

# LW4683: INTERNATIONAL WATER LAW, POLICY AND PRACTICE

## New Syllabus Proposal

---

### Effective Term

Semester B 2024/25

## Part I Course Overview

### Course Title

International Water Law, Policy and Practice

### Subject Code

LW - Law

### Course Number

4683

### Academic Unit

School of Law (FL)

### College/School

School of Law (FL)

### Course Duration

One Semester

### Credit Units

3

### Level

B1, B2, B3, B4 - Bachelor's Degree

### Medium of Instruction

English

### Medium of Assessment

English

### Prerequisites

Nil

### Precursors

Nil

### Equivalent Courses

LW5683 International Water Law, Policy and Practice

### Exclusive Courses

Nil

## Part II Course Details

### Abstract

- Deliver a comprehensive overview of the history of fundamental principles governing international water law, policy, and practice, shaping student's understanding of and responsibility towards global freshwater issues towards both use and management involving rivers and underground water.
- Clarify the role of water law within the framework of international law. It will focus on understanding its sources, relevant treaties, state responsibilities, and notable water law and natural resources cases in international courts.
- Clarify the relationship between International Water Law, Policy, and Practice and domestic legal frameworks within Asia, emphasising the significance of International Water Law within national legal contexts in setting guiding standards to develop their domestic water laws and policies.
- Equip students with training to understand and effectively address transboundary water law issues in a multidisciplinary context because domestic water policies and regulations significantly influence how neighbouring countries interact and collaborate on shared water resources.
- Familiarise students with various International Water Law, Policy, and Practice branches essential for understanding global water governance. This area encompasses a wide range of topics, including treaty law, human rights, environmental protection, climate change impacts, dispute resolution, and policy development.

### Course Intended Learning Outcomes (CILOs)

CILOs	Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1	Understand and evaluate the background of International Water Law, Policy, and Practice.		x	
2	Identify and analyse the aspects that must be considered from international legal and practical perspectives when advising governments or international organisations on international water law, policy, and practice issues.	x	x	
3	Formulate persuasive arguments to support vulnerable populations and propose integrated strategies encouraging collaboration and sustainable water governance.		x	x
4	Draft and negotiate treaties related to international water law and associated policy documents.	x	x	x
5	Comprehensively articulate the core principles and regulations of international water law, policy, and practice. This ability to demonstrate clarity and coherence in both oral and written formats is a key learning objective, as it reflects the practical application of their learning.	x	x	x

#### A1: Attitude

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

#### A2: Ability

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.

#### A3: Accomplishments

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

### Learning and Teaching Activities (LTAs)

LTAs	Brief Description	CILO No.	Hours/week (if applicable)
1	Seminar  In the seminar on international water law, students will explore essential concepts and theories related to water policy and practice. Students will investigate key issues, objectives, and practical applications while participating in discussions and asking questions to deepen their understanding of the subject. When necessary, this exploration will take place in a multidisciplinary context, as water law intersects with other fields such as international law, human rights, economics, environmental engineering, and hydrology.	1, 2, 3, 4, 5	3 hrs per week
2	Case Discussion  The instructor will employ the Socratic method to teach students about international court cases related to international water law. Through discussion and analysis of these cases and other transboundary water disputes, students will participate in dialogues that assess and reinforce their understanding of key concepts, theoretical foundations, issues, objectives, and practical applications pertaining to the subject matter.	1, 2, 3, 4, 5	

### Assessment Tasks / Activities (ATs)

ATs	CILO No.	Weighting (%)	Remarks (e.g. Parameter for GenAI use)	
1	Weekly Group Presentations: Students will work in weekly groups to prepare presentations based on selected case law related to international water law, policy, and practice. Through these discussions, students will better understand the substantive rules established in the cases and develop their skills in effectively communicating these concepts orally and in writing. The presentations aim to enhance students' abilities to analyse and explain the implications of international water law, fostering collaborative learning and critical thinking.	1, 2, 3, 4, 5	40	Overall, these presentations offer an excellent opportunity for students to engage with the material actively, enhancing their analytical capabilities and understanding of international water policy and practice.

**Continuous Assessment (%)**

40

**Examination (%)**

60

**Examination Duration (Hours)**

3

**Minimum Continuous Assessment Passing Requirement (%)**

30

**Minimum Examination Passing Requirement (%)**

30

**Additional Information for ATs****Open-Book Final Exam:**

This assessment comprises complex problem questions and case studies designed to evaluate the student's capacity to articulate the substantive principles of international water law, policy, and practice clearly and coherently in written form.

