

Water Justice Moot Court Reflection

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I am humbled and honored to have participated in the 1st Water Justice Moot Court at the 8th World Water Forum. My participation taught me about international water law and presenting to a court. In this reflection, I would first like to thank the judges who sat on the bench. Without their knowledge and expertise, I would not have honed my ability to present oral arguments in front of a high court. I would secondly like to thank the experts who brought to light issues I would not have otherwise seen in my memorial. Thirdly, this moot court would not have been possible without the hard work and participation of the other students. Finally, I would like to thank Denise Antolini and Emmah Wabuke for creating and executing this moot court. Without them, we would not have had this opportunity.

I represented the Organisation for Economic Co-operation and Development; thus, my position represented the interests of sustainable development. The legal arguments I developed did not align with those of the other oralists, of whom many made legal claims in favor of recognizing legal personhood of rivers. I perceived myself as the conservative position more concerned with economic development than the environment. Nevertheless, after hearing the other legal positions and revisiting my own claims, I found that I agreed with parts of my memorial. Freshwater usage presents many issues as the climate crisis progresses. Recognizing legal personhood for rivers presents one important legal facet of equitable water usage. I agree that personhood is an important step for establishing a higher level of water rights, but I do not think it is enough. Many questions remain unanswered; for example, how States should

determine equitable usage. To have equitable freshwater usage, we need comprehensive freshwater governance. International law could provide a framework for proper governance through treaties, customary international law, and general principles. Recognizing personhood creates a legal framework for people trying to resolve freshwater conflicts. Those using freshwater in larger quantities, however, need structured guidance to understand what constitutes equitable usage. I think recognizing legal personhood is necessary step, which must be followed by detailed principles on equitable usage of freshwater. Through the moot court, I gained a greater understanding of the nuances surrounding equitable usage of freshwater.

Learning about the many different facets of freshwater governance proved most valuable to me. Similar to developing a greater understanding of freshwater management during the moot court, the panels at the conference pushed me to understand the complexities of international water law. I arrived in Brasília knowing that the climate crisis presents new and unique freshwater usage problems. I left Brasília with a clearer understanding of the complications that arise around these problems as well as their innovative solutions. Mahalo nui loa for the opportunity to attend the 8th World Water Forum.