

Power and Water Diplomacy

KEY POLICY MESSAGES

- Power dynamics shape and reshape water diplomacy and impact water conflicts, cooperation, and the status-quo.
- Analysis of conflict and cooperation can help specify the need for particular terms of agreement in water diplomacy.
- Institutional design can help reframe asymmetric power dynamics.

■ Dipor Wetlands © Sumit Vij

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 **Routledge**
Taylor & Francis Group

Water diplomacy is fundamental to understanding transboundary water politics. Upstream parties do not always have the natural upper hand in transboundary relationships. Power dynamics and institutional arrangements matter.

How can policymakers address evolving possibilities and obstacles in water diplomacy? Key factors to consider are **power dynamics** and **institutional design**.

THE TWO KEYS TO UNLOCKING WATER DIPLOMACY

Power dynamics

Water governance involves participation by multiple actors with varying levels of power. That power is determined not only by an actor's size and material resource endowments but also by the relative geographic position of the jurisdiction that it represents. Although 'hegemons' often dominate the agenda, 'non-hegemons' can be catalysts for cooperation.

Power dynamics can be addressed and improved in three ways.

- First, non-hegemons should champion cooperative efforts that strengthen their influence by taking stock of what each participant has to offer—for example, diplomatic credibility or technical expertise.
- Second, actors should recognize that their relationships are mutually productive despite power asymmetries. An example is the economic symbiosis between India and Bhutan, which share access to a transboundary river system and use water projects collaboratively as an engine for joint development. Discovering or enabling common interests is an essential step in this process.
- Third, parties should initially engage on projects and issues with low risk, in order to establish patterns of reciprocity and build trust for higher risk but more productive longer-term interactions. For example, cooperation on an infrastructure project could lead to larger projects and ultimately to the formalization of complex agreements that address governance of shared resources.



■ Bridge construction over the Brahmaputra River © Sumit Vij

Institutional design

The transboundary nature of water governance, entailing a variety of socio-political contexts across river basins, complicates the establishment of institutional arrangements with legitimacy, durability, and material benefit. The machinations of powerful actors can result in institutions complicating decisionmaking that preserve their interests and thereby maintain a collectively suboptimal status-quo.

Institutional design can be addressed in three ways.

- First, rely on participatory processes in designing and managing institutions, covering the terms of engagement, criteria for the degree of 'voting power' assigned to each party, and sanctioning mechanisms for non-cooperation or non-compliance.
- Second, where actors have varying levels of power, institutions must safeguard against

This brief targets an informed public, including individuals making, vetting, and implementing transboundary water policies and facilitative parties like NGOs, the media and consultancies.

abusive behavior by hegemonic actors. This goes beyond supply contracts (Hong Kong and Guangdong Province) – and extends to management of upstream resources (India and Bhutan). The whims of a single powerful actor should not impinge on maintaining consistency of strategy and vision..

- Third, where appropriate and feasible, an external party can mediate or validate the process of developing and administering institutions. For example, in the case of riparian states in Central America, the European Commission – through RALCEA – established networks for knowledge exchange, stakeholder mapping, and collaborative decision support.



■ Lake Tanganyika © James E. Nickum

COMPLEXITIES OF TRANSBOUNDARY WATER GOVERNANCE: POWER, ACTORS AND IDEAS

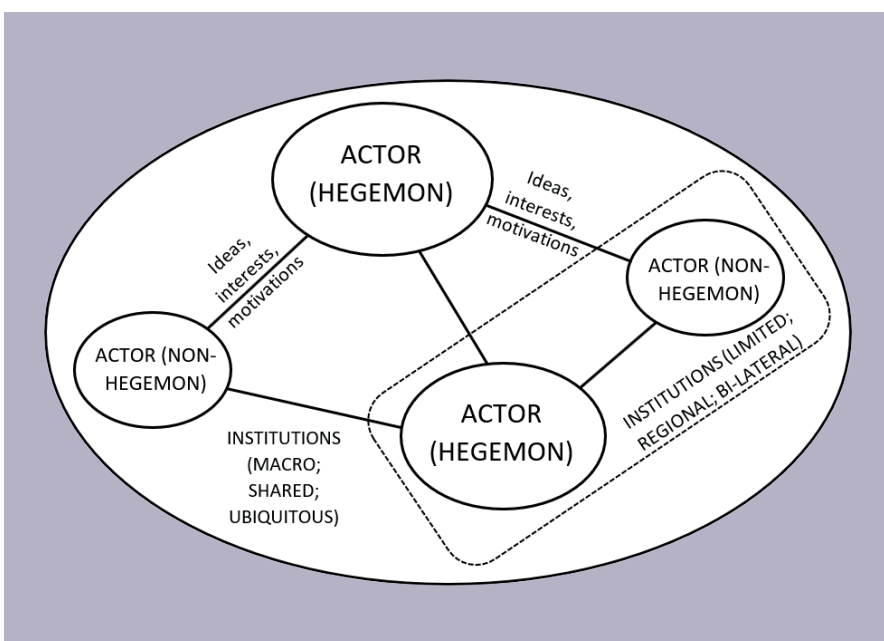
The accompanying image is a simplified conceptualization of the complexities of water governance, through the analytical lens of actors, ideas, and institutions in a socio-ecological system. Differing actor types (hegemons, non-hegemons, and degrees thereof) share ideas according to the norms, protocols, and rules of macro-institutions (e.g., international or regional agreements). Nested within these macro-institutions are smaller-scale institutions that govern interactions among only some actors within a bounded system (examples of such institutions are local or national legislation, and political, economic, and cultural systems unique to a particular context or country). Institutional layering mandates that actors engage with other actors on varying terms and in often differing capacities, not only reflecting actor types (power) but also institution type (scale and depth). This impacts the types of ideas that can be engaged in a given negotiation.

