

## **INTERNATIONAL WATERCOURSES LAW AND THE UTILISATION OF FRESH WATER RESOURCES IN THE GANGES BASIN**

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### **1. Introduction**

Water is essential for the survival of not only human beings but also all forms of life on our planet. Owing to a number of dramatic man-made and natural changes taking place in our planet water related issues have come to occupy a high place on international agenda in recent years. A report published by the World Bank at the end of the last century, the twentieth century, stated that ‘many of the wars of this century were about oil but wars of the next century [i.e., the present one] will be over Water’.<sup>1</sup>

Around the Globe, many rivers have become unusable as sources of fresh water. Without putting deep attention and correct protection measure some international rivers could become liable for life threats rather than live savers. According to the World Water Commission, ‘more than one half of the world’s major rivers are being seriously depleted and polluted, degrading and poisoning the surrounding eco-systems, thus threatening the health and livelihood of people who depend upon them for irrigation, drinking and industrial water’.<sup>2</sup> The Commission also said that, ‘many of the rivers are being depleted because the global demand for water is rising sharply. The problem will be further aggravated by having to meet the needs for food, drinking water, and water for economic development of the additional two billion people on Earth by 2005’.<sup>3</sup> In 2000, on the World Water Day, The World Water Commission predicted that, over the next 25 years, worldwide water deficiency would turn out to be so disastrous that two in three people on the earth will face habitual depletion of water supplies.<sup>4</sup>

Rivers are the principal source of fresh water. There are no alternatives that can carry out the demand of fresh water other than this

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<sup>1</sup> Quoted from Surya P. Subedi (ed),(2005) *International Watercourses law for the 21<sup>st</sup> Century: The Case of the River Ganges Basin*, England : Ashgate Publishing Limited, p 1.

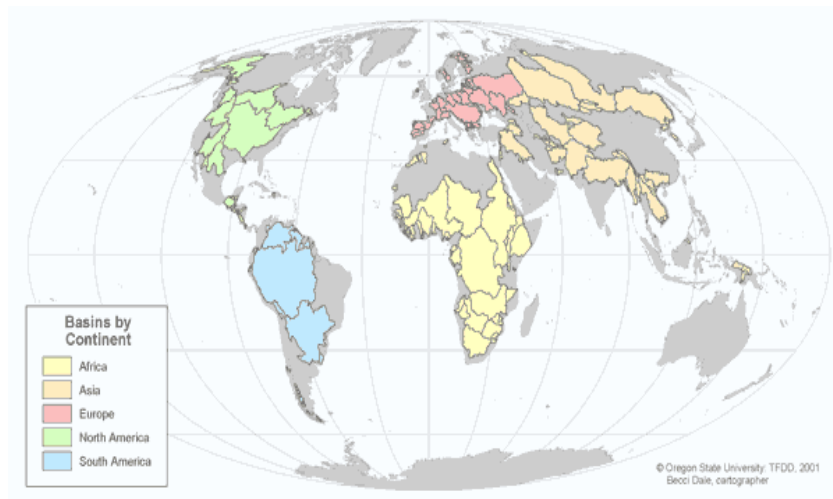
<sup>2</sup> Press Release of the World Water Commission *World Water Vision* 29 November 1999.

<sup>3</sup> *Ibid.*

<sup>4</sup> “Global thirst will turn million into water refugees” report made by World Water Commission, *The Independent* (London) 23 March 2001.

source. Day by day freshwater sharing problem<sup>5</sup> is booming to become a universal or international problem. Despite the fact that water disputes alone are not likely to flash a conflict, they are likely to fuel already existent, long-standing tensions within and between co-riparian states. Seeing as 1948, close to 40 incidents of conflict have taken place over water resources, most of which have taken place in the Middle East and South Asia. The dilemma of fresh water is becoming more acute in different part of the world<sup>6</sup> and is to be expected to pretense a warning to international peace and security in certain areas of the world such as the South Asia, Middle East and North Africa.

**Figure: 1**



**Figure1.** International river basins as delineated by the Transboundary Freshwater Dispute Database project, Oregon State University, 2000. *Data source: International River Basins, Wolf et al. (1999), updated 2001.*

<sup>5</sup> As illustrated in Figure 1, in the globe, two or more countries are sharing nearly 263 international rivers that either cross or demarcate international political boundaries for water resources. Geographically, Europe has the largest number of international basins (69), followed by Africa (59), Asia (57), North America (40), and South America (38). Out of these rivers, three-fifths of them have lack a feasible, cooperative management framework and water sharing conflict. Still most of the conflicts or problems not yet get the international acceptance or support but fighting for equal sharing in the bilateral or regional forums.

<sup>6</sup> For detail information and views, see Peter H. Gleick, 'Water in Crisis: A Guide to the World's Fresh Water Resources' (Pacific Institute for Studies in Development, Environment and Security, Stockholm Environmental Institute), Oxford: OUP 1993.

One of the permanent and significant environmental issues and tensions in the South Asia is the scarcity and sharing of fresh water resources between India and three of its neighbors, Bangladesh, Nepal and Pakistan. The river Ganges is one of the major international rivers of the world and its tributaries pass through quite a lot of heavily inhabited areas of India, Bangladesh and Nepal. Many people of those co-basin states are directly and indirectly dependent upon the Ganges River. It provides drinking water, sustains agriculture and household works, forestry, fisheries, and inland navigation, the generation of power source, industrial activity, protects salinity infringement from the Bay of Bengal and maintains the ecological steadiness.<sup>7</sup>

**Figure: 2**  
**The Ganges, Brahmaputra and Meghna basins watershed**



**Source:** Rahaman M. M, *The Ganges water sharing: A comparative Analysis of 1977 Agreement and 1996 Treaty*, Water Resources Laboratory, Helsinki University of Technology, Finland.

<sup>7</sup> Subedi (ed), above n 1, 1.