

Table of legislation

Treaties, Conventions and other Instruments	
1994 Agreement: Agreement relating to the Implementation of Part XI of the UN Convention on the Law of the Sea 1982	132
Preamble	132
s 1 para 5k).....	132
s 1 para 5g).....	132
Abuja Declaration by African Ministerial Conference on Water (AMCOW), April 29–30, 2002.....	201
African Charter on Human and Peoples' Right (adopted 27 June 1981, entered into force 21 October, 1986.....	204
Art 16.....	205, 209
Art 24.....	205, 209
African Charter on Human and Peoples' Rights on the Rights of Women in Africa (13 September 2000) CAB/LEG/66.6 Protocol Art 15	217
African Charter on the Rights and Welfare of the Child (July 1990) CAB/LEG/24.9/49 Art 14.....	217
Agenda 21, adopted at the United Nations Conference on Environment and Development, Rio de Janeiro...134 Art 18, para 2.....	110
Agreement on Agriculture (AoA), WTO	24, 25–27, 69
Art 6.2.....	29
Arts 8–10.....	67
Annex 2.....	60, 67
Agreement on Technical Barriers to Trade (TBT), WTO	31, 32–34
Agreement on the Encouragement and Protection of French Investments in Indonesia (1973) 985 UNTS 258 Art 10.....	147
American Convention on Human Rights, art 44, Nov 22, 1969, 1144 UNTS 144 (AMCHR)	169
Code of Conduct on Accidental Pollution of Transboundary Inland Waters 1990 Section II, para 1.....	120
Convention against Torture, Cruel, Inhuman and Degrading Treatment or Punishment (CAT).....	178
Convention for the Elimination of All Forms of Discrimination against Women (CEDAW), UN GAOR, UN Doc A/34/46, (adopted 18 December 1979 entered into force 3 September, 1981).....	109, 171, 178, 204, 216
Art 14.....	216
Art 14(2)(h).....	171
Convention on Biological Diversity, UN, 1992 Art 3.....	119
Convention on the High Seas, 1958.....	126, 127, 128, 129
Art 2.....	127, 128
Convention on the Law of the Non-navigational Uses of International Watercourses 1997 Art 6(b).....	72
Art 7.....	120
Art 28.....	120
Convention on the Protection of Use of Transboundary Watercourses and International Lakes, 1992.....	109

Art 14 para 2.....	109	Eritrea-Ethiopia Claims	
Annex III, c.....	109	Commission, 2005	116
Convention on the Regulation of		EU-Canada Comprehensive	
Antarctic Mineral Resource		Economic and Trade	
Activities (not in force)		Agreement's (CETA, version	
Art 4, para 2.....	120	of 26 September 2014)	
Convention on the Rights of		Art X.08.....	99
Persons with Disabilities (CRPD)		European Charter on Water	
Art 28.....	216	Resources 2001(17 October	
Convention on the Rights of the		2001) CO-DBP (2001) 8.....	217
Child (CRC), 1992.....	109, 171,	GATT 1947	
	178, 238	Art XVI.....	25
Art 24.....	216	Art XVI:3.....	25
Convention on the Settlement of		Art XX.....	31, 32
Investment Disputes between		GATT 1994.....	39, 40, 41, 47, 69
States and Nationals of Other		Art III	32
States (ICSID Convention)		Art XI	32, 65
(1965) 575 United Nations		Art XX.....	32, 34, 43, 44, 60,
Treaty Series 159.....	146		95
Art 13(1)	148	Art XX(a)–(j)	34
Art 54(1)	149	Art XX(g)	44, 63
Convention on the Territorial Sea		General Agreement on Trade in	
and the Contiguous Zone,		Services (GATS) (Marrakesh	
1958.....	126	Agreement Establishing the	
Art 7, para 3.....	127	World Trade Organization,	
Art 10.....	127	annex 1B, General Agreement	
Convention on the Prohibition of		on Trade in Services), 1869	
Military or Any Other Hostile		UNTS 183, 1995.....	8, 36, 37, 38,
Use of Environmental			39–47, 53, 54
Modification Techniques,		Art I.....	40
1977, 31 UST 333, TIAS No		Art I(i).....	44
9614 (ENMOD)	174	Art I:3(b).....	40, 46
Declaration Granting Independence		Art I:3(c).....	40, 52
to Colonial Countries and		Art II.....	41, 42
Peoples and the Permanent		Art II:1.....	41
Sovereignty Declaration on		Art II:2.....	42
Natural Resources, 14		Art III	41
December 1960.....	129	Art III(iv).....	44
Declaration for the Establishment		Art VI	43, 50, 51
of a New International		Art VI:1.....	48
Economic Order A/RES/S-6/		Art VI:3.....	48
3201, United Nations General		Art XIV.....	43, 44, 49, 50
Assembly 1974.....	129, 130	Art XIV(a)	49, 50
Declaration on the Right of		Art XIV(b).....	44, 50
Development, GA Res 44/128		Art XVI.....	36, 41, 42, 43
(1986)		Art XVI(a)	44
Art 8.....	172	Art XVI:1.....	49
Dublin Statement on Water and		Art XVI:2.....	42, 49
Sustainable Development,		Art XVI:2(a)	49
1992.....	172	Art XVI:2(c).....	49

