



LEGITIMACY OF BUILDING DAMS ON INTERNATIONAL WATERWAYS WITH A FOCUS ON THE SOUTHEAST ANATOLIA DAM PROJECT (GAP PROJECT)

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Abstract: This article discusses the legitimacy of dam construction in international waterways, focusing on the Southeast Anatolia project. Located in the southeastern part of Turkey, this project involves the construction of 22 dams and 19 hydroelectric power plants, which were implemented to provide energy and water to different parts of the region. This article examines the legitimacy of dam construction according to international law and environmental principles, and the positive and negative effects of the project on the environment and local communities.

Keywords: Dam construction rights, environmental rights, international rights, international waterways, upstream country rights

1. INTRODUCTION

The significance of international rivers in the region stems from the Middle East containing only one percent of the world's fresh water, whereas it is home to five percent of the global population. Additionally, a lack of agreement on water sharing is evident in two-thirds of them. The limited number of rivers in the Middle East and their crossing through one or more international borders have placed significant strategic significance on this region. In 2008, the European Union emphasized the crucial significance of water management in Central Asia, noting that the absence of effective management poses the greatest threat to security in the region.

The rivers Tigris and Euphrates have their beginnings in the mountains of northern Turkey and proceed on a path that takes them through multiple nations before reaching the Persian Gulf. The Southeast Anatolia project was initiated by the Turkish Water Affairs Organization in August 2005, encompassing the Tigris and Euphrates international river basin, as well as the northern Mesopotamia region. According to reports from Turkey, once the dams under construction for this project are finished, the amount of water accumulated behind them will be seven times larger than the landmass of Cyprus. The project was initiated in February 2018, causing disturbance to the ecosystem of the downstream regions and obstructing 56% of water resources from reaching the downstream countries. In terms of international law, countries have authority over the natural resources within their borders. Consequently, they possess the right to claim ownership over the origin of any river that stems from their territory. Nonetheless, through the passage of time, whenever upstream governments have attempted to control international rivers, downstream governments have raised objections in accordance with international law.

The current crisis has led the countries in the Middle East region to adopt different approaches in managing water resources. Turkey is implementing the Southeast Anatolia Project (GAP) as part of its efforts to combat drought. This program focuses on developing the regions along the Tigris and Euphrates international river route. The Gap project is a construction endeavor spearheaded by the Turkish government with the aim of irrigating a vast expanse of 1.7 million hectares of agricultural land and generating an impressive 55 billion kilowatt hours of electricity per year. In accordance with the plan, the Atatürk Dam emerged as the initial colossal edifice, reaching its completion in 1992. The Southeast Anatolia Project (GAP) has brought about significant changes. It entails the construction of 22 dams and 18 hydropower plants on the Tigris and Euphrates rivers. This ambitious project now generates 7500 megawatts of electricity and produces an annual average of 27 billion kilowatt hours of energy. Economically, it has allowed 1 million and 58 thousand hectares of land to be irrigated. Turkey's exclusive report reveals that the quantity of water currently held in Turkish dams situated within the basin of the Tigris River is equal to the entire annual water output of the Tigris River. The storage capacity of Turkish dams in the Euphrates basin, which amounts to 17 billion cubic meters, is now three times higher than the entire annual yield of the river in Turkey, which is 95 billion cubic meters, thanks to the implementation of the Gap Project. Iraq, located on the Euphrates, holds a quantity that is five times greater than the yearly production of the whole Euphrates River. The construction volume of Atatürk



Dam places it as the fifth largest dam globally, while its hydropower production ranks it as the third largest in the world. The Atatürk Dam holds the title of being the largest dam in both Europe and Türkiye.

2. problem statement

The key inquiry at hand is whether the waters flowing across borders are deemed as natural resources, falling within the government's internal resources and thus not subject to sharing. Is it permissible for upstream countries, in accordance with international law, to construct dams on rivers that provide benefits to downstream countries, regardless of the circumstances of the latter? Are international rivers considered environmental resources that are not governed by government ownership, similar to domestic rivers where countries are entrusted with their exploitation and management? Given that water scarcity is a global crisis and the Middle East requires policies and management to mitigate droughts due to its geographic location, to what extent can Turkey's actions as an upstream country be deemed compatible with international law and established norms related to water resources? Is this action deserving of international praise and, as reported by Turkish news, should it serve as a model for other countries in a grand global scheme? Alternatively, does this action go against international law, leading to condemnation? Additionally, it is worth considering the perspective of environmental rights, given the significant environmental damage caused by this action. However, the focus of our current investigation in this study is to analyze the present regulations within the legal framework that governs international rivers.

There is a lack of substantial research that specifically explores the authorization of upstream countries to construct dams in international rivers. Furthermore, the available information in this area is limited to political and legal news sources.

However, Dr. In her research, Mumtaz thoroughly examines the various approaches taken by different countries and the prevailing customs regarding river occupation in the Middle East.

In this field, certain findings exist, such as the fact that the upstream country, being the owner of the water, is entitled to certain rights as granted by the law. He is entitled to connect to the soil, which is the foundation of his rights. However, he continues to express. When water flows through the land, it smoothly enters the border of another state without facing any obstacles. The law recognizes this natural occurrence and grants both states the right to collaboratively manage the water resources. Even if it is asserted by an individual claiming public ownership, the government is prohibited, according to legislation and mandates, from infringing upon another government's rights. Under customary law, it is firmly established that the entity owning a river possesses the inherent entitlement to maintain the water's natural and customary course. According to William Hunt, it has been consistently documented that the courts recognize the beneficial nature of the common water right.

Nevertheless, without bilateral and multilateral agreements, the 1997 convention appears to offer an appropriate framework for Iran and neighboring countries to cooperate in protecting, managing, and preventing pollution in these waters. This cooperation is based on the principle of joint management within the legal approach, which is seen as a necessary requirement in the region. Although Turkey is not willing to limit its sovereignty by being a member of a treaty, it is important to note that this convention holds authority over its members and cannot govern any upstream country, including Turkey. Several studies have also focused on the legal aspect of upstream water ownership. However, the current research takes an environment-centered approach and does not delve into the realm of water rights legislation. Alternatively, certain studies do explore this issue through an engineering lens. Numerous studies have delved into the legal standing of international waters vis-à-vis other water bodies. However, it is crucial to address the unparalleled significance of water in the Middle East region amidst the prevailing tensions, surpassing any other region worldwide. In contrast, many countries around the world have reached agreements or treaties to clarify their stance on the control of international waterways. However, when it comes to the country located upstream of the Tigris and Euphrates rivers, there is no such convention or treaty in place. As a result, Turkey cannot be condemned or questioned for its actions in this regard. Furthermore, it is important to mention that the sole treaty on international agreements in the Middle East focuses exclusively on the Arvand River and involves Iraq and Iran.

