



Newsletter No. 56

January 2020

## **EDITORIAL**

With barely five months left before the due start date of the XVII World Water Congress of the International Water Resources Association (Daegu, Korea, 11-15 May 2020), a Steering Committee of AIDA members has been at work to support the water law track of the Congress programme. At the time of writing, the core AIDA scientific support consists of a number of Special Sessions to be featured in the Congress programme, each given over to a contemporary water law theme. Details can be found in this issue of Aquaforum. Relevant proposals have been endorsed by the IWRA Congress, and the AIDA Steering Committee is now at work to oversee implementation.

The IWRA Congress will also host an AIDA Side Event, given over to discussing matters internal to the Association among AIDA members in attendance, but also to reaching out to non-members. Moreover, an 'AIDA House' project is also in the cards. More details in this issue of Aquaforum.

Efforts are also under consideration to ensure visibility of AIDA's participation and scientific contribution to the IWRA Congress.

In your chair's view, the aggregate total of the AIDA Special Sessions and the AIDA Side Event, with the addition of the papers contributed by AIDA members in an individual capacity, should be looked at as an AIDA 'mini-congress' of its members who will be in attendance at the IWRA Congress.

Against this rich backdrop, I hope you will feel motivated to register for the IWRA Congress, also availing the Early Bird window that closes at the end of January 2020, and to travel to Daegu and actively contribute to the Congress legal track, and to ensuring a robust water law track in particular!

Stefano Burchi  
Chairman of the Executive Council

## 1. NEWS OF THE ASSOCIATION AND OF ITS MEMBERS

AIDA will contribute to the XVII IWRA World Water Congress (Daegu, Korea, 11-15 May, 2020) through a number of Special Sessions to be featured in the Congress programme. The following AIDA proposals for Special Sessions have been endorsed by the Congress International Scientific Committee:

- Judges as water stewards – The Brasilia Declaration of Judges on Water Justice (adopted at the 8th World Water Forum, Brasilia, March 2018);
- Legal rights for rivers: a cause for concern or celebration?
- The Resilience of Water Law: How to Deal with Uncertainty in Legal Instruments in the Face of Climate Change;
- Water Tenure: Toward a Framework for Equitable and Sustainable Land and Water Governance (this particular Special Session will be co-convened jointly by AIDA and the Environmental Law Institute – ELI);
- Ensuring benefit sharing and joint management of dams: the role of international water law (this particular Special Session will be co-convened jointly by AIDA, the Platform for International Water Law/Geneva Water Hub at the University of Geneva and the IUCN Environmental Law Center).

AIDA also plans to hold a Side Event, as an opportunity for AIDA members in attendance to gather and debate matters internal to the Association, and for non-members to get acquainted with AIDA. Accordingly, the Side Event will be split into, respectively, a members-only session and an open-doors session. In connection with the members-only segment of the Side Event, AIDA members in attendance will have an opportunity to debate, in particular, a proposal to reform the current AIDA governance structure to a more democratic model.

AIDA is also contemplating an *encore* of the AIDA House it successfully arranged at previous IWRA Congresses. Options to rent a spacious ‘home’ for a limited number of AIDA members who will travel to Daegu are being looked into.

## 2. MEETINGS AND CONFERENCES

- The Platform for International Water Law of the Geneva Water Hub at the Faculty of Law, Geneva University, together with the Secretariat of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, organized a ***Conference on ‘The implementation of international water law: global, regional and basin perspectives’*** at the Geneva headquarters of the World Meteorological Organization (WMO) on 4 December, 2019. The conference included three panels. The first panel addressed the role of universal freshwater agreements in water diplomacy. The second panel examined the role of basin mechanisms in ensuring the sound implementation of freshwater legal instruments. The third panel assessed the manner in which other areas of international law, such as international environmental law and human rights law, can assist with the implementation of international water law. The programme is available at <https://www.unige.ch/droit/eau/fr/actus/2019/conference-decembre/>.

