

Transboundary Aquifers: A Case Study of Indus Basin Aquifer



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Transboundary Aquifers: A Case Study of Indus Basin Aquifer



Supervisor for Research Project

Saadia Zahoor

Dedicated to our Parents!

(Syeda Massoma Imam, Syeda Zamina Hassan)

Dedicated to My father and Sister!

(Komal Shabbir)

Special Dedication

Dedicated to my husband, Hussain (Zamina Hassan)

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Thank you all!

Research Project for the Degree of LL.B

DECLARATION OF ETHICAL CONDUCT IN RESEARCH

We, as the students of Bahria University, hereby declare that firstly, we have abided all the research ethics while writing this research project.

Secondly, we have not committed any acts that may discredit or damage the credibility of our research. These include, but are not limited to: falsification, distortion of research findings, or plagiarism.

Thirdly, we have submitted this work to Similarity Test before submitting our research project.

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LIST OF ABBREVIATIONS

CGWA	Central Ground Water Authority
CGWB	Central Ground Water Board
CIL	Customary International Law
FAO	Food and Agricultural Organization
ICJ	International Court of Justice
ILA	International Law Association
ILC	International Law Commission
ITAS	Iullemeden/Taoudeni-Tanezrouft Aquifer System
IWT	Indus Water Treaty
Mha	Million Hectares
NARIS	Nubian Aquifer Regional Information System
PCJ	Permanent Court of Justice
UN	United Nations Organization
UNDP	United Nations Development Project
UNESCO	United Nations Economic, Social and Cultural Organisation
UNESCO-IHP	United Nations Economic, Social and Cultural Council International Hydrological Programme

List of Cases

- Ahmad v. Mirza, (2016) CLC (SHC)176 (PAK)
- Equitable and Reasonable Utilization of Water (Hung v. Slov),150, I.C.J. 1997
- Mehta v. Nath (1997) SC (IND).
- State of West Bengal v. Kerosam Industrie (2004) SC (IND).

Abstract

Groundwater is one of the most important natural resources for the survival of human being. India and Pakistan depend greatly on the groundwater as well as transboundary Indus Basin Aquifer. Indus Basin Aquifer being the second most stressed aquifer in the world has been neglected by both the states and neither there is any domestic legislation nor a bi-lateral treaty between both states. Though, there is lack of bi-lateral treaty regulating Indus Basin Aquifer, customary international law is binding in nature, and imposes duties upon both the states to regulate the groundwater. Principles of no significant harm, equitable utilization, mutual cooperation and exchange of information are some of the principles that are binding on both states on both states under customary international law. However, both states should conclude treaty to save aquifers from depletion and better use of precious fresh water resource.