

THE LEGAL PROTECTION OF TRANSBOUNDARY AQUIFERS IN EUROPE

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ABSTRACT

The paper will analyze the status quo of transboundary aquifer protection in Europe by looking at the legal framework of the European Union and the UNECE and its implementation. The paper will discuss the different legal nature of the EU and the UNECE regimes, their complementarities and their interaction. Among the instruments that will be examined are the Water Framework Directive and the Groundwater Directive as well as the UNECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes and the Protocol on Water and Health. The paper will take into account recent developments such as the ongoing study of the UNECE of the application of the principles of the UNECE Convention to transboundary groundwater. Finally, it will evaluate the contribution that the recent ILC Draft Articles on Transboundary Aquifers could make to further developing this body of regional law of transboundary aquifer.

PALAVRA-CHAVE: transboundary aquifer, UNECE, EU, Water Framework Directive, ILC Draft Articles