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World Water Week

Sustainable Management of the Shared Nubian Aquifer System

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Sustainable Management of Transboundary Aquifers



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Context and background

Work on transboundary aquifers (TBAs)

Relationship between emerging international law on TBAs and specific case studies

- Guarani Aquifer System
- Trifinio (GGRETA)
- Stampriet (GGRETA)



Outline

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- **Regional and global parallel transboundary aquifer policy developments**
 - **The Regional Strategic Action Programme for the Nubian Aquifer System and the UN International Law Commission Draft Articles on the Law of Transboundary Aquifers**
 - **The future implementation of the Regional Strategic Action Programme (in an SDG/climate change focused world)**
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Parallel transboundary policy developments

1992

- ***Joint Authority for the Study and Development of the Nubian Sandstone Aquifer System***
- Egypt and Lybia

1996/99

- ***Joint Authority for the Study and Development of the Nubian Sandstone Aquifer System***
- Sudan/Chad

2006/2013

- The Regional Formulation of an Action Programme for the Integrated Management of the Shared Nubian Aquifer (GEF/UNDP/UNESCO/IAEA)
- Regional Strategic Action Programme for the Nubian Aquifer System

Parallel transboundary policy developments

2013

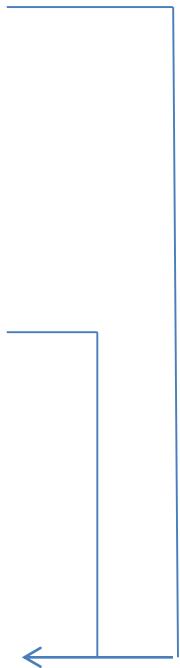
- Regional Strategic Action Programme for the Nubian Aquifer System

2016

- The General Assembly will discuss the UNILC *Draft Articles on the Law of Transboundary Aquifers* (again....)