- A ***roundtable on ‘Water disputes: how to prevent and solve them?’*** was also convened at Geneva on 3 December, 2019, by the Platform for International Water Law of the Geneva Water Hub, jointly with the Geneva Center for International Dispute Settlement and the Secretariat of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes. The prevention of water disputes and their effective resolution when they arise is a concern shared at the local, regional and universal levels. What are the means for avoiding water disputes? Can the rule of law play a role in this context? When

a dispute crystallises, what are the best methods - be they diplomatic, judicial or institutional - for solving them? How can the prevention of water disputes be integrated in international diplomacy? What is the role of the Implementation Committee of the UNECE Convention on the Protection and Use of Transboundary Watercourses in this context? These and other questions were tackled. The programme may be found at [https://www.unige.ch/droit/eau/files/9415/7357/2373/Programme\\_Conference\\_3\\_December\\_2019.pdf](https://www.unige.ch/droit/eau/files/9415/7357/2373/Programme_Conference_3_December_2019.pdf).

- A *Water Diplomacy Dialogue in the Lake Chad Basin* was organized by the Lake Chad Basin Commission at Douala, Cameroon, on 12-14 March 2019, with IUCN support within the framework of the BRIDGE (Building River Dialogue and Governance) Programme.

- Organized by the Wessex Institute of Technology, the *10th International Conference on Sustainable Water Resources Management*, Alicante, Spain, 7-9 May, 2019, presented recent technological and scientific developments associated with water resources management. It provided a platform for professionals involved in water resources management to exchange knowledge and gain an insight into the state of the art in the current technology, techniques and solutions for sustainable water management as they have been developed and applied in different countries. Topics included water law, transboundary water resources management, water rights, river basin planning and management, water pollution control and other topics of interest to researchers and representatives of academic institutions, industrial sectors and government organizations. For further information, go to <https://www.wessex.ac.uk/conferences/2019/water-resources-management-2019>

### 3. DEVELOPMENTS AND PROGRAMMES CONCERNING WATER LAW

- **Bangladesh** – In a judgment issued on 1 July, 2019, in response to a public interest litigation (WP No. 13989/2016) filed by the Human Rights and Peace for Bangladesh (HRPB), the High Court Division of the Supreme Court of Bangladesh declared that the river Turag and all other rivers flowing throughout the country are ‘living entities’ with legal personality. After attributing legal personality to the rivers, the Court designated the National River Conservation Commission (NRCC) of Bangladesh as a legal guardian for all the rivers and called for the strengthening of the NRCC by making it an effective and independent body. The Court also entrusted the NRCC with the responsibility of conservation and overall development of rivers. Further details may be found at <https://www.thedailystar.net/law-our-rights/law-watch/news/strengthening-the-national-river-conservation-commission-bangladesh-1813927>

- **Indonesia, Law No. 17 of 17 September, 2019, on Water Resources** – This law was passed by the House of Representatives on 17 September, 2019, but is awaiting presidential assent. It is meant to replace the 1974 Law on Water Resources Development, which was reinstated in 2015 after the Constitutional Court annulled the 2004 Water Law on the grounds that it did not accommodate the state's role in controlling and managing water in the public interest as required under the 1945 Constitution. The new law is explicit as to the right of the state, through the central government (Ministry of Public Works and Housing) and regional governments, to control water resources, this meaning that the state is responsible for issuing water use permits, collecting water tariffs and determining and delimiting river regions (river basins), for which it will develop water resources management plans. Thus, individuals, community groups and business entities cannot possess or control water resources; they only have rights to use water based on water use permits and provided that certain conditions are met. The law establishes a clear order of priorities among water uses, which is to be observed in the process of granting the permits. The public sector enjoys priority over the private sector. The central and regional governments may delegate some of their functions, such as the collection of water tariffs within specific areas, to publicly-owned enterprises.