The data for this study was gathered at a library, employing a descriptive and inferential thought process.



3. The history of dam construction in the upstream country

A dam serves as a hindrance, halting or limiting the movement of water or subterranean streams. If reservoirs formed by dams are well-maintained, they offer benefits such as flood control and a reliable source of water for various purposes such as irrigation, drinking water, industrial activities, fish farming, and transportation. Hydrogen is commonly utilized alongside dams to produce electricity. In a broader sense, the primary objective of dams is to preserve water resources.

The construction of dams in international waterways has a rich history worldwide. In addition to constructing the Al-Thura Dam on the Euphrates River, which had already decreased Iraq's water usage, Syria further diminished it through the establishment of the Southeast Anatolia Dam. As a result of the reduction of its rights, Iran has successfully gained access to the Persian Gulf and Arvand River, which has sparked intense protests from Iraq.

The occurrence of this has been witnessed in the Indus River as well, where the global river has separated its branches, with the upper reaches belonging to India and the lower reaches being under the jurisdiction of Pakistan's capital. The environmental consequences caused by the construction of a dam on this river by the country upstream have been catastrophic for the country downstream. The drying up of the Indus River, the receding coastline, the destruction of its once-giant delta, and the damaging effects of the salty sea on the fields are evident concerns. The downstream countries have also suffered similar destructive damages, just like those seen in the southern part of Mesopotamia.

This incident took place within the area encompassing the Persian Gulf countries. Each of these nations attempted to construct a dam downstream of the Iraqi government located in Ramadi Al-Hindia. However, no issues arose due to Iraq's geographical location. However, downstream governments have strongly protested against the comparable actions of Syria and Turkey.

In order to address the research questions, the first step is to determine the characteristics of the law at different levels, including its role, status, authority, and legitimacy. Additionally, it is important to examine the notions of "hardness" and "softness" associated with the law at local, national, regional, and international levels.

Grosius and Wattel were the pioneers behind the creation of the theory of internationalization of rivers. Prior to their groundbreaking work, rivers were exclusively regarded as internal resources and fell solely under the jurisdiction of the countries adjacent to them. In Turkey, the construction of dams marks a regression to the pre-Congress of Vienna (1815) era, where the absolute sovereignty over rivers prevailed and the concerns of other governments were disregarded. However, in the Treaty of Versailles in 1919, the term "international rivers" was substituted by the term "multi-land rivers" for the first instance. Within the treaty, Article 33 provides a comprehensive definition for an international river. This article states that an international river refers to a river that is capable of being navigated and is used as a passage connecting multiple countries to open water. Barcelona held a significant conference on April 20, 1921. The event was held. The conference took place by invitation of the League of Nations, in accordance with the terms of the Treaty of Versailles. He played a significant part in shaping and broadening the legal framework of the Rivers. The Barcelona conference encompassed a protocol and two statutes. In accordance with this system, rivers that adhere to the criteria and characteristics outlined in the aforementioned treaty are referred to as (international rivers). This treaty defines an international river as a river that is suitable for navigation and passes through multiple countries. In a similar manner, a river that satisfies the requirements and characteristics outlined in the aforementioned agreement is designated as an international river and is subject to the treaty's provisions. Instead of using the traditional phrase "international river," the Barcelona Treaty employs the term "navigable waterways of international importance." During the Barcelona Conference on April 20, 1921, it was further affirmed by GAREETSON that the definition of an international river aligns with this notion. According to his statement, an international river is characterized by either passing through multiple countries' territories or by acting as a boundary between two countries, with both governments sharing sovereignty over these rivers.

In order to address the research questions, it is imperative to initially ascertain the characteristics of the law (such as its function, position of power, scope of influence, and acceptance, along with the notions of "rigidity" and "flexibility") at various levels - local, national, regional, and international.



The concept of internationalizing rivers was first introduced by Grosius and Wattel, challenging the previous notion that all rivers were deemed internal, falling under the sole jurisdiction of the neighboring countries. The construction of dams in Turkey signifies a reversion to the previously acknowledged principle, predating the Congress of Vienna (1815), wherein the authority over rivers was unrestricted and the concerns of other governments were disregarded. However, in the 1919 Treaty of Versailles, the phrase "international rivers" was replaced with the term "multi-land rivers" for the first time. In this treaty, Article 33 provides a definition for an international river. The article states that an international river refers to a river that is navigable and connects multiple countries to open water. The significant conference in Barcelona took place on April 20, 1921. The Barcelona Conference was held in The League of Nations extended its invitation to convene this conference, which took place under the auspices of the Treaty of Versailles. He played a paramount part in shaping and extending the legal framework of the Rivers region. The Barcelona conference consisted of a protocol and two statutes. The above treaty designates any river that meets the prescribed criteria and characteristics as an (international river) as per this system's framework. As per the treaty, a river is deemed international if it is capable of being traversed by vessels and extends its course through multiple countries. An international river was referred to as any river that met the guidelines and characteristics outlined in the aforementioned treaty, and was subject to the treaty's regulations. Instead of using the conventional term "international river," the Barcelona Treaty employs the phrase "navigable waterways of international importance." During the Barcelona Conference held on April 20, 1921, the definition provided by Gareetson regarding the international river further reinforces this notion.

4. The owner of international waterways from the point of view of binding documents (hard rights)

Hard rights are rights that are legally enforceable and impose obligations on governments at the international level. There are several rules that bind international waterways that highlights the inevitability of change and how it affects different aspects of life. Victoria Erickson's quote emphasizes the importance of embracing change rather than resisting it, as it can bring new opportunities and growth. The passage concludes by encouraging the reader to let go of fears and embrace the unknown, just like the turning pages of a book leading to new chapters. International treaties are agreements made between two or more countries to establish rules and principles for their interactions. These treaties aim to create a framework for cooperation on various issues such as trade, human rights, and environmental protection. They serve as a means to resolve disputes and promote peaceful relations among nations. These treaties are legally binding and require countries to fulfill their obligations as outlined in the agreement. Overall, international treaties play a crucial role in fostering global cooperation and addressing common challenges faced by the international community.

