List of Abbreviations

- AO — Advisory Opinion.
- App. — Application.
- Art. — Article
- CEDAW — Convention on the Elimination of All Forms of Discrimination Against Women.
- CESCR — Committee on Economic, Social and Cultural Rights.
- ECHR — European Convention on Human Rights.
- ECJ — European Court of Justice
- ECtHR — European Court of Human Rights.
- Eds. — Editions.
- EJIL — European Journal of International Law
- ESC rights — Economic, Social and Cultural Rights.
- GA — General Assembly.
- GC — General Comment.
- HRC — Human Rights Commission.
- IACtHR — Inter-American Commission on Human Rights.
- ICCPR — International Covenant on Civil and Political Rights.
- ICESCR — International Covenant on Economic, Social and Cultural Rights.
- ICJ — International Court of Justice.
- ILA — International Law Association

• ILC	International Law Commission.
• IHL	International Humanitarian Law
• Let.	Letter
• Limburg Principle	Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights.
• Maastricht Principle	Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights.
• No.	Number.
• Res.	Resolution
• SC	Security Council
• The Covenant	International Covenant on Economic, Social and Cultural Rights.
• UDHR	Universal Declaration on Human Rights.
• UN	United Nations.
• UN Charter	Charter of the United Nations.
• UN. Doc.	United Nations Documents.
• VCLT	Vienna Convention on the Law of Treaties.
• Vol.	Volume.
• Wall Opinion	Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (ICJ, 9 July 2004).
• Water / Watercourses Convention	United Nations Convention on the Non-Navigational Uses of International Water Courses.

Introduction

The concept of human rights has become used and probably abused in our every-day language, almost everyone has (or should have) an idea of what human rights are and what they protect.

However, when did this concept become relevant in the international law discourse? As it is known national systems have always been more advanced in human rights protection, as it is demonstrated by the fact that the first mentions of human rights can already be found in the Magna Carta Libertatum of 1215 signed by King John of England.[1] From 1215 onwards human rights systems have continued to developed, but it was only after the Second World War that the United Nations brought human rights into the sphere of international law with their own constituent document, the Charter of the United Nations. The purposes that the United Nations aim to achieve, in the field of human rights, with the adoption of the UN Charter are enclosed in Article 1(3) that fosters the promotion and encouragement of human rights and fundamental freedoms. In addition, under Articles 55 and 56, Member States are committed to "joint and separate action" to create "conditions of stability and well-being" across the world, including the promotion of "universal respect for, and observance of, human rights and fundamental freedoms […]".[2]

Along these lines, the second half of the twentieth century witnessed an outbreak of human rights treaties, the *fil rouge* connecting the various treaties, conventions, covenants and agreements is the aim of the drafters to prevent the horrors of the second war world to happen again. Consequently, human rights have become a common idiom to approach an increasing set of realms and challenges. They have endowed people with significant protections against the power of the state and even made some non-state actors responsible for both their violation and their promotion. Notwithstanding, their infringements remain widespread. The number of authoritarian countries increased in the recent years, some groups continue to be discriminated, subordinated and exploited, social justice is not accomplished at global level, serious poverty is a plague, and some big challenges (see migration for example) are handed without taking the human rights perspective seriously. Additionally, while the ink was still drying on the papers, a question transpired: What limits, if any, do human rights treaties entail concerning the conduct of signatory states outside their borders?

The issue concerning the extraterritorial application of human rights treaties continues to be on top of the international law discourse as it presents numerous controversies. The vast amount of cases[3] that international courts are facing in

[1] Magna Carta Libertatum was issued in June 1215 and was the first document to put into writing the principle that the king and his government was not above the law. It sought to prevent the king from exploiting his power, placed limits of royal authority by establishing law as a power in itself, and granting rights and liberties to individuals and groups were issued by lords throughout society, including the king.

[2] Sarah Joseph and Adam McBeth, "*Research Handbook on International Human Rights Law*", (Edward Elgar Publishing, 2010), p.1.