- **Kenya, Irrigation Act 2019 (No. 14 of 29 July, 2019)** - This Act deals with the development, management, financing, and regulation of the irrigation sector. It defines the respective functions and duties of the national and county governments with regards to irrigation matters and establishes the National Irrigation Authority. A body corporate, the Authority is charged with the development and improvement of national or public irrigation schemes and with the provision of irrigation support services to private medium and smallholder schemes. The Cabinet Secretary, in consultation with county governments, is called to

ensure that the design of irrigation schemes takes into account the needs of various irrigation water users, including livestock and fish producers, as well as the likely environmental impact. S/he may compulsorily acquire land for the purpose of public irrigation schemes. In the case of community land forming part of a national or public irrigation scheme, s/he may take the land on lease on terms to be agreed between him/her and the county government concerned. The Secretary shall, in collaboration with county governments, support and facilitate access rights to land for all irrigators on national irrigation schemes in order to provide livelihoods for poor and vulnerable persons and groups. A resident of a catchment area who is a crop farmer, livestock producer, fish pond user, or small rural entrepreneur or otherwise uses water for irrigation purposes from a common water source may, together with other members or persons resident in the same area, form or join an irrigation water users' association. Where an association pre-exists an irrigation scheme, it may be recognized as the association operating and maintaining the scheme. More than one association may operate and maintain a scheme on mutually agreed terms. The Act also provides for dispute resolution mechanisms.

- **Sao Tome e Principe, Framework Law on Water Resources (No. 7 of 26 April, 2018)** – This law aims at promoting the sustainable use, protection and management of water resources and related ecosystems, and the mitigation of the adverse effects of floods and droughts. Among other, it provides for the establishment of a national water policy, of which the objectives are (a) to ensure that water in a sufficient amount and of good quality is made available to current and future generations; (b) to promote rational and integrated water resources use; c) to prevent critical hydrological events of natural origin or due to inappropriate use of natural resources. The law is made up of 13 chapters.

#### 4. TRAINING AND RESEARCH CONCERNING WATER LAW

- The Global Water Partnership (GWP), in cooperation with the Ugandan Ministry of Water and the Environment, the University of Makerere, the Northumbria University, the Geneva Water Hub, the African Network of Basin Organizations (ANBO) and the Intergovernmental Authority on Development (IGAD), organized a short **training course on Water Governance and International Water Law (IWL)** in Africa, which took place at Entebbe, Uganda, on 11-14 November, 2019. The purpose of the course was to strengthen the capacity of institutions of countries and basin organisations in Africa to address transboundary water resources management issues by enhancing the knowledge and skills necessary for promoting cooperation among countries. The training built onto GWP's previous training workshops and considered the emerging need of African countries to facilitate transboundary water investments and better recognize the role of groundwater in integrated water resources management.

- The Geneva Water Hub, center specialized in hydro politics and hydrodiplomacy of the University of Geneva, organized an online **Course on International Freshwater Law** (in French), which took place on 27 May - 7 July, 2019. Conceived by the Hub's Platform for International Water Law, the course aimed to provide professionals dealing with the negotiation or implementation of transboundary water treaties with an understanding of the principles and rules governing the use, sharing, management and protection of water resources. The course consisted of five modules dealing with: sources and concepts of international freshwater law; evolution of international freshwater law; principles applying to the management and protection of transboundary water resources, (Part I and II): and, water and international economics law. For further information, visit <https://www.unige.ch/formcont/cours/droit-eau>

- A **Regional Training on 'How to Use the Two Global Water Conventions to advance Transboundary Cooperation on the ground'** (in French) was organized by the UNECE and was held at Dakar, Senegal, on 18-19 June, 2019. The training targeted experts active in francophone countries in Western, North and Central Africa. It was designed to strengthen the capacity of actors engaged in promoting sustainable development and transboundary water cooperation. In particular, it aimed at equipping participants with the knowledge and skills required to promote and apply the Conventions, with a focus on the concrete benefits and challenges of practical implementation and on what the Conventions offers to strengthen transboundary water cooperation on the ground. Specific objectives were: to deepen the knowledge and understanding of the value of the two Conventions across different contexts; to clarify the relationship between the two Conventions and

shed light on their features; to promote the sharing of experiences in the implementation of the Conventions and discuss how to promote effective and practical cooperation using them as tools; to enable participants to assess the usefulness of the technical and policy guidance developed under the Conventions; to discuss lessons learned from recent accession processes (i.e., Chad and Senegal) and the role of partners in fostering accession to the Conventions. Further details may be found at <https://www.unece.org/index.php?id=51780>