Art XVII.....	36, 41, 42, 43, 47	Geneva Conventions of 12 August 1949, Protocol II relating to the Protection of Victims of Non-International Armed Conflicts, 8 June 1977.....	179
Art XVIII.....	42	Hague Resolutions: Convention Respecting the Laws and Customs of War on Land art 23 (a), annexed to Convention [No IV] Respecting the Laws and Customs of War on Land, Oct 18, 1907, 37 Stat 2277.....	173
General Comment 15: Economic and Social Council 2003, 'General Comment No 15 (2002) The right to water (Arts 11 and 12 of the ICESCR)', E/C.12/2002/11	111, 112, 171, 172, 174, 179, 191	ILC (International Law Commission) Articles on State Responsibility	
Geneva Conventions: Convention on the Territorial Sea and the Contiguous Zone; the Convention on the High Seas; the Convention on Fishing and Conservation of the Living Resources of the High Seas, 1958.....	126, 127, 128, 129	Art 1.....	119
Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 12 August 1949.....	179	Arts 20–27.....	96
Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 12 August 1949.....	179	Art 20.....	96
Geneva Convention (III) relative to the Treatment of Prisoners of War, 12 August 1949, 6 UST 3316, 74 UNTS 135	179	Art 21.....	96
Art 20.....	173	Art 22.....	96
Art 26.....	173	Art 23.....	96
Art 29.....	173	Art 24.....	96
Art 46.....	173	Art 25.....	96, 97
Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War 1949, 75 UNTS 287, 6 UST 3516 (Fourth Geneva Convention)		ICSID Convention.....	229
Art 89.....	173	ICSID Arbitration Rules.....	230
Geneva Conventions of 12 August 1949, Protocol I, and relating to the Protection of Victims of International Armed Conflicts, 8 June 1977.....	179	r 32(2).....	229
Art 54.....	116	r 37(2).....	229
Art 55.....	117	International Convention on Elimination of all forms of Racial Discrimination (adopted 21 December 1965 entered into force 4 January 1969).....	204
		International Covenant on Civil and Political Rights (ICCPR), (adopted 16 December 1966, entered into force 3 January, 1976).....	112, 178, 204
		Preamble, para 1.....	204
		Art 4.....	109
		Art 6, para 1.....	109
		International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966	112, 178, 204
		Art 2(1)	154, 175
		Art 11.....	110, 112, 113, 152, 171, 174, 200, 205
		Art 11(1)	109, 152, 216

