



5<sup>th</sup> General Meeting

**Network of Asian River Basin Organizations**

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# **Water Security in International Rivers**

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**Issues of my presentation:**  
**Two burning issues in these days**

- **Transboundary Environmental Impact Assessment (EIA): Regulatory framework and role of RBO**
- **Coping with Climate Change: Decision-making under uncertainties and role of RBO**

## **Answers to the questions**

**Q1: What is happening in Asia?**

**A1: Perceptions are there, while actions are not yet.**

**Q2: What are current perceptions on achieving water security?**

**A2: Many seem to feel that “something should be done”, while no consensus exists about “what should be done.”**

**Q3: How can we achieve water security in river basins?**

**A3: My presentation is for this sake.**

# Pulp Mills Dispute on the River Uruguay (Argentina versus Uruguay)



**Business as usual? Not quite!**

# ICJ gave the second judgement in its history on International Waters



## INTERNATIONAL COURT OF JUSTICE

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Press Release

Unofficial

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20 April 2010

### Pulp Mills on the River Uruguay (Argentina v. Uruguay)

The Court finds that Uruguay has breached its procedural obligations to co-operate with Argentina and the Administrative Commission of the River Uruguay (CARU) during the development of plans for the CMB (ENCE) and Orion (Botnia) pulp mills

The Court declares that Uruguay has not breached its substantive obligations for the protection of the environment provided for by the Statute of the River Uruguay by authorizing the construction and commissioning of the Orion (Botnia) mill

# Transboundary EIA must be carried out

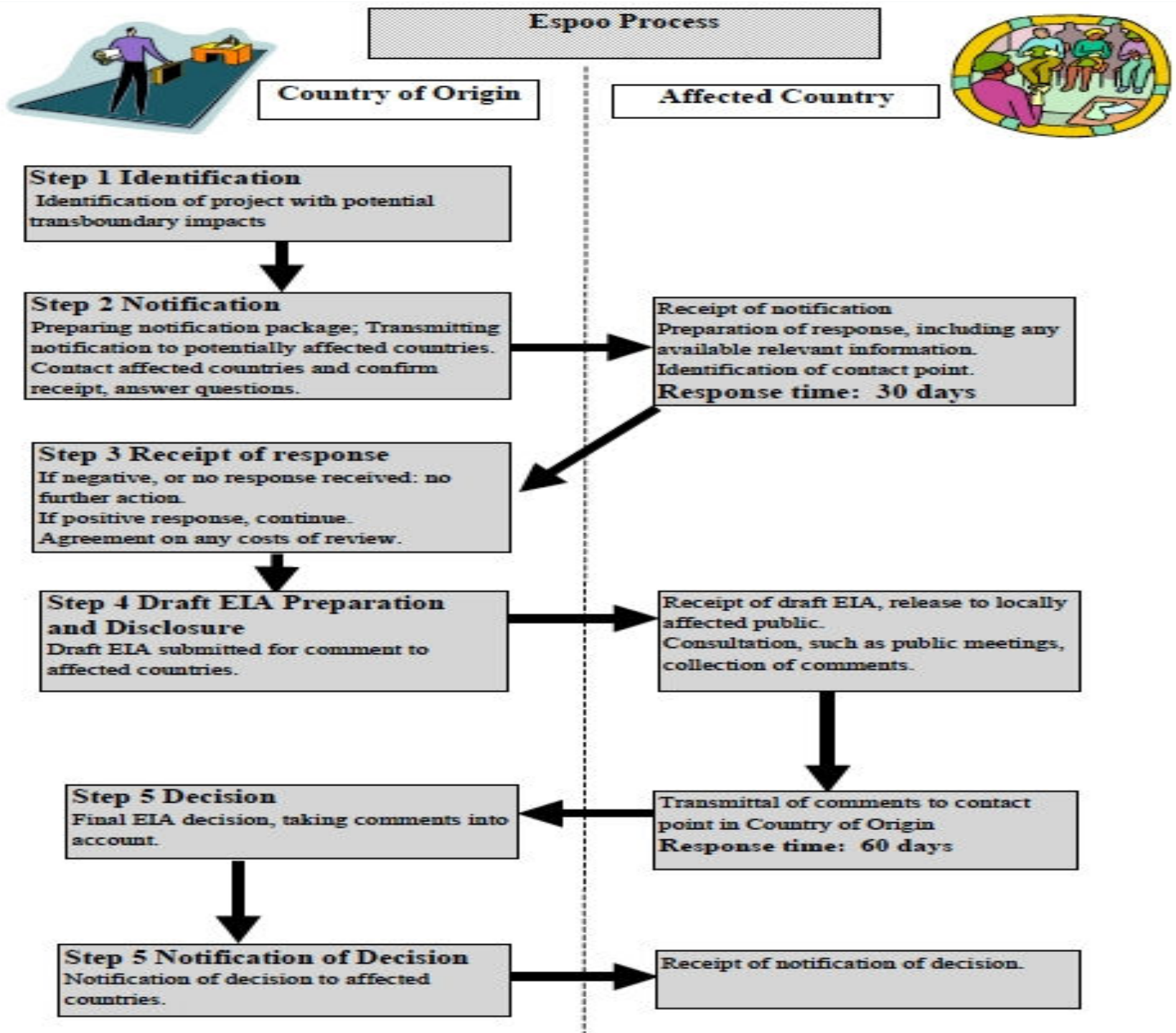
## Summary of the Judgment of 20 April 2010



... a practice, which in recent years has gained so much acceptance among States that it may now be considered a **requirement under general international law to undertake an environmental impact assessment** where there is a risk that the proposed industrial activity may have a significant adverse impact **in a transboundary context, in particular, on a shared resource.**