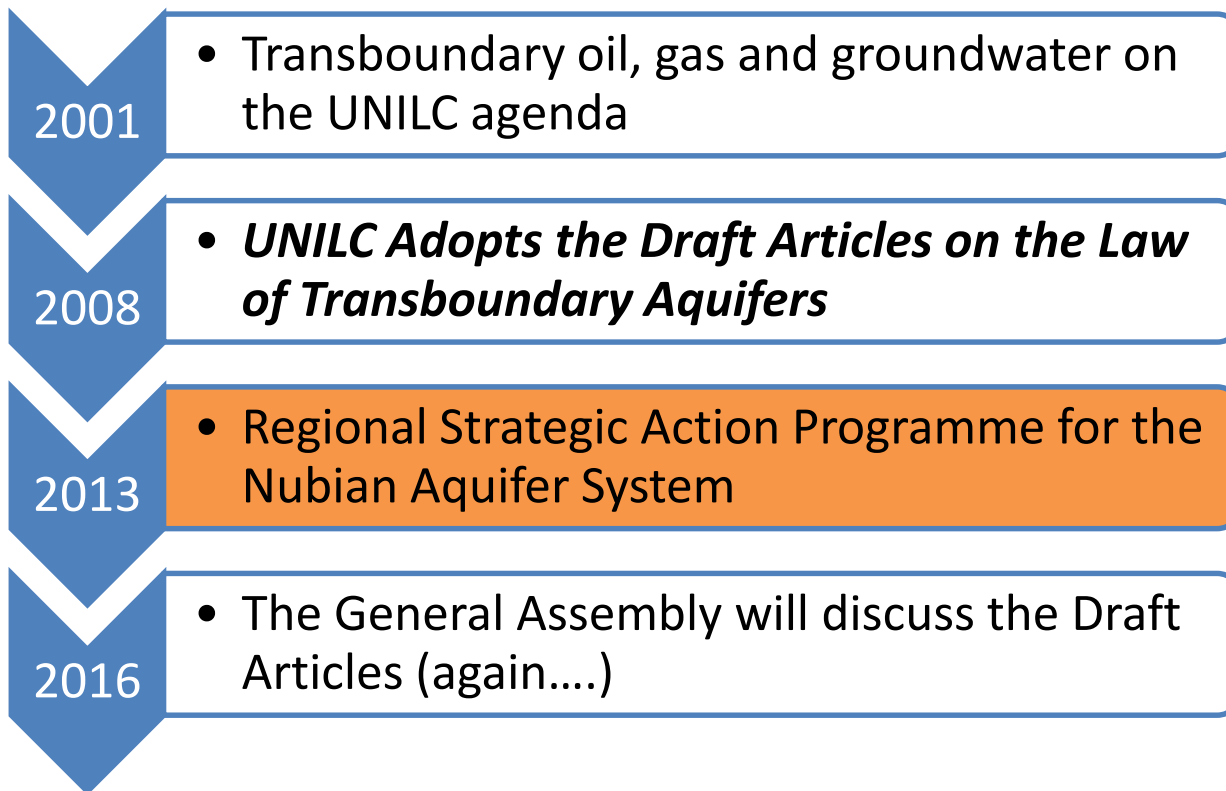
2016-2030

- Implementation of the Strategic Action Programme
- SDGs and the Paris Agreement



The SAP and the UNILC Draft Articles

To what extent does the SAP align itself with the UNILC Draft Articles on the Law of Transboundary Aquifers



The SAP and the UNILC Draft Articles

Water resources/environmental objectives:

- Sustainable and equitable (UNILC Draft Articles 4&5)
 - Mainstreaming environmental aspects and prevention of loss and damage (*Paris Agreement*)
 - Sustainable socio-economic basis
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Environmental management principles:

- Ecosystem based management approach (UNILC Draft Article 10)
 - IWRM (*SDG 6.5*)
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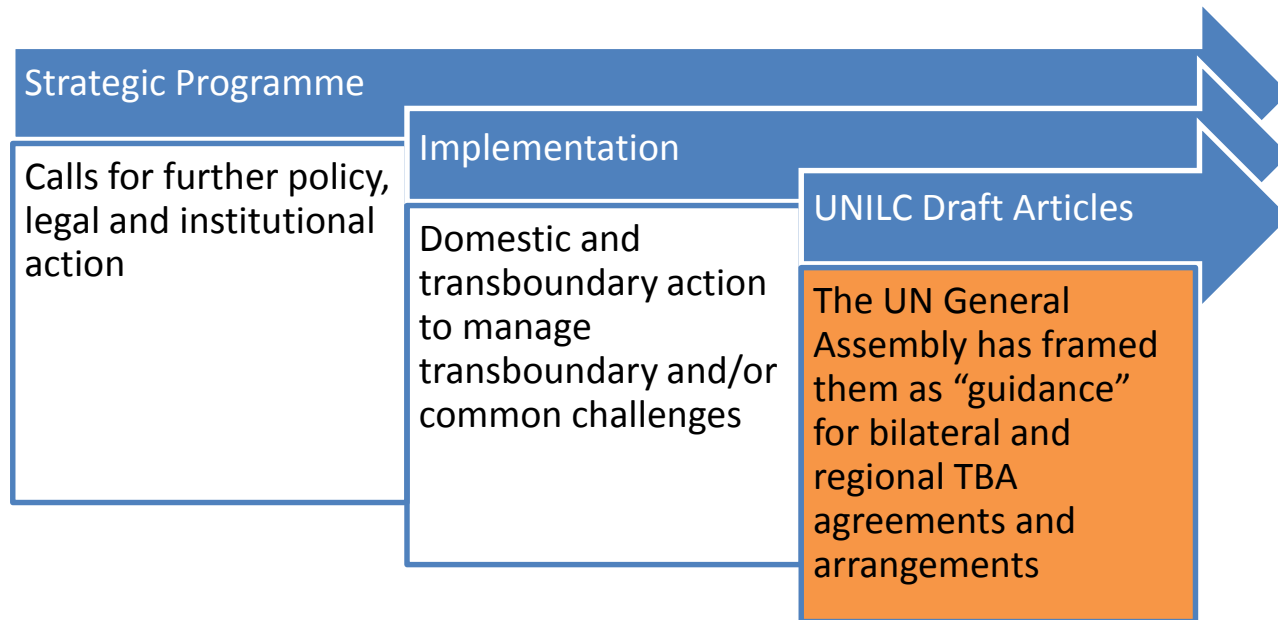
Principles:

