

3rd Annual International Law and Transboundary Freshwaters Workshop 2012

Preparing for the 2013 International Year of Co-operation

June 11-14, 2012

IHP - HELP Centre for Water Law, Policy & Science
under the auspices of UNESCO, University of Dundee, UK

Workshop website: www.dundee.ac.uk/water/workshop



The challenges that humankind is now facing as a result of the global economic development, climate change and the growing world population are unprecedented. The need for a rule-based international society has never been greater.

Ingvar Carlsson • Chairman of Global Interaction Council •
Former Prime Minister of Sweden - 2008

International law related to transboundary freshwater serves three basic functions: (1) it defines and identifies the legal entitlements and rights and obligations tied to water use, providing the prescriptive parameters for its development; (2) it provides a framework for ensuring the continuous integrity of the regime, i.e. through monitoring, regulation, compliance, stakeholder participation, dispute avoidance and settlement; and (3) it allows for rational modifications of the existing regime, in order to be able to adapt to the constantly changing needs and circumstances.

The purpose of the workshop will be to explore these three functions of international law within the context of existing and potential challenges faced by transboundary basins (rivers, lakes and aquifers) throughout the world. The workshop will benefit from the collective knowledge and expertise of world-renowned speakers, all of whom have a 'real world' focus.

Key Questions:

- What is international water law and how does it promote regional peace and security?
- How do international legal frameworks support national decision-making related to transboundary water resources planning and management?
- Who is entitled to use transboundary freshwater resources – why and how?
- How does international law reconcile competing claims over transboundary freshwaters?
- How can states use international law to promote hydro-diplomacy?

Urge governments to recognize the urban water crisis for what it is – a crisis of governance, weak policies and poor management, rather than one of scarcity.”

Ban Ki-Moon • Secretary-General of the United Nations - 2011

Who should attend?

The workshop will benefit anyone concerned with the world's international watercourses, especially water resources experts, lawyers and non-lawyers, practitioners - including civil servants, policy makers, regulators and water suppliers - as well as academics, who wish to gain fresh insights into how international law can contribute to addressing existing and future challenges over the world's transboundary freshwater resources.

Comments on previous workshops

“ I had participated in many workshops and symposiums in different parts of the world. The International Law and Transboundary Fresh Waters Symposium and Workshop is unparalleled in terms of coverage, content, details and relevance.

Fekahmed Negash Nuru, Ministry of Water Resources, Ethiopia

“ Dundee UNESCO Centre for Water Law, Policy and Science has carried out a fabulous international training event in which we have gained basic required information on water laws and policy.

Alireza Salamat, RCUWM-Tehran

University of Dundee / Global Water Partnership Joint Scholarships

This Workshop on International Law and Transboundary Freshwaters



forms the first week of the IHP-HELP Centre's module on International Water Law, and the Centre has joined with the Global Water Partnership in offering 30 International Water Law Scholarships for each of the next 5 years. The Scholarships are available to applicants from any of the 2300 partner organisations which comprise the Global Water Partnership, and will allow participants to undertake the module in International Water Law, one of the core components of the UNESCO Centre's Water Law Water Leaders Programme. Further details on the Programme, including details on how to apply may be found at www.dundee.ac.uk/ad/gwp

Water Law Water Leaders Programme

International Water Law is one of the three core areas of water law covered by our Water Law Water Leaders (WLWL) programme. We also offer modules in national water law and the regulation of water services. Our aim is to develop a new generation of local water leaders globally. Further details can be found at www.dundee.ac.uk/water/wlwl

Workshop Chairs



Professor Patricia Wouters, Chair of International Water Law and Director of the IHP - HELP Centre for Water Law, Policy & Science under the auspices of UNESCO, has published, lectured and worked around the world on international water law and developed a globally renowned research team that also specializes in comparative national water law and the regulation of water services.



Dr. Alistair Rieu-Clarke, LLB, LLM, PhD is a Senior Lecturer at the IHP - HELP Centre. An expert on measuring the effectiveness of transboundary water governance regimes, his research focuses on governance and water resources management and involves case studies in Bhutan, Cambodia, China, Costa Rica, India, Portugal, South Africa, Spain and Vietnam.

