



BANGLADESH

Statement under Agenda Item 86: *The Law of Transboundary Aquifers* at the Sixth Committee of the 71st Session of the General Assembly on Thursday, 20 October 2016 at Trusteeship Council Chamber

Mr. Chairman/ Distinguished delegates,

As a climate vulnerable deltaic plain, Bangladesh recognises the importance of proper use, management and conservation of aquifers as vital groundwater resources. With our fast evolving population dynamics, there is increased pressure on our natural groundwater rendering it susceptible to over-exploitation, depletion and pollution. Our Government has undertaken a host of measures, including commissioning water treatment and desalination plants, to ensure viable sources of safe drinking water for our entire population, including those concentrating in the urban metropolises.

We acknowledge the important resources developed by the International Law Commission for the draft Articles on the Law of Transboundary Aquifers, annexed to Resolution 68/118. The draft Article 3 carries the fundamental principle of the sovereignty of aquifer States over the portion of a transboundary aquifer or aquifer system within its territory.

The draft Articles 4 through 9 add considerable value in the context of potential transboundary aquifer management based on the principles of equitable and reasonable utilization, obligation not to cause significant harm, and general obligation to cooperate. The draft Article 2(4) stipulates that “weighing different kinds of utilization of a transboundary aquifer or aquifer system, special regard shall be given to vital human needs”.

While affirming our general support for these principles, Bangladesh considers that, due to the varying hydrographical dimensions and practices in different parts of the world, the issue of transboundary aquifer management needs to be addressed in a context-specific manner instead of through a broad-based international convention. We believe the 68th session of the General Assembly had taken a pragmatic decision to commend the draft Articles to Member States’ attention as guidance for bilateral or regional agreements or arrangements concerning sound management of transboundary aquifers. We would suggest maintaining the same approach going forward.

In our national context, we consider the draft Articles concerning protection, preservation and management to be particularly useful. The eco-system oriented and precautionary approaches are critical to address the challenges we continue to face with arsenic contamination of groundwater and growing industrial discharge into the water-based ecosystem.

We would recommend the Secretariat to bring the work done by this Committee on this subject to the attention of the Secretary General's High-level Panel on Water in relation to the latter's Plan of Action adopted last month.

Mr. Chairman,

We have taken note with appreciation of the Japanese delegation's offer to coordinate the work surrounding the draft resolution on the issue as a responsible member state.

I thank you.