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**SAFEGUARDING THE RIGHT TO WATER FOR  
BASIC HUMAN NEEDS IN THE CONTEXT OF  
TRANSBOUNDARY WATERCOURSES:**

**ANALYSIS OF THE COMBINED USE OF  
TWO LEGAL REGIMES: INTERNATIONAL  
WATER LAW AND INTERNATIONAL  
HUMAN RIGHTS LAW**

## Abstract

Globally one in six people lack access to clean and safe water. In most cases a lack of water for survival and human dignity is not solely the result of physical water scarcity, but rather a problem of water management and allocation. The issue of relative priority of water uses and guaranteeing access to water in adequate quantity and safe quality also occurs in a transboundary context. One state's water scarcity might be the direct result of a lack of sound management of the waters of an international watercourse. International water law deals with the management of international watercourses and forms the legal starting point to consider whether access to water for vital human needs of riparian states' population is considered sufficiently. The analysis of international water law illustrated that this legal regime not adequately guarantees access to water for basic human needs in the process of balancing competing water interests and uses of riparian states. Therefore a corrective is needed, a human rights approach to water management. This thesis determines which direct international water law obligations derive from human rights law, more specifically the right to water. The thesis argues that states have to consider three principles in the management of international watercourses in order to realize the human right to water: priority of water for survival and human dignity, individual empowerment through the right to information and participation, and access to justice and (legal) remedies.

### Key words:

water scarcity - International Water Law – human right to water – transboundary watercourses

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**Table of Contents**

- I. Introduction ..... 3
- II. Water scarcity and water insecurity ..... 9
  - A. Water figures: a closer look..... 9
  - B. Interaction natural and man-made causes current water crisis ..... 11
- III. Increased pressure on international watercourses ..... 12
- IV. The problem of inadequate freshwater allocation, a crisis of water governance..... 14
- V. Different theoretical approaches of ‘water’ ..... 14
  - A. Public trust doctrine (The Commons) ..... 14
  - B. Water as a commodity ..... 16
  - C. Water as a human right..... 18
  - D. Public commodity approach ..... 20
- VI. Water management paradigms ..... 22
- VII. International water law ..... 24
  - A. Theoretical foundations ..... 25
  - B. Resolutions Institute of International Law (IIL) and the International Law Association (ILA) 27
  - C. United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses ..... 28
  - D. Water for basic human needs in international water law..... 30
- VIII. International Human Rights Law ..... 39
  - A. Towards the recognition of a human right to water..... 39
    - 1. Dealing with water problems at international water conferences and forums..... 40
    - 2. From the implicit to explicit recognition of a human right to water within international human rights regime ..... 43
    - 3. Legally binding human right to water for States parties to the ICESCR..... 47
  - B. Normative content of the right to water ..... 49
    - 1. Substantive Content..... 49
    - 2. Core content: ‘basic needs model’ ..... 53
    - 3. Procedural rights..... 55
  - C. Extraterritorial application human right to water ..... 57
    - 1. International human rights law is lagging behind ..... 57
    - 2. Significance extraterritorial application of the human right to water in the context of international watercourses ..... 60
    - 3. Extraterritorial obligations within human rights law..... 63
- IX. Direct obligations international water law deriving from international human rights ..... 77

A.	Priority of water for survival and human dignity .....	78
B.	Individual empowerment through the right to information and participation .....	81
C.	Access to justice and (legal) remedies.....	82
X.	Conclusion.....	84
XI.	Bibliography .....	87
A.	EU Documents .....	95
B.	UN Documents .....	96
XII.	Annex .....	99