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# ***SOUTH ASIA RIVERS CRISIS COUNCIL***

## **BACKGROUND GUIDE**

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Saturday, December 9, 2017

Fossil Ridge High School

Fort Collins, Colorado

## **Staff**

**Secretary General:**

Indigo Corso

**Crisis Director:**

Brandon Richardson

**Media Chief of Staff:**

Stephanie Morita

**Media Chief of Communications:** Serena Bettis

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## Contacts

### **Brandon Richardson**

44722@psdschools.org  
(970) 829-9848

### **Tod Huckaby**

thuckaby@psdschools.org  
(970) 488-6260

### **Indigo Corso**

46031@psdschools.org  
(970) 682-5447

### **Stephanie Morita**

stephaniemorita3@gmail.com  
(970) 214-0550

If you have any questions regarding the nature of this committee, please feel free to contact any of us. We understand that a crisis conference may be confusing at first and we are all willing to provide more informations for preparation for delegates. Crises themselves can be difficult to prepare for , so, if you have any questions about the committee itself, don't be afraid to ask!

Dear Delegates,

Welcome to Fossil Ridge High School's Model United Nations Conference of 2017. This year, Fossil Ridge has decided to change several key aspects about the logistics of our conference; however, the crisis aspect remains the same. Each council will revolve around a crisis and each country will be expected to adapt to constantly changing circumstances. Our advanced committee, the South Asian Rivers Crisis Council, will focus on the access to and control of river water in the newly created South Asia Environmental Council (SAEC). Due to the advanced nature of this council, crises will take main stage with multiple in each session. Countries will need to adapt as quickly as possible while making sure their country's views and needs are being represented.

With the fast-paced nature of the council in mind, we look highly upon directives, which are essentially miniature resolutions used in national accordance, as well as, resolutions. Both will play a major role in the council and their responses will affect international relationships. Directives can be submitted at any time without the usual procedural deliberation required for a resolution, and coordinating directives with other countries will often be a more efficient means of approaching a crisis than a simple resolution.

One of the most unique aspects of the Fossil Ridge conference is the media. This year is a little different with the media being separate for each council. But the process has not changed for advanced delegates. Interviewers will be aggressive and will be willing to meet with delegates to make announcements throughout the conference. We advise delegates to use the media as a tool to support their positions and to ensure their agenda is heard. However, the media is also an obstacle for delegates to be able to multitask debate and properly communicate with an outside audience, as well.

Fossil Ridge High School's conference seeks to be inclusive as well as realistic, with complex crises and challenges delegates to think quickly, thoughtfully, and with purpose. Solutions must be thoughtful and inclusive of all parties involved.

Best of luck! Sincerely,

Fossil Ridge Model United Nations

# Crisis Overview

Throughout the 2000's and 2010's multiple major projects have begun to take shape. In China, dams are quickly being built to harness hydroelectric power and to allow for water resources to be spread throughout the western side of the country to aid in even economic growth. India has begun a complete rerouting of both the Brahmaputra and sacred Ganges Rivers



to allow for stability in its northwestern region, which is affected largely by droughts. These major plans in South Asia have sparked worldwide controversy about the effects of major economic, environmental and humanitarian aspects. Numerous countries are left trying to find water to sustain their rapidly growing populations.

International tensions have begun to rise due to these change, as well as many issues are multiplying as a result of climate change. Including the melting of the glaciers in the

Himalayas. Tensions have been growing between Tibet, India, and Pakistan over who has the rights to the water from the glaciers. This tension has escalated at times to missile strikes at glaciers to warn other countries.

Water prices have only continued to skyrocket, and water has become a scarcity for many countries. Singapore has become reliant on Malaysia for water to sustain the international business hub.

The Dead Sea is slowly dying out in the Middle East, creating much more strain on the resources coming through the Indus, Syr Darya, and Amu Darya Rivers. These rivers have become a battleground, as well as blackmail and bargaining chips for the countries these rivers flow through. Water has begun to dictate politics in the Middle Eastern and northern Indian regions.



The biggest problem though, is the lack of international policy in these regions dictating the usage of river water. This has created a very dangerous situation, allowing for superpowers in the region to grow larger and those rich with safe drinking water being able to find a footing in international economics and dictating more and more about policies, limiting those countries that are reliant on this resource.

