

# Bulk Water Transfers

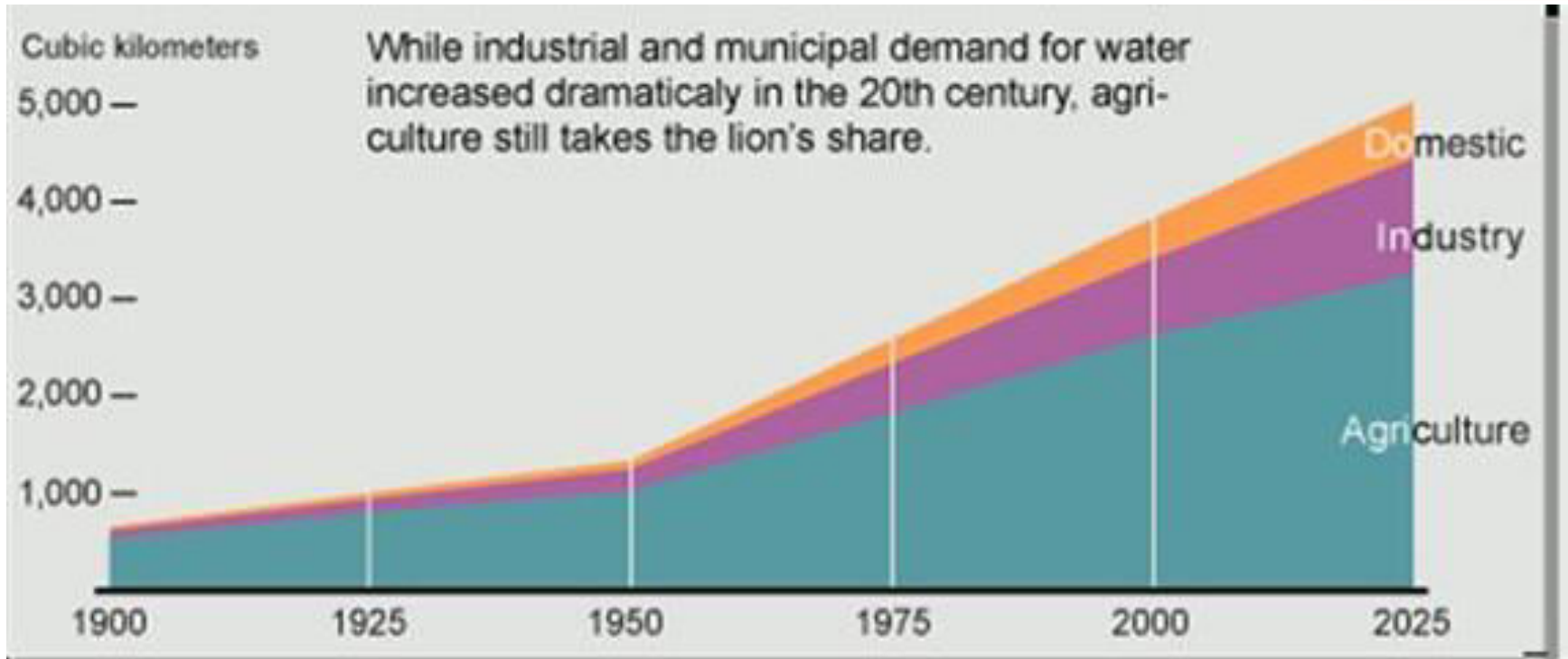
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PhD Researcher, University of Strathclyde

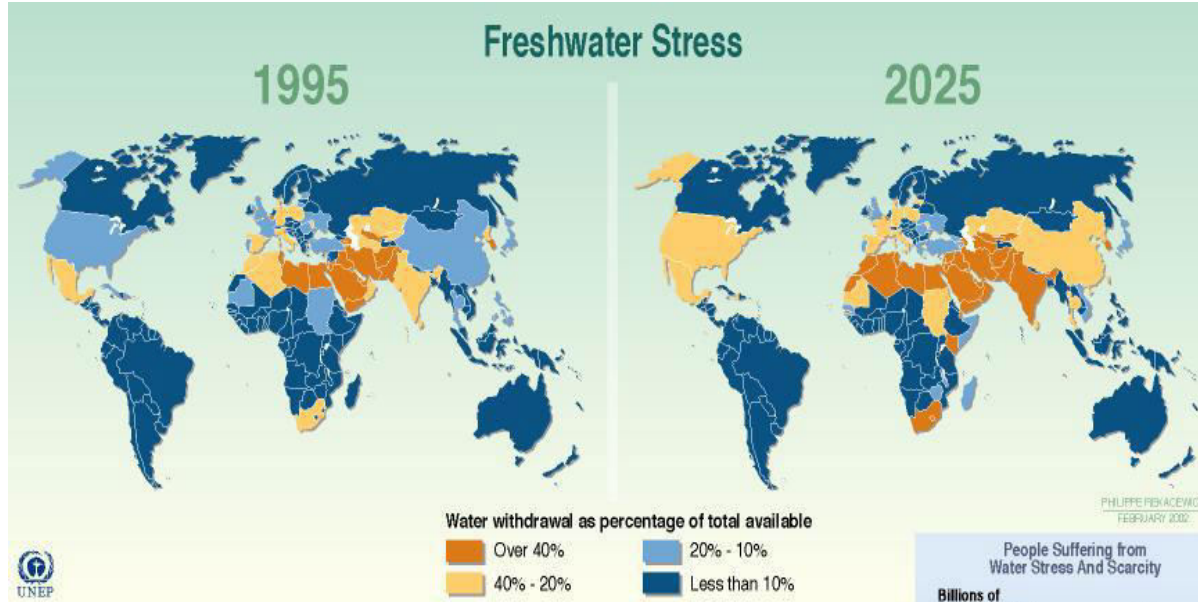
Visiting Scholar, Environmental Law Institute