3 See, for example, Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (ICJ, 9 July 2004), Bankovic and Others v. Belgium and

this regard shows how the problem is actual and needs further in-depth analyses. The *trait d'union* between all the cases, whether pending or decided, is that the concerned individuals have claimed protection from human rights law against a State affecting their lives while acting outside its territory.[4] As a matter of fact, at the present day it has become clearer and clearer that thanks to globalisation States can no longer be considered in isolation: there is a growing number of factors and actors, and in addition the nature of the involvement of States in the international plane is changing, since they are no longer the key player. Just to give an example, States have to now deal with corporations, financial institutions, and inter-governmental organisations.[5] Those complicating factors coupled with the growing interlinked dimension that characterises the relationship between States give to human rights an ever-increasing international and extraterritorial component.[6] In other words, we are no longer speaking about contiguous States and simple border-crossing cases, but rather of multiples states which actions or inactions can have profound effect on human rights protection not only within their own territory but also in places all over the globe.[7]

Before presenting the challenges that extraterritoriality raises in international law, one has to be aware that from the end of the Second World War till now many Human Rights Treaties have been ratified by states; just to name a few, without attempting to be exhaustive, the Charter of the United Nations in 1945,[8] the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic, Social and Cultural Rights (1966), and the European Convention on Human Rights (1950). All these different treaties pose different challenges and problems regarding their extraterritorial application, therefore each of them would need a separate discussion. However, it goes beyond the aim and scope of the present contribution to analyse all of them, hence the subject of study of this work will be the International Covenant on Economic, Social and Cultural Rights (thereinafter ICESCR). The present work examines whether State parties' human rights obligations stemming from the International Covenant on Economic, Social and Cultural Rights are limited to individuals and groups within a State's territory or whether a State can be held responsible for the acts and

Others (ECtHR, 12 December 2001), Ilaşcu and Others v. Moldova and Russia (ECtHR, 8 July 2004),Al Skeini and Others v. United Kingdom (ECtHR, 7 July 2011), Catan and Others v. Moldova and Russia (ECtHR, 19 October 2012).

[4] Marko Milanovic, "*From Compromise to Principle: Clarifying the Concept of State Jurisdiction in Human Rights Treaties*", Human Rights Law Review Vol.8 No.3, (Oxford University Press 2008), p.412.

[5] Fons Coomans, "*The Extraterritorial Scope of the International Covenant on Economic, Social and Cultural Rights in the Work of the United Nations Committee on Economic, Social and Cultural Rights",* Human Rights Law Review Vol.11 No.1, (Oxford University Press 2011), p.2.

[6] Ibid.,

[7] Mark Gibney, "*On Terminology: Extraterritorial Obligations*", in Malcolm Langford, Wouter Vandenhole, Martin Scheinin and Willem Van Genugten "Global Justice, State Duties: the Extraterritorial Scope of Economic, Social, and Cultural Rights in International law", (Cambridge University Press 2013), p.34.

[8] It is worth it to clarify that even if the Charter of the United Nations is not a Human Right Treaty itself, it contains general principles and rules of international law that are useful as general guidelines when it comes to interpret and apply specific Human Rights Treaties.

omissions undertaken beyond its national territory which produce effects on economic, social and cultural rights in third states.

The International Covenant on Economic, Social and Cultural Rights entered into force on 3 January 1976, following the drafting procedure opened in 1954. The ICECSR together with the International Covenant on Civil (ICCPR) and Political Rights, and the Universal Declaration on Human Rights (UDHR) constitutes part of the so called "International Bill of Rights", which was intended to secure the basis for a new international system based on the respect of human rights.

Why the International Covenant on Social, Economic and Cultural Rights? This peculiar international treaty has never received much attention, neither from scholars nor from international courts. However, this silence about Economic, Social and Cultural Rights (thereinafter ESC rights) is not due to an exhaustive legislation and a clear position on their extraterritorial application, but rather to a lack of case-law ant international bodies' practices, and to the fact that when the Covenant was drafted, States were the primary player on the international plane and the question about extraterritorial application of the human rights contained therein had no right to exist. Things started to change with the process of globalisation, and extraterritoriality is no more an exceptional case that has to be solved with exceptional measures, but rather it became an everyday reality that needs its organic and well-defined international discipline.[9]

As the Committee on Economic, Social and Cultural Rights (thereinafter CESCR)[10] has emphasized, the reality is that

