

The Guarani Aquifer Agreement

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SCELG/GLARN

Workshop on 'Hidden Water in
Latin America: Exploring The
Guarani Aquifer System'

28 March 2017, 14.00-17.00
(University of Glasgow, Room
201, Lilybank House)



Context and background



Previous work on the Guarani Aquifer System

- Training / Projects / Partnerships
 - Project on the legal dimensions of the management of the Guarani Aquifer System (2009-2011)
 - British Council project on Groundwater Governance in Salto, Uruguay (2016)
- Publications
 - F. Sindico, “The Guarani Aquifer System and the Law on Transboundary Aquifers”, 13 *International Community Law Review* (2011), pp. 255-272
 - F. Sindico, and S. Hawkins, “The Guarani Aquifer Agreement and Transboundary Aquifer Law in the SADC: Comparing Apples and Oranges?”, *RECIEL* (2015) with S Hawkins
- Knowledge Exchange events
 - 2010 Conference on the Guarani Aquifer System and International Law (UK)
 - 2011 Conference on the Management of the Guarani Aquifer System (Brazil)

Objectives



- To explain how the Guarani Aquifer has passed from a beacon of hope, and almost a reference worldwide, to a question mark on how to manage a TBA?

From a beacon of hope



To a question mark



Beacon of hope



- The process leading to the Guarani Aquifer Agreement
- The Guarani Aquifer Agreement



Beacon of hope



- The process leading to the Guarani Aquifer Agreement

- Ad-hoc research
- International project (2003-2009)
- Negotiations



Beacon of hope



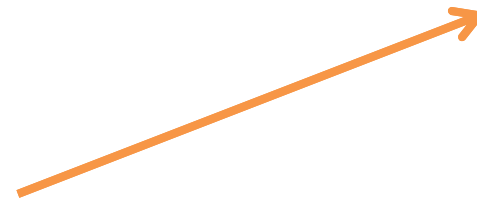
- The Guarani Aquifer Agreement

- General regulatory framework
- Institutional linkage with the La Plata Basin treaty framework
- Absence of a dispute settlement system



Question mark

- The ratification of the Guarani Aquifer Agreement
- The Guarani Aquifer System without the Agreement



Question mark



- The ratification of the Guarani Aquifer Agreement

- Uruguay and Argentina
- Brazil and Paraguay
- Prospects for and against its entry into force



Question mark

- The Guarani Aquifer System without the Agreement I (day to day management of the aquifer)
 - Border cities
 - ✓ Salto/Concordia (U/A)
 - ✓ Rivera/Santana (U/B)
 - ✓ Artigas/Quarai (U/B)
 - National implementation of good groundwater governance (transboundary implications?)



Question mark

- The Guarani Aquifer System without the Agreement II (is the Guarani Aquifer Agreement a “good” agreement?)

- Effect of the Guarani Aquifer Agreement: format vs content
- Ethos of the Guarani Aquifer Agreement (precaution vs conflict)



Question mark



- The Guarani Aquifer System without the Agreement III (Added value of the entry into force of the Guarani Aquifer Agreement)

- Official platform of cooperation can more easily attract national and international funding
- An “institutionalised” official platform of cooperation can promote a regular exchange of good practices in the region (clearing house role)



Effect on day to day management practices...

Conclusions



- **Beacon of hope**

- The experience of the Guarani countries was hailed as a landmark in transboundary aquifer cooperation

- **Question mark**

- The “political” challenges leading to the entry into force of the Guarani Aquifer Agreement are questioning such a landmark...
- The pre 2010 seeds of cooperation are still very much alive in some parts of the aquifer (border cities)
- The Guarani Aquifer Agreement as a regional platform of cooperation is still an endeavour worth pursuing



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