- Sustainable Development
 - Precautionary (UNILC Draft Article 12)
 - Polluter pays
 - Anticipatory action
 - Accessibility of information (UNILC Draft Article 8&15)
 - Public participation and transparency (UNILC Draft Article 15)
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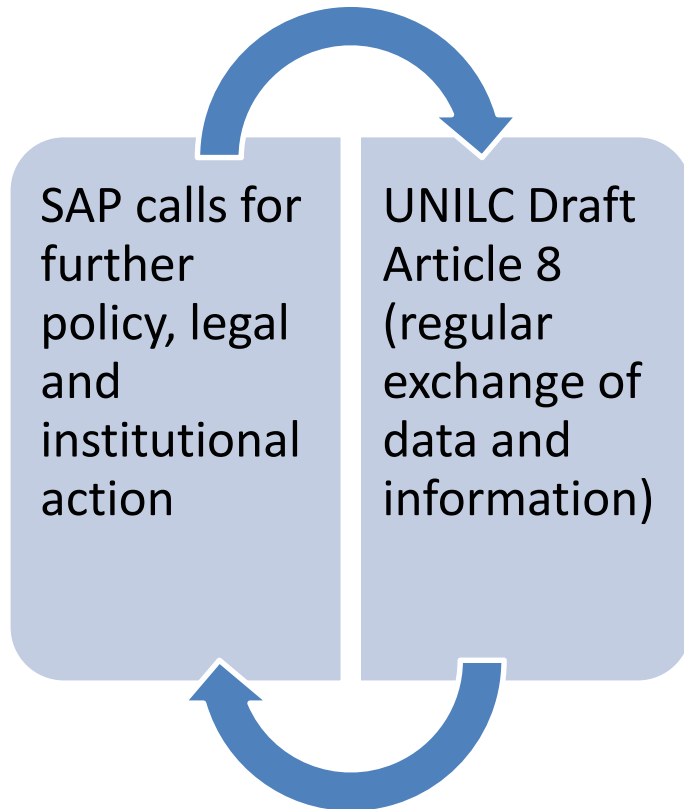
The Future Implementation of the SAP

Existing agreements on the Nubian Aquifer System is a good foundation, but it not sufficient



