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MECHANISM FOR RESOLVING WATER DISPUTES INTER-NATIONAL AND APPLICABILITY TO MEKONG RIVER WATER DISPUTE

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SUMMARY OF DOCTORAL THESIS

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PROLOGUE

1. Reasons for choosing the topic

Fresh water plays a particularly important role in human existence and development. Today, in the context of the world's population growing rapidly while climate change is complicated, the environment is increasingly polluted, fresh water therefore becomes more important. Notably, most of the world's freshwater resources are shared by two or more countries. It is because of the important role of fresh water that has led to international water source disputes. According to statistics of the UN authorities, in the last half century there have been more than 500 conflicts over water, 27 of which have become armed conflicts.

Due to the need for cooperation to exploit, fairly and rationally use inter-national water resources has led to the formation and development of international law in this field. In the last decades of the 20th century, international law on the use of inter-state water resources has made significant strides, including the introduction of the UN Convention on the Law on the Use of Transnational Water Resources for Non-Water Transport Purposes (International Water Supply Convention 1997) was a breakthrough step and became a comprehensive legal document. The first bridge for the management of inter-national water resources.

With the development of international law on the management and use of inter-national water resources, international water dispute settlement mechanisms are also increasingly complete and play an important role in the regulation of international water disputes. The peaceful means of resolving international water disputes have been clearly defined in Article 33 of the 1997 International Water Resources Convention and many regional and bilateral treaties,

which can be divided into two groups: (1) The group of measures to settle by non-jurisdictional measures such as direct negotiations, intermediaries, investigations and conciliations; and (2) the group of measures settled by jurisdiction through the use of the jurisdiction of international courts and international arbitral tribunals. Among the peaceful measures of international dispute settlement, non-jurisdictional measures, (especially direct negotiations), are commonly applied and in many cases prove its superiority; however, there are also cases where these measures cannot help to thoroughly resolve disputes, especially when it comes to the vital interests of a country. At that time, the settlement of disputes at international jurisdictions should be considered. Currently, in the system of international dispute settlement institutions, the PCA, especially the ICJ, are the institutions with the greatest role and influence in the settlement of international disputes in general, inter-national water disputes in particular and have shown theirs effectiveness in practice.

For the Mekong River: This is a river that plays a particularly important role for the socio-economic development of the basin countries. Particularly for Vietnam, the Mekong River has a vital role for two key economic regions, the Mekong Delta and the Central Highlands; it also contains strategic significance in ensuring national food security. In addition, the Mekong River issue is closely related to the implementation of the foreign policy of our Party and State. However, the situation of exploitation and use of Mekong river water sources is posing worrying issues. Over the past decade, many unreasonable water exploitation and use activities of riverside countries, especially upstream countries, have negatively impacted many aspects of the social life of countries in the basin. As the country at the downstream, Vietnam suffers the most negative

impacts from these exploitation and use activities. In the context of the increasing demand for water of countries and the complicated relations between countries in the basin, the Mekong river water source is at risk of being used as a tool in the implementation of foreign policy of countries, the task of protecting Vietnam's legitimate interests in Mekong water source is therefore becoming more and more difficult, complicated. That requires an overall strategy to effectively address this problem.

Stemming from that situation, the study to make recommendations to the Party, State and authorities to protect Vietnam's legitimate rights and interests over Mekong water sources, while contributing to promoting equal cooperation, Friendship between countries in the Mekong basin is an objective and urgent requirement.

Therefore, the PhD student has chosen to study "**International water dispute settlement mechanism and the possibility of applying to Mekong water source disputes**" as the topic of doctoral thesis.

2. Research purposes and tasks

2.1. Research purposes

- Contribute to supplementing legal reasoning on mechanisms for resolving inter-national water disputes for non-water traffic purposes; at the same time, it provides recommendations based on scientific and practical grounds to contribute to the development of solutions to improve the efficiency of the exploitation, use and peaceful settlement of Mekong water disputes for Vietnam.

- Improve understanding of international law on international dispute settlement in general, inter-national water dispute settlement in particular; at the same time improve scientific research skills, meet the requirements of the work tasks of the thesis .

2.2. Research tasks

To achieve the above-mentioned research purposes, the thesis focuses on solving the following key tasks:

- Surveying and evaluating the situation of domestic and foreign research on mechanisms for resolving inter-national water disputes for non-water transport purposes; Identify the issues that have been studied, those that are still unclear or still open to continue the study.