World Water Congress, 28 May 2015

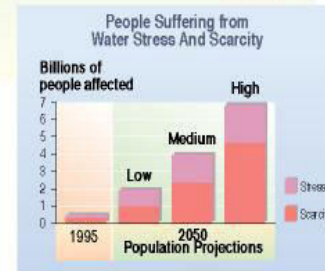
# Increasing needs



# Increasing stress on resources



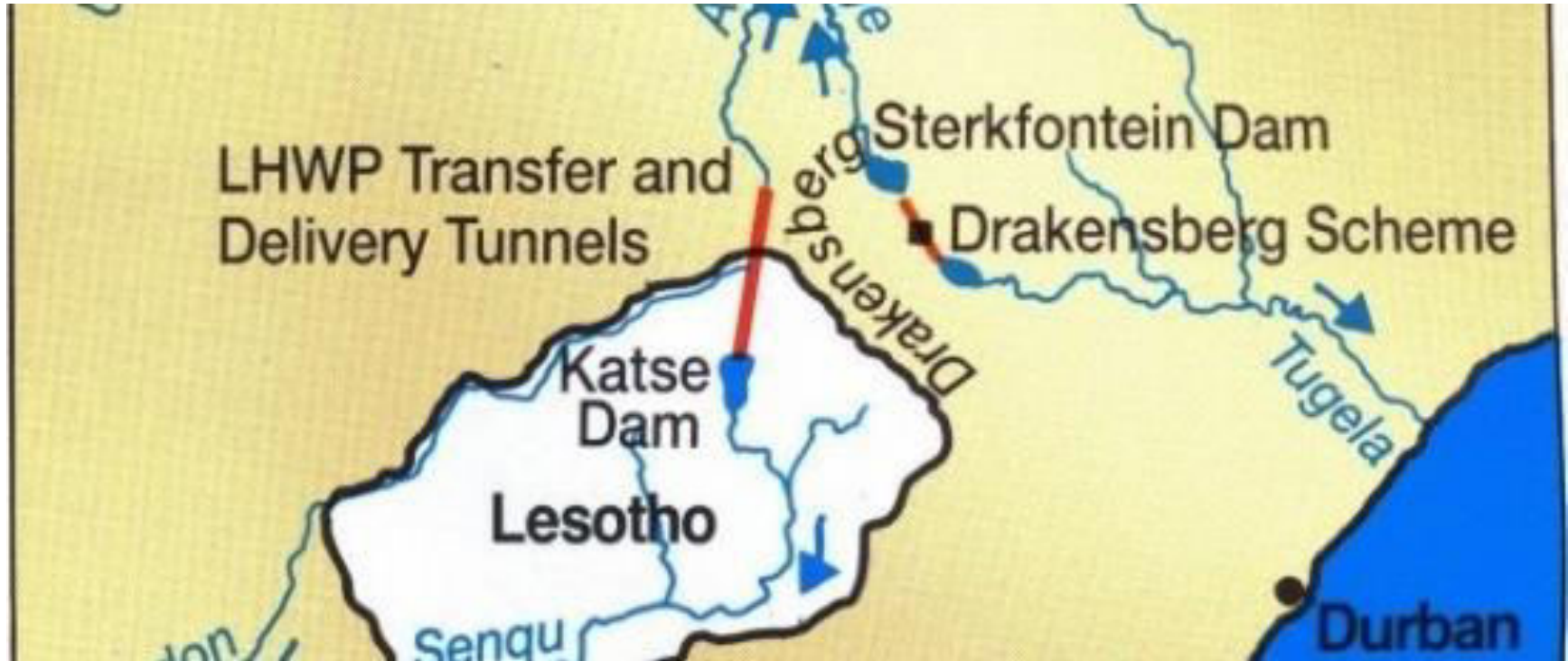
Source: World Meteorological Organisation (WMO), Geneva, 1996; Global Environment Outlook 2000 (GEO), UNEP, Earthscan, London, 1999.