# Committee

The newly-created South Asian Environmental Council (S.A.E.C.) will play a creative and unique role in the international scene. Members of the council will include: Afghanistan, Bangladesh, Bhutan, Burma (Myanmar), Cambodia, China, India, Laos, Malaysia, Nepal, Pakistan, Singapore, Tajikistan, Turkmenistan, Uzbekistan, and Vietnam.

The goal of the S.A.E.C. is to provide assistance and international solutions to promote safe and sustained development for all countries through peaceful resolutions. The topics of discussion should be focused on sustainable growth and equal water access to all countries

## **Rules, Powers, and Procedures of the South Asian Environmental Council**

- Members of the S.A.E.C. can create non-binding resolutions with a simple majority and a binding resolution with a two-thirds majority (to be specified on resolution).
- In the council, states will have equal voting rights on all resolutions created.
- No state will have a veto power.
- Everything not listed above will operate on the standard Colorado MUN procedures.

## **Bloc Positions**

Although this is an advanced council, bloc positions have been given to highlight some of the key positions of each country. These are not to be strictly followed, but used for guidance in researching your country's position. Do not rely on these descriptions as relations between countries.

**Afghanistan:** As Afghanistan is the source for many rivers throughout the Middle East, Afghanistan believes it is important that rivers are able to flow freely and that nations are allowed to use their water to a degree. Afghanistan lacks the funding for major infrastructure projects such as dams and irrigation for its growing population. Afghanistan will try to find a solution that will give safety to its growing population while allowing water to flow downstream.

**Bangladesh:** Bangladesh believes that it is vital that water is able to flow through nations as it is vital that the Ganges and Brahmaputra rivers are able to flow into Bangladesh in order to sustain its population. Bangladesh is a river-basin state, which puts it in the worst possible position for relations. Both India and China have power over the Brahmaputra. This places Bangladesh in a delicate situation. Meaning, they must remain on good terms with both international superpowers to have enough water.

**Bhutan:** Bhutan is worried of the outcome of river disputes. They are largely dependent on rivers that pass through foreign territory, such as the Indus and Sutlej rivers. Bhutan has been a member of other water disputes and conclusions before (often with much success). Bhutan is

located in the Himalayan mountains and fights with Tibet, China, Pakistan, and India for the water produced by the melting glaciers.

**Burma:** Burma appreciates any and all efforts to jointly discuss the river usage between other states. Burma has been willing to work China, primarily flaunting its water and agreeing to find solutions while also make a profit on the water it has. Burma has taken military action against India in the past and tension between the superpowers and unique for a downstream river.

**Cambodia:** Cambodia is currently in the midst of a water crisis, as well as some predicted for the near future, so they can provide helpful insight. Cambodia is also wary of conflict within the region and hopes to stop it. Cambodia is a basin state to the Mekong River and is put in an interesting situation with both Laos and Thailand sharing the river as a border. Cambodia is largely affected by the latter countries, as well as China who all plan to provide infrastructure to gather water for their current populations.

**China:** China wants to build multiple dams on its Tibetan-sourced rivers which will provide economic gains as well as energy development. This creates a problem for countries who rely on the rivers that flow through China. China is already considered a global superpower and the scarcity of water in its surrounding states add even more power to the country. This creates a China-centered political landscape in Southern Asia.

**India:** India is in jeopardy of losing a lot of its water to Chinese projects. This is worrisome to the country's growing population and massive projects to reroute rivers. But, India holds a lot of power both for Southeast Asia as well as for the Middle east with major rivers passing through India. India has begun to build multiple dams along the Indus River, giving its neighbor, Pakistan, a run for its money. India's focus is on its large and quickly growing population over downstream countries.

**Laos:** Laos is concerned about other countries activities regarding the rivers. Dams in China are causing havoc in Laos due to the water levels constantly fluctuating. Laos is looking for stability in China's water usage. Flooding from the Mekong River basin has created a humanitarian crisis in Laos. Families are constantly being relocated to the unpredictable changes in water depth of the river. This flooding also takes a lot of boats and agriculture, creating an unreliable source of income for inhabitants of the river banks.

