



International Hydrological Programme

The draft articles on the law of transboundary aquifers

UNESCO-IHP Transboundary aquifers

Hydrogeology and International Law

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Raya Marina Stephan



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Outline

- I. Background

- II. The draft articles on the law of transboundary aquifers

- III. Evolution



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I Background

- Importance of GW on earth
- Importance of transboundary groundwater resources
- Lack of a global international instrument covering these resources



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II. The draft articles on the law of transboundary aquifers

Five parts:

Introduction

General principles

Protection, preservation and management

Activities affecting other States

Miscellaneous provisions



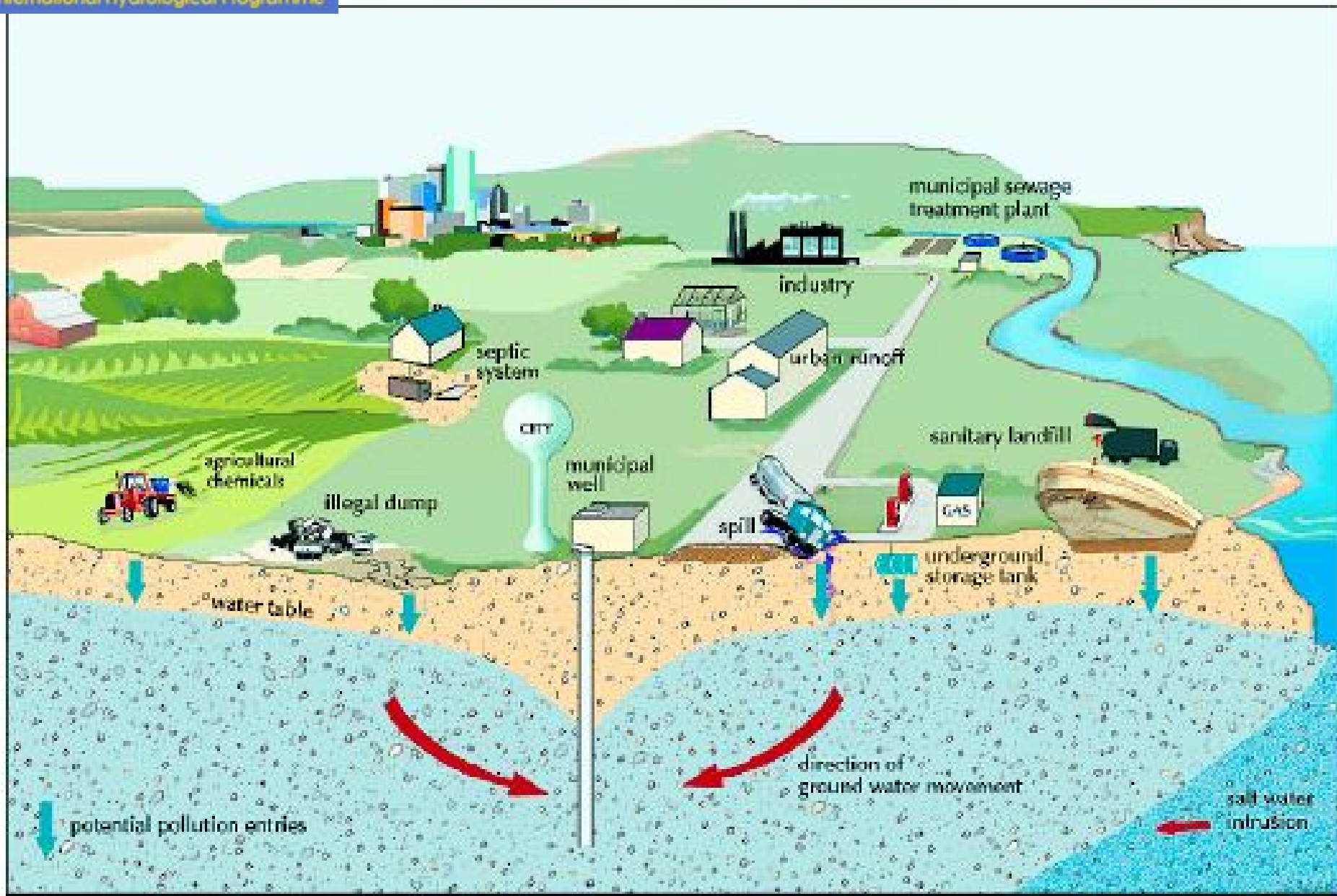
Scope:

- *Utilization of TB aquifers and aquifer systems*
- *Other activities that have or are likely to have an impact upon those aquifers*
- *Measures for the protection, preservation and management of those aquifers*



Activities Affecting Aquifers

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General principles

Sovereignty

Equitable and reasonable utilization

- *Equitable and reasonable accrual of benefits*
- *Maximize the long-term benefits*
- *Establish utilization plan considering present and future needs, and alternative water sources*



Factors relevant to equitable and reasonable utilization

- *Population dependent on the aquifer*
- *Social, economic and other needs, present and future*
- *Natural characteristics of the aquifer*
- *Contribution to the formation and recharge*
- *Role of the aquifer in the related ecosystem*



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Obligation not to cause significant harm

*by utilization, or other activities through aquifer
to other aquifer States*

General obligation to cooperate : joint mechanisms
of cooperation

Regular exchange of data



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Protection, preservation and management

Protection and preservation of ecosystems

dependent on the aquifer

Recharge and discharge zones

Prevention, reduction and control of pollution



Monitoring

indispensable for the proper management of a TB aquifer

ideally joint monitoring based on an agreed conceptual model

Management:

management plan

consultation with the other aquifer State

joint management mechanism



Other principles

Notification & Consultation on Planned Activities

Scientific and technical cooperation with developing States

- can be provided through competent international organizations.
- UNESCO-IHP plays a central role in this field and is the global intergovernmental scientific programme of the United Nations system responding to the specific national and regional needs and demands of its Member States.



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Thank you