



MAX PLANCK INSTITUTE

FOR COMPARATIVE PUBLIC LAW
AND INTERNATIONAL LAW

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What is in the Bottle?

An Analysis of Water Distribution, Scarcity, and Commodification

MPIL Agora

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Water is a vital element for human existence. It is estimated that about 80% of the global population faces a human security challenge in relation to water. This alarming scenario has triggered individual and local concerns, but has also led to significant political and legal debates all over the world regarding access to water.

However, bottled water has never been discussed in these debates, mainly due to the generalized belief that it is a marginal phenomenon with no relevant impact on water governance. But actually, according to the International Bottled Water Association's (IBWA) 2016 statistics, the amount of bottled water produced in 2016 would be sufficient to provide a glass of water to the entire world population of 7 billion people every day.

Such a lacuna in the academic debate on water management appears inexcusable. The growth of the bottled water phenomenon is susceptible of generating social and economic inequality in access to water at best, if not preventing access altogether. Against this backdrop, bottling regulations can be a crucial element within the discourse on management and access to water. In most European legal systems, the regulations provide for a regime of permits – in the form of license, concession or authorization – through which the public administration allows privates to bottle the good for commercial purposes. These licences determine the price for and limitations to this private use of the resource and, in so doing, play a crucial role in water distribution within communities, relative scarcity for essential uses, and commodification of the resource.



Diego Bonetto is a Ph.D. candidate at Sciences Po Law School and the University of Turin, and a research associate at the International University College (IUC) of Turin. He holds a M.Sc. in Comparative Law, Economics and Finance from the IUC and a law degree (Mag.iur.) from the University of Turin. Diego also undertook bachelor studies at the Centre for Transnational Legal Studies in London (CTLS – Georgetown University), at the University of Bergen (Norway) and at the University of Haifa (Israel). Since 2015, he has been teaching courses of Public Law, Political Institutions, and Global Environmental Governance at Sciences Po and the University of Turin. He is admitted to the Italian bar and has practiced mainly administrative law. Diego is currently writing his doctoral thesis on the interaction between

public and private law in the formation of the legal regimes governing water resources in Europe.

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