This assessment task will be thoughtfully structured to challenge students on multiple levels. Overall, this approach assesses knowledge and prepares students for practical application in their future careers.

**Grading of Student Achievement:** Standard (A+, A, A-...F). Grading is based on student performance in assessment tasks/activities.

To pass this course, students need a total score of at least 40% and a minimum of 30% in both the continuous assessment (CA) component and final exam component. To ensure fair and comprehensive assessment of students' course performance, the pass mark requirement for the Continuous Assessment (CA) component will be waived for courses with

a CA component equal to or less than 30%. This means students only need to achieve the pass marks for the final exam component AND the overall mark to pass the course. Continuous assessment for this purpose means those ways in which students are assessed otherwise than by the final examination.

The duration of the final open book examination is 3 hours.

The portion of the overall mark allocated to performance during in class activities will be assessed on the quality of the participation.

To enable the full benefit to be obtained from this course, students should attend all of the classes and activities.

Assessment will be formative to enable students to demonstrate their capacity to understand, analyse and apply rules and principles and summative to assess ability to synthesise primary and secondary material to solve novel problems.

## **Assessment Rubrics (AR)**

### **Assessment Task**

#### 1. Weekly Group Presentations

##### **Criterion**

- Demonstrate understanding of concepts, principles, and theories related to international water law, policy, and practice.
- Display the ability to identify critical legal issues in transboundary water management.
- Applying your knowledge to analyse specific water-related legal challenges, engage in discussions, and provide insights on legal phenomena affecting water resources is a practical and relevant aspect of your studies.
- Applying legal writing and research skills specific to international water agreements and treaties.
- Engaging in argument-based analysis grounded in critical thinking is a key aspect of understanding water governance in the context of international water law.
- Affirm aptitude for formulating innovative solutions to designated fact-based questions within the framework of international water law.

##### **Excellent (A+, A, A-)**

Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.

##### **Good (B+, B, B-)**

Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

##### **Fair (C+, C, C-)**

Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

##### **Marginal (D)**

Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

##### **Failure (F)**

Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

---

### **Assessment Task**

#### 2. Open-Book Final Exam

##### **Criterion**

- Demonstrate understanding of concepts, principles, and theories related to international water law, policy, and practice.
- Display the ability to identify critical legal issues in transboundary water management.
- Applying your knowledge to analyse specific water-related legal challenges, engage in discussions, and provide insights on legal phenomena affecting water resources is a practical and relevant aspect of your studies.
- Applying legal writing and research skills specific to international water agreements and treaties.

- Engaging in argument-based analysis grounded in critical thinking is a key aspect of understanding water governance in the context of international water law.
- Affirm aptitude for formulating innovative solutions to designated fact-based questions within the framework of international water law.

**Excellent (A+, A, A-)**

Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.

**Good (B+, B, B-)**

Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

**Fair (C+, C, C-)**

Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

**Marginal (D)**

Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

**Failure (F)**

Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

## Part III Other Information

### Keyword Syllabus

Conceptual setting for international water law; Historical Development of Water Law; International water law key rules (equitable, reasonable utilisation, no harm principle) and UN Convention on the law of non-navigational uses of international watercourses 1997; International Environmental Law – Protection and Conservation of Ecosystems; Cooperation and procedural rules of international water law; International water law and its interconnections with Other Legal Domains; Institutional Arrangements for transboundary water resource management; International law on Transboundary Groundwaters, including Draft articles on the Law of Transboundary Aquifers 2008; Climate Change and Sustainable Development Goals (SDGs) and China's transboundary waters and its Water law policy.

### Reading List

#### Compulsory Readings

	Title
1	Owen McIntyre, <i>Advanced Introduction to International Water Law</i> , Elgar, 2023

#### Additional Readings

	Title
1	Agnes Chong, <i>International Law for Freshwater Protection</i> , Brill Nijhoff, 2022.
2	David J Devlaeminck, <i>Reciprocity and China's Transboundary Waters</i> , <i>The law of international watercourses</i> , Taylor & Francis, 2020.
3	Mara Tignino and Christian Bréthaut, eds <i>Research Handbook on Freshwater Law and International Relations</i> <i>Research Handbooks in Environmental Law</i> series, 2018.

4	Gjørtz, Howden, Julie. The Community of Interest Approach in International Water Law: A Legal Framework for the Common Management of International Watercourses, BRILL, 2020.
5	Students will receive additional reading materials every week through Canvas.