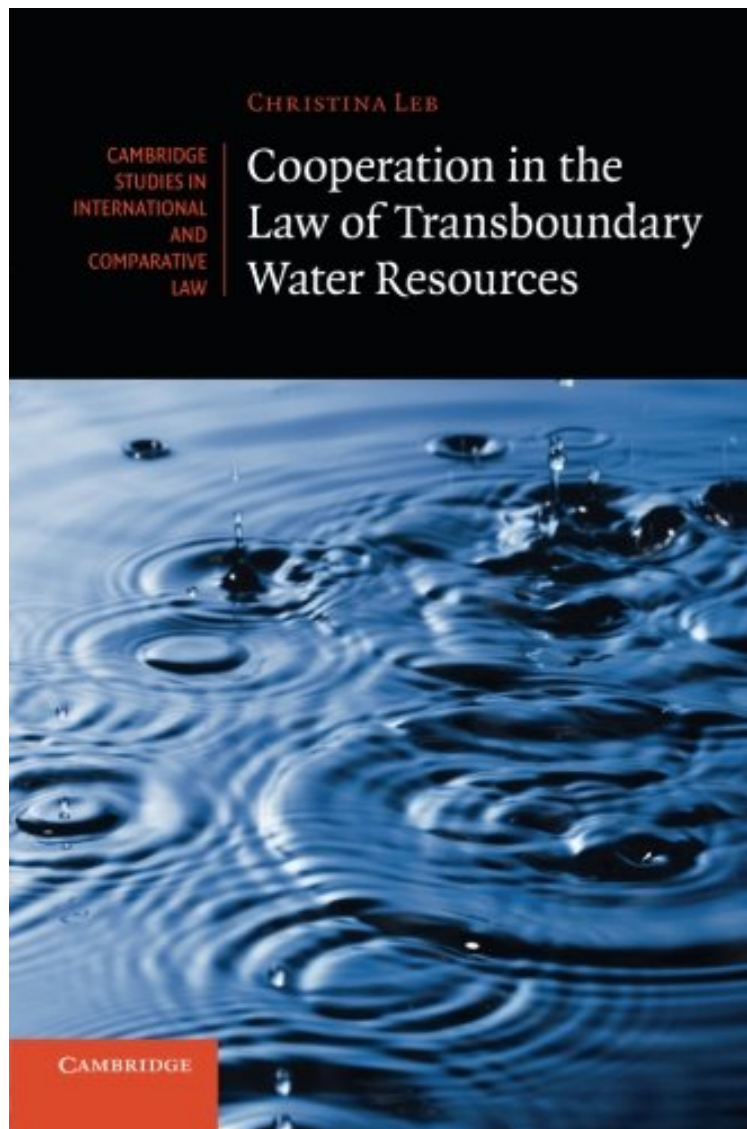


(Mobile library) Cooperation in the Law of Transboundary Water Resources (Cambridge Studies in International and Comparative Law)

Cooperation in the Law of Transboundary Water Resources (Cambridge Studies in International and Comparative Law)

Christina Leb

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#2122083 in Books Leb Christina 2015-11-26 2015-12-03 Original language: English PDF # 1 9.02 x .75 x 5.981, 1.08 #File Name: 1316500594366 pages Cooperation in the Law of Transboundary Water Resources | File size: 78.Mb

Christina Leb : Cooperation in the Law of Transboundary Water Resources (Cambridge Studies in International and Comparative Law) before purchasing it in order to gage whether or not it would be worth my time, and all praised Cooperation in the Law of Transboundary Water Resources (Cambridge Studies in International and Comparative Law):

0 of 0 people found the following review helpful. Good introductory text

By Customer

Accessible introduction to the legal and political disputes written in relatively plain language (e.g. no unnecessary legal jargon such as "jurisdiction competence and empowerment of the tribunal" or "standing of the parties to suite appearance and speaking rights before a court ") and includes a very well signposted piece-by-piece breakdown of the law, the facts, the parties, the political motives and objectives, and a legal and political analysis of the results of each dispute covered. Also quite short and to-the-point about each dispute. The book does not try to force down onto the reader any grand theory or proposition about international law or international politics (no avowal to international relations realism or -- god forbid -- deontological moral philosophy) but instead tries to tease out small pieces of facts and techniques to show how international law develops inside and outside of the courtroom. Some of the disputes covered ("disputes" in a political sense rather than a legal sense, since some of these never went outside of domestic courts and thus, normally, may not be within the purview of international law -- e.g. the dismantling of the French carrier *Clemenceau*. Purely from an international law techniques standpoint, it would have been difficult to imagine how NGOs or individual citizens (or even a business) of any state would have (let me use a jargon) standing before an international court or arbitral tribunal over the *Clemenceau* on its environmental issues; the monetary losses by the shipbreakers may be something else. The reviewer's only complaint (which may ask for too much from a single book) is that the book had not really delved into how international law may be used in non-western states. The examples in the entire book come from Europe and the Americas. The book would probably make for an accessible introduction to this particular subset of international law (watercourses law, not to be confused with law of the sea or shipping) to readers of both law and politics backgrounds, although a caveat may be helpful in positively remarking on the book: it is not clear, despite the book's statement in the introduction, that international law is further and more helpfully developed every time its principles and limits are pushed by real-life disputes and conflicts inside and outside of legal and diplomatic processes, particularly when non-western states are involved. It may be that, despite the existence of treaty texts, additional protocols and technical regulations, self-reporting mechanisms and monitoring mechanisms, there may be states which, even if they have the political will to honour them, do not have the administrative apparatus in place to give effect to the treaty provisions. It is hard to see how the development of the law could give effect to that particular law in such a situation.

Climate change, population growth and the increasing demand for water are all capable of leading to disputes over transboundary water systems. Dealing with these challenges will require the enhancing of adaptive capacity, the improving of the quality of water-resources management and a reduction in the risk of conflict between riparian states. Such changes can only be brought about through significant international cooperation. Christina Leb's analysis of the duty to cooperate and the related rights and obligations highlights the interlinkages between this duty and the principles of equitable and reasonable utilisation and the prevention of transboundary harm. In doing so, she considers the law applicable to both international watercourses and transboundary aquifers, and explores the complementarities and interaction between the rules of international water law and the related obligations of climate change and human rights law.

'Readers will find the final section of Leb's study, addressed to the emerging challenges for transboundary water management, a valuable reflection on the way transboundary water law is increasingly influenced by the evolution of international human rights law and global hydrological threats associated with climate change.' Steve Mumme, *The Journal of Water Law*

About the Author

Christina Leb is an associate member of the Platform for International Water Law at the University of Geneva and a consultant for the World Bank focusing on transboundary water resources management and cooperation.