**Malaysia:** Malaysia is a reliable provider of water to Singapore, but has used threats of cutting off the water supply to pressure Singapore politically. Seeking greater independence and freedom from such pressures, Singapore has pursued an expensive strategy of water self-sufficiency. An agreement was signed providing Singapore the right to draw up to 250 million

imperial gallons (1,100,000m<sup>3</sup>) per day from the Johor River, with effect until 2061. Both agreements stipulated the price of 3 Malaysian cents per 1,000 imperial gallons (4,500 L). Malaysia would like to increase the price.

**Nepal:** Nepal is hopeful for an increase in water quality and increased economic use. Nepal is one of the most water-rich countries in the world, but most people do not have access to water. Nepal also has plans for hydroelectric dams to meet the energy demands of its powerful neighbors and to help with economic gains.

**Pakistan:** Pakistan is worried about the growing projects from India to dam its rivers to help its country's economic growth and is edging closer to war with disputes over the control of Kashmir. Pakistan has continually used a water-sharing deal it made with India in 1960 multiple times allowing Pakistan 80% of all the water that flows through the Indus River System. They have called India out twice in the past decade for violating this deal worsening its relationship with India.

**Singapore:** Singapore wants stability throughout the region, as that is necessary for the economic well-being of the Singaporean state. Singapore relies largely on other countries, especially Malaysia, for water importation. The state has made a deal with Malaysia for water importation until 2061 but tensions still remain high with Malaysia wanting to raise the prices it sells its water to Singapore for (see Malaysia Bloc for more information).

**Tajikistan:** Tajikistan is dealing with a water crisis, as well as the equal distribution and sharing of it with its neighbors (Kazakhstan and Uzbekistan). All three have turned water into a major political tool, withholding and/or sharing it in response to unpaid debts, extortions, or future favors. Tajikistan has recently agreed to gift some of their limited supply to Uzbekistan and "expect that our neighbor will help us with electricity in the future." according to Deputy Minister of Water Resources Vohid Shefiev.

**Turkmenistan:** In Turkmenistan, the population is worried of both Tajikistan and Kyrgyzstan, who are in favor of building dams to fully utilize their hydropower potential. This leaves less to flow downstream to the populations that rely on the Amu Darya and the Syr Darya, including Turkmenistan. The economy of Turkmenistan relies on cotton production as its main exports creating a dependency on the water from the Syr Darya to irrigate its desert-like landscape. Agriculture represent approximately 8% of Turkmenistan's total GDP.

**Uzbekistan:** Kazakhstan, Uzbekistan and Turkmenistan were rich in energy resources, while the other two, Tajikistan and Kyrgyzstan, had plentiful water supplies held in huge high-altitude reservoirs. They all had to work together to ensure there was water for the crops in the spring and

summer, and electricity for everyone in the winter. Though Uzbekistan, Tajikistan and Kyrgyzstan could have continued to share and co-operate, and for a few years they did, for the energy-rich downstream countries it was more profitable to sell gas and electricity to foreign buyers than to supply it to their penniless upstream neighbors. Uzbekistan started selling electricity to Afghanistan in 2009, and pulled out of the Central Asian supply system altogether. From that, Tajikistan and Kyrgyzstan had to start using more water to generate electricity in the winter, so less reached agricultural lands in Kazakhstan and Uzbekistan during the growing season.

**Vietnam:** Vietnam is one of the richest agricultural regions in the world and a top producer and consumer of rice. Currently, water used for agriculture purposes take up over 80% of total water production. Paddy rice is the primary crop that takes up a majority of the total irrigated area. Fisheries, aquaculture, industries and services also contribute to water demand increase. In the summer of 2016, Vietnam hit one of its worst drought in nearly 100 years which if this continues, the economic loss would be massive.

## Topic Overview

### **Topic One: Equal Access to Water to Sustain Growing Populations**

Water Insecurity has grown significantly since the 1950s. More and more water, from both urban and rural rivers, is being used for agriculture and livestock to help sustain growing populations. Water access is an especially pressing issue in Southeast Asia with an average decrease of 55% availability per capita compared to access in 1950. According to the Food and Agriculture Organization, nearly 80% of water utilized in South and Southeast Asia is used for irrigation purposes, and in Bangladesh specifically, 95% of their water is used for agriculture and the other 5% is used to hydrate their only growing population as well as for other domestic uses. With the decline of other natural water resources, rivers in the Middle East are becoming ever more strained to feed the growing populations throughout the region



The Indus Basin at Skardu.

