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WATER DIPLOMACY IN SOUTH ASIA: Towards a Relational Approach


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Abstract

This policy brief situates the discourse on water diplomacy within the framework of old and new regionalism in South Asia. Arguing that the wave of this discourse on new regionalism has been anchored to India's Neighbourhood First Policy of connectivity diplomacy, it focuses on the ramifications this connectivity diplomacy could have for transboundary rivers in South Asia. The policy brief draws attention to certain generic and a few specific patterns related to discourses around water diplomacy. First, an attempt has been undertaken to examine the nature of the mainstream water diplomacy discourse, which has become prominent in recent years with respect to India and her neighbours. In this regard, issues which were often marginalised in existing water diplomacy discourses have been brought to the forefront. Second, a policy framework has been propounded to reconcile these tensions by engaging with the meta and micro narratives of water diplomacy. Against this backdrop, there are two specific questions that this brief attempts to highlight. First, what has been the dominant pattern of diplomatic practices and challenges for water diplomacy in South Asia and second, in what ways can we inform and accentuate such discourses with contemporary discourses on regional governance. I argue for a shift from a rational to a relational approach. Rationality has a singular focus on the volumetric allocation of water, and relationality expands the definition of water from surface water (water quantity) to water quality, preservation of wetlands and biodiversity, soil erosion, conjunctive use of ground and surface water, and nature-based solutions. Doing so may help align the enduring concerns of water diplomacy with new discourses on regionalism. The building blocks for such a relational approach are - Reinforcing Adaptation Strategies, Reframing the Negotiation Framework and Reviving the Role of Borderlands. Interventions around these themes often require multiscalar intercessions. Reinforcing Adaptation Strategies need to take cognisance of structural and non-structural factors and demand attention from national governments, civil society and community-based organisations. Reframing Negotiating Framework requires greater participation by epistemic communities

to emphasise a Water-Food-Energy-Ecology composite in water negotiations. Track 1.5 and Track 2 level dialogues are essential for generating such a discourse. Reviving the Role of Borderlands requires one to shift focus towards building water communities. Transnational actors and domestic and local collectives can take the lead in this respect. Engaging with local governance institutions is key to making such partnerships sustainable in the long term. While the social and economic facets of such engagements are essential, culture can play an important role in creating water communities.

The brief argues that privileging Integrated River Basin Management in current transboundary water cooperation could be an important way forward to engage with the water sector in a multiscale manner. Given that there are strong upstream/downstream linkages at the river basin level, any suggestion on connectivity (land, water, energy - which is a dominant contemporary discourse) needs to be sensitive to these linkages. Second, as the main objective of Integrated River Basin Management is to establish a balance between the existing natural functions of the river system and the development aspects of the system, focusing on adaptation strategies would help in the long term. Third, since IRBM takes into account the sustainable use of water and land resources, it becomes an important bridge to discuss water diplomacy and its relevance for water governance and management, a gap which has not been touched upon.

Significantly, new regionalism has introduced a constellation of actors across scales, which can be a crucial driver for such relational thinking. In South Asia, transboundary cooperation led by civil society groups has picked up pace in recent years. The formation of informal networks across the Ganges and Brahmaputra River Basins is a case in point. India's Neighbourhood First Policy perhaps needs to be cognizant of such developments, which can help facilitate connectivity not only at the physical level but also at the ecological and social level. Thus, water diplomacy could play an important role in the new discourse on regionalism and pave the way for foregrounding a relational practice of water diplomacy and new regionalism in South Asia.

1 Introduction

Water diplomacy is an anchor to facilitate relations between countries. In fact, it can also be termed as a 'relational practice', where the political end objective is not only to develop and manage shared rivers but also to balance social, economic and ecological aspects related to the water sector. This broadened understanding of shared resource management particularly holds importance, given its high impact in shaping geopolitical narratives around water diplomacy.