- To study and clarify the concepts and characteristics of disputes and mechanisms for resolving inter-national water source disputes for non-water transport purposes; The role of peacefully resolving disputes.

- To study the provisions of international and national law on principles and measures to settle international disputes in general, and to settle inter-national water disputes in particular to clearly define the legal basis for the settlement of Mekong water source disputes.

- Study typical international practice on the settlement of inter-national water disputes to draw lessons learned for the settlement of Mekong water disputes.

- Practical study of the inter-national water dispute settlement activities of a number of important international jurisdictions as the basis for proposing the capacity and preparation to be able to bring the Mekong water dispute issue to be resolved in the appropriate international jurisdiction mechanism.

- Study the situation of disputes and mechanisms for resolving disputes over Mekong water sources to see the basic picture of this issue, creating a practical basis for proposing solutions to control and resolve Mekong water disputes appropriately.

- To study the legal situation of Vietnam on the management, exploitation, use and settlement of inter-national river water disputes to make recommendations to supplement and improve the system of national mechanisms, policies and laws in this field.

3. Subjects and scope of study

3.1. Study subjects

The thesis studies international mechanisms and practices for the settlement of inter-national water source disputes for non-water transport purposes; provisions of Vietnamese law on management, exploitation, use and settlement of inter-national river water disputes.

3.2. Scope of study

The thesis studies the provisions of international law on the settlement of inter-national water disputes for non-water transport purposes, focusing on the use of water resources for public production and agriculture activities; the practice of resolving inter-national water source disputes for non-water transport purposes in some typical regions of the world, including: Europe, The Americas, South Asia and the situation of exploitation and use of Mekong river water sources.

4. Methodology and research methods

- Methodology: The research thesis is based on dialectical materialism methodology, historical materialism of Marxism - Leninism, Ho Chi Minh thought to explain the objective law of the movement and development of research issues; the party's guidelines and views and the State's laws on international dispute settlement.

- Research method:

+ *Method of analysis, synthesis*: This is one of the research methods used mainly, applied in the entire chapters of the thesis. The PhD student has focused on collecting information and documents

related to the topic, including information and documents providing the theoretical basis, practical basis and political and legal basis on the settlement of inter-national water source disputes for non-water transport purposes. On the basis of these information and documents, the thesis has focused on analyzing and clarifying the research contents, the focus is on: clarifying important legal theoretical issues on disputes and mechanisms for resolving inter-national water source disputes for non-water transport purposes; typical international practices on resolving water source disputes. the country assigned for non-water transport purposes to bring out issues of reference value for the Mekong River case; analyze the current situation of exploitation, use, disputes and mechanisms for resolving disputes of Mekong river water sources.

+ *Comparison method*: The process of studying the situation and how to resolve inter-national water disputes in some typical regions of the world, the international dispute settlement activities of some international jurisdictions and the situation of disputes over Mekong water sources. The thesis focuses on understanding and comparing the characteristics of disputes, on the conditions for application and how to use dispute settlement mechanisms in some typical areas with the characteristics of Mekong water disputes; comparing the use of functions, the competence of the PCA and ICJ, in order to create a basis for making appropriate recommendations for the settlement of the Mekong River water dispute.

+ *Practical research method*: In the course of the thesis study, the thesis has combined with the task of working to survey the situation of the Mekong river water source in some related localities of Vietnam, such as An Giang, Dong Thap, Ben Tre; study the status of international cooperation mechanisms to ensure the security of Mekong river water sources ...

+ *Case study method*: This is the research method applied to clarify the contents in Chapter 3 of the thesis. The thesis has focused on researching and analyzing some typical practices on disputes and processes and results of inter-national water dispute settlement for non-water transport purposes in some typical regions of the world. Thereby drawing experiences for resolving disputes over Mekong water sources.

+ *Historical research method*: The thesis used this method mainly to explain some important contents in Chapters 2 and 4. Specifically, the thesis has been used to study the process of formation and development of a number of international jurisdictions, especially icj and PCA; the history of Mekong water disputes and the process of formation and development of management cooperation mechanisms, exploitation, use and settlement of water disputes in the Mekong subregion.

