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International Water Marketing: Perspectives from North America

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ABSTRACT

Market based approaches to water allocation have been heralded as efficient and appropriate mechanisms for distributing a scarce and vital resource. When such approaches involve transferring water across jurisdictions, especially across national boundaries, concerns arise over sovereignty, ownership of water rights and the applicability of international and national law. The current state of international water marketing in North America, where transboundary legal issues of water access have largely been resolved, brings these issues to the fore. In the post river-by-river treaty era, how do international law and national law shape the marketing of water? How does the North American Free Trade agreement color consideration of water transfers from Canada to the United States and from the United States to Mexico? In defining water marketing options, what role does the International Joint

Commission play between the United States and Canada and the International Boundary and Water Commission play between the United States and Mexico? To address these questions, an institutional analytic approach is employed.