5. Value of water management

Water, as stated by consultant and lawyer for water rights at the World Bank, Salman MA Salman, stands as the utmost vital global resource of our era, yet astonishingly lacks any form of international consensus or accord. Large corporations are confronted with considerable requests from relevant authorities for substantial loans. In response, they have engaged in numerous endeavors pertaining to international river rights. In the majority of documents and procedures pertaining to international water sharing laws, an essential principle emerges - the upstream governments must respect the rights of the downstream governments. The evident manifestation of this is exemplified by notable records like the 1997 United Nations Convention on Water Resources, officially sanctioned by the United Nations General Assembly. The world's only international convention dedicated to the use of common fresh water is exclusively enforceable among its members. In 1997, the Convention on the Use of Non-International Flows was adopted by the United Nations. The 1997 convention on non-navigable waterways entails several interconnected principles, with two significant clauses emphasizing the responsibility of upstream countries to utilize water resources in a manner that avoids harm to downstream nations. Sharing did not establish obligatory regulations regarding the water regime. Instead, the treaty initially declared that nations should ensure the principle of "sustainable and fair utilization of rivers shared between



them. However, at present, this convention, similar to other agreements nations enter into (including trade and bilateral pacts), places certain limitations on the territorial autonomy of governments and mandates that all governments utilize shared rivers in an equitable and rational manner. It is important to make sure that their activities within their territory do not result in significant losses for other nations. The obligation mentioned in the convention has extended its scope beyond the signatory countries and has transformed into a customary international law norm. Even the countries that have not joined these documents are still bound to adhere to the provisions of the convention.

China, in response to the signing of the UN treaty, asserted its ownership over the waterways coursing through its territory. Both Turkey and Burundi showed a comparable response. All of these entities can be found in the upstream countries, situated along major rivers. China stands tall as the majestic blue tower, adorning the Asian landscape. The Indus and Brahmaputra rivers, the Irrawaddy, the Salween, and the Mekong River all originate from the Tibetan Plateau. China, in response to the treaty being signed, also proclaimed its territorial jurisdiction over the portions of international streams that traverse its land. A total of 35 countries signed this treaty, and it was subsequently ratified by 28 of them. This treaty is primarily supported by the United States and England.

The adoption of The Universal Declaration of River Rights introduced a comprehensive framework that outlines the fundamental entitlements belonging to every river. This declaration meticulously delineates the inherent rights possessed by all rivers. The content of this document is derived from the current river legislations along with the broad tenets concerning the well-being of rivers. In relation to dams, the First Declaration firmly establishes the entitlement of all rivers to maintain their natural flow. Furthermore, the aforementioned statement urges governments to step down from their involvement in any dams that lack compelling social and environmental importance. Additionally, the construction of new dams will only take place in rare circumstances of utmost significance. Lastly, the declaration asserts that every dam project must ensure "complete fulfillment, both prior to and with explicit acknowledgment from the locals and other impacted communities."

Resolutions are included in the list of binding international documents, among others. In this particular scenario, there exist situations where the utilization of the international waterway by upstream countries may be restricted. This is mentioned in the resolution pertaining to the legal principles governing water usage in 1957, which asserts that no nation has the authority to independently alter the course of the river.

One of the neighboring countries does not have the authority to change the flow of common waters. No government has the authority to alter the natural state in a manner that would result in harm to the neighboring country, as per the international rule. In 1966, the regulations regarding the use of water in international rivers were established during the Helsinki International Law Conference. The Salzburg International Law Conference held in 1961 also issued a resolution on the use of international non-marine waters. Additionally, the Institute of International Law passed a resolution in Buenos Aires in 1957 focusing on the legal principles governing the use of international waters and lakes. Finally, the American Anchorage Association is another organization involved in these matters.

Indeed, regional treaties have implemented regulations into the framework of international law. Since the agreement between the British in 1929 and 1959, no piece of land has been able to extend to the lower regions of the Nile. The validity of these laws is called into question as, based on previous agreements, Egypt's share of the river's water was determined to be 87%. In the year 2010, a consensus was reached by six countries situated upstream, with Ethiopia taking the lead. Eventually, Egypt and Sudan also became part of this agreement. This development has significant implications for water resources and the interconnections between these three nations. The question arises, who shall claim dominion over the majestic waters of the Nile River—an inquiry directed towards the future proprietor, Habib Aayeb.

Turkey will not be obligated to comply with extensive international laws. He neither belonged to the treaties, nor did he participate in them, nor did he have any desire to become a member. Currently, there exists a sole treaty concerning international rivers in the entire Middle East, specifically addressing the Shatt al-Arab. Turkey cannot be held accountable for its actions based on international treaties and documents as there is no existing agreement regarding the assignment of these countries. Historically,



the demarcation of the boundaries of Ottoman Iran has a meeting minutes which states that the head of the Tigris, which Turkey does not use, can flow downwards.

Although Turkey, according to the 1946 friendship treaty with Iraq, is committed to inform the Iraqi government of any plan that affects the water flow of these two rivers, Turkey claims that the actions of this country will not only reduce the water flow of these rivers to the downstream countries. but it is even effective in improving this flow. (Bahman Aghaei, is Turkey's construction of dams on the Tigris and Euphrates regional rivers legal?) The chaotic environmental situation and the decrease in water rights of the downstream countries that we are witnessing today, is proof that this claim is pure falsehood.

6. Reference to customary international law

International custom also serves as a significant source of international law. Throughout history, various governments have consistently denounced this type of action. Regrettably, the expansion and construction of new dams are still being observed worldwide, with only a small number being destroyed. As per international law, as mentioned in the Helsinki Regulations, the construction of dams leads to a shift in the course of water. It is explicitly stated that no nation has the right to block an international river and claim ownership of its entire water supply. Moreover, in the realm of international practice, a mounting global movement is emerging to resist detrimental dam initiatives undertaken by upstream nations in transboundary rivers. For instance,

Due to concerns raised by indigenous peoples, Brazil's environmental agency, Ibama, decided to halt the licensing process for the Lau de Papavos Rock Sea Dam in April 2016. The financing of the Enga Dam on the Congo River was suspended by the World Bank in July 2016. In the subsequent month, Andaza, the largest power producer in Chile, made the decision to close down six of its hydroelectric plants. The construction of a set of dams on the Najaigan, one of China's few remaining unconstrained rivers, has been abruptly suspended by the Chinese government.

After numerous debates concerning the construction of a dam on the Arizona River, it was ultimately concluded that due to the diminishing rights of the countries situated along the river, it was unfeasible to proceed with the dam project on the Arizona River.

Numerous dams exist worldwide, including the Indus River, home to the Tarbela Dam. Additionally, China, Myanmar, Cambodia, Laos, Vietnam, and Thailand have jointly constructed the Pakmin Dam. The Sengo River has undergone significant development since its establishment in 1957, when South Africa, Lesotho, Namibia, and Botswana jointly constructed the Grape and Vanderkloof dams. Despite the absence of a treaty. The formation of the Southeast Anatolia project occurred without prior agreement or notification to the downstream governments or obtaining any necessary permissions. During the month of September, Vladimir Putin made a trip to the Central Asian nations of Tajikistan and Kyrgyzstan. On this occasion, he declared his commitment to provide financial aid for the construction of dams on the Amu Darya and Syrdira rivers. The purpose behind these ventures is to harness hydroelectric power in both countries.

