

Codification of International Law for Transboundary Aquifers by the United Nations

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One of the important functions of the United Nations General Assembly is to codify the international law in order to establish the rule of law for the justice and order of the international community. The UN International Law Commission is the subsidiary organ of the UN General Assembly to prepare the basic documents for such codification. The Commission embarked on the work of formulating draft articles on the law of transboundary aquifers in 2002. The author was appointed as the Special Rapporteur for this project and the Commission was able to report to the UN General Assembly its final result in 2008. The UN General Assembly is to make its decision on how to proceed to transform these draft articles into the treaty. The most of the States have transboundary aquifers with their neighbours. The groundwater is an indispensable life support resource for the mankind and also the most heavily exploited single resource for which no alternative exists. The establishment of legal norms for the proper management of transboundary aquifers, protection of environment, international cooperation and pacific settlement of disputes among the States sharing the aquifers is urgently required by the international community. My address will be designed to present the background of the issue, how the draft articles are formulated in cooperation with hydrogeologists and groundwater administrators, main elements of the draft articles, positions of various States and the future prospect of the draft articles.

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