- A course on *Water Governance: Frameworks and Negotiations* (in English) was organized by the Geneva Water Hub, University of Geneva, on 3-15 June, 2019. The course's objectives were as follows: identify and analyze the new challenges of water resources management at the global scale, considering the whole water cycle; analyze hydrodiplomacy and actors' strategies and understand trends and the functioning of water governance at the global level; provide tools to water professionals to analyze water policy and management issues in the light of risk and uncertainty; develop work-related skills, such as the ability to analyze international legal and institutional frameworks and related negotiations and the ability to prevent and regulate water conflicts; and, develop a community of practice in the field of water governance. The course programme consisted of five modules, which were devoted to: MOOC water resources management and policy (Module 1); hydrology: global trends and environmental changes (Module 2); international water law: from universal and regional water agreements (Module 3); right to water access: law, water and development (Module 4); hydrodiplomacy (Module 5). For more information, and to register, visit <https://www.unige.ch/formcont/cours/caswatergovernance>

## 5. PUBLICATIONS AND SOURCES OF INFORMATION OF INTEREST TO AIDA MEMBERS

- *Bridging Science and Policy through Law*, Water International Policy Brief No. 14 of 2019, is based on Water International, Vol. 44, AIDA Special Issue No. 3 of 2019. Science plays an essential role in informing legal reform. At the same time, legal frameworks provide the tools to better link science and policy. Bridging the science and policy divide through the law is an important way to implement science-based policy decisions. This Policy Brief is available from <https://www.iwra.org/wp-content/uploads/2019/12/PB-14-december-2019-web.pdf>

- *Should Rivers have Rights?*, Water International Policy Brief No. 13 of 2019. This Policy Brief, which is based on Water International, Vol. 44, Issue No. 6-7 of 2019, 'From the Law of the River toward the Rights of the River', examines the latest developments with regard to legal rights being vested in rivers, the rationale for these developments and the relevant implications. It may be retrieved from <https://www.iwra.org/wp-content/uploads/2019/12/PB13-november-2019-3.pdf>

- *Legal Perspectives on Bridging Science and Policy*, book edited by Mara Tignino, Raya Marina Stephan, Renée Martin-Nagle and Owen McIntyre, Routledge, 2019, deals with the interaction of science and policy from a legal perspective. Expert contributors outline the role of law in water management and suggest solutions to make laws flexible and adaptive to changes in scientific knowledge and environmental, social and economic conditions. Each chapter addresses the topic with a different focus and offers an in-depth analysis of legal challenges related to the creation of interdisciplinary bridges, clarifying how science may be assimilated into decision-making processes and can thereby contribute to build evidence-based policies. This book, which was originally published in the journal Water International as a special issue (44:3 of 2019) prepared by AIDA and gathering selected papers from the XVI World Water Congress of the International Water Resources Association, will be of great interest to scholars of water law, water governance and environmental law. It is available for purchase online, from <https://www.routledge.com/Legal-Perspectives-on-Bridging-Science-and-Policy/Tignino-Stephan-Martin-Nagle-McIntyre/p/book/9780367406851>

- *Legal Perspectives on Bridging Science and Policy*, by Mara Tignino, Raya Marina Stephan, Renée Martin-Nagle and Owen McIntyre (eds.), Water International, AIDA Special Issue, Vol. 44, No. 3, April 2019. This volume, which represents the third of previous AIDA special issues of Water International (37:6, 2012 and 41:6, 2016), gathers selected papers on law and governance presented at the IWRA's 16th