> The International Community as a whole continue to tolerate all too often breaches of economic, social and cultural rights, which, if they occurred in relation to civil and political rights, would provoke expression of horror and outrage and would lead to concerted calls for immediate remedial action. In effect, despite the rhetoric, violations of civil and political rights continue to be treated as though they were far more serious, and more patently intolerable, than the massive and direct denials of economic, social and cultural rights.[11]

This said the relevant question that has to be asked as starting point is: "Does the International Covenant on Economic, Social and Cultural Rights give raise to extraterritorial obligations?" At the centre of the debate is the issue of whether states should secure the three layers of human rights obligation to respect, protect and fulfil not only to those individuals within their territory, but

[9] Fons Coomans, "*Application of the International Covenant on Economic, Social and Cultural Rights in the Framework of International Organisations*", Max Plank Yearbook of United Nations Law Vol.11, (2007), p.360.

[10] The Committee on Economic, Social and Cultural Rights is a United Nations body of 18 experts that supervise the application of ICESCR, and it is the main source of comments and observations. Although these comments and observations are to be considered as soft law, they offer an important tool for interpreting and applying the ICESCR.

[11] Statement of the Committee on Economic, Social and Cultural Rights at the World Conference, UN Doc. E/1993/22 p.83, para.5.

also to those beyond its borders (and so extraterritorially).[12] The study on extraterritorial obligation under ICESCR could be seen as part of the wide-ranging effort in enhancing the domestic implementation of ESC rights themselves. Accordingly, the prominence given to extraterritoriality does not purport to undercut the primacy of domestic state's responsibility in implementing the Covenant internally. Ultimately, the success or failure of ICESCR (or any other human rights treaty) depends on the degree of its domestic enforcement and implementation.[13] Unfortunately, in some cases, a state might be unable to prevent ESC rights violations, to secure or to fulfil ESC rights, and here is precisely where extraterritoriality comes to the assistance of individuals by adding another layer of protection. Thus, to the extent of its extraterritorial applicability the ICESCR guarantees and additional protection for individual and group rights holders, therefore its analysis is worth it.

The main purpose of this study is to present the main issues regarding the extraterritorial application of the International Covenant on Economic, Social and Cultural Rights.

The first introductory chapter draws, as a matter of priority, the definitions of extraterritorial obligations and of economic, social and cultural rights. The discussion will be then focused on the dispute that revolves around ESC right's nature and will discuss whether the obligation arising from the Covenant are limited only to negative obligations to respect and to protect or whether they also comprise positive obligations to contribute to the realisation of ESC rights in other states (obligation to fulfil), in the framework, set out in article 2(1) ICESCR, of development and international assistance and cooperation.

The second chapter displays the scholarly debate on the extraterritorial application of the International Covenant on Economic, Social and Cultural Rights by presenting a literature review.

The first question concerns the matter of unilateral state conduct. This macro category would be divided into two main issue, the first relating the case of occupation, and the second regarding what happens when a State loses control over parts of its own territories. As to the first matter, do the protections enshrined in the ICESCR apply extraterritorially outside the government-governed relationship?[14] As to the second, when a state loses control over its territory but still detains formal sovereignty over it, is still bound by human rights obligation? To answer this latter question two pivotal pronouncements of the European Court of Human Rights would be the object of the study, Ilaşcu and Others v. Moldova and Russia (2004), and Catan and Others v. Moldova and Russia (2012), both dealing with the European Convention of Human Rights'

[12] Takele Soboka Bulto, "*Patching the Legal Black Hole: The extraterritorial Reach of States' Human Rights Duties in the African Human Rights System*", South African Journal of Human Rights Vol. 2 Issue 2, (Routledge, 2011), p.249.
[13] Ibid., p.251.
[14] Michael J. Dennis, "*Application of Human Rights Treaties Extraterritorially in Times of Armed Conflict and Military Occupation*", The American Journal of International Law Vol.99 No.1, (Cambridge University Press 2005), p.121.

application to the separatist republic of Transdniestria in Moldova.[15] In both cases, the Court found that Russia and Moldova had jurisdiction over the applicants, but once again, the criteria used by the ECtHR to asses jurisdiction were not clear. The Court's judgment has led many commentators to question how its holding on extra-territorial jurisdiction fits within its own case law and the International Law Commission (ILC) and the International Court of Justice (ICJ) findings on the same issue.[16] For example, Marko Milanovic noted that "ultimately, we again have a judgment that is conceptually open to various interpretations."[17]

