

# Global Laws and Economic Policies in Abatement of Oxyanion in Aqua Systems: Challenges and Future Perspectives

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## **Abstract**

Water security and sanitation are precursors for socio-economic development, survival of flora and fauna, food security and healthy ecosystems. However, when these are compromised, they tend to have an adverse effect on the health of the populace and the socio-economic development of the entire society. This chapter investigates global laws and economic policies aimed at the abatement of toxic oxyanions (e.g. nitrate, fluoride, perchlorate etc) in aqua systems. Using a non-doctrinal cum systematic analysis, the extent of legal and economic instruments in controlling, reducing and preventing toxic oxyanion pollutants in water was examined. Relevant international treaties and instruments were analysed including the Universal Declaration on Human Rights (UDHR) 1948, the International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966, the United Nations Convention on the Laws of the Sea (UNCLOS) 1982 and the United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses (UNWC) 1997. Moreover, the use of different command and control (CAC) and economic instruments (EI) were also studied. The findings revealed that the provisions of the legal instruments are not strong and clear enough to compel states to adopt adequate measures for the prevention of toxic oxyanion pollutants in marine areas. In addition, even though the CAC and EI approaches have been adopted for pollution abatement across countries, the latter appear to have gained wider acceptance, due to some of the advantages it offers over and above the former approach. Nevertheless, the chapter recommends the combination of regulatory and economic approaches as the way forward in achieving the abatement of toxic oxyanion in aqua systems. One of the recommended regulatory approaches is the amendment of existing treaties and instruments to incorporate stronger obligations on states, which will feasibly achieve effective measures for the reduction and control of toxic oxyanion pollutants. The justification for the eco-legal approach to control toxic oxyanion pollutants is to yield the best optimal outcome because none of the instruments can operate in isolation, especially in a dynamic and complex society. Both, complement and reinforce each other.