World Water Congress, held in Cancun, Mexico, in 2017. AIDA has played a key role as a contributor to this congress by leading the delivery of the programme's water law and governance track. The articles selected and published in the volume outline the role of law in water management and suggest solutions to make laws flexible and adaptive to changes in scientific knowledge and environmental, social and economic conditions. Each contribution addresses the topic with a different focus and offers an in-depth analysis of legal challenges related to the creation of interdisciplinary bridges. S. Burchi opens the issue with an exploration of the latest trends in the development of domestic water law through an analysis of the evolving legal frameworks of countries representing different regions of the world. He highlights the emerging role of the environment, the increasing attention being paid to the impacts of land-based activities on water quality and natural water-retention processes, and concerns about providing proper recognition of custom-based rights and practices. He further identifies emerging trends, including the human right to water, the recognition of legal personalities in rivers and the promotion of alternative dispute-resolution mechanisms to facilitate access to justice in water disputes. Looking at Canada, D. Curran examines the ability of provincial water laws to adapt to changing hydrologic conditions when there is no longer enough water to secure all water entitlements. She notes that administrative orders regarding allocation are becoming increasingly common due to low flows or over-allocations, particularly in the west of the country. After analyzing the context of water law in Canada, she concludes that water law reform must enable planning, assessment of cumulative effects and monitoring at the basin scale, and must include recognition of the Aboriginal rights to water. Herrera et al. consider water disputes in Chile, where water management and allocation are based on a free-market approach. They provide a multidimensional study of adjudicated disputes involving water rights, which shows a substantial increase of legal disputes regarding water rights, as well as legal arguments and strategies used in their pursuit. Bolado and Pateiro explain how water considerations affect Spanish urban planning. After decades of unsustainable growth based on property speculation and rampant construction, legislative and judicial interventions have recently mandated that proof of the existence of sufficient water resources to fulfil the estimated needs of any urban planning must be provided before authorization for new projects may be granted. E. Garner provides key information for improving the effectiveness of aquifer management efforts worldwide. He identifies and elaborates on the factors that have led to successful management of certain aquifers, such as the Geneva Aquifer in France and Switzerland, the Los Sotillos Aquifer in Spain, the Eastern Snake Plain Aquifer in Idaho, and a number of California basins. E. Quadri examines the evolution of cooperation in the case of the transboundary Nubian Sandstone Aquifer System, shared by Chad, Egypt, Libya and Sudan. She notes the importance of procedural norms in this evolution and recommends increased reliance on substantive norms in order to reach a more mature level of cooperation based on the 2008 UN Draft Articles on the Law of Transboundary Aquifers. The volume concludes with two contributions dealing with the impacts of water management on two different aspects of biodiversity: migratory fish in Finland (Soininen et al.), and forests in Ecuador and Arizona (Moscoso and Larson). This Special Issue is available from <https://tandfonline.com/doi/full/10.1080/02508060.2019.1600250>

- *The Law of International Watercourses*, by S. C. McCaffrey, 3rd Edition, Oxford University Press, 2019. This book examines the rules of international law governing the navigational and non-navigational uses of international watercourses. The world's growing population places increasing demands on Earth's finite supplies of freshwater. Because many of the most important river and lake basins and groundwater aquifers are shared between two or more states, competition for increasingly scarce freshwater resources is likely to grow. Agreements between the states sharing international water resources are negotiated, and water disputes are resolved, against the backdrop of the rules of international law governing the use of these precious resources. The basic legal rules governing the use of shared freshwater for purposes other than navigation are reflected in the 1997 UN Convention on the Law of the Non-Navigational Uses of International Watercourses, which is now in force. This book devotes a chapter to the Convention, but also examines the factual and legal context in which the Convention should be understood. It considers the most important substantive and procedural rules of the Convention in some depth and discusses specific issues that are not addressed in a framework instrument of that kind. The book reviews major cases and controversies concerning international watercourses as a background against which to consider the rules set out in the Convention. This third edition covers the implications of the 1997 Convention, as well as its compatibility with the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes. It updates the previous edition by adding new material to many of the chapters and considering new case studies. The book may be purchased online at <https://global.oup.com/academic/product/the-law-of-international-watercourses-9780198736929?cc=ch&lang=en&>