Salinization refers to the process of salinity accumulation in soil or water. It occurs when the salt concentration in an area exceeds the ability of plants to tolerate and extract water effectively. Salinity is primarily caused by natural factors such as weathering of rocks, mineral deposits, and salty water bodies, but human activities such as irrigation, poor agricultural practices, and industrial processes can also contribute to salinization.

Salinization has significant negative impacts on agriculture, ecosystems, and water resources. High salt levels in soil restrict the growth and productivity of crops, resulting in reduced agricultural yields. The excess salt can also affect the composition and diversity of plant and animal species in affected ecosystems, potentially leading to habitat loss and biodiversity decline. Furthermore, salinization of water sources can render them unfit for human consumption, livestock watering, and irrigation, worsening water scarcity issues in many regions.

Preventing and managing salinization requires proper land and water management practices. This includes implementing sustainable irrigation systems with efficient water use, drainage systems to remove excess salts, and soil management techniques that help in salt leaching and minimize salt accumulation. Additionally, practices like afforestation and crop rotation can help restore soil health and prevent salinization.



Overall, salinization is a concerning issue that demands attention and concerted efforts to mitigate its adverse effects on agriculture, ecosystems, and water resources.

The salinity of river water results in the salinization of natural systems. The entire ecosystem and fish farming can be disrupted by changes in salinity. Building a dam has the potential to impact extensive river areas by raising salinity levels.

7. Reference to general international principles

Additionally, general principles serve as another influential source that gives rise to notable concerns regarding international waterways. In the realm of international documents, the term "original" is assigned varying meanings. The interpretation of an international document with legal implications entails recognizing its legal significance, whereas an international political document assumes a political connotation. Certain principles mentioned in the preamble of a legal document may possess an idealistic nature instead of a strictly legal and obligatory nature. There are two types of principles mentioned in international documents: ideal principles and normative principles.

Ideal principles are principles that governments (countries) are not legally obligated to follow, but they are encouraged to make efforts to achieve them. The principles and ambitions underlying the global community determine acceptable governmental conduct. These principles can be referred to as moral and political principles. Some examples of principles include the promotion of general welfare for all individuals, the practice of philanthropy, the adherence to democratic values, the pursuit of social justice, fostering good neighborliness, upholding the rule of law, and striving for peace and security for all nations, rather than favoring specific groups. ...and similar things. These principles are portrayed as ideals and aspirations for the global community, embodying profound human values, in government relations. The aforementioned principles are regarded as moral and political guidelines and do not carry legal obligations in the global realm. Making it compulsory is not an easy task, even though the ideal of mankind leans towards it. According to news sources, the popular protests in Austria, the Netherlands, and Germany led to the governments' withdrawal from investing in the Gap project. It can be argued that these protests were driven by this principle and ideal.

Normative principles possess the power of binding individuals and hold the utmost legal authority. In the book titled "International Law Norms in the International Normative System," Professor E. discusses the role and importance of international law norms in the global normative framework. According to Lukashuk's analysis, the fundamental normative principles hold utmost political, moral, and legal authority. These principles are not just politically and morally obligatory, but they are also legally binding. The basic principles of international law possess broader and more elevated characteristics compared to other norms, as well as greater legal significance. Additionally, their legal influence surpasses that of ordinary norms. For instance, examples of principles include the equality of sovereignty among states, the avoidance of using force or its threat, the preference for peaceful resolutions of international disputes, and other such principles. In the realm of international relations, various countries tend to violate each other's principles. However, it is important to acknowledge that such principles should not be disregarded.

This principle has become a norm in the international arena as it is observed by the majority of countries. It stems from universal international documents. If an individual fails to adhere to the document or convention that is applied to the majority of international members, they will be subject to the same rule in principle.

8. The fair and rational use of the common waterway is founded on a fundamental principle

Because each international waterway possesses unique characteristics, it is currently unachievable to develop an unambiguous legal system that encompasses universal and exhaustive regulations. Since 1971, when the International Law Commission addressed this issue, numerous studies have been conducted on the matter. The Commission aims to affirm the government's sovereign rights in utilizing its own land's waters while also ensuring that these rights are not utilized to harm other governments. In the plan approved by the Commission in 1991, Article 15 showcases the outcome of the Convention's endeavors. This particular article pertains to the regulations governing the utilization of waterways. It stipulates that a government's usage of a waterway must be founded on principles of equitable and rational



involvement, without inflicting undue harm upon another government. Leads are a crucial component when it comes to generating sales. They are individuals or companies that have shown interest in a product or service and have the potential to become a customer. Obtaining high-quality leads requires effective marketing strategies and lead generation techniques. It is important for businesses to proactively identify and target potential leads in order to grow their customer base. Once leads are acquired, businesses need to nurture and convert them into paying customers through personalized communication and tailored offers. Successful lead management can significantly impact a company's revenue and growth, making it a vital aspect of any sales and marketing strategy. In simpler terms, the governments that border the waterway will work together to exploit, develop, and maintain an international waterway in a fair and logical manner. The right to utilize the waterway and the responsibility to collaborate in safeguarding and enhancing it are encompassed in this form of participation. The established principle, resulting from the provisions set forth in the Helsinki Convention, remains applicable even for countries that chose not to join the agreement. The government holds the supreme authority over the advantages derived from its water resources.

The waterways passing through the land of states are impacted by their territorial sovereignty, leading governments to assert control over the water resources within these waterways. Given the increasing significance of water, particularly in arid and desert regions, it is not solely the possession of the present generation, but rather the true shared legacy of all mankind and future generations. Hence, although governments hold authority over their natural resources, it is erroneous to perceive this authority as absolute. Furthermore, they bear a collective obligation to safeguard water resources. When it comes to waterways in close proximity, which are shared resources among the parties and signify the allocation of a natural asset, this matter is approached differently.

In accordance with policy number 20, for the period of fall and winter 2013, the following guidelines shall apply.

The principle of commitment is vital in order to mitigate the occurrence of substantial losses to the downstream country.

Despite governments having the right to sovereignty over their resources and adhering to their policies, they are obligated to function within their jurisdiction or areas under their supervision in a manner that avoids causing any losses.

9. The right to obtain environmental information

The full description of the right to information and public participation, which serves as a preventive measure against environmental damage, is encompassed in numerous national and international laws. There are several things that fall in this category.

The Geneva Protocol pertaining to the safeguarding of the Mediterranean Sea's protected areas leads us to understand that...

The 16th article of the Kingston Protocol on Wildlife Protected Areas of the Caribbean Sea, Winder Caribbean, can be restated as follows:

In Article 15 of the Nairobi Protocol 3, which pertains to the conservation of protected areas and wildlife in the East African region, it is stated that...