+ *Expert method*: This is one of the main methods used in thesis research process through actively attending seminars and scientific seminars related to cooperation in protecting, exploiting, using and resolving disputes over Mekong river water sources; directly working, discuss with experts and scientists of a number of independent ministries, branches and organizations related to the field of research to seek advice on research contents as well as methods and ways of organizing the thesis research.

5. New contributions, scientific significance of the thesis

Up to now, the study of the provisions of international and national law on the management and use of inter-national water resources for non-water transport purposes, especially in Vietnam, has been limited. In particular, the study of mechanisms and experiences in resolving inter-national water disputes and the possibility of applying to the Mekong water dispute issue is almost

unmentioned. So, the completed thesis will have implications both scientifically and practically:

- *In terms of scientific significance*: The results of the study contribute to clarifying the legal theoretical issues of disputes and the mechanism for resolving inter-national water disputes for non-water transport purposes; international experience in resolving inter-national water source disputes for non-water transport purposes. Therefore, the thesis will be a valuable reference document for training institutions, in-depth research in the field of international law on the exploitation, use and settlement of inter-national water disputes.

- *On practical significance*: The results of the study provide arguments, scientific basis, lessons learned from the practice of resolving inter-national water disputes in some typical regions of the world and some recommendations for Vietnam on the settlement of Mekong water disputes. Therefore, the thesis is of high reference significance to vietnamese authorities in the process of developing national policies to protect the legitimate rights and interests of the country in relation to the Mekong river water source.

6. Thesis structure

In addition to the Opening, Conclusions, Resurrections and Reference Lists, the thesis is structured in four chapters as follows:

Chapter 1: Overview of the research situation related to thesis topic

Chapter 2: Some basic legal reasoning issues on the mechanism for resolving inter-national water disputes for non-water transport purposes

Chapter 3: International practice of resolving inter-national water disputes for non-water transport purposes

Chapter 4: The status of the Mekong water dispute settlement mechanism and some recommendations

Chapter 1
OVERVIEW OF THE RESEARCH SITUATION RELATED TO THE THESIS TOPIC

1.1. Research situation related to the thesis topic

1.1.1. Foreign research works

In this section , the thesis analyzes a number of foreign studies that address the theoretical and practical aspects of international theory and practice on the management, exploitation and use of international water resources; the study of the provisions of international law on the settlement of international disputes in general and the importance of the peaceful settlement of international disputes in general and the importance of the peaceful settlement of international disputes. worship.

1.1.2. Domestic research situation

In this section, the thesis analyzes research works, articles of domestic agencies, organizations, experts and scholars analyzing international conventions related to the management, exploitation and use of inter-national water resources for non-water transport purposes; the situation of exploitation, use of Mekong river water sources, impacts and proposals for solutions for Vietnam; cooperation mechanisms in the Mekong Basin...

1.2. General assessment of the research situation related to the thesis

On the basis of analyzing the research results of domestic and foreign works related to thesis topic, the thesis clarified the problems that have been solved in the published research works that the thesis can inherit and develop; at the same time, pointing out the unresolved problems in the research works that have been solved. From there,

the thesis draws on the basic issues that will focus on solving, both theoretically, practically and issues related to proposing directions for resolving Mekong water disputes.

1.3. Research questions, research hypotheses and expected research results

On the basis of the identified research objectives, the thesis indicates 03 groups of research questions and 05 research hypotheses. From there, it is expected that the results of the study will solve the following three main points:

Firstly, the thesis will systematically and clarify legal theoretical issues on the mechanism for resolving inter-national water disputes for non-water transport purposes, especially on the principles and measures to resolve disputes in accordance with international law.

Secondly, the thesis draws some meaningful lessons learned for the application of peaceful measures to resolve inter-national water disputes in order to provide a practical basis for researching and developing solutions to resolve disputes over Mekong water sources.

Thirdly, the thesis will offer a number of common solutions and specific solutions for resolving the Mekong Water Dispute.

Therefore, the completed thesis will be a document of high reference value for Vietnam's policy advisory agencies on the protection of national rights and interests in cooperation in the exploitation of inter-national water resources, first of all the Mekong River; at the same time, it is a useful reference for training institutions and research on international water law in general, on the settlement of international water disputes for non-water transport purposes in particular.