- ***Principles of Water Law and Administration, National and International***, by Dante A. Caponera, revised and updated by Marcella Nanni, 3<sup>rd</sup> Edition, Taylor and Francis, London, 2019. This book was first published in 1992 and then updated in 2007. It provides a tool for dealing with the legal and institutional aspects of water resources management within national contexts and at the level of transboundary water resources. Like its two previous editions, it seeks to cover all aspects that need to be known in order to attain good water governance, but it provides updates concerning developments since 2007. These relate, *inter alia*, to the following: the “greening” of water law, which calls for the progressive integration of environmental law principles into domestic and international water law; the adoption, by the International Law Commission in 2008, of the Draft Articles on the Law of Transboundary Aquifers, and subsequent developments; the emergence of the right to water as a self-standing human right; the adoption of domestic water laws supporting integrated water resources management (IWRM) and enhanced public participation in planning and decision making; the integration into these laws of tools facilitating adaptive water management as a response to climate variability and change; progress in the implementation of EU law; the present status of international water law as reflected in recent international agreements and judicial decisions; efforts of regional organizations other than the EU to steer cooperation in the management of transboundary water resources and the harmonization of national laws; and, institutional mechanisms for the management of transboundary water resources. Unique in its scope and nature, the book identifies the legal and institutional issues arising in connection with water resources management and provides guidelines for possible solutions in a manner accessible to a wide range of readers. Thus, it is a useful reference for lawyers and non-lawyers — engineers, hydrologists, hydrogeologists, economists, sociologists — dealing with water resources within government institutions, river basin commissions, international organizations, financing institutions and academic institutions, among other things, and also for students of disciplines related to water resources. The book may be obtained from <https://www.routledge.com/Principles-of-Water-Law-and-Administration-National-and-International/Caponera-Nanni/p/book/9781138610569>.

- ***Decolonising Peasants’ Marginalisation in African Water Law***, by Barbara Van Koppen, Barbara Schreiner and Pinnie Sithole, in Issue 26/2 of the Journal of Water Law, Lawtext Publishing, 2019. After describing customary water rights in selected African countries and the water allocation systems introduced by colonial rulers, and their evolution, this article highlights both the injustices that the colonial legacy of permit systems creates for peasants and the administrative overloads that these systems currently pose on states. A new hybrid approach to water law appropriate to the African context is proposed, both to end the criminalisation and marginalisation of the large numbers of peasants using water under customary law, and to enable states with limited capacities to focus on the smaller number of high-impact water users where regulation and avoidance of conflicts between statutory and customary water law is most warranted. Among the issues to be addressed, there is the need for equal legal standing of entitlements of those using water under formal legal systems and those using water under customary law, and the option for prioritisation in line with constitutional requirements. Without superior entitlements but with strict procedural requirements, permits can become regulatory tools that are well targeted to the (relatively few) large-scale water users who (potentially) have the strongest negative impacts on other water users and on aquatic ecosystems. These include foreign investors in large-scale agriculture-based land acquisitions.

- ***Reforming Water Law and Governance, from Stagnation to Innovation in Australia***, by C. Holley & D. Sinclair (eds.), Springer Nature Singapore Pte Ltd, 2019. This book identifies the most effective water policy tools and innovations and the circumstances that foster their successful implementation by taking a comparative look at a world-leading ‘laboratory’ of water law and governance, that is, Australia. In particular, the book analyzes Australia’s 20-year experience implementing a hybrid governance system of markets, hierarchical regulation, and collaborative integrated water planning. Part I is devoted to the Murray-Darling Basin and reviews progress and challenges in the multi-jurisdictional governance of its waters; Part II is about water markets and their implementation; Part III (Collaboration and Participation) deals with litigation, coordination and water rights; Part IV dwells on future governance challenges – cumulative impacts, resource industries and climate change. The book may be purchased online, at <https://www.springer.com/gp/book/9789811089763>.