Article 16 of the ASEAN Agreement 4 concerning the preservation of nature and natural resources states that...

In Article 4, Paragraph 1 of the United Nations Framework Convention on Climate Change, it states The Convention on Biological Diversity encompasses Articles 13 and 17 which deal with certain aspects. In acknowledging the necessity of public involvement, the Rio Declaration also emphasizes the importance of public participation in addressing this issue. Furthermore, key international agreements such as the 1982 World Nature Charter's Agenda 21, the 1991 SPO Convention 7, the Desertification Convention 8, and the Convention on Biological Diversity have made a notable emphasis on the inclusion of the public in decision-making processes. A newer development in the realm of public involvement is the 1991 US-Canada Air Quality Agreement.

10. The principle of common but different responsibility of governments



Presently, the environment is acknowledged as the shared legacy of all humankind, with its issues now ranking among the foremost worldwide concerns. The issue manifests, appearing as agreements like the United Nations Climate Change Treaty 2 and Kyoto Protocol 1, alongside various other environmental texts. In its distinctive approach, the global economic system poses a threat to the global environment. Although significant steps have been implemented to decrease industrial pollution. Despite progress made, the natural environment continues to be harmed by industrial activities, leading to the acceleration of global warming and the rise in air pollution. The rise in global trade activities has complicated matters, rendering environmental techniques less effective. The redirection of solar energy by humans, leading to its escape from the earth's atmosphere, poses a significant threat to the global environment. The rise in the earth's surface temperature will lead to alterations in the climatic features worldwide.

The destruction of forests leads to the release of carbon stored in trees. Additionally, activities like livestock breeding and agriculture contribute to the emission of greenhouse gases such as methane and nitrogen dioxide. If this trend persists, the amount of carbon dioxide entering the atmosphere in the 12th century will double. Each passing year, global warming escalates, consequently resulting in the emission of various greenhouse gases. An unpredictable risk that has the potential to greatly affect our lives. Climate change is widely acknowledged as a complex system due to its intricate nature. If there is a change in a fundamental feature like the average global temperature, it can lead to unforeseen consequences. In light of the global population's continuous growth, the inevitable repercussions of famine and various disasters loom ahead. Consequently, even when the outcomes of environmental issues remain uncertain, should we simply dismiss the problem or should rationality guide us towards action? Undoubtedly, climate change poses a grave threat to humanity. The almost evident outcomes of climate change are becoming more apparent. Monsoons, for instance, might undergo variations. As the rate of water evaporation in the world rises, there will be a corresponding increase in the amount of rainfall. If the rate of water evaporation exceeds a certain threshold, the rainy season will no longer bring rainfall, resulting in a rise in droughts, particularly in less affluent nations. However, droughts have the potential to cause a decline in the availability of drinking water, thereby presenting a significant danger to human well-being. Nevertheless, the scarcity of water resources across the globe, compounded by rapid population growth and escalating economic activities, undoubtedly highlights the imminent peril. In addition to the aforementioned example, it is worth noting the impact of changing agricultural lands and polar regions. This alteration has resulted in a rise in the occurrence of scorching and arid summers. Moreover, regions dedicated to plantation and grain production may experience sporadic episodes of hot and dry winds. Furthermore, the melting of natural glaciers and the spike in sea water temperature poses a potential risk of causing a rise in sea levels, thereby putting small islands and low-lying coastal areas in jeopardy. During the past century, there was a recorded increase in the sea level of 21 cm. It is projected that this rise will also reach 21 cm in the year 1202. However, if greenhouse gas emissions continue to increase at the current rate, this elevation is estimated to be reached by 1222. The border measures 51 cm. Coastal areas with dense populations, particularly the poorest nations like Bangladesh and even small islands like the Maldives, are at the highest risk from this complex situation. Natural disasters serve as a wakeup call, yet the ability of governments to effectively manage the ensuing challenges and expenses remains uncertain. Countries such as America and Japan are eager to unrestrictedly emit greenhouse gases into the atmosphere prior to comprehending the potential repercussions. To maintain a healthy atmosphere, the progress and expansion of industrial operations in developing nations will be curtailed. These countries are facing mounting pressure to decrease their reliance on coal and oil. In addition, they are urged to embrace modern technologies that minimize future harm to the environment. However, it is worth noting that the adoption of these technologies can come at a high cost. Therefore, the issue at hand is the problem of economic development. Developing countries will hinder their economic progress if they agree to decrease the utilization of helpful, affordable, and industry-appropriate fossil fuels. The United Nations Climate Change Treaty encourages developed nations to not only contribute financially but also equip developing nations with essential technologies. This treaty acknowledges the right of economically disadvantaged nations to pursue economic growth and development. Consumerism and people's insatiable desire for consumption are further contributors to the detrimental effects on the environment. People's



expectations not only continue but also grow. The northern industrialized nations, although home to only 12% of the global population, account for approximately 12% of the world's resources consumption. Notably, they have propagated a culture of consumerism worldwide. However, if every individual consumed resources at the same rate as an average American, it would inevitably lead to the scarcity of essential commodities such as clean water for over half the global population and depletion of the Earth's vital resources.

International cooperation is an indispensably pressing global necessity, specifically for addressing and resolving environmental challenges. Following the Stockholm Conference, the international community convened the United Nations Conference on Environment and Development in 1991 in Rio de Janeiro, Brazil, to address and combat the aforementioned environmental effects. The Rio Conference commenced on June 0, 1991, graced by the attendance of 242 heads of states from various nations alongside an extensive gathering of over a thousand individuals. The conference concluded its proceedings on June 24, having approved a total of 0 non-binding rules. Several principles, including the principle of prevention, the principle of precaution, the principle of common but different responsibility of governments in preserving the international environment, and other principles, have been endorsed in this declaration.

11. The formation of international responsibility regarding environmental issues

Presently, the environment is acknowledged as the shared legacy of all humankind, with its issues now ranking among the foremost worldwide concerns. The issue manifests, appearing as agreements like the United Nations Climate Change Treaty 2 and Kyoto Protocol 1, alongside various other environmental laws. In its distinctive approach, the global economic system poses a threat to the global environment. Although significant steps have been implemented to decrease industrial pollution. Despite progress made, the natural environment continues to be harmed by industrial activities, leading to the acceleration of global warming and the rise in air pollution. The rise in global trade activities has complicated matters, rendering environmental techniques less effective. The redirection of solar energy by humans, leading to its escape from the earth's atmosphere, poses a significant threat to the global environment. The rise in the earth's surface temperature will lead to alterations in the climatic features worldwide.