Chapter 2
SOME LEGAL REASONING ISSUES ON MECHANISMS FOR RESOLVING INTER-NATIONAL WATER DISPUTES FOR NON-TRANSPORT PURPOSES

2.1. Concepts, origins and characteristics of inter-national water source disputes for non-water transport purposes

2.1.1. The concept of inter-national water disputes for non-water transport purposes

On the basis of the analysis of the terms and concepts that have been studied and used in the international legal system, the thesis inherits the concept of inter-national water resources stated in the 1997 International Water Resources Convention, under which "Inter-National Water Source" is a water source whose parts are located on different countries.

Regarding the concept of "for non-water transport purposes", the thesis holds that non-water transport purposes are limited to industrial and agricultural production purposes, not used for transportation purposes.

From the component concepts, the thesis gives the concept: *Inter-national water source disputes for non-water transport purposes are disagreements, contradictions, struggles between subjects, mainly states, who have direct rights and obligations to inter-national water resources of legal views or clear conflicts of interest in the exploitation, use of inter-national river water sources for non-water transport purposes*.

2.1.2. Origin and characteristics of inter-national water source disputes

In this section, the thesis analyzes the factors assessed as the

source of inter-national water source disputes such as: exploitation, unfair and reasonable use of water resources; the development of the industries of the riverside countries polluting the common water source; The population boom in the context of the emergence of more and more non-traditional security factors is causing the demand for water to increase. From there, the thesis analyzes the characteristics of the dispute, about the participating subject, the object, the consequences of the dispute.

2.2. Mechanism for settlement of inter-national river water source disputes for non-water transport purposes

2.2.1. Concept of inter-national river water dispute settlement mechanism for non-water transport purposes

The thesis states that: *The mechanism for resolving inter-national river water disputes for non-water transport purposes is a system of regulations on measures, procedures and institutions* that *are pre-regulated or agreed upon by states in accordance with the provisions of international law after the arising of disputes in order to help States resolve the law. Disputes over international countries*.

2.2.2. Characteristics of inter-national river water dispute settlement mechanism for non-water transport purposes

In this section, the thesis focuses on analyzing 03 characteristics of the inter-national water dispute settlement mechanism for non-water transport purposes*:*

*First of all, the settlement of inter-national water disputes emphasizes the role of the truth-seeking mechanism (*investigation).

Second, the selection of applicable laws for the settlement of inter-state water source disputes must comply with the general principles of international law.

Third, the inter-national water dispute settlement mechanism

is still in the process of being finalized.

2.3. The role of the peaceful settlement of inter-national river water disputes for non-water transport purposes

This section, the thesis focuses on analyzing the role of the peaceful settlement of inter-national river water disputes for non-water transport purposes in the context of increasing regional and world instability factors.

2.4. Basic principles for resolving inter-national water disputes for non-water transport purposes

2.4.1. Some basic principles of international law

In this section, the analytical thesis focuses on four principles: (i) Equality of sovereignty between states; (ii) peaceful settlement of international disputes; (iii) states are obliged to cooperate; and (iv) conscientious, willing to implement international commitments (pacta sunt servanda).

2.4.2. A number of principles of international law on international water resources are directly related to the settlement of disputes

In this section, the thesis analyzes the most important principles in the exploitation and use of inter-national water sources are: (i) the water source must be used fairly and reasonably; (ii) the use or development of an international water source by one country shall not pose a significant danger to another riverside state.

2.5. Peaceful measures to settle inter-national water disputes for non-water transport purposes

2.5.1. Non-jurisdictional dispute resolution measures

Among the measures set out in Article 33 of the 1997 International Water Resources Convention, negotiation, mediation and conciliation are measures that are commonly used in resolving water disputes. These are also peaceful measures for the settlement of

international disputes commonly referred to in Article 33 (1) of the UN Charter. Direct negotiations have always been a priority measure for all types of international disputes, and international water disputes are no exception. Article 33 (2) of the 1997 Convention on International Water Resources emphasizes that direct negotiation (or direct negotiation) is the first measure and if an agreement cannot be reached by direct negotiation, other measures are taken into account. This measure is commonly applied, in the form of negotiations (where two or more countries engage in dialogue with each other) and consultations (where a country will pursue a series of actions and be informed to the parties involved. Measures for resolving non-jurisdictional disputes include: Measures for direct negotiation; Intermediary measures; Measures to resolve disputes through regional institutions; Investigative measures.