Art 11(2)	191	Art 212.....	139
Art 12.....	110, 112, 171, 174, 200, 205	Art 257.....	128
Art 12(2)	109	Lisbon Charter: Guiding the Public Policy and Regulation of Drinking Water Supply, Sanitation and Wastewater Management Services (2015), International Water Association.....	164
First Optional Protocol, Dec 16, 1966, 999 UNTS 302, Art 1	169	Marrakesh Agreement Art 23(3)(f)(ii) annex 2 (Understanding on Rules and Procedures Governing the Settlement of Disputes) (DSU).....	49
International Seabed Authority (ISA) 2013, Recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area, ISBA/19/LTC/8 (Recommendation of 2013).....	135, 136	NAFTA Preamble	96
International Seabed Authority (ISA), Regulations on Prospecting and Exploration for Cobalt-Rich Manganese Crusts and Polymetallic Sulphides (ISBA/18/A/11 and ISBA/16/1/12/Rev1).....	134, 135	OECD Guidelines of Multinational Enterprises	10
Reg 1	134	OECD Principles on Water Governance under the Water Governance Initiative (C/ MIN(2015)12).....	164
Law of the Sea Convention (LOS Convention): UN Convention on the Law of the Sea (UNCLOS), 1982	125, 127, 128, 129, 130, 131	Paris Agreement, FCCC/ CP/2015/L.9/Rev.1, 12 December 2015.....	140, 142
Pt V.....	126	Art 2, para 1.....	142
Art 1.1(1)	130	Protocol on Water and Health, 1999.....	109
Art 1(4)	128, 129	Rio Declaration 1992.....	119, 200
Art 49.....	128	Principle 3	118
Art 56.1(a).....	128	Principle 15	118, 133
Art 66.....	128	Principle 19	118
Art 76.....	126	Statute of the International Court of Justice (ICJ) Art 38.....	5
Art 78.....	128	Art 38 para 1	112
Art 85.....	128	Art 38(1)(b).....	120
Art 135	128	Stockholm Declaration: UN Conference on the Human Environment, Stockholm, 1972 para 3.....	115, 140
Art 140(1).....	130	Principle 1	118
Art 140(2).....	130	Subsidies and Countervailing Measures (SCM) Agreement, WTO	24, 27–28
Art 144(1).....	131	Subsidies Code, 1979.....	25
Art 144(2).....	132	UN Charter	110
Art 145.....	131	UN Convention on Biological Diversity, 1992.....	133, 134
Art 150.....	132		
Art 192.....	128, 138		
Art 194.....	128		
Art 194(1).....	120		

UN Convention on Non-Navigational Uses of International Watercourses, 1997	174	Art 31	96, 112
UN Framework Convention on Climate Change, 1992	139	Art 31(3)(c)	148
Preamble	118	Art 32	49
UN General Assembly Resolution 58/217, adopted 23 December 2003	200, 219	WHO Guidelines for the Safe Use of Wastewater in Agriculture 2006	124
UN General Assembly Resolution 64/292	13, 98, 113, 153, 200, 216, 238, 298	Free Trade Agreements (FTAs) and Bi-lateral Investment Treaties (BITs)	
UN General Assembly Resolution 68/157 (2013)	152, 153	Argentina–France, 1991	101, 163
UN Human Rights Council, Resolution A/HRC/RES/15/9	298, 311	Argentina–Italy BIT	163
UN Human Rights Council, Resolution 15/L.14	113	Argentina–Spain BIT	163
UN Millennium Declaration, UN G A/RES/55/2	110, 111, 123, 125, 219	Argentina–United Kingdom, 11 December 1990	80
UN Millennium Development Goals	7, 114, 188, 220, 233, 257, 321	Argentina-US	157
MDG 7C	257, 258	Canada-Colombia FTA (2008) Preamble	96
UN Stockholm Declaration 1972 Principle 21	117	Canada-Costa Rica FTA (2001) Preamble	96
Principle 22	117	Canada-Peru FTA (2008) Preamble	96
UN Sustainable Development Goals (SDGs), Resolution A/RES/70/1 (2015)	30, 114	Canadian Model BIT (2012) Art 15	95
SDG 6	23, 114, 115, 123, 257	France-Indonesia BIT	146
SDG 14	115	German Model BIT 2009 Art 3(4)	94
Universal Declaration of Human Rights (UDHR) (adopted 10 December 1948)	204	Japan-Papua New Guinea BIT (2011) Preamble	96
Art 25	170	Netherlands–Bolivia BIT (1992)	10, 229
Victims of International Armed Conflicts: Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts, opened for signature Dec 12, 1977, 1125 UNTS 3 art 54	173	United Kingdom–Tanzania, 7 January 1994	80
Vienna Convention on the Law of Treaties, 23 May 1969, 1155 UNTS 331; 8 ILM 679		US-Chile FTA (2003) Preamble	96
		US-Croatia BIT (1996) Preamble	96
		US Model BIT of 2012 Art 18	95
		Annex B(4)(b)	98
		US-Peru TPA (2006) Preamble	96
		NATIONAL LEGISLATION	
		Bolivia	
		Ley No 1544 – Ley Marco de Capitalización of 21 March 1994	101