A further question is whether state parties of the ICESCR are bound by its provision when acting as member of executive bodies of international financial institutions (as the International Monetary Fund and the World Bank) when they adopt or implement lending programs in poorer countries.[18] Only States can ratify and become a party to the ICESCR (the Covenant is not open to international organisations).[19] However, it is evident that the availability of resources that a State needs in order to fully realise ESC rights may be influenced also by International Financial Institutions.[20] Besides, an additional matter is whether the United Nations Security Council is bound to respect ESC rights and human rights obligations when adopting economic sanctions against states for a violation of international law. The priority here is to strike a balance between re-establish the international legal order (meaning international peace and security)[21] and the necessity to avoid deprivation of basic human rights, such for example the right to food and to health, that may be affected negatively by the sanctions.[22]

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[15] For an in depth-analysis see Marko Milanovic, "*The applicability of the ECHR in Contested Territories; Two Other ECHR Cases against Russia*", EJIL: Talk!, (Published 19th July 2018), Available at: https://www.ejiltalk.org/the-applicability-of-the-echr-in-contested-territories-two-other-echr-cases-against-russia/ (Last Access 9 October 2019 h.11.23).

[16] "*In Catan and Others v. Russia and Moldova ECtHR finds Violation of Right to Education*", International Justice Resource Center Available at: https://ijrcenter.org/2012/10/30/in-catan-and-others-v-moldova-and-russia-echr-finds-violation-of-right-to-education/ (Last Access 09 October 2019 h.10.06).

[17] For an in depth-analysis see Marko Milanovic, "*Grand Chamber Judgment in Catan and Others*", EJIL:Talk!, (Published 21st October 2012), Available at: http://www.ejiltalk.org/grand-chamber-judgment-in-catan-and-others/ (Last Access 13 October 2019 h.9.54).

[18] Fons Coomans and Menno T. Kamminga, "*Comparative Introductory Comments on the Extraterritorial Application of Human Rights Treaties*", In Fons Coomans and Menno T. Kamminga (eds.) Extraterritorial Application of Human Rights Treaties, (Intersentia, 2004), p.6.

[19] Coomans "*Application of the International Covenant on Economic, Social and Cultural Rights in the Framework of International Organisations*" (see n.9), p.367.

[20] Ibid.,

[21] The United Nations came into being in 1945, following the devastation of the Second World War, with one central mission: the maintenance of international peace and security. The UN does this by working to prevent conflict; helping parties in conflict make peace; peacekeeping; and creating the conditions to allow peace to hold and flourish. These activities often overlap and should reinforce one another, to be effective. The UN Security Council has the primary responsibility for international peace and security. To do so under Chapter VII of the Charter, the Security Council can take enforcement measures to maintain or restore international peace and security. Such measures range from economic sanctions to international military action. See generally United Nations Website, Available at: https://www.un.org/en/sections/what-we-do/maintain-international-peace-and-security/ (Last Access 13 December 2019, h. 12.04).

[22] Coomans and Kamminga, (see n.18), p.6.

A separate and final issue that presents extraterritorial implications and that was addressed by the CESCR in various general comments,[23] regards the behaviour of multinational corporations. The attention would be centred on whether the home state of the transnational corporations have an extraterritorial obligation to respect, protect and fulfil the ESC rights of individuals living in a third state where the conduct of such corporations could endanger the above-mentioned rights.[24]

The purpose of the chapter is to suggest some possible solution with the assistance of scholarly contributions, the practices of the International Court of Justice (thereinafter ICJ), and General Comments and Concluding Observations of the CESCR.[25]

The third chapter focuses on the interpretation of the International Covenant on Economic, Social and Cultural Rights, especially on the interpretation of article 2(1) by using the relevant articles contained in the Vienna Convention on the Law

[23] See, for example, General Comment No.24 on State obligations under the ICESCR in the context of business activities (2017) UN Doc. E/C.12/GC/24, or General Comment No.14 on the right to the highest attainable standard of health (2011) , UN Doc E/C.12/2000/4, para 39.

[24] Ibid.,; and Rolf Künneman, "*The Extraterritorial Scope of International Covenant of the Economic, Social and Cultural Rights*", Available at: https://www.lancaster.ac.uk/universalhumanrights/documents/FIAN_ETOsandICESCR.pdf (Last Access: 11 October 2019 h.17.27).