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12. Reference to doctrine

According to David Gray, a water policy expert at the World Bank and currently at Oxford University, improving our understanding of the world's waters is crucial for global monitoring. He emphasizes that the failure to properly acknowledge water resources and the respective countries can result in hiding the hydrological management practices of upstream nations, who may treat river flow data as classified information. Absolute territorial sovereignty refers to the concept that a state has complete and unquestionable control over its territory. This means that the state has the exclusive authority to make and enforce laws within its borders, without interference or intervention from other states or external actors. Under absolute territorial sovereignty, a state has the right to govern its territorial affairs, including domestic policies, security measures, economic activities, and cultural practices, without external interference or influence. It emphasizes the autonomy and independence of a state in managing its own affairs, and holds that no external authority can challenge or undermine a state's control over its territory. Absolute territorial sovereignty is often seen as a fundamental principle of international law and is a key element in defining the sovereignty of a state.

Based on this principle, when an international river traverses the territories of two nations, it is deemed as internal waters, granting the government in question the authority to redirect the river's course or intervene in its management as they see fit. This principle, which goes against justice and fairness, is no longer accepted as it causes chaos in the relationships between governments. Today, it is universally recognized in the field of international law that no nation possesses the authority to utilize the



environment in a manner that inflicts harm upon a neighboring country. Hence, the riparian state of the river is prohibited from making any interventions that could alter the river's path or impede the unrestricted movement of its water. Turkey's approach to international law concerning water resources aligns with the concept of absolute sovereign rights. According to the theory of "absolute territorial sovereignty," each state is entitled to utilize the resources within their territory without any restrictions. Turkey adheres to this idea, asserting that since the majority of the water from the Euphrates (95%) and the Tigris (43%) rivers originates in its territory, it has the right to use these resources as it deems appropriate, irrespective of the potential impact on others, including environmental consequences such as the generation and spread of micro dust.

Absolute territorial integrity, also known as the Oppenheim doctrine,

Under this theory, it is incumbent upon the coastal states that border rivers to permit the rivers to freely follow their natural course.

The Merignak doctrine, also known as the theory of joint use of waters, is a concept that revolves around the shared utilization of water resources.

In accordance with this principle, nations situated along the shores of an international river possess shared authority over said river. To put it differently, the river water can be utilized by all the countries mentioned alike. An international river is deemed an economic entity, irrespective of borders between nations, and its waters are shared by all coastal countries. Merig Nak also holds the belief that a river flowing through multiple countries falls under the ownership and sovereignty rights of those countries. In this regard, each nation should acknowledge the rights of other nations when exercising its own rights. Smith's doctrine, also known as the principle of restriction on the free use of waters, can be summarized as follows: limitations should be placed upon the unrestricted utilization of water resources.

The principle of limitation states that the sovereignty of riparian countries is confined within their respective responsibilities as defined by international law. Put simply, the authority of each riparian country over the river is restricted to prevent harm to the other riparian country. According to Smith, an English jurist, the sovereignty and competence of nations is restricted to the extent that they do not cause harm. According to Karatdori, as well as other jurists, the absence of governmental involvement in the creation of rivers implies that they lack complete sovereignty over them. Consequently, altering the course of rivers could potentially lead to adverse effects and harm neighboring countries. In the present day, this principle is widely acknowledged as a prevailing legal norm and an indisputable facet of the modern globe.

This matter

The Turkish government has adopted the theory that if Iraq does not provide oil to Turkey, then water will also not be supplied to this country.

The Convention does not acknowledge ownership of the country upstream of the international river, regardless of its desire to distribute the water. The water, owing to the earth's geography, has meandered across various countries without obtaining the upstream country's consent. Any attempt to obstruct or alter the flow of this water constitutes a violation of international law. International rivers, as per the declarations of the International Law Commission, cannot be claimed as exclusive possessions of governments. According to the three main criteria of international law, the Tigris and Euphrates rivers hold the status of international rivers. If the argument is valid, then Egypt and the countries downstream of the international waterway do not possess any share of the Nile. In the year 1888, England prohibited Afghanistan from utilizing Koshk, presenting a similar case. In the year 1946, the Soviet Union made a declaration in a one-sided treaty, stating that these measures were invalid and of no effect.

Furthermore, Turkey's stance is based on the reciprocity factor; given that Iraq does not provide oil, Turkey maintains a corresponding approach by withholding the supply of water. One of the fundamental principles is recognizing that oil is a commodity, while water holds inherent value. Labeling water as oil is an example that holds little to no relevance. Water is an essential requirement for our existence, whereas oil has emerged as a lucrative and vital economic asset, serving as a major source of income for countries over the years. In stark contrast, the ownership of oil is universally accepted without any disputes among nations. However, the ownership of an international river by a country has long been a contentious issue throughout history, prompting many nations to vehemently oppose it. Contrarily, one can survive without oil; however, it is utterly impossible to endure without water. The absence of oil



resources in numerous countries has not caused any negative impact on their quality of life or posed any imminent danger. However, any land deprived of water can only sustain itself for a few days.

The matter of discussion lies in the fact that, despite centuries of shared use of the Tigris and Euphrates rivers, he now desires complete authority over them. what were the consequences of this decision?

Turkey's sudden decision to dam the Tigris River raises questions about its motives and the resulting impacts. Why did Turkey suddenly remember the need to dam the Tigris, and what were the consequences of this choice?

13. International judicial procedures in waterways

Switzerland might have been one of the first countries in Europe to have an opinion regarding the diversion of river water. On January 12, 1878, the Supreme Federal Court of Switzerland pronounced its ruling, deeming the diversion of river water between canton of Zurich and canton of Schaffhausen as unlawful. One of the most significant international cases involving international waterways is the case of "Gabchiko and Nagimaros", as well as the case of "Lano Lake" which is another case related to the Arkansas River in America.

American courts have issued warnings to the upstream regions, making it clear that they lack the authority to interfere in various river disputes.

ICG's stance on the river branchings is that it deems this practice as illegal. After the votes were cast, three customs were established in this field. Firstly, it was mandated that we do not possess the authority to alter the course of the international waterway without engaging in consultations. Furthermore, when it comes to intervening and altering the trajectory of a global water passage, even when granted permission, the nation must accept responsibility in cases where it results in environmental harm. Additionally, it is crucial for us to consistently administer justice impartially.

The perspective of non-binding documents (soft rights) considers the owner of international waterways. Soft rights, unlike mandatory rights, are not required to be upheld by governments. If soft rights are violated, governments are not held internationally responsible.