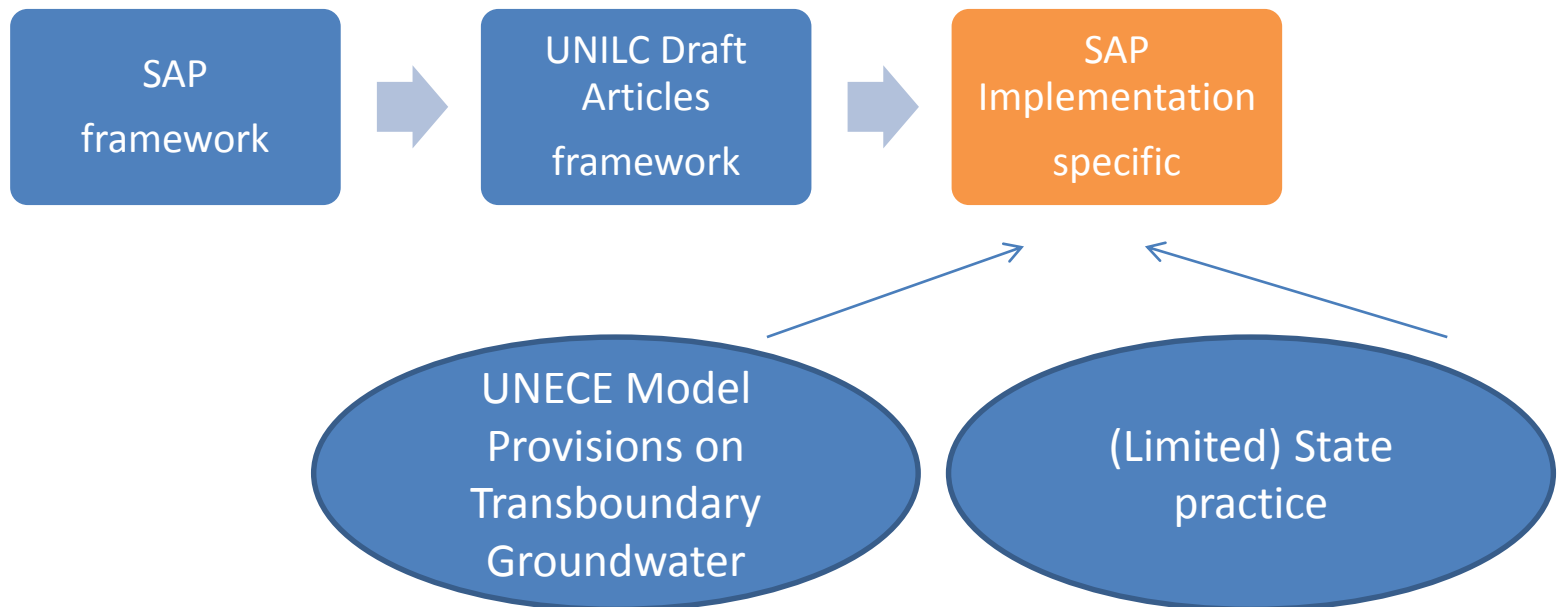
The Future Implementation of the SAP

Example: One of the SAP targets is to establish an enhanced cooperative framework on data exchange



The Future Implementation of the SAP

Example: One of the SAP targets is to establish an enhanced cooperative framework on data exchange



Conclusion I

Previous agreements on the Nubian Aquifer System and the Regional Strategic Programme are an example of a good practice in transboundary water cooperation, but more is needed for its implementation



Conclusion II

Implementation of the Regional SAP will benefit from an enhanced understanding of:

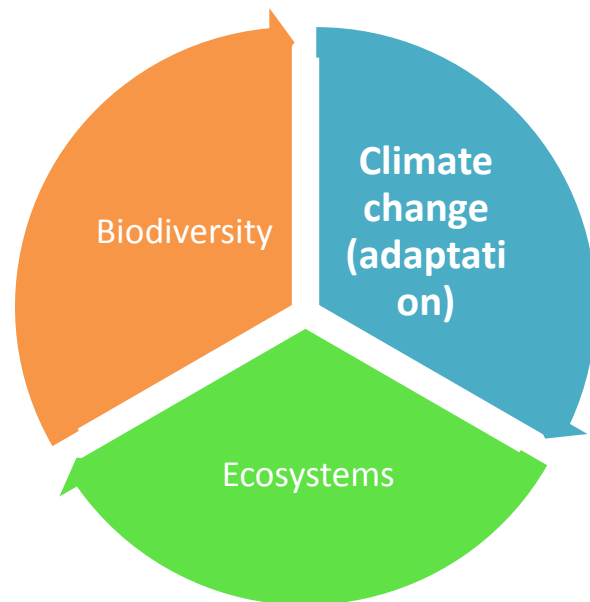
- **The emerging and evolving rules of international law applicable to transboundary aquifers and**
 - **The good practices stemming from the (few) existing agreements and arrangements.**
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Conclusion III

Implementation of the Regional SAP should be developed in collaboration with the national implementation of the SDGs and of the Paris Agreement

- **Implementation of the Regional SAP will help countries meet SDG 6.5 indicator on transboundary water cooperation**
 - **Implementation of the Regional SAP will also help move towards effective approaches to loss and damage and adaptation climate change related action**
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THE GLOBAL GOALS
For Sustainable Development

Thank you!

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Environmental Law and
Governance (SCELG)**

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Resources:

- **F. Sindico, Transboundary Water Cooperation and the Sustainable Development Goals, UNESCO-IHP Advocacy Paper, 2016, Doc. 2016/SC/HYD/SDGs-1, available at [http://www.strath.ac.uk/media/faculties/hass/law/scelg/Transboundary Water Cooperation and the SDGs.pdf](http://www.strath.ac.uk/media/faculties/hass/law/scelg/Transboundary_Water_Cooperation_and_the_SDGs.pdf)**
 - **G. Eckstein and F. Sindico, “The Law of Transboundary Aquifers: Many Ways of Going Forward, but Only One Way of Standing Still”, 23.1 Review of European, Comparative and International Environmental Law (2014), pp. 32-42**
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