

The Agreement of the Guarani Aquifer

*A regional adaptation to the
Law of Transboundary Aquifers*



N°abstract

1583



25-29th
September 2016

Montpellier, France
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Guaraní Aquifer System (GAS)



A regional adaptation to
the Law of
Transboundary Aquifers
(UNA/res/63/439).



GAS encompasses parts of

Argentina

Brazil

Paraguay

Uruguay



The Guaraní Aquifer Agreement (GAA)

Signed at San Juan, Argentina 2010.

Clause 21 : The agreement will be in effect 30 days after the fourth instrument of ratification has been deposited.

Ratification

°Uruguay - - - - - 2012

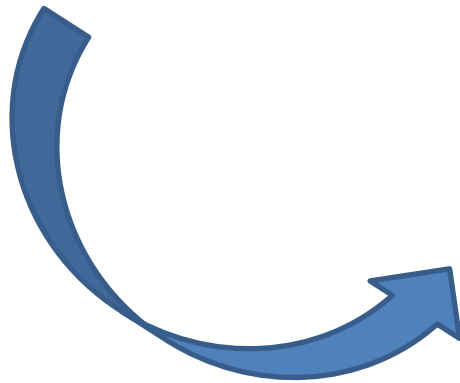
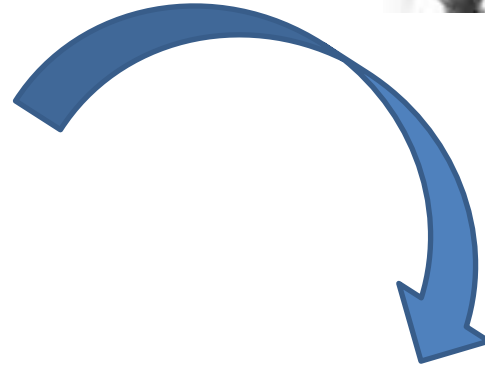
°Argentina- - - - -2013

°Paraguay- - - - - rejected 2012-2014

°Brasil - - - - - not yet

«Tragedy of Commons »

by Garret Hardin



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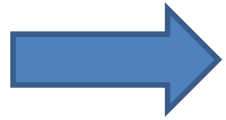
« Solutions to solve the tragedy of commons »

by Elinor Ostrom



- 1) **The resource itself.**
- 2) **Resource dependance**
- 3) **Presence of a community**
- 4) **Appropriate community based rules –
Procedures in place - punishments for overuse**

Problems of Guaraní Aquifer



Vulnerability risk in recharge areas



Contamination risk by disordely drilling



Domestic laws are coming into use fixing extraction limits without consulting whith other States.



The Guaraní Aquifer Agreement:

