The Itaipu Treaty was signed by Brazil and Paraguay in 1973, with the aim to start using their international and bordering river Parana for the production of hydropower. Today, the Itaipu dam has one of the highest levels of production of renewable energy in the world. This makes the Itaipu treaty the most important energy treaty in South America. For the first time in 50 years, the treaty will be renegotiated by Brazil and Paraguay. Paraguay was a signatory country of the UN Water Convention of 1997, namely the Convention on the Non-Navigational Uses of International Watercourses. The Itaipu Treaty, on the other hand, was entered into before these developments of international water law and many other developments in the area of environmental law came about. Can the new developments of international law play a role in the renegotiation of the Itaipu Treaty? We shall investigate the historical context of the treaty, the developments of customary international law after the Itaipu project was approved, as well as the role of regional institutions. Finally, we shall discuss in what way the current developments concerning environmental law and climate change may impact the renegotiation.

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