Workshop Presenters



Mr. Musa M. Abseno is currently a PhD Candidate at the IHP-HELP Centre, whose research interests include Nile water issues; African river basins; the UN watercourses convention; and the interface between international-national water laws. A graduate of the Law Faculty of Addis Ababa University, Musa has worked as expert, Head of Transboundary Rivers Affairs Department of the Ministry of Water Resources of Ethiopia; member of the Panel of Experts and Negotiating Committee for the Nile River Basin Cooperative Framework Agreement; head of the National Nile Basin Initiative Office for Ethiopia; national legal consultant and later national project coordinator for FAO-Italy, Nile Basin Project.



Dr Zafar Adeel is the Director of United Nations University Institute on Water, Environment and Health (UNU-INWEH). He also served as the Chair of UN-Water in 2010 and 2011; a group that coordinates water-related work in 28 United Nations organizations and a number of international water organizations. He has served with UNU since 1998 and holds a Master's Degree from Iowa State University (1992) and a PhD from Carnegie Mellon University (1995). He served as a Senior Engineer at GeoTrans Inc. (USA) for a number of years before joining UNU. He has experience in a range of water and environmental issues, including monitoring and control of water pollution, water management in dry areas, solutions to industrial environmental problems, modeling of environmental systems and environmental policy formulation. He has led the development of a network of scientists working in water-scarce countries, particularly those in Africa, Middle East and Asia.



Professor Jeff Camkin is currently Professor (Water Resource Management) at the University of Western Australia Centre of Excellence for Ecohydrology, Visiting Professor at the National Laboratory of Civil Engineering in Portugal, and Research Associate with the UNESCO International Centre for Coastal Ecohydrology. He holds tertiary qualifications in science and natural resources law, and has worked in urban and rural water, irrigation, fisheries and other natural resources research, management, policy and governance for the last 20 years. In 2004 Jeff was a Churchill Fellow and has just received a 2012 Endeavour Executive Award to continue his work developing links between Europe and Australia in water research and management. He is the Australian Coordinator for the UNESCO HELP program.



Professor Geoffrey D. Gooch is Professor of Political Science and holds the EU Jean Monnet Chair of European Political Integration at Linköping University, Sweden. He is the IHP-HELP Centre's lead on Policy issues, projects and research. He works closely with water lawyers and scientists at the Centre on environmental issues, helping to integrate the Centre's different subject areas through his multidisciplinary Policy focus.



Dr. Alejandro Iza is Head of the IUCN Environmental Law Programme and Director of the IUCN Environmental Law Centre since January 2005, five years after joining the Law Programme as a Legal Officer. From a combined academic and practical background, his area of expertise includes a broad knowledge of international environmental law, with special focus on water resources and marine law, environmental protection and regional integration, especially in Latin America. In his academic career, he has taught public international law, the law of European Integration, environmental risks, and international environmental law. He was awarded a Doctor of Laws from the University of Buenos Aires, where he was also a lecturer and research fellow; and has conducted post-doctorate work at the University of Hamburg.

Workshop Presenters

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Professor Shahbaz Khan joined UNESCO in April 2008 as Senior Programme Specialist and Chief of Section on Sustainable Water Resources Development and Management. Before joining UNESCO, Dr. Khan was Professor and Director at the Charles Sturt University, Research Leader at CSIRO, and Programme Leader for System Harmonisation at the Cooperative Research Centre for Irrigation Futures, Australia. He has received a number of awards including the 2008 CSIRO's Research Achievement Medal, the 2007 Land and Water Australia Eureka Prize, the 2006 Charles Sturt University's Vice Chancellor's Research Excellence Award, the 2004 CSIRO Land and Water Partner or Perish Award, and the 2000 CSIRO Land and Water Exceptional Achievements Award.



Ms. Flavia Rocha Loures, JD., works in the field of environmental law and policy, first as an environmental attorney, and professor in Brazil, and more recently as Senior Programme Officer for WWF – the global conservation organisation – in the USA. Her focus is on the codification and development of international water law and on the implementation of water-related international conventions.



Mr. Bjørn-Oliver Magsig is currently doing his PhD in international water law focusing on water security at the IHP-HELP Centre. He holds a diploma in Business- and Environmental Law (University of Applied Sciences Trier, UC Birkenfeld, Germany), and an LLM in Environmental Law and Policy (CEPMLP, University of Dundee). Bjørn-Oliver is a member of the IUCN Commission on Environmental Law, the European Society of International Law, and the International Law Association.