- ***Use of Experts in International Freshwater Disputes, a Critical Assessment***, by M. M. Mbengue & R. Das, Brill Research Perspectives in International Water Law, Vol. 4.3, 2019. Based on selected case studies, this monograph examines the role of experts in the resolution of international freshwater disputes.

The authors then proceed to the identification of good practices and shortcomings, and offer suggestions as to how experts may be better involved and used in order to achieve more efficient and fair dispute resolution. The publication is available online at <https://brill.com/view/title/56591>

- ***Notification concerning Planned Measures on Shared Watercourses, Synergies between the Watercourses Convention and the World Bank Policies and Practice***, by Salman M.A. Salman, Brill Research Perspectives in International Water Law, Vol. 4.2, 2019. Notification of co-riparian states of planned measures on shared watercourses that may result in significant adverse effects has been widely accepted as one of the established principles of international water law, now codified and elaborated by the 1997 UN Watercourses Convention. This monograph begins with an overview of the historical and legal origins of the notification requirement. It then examines in detail the provisions of the Convention, as well as those of the World Bank policies dealing with notification, including the content of notification and the different types of responses that the notifying state may receive from the notified states. It further discusses in detail possible objections to the planned measures, and how such objections are addressed under the Convention and the Bank Policy and practice. The monograph concludes by highlighting a number of comparators and synergies between the UN Watercourses Convention and the Bank Policy and practice, including the role of environmental impact assessments, shared groundwater resources, the different responses to notification, and how to handle objections from a notified state. The conclusion also stresses the potential positive outcomes of notification when undertaken properly and in good faith. This publication may be obtained from <https://brill.com/view/title/55613?rskey=xBHUMn&result=4>.

- ***The Human Rights to Water and Sanitation in Practice: Findings and lessons learned from the work on equitable access to water and sanitation under the Protocol on Water and Health in the pan-European region***, UNECE publication, 2019. The Protocol on Water and Health aims to achieve an adequate supply of safe drinking water and sanitation for everyone and to effectively protect water resources in the pan-European region. In pursuing such objective, it highlights the need to ensure equitable access to water and sanitation services ‘for all members of the population, especially those who suffer a disadvantage or social exclusion,’ and requires its Parties to set targets and implement specific measures in this regard. This publication features the experiences of eleven countries from the pan-European region that have established measures to ensure equitable access to water and sanitation. It presents the technical and policy actions taken by these countries and considers the practical steps that can be taken to improve the planning and financing of specific action plans. The publication, which may be retrieved from <https://www.unece.org/index.php?id=52870>, aims to inspire further action by policy, decision makers and other stakeholders to engage in self-assessments and in the development of enhanced strategic approaches to the implementation of measures geared to the achievement of equitable access to water and sanitation for all.

- ***La pax hidrica tra Stati e gli accordi di cooperazione. Tre casi di studio*** (The *pax hidrica* among states and the relevant cooperation agreements. Three case studies, in Italian), by AIDA member Elena Quadri. Aracne Editore, Collana Diritto e Ambiente, Roma, October 2018. ISBN 978-88-255-1850-4. After providing an analysis of international legal instruments relating to the management and protection of water resources, such as the 1997 UN Watercourses Convention and the 2008 Draft Articles on the Law of Transboundary Aquifers, this monograph focuses on the cooperation agreements for the Indus (India and Pakistan) and Uruguay (Argentina and Uruguay) Rivers and for the Nubian Sandston Aquifer System (Egypt, Libya, Chad and Sudan). The study examines the (political and other) challenges faced by the countries concerned during the process leading to the agreements, as well as the resilience of these agreements to changing circumstances. The monograph may be obtained from <http://www.aracneeditrice.it/aracneweb/index.php/publicazione.html?item=9788825518504>

- ***The Nubian Sandstone Aquifer System (NSAS): a case of cooperation in the making***, by AIDA member Elena Quadri. In: The Journal of Water Law, Volume 25 Issue 6, pp. 274-282, Witney-Oxford (GB), Jul 2018, ISSN 1478-5277.