a valid legal tool to strengthen
local legal and institutional frameworks



Functioning of the Aquifer system

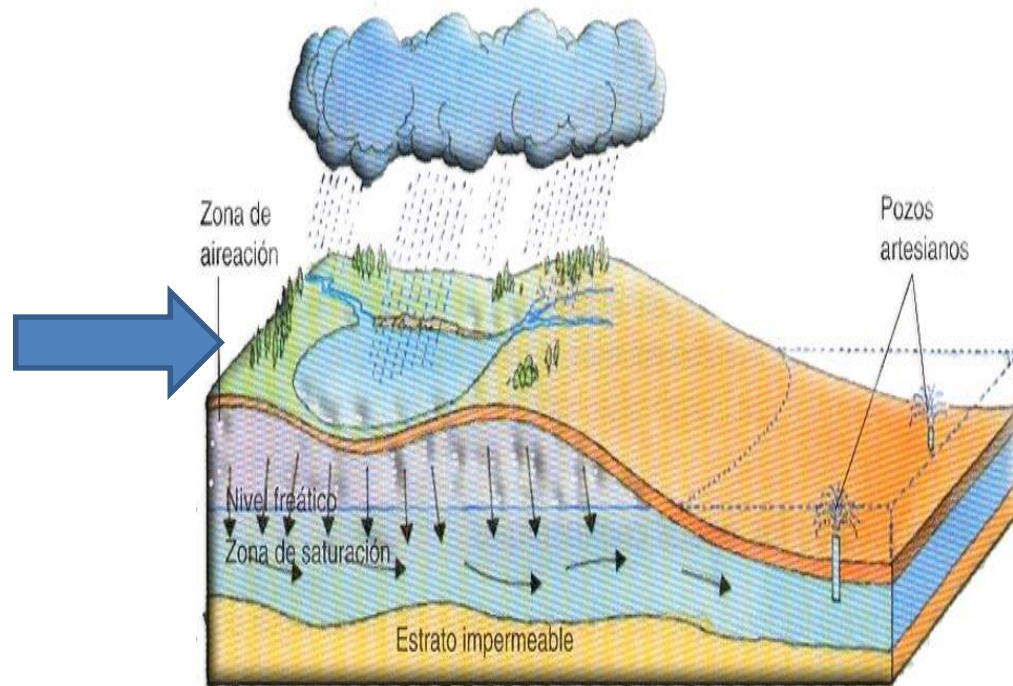
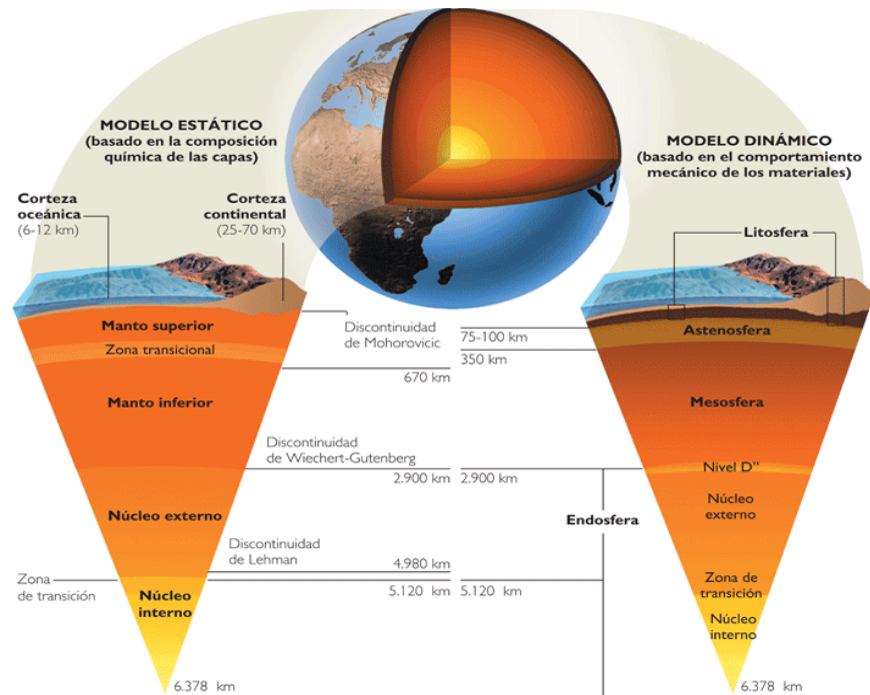


Its discharge and recharge areas



Checking and monitoring activities

Defninition of what a transboundary Aquifer System IS



The Guaraní Aquifer Agreement:

a valid legal tool to strengthen
local legal and institutional frameworks

 **Equitable – reasonable conservation
and utilisation principles**

 **Obligation to not harm other States**

 **Obligation of cooperation and regular
exchange of data and information**

Final consideration:

We face now the tragedy of the global commons!!

How to undertake «The care of our House ?
-encyclical « ***Laudato SI*** »





Thank you for your attention !!!

Diego De Rosa

e-mail: dderosa@jursoc.unlp.edu.ar



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