



Statement of Portugal

at the 74th Session of Sixth Committee of the General Assembly

Agenda Item 85

The Law of Transboundary Aquifers

Check against delivery

Mr. Chairman,

In 2008, the International Law Commission adopted a Preamble and a set of 19 Draft Articles on transboundary aquifers under the topic "Shared Natural Resources". At its sixty-third session, the General Assembly accepted the Commission's recommendations, by taking note of the draft Articles and deciding to include them in the provisional agenda for its sixty-sixth session,

i0 Tw 62 (cl)57 (e)13 (o)1.3 (f.)0.5()13.3 (b)-4.TT7aecln toli(h)0.5(e)16 ()J0.001 Tc 0.0

The draft Articles incorporate principles of International Environmental Law and consider significant aspects relating to the human right to water – including through the references to “vital human needs”.

Mr. Chairman,

Without prejudice to the specific comments and observations over the previous years that Portugal has had the opportunity of sharing, we find that, on the overall, the solutions presented in the draft Articles are well balanced and in line with the evolution of contemporary International Law.

There are some resemblances with articles of the 1997 United Nations Watercourses Convention and with the 1982 United Nations Convention on the Law of the Sea, serving to demonstrate that these solutions are in line with the development of contemporary International Law. Moreover, the draft Articles are also compatible with existing European Union Law on this matter, which is binding on Portugal – namely the Directive establishing a framework for Community action in the field of water policy¹ and the Directive on the protection of groundwater against pollution and deterioration².

Mr. Chairman,

We thus encourage all States to actively contribute towards the development and universal codification of the Law of Transboundary Aquifers. In this context, Portugal reaffirms its belief that the draft Articles should evolve into a framework convention on the Law of Transboundary Aquifers.

Thank you, Mr. Chairman.

¹