2.5.2. Dispute settlement measures through jurisdictions

The method of resolving international disputes through international jurisdictions is considered fair, objective, limiting the influence of political factors. The rulings of international jurisdictions are legally binding on the disputing parties and have a final value (Articles 59, 60 of the ICJ Regulation). A State that refuses to implement the effective ruling of the Tribunal shall be considered a violation of its international commitments and give rise to its international legal responsibility. The thesis focuses on analyzing the provisions of international law on the secret rights and procedures for resolving disputes by international arbitration and resolving disputes in international courts.

Chapter 3
INTERNATIONAL PRACTICE ON DISPUTE RESOLUTION INTER-NATIONAL WATER SOURCES FOR PURPOSES NON-WATER TRAFFIC AND SOME LESSONS LEARNED

3.1. A number of international practices for resolving inter-national water source disputes for non-water transport purposes

3.1.1. Dispute settlement by non-jurisdictional means

In this section, the thesis focuses on analyzing international practice of resolving disputes by direct negotiation through the typical nile water dispute settlement case, and analyzes the practice of resolving disputes through intermediaries through typical cases. Water dispute between India and Pakistan over the Indus River system and the Nile water dispute. From there, the thesis draws some remarkable points about the process and effectiveness of applying these measures in practice, especially the dominance of political factors, the role of intermediaries.

3.1.2. Dispute settlement by jurisdiction

In practice, there have been many cases of the use of international jurisdictional mechanisms to resolve inter-national water disputes. In this section, the PhD student analyzed the practice of dispute resolution and consulted at the ICJ through typical cases: *Gabcikovo-Nagymaros Case (Hungary / Czechoslovakia); The case seeks advice on the European Commission's jurisdiction over the Danube river from Galatz to Braila*. For dispute resolution at the PCA, the research thesis: *The Case of Lake Lanoux, ruled on 16 November 1957 by the Court of Arbitration; Dispute involving the Gut Dam between the U.S. and Canada - The 1866 rulings were made by the Ontario Lake Appeals Tribunal*. The content focuses on

analysis on the issue of jurisdiction of the Court, questions and arguments of the disputing parties, applicable laws, opinions and rulings of the Court.

3.2. Some lessons learned.

3.2.1. Awareness of the complex nature of inter-national water source disputes

In this section, the thesis draws awareness of the causes of the complexity of inter-national water source disputes for non-water transport purposes primarily: (i) The impact of natural and social factors in the direction of making freshwater sources increasingly scarce, This has led to increased water disputes between countries. (ii) Political factors play a dominant role in the process of cooperation in the exploitation, use and settlement of inter-national water source disputes for non-water transport purposes.

3.2.2. On selection of dispute resolution measures

The solution of inter-national water disputes for non-water transport purposes in accordance with international law is very diverse. These dispute resolution measures can be divided into two groups: (i) The non-jurisdictional group of measures which includes: negotiation, intermediary, investigation, conciliation (The International Water Resources Convention of 1997 emphasizes fact-finding measures); (ii) Take a financial measure, i.e. the settlement of an inter-state water dispute at an arbitral tribunal or an international court. The international practice of resolving inter-national water disputes for non-water transport purposes shows that the choice to apply dispute resolution measures depends on many factors and that the parties involved in the dispute may agree to choose a specific measure or to simultaneously take a number of measures to resolve the common water dispute, depending on the conditions, especially

the circumstances of the dispute, especially the relationship between the parties.

3.2.3. On preparation when choosing to apply measures to settle inter-national water disputes at international jurisdictions

In this section, the thesis draws lessons learned on preparation when choosing to apply measures to resolve inter-national water disputes at international jurisdictions. In particular, it is necessary to focus on building a system of documents related to water source disputes, including: (i) Information and documents on the status of water disputes; (ii) Documents on the provisions of international law on the exploitation, use and settlement of inter-national water source disputes for non-water transport purposes; (iii) The document reflects the international practice of resolving inter-national water disputes. At the same time, thoroughly study the operating regulations, order, procedures, competence and signed research on the practice of resolving inter-national water disputes of that jurisdiction.