Regional groups have come together to establish a set of general principles regarding fresh water. In 1968, the Council of Europe released the European Water Charter, outlining fundamental principles. This non-binding instrument came two years after the Helsinki Convention of 1966 and expanded its focus on global freshwater rights. The Charter acknowledges water as an indispensable resource with finite reserves, emphasizing the need to uphold its quality for its intended use. Recognizing water as a global heritage, it emphasizes the importance of promoting its value to all individuals. Water has no regard for borders, making it necessary for countries to collaborate and establish regulations on a global scale. The management of transboundary waters cannot be achieved solely at the national level. Rather, it necessitates the cooperation and collaboration of the coastal countries involved. It is crucial for coastal governments to come to agreements, specifically regarding pollution matters. This is due to the necessity of defining unified water quality standards and objectives collaboratively. Jointly, supervision, monitoring, and care of water quality and pollution must be undertaken, while governments should collaboratively share their facts and information regarding pollution. In order to address pollution issues and handle emergency situations efficiently, it is crucial to establish impactful warning systems and establish a collaborative assistance network. The protection of surface and underground water against oil pollution and its products is emphasized by the 1970 recommendation of the United Nations Economic Commission in Europe. The Stockholm 1972 action plan necessitated global collaboration to safeguard internal waters as well as water resources from contamination. In addition, during the 1977 United Nations Water Conference held in Mardel Plata, Argentina, the suggestion was made to explore various approaches for effectively handling shared water resources. The conference emphasized the importance of fully describing public initiatives and establishing the required systems and institutions to ensure a synchronized utilization of these resources. In Chapter 18 of Agenda 21, the focus has been on analyzing how to preserve the quality and storage of fresh water resources by implementing integrated approaches to develop, manage, and utilize these resources efficiently.

In compliance with this agreement, the country located upstream is not entitled to occupation, unless authorized by the downstream country. This echoes a previous one-sided treaty from 1944, where Mexico is granted only a minimal share of the river's water flow, which is safeguarded through the construction



of various structures. The fresh agreement, which received the approval of the United States, Due to the impending federal repeal and regional officials' decisions, Mexico will be granted the opportunity to utilize certain portions of its water allocations. The store is located in Lake Mead, which happens to be the largest reservoir in the United States situated on a river flowing through Nevada and Arizona. Meanwhile, in the United States, ... Water officials in the United States have received permission to invest in the construction of coverings for irrigation canals along the Mexican border, with the aim of conserving water resources. Subsequently, these officials possess the authority to retain a commensurate quantity of water sourced from the United States' side of the border and employ it for their personal endeavors. In such a manner, each individual receives their fair portion of water. The collaboration among nations and the acquisition of consent from the governments of the international river banks exemplify good neighborly conduct, providing an optimistic indication for the proliferation of harmonious relations amidst the prevailing hydrological disorder in the world's rivers.

14. Attribution of action to the government

The implementation of international responsibility can only occur when a violation of an international law has transpired. Thus, it is imperative that an illicit action has been committed on the global stage. To put it differently, the factors that bring about the acknowledgment of global accountability are as follows:

There are two ways to perform the action of either using the verb or not using the verb.

It has come to our attention that there seems to be an issue that requires immediate attention. The government is being blamed for engaging in illegitimate actions.

The government's accountability can extend globally because of the unlawful conduct associated with its various branches, including legislative, administrative, and judicial bodies. Similarly, actions performed by political subdivisions (such as departments, provinces, or regions) or states within a federal organization can also contribute to its responsibility. Hence, in accordance with international law, when individuals or entities under the effective jurisdiction of a nation commit an act, it is deemed as an international wrongful act attributed to that country. The individual responsible for the violation could be an esteemed politician or government representative, while the collective party responsible might consist of several members within the political system.

Illegal actions attributed to international institutions can arise from the collective organs of the government, such as the legislative assembly, government board, or courts of law, as well as their agents.

15. Civil liability for damage to the environment

Global environmental issues are inherently intense in nature. Instances of cross-border pollution, such as acid rain, can arise from various origins, including commonly shared sources such as rivers or lakes. These occurrences are typically the catalyst for transboundary ecological harm that can result from industrial accidents. Ever since the 1960s and 1970s, European societies have implemented a set of obligatory rules and regulations regarding the production, use, and transportation of these materials. However, the Se and Su disaster in 1976, along with the Bhopal and Sandoz incidents in 1984, and Chernobyl in 1986, served as wake-up calls highlighting the dearth of international regulations regarding industrial accidents and their impact on the environment. Following the Chernobyl disaster, two urgent conventions were promptly approved. These conventions were motivated by concerns for environmental protection, yet they introduced incomplete regulations. In consideration of the issue of civil responsibility, the focus was on damages originating from nuclear activities. There are four conventions specifically dedicated to tackling this matter. On the 29th of July, 1960, in the city of Paris, a noteworthy convention took place. On May 25, 1962, in Brussels On the 21st of May in 1963, in Vienna. On December 17, 1971, in Brussels, Most conventions addressing responsibility define civil liability in a similar manner. For instance, Article 8 of the 1993 Lugano Convention on Civil Liability for Environmental Damage caused by Dangerous Activities defines civil liability as the compensation for loss or damage caused by an entity or an individual. Typically, individuals or entities affected by the damage initiate civil lawsuits, holding the original owner or resource manager responsible. According to the traditional theory of government responsibility, any illegal action committed by a state leads to international responsibility. The government which endures pollution and inflicts verifiable harm upon the property or individuals of



another government is accountable for both scenarios. Throughout history, international governing rules have consistently outlined regulations that hold governments accountable for compensating environmental damage.

In accordance with Article 3 of the Rio Declaration, governments are obligated to formulate domestic legislation concerning liability, compensation, and remediation for various environmental harms. In order to establish global environmental laws and ensure fairness, it is essential for nations to promptly and resolutely collaborate with one another. This cooperation should focus on securing compensation for the adverse effects and expenses resulting from environmental pollution. Moreover, countries must be committed to providing reparations for damages caused by activities conducted within their own borders or in territories under their influence, even if these actions extend beyond their established jurisdiction.

In 1966, the International Court of Justice proclaimed that the failure to fulfill a duty resulting in harm to the environment across borders is now recognized as a component of customary international law. This declaration emerged from the Court's advisory opinion on the legality of utilizing or threatening to use nuclear weapons, granted in July 1966.