This is important because any discourse on shared transboundary rivers is incomplete without recognising the dominant discourse related to regional governance. This is particularly true for South Asia, where a number of bilateral water agreements exist without a regional approach to water governance. The penchant for bilateralism over multilateralism has made the transboundary rivers vulnerable to emerging geopolitical discourses, often a non-starter for effective water diplomacy. In order to go beyond the geopolitical shadow which has governed the latter half of the 20th century in South Asia, it is important to reflect on emerging patterns of regionalism which have gained prominence in recent years. Against this backdrop, not only does the Neighbourhood First Policy of India merit close attention, but it also demands that one makes an effort to foreground this potential vision into practices related to regional water governance. The Minister of State Shri V. Muraleedharan, while responding to a question on Neighbourhood First Policy in Rajya Sabha noted that,

"India's policy of 'Neighbourhood First' focuses on creating mutually beneficial, people-oriented, regional frameworks for stability and prosperity. Our engagement with these countries is based on a consultative, non-reciprocal and outcome-oriented approach, which focuses on delivering benefits like greater connectivity, improved infrastructure, stronger development cooperation in various sectors area, security and broader people-to-people contacts¹."

¹Rajya Sabha, "Unstarred Question No. 3692, India's Neighbourhood First Policy", at: <https://rajyasabha.nic.in/Home/GoogleSearch?query=neighbourhood+first+policy>. On Pakistan, the reply was that meaningful dialogue will only be held in an atmosphere free from terror.

This non-linear, dynamic process which hopes to connect not only levels of governments (states) but also scales of governance, can be a good starting point to start thinking about the potential framework for water diplomacy. Significantly, it also opens the door to move past rational approaches and into relational approaches. While the difference between old and new discourses on regionalism in South Asia is not revolutionary, new actors and issues have broadened and deepened the discourse on regional governance. The old discourse on connectivity was linear, hierarchical and conservative. In contrast, the new discourse is non-linear, dynamic and neo-liberal. Understanding the old and new discourses through the lens of connectivity might be useful to elucidate this point effectively.

2 The Old Discourse on Connectivity

The old discourse on connectivity is ideationally closer to the initiative of the South Asian Association for Regional Cooperation of the 1980s, which focused on regional cooperation and picked up pace because it was successful in arriving at an overlapping consensus on some key, non-confrontational development issues in South Asia². However, the old discourse was caught up in Cold War politics, lack of regional economic vision, distrust amongst South Asian neighbours and domestic political instability. Burdened by the narrative of 'unequal' treaties (in the case of Bhutan and Nepal), competition for regional primacy (in the case of India and Pakistan), a focus on land centric understanding of South Asia (which marginalised the Maldives and Sri Lanka), and competition of great powers (in the case of Afghanistan), states became the primary actors in shaping the regional architecture. In the old discourse, water was a subset of foreign policy, and the focus was heavily on a piecemeal, sectoral approach when it came to water cooperation.

²S.D. Muni, Building regionalism from below. *Asian Survey*, 25(4),1985. 391–404.

3 The New Discourse on Connectivity

The new discourse meanwhile picked up pace in the 1990s and gained traction under the wave of economic liberalisation. It was introduced at the Ninth Male Summit of the South Asian Association for Regional Cooperation (1997) when the SAARC member countries agreed to focus on specific projects for ‘meeting the needs of three or more member states’³. The assumption behind this maiden approach was that it would be based on pragmatism and collaboration among countries willing to cooperate. Consequently, the new approach was taken forward through collaborative sub-regionalism, expressed through the vision of the South Asia Growth Quadrangle (SAGQ). In 2000, the South Asian Subregional Economic Cooperation (SASEC) was launched with assistance from the Asian Development Bank, which saw the entry of international financial institutions in South Asia. The focus was on six priority issue areas which included transport; energy and power; tourism; environment; trade, investment and private sector cooperation; and communication and information technology⁴. One can say this new discourse was suggestive of ways through which economic ideas were influencing the regional vision of connectivity and how