- ***Transboundary Hydro-Governance: From Conflict to Shared Management***, by J. Ganoulis & J. Fried, Springer International, 2018. Attending water security is an important challenge and a major systemic risk humanity will face in the years to come, due to population increase, over-consumption of water, especially in agriculture, climate change and water pollution. This issue becomes more complicated in

transboundary water catchments, since these cover almost half of the world's land surface. Also, in many parts of the planet, such as Saharan Africa, population depends on groundwater resources located in transboundary aquifer systems. This book is the result of research on transboundary water management, water diplomacy and conflict resolution, and more particularly on water governance and how to bridge the gap between science and political decision-making. The book may be obtained from <https://www.springer.com/gp/book/9783319786247>

## 6. FUTURE EVENTS

- The *13<sup>th</sup> Meeting of the OECD Water Governance Initiative (WGI)* will be organized at Paris, France, on 9-10 January, 2020. It will discuss WGI contributions to global agendas, share knowledge and experience on recent water governance reforms and research and present OECD water governance reviews and ongoing work in Latin America, Africa and Asia. The agenda of the meeting is available at [http://www.oecd.org/cfe/regional-policy/Agenda\\_WGI\\_13th%20Meeting.pdf](http://www.oecd.org/cfe/regional-policy/Agenda_WGI_13th%20Meeting.pdf)

- The *2nd World Environmental Law Congress* will be convened jointly by UNEP, OAS and the IUCN World Commission on Environmental Law (WCEL) at Rio de Janeiro on 23-27 March, 2020. The lead theme will be 'Environmental law 2030 and beyond.' In his capacity as chair of the WCEL Water and Wetlands Specialist Group, the AIDA chairman will oversee the Water Justice and Security stream – one of the four parallel streams that will make up the scientific programme of the congress. The Brasilia Declaration of Judges on Water Justice ([https://www.iucn.org/sites/dev/files/content/documents/brasilia\\_declaration\\_of\\_judges\\_on\\_water\\_justice\\_21\\_march\\_2018\\_final\\_as\\_approved\\_0.pdf](https://www.iucn.org/sites/dev/files/content/documents/brasilia_declaration_of_judges_on_water_justice_21_march_2018_final_as_approved_0.pdf)) will be the centrepiece of the dedicated water stream. To read more on this event, go to <https://www.iucn.org/commissions/world-commission-environmental-law/events-wcel/upcoming-events/2nd-iucn-world-environmental-law-congress>

- *IUCN World Conservation Congress* (Marseille, 11-19 June, 2020). WCEL has put forward proposals to hold Forums around a number of law-related themes, including, in particular, one on 'The role of judges as water protectors – The Brasilia Declaration of Judges on Water Justice'. More information may be retrieved from <https://www.iucncongress2020.org>

## 7. COMMUNICATION OF CHANGE OF ADDRESS AND E-MAIL

Please communicate any change of address and e-mail address to the Association and, possibly, provide us with information on what is happening in your part of the world in the field of water law and administration. *AquaForum* should continue to be a product of the Association as a whole.

**To contact AIDA, write to [info@aida-waterlaw.org](mailto:info@aida-waterlaw.org)**

## 8. PAYMENT OF ASSOCIATION DUES

To pay the annual association dues, which now amount to 50 EURO or the equivalent in US\$, follow the instructions provided on the Association's website, at <https://www.aida-waterlaw.org/how-to-join/>. Please note that a PayPal payment facility is also available, for the convenience of members. To ensure better record keeping by the Secretariat, please inform the Chairman of the Executive Council of payments made, by e-mailing to [stefano.burchi@gmail.com](mailto:stefano.burchi@gmail.com).