[25] General Comments are a quasi-legal tool for interpreting human rights treaties; they cover a wide range of subjects, from the comprehensive interpretation of substantive provisions. Such as the right to health, education and food, to general guidance on the information that should be submitted in States' reports relating to specific articles f a treaty. In other words, General comments are official and authoritative, although non legally binding interpretations of a particular right included in a covenant, convention or treaty. They are issued by the UN committees that are composed of independent experts elected by the UN Member States. The role of the Committees is to monitor the implementation of specific Covenants, Conventions and Treaties by State Parties. Definition available at: https://www.ohchr.org/EN/HRBodies/pages/TBGeneralComments.aspx (Last Access 31 December 2019, h,11.19); and in Maria Napiontek, "*International Standard Setting With Regard to the Right to Water*" Available at: http://www.hfhr.pl/wp-content/uploads/2017/04/International-standard-setting-with-regard-to-the-right-to-water_Maria-Napiontek.pdf (Last Access 04 January 2020, h.14.59).

Concluding observations are adopted by UN human rights treaty-monitoring committees. They concern a specific country and are released after a review or examination of a state's report. They are aimed at determining whether countries implement the obligations arising from a covenant, convention or treaty and to show any inconsistencies. State parties are expected to take the committee's observations into consideration, however, there are no mechanisms that make it possible to enforce them. Moreover, Concluding Observations refer both to the positive aspect of states' implementation of a treaty and to the areas of concerns, where the treaty body recommends that further action needs to be taken by the State. The treaty bodies are committed to issuing concluding observations that are concrete, focused and implementable, and are paying increasing attention to measures to ensure effective follow-up to their concluding observation. Definition available at: https://www.ohchr.org/EN/HRBodies/pages/TBGlossary.aspx#co (Last Access 31 December 2019, h,11.23); and in Maria Napiontek, "*International Standard Setting With Regard to the Right to Water*" Available at: http://www.hfhr.pl/wp-content/uploads/2017/04/International-standard-setting-with-regard-to-the-right-to-water_Maria-Napiontek.pdf (Last Access 04 January 2020, h.14.59).

of Treaties,[26] the Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights,[27] and the Maastricht Principles on Extraterritorial Obligations of State in the Area of Economic, Social and Cultural Rights.[28]

The primary concern regards the fact that ICESCR does not have a jurisdictional clause, particularly art.2(1), that describes the objectives of the Covenant, does not mention anything about the Covenant's territorial/extraterritorial scope of application. This absence raises various meaningful questions. What does this omission mean in terms of extraterritorial application of economic, social and cultural rights? Does it mean that there is a protection gap in situations where the extraterritorial conduct of a signatory State affects the ESC rights of individuals living in another state?[29] Or, the lack of the jurisdictional clause could be interpreted as permitting an extraterritorial application without relevant limitations? The ICESCR does not mention either territory or jurisdiction as limiting criteria for its application, instead, it refers to the

[26] The Vienna Convention on the Law of Treaties was adopted on May 23, 1969. Known as 'the treaty on treaties', the VCLT covers the most important areas concerning the international law on treaties between states, from defining what constitutes a treaty and how it is brought into force, to how a treaty operates in practice, and the rules on amendments and terminations.
Definition from Max Planck Encyclopaedia of Public International Law, Available at: https://opil.ouplaw.com/view/10.1093/law:epil/9780199231690/law-9780199231690-e1498 (Last Access 11 October h.10.01).

[27] A group of distinguished experts in international law, convened by the International Commission of Jurists, the Faculty of Law of the University of Limburg, and the Urban Morgan Institute for Human Rights, University of Cincinnati (Ohio, United States of America), met in Limburg from 2 to 6 June 1986 to consider the nature and scope of the obligations of State parties to the International Covenant on Economic, Social and Cultural Rights, the consideration of States party reports by the newly constituted ECOSOC Committee on Economic, Social and Cultural Rights, and international cooperation under Part IV of the Covenant. For an in-depth analysis see Economic, Social and Cultural Rights; Handbook for National Human Rights Institutions. United Nations, New York and Geneva, 2005, p.125.

