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THE LAW OF THE NON-NAVIGATIONAL USES
OF INTERNATIONAL WATERCOURSES

Economic and Social Council resolution on international
river basin development

Note by the Secretariat

1. At its 1975th meeting on 25 July 1975, the Economic and Social Council adopted resolution 1955 (LIX) entitled "International River Basin Development", the text of which reads as follows:

The Economic and Social Council,

Bearing in mind the need for co-operation in the implementation of General Assembly resolutions 2669 (XXV), 2780 (XXVI), 2926 (XXVII), 3031 (XXVIII) and 3315 (XXIX) of 8 December 1970, 3 December 1971, 28 November 1972, 30 November 1973 and 14 December 1974, respectively, referring to the study by the International Law Commission of the law of the non-navigational uses of international watercourses,

Recalling General Assembly resolution 3129 (XXVIII) of 13 December 1973 on co-operation in the field of the environment concerning natural resources shared by two or more States, in which the Assembly took note with satisfaction of the relevant parts of the Economic Declaration adopted by the Fourth Conference of Heads of State or Government of Non-Aligned Countries, held at Algiers in September 1973, 1/

Recalling also General Assembly resolution 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States, in which the Assembly further confirmed the principles stated in its resolution 3129 (XXVIII),

1/ See document A/9330 and Corr. 1, p. 57.

1. Requests the Secretary-General to utilize the experience, knowledge and capacity of the Centre for Natural Resources, Energy and Transport and other organizations of the United Nations system having direct interest in the field;

(a) For assisting the International Law Commission in its study of the law of the non-navigational uses of international watercourses by providing the necessary advice on related technical, scientific and economic problems, so as to enable the Commission to decide on the principles and methods for determining criteria for the equitable sharing of responsibilities and benefits in the management and integrated development of international river basins;

(b) For co-operating with the United Nations Environment Programme in its implementation of General Assembly resolution 3129 (XXVIII), which should be read in conjunction with General Assembly resolution 3281 (XXIX);

2. Requests the Secretary-General to submit the reports on the action taken pursuant to the request in paragraph 1 above to the Committee on Natural Resources at its fifth session;

3. Appeals to the International Law Commission to give priority to the study of the law of the non-navigational uses of international watercourses and to submit a progress report to the United Nations Water Conference, which is to take place in 1977. 2/

2. Economic and Social Council resolution 1955 (LIX) originated in the Committee on Natural Resources, which, at its fourth session held in Tokyo from 24 March to 4 April 1975, had adopted draft resolution IIB entitled "International river basin development" and recommended it for adoption to the Economic and Social Council. The text of that draft resolution read as follows:

The Economic and Social Council,

Bearing in mind the need for co-operation in the implementation of General Assembly resolutions 2669 (XXV), 2780 (XXVI), 2926 (XXVIII) and 3315 (XXIX) referring to the study of the law of the non-navigational uses of international watercourses by the International Law Commission,

Recalling General Assembly resolution 3129 (XXVIII) of 13 December 1973 on co-operation in the field of the environment concerning natural resources shared by two or more States, in which the Assembly took note with satisfaction of the relevant parts in this regard of the Economic Declaration 3/ adopted by the Fourth Conference of Heads of State or Government of Non-Aligned Countries, held at Algiers in September 1973,

2/ Official Records of the Economic and Social Council, Fifty-ninth Session, Supplement No. 1, (E/5740).

3/ A/9330 and Corr. 1, p. 57.

Recalling also General Assembly resolution 3281 (XXXIX) of 12 December 1974 on the Charter of Economic Rights and Duties of States in which the Assembly further confirmed the same principles stated in its resolution 3129 (XXVIII),

1. Requests the Secretary-General to utilize the experience, knowledge and capacity of the Centre for Natural Resources, Energy and Transport and other organizations of the United Nations system having direct interest in the field;

(a) For assisting the International Law Commission in its study of the law of the non-navigational uses of international watercourses by providing the necessary advice on related technical, scientific and economic problems, so as to enable the International Law Commission to decide on the principles and methods for determining criteria for equitable sharing of responsibilities and benefits in the management and integrated development of international river basins;

(b) For co-operating with the United Nations Environment Programme in its implementation of General Assembly resolution 3129 (XXVIII), which should be read with General Assembly resolution 3281 (XXIX);

2. Requests the Secretary-General to submit the reports on the action taken on the basis of the decisions mentioned above to the Committee on Natural Resources at its fourth session;

3. Appeals to the International Law Commission to give priority to the study of the law of non-navigational uses of international watercourses and to submit a progress report to the United Nations Water Conference, which is to take place in 1977. 4/

3. The Economic Committee of the Council studied the above recommendation as part of its consideration of item 11 of the agenda for the fifty-ninth session: "International resources", at its 742nd to its 744th meetings on 14 to 16 July 1975.

4. At its 744th meeting on 16 July 1975, the Economic Committee adopted without a vote draft resolution IIB entitled "International river basin development".

5. With regard to draft resolution II (draft resolution IIA was entitled "Preparatory Work for the United Nations Water Conference") the delegation of Brazil reiterated the reservations it had made at the fourth session of the Committee on Natural Resources, specifically those concerning inter alia the text of the preparatory work for the "International river basin development".

4/ Official Records of the Economic and Social Council, Fifty-ninth Session, Supplement No. 3, (E/5663) pp. 6-7.

Those reservations (E/C.7/L.36) refer to General Assembly resolution 3129 (XXVIII) and to Article 3 of the Charter of Economic Rights and Duties of States.

6. Reservations to the various draft resolutions, including draft resolution IIB were made by several States (E/AC.6/SR.744). In this connexion, the Chairman of the Economic Committee stated that, unless members wished to withdraw their reservations already expressed in the Committee on Natural Resources, it would be assumed that those reservations remained valid.

7. At its 1975th meeting on 25 July 1975, the Economic and Social Council considered the draft resolutions recommended by the Economic Committee in its report (E/5731, VII) and adopted without a vote draft resolution II.
