

Editorial: Management of International Waters

Introduction

The physical demands for water resources for various uses have steadily increased in the past in all countries. All the current analyses indicate that these demands will continue to escalate in the foreseeable future, unless radical changes can be made in existing water use and management practices all over the world. Unfortunately, prevailing trends indicate that the changes in use and management practices are occurring only incrementally, which means that there is going to be increasing imbalance between water available and water required in many parts of the world.

As new and exclusively national sources of water become scarce and increasingly expensive to develop, many countries in the tropical and semi-tropical climates will come under increasing national political pressure to consider the possibilities of utilizing the water available in international rivers, which often are one of the very few major sources of water that have not been developed in the past for complex political and legal reasons. Past experiences indicate that successful negotiations between the co-basin countries of international rivers have often taken two decades or more to arrive at a mutually acceptable water allocation plan. In addition, no acceptable legal regime now exists which could expedite the water allocation process in international rivers, even though the International Law Commission (ILC) of the United Nations was asked in 1970 to "take up the study of the law of the non-navigational uses of international watercourses with a view to its progressive development and codification..."

Two decades later, in 1991, ILC produced a draft report, though it is far from clear at present as to what will be its eventual fate. Based on my personal discussions with the political leaders of several countries who are now involved in disputes over water allocations in various international rivers, it appears that those countries who think that these draft regulations might be 'beneficial' to them to negotiate a treaty with the other co-basin countries would most likely accept them promptly, but others may not agree to such rules, and are likely to continue to insist on bilateral or multilateral negotiations, whatever the case may be. Even in the unlikely event of all the countries agreeing to accept such a legal regime, issues such as 'equitable and reasonable utilization and participation', 'appreciable harm', 'optimal utilization', 'adequate protection', etc. will continue to be difficult and contentious hurdles to overcome, and thus will require inter-country negotiations.

Because of the increasing global importance of the management of international rivers, lakes; and aquifers, the International Water Resources Association (IWRA) constituted a new Committee on International Waters in 1992 to study and discuss such complex issues. This Committee has already convened a series of discussions at high decision-making levels on several major rivers in Asia, the Middle East and Latin America. The Committee also established a

Middle East Water Commission under my Chairmanship, with leading international water experts on the region, Prof. John Kolars, Prof. M. Murakami, Prof. John Waterbury and Prof. Aaron Wolf, as its members. The final report of the Commission, entitled *Core and Periphery: A Comprehensive Approach to Middle East Water*, has been published by Oxford University Press in 1997. Oxford University Press has also published two other books that were prepared under the aegis of this IWRA Committee: *International Waters of the Middle East: From Euphrates-Tigris to Nile* (1993), and *Asian International Waters: From Ganges-Brahmaputra to Mekong* (1996). The latter book is now being translated into Japanese. A similar book on the Latin American rivers is now under publication in both English and Spanish.

The Committee has organized a Special Session on management of international waters for the World Water Congress in Montreal, Canada, in September 1997. The leading international authorities on international waters were especially invited to prepare papers for this session and present them in Montreal. The importance of the subject is indicated by the simple fact that each expert I approached promptly agreed to participate. I am most grateful to each of them for accepting this invitation.

All the papers in this Special Issue are from the Special Session of the World Water Congress in Montreal. On behalf of the IWRA Committee on International Waters, I would like to express our appreciation to all the authors. We have no doubt that the papers published in this issue will not only add to our knowledge on the complex issue of the management of international waters but also will make a major contribution to the current ongoing discussion on this topic, which is unquestionably going to be a critical water issue during the early part of the 21st century.

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