Programme

Workshop on the role of legal and scientific expertise in the avoidance and settlement of water law disputes

Organised by Attila Tanzi, Stephen McCaffrey, Malgosia Fitzmaurice and Christina Leb with the support of the United Nations Economic Commission for Europe secretariat of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, the United Nations Educational, Scientific and Cultural Organization and Queen Mary University of London

Friday 5 December 2014

For each agenda item, there will be a discussion involving a panel selected for that agenda item from among the scientific and legal experts listed at the end of this programme. Titles, timings and panellists may be subject to change.

09.45 Registration tea and coffee

10.00 Opening

The workshop will address the different contributions made by legal and scientific expertise in the avoidance and settlement of water law disputes, how those contributions may (or may not) be combined, the difficulties encountered when doing so and the good practices that have emerged. The focus will be on the interaction between the different approaches and their joint impact on dispute avoidance, rather than on the water law process.

Welcome by Professor Malgosia Fitzmaurice, Chair of Public International Law at the Department of Law, Queen Mary University of London
Introduction to the workshop by Professor Attila Tanzi, Chair of the Implementation Committee under the United Nations Economic Commission for Europe (UNECE) Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention)
Introduction to the Water Convention and its Implementation Committee by Nicholas Bonvoisin, Secretary of the Water Convention, UNECE

10.30 Session I - Setting the scene

This general session will set the scene on (a) the relationship between international water law-making, water law enforcement, negotiation and litigation and (b) the complementary contribution of the legal and scientific expertise equally applying to all such aspects of the international water law process. The panellists will be invited to explain their role – as legal or scientific experts – in avoiding or settling water law disputes. The experiences shared will set the scene for the discussions later in the workshop.

Introduction and moderation of the discussion by Professor Attila Tanzi

Main panellists:

Professor Johan G Lammers, former Legal Adviser at the Ministry of Foreign Affairs of the Netherlands
Professor Stephen McCaffrey, Distinguished Professor at the University of the Pacific, McGeorge School of Law
Dr Christina Leb, Senior Water Resource Specialist at the World Bank and associated member of the Platform for International Water Law, University of Geneva
Mr Gábor Baranyai, representative of Hungary (Ministry of Justice) in the Gabčíková-Nagymaros case
Mr Ivan Zavadsky, Secretary of the International Commission for the Protection of the Danube River
Ms Vanya Grigorova, Executive Director of the Executive Environment Agency of the Ministry of Environment and Water in Bulgaria
Mr Saghit Ibatullin, Professor and a Corresponding Member of the Kazakh Academy of Agricultural Sciences
Mr Kari Kinnunen, Director of the Lapland Regional Environmental Centre, Finland
Ms Anne Schulte-Wülwer-Leidig, Deputy Head of the Secretariat of the International Commission for the Protection of the Rhine
Mr Aliaksandr Stankevich, Head of the Republican Centre for Radiation Control and Environmental Monitoring in Belarus

11.30 Tea and coffee break
Workshop on the role of legal and scientific expertise in the avoidance and settlement of water law disputes

11.45  
**Session II - Standard setting and institutional cooperation as a means of dispute avoidance**

*In this session, consideration will be given to the dialogue between lawyers and scientists in the actual making of and follow up to the 1992 UNECE Water Convention and the 1997 New York Convention. The UNECE Water Convention has been followed up by the Guide to Implementing the Convention (September 2013) and the Model Provisions on Transboundary Groundwaters (February 2014), developed as a result of collaboration between the Convention’s Legal Board and the Working Group on Integrated Water Resources Management. The panellists will be invited to describe experiences in joint bodies (both bilateral and subregional) and international organisations (both regional and global) in dispute avoidance, in the implementation of and compliance with standards and in promoting cooperation between countries with regard to planned measures.*

Introduction and co-moderation of the discussion by Dr Christina Leb

Main panellists:

- Mr Alistair Rieu-Clarke, Reader in International Law, University of Dundee Centre for Water Law, Policy and Science
- Ms Jill Barrett, Senior Research Fellow in Public International Law at the British Institute of International and Comparative Law
- Mr Alistair McGlone, International environmental law consultant, member of the Aarhus Convention Compliance Committee
- Professor Johan G Lammers, former Legal Adviser at the Ministry of Foreign Affairs of the Netherlands
- Professor Stephen McCaffrey, Distinguished Professor at the University of the Pacific, McGeorge School of Law
- Dr Alice Aureli, Chief of Section, Groundwater Systems, UNESCO Division of Water Sciences
- Dr Raya Stephan, UNESCO Division of Water Sciences
- Mr John Chilton, Executive Manager of the International Association of Hydrogeologists
- Mr Ivan Zavadsky, Secretary of the International Commission for the Protection of the Danube River