Mr John Metzger is Head of Network Operations at the Global Water Partnership in Stockholm. He is from Canada with a background in Agricultural Engineering. He has more than 30 years of experience in water resources management and development in Canada and in many countries in Africa, Asia and Latin America. During his career he worked for governmental and international organisations and with private consulting companies. His interest in water law stems from his work in enabling just water management and development through projects and programmes ranging from local and regional water user associations for irrigation and drainage (e.g. in Canada, Pakistan and Egypt) through to international river basin organisations in Asia and Africa (e.g. the Mekong River Commission).



Dr. Owen McIntyre lectures in Environmental Law, EU Law, International Law, and Comparative Law at University College, Cork, Ireland. He has published extensively in all areas of environmental law, in particular in relation to emerging principles of environmental law and environmental liability. He serves on the editorial boards of a number of Irish and International journals.



Ms Ruby Moynihan is a researcher with the International Water Law Cluster at the IHP-HELP Centre for Water Law, Policy & Science, under the auspices of UNESCO, focusing on the development of normative principles of international water law and water security. Ruby also works on a research project with the World Wildlife Fund to enhance awareness of the 1997 UN Watercourses Convention. Ruby joins the Centre from New Zealand where she practised as an Environmental Lawyer. Prior to this Ruby was awarded Distinction from the University of Otago, New Zealand, for a Master's thesis on the International Law and Policy of Water Management and Allocation.

Workshop Presenters

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Dr Susana Neto is a researcher with the New University of Lisbon. She holds a degree in Civil Engineering, a Master of Science in Urban and Regional Planning and a PhD in Water and Territorial Planning from the Technical University of Lisbon. Susana is an Associate Researcher with the UNESCO International Centre for Coastal Ecohydrology. Between 1997 and 2001 she played a coordinating role in the development of the National Water Plan and 15 river basin plans for Portugal in the National Water Institute (INAG). Susana is the coordinator for the Guadiana river basin in the UNESCO-IHP HELP program.



Chaminda Rajapakse - with over 12 years of experience in assisting countries plan, develop and manage water resources, has worked extensively in Southern Africa and South and Southeast Asia. Starting his international career with the World Commission on Dams, he has worked with IUCN in Southeast Asia, and most recently for FAO as the manager of the GEF Okavango River Basin transboundary project, with Angola, Botswana and Namibia to identify emerging issues and develop a comprehensive strategic action program for the river and its related resources. He recently completed his second masters degree at Harvard University where he actively promoted discourse on the role of river basin management in regional cooperation.



Mr Juan Carlos Sánchez works in the International Union for the Conservation of Nature (IUCN) - Environmental Law Centre (ELC) as a Legal Officer since December 2009. Mr. Sánchez initially came to the ELC as a research fellow and has been working on water governance related issues since then. He holds a law degree from the University of Costa Rica and a Masters degree on Environmental Governance from the Albert-Ludwig University of Freiburg. His focus is on the development of cross boundary cooperation agreements at the local level for benefit sharing.



Dr. Francesco Sindico has recently joined the staff of the Graduate School of Natural Resources Law, Policy and Management at the University of Dundee where he works as Lecturer in International Law at the Centre for Energy, Petroleum and Mineral Law and Policy (CEPMLP). He previously worked as Lecturer in Law at the School of Law of the University of Surrey, where he also acted as Deputy Director of the Environmental Regulatory Research Group. From 2009 to 2011 he led an EPSRC-KT fellowship project in which he focused on the impact of the UN International Law Commission Draft Articles on the law of transboundary aquifers on the management of the Guarani Aquifer System in Latin America. Dr Sindico's research focuses on international groundwater law, but expands also to other International Environmental Law areas, such as international climate change and energy law and policy and its interaction with international trade rules.



