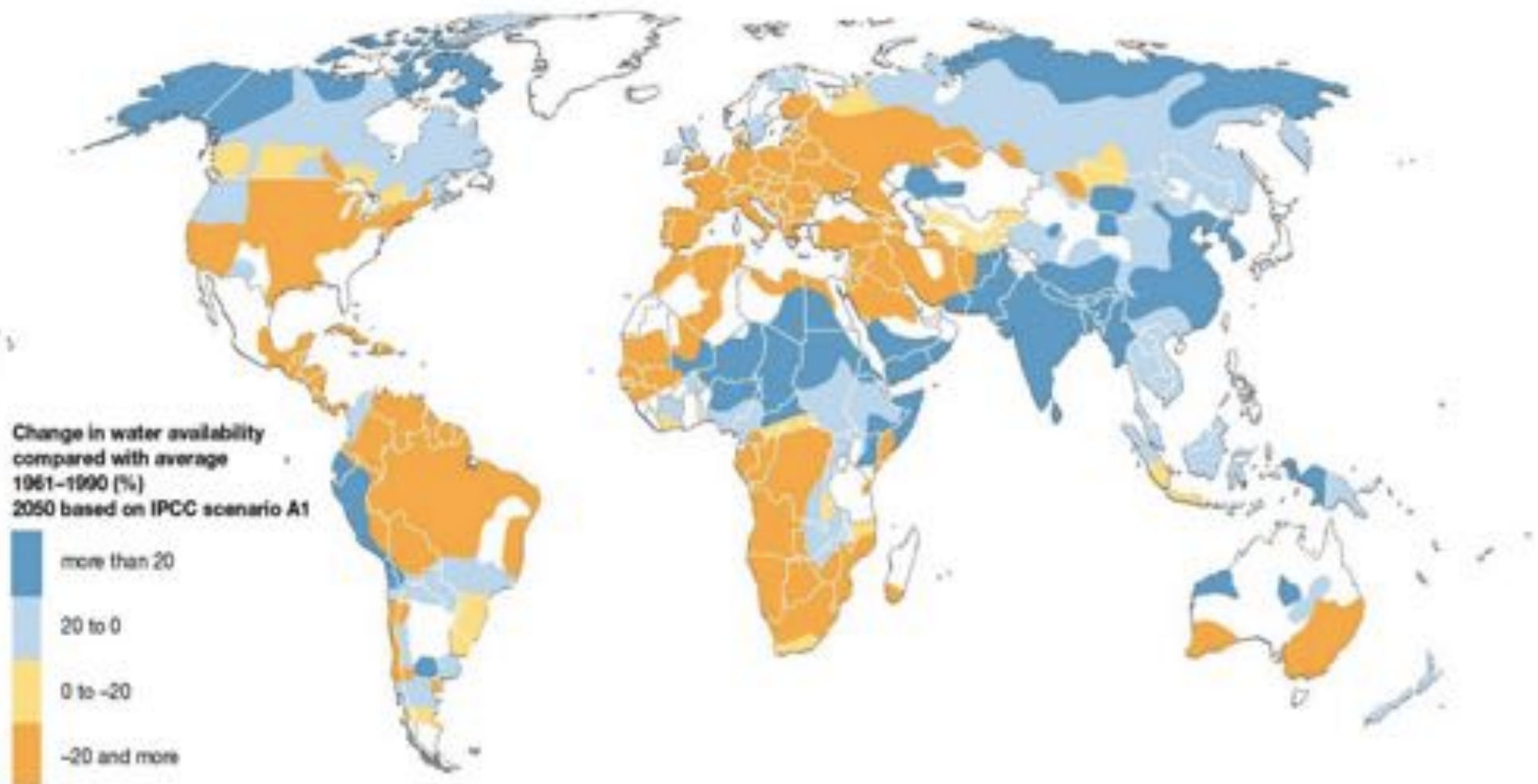
- 261 River Basins shared by more than one country
- Limited implementation of Integrated River Basin Management
- Ratification of the United Nations Convention on the Non-Navigational Uses of International Watercourses
- Needs to anticipate future disputes
- Needs of Mechanisms for dispute settlement

Sovereignty over Water

- Internal and External Sovereignty
- State responsibility
 - to ensure access to water
 - to maintain acceptable level downstream
- Quality and Quantity
- State and Popular Sovereignty
- Stakeholders including Nature
- Regional – Interstate and Peoples Cooperation

Interdependencies in the Water Cycle

- Aquatic Ecosystem Management
 - Environmental Uses and Needs
 - Social and Economic Development
- Aquatic Ecosystem Influence
 - Climate Change



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 - Population and Economic growth
 - Biodiversity

Water in Time and Space

- Water is a Finite Resource
- Water should be respected as a Permanent Feature of Landscape
- Needs of People and Nature are intertwined and inviolable
- Interests of Present and Future Generations
- Boundaries of River Basins and States

Multifaceted Value of Water

- Influential Factors
 - Geography
 - Culture
 - Spirituality
 - History
- Collective Property
- Commodification
- Water as a Human Right
- Food Security and Virtual Water
- Appropriate Pricing of Water Services

Cooperation over Water

- Regional Cooperation
- Cooperation as Allocation
 - Danube River Basin
- Cooperation as Salvation
 - Aral Sea
- Cooperation as Opportunity
 - SADC and The Mekong
- Incentives to Regional Cooperation
 - Financial aid
 - Capacity building
 - Forums for Discussion
 - Cultural Heritage

Framework for Management of International Waters

- UN Convention on the Law of Non-Navigational Uses of International Watercourses
- River Basin Agreements between States
- Institutions for
 - Implementation
 - Financing
 - Monitoring
 - Information exchange
- Role of International and Regional Bodies

Rights to Water

- Human rights
 - Access to drinking water
 - Access to sanitation
- Respect of neighbours Human Rights
- Public participation
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Water for Peace

- State Security
 - Conflict Prevention
 - Dispute Settlement
- Human Security
 - Provision of basic Needs
 - Representation of all Groups
 - Public Participation
- Environmental Security
 - Sustainability of Aquatic Ecosystem
 - Habitability of the Planet
- Water Security
 - Sanctuarization of Watercourses

Principles and Proposals

- Water sharing principles
- At the International Level
- At the International River Basins Level
- At the National Level
- At the Local Level