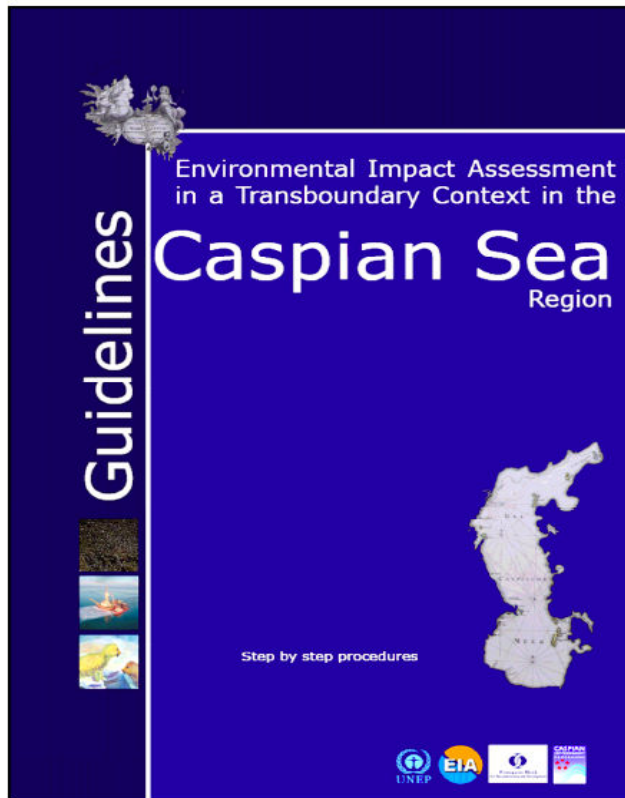
## What should be done?

- Carrying out transboundary EIA is not a luxury but a “must” action for basin countries.
- RBO should be instrumental to institutionalize transboundary EIA among member states.
- Espoo Convention could be a good model as regulatory framework.
- If EIA may not be done accurately, Institutionalize “notification by country of origin” alone should be very effective.





# Success in Caspian Sea



- Many plans for off-shore oil wells required a regulatory framework.
- After “Guidelines”, more stringent “Protocol” is to be adopted.
- Success in the Caspian Sea has become a model, being followed by the Black Sea etc.

**Excellent “success story” to be followed by RBOs.**

## How RBOs may address Climate Change?

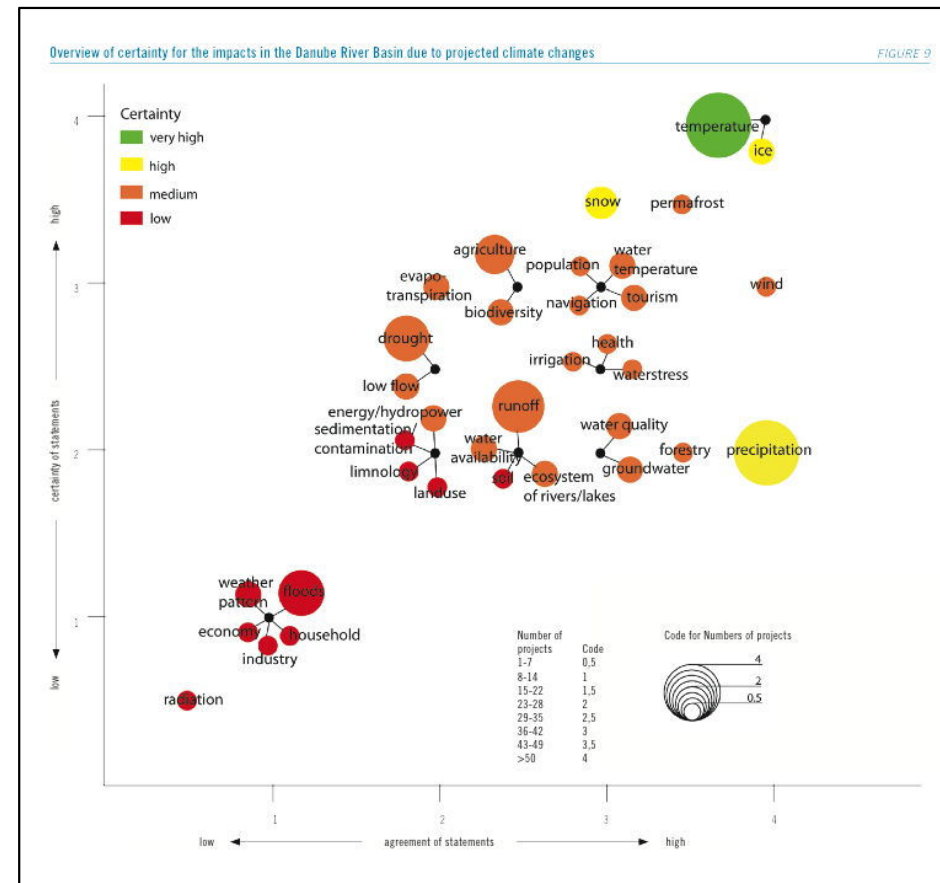
- Decision-making under uncertainty is never easy.
- Some good practices exist in the developed world, e.g. Rhine and Danube Rivers.
- “Key for success” should be explored.
- Attaining symmetry of both information and recognition among basin countries seems pivotal.
- Avoiding or mitigating “asymmetry” should be the first thing to be done by RBOs.

# A good practice in Danube River

**ICPDR Strategy on Adaptation to Climate Change**

**icpdr iksd**  
International Commission for the Protection of the Danube River / Internationale Kommission zum Schutz der Donau

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**Thank you for your attention!**



**(Mekong River - Photo by Mikiyasu Nakayama)**