

## Seminar Report on Transboundary Aquifers and International Law: The Experience of the Guarani Aquifer System

31 August 2010

The School of Law of the University of Surrey in Guildford, UK, through its Environmental Regulatory Research Group, brought together 43 participants from 23 countries and from very different backgrounds (international law, hydro-geology, geography, international relations, etc...) to discuss the current status of international law and policy of transboundary aquifers through the lens of a specific study: the management of the Guarani Aquifer System. Funded by the UK Engineering and Physical Research Council, the Institute of Advanced Studies of the University of Surrey and the School of Law of the University of Surrey, the seminar was divided in three sessions followed by a panel of experts that opened the floor for the final debate.



The first session, chaired by Dr Steve Pedley, Senior Researcher at the Robens Centre for Public and Environmental Health, and titled “Groundwater in a thirsty world”, provided the seminar with the necessary background and theoretical framework. Dr Mark Zeitoun, Senior Lecturer at the University of East Anglia, talked about “Groundwater and global water security”, followed by Dr Alice Aureli, UNESCO-International Hydrologic Programme (IHP), who provided the audience with an Introduction to the new phase of UNESCO’s Internationally Shared Aquifer Resource Management (ISARM) programme. The session was concluded by Mr Luiz Amore, Former Secretary-General of the Project for Environmental Protection and Sustainable Development of the Guarani Aquifer System, who delivered a presentation titled “The Guarani Aquifer management strategy developed by Argentina, Brazil, Paraguay and Uruguay”.

The second session titled “Transboundary Aquifers and International Law” brought together four leading experts in international water law, including the chair, Prof. Attila Tanzi, professor of Public International Law at the University of Bologna. Ms Kerstin Mechlem, lecturer at the Transitional Justice Institute of the University of Ulster talked about “International Law of Transboundary Aquifers” followed by Ms Raya Marina Stephan, consultant at UNESCO-IHP, who dwelled on “The Draft Articles on the law of Transboundary Aquifers: the process at the UN ILC”. The other two presentations were delivered by Mr Owen McIntyre, Senior Lecturer at the Faculty of Laws of University College Cork, under the following title “International Law Relating to Surface Transboundary Fresh Water and the International Law Commission’s Draft Articles on Transboundary Aquifers: A Missed Opportunity for Cross-Fertilisation?” and Mr Gabriel Eckstein, Professor at Texas Wesleyan University, who gave a presentation titled “Buried Treasure or Buried Hopes?: The Status of Mexico-U.S. Transboundary Aquifers and International Law”.

The third session, chaired by Mr Luiz Amore, titled “The law and policy of the Guarani Aquifer System” focused on the management and regulation of the GAS and saw presentations from Dr Maria Querol, member of the IUCN Commission on Environmental Law and Prof. Lilian del Castillo Laborde, Professor at the University of Buenos Aires. The former talked about “The Guarani Aquifer and the Treaty of the River Plate Basin” and the latter discussed “The follow up to the Guarani Aquifer Agreement”. Finally, Mr Francesco Sindico, organizer of the seminar, and Lecturer in Law at the School of Law of the University of Surrey delivered a presentation titled “The management of the Guarani Aquifer System and the UN ILC Draft Articles on the law of Transboundary Aquifers.” The seminar ended with a concluding session with

remarks from the three chairs of the previous sessions and from Prof. Malgosia Fitzmaurice, Professor of International Law at Queen Mary, University of London.

The day before the seminar Mr Francesco Sindico convened some of the speakers to the first meeting of the Advisory Board of the Surrey Centre on Transboundary Aquifers Governance (ScTAG), which was formally launched at the seminar. ScTAG will contribute to the UNESCO ISARM programme and its work on the Guarani Aquifer System wishes to be just the first of a number of studies, which will be policy relevant and linked to the University of Surrey internationalization strategy.

Francesco Sindico

Lecturer in Law, School of Law, University of Surrey

Director, Surrey Centre on Transboundary Aquifers Governance (ScTAG)