Brazil		Pakistan	
Constitution 1988		Constitution	
Art 6.....	238, 240	Art 9.....	179, 185, 186, 187
Art 21, XX.....	240	Art 14.....	179, 185, 187
Art 23, IX.....	239	Art 25.....	179
Art 25, para 3.....	240	Art 38.....	191
Art 30, V.....	240	Art 155.....	180
Art 196.....	238, 240	Art 184.....	180, 185, 186
Art 220.....	238	Cantonment Pure Food Act 1966,	
Art 225.....	240	Explanation I.....	192
Law 6528/78 (Public sanitation).....	239	Environmental Protection Act 1997	
Law 8080/90.....	238	180, 187	
2007 Federal Law 11445.....	240	Art 14.....	180
Federal Decree 7217/2010.....	240	Art 16.....	190
Federal Decree 8211/2014.....	240	Art 20.....	180
		Factories Act (Amended) 1934.....	180
Gambia		Penal Code (PPC), (Act XLV of	
Constitution		1860)	
Art 216(4).....	177	Ch XIV.....	180
		s 11.....	187
India		s 277.....	187
Constitution		Pure Food Ordinance 1960	
Art 37.....	176	s 2.....	192
Art 38.....	175	Safe Drinking Water Act.....	182
		Water Resources Act 2007.....	181
Ireland		Baluchistan Ground Water Rights	
Water Services Act 2014		Administration Ordinance,	
s 3.....	318	1978 Ordinance IX of 1978.....	182
		Punjab Local Government	
Kenya		Ordinance 2001.....	183
Constitution, 2010.....	217	Art 52.....	184
		Art 53.....	185
Nigeria		Art 76.....	185
Constitution 1999.....	204, 211	Art 94.....	185
Ch 2.....	206, 209	Art 95.....	185
s 1.....	196, 206	Punjab Food Safety and Standards	
s 2.....	196	Act 2011	
s 3.....	196	s 2(f).....	192
s 6(6).....	209		
ss 13–24.....	206	South Africa	
s 14(1).....	206	Constitution 1996.....	170, 217
National Environmental Standards		§27(1).....	177
and Regulations Enforcement		§27(2).....	177, 178
Agency (Establishment) Act,			
2007.....	204	Uganda	
River Basins Development Act 1987		Constitution, National Objectives	
204		and Directive Principles of	
Water Resources Act 1993.....	204	State Policy XIV.....	177

United Kingdom		New Jersey Constitution, para 2 of s VII of art 4.....	48
Water Industry Act 1991		New Jersey Code s 2A: 40–1	48
s 61(A).....	218	New York Constitution, art I, s 9.....	48
United States of America		New York General Obligations Law s 5-401	48
United States Code (Wire Act), s 1084 of Title 18	48	South Dakota Codified Laws ss 22-25A-1–22-25A-15	48
United States Code (Travel Act), s 1952 Title 18	48	Utah Code (Annotated) s 76-10- 1102.....	48
United States Code (Illegal Gambling Business Act), s 1955 of Title 18	48	Zambia	
Colorado Revised Statutes ss 18-10- 103.....	48	Constitution (Constitution Act 1991) Art 112(d)	177
Louisiana Revised Statutes (Annotated) s 14:90.3	48	EUROPEAN	
Annotated Laws of Massachusetts s 17A ch 271.....	48	Water Framework Directive – 2000/60/EC.....	39
Minnesota Statutes (Annotated) s 609.755(1) and subdiv. 2–3 of s 609.75.....	48		