Dr. Stylianos G. Skias, Assistant Professor of Engineering Geology and Environmental Geotechnics, at the Department of Civil Engineering, Democritus University of Thrace. His area of research and lecturing consists of the assessment/mitigation of geo-environmental hazards (mainly: landslides, floods, earthquakes and coastal erosion), natural degradation processes, natural slope stability and geotechnical evaluation of soft and complex rock formations. Besides, his interests include application of matrices and fuzzy sets theory on geotechnical and environmental problems, engineering geological aspects of waste disposal landfills, Environmental Impact Assessment (EIA), Sustainable Development (regarding the geo-environment and geo-environmental education and environmental legislation). Lately, he is engaged in research work regarding the integrated management of floods, especially as far as transboundary river basins are concerned (e.g. the Evros basin, where the intervention of hydro-politics/diplomacy means and legislative water-governance tools are of vital importance, in safeguarding an effective and efficient cooperation among the three riparian countries).

Workshop Presenters

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Professor Chris Spray is the IHP-HELP Centre's Chair of Water Science and Policy. His research interests focus on wetland ecosystem services; particularly how emerging research on wetland ecosystem services can be translated into policy and practice on the ground, with the focus on such ecosystem services as flood risk management, water quality improvements, habitat restoration and conservation of biodiversity - with a particular interest in swans and other waterfowl. Chris is interested in how to link the ecosystem service approach more directly to governance issues around how we value and protect the wetland environment for multiple benefits; and how this is communicated to and from stakeholders.

Chris has 25 years previous experience working in environmental regulation, and the water industry, including Director of Environmental Science for the Scottish Environment Protection Agency (2004-09), Director of Environment, Northumbrian Water Group; Conservation Manager for National Rivers Authority (Anglian region); and Research Fellow Aberdeen University.



Professor Dan Tarlock is Distinguished Professor of Law at the Chicago - Kent College of Law, Chicago. He is an internationally recognized expert in environmental law and the law of land and water use. Professor Tarlock is currently one of three United States special legal advisers to the NAFTA Commission on Environmental Cooperation.



Danka Thalmeinerova is a water expert who worked with the Slovak Ministry of Environment. She participated in projects related to EU approximation, water policy and legislative development, IPPC implementation, international treaty implementation and water pricing. For five years she was project manager for a Harvard University USAID project on environmental economics and policy in Central and Eastern Europe (CEE). She also led a team for several EU and UNDP/GEF-funded projects in CEE on implementing the EU Water Framework Directive. Danka has been a university lecturer, and received her Ph.D. from the Slovak Technical University in Bratislava.



Dr Mara Tignino is a Senior Researcher at the Platform for International Water Law at the Faculty of Law at the University of Geneva. Her areas of expertise include the protection of water in time of armed conflict, the rights and duties of non-state actors, and the settlement of water disputes. Dr. Tignino also serves as a consultant to governments, international organizations, NGOs and the private sector. She has been a Visiting Scholar at the George Washington University School of Law in Washington DC.



Dr. Sergei Vinogradov's main field of expertise includes international environmental law, international law of natural resources, law of the sea, as well as environmental and natural resource law of Russia and the CIS. He is a member of the Water Resources Committee of the International Law Association and of the Global Commission on Environmental Law.



Ms. Dinara Ziganshina is a PhD student at the IHP-HELP Centre. Dinara focuses on public international law as applied to transboundary waters in Central Asia and its effectiveness. She earned her law degree (J.D. equivalent) from Tashkent State Institute of Law in 2001. In May 2008 she successfully completed an LLM in Environmental and Natural Resources Law Program at the University of Oregon School of Law.



DAY 1 • Monday 11th June 2012

- 8:30 - 9:00** Coffee and Registration
- 9:00 - 9:15** Welcome • *Principal Pete Downes*
- 9:15 - 10:00** Transboundary Challenges - a HELP perspective, *Professor Shabaz Khan*
- 10:00 - 10:45** Why does international law matter?, *Professor Patricia Wouters*
- 10:45 - 11:00** Break
- 11:00 - 12:00** Keynote lecture continued
- 12:00 - 12:30** Climate proofing international water law as a way to address water insecurity, *Bjørn-Oliver Magsig*
- 12:30 - 13:30** Lunch
- 13:30 - 15:00** The codification and progressive development of the international law of watercourses, *Dr Sergei Vinogradov*
- 15:00 - 15:15** Break
- 15:15 - 17:00** Reconciling competing interests – the theories of allocation, *Dr Sergei Vinogradov*