Chapter 4
STATUS OF DISPUTE SETTLEMENT MECHANISM MEKONG RIVER WATER SOURCES AND RECOMMENDATIONS

4.1. Status of exploitation and use of Mekong river water sources

4.1.1. Generalization of natural characteristics, geography and importance of Mekong river water sources

In this section, the thesis focuses on a general analysis of some of the natural and geographical characteristics of the Mekong River. From there, we learned the importance of the Mekong River. The Mekong Basin is inhabited by about 70 million people (equivalent to one-third of the total population of thailand, Vietnam, Laos and Cambodia), 80% of whom are in rural areas with livelihoods and food security closely tied to the river system, of which more than 60% participate in economic activities related to water resources here and are affected by the river system. Change in the Mekong River. For Vietnam, the Mekong River plays a particularly important role, being the river that forms the Mekong Delta, dominating the entire socio-economic life of the residents of provinces and cities in this region.

4.1.2. Current status of exploitation and use of Mekong river water sources and some notable features

In this content, the thesis analyzes the current status of exploitation and use of Mekong river water sources concentrated in two types of activities that cause the most serious impacts on the quantity and quality of water sources of this river are: (i) The construction of hydroelectric dams, especially the construction of dams on the main line; and (ii) the operation of transferring water out

of the basin. These two types of activities have seriously affected the water flow of the Mekong River at the end of the source, especially in the dry season; at the same time, it significantly changes the amount of silt in the river water and after each dam, the amount of silt is significantly reduced. This section also presents the opposition of the government, residential communities, non-governmental organizations in and outside the region to the activities of exploiting and using Mekong river water sources of some countries upstream.

On that basis, the thesis draws out the most notable point of the Mekong water source dispute is that the participants have a large difference in the strength, advantages of the nation and the characteristics of the relationship between the states involved in the dispute.

4.2. The status of the provisions of international law related to the settlement of Mekong water source disputes

4.2.1. International Water Resources Convention 1997

This section, the thesis clearly presents the legal provisions of the 1997 Convention on International Water Resources, which focuses on the analysis of Article 33 of the Convention on the Settlement of Inter-National Water Disputes for non-water transport purposes. From there, the assessment: The International Water Resources Convention of 1997 provides quite comprehensively and specifically on the mechanism for resolving inter-national water disputes for non-transport purposes, of course, the provisions of the Convention may only apply to States which are Parties to the Convention when disputes arise. the interpretation or application of the provisions of the Convention.

4.2.2. 1995 Mekong Agreement

The thesis presented the context of the formation and content of the 1995 Mekong Basin Sustainable Development Cooperation Agreement (Mekong Agreement 1995)." From there, the assessment was drawn: the dispute settlement mechanism in the 1995 Mekong River Agreement also upholds the fundamental principles of international law and measures to peacefully resolve disputes when considering the settlement of differences and disputes over Mekong water sources; of course, The measures to resolve disputes applied are limited to Articles 34 and 35 of the 1995 Mekong River Agreement with many inadequacies.

4.2.3. A number of other relevant regional international treaties

In addition to the two international treaties on inter-national water resources outlined above, the thesis analyzing a number of regional international treaties may also give hints on mechanisms for resolving Mekong water disputes such as the Treaty of Amity and Cooperation in Southeast Asia (TAC) and the ASEAN Charter.

4.3. Some proposals on the settlement of conflicts and disputes over Mekong water sources

4.4.1. General recommendations

In this section, the thesis recommends:

- On the view of solving the Mekong water problem: (i) Ensuring the highest national and national interests on the basis of the basic principles of the UN Charter and international law, equality, cooperation, mutual benefit; (ii) the settlement of disputes by peaceful means in accordance with international law; (iii) resolutely and persistently strive to firmly defend national independence and sovereignty, maintain a peaceful and stable environment for

development; (iv) actively participate in and promote Vietnam's role in multilateral mechanisms, especially ASEAN, THE UN, APEC, Mekong subregion cooperation and regional and international cooperation frameworks; (v) attach importance to the development of cooperation, friendship and traditions with neighboring countries; (vi) develop an overall strategy for the protection and sustainable use of Mekong river water sources.

- On strengthening the propaganda work both at home and abroad on the issue of disputes and resolving disputes over Mekong water sources: Firstly, the tradition to clearly and unify the awareness of the increasingly complex trend of the Mekong water dispute issue. Secondly, propaganda raises awareness about the consequences of the Mekong River water dispute. In particular, focusing on propaganda on the importance of peaceful settlement of inter-national water disputes; propagation of measures to resolve inter-national water disputes for non-water transport purposes.