# Malaysia to Singapore



# Lesotho to South Africa



# US and Canada



# Turkey to Cyprus (2015)



# Russia to China?





# Tankers??







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# Implications of Bulk Water Transfers

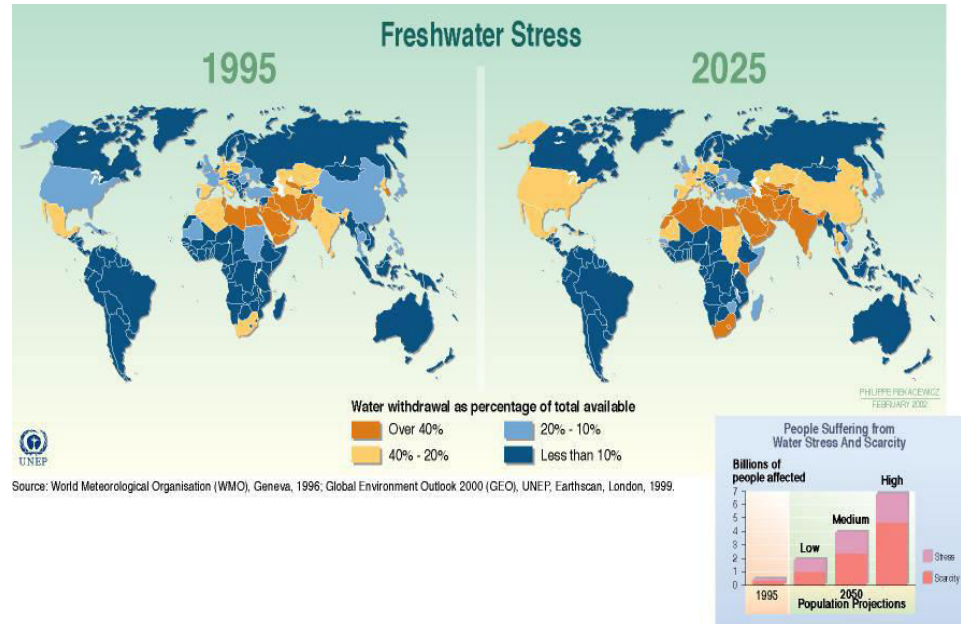
**Gabriel Eckstein, Professor of Law**  
World Water Congress, Edinburgh, Scotland  
25-29 May 2015



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# Implications: Water Stress

- ~900 million people do not have adequate drinking water
- ~2.6 billion people do not have adequate water for sanitation
- 5 million people die each year from diseases associated with unsafe drinking water, including 10,000 children under the age of 5 each day



# Implications: International Trade

GATT/WTO = Is water an economic good or product for purposes of international trade?

- Art. XI = Prohibits export restrictions and discrimination
- Art. XX = Exceptions
  - “**necessary** for the protection of human, animal or plant life or health”
  - “relating to the conservation of **exhaustible natural resources**”



# Implications: National Security

## Importing Country

- Dependency
  - National security risk
  - Availability of backup in the event of market failure or reduced supplies
- Artificial economies
- Effect on population and growth

## Exporting Country

- Need to meet increase in water demand to meet exports
- Water availability for domestic economic, recreational, and other purposes



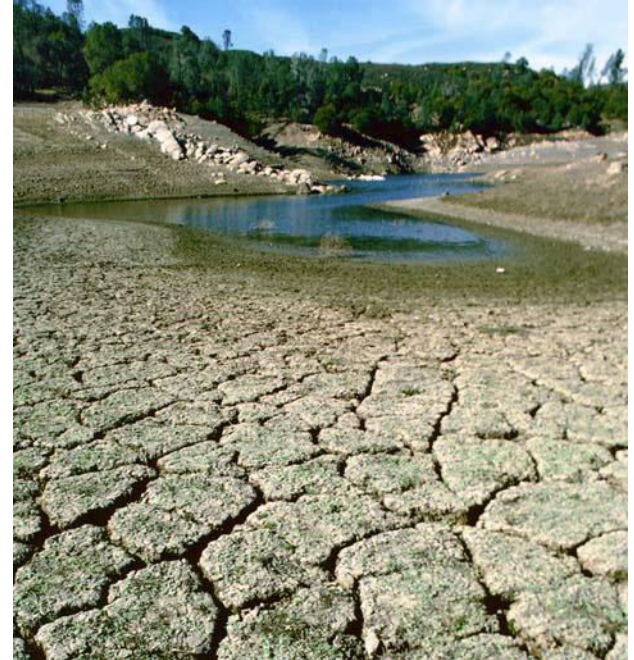
# Implications: Environment

## **Importing Country**

- Artificial, water-dependent ecosystems
- Microclimates
- Impact on natural ecosystems and habitats

## **Exporting Country**

- Water availability for domestic environment purposes
  - Instream flows
  - Habitats



# Implications: Regulation

- Water as economic good vs. water as a human right (mutually exclusive?)
- Water as an article of commerce under international trade law
- National security law
- Environmental protection/conservation regulations







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