Day 2 • Tuesday 12th June 2012

Special Session • Exploring the linkages between science and law from a transboundary perspective

- 9:00 - 9:15** Introduction, *Dr Alistair Rieu-Clarke*
- 9:15 - 9:45** Feeding science into decision-making at the transboundary level, *Professor Shahbaz Khan*
- 9:45 - 10:15** Enhancing the accessibility of science for improved stakeholder decision-making – Experiences from Australian HELP Basins, *Professor Jeff Camkin*
- 10:15 - 10:45** Ecosystems services and international watercourses, *Professor Chris Spray and Dr Alistair Rieu-Clarke*
- 10:45 - 11:00** Break
- 11:00 - 11:30** The role of scientific knowledge in the implementation of the Albufeira Convention, *Dr Susana Neto*
- 11:30 - 12:00** The law-policy-science interface in the Evros River Basin, *Dr Stelios Skias tbc*
- 12:00 - 12:30** Wrap Up, *Dr Alistair Rieu-Clarke*
- 12:30 - 13:30** Lunch
- 13:30 - 15:00** Reconciling competing interests through the principle of equity, *Dr Owen McIntyre*
- 15:00 - 15:15** Break
- 15:15 - 17:00** Keynote lecture continued

Day 3 • Wednesday 13th June 2012

- 9:00 - 10:45** Procedural and institutional aspects of the law of international watercourses, *Dr Owen McIntyre*
- 10:45 - 11:00** Break
- 11:00 - 12:30** Keynote lecture continued
- 12:30 - 13:30** Lunch
- 13:30 - 14:00** Joint institutions in Practice – an introduction, *Professor Geoffrey Gooch*
- 14:00 - 14:30** The Aral Sea Basin, *Dinara Ziganshina*
- 14:30 - 15:00** The Nile Basin, *Musa Abseno*
- 15:00 - 15:15** Break
- 15:15 - 15:45** The Okavango Basin, *Chaminda Rajapakse*
- 15:45 - 16:15** The Danube Basin, *Danka Thalmeinerova*
- 16:15 - 16:45** The Mekong Basin, *John Metzger*
- 16:45 - 17:00** Wrap up, *Professor Geoffrey Gooch*

Conference Dinner

DAY 4 • Thursday 14th June 2012

- 9:00 - 10:45** Dispute settlement mechanisms, *Professor Dan Tarlock*
- 10:45 - 11:00** Break
- 11:00 - 12:00** Defining equity – experiences from US Supreme Court practice, *Professor Dan Tarlock*
- 12:00 - 12:30** Non-state actors and the law of international watercourses, *Dr Mara Tignino*
- 12:30 - 13:30** Lunch
- 13:30 - 14:15** The role of hard and soft law in regulating international watercourse - insights from the Mekong, *Professor Philip Hirsch*
- 14:15 - 15:00** Building River Dialogue and Governance, *Dr Alejandro Iza and Juan Carlos Sanchez*
- 15:00 - 15:15** Break
- 15:15 - 16:15** International law and transboundary aquifers: the role of the UNESCO ICHARM Programme, *Dr Francesco Sindico*
- 16:15 - 16:30** Wrap up, *Professor Patricia Wouters and Dr Alistair Rieu-Clarke*

Registration Information

Further information and to reserve your place, contact: Hugh Gunn

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or to reserve your place online, please complete the online registration form at:
www.dundee.ac.uk/ad/buyworldwater

Registration fee

The attendance fee for the 4 day workshop is £995.00

A discounted fee is available to those reserving their space by 11th May 2012

Discounted accommodation rates may be available in the area, please contact h.j.b.gunn@dundee.ac.uk for further information

Travel

Dundee has its own airport and train station and can also be reached easily from Edinburgh airport. Local travel can be made by foot, bus or taxi. Full details of the venues and maps will be sent to all registered delegates.

Cancellation

Cancellations must be received in writing no later than 11th May 2012 in order to be eligible for partial refund. Substitutions for registered participants may be made at any time, but we would appreciate prior notification.

The IHP-HELP Centre for Water Law, Policy and Science under the auspices of UNESCO reserve the right to change the advertised presenters and agenda without prior notice to registered delegates.

