

Islands, Freshwater and International Law: The Beginning of a Journey

Francesco Sindico

University of Strathclyde, Glasgow, United Kingdom. Climate Change Legal Initiative, Edinburgh, United Kingdom. IUCN World Commission on Environmental Law, Gland, Switzerland

Abstract

This paper will assess the role that international law plays in promoting good freshwater administration on islands at a domestic level, including in, but not limited to, the Faroe Islands. It will do so by providing an overview of island positions within three different, but interconnected areas of international relations. For each one, it will assess whether international law is advancing or ends up being a hurdle for island positions. By island positions this paper considers both island nations (and SIDS in particular) and sub national island jurisdictions, where possible. The three areas of international relations are the Programme for Action on SIDS, international climate change efforts (including the Under 2 Coalition, a global network of States and regions that includes sub national island jurisdictions), and global efforts to promote good water governance. All these areas are at a critical juncture. In May 2024, the Programme for Action on SIDS will launch its fourth ten-year strategy. The international climate change regime appears to have just agreed a deal on loss and damage, which is particularly relevant for islands. Finally, the international water community needs to deliver actions to implement recommendations stemming from the 2023 UN Water Conference.

This paper wishes to be the start of an ongoing mapping and critical assessment of how islands may rely on international law to advance their freshwater agenda. There are many other areas of international relations, which we will not have the time to discuss, such as, for example, the UN Sustainable Development Goals, which we plan to discuss in future iterations of this research. Overall, this paper and research related thereto wishes to accompany the IWRA Islands and Water Congress series in its effort to leverage practical solutions to island related freshwater challenges and unlock opportunities where they present themselves.

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