[28] The Maastricht Principles on Extraterritorial Obligations in the Area of Economic, Social and Cultural Rights constitute an international expert opinion, restating human rights law on ETOs. The Maastricht Principles were issued on 28 September 2011 by 40 international law experts from all regions of the world, including current and former members of international human rights treaty bodies, regional human rights bodies, as well as former and current Special Rapporteurs of the United Nations Human Rights Council. The Maastricht Principles do not purport to establish new elements of human rights law. Rather, the Maastricht Principles clarify extraterritorial obligations of States on the basis of standing international law.
Definition available at: https://www.etoconsortium.org/nc/en/main-navigation/library/maastricht-principles/?tx_drblob_pi1%5BdownloadUid%5D=23 (Last Access: 11 October h.10.24)
According to the Preamble of the Maastricht Principles on Extraterritorial Obligations in the Area of Economic, Social and Cultural Rights "[…] *These principles aim to clarify the content of extraterritorial state obligations to realize economic, social and cultural rights with a view to advancing and giving full effect to the object of the Charter of the United Nations and international human rights. These principles complement and build on the Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights and on the Maastricht Guidelines on Violations of Economic, Social and Cultural Rights".*

[29] Coomans "*The Extraterritorial Scope of the International Covenant on Economic, Social and Cultural Rights in the Work of the United Nations Committee on Economic, Social and Cultural Rights*" (see n.5), p.5.

international dimension of the realisation of ESC rights, leaving the question of its extraterritoriality unanswered.[30]

Secondly, another problem regards the idea of cooperation and assistance which appears in many articles within the ICESCR, article 2(1) for example states *"*Each State Party to the present Covenant undertakes to take steps, individually and *through international assistance and co-operation,* especially economic and technical, to the maximum of its available resources…".[31] Can cooperation and assistance duties be seen as legally binding obligations for the signatory States? If so, to what extent should a foreign state assist and cooperate with the national State in need? Which are the situations that trigger the obligation to cooperate and to assist? Notwithstanding that international cooperation and assistance are key features for the complete realisation of ESC rights, neither the Committee on Economic, Social and Cultural Rights, nor international courts have clearly dealt with them, leaving the questions on their nature and on the consequences of their breaches open to different and, at times, conflicting interpretations.

The last chapter would deal with a case of study. The interest of the chapter is dedicated to the extraterritorial application of the human right to water, and this would be done by looking at the obligations arising from the International Covenant on Economic, Social and Cultural Rights and from the International Convention on the Law of the Non-navigational Uses of International Watercourses of 1997 (thereinafter Water Convention).[32]

Thanks to its peculiar characteristics of mobility and fluidity (meaning that water, for its very nature, moves from place to place and has an intrinsic extraterritorial dimension) water is a useful subject to analyse when dealing with extraterritoriality. If for example State A undergoes a period of intense drought do the neighbouring countries have an obligation to cooperate and assist by reallocating their water resources under both the Water Convention and the ICESCR? The present work will try to give an answer to that by analysing the obligations arsing under the ICESCR, the obligations under the Water Convention and finally it assesses their interaction.

Admittedly, all those matters are extremely politically and legally sensitive and lead to much confusion, ambiguity, and compromise in the international

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[30] Matthew Craven, "*The International Covenant on Economic, Social and Cultural Rights – A Perspective on its Development*", (Clarendon Press 1995), p.144.

[31] Article 2 of the International Covenant on Economic, Social and Cultural Rights.

[32] The International Water Convention on the Law of the Non-navigational Uses of International Watercourses was adopted by the General Assembly of the United Nations on 21 May 1997. Entered into force on 17 August 2014. It is the only treaty governing shared freshwater resources that is of universal applicability. It is a framework convention, in the sense that it provides a framework of principles and rules that may be applied and adjusted to suit the characteristics of particular international watercourses. The 1997 United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses represents an important contribution to the strengthening of the rule of law in this increasingly critical field of international relations and to the protection and preservation of international watercourses. In an era of increasing water scarcity. See generally The Audiovisual Library of International Law, Convention on the Law of the Non-Navigational Uses of International Watercourses, Introductory Note by Stephen C. McCaffrey, Available at: https://legal.un.org/avl/ha/clnuiw/clnuiw.html (Last Access 13 December 2019, h. 12.37).