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Sixth Committee

“The law of transboundary aquifers”

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Madam/Mr. Chair,

The Kingdom of the Netherlands appreciates the draft articles of which a great part reflects customary international law and existing international law, such as the 1997 Convention on the Law of Non-navigable Uses of International Watercourses.

For the Kingdom of the Netherlands, the international regulation of the uses of and impacts of transboundary aquifers is of the highest significance. The Netherlands is a country where many natural resources can be found that it shares with other States or areas beyond the limits of national jurisdiction. These include mineral deposits, such as oil and gas, and migratory species on land, in the air, and in the sea, but also groundwater, such as transboundary aquifers.

Sadly, transboundary aquifers around the world are becoming stressed as drought is increasing, as is the demand for water. Despite the continued emphasis on the necessity of properly managing aquifers, the unsustainable depletion of aquifers threatens groundwater reserves and puts ecosystems and life-sustaining water supplies at risk. This is a great risk, because no substitute natural resources exist for the transboundary aquifers.

The Kingdom of the Netherlands therefore agrees with the Commission's remarks in the commentaries to the draft articles on the Law of Transboundary Aquifers, that an urgent need exists to introduce proper management of groundwater resources.

As we have stated before, it would be preferable to consider the development of a convention on the law of transboundary aquifers only after the completion of the work of the ILC on other shared natural resources, such as oil and gas. Pending the completion of the work on all these shared natural resources, the adoption of a non-legally binding instrument on the law of transboundary aquifers may merit consideration as a

first step in the development of an adequate legal regime for the use of shared natural resources.

Furthermore, we wish to reiterate that in their current form the draft articles on the law of transboundary aquifers are valuable guiding principles for States concerned in bilateral or regional legal frameworks, agreements and arrangements so as to properly manage transboundary aquifers and transboundary aquifer systems. The Kingdom of the Netherlands commends States that have made agreements regulating transboundary aquifers.

Madam/Mr. Chair,

The Kingdom of the Netherlands remains fully committed to continued discussions on the law of transboundary aquifers.

Thank you, Madam/Mr. Chair