13.00  
Lunch

14.00  
**Session III - International litigation and other means of dispute settlement**

*Within this session, comparative consideration will be given to the different use of experts in water law disputes and other kinds of disputes, with special reference to the International Court of Justice case on Pulp Mills on the River Uruguay and the Permanent Court of Arbitration matter on the Indus Waters Kishenganga Arbitration. This session may address both procedural and substantive law considerations.*

Introduction and moderation of the discussion by Professor Stephen McCaffrey

A comparative analysis on the role of experts before the ICJ with reference to the Whaling in the Antarctic (I), by Professor Malgosia Fitzmaurice

A comparative analysis on the role of experts before the ICJ with reference to the Whaling in the Antarctic (II), Ms Kate Cook, Matrix Chambers

Main panellists:

- Dr Eirik Bjorge, Research Fellow, Jesus College, Oxford
- Mr Paolo Busco, Practicing lawyer, Italy, former legal officer, Permanent Court of Arbitration
- Dr Cristina Contartese, Senior Researcher (post-doctorate), University of Luxembourg
- Professor Howard Wheater, Research Chair in Water Security and Director, Global Institute for Water Security, University of Saskatchewan, Canada

15.40  
**Conclusions**

Concluding remarks and moderation of a short wrap-up session by Professor Stephen McCaffrey

16.00  
Closing tea and coffee
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The programme and panellists may be subject to change.

1. Professor Malgosia Fitzmaurice, Chair of Public International Law at the Department of Law, Queen Mary University of London
2. Dr Christina Leb, Senior Water Resource Specialist at the World Bank and associated member of the Platform for International Water Law, University of Geneva
3. Ms Vanya Grigorova, Executive Director of the Executive Environment Agency of the Ministry of Environment and Water in Bulgaria
4. Mr Saghit Ibatullin, Professor and a Corresponding Member of the Kazakh Academy of Agricultural Sciences
5. Mr Kari Kinnunen, Director of the Lapland Regional Environmental Centre, Finland
6. Professor Johan G Lammers, former Legal Adviser at the Ministry of Foreign Affairs of the Netherlands
7. Professor Stephen McCaffrey, Distinguished Professor at the University of the Pacific, McGeorge School of Law
8. Ms Anne Schulte-Wülwer-Leidig, Deputy Head of the Secretariat of the International Commission for the Protection of the Rhine
9. Mr Aliaksandr Stankevich, Head of the Republican Centre for Radiation Control and Environmental Monitoring in Belarus
10. Professor Attila Tanzi, Professor of International Law at the University of Bologna
11. Mr Ivan Zavadsky, Secretary of the International Commission for the Protection of the Danube River
12. Mr John Chilton, Executive Manager of the International Association of Hydrogeologists
13. Dr Alice Aureli, Chief of Section, Groundwater Systems, UNESCO Division of Water Sciences
14. Dr Raya Stephan, UNESCO Division of Water Sciences
15. Mr Alistair Rieu-Clarke, Reader in International Law, University of Dundee Centre for Water Law, Policy and Science (under the auspices of UNESCO)
16. Mr Gábor Baranyai, representative of Hungary (Ministry of Justice) in the Gabcikovo-Nagymaros case
17. Ms Jill Barrett, Senior Research Fellow in Public International Law at the British Institute of International and Comparative Law (formerly Legal Adviser to UK mission in New York, representative in the negotiations of the New York Convention)
18. Mr Alistair McGlone, International environmental law consultant, member of the Aarhus Convention Compliance Committee
19. Dr Eirik Bjorge, Research Fellow, Jesus College, Oxford
20. Mr Paolo Busco, Practicing lawyer, Italy, former legal officer, Permanent Court of Arbitration
21. Professor Howard Wheater, Research Chair in Water Security and Director, Global Institute for Water Security, University of Saskatchewan, Canada, and Distinguished Research Fellow and Emeritus Professor of Hydrology, Imperial College, University of London
22. Dr Cristina Contartese, Senior Researcher (post-doctorate), University of Luxembourg
23. Ms Kate Cook, Matrix Chambers
24. Mr Nicholas Bonvoisin, Secretary of the Water Convention, UNECE
25. Mr Farkhod Abdurakhmonov, Secretariat of the Water Convention, UNECE

Vanya Grigorova, Saghit Ibatullin, Kari Kinnunen, Johan G Lammers, Stephen McCaffrey, Anne Schulte-Wülwer-Leidig, Aliaksandr Stankevich, Attila Tanzi and Ivan Zavadsky are members of the UNECE Water Convention’s Implementation Committee. The workshop is to be held back-to-back with a regular meeting of the Committee.

The proceedings of the workshop, with possible additional contributions from authors that have not participated in the workshop, are expected to be published as a volume in the Brill/Nijhoff International Water Law Series.

For additional information, please email:
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