#### Points of Discussion:

- How should growing populations be considered when delegating countries specific amounts of water?
- How should people limit the utilization of water for agriculture and focus more on guaranteeing water for their population?

## Topic Two: Environmental Effect of Water Over-Usage

South Asia and the Middle East have seen drastic environmental changes to their water supply. Examples of these changes are: melting glaciers in the Himalayan Mountain Range and the Aral Sea. The Aral Sea, the fourth largest lake in the world, has experienced environmental havoc due to water over-usage. The complete depletion of this lake has changed a lot of the surrounding territory turning 70% of Turkmenistan into a desert and 50% of Uzbekistan's soil can no longer be utilized. These drastic changes based on water over-usage has created a larger reliance on water flowing through international rivers.



Aral Sea

### Points of Discussion:

- What measures should be taken to combat the over-usage of this natural resource?
- What steps should be taken to ensure the safety of countries already affected by this use?

## Topic Three: International River Rights

Although many treaties and documents have focused on the issues of water around the world, there is little addressing the unique situation in the Middle East and South Asia leading to unknown parameters for water usage by many states. With multiple projects going up in numerous countries including, but not limited to, China, India, Pakistan, Uzbekistan etc. This leaves a lot of debate to find compromises that allow for every country to have equal access to the rights of rivers flowing through their state.



Three Gorges Dam, China

### Points of Discussion:

- How to limit infrastructure projects on rivers to allow for downstream populations to have a reliable source of water.
- How to fund and maximize infrastructure projects to benefit multiple countries and get the most resources from their rivers?

## Key Documents

Both the Helsinki Laws and the Convention on the Law of the Non-Navigational Uses of International Watercourses are key texts to look over to identify past problems and resolutions. The ideas in these documents, however, are not required nor strongly promoted to be seen in resolutions for the S.A.E.C. The following are summaries of both laws.

## **Helsinki Laws:**

The Helsinki Laws define a basin state as one whose territory includes a portion of an international drainage basin. The rules state that relevant factors in determining the usage of the basin for a state are: the geography of a basin, the hydrology of it, climates affecting the basin, past utilization, the economic and social needs of the involved states, the population dependent on the basin in each state, the cost of finding an ulterior method of meeting those needs and people, the availability of other resources, avoidance of unnecessary waste, and how a basin state may be satisfied without harming a neighboring state. All relevant factors are to be considered together. The rules also state that a state cannot be denied a reasonable amount or use of the water so that another state may have the reserve of such waters. Water pollution is referenced and defined as any detrimental change as a result of human conduct in the natural composition, content, or quality of international drainage basin waters, and any new forms of water pollution or an increase of the existing pollution requires a state to take reasonable action to decrease the river pollution. Should a state violate these rules, they become responsible to cease the wrongful conduct and compensate any injury caused to a co-basin state or enter into negotiation with the injured state to reach a settlement.

Chapter four (articles XII-XX) is concerned with the navigation of international drainage basins and chapter five (articles XXI-XXV) is concerned with the timber floating procedures used by the surrounding basin states. The Laws outline that countries should collect data on river usage in their territory as well as any plans to change the river that may hurt another basin-state.

Before making any alteration, a notice should be provided that has sufficient information about the effect of said alteration as well as provide the recipient enough time to thoroughly analyze the document and come to a conclusion. If not done the alteration(s) shall not receive the same weight that is typical when deciding if it allows for water equality.

And, if a dispute arises, the involved basin states are recommended to a joint agency and the agency will survey the situation and come up with a plan or solution that benefits all involved to the greatest extent. A non-basin state may be required to associate with and work on a solution or be permitted to appear before the appointed joint agency. A third party should also be included if the basin states are unable to come to an equal solution. The states concerned should submit the dispute to the International Court of Justice if: a commission has not been formed, the commission has been unsuccessful in finding an appropriate solution, the commission has found a solution but it is not accepted by the basin states, or there has not been an agreement otherwise arrived at. Finally, the involved states must accept the final decision and carry it out.

## **Convention on the Law of the Non-Navigational Uses of International Watercourses:**

In an effort to increase mindfulness of waters that cross international borders, this convention was created. The convention focused on surface water as well as groundwater. It took 17 years to enter force in 2014 after the drafting. However, it was only ratified by 36 states and some key countries remain outside the scope of the convention.