16. Available solutions

As we have seen in the third generation of criminal courts, the implementation of laws should not be implemented only when the obligation is resolved; Rather, we in the environment are responsible for the future effects of any action. The principle of joint but different responsibility of governments plays a significant role in the development and evolution of international environmental law. It is based on the Charter of the United Nations (1945) and the Universal Declaration of Human Rights (1948), which have been widely acknowledged as the foundation of global regulations in this field. The United Nations Declaration on the Right to Development (1986) and the Rio Declaration on Environment and Development (1992), both serve as complements to human rights. These declarations emphasize the importance of economic cooperation intertwined with social and environmental development. Additionally, adopting an environmental perspective, they can be seen as a potential global law to discourage countries from constructing dams in international waterways, with the aim of prevention. The cooperation between rivers has led to a focus on the joint utilization and administration of water among the member nations through these treaties. Cooperation, so it is said, shall pave the way for a future characterized by enhanced stability and fairness. The lack of water allocation agreements in most of these basins, as noted by the commission, raises concerns. Since the UN convention hasn't been ratified yet, the commission proposes the following five solutions:

The resolution of disputes should be handled diligently and with utmost professionalism. It requires a thorough examination of the facts, careful consideration of all parties' perspectives, and the implementation of a fair and unbiased decision-making process. Effective communication plays a vital role throughout this process, as it allows for the exchange of information and ensures that everyone is kept informed of developments. The ultimate goal is to find a mutually acceptable solution that addresses the concerns raised and resolves the dispute to the satisfaction of all involved parties.

In summary, notification, response, and resolution of disputes are essential components of effective communication and problem-solving. By promptly notifying, responding, and diligently resolving disputes, we can foster an environment of trust, fairness, and collaboration, ultimately leading to positive outcomes for all parties involved.

Border governments should prioritize identifying and acknowledging their rights and obligations when dealing with river procedures. If the construction of one country could potentially harm other nations or if the coastal countries' protests escalate, it would be unjustifiable to proceed with the project.

In the event that discrepancies between government announcements and other announcements cannot be resolved through consultation and negotiations, the Commission suggests the creation of an independent panel. According to the Commission, the creation and functioning of such a committee are clearly outlined in the "1997 United Nations Convention on the Civil Uses of International Waters."

Lastly, it is important to note the declaration made by Federica Mogherini, the High Representative of Foreign Affairs and Security Policy and Vice President of the European Union, on March 22, 2017, in commemoration of both the World and European Water Day. In his statements, EU members highlight



our dedication to attaining universal access and sustainable handling of water and wastewater for all individuals, with special attention to vulnerable groups, by the completion of the 2030 plan. At the heart of our dedication to inclusivity lies the principle of ensuring equal access to clean water for all. We wish to underscore our steadfast dedication to the Paris Agreement and Morocco's Declaration of Action. These initiatives signify a united global resolve to combat climate change and mitigate its impacts across different realms, notably in the domain of water.

Additionally, it should be noted that the European Union is committed to upholding international agreements relating to water cooperation. This commitment includes the UNECE Convention on the Protection and Use of Transboundary Waterways and International Lakes, as well as the United Nations Convention on the Law of Non-Navigational Uses of Waterways. Water holds immense value as the life-giving force that sustains all living beings across the globe. Preserving and safeguarding this vital resource should be our collective duty, transcending borders and promoting international cooperation. At this point in time, Turkey has affixed its signature to the entry permit, thereby expressing its desire to join the European continent. However, this decision goes against the overarching policies set forth by the European Union. Turkey, in either case, cannot be considered for European Union membership unless it demonstrates commitment and takes responsibility for its actions.

We take a highly stringent stance on environmental issues. The amount of environmental harm they have caused up to this point is sufficient to obliterate our existence. However, it is imperative that future generations are afforded the opportunity to thrive. Ensuring equitable treatment among countries is a fundamental requirement of international law. It fosters a smoother path for the future well-being of humanity. Failure to achieve this fair treatment will only escalate tensions and insecurities, burdening future generations with the consequences of our own actions. This fairness aligns with the principle. Hasan resides in the neighboring house. Nonetheless, fairness encompasses a wider and more elevated notion.

Conclusion

While it is undeniable that no document can officially denounce the Turkish government's actions in terms of international water and river rights, the ramifications of damming and depleting an international river will lead to highly unfavorable outcomes for all nations involved, particularly the country located upstream for various technical and engineering reasons. From the perspective of environmental rights and considering the principle of common but differentiated responsibility, the country bears responsibility in implementing these projects. Additionally, the Commonwealth countries that have invested in and supported these projects also share a collective responsibility equal to that of the country itself (shared responsibility). Moreover, it is worth noting that this is not the first international river dam in the world, as there are other instances of such dams in various parts of the globe. The multitude of available documents denouncing this act, along with the prompt and resolute objection from downstream countries, have transformed these documents into guiding principles that bind and oblige the world to uphold these standards. Water holds immense importance in international documents, as it's deemed vital and deserving of thorough and thoughtful exploration, separate from political conflicts. Instead of treating it as a mere commodity, its scarcity necessitates careful consideration and handling. Political games occur.

In light of the present circumstances, it appears most prudent for nations to come together and combat the prevailing drought collectively, rather than engaging in conflicts amongst themselves. When water becomes the central element for the future of all nations, the prospects for collaboration and solidarity seem bleak. Hence, in order to secure the survival of the downstream countries, their only option is to collaborate and establish a shared cooperation panel with Turkey, acting as an upstream country.

Furthermore, a dam construction project requires a specialized team of experts, aside from civil engineers, to assess various technical aspects. These include examining the hydraulic, hydrological, geographic, environmental, underground water, mapping, urban planning, agriculture, and land effects associated with the dam's construction. In order to ensure the smooth operation of this dam, the presence of the science and management and coordination group is required at all times. In certain instances, permission from the appropriate internal authorities may even be necessary. To begin with, the need for establishing an international body to oversee and grant permits for such activities is highly




evident. Aside from the absence of any mention of this dam in current international law, it is worth questioning whether the aforementioned groups genuinely failed to assess the potential downstream effects. Negligence and oversight on the part of the Convention on Environmental Diversity imply that the contracting parties are not solely responsible for safeguarding biodiversity within their borders, but also bear the responsibility of protecting external biodiversity. The economic, subsistence, and environmental reliance of Iraq, Syria, and Iran on the Tigris and Euphrates rivers is deeply impacted by the amount of water available in the regions. The greater the reduction in water volume, the more severe the consequences will be for these downstream countries. Additional rounds from the region have been incorporated. Furthermore, it is essential to consider the perspective of environmental rights when examining this research. The significant ecological harm resulting from the establishment of the dam in the countries upstream highlights the urgency of addressing the environmental aspect of this matter. Consequently, an independent investigation dedicated to this topic becomes necessary. We strongly urge and promote a focused research in this particular field.

Overall, when it comes to diplomacy, making trade-offs is essential. If an upstream country decides to act in a way that goes against international law and harms other countries, it will suffer significant consequences. Such actions would lead to the loss of numerous markets in neighboring downstream countries and hinder the economic development of other nations. For instance, Iran, being the most convenient route for Turkish goods to reach southern countries, holds the potential to deny Turkey of this limited privilege.

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