

ISRAEL

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The law of transboundary aquifers

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The Government of Israel wishes to commend the International Law Commission on its significant work on the law of transboundary aquifers, which was concluded in the adoption of the draft articles by the General Assembly in resolution. Israel would like to take this opportunity and forum to commemorate the important and extensive work done by the late Special Rapporteur Mr. Chusei Yamada, who passed away this March. Mr. Yamada contributed greatly to the drafting of a useful framework for the management, use and protection of transboundary aquifers and for that he deserves our gratitude and appreciation.

All around the world and especially in the Middle East, water is a rare commodity and therefore its sound use, management and protection constitute a shared interest of all states and peoples. By combining technologies, innovation and goodwill, water scarcity can be transformed from a catalyst for conflict to a key for cooperation and dialogue. Israel has become in recent years a leading actor in water management and it stands at the international front of water technology. Over the last years it has more than doubled its available water resources by the development of seven large scale desalination plants and the reclamation of almost 80% of its urban wastewater for agricultural reuse. Moreover, Israel has implemented institutional reform by creating a government authority responsible for all aspects of water. Israel is a world leader in agricultural innovation, sophisticated irrigation methods and combating desertification.

The Government of Israel presented its position regarding the draft articles that were adopted by the General Assembly in length, in its statements to the Sixth Committee and in its comments to the draft articles adopted by the ILC upon first reading. It is the view of the Government of Israel that the draft articles constitute useful contribution as they delineate guidelines and various factors that states could consider when negotiating on bilateral or regional agreements.

That said, Israel is not convinced that is appropriate to codify these articles formally in an international convention. Indeed, when it comes to cooperation among states in the topic of transboundary resources, every case differs from the other, and the relevant facts and circumstances -- including the geophysical nature of the relevant area; the relationship between the states in question, and the economic, cultural and political context -- must always be taken into account. Israel, therefore as other countries, believes that the most appropriate way to approach this issue is by bilateral or regional projects and arrangements, taking into consideration the different principles and factors outlined in various sources, including the draft articles.

In this area, the international community should continue to learn from States' best practices, analyze case-studies, discuss challenges and deepen our scientific research and cooperation in this field. In this regard, Israel would like to express its appreciation to International Hydrological Programme and other international institutions which organize workshops, conferences and various meetings in which scientific, legal and institutional aspects of this topic are discussed.