Part one is a basic introduction to the Convention defining what the purpose of it was as going over several terms including: watercourse, international watercourse, and a watercourse<sup>1</sup> state, as well as recognizing the Regional Economic Integration Organization which helped

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<sup>1</sup>Watercourse State - A state in which a portion of a river flows through its territory.

during the convention. It recognizes the binding nature of those who sign river treaties and respects those who refuse to sign and recognize them as independent to any treaties or agreements made. Any state that holds a section of a river is entitled to join an agreement for the entirety of the river and any river who will be affected by an agreement is entitled to join negotiations as well.

Part two focuses on the general principles of the convention. It allows states free reign over sustainable utilization of any river in their territory, but they must take into account populations dependent on the river as well as potential hazards. It requires states to stop discrimination indirectly through one's own river usage. The convention obligates that cooperation, sharing of information, and compensation at the request of information must be present to gather the maximum benefit of the river for all watercourse states. Finally, section two ends with, in case of a conflict between a river's use, human needs come before anything else.

Part three outlines the rules placed on a planned measure by countries. States must share information between any states involved with the river that a project will take place on. There must be a period between notification and the commencement of a project to allow other countries to reply. If there is no response by other countries, the project may commence. If a notified country is against a project, negotiations must be set up to reach a compromise. In case of a necessary measure, negotiations can commence as quickly as possible.

Titled as protection, preservation, and management, part four is broken down into smaller chunks, the first of which being protection and preservation of ecosystems. These articles describe pollution as any detrimental alteration in the composition or quality of the waters of an international watercourse which results directly or indirectly from human conduct. It states that countries should actively reduce pollution and meet to minimize its effects in the future. States should also take all measures necessary to prevent the introduction of alien species into an international watercourse. This article emphasizes the protection of marine wildlife. The remaining content of this sections tells river states that they are required to consult others and plan for sustainable development. It also says states should cooperate and participate on an equitable basis for the purposes of regulation which is defined as the use of hydraulic works to alter vary or otherwise control the flow of waters.

The fifth part is labeled as harmful conditions and emergency situations. This short section states a state should without delay as quickly as possible notify all other states and in cooperation with potentially affect states take all practicable measures necessitated by the circumstances to prevent, mitigate and eliminate harmful effects of an emergency. States are also allowed to jointly develop contingency plans for responding to emergencies.

The sixth part is miscellaneous provisions. In times of war watercourses and related installations shall enjoy protection. It also states nothing in the convention obliges a watercourse state to provide data or information vital to its national defense or security. It states that countries can't change their agenda to intentionally discriminate on the basis of nationality. The last article is the settlement of disputes. This says that if the concerned parties cannot reach an agreement in six months, a dispute should be submitted and a "fact-finding" commission shall be established composed of one member nominated by each side as well as one member not having the nationality of any of the parties who will serve as chairman. The commission determines its own procedure. The commission will adopt its report by a majority vote and shall submit the report to the parties concerned and put forward its findings and recommendations that the commission deems appropriate for an equitable solution of the dispute which the parties concerned shall consider in good faith.

# Timeline

**This timeline includes historical water and river treaties to further the understanding of the current problem as well as give examples of past solutions. This timeline does not involve individual country projects or disputes.**

**1815** - Major European powers conclude a treaty in 1815, named the Act of the Congress of Vienna. The Act established the principle of freedom of navigation for all riparian<sup>2</sup> states on the rivers they share, on a binding basis, as well as the priority over its uses.

**1885** – The General Act of the Congress of Berlin with regard to the Congo and Niger Rivers in Africa, had the purpose to facilitate the movement of the colonial powers in Africa by opening its rivers for the mutual benefit of easier transportation. As a result, this Act extended the freedom given to non-riparian states as well.

**1919** - The Peace Treaty of Versailles continued the liberalization trend in river navigation by opening all the navigable rivers in Europe to all the European countries.

**1921** - The Barcelona Convention reconfirmed the principle of freedom of navigation, but recognized other uses of rivers as well. Article 1 defined transit as, the movement of people and goods from one state to another. Article 2 recognized the freedom of sovereign governments to make transit arrangements within their territories and the third article prohibited governments from requiring payments for profit.

**1923** - Geneva Convention adopted. The Geneva Convention dealt with the right of any riparian state to carry out on its territory any operations for development of hydraulic power that it may consider desirable, subject to “the limits of international law”.