Water issues are contentious and contestable. Power plays an important role. The conventional wisdom about conflict and cooperation deserves critical reflection. Cooperation can be destructive, conflict can be constructive, and they may happen simultaneously. A written agreement does not guarantee the end of conflict, as it may have been signed for lack of a better alternative. Equitable outcomes are dependent on equitable processes, particularly where power asymmetries are structurally embedded. International agreements are likely to be more effective when they reflect the

interests and concerns of non-state actors or interests raised during the negotiating process. However, not in all cases are such interests and concerns voiced. Tensions can be difficult to identify if drawing attention to them fails to serve the interests of powerful actors and if the effects of power asymmetry are not explicitly anticipated by the analyst. A change in any arrangement is likely to favor some groups and interests at the expense of others and can thereby meet resistance.

For some actors, a ‘better alternative’ may consist of no agreement at all. Not all parties are in a position to cooperate or even interested in doing so. As such, inaction may not always reflect a lack of ambition. Indeed, regional arrangements and implementation instruments are established with often great expectations. The existence of bilateral and multilateral transboundary management institutions does

“The nature of water diplomacy and its related actors appears to be changing, and so is its role on the transboundary water agenda.”
Sumit Vij, Jeroen Warner, and Anamika Barua





not necessarily lead to more cooperation and less contestation. Stakeholders may still lack the capacities to implement water diplomacy as a means to prevent, overcome or manage zero-sum inter-state conflicts. They may be held back by domestic stalemates or legacy conflicts having little or nothing to do with water. In such cases, water policies may be implemented only when adopted through national water laws, with actors taking ownership of regional integration.

There is also the practical challenge of considering a variety of stakeholders, both state and non-state, in a multi-stakeholder negotiation. Nonetheless, there may be power in numbers. Non-governmental initiatives may offset efforts to stall cooperation or perpetuate structural distrust at the governmental level. Such initiatives can also facilitate ground-level monitoring, dissemination of ideas, and strengthening of legitimacy in the implementation of agreements. Where such ideas risk being more talk than action, bolder steps can be used to leverage change. For example, Ecopeace's 'point risk taking' initiative went beyond discussion to seek shared material benefits from the water-energy nexus in water desalination and renewable energy.

MOVING FORWARD

Water should not be viewed as inevitably competitive. It does not need to be a zero-sum resource. We know it can be managed collectively and fairly. Nonetheless, we must

recognize that we live in a world of smoke and mirrors that mask power relationships. Some forms of cooperation can appear fair to all parties but are in practice quite inequitable. Conflicts and tensions may resist even sincere efforts at resolution, underscoring the need for a 'predicament-based' approach that makes the best of a conflict situation without expending undue amounts of resources in a fruitless effort to resolve or perfect it.

To reduce the power asymmetries, we hope state policy actors and structures reflect on the concerns of the non-state actors and interests during water diplomacy processes. At the same time, enlightened leadership and robust institutions remain as elusive as ever – both a challenge to the practice of water diplomacy and a provocation to improve it.

THIS POLICY BRIEF IS BASED ON

Water International. Special Issue: Power in water diplomacy. Vol. 45 No. 4, May 2020. www.tandfonline.com/toc/rwin20/45/4

Sumit Vij, Jeroen Warner and Anamika Barua. *Power in water diplomacy*.

Sumit Vij, Jeroen Warner, Robbert Biesbroek and Annemarie Groot. *Non-decisions are also decisions: power interplay between Bangladesh and India over the Brahmaputra River*.

Harlan Koff, Carmen Maganda and Edith Kauffer. *Transboundary water diplomacy among small states: a giant dilemma for Central American regionalism*.

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Hongzhou Zhang and Mingjiang Li. *China's water diplomacy in the Mekong: a paradigm shift and the role of Yunnan provincial government*.

Mark Zeitoun, Naho Mirumachi, Jeroen Warner, Matthew Kirkegaard, and Ana Cascão. *Analysis for water conflict transformation*.

ACKNOWLEDGEMENTS

WI Special Issue Editors: **Sumit Vij**, **Jeroen Warner**, and

Anamika Barua

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