

Preface and Acknowledgements

This book is being published at a time when one of the High Courts of India has legally recognized the rivers Ganges and Yamuna as living entities of India. The direction of the Uttarakhand High Court to save the river Ganga “for the generations to come” has revived hopes in the environmentalists who remain deeply concerned by the directions of the Supreme Court of India to implement the disputed River Linking Project “in the national interest” essentially treating shared rivers as national treasures and directing diversion of waters from these rivers on flawed grounds untenable under the prevailing international laws.

This publication includes four articles written by leading experts of the region that, while analysing the existing statist approach and political economy of river management, emphasizes the need for South Asian rivers to be treated as an ecological reality to be governed on common principles of cooperation and legal grounds supported by the collective voices of the people. The introduction and the various chapters identify and analyse the prevailing as well as potential crises and conflicts suggesting needed reforms and basic norms that should guide future treaties/agreements on shared rivers.

While it is expected that the publication shall assist the policy makers of the South Asian countries in rethinking and redoing strategies on transboundary river management, it is also hoped that the analysis of the writers shall add force to the demand of the environmentalists to grant certain rights to our shared rivers that are common heritage of the people of South Asia. If the Parliament of New Zealand can issue legal proclamation declaring the 145-km-long Whanganui River as a living entity, it is perhaps not too much to expect that the common rivers of the region, in their entirety, shall be given the legal status of living entities and that common institutions shall work to protect the rights of these rivers to flow uninterrupted and be saved from pollution.

On behalf of BELA, I would like to thank all the contributors to this book for their thoughtful and analytical work and also for keeping up with the pressing demands for frequent editing. We thank Prof. Imtiaz Ahmed for writing a lucid introduction of what appears to be one of the most contentious issues of the region.

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Syeda Rizwana Hasan
Chief Executive, BELA

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