**After the Second World War and the division of Europe into east and west camps, freedom of navigation was gradually restricted only to the riparian states of the particular shared river.**

**1966 - Helsinki International Law Association (ILA)<sup>3</sup>**

Like other ILA rules and resolutions, the Helsinki Rules have no formal standing or legally binding effect. However, until the adoption of the UN Convention 30 years later, they remained the single most authoritative and widely quoted set of rules for regulating the use and protection of international watercourses. Also, is a great reference for current water laws. Although most countries in Asia did not sign or were not a part of the Helsinki Laws, this is a great example of international river laws. **(Full summary will be found under Key Documents Section).**

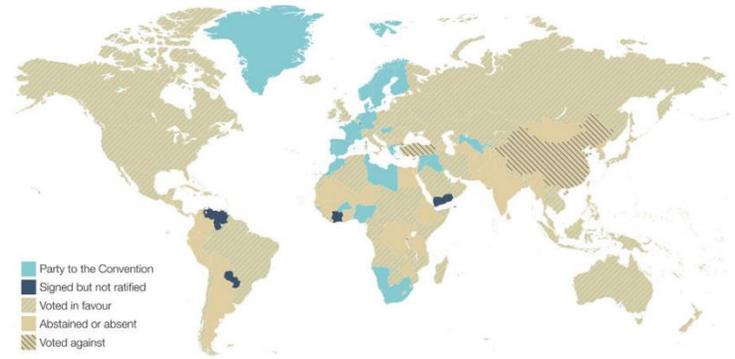
**1997 - The United Nations Watercourses Convention**

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<sup>2</sup> Riparian- relating to or situated on the banks of a river.

<sup>3</sup> The International Law Association is a non-profit organization located in Britain that promotes “the furtherance of international understanding and respect for international law.” The resolutions and rules adopted by the ILA emphasize reasonable utilization of shared watercourses.

The Convention was adopted by the General Assembly on 21 May, 1997. A total of 103 countries voted for the Convention, with 3 against it: Burundi, China and Turkey, and there were 27 abstentions, while 52 countries did not participate in the voting. The Convention is based largely on the ILA work, particularly the Helsinki Rules. The Convention officially went into force as of August 17, 2014. The General Assembly has no binding resolutions and can only make recommendations. **(Full summary will be found under Key Documents Section).**



### 2004 - Berlin Rule

The Berlin Rule is a revised set of the Helsinki Rules by the 11 members of the Committee who attended the meeting of the Water Resources Committee in March 2004, located in Ghent, Belgium. The rules were discussed and approved during the ILA Seventy-first Conference held in Berlin in August 2004.

## Crisis Committee Information

### What to Expect

There will be multiple Rivers Crisis Councils all acting separately from each other. Only a few will have a media aspect to it due to the magnitude of this conference. Those who would like media should request their **one-person delegations** to be put in a media council during registration.

The crisis aspect will be rigorous for the advanced council so be prepared for a few major crises and a few smaller crises allowing for each country to be actively involved.

### Media Coverage/Press Conference and Interviews

This year is a little different with the media being separate for each council. But the process has not changed for advanced delegates. Interviewers will be aggressive and will be willing to meet with delegates to make announcements throughout the conference. We advise delegates to use the media as a tool to support their positions and make sure their agenda is heard. However, the media is also an obstacle for delegates to be able to multitask debate as well and properly communicating with an outside audience.

### Resolutions and Directives

In this crisis conference, the passing of both directives and resolutions will be encouraged. Uniquely, in this conference, there will be a live media aspect, intended to interact with the delegates. We encourage the use of this resource to its fullest potential. Delegates will be encouraged to (in collaboration with our Crisis team), announce their actions to the media.

A directive, most simply put, is a command or instruction to carry out an action. Some delegates find it easiest to think of directives as the operative clauses of a resolution. A directive simply needs to be a few brief lines specifically detailing what you wish to occur. The power that a directive has in its ability to carry out actions is limited to the sum of the powers of the total signatories on the directive; directives do

not have sponsors. Signing on to a directive gives is the legitimacy required to pass. With each subsequent signatory the directive gains the power of that signatory. For example: a directive signed by the leaders of the United States and the France would possess the combined power of those two nations. Directives are best used to carry out an action in response to crises that occur; to mobilize or move troops, close borders, or utilize any of the powers vested in you as the leader of a nation.

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