- Regarding the selection of measures that can be applied to resolve the Mekong water source dispute: the selection of measures and methods of dispute settlement must be considered comprehensively, thoroughly, in accordance with the complex nature of the dispute, taking into account the characteristics of the relationship between the parties involved in the dispute and the status of the dispute settlement mechanism in the region. to ensure that the Mekong River water dispute can be resolved in the most effective way.

4.4.2. Recommend a number of specific measures

The thesis recommends a number of immediate measures for Vietnam to actively strengthen bilateral cooperation with subregion states; at the same time, actively participate and promote cooperation

within the framework of existing cooperation mechanisms in the Mekong Subregion to strengthen the peaceful environment, Development cooperation between stakeholders.

At the same time, focusing on the implementation of long-term measures: promoting the consolidation of the international legal basis on the settlement of Mekong water disputes; carefully equipped information systems and documents for the process of resolving disputes over Mekong water sources; good domestic laws related to the settlement of inter-national water disputes,

CONCLUSION

Fresh water plays a vital role in the survival and development of humanity. Meanwhile, most freshwater sources are shared by many countries and the unreasonable use and exploitation of the parties leads to disputes over sources of gum; at the same time, due to the influence of political factors , the water dispute becomes increasingly fierce. Meanwhile, international water law is still in the process of being finalized, so cooperation in the exploitation, use, management and settlement of water disputes between countries is still a very urgent issue.

Through the course of the study of the topic, the thesis can draw the following conclusions:

1. Regarding the research situation related to the topic, through the study of domestic and foreign information and documents, although there have been many research works related to the thesis topic, these works or mainly refer to the role of international treaties in strengthening efforts to cooperate in exploitation, use of inter-national water sources; or an analysis of some international practices on resolving inter-national water disputes for non-water transport purposes. For Mekong river water sources, the research works mainly discuss the situation of water disputes and the socio-economic impact of countries in the subregion; technical analyses and the impact of upstream countries' construction of hydroelectric works and water transfers out of the basin; cooperation mechanisms in the Mekong subregion. Therefore, there are still many contents on the settlement of inter-national water disputes that have not been thoroughly resolved, especially as no works have thoroughly and comprehensively explained the provisions of international law on dispute issues and mechanisms for resolving inter-national water

disputes for non-water transport purposes such as the concept, dispute characteristics and dispute settlement mechanisms, principles and measures for dispute resolution; systematic analysis of inter-national water dispute resolution practices for non-water transport purposes and lessons learned. As for the Mekong River water source dispute, no works have deeply analyzed the status of Mekong public water settlement mechanisms and made recommendations to Vietnam on the possibility of resolving Mekong water disputes in the future.

2. Sticking to the objectives and tasks set out and on the basis of the results of surveys on domestic and foreign research situation related to the the thesis topic, the thesis has focused on clarifying a number of international theoretical and practical contents on disputes and mechanisms for resolving disputes of inter-national river water sources; dispute practices and mechanisms for resolving disputes Dispute over the water source of the Mekong River. In particular, the concept of disputes and mechanisms for resolving disputes over inter-national river water sources have been introduced; characteristics of the dispute; clarifying a number of general principles and specific principles on the settlement of inter-national water disputes... On that basis, the thesis has made a number of recommendations for Vietnam to resolve the Mekong water dispute, ensuring Vietnam's legitimate rights and interests in the context of this river is increasingly at risk of serious harm.

3. The results of the thesis research shall contribute to supplementing the theory on the settlement of inter-national water source disputes. However, because this is a very new problem in Vietnam and due to the capacity requirements, the topic has not been able to cover all related contents and there are still some issues that need to be studied and clarified.

LIST OF AUTHOR'S PUBLISHED WORKS RELATED TO THE THESIS

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2. Nguyễn Minh Sáng (2020), "Các nguyên tắc cơ bản của pháp luật quốc tế về giải quyết tranh chấp nguồn nước quốc tế cho các mục đích phi giao thông thủy và một số ý kiến đề xuất", *Tạp chí Công an nhân dân*, số 11/2020, tr. 79 - 84.
3. Nguyễn Minh Sáng (2019), "Hợp tác đa phương tại tiểu vùng Mê Kông – Một số thách thức với Việt Nam và kiến nghị", *Tạp chí Khoa học và Chiến lược (Chuyên đề của Tạp chí Công an nhân dân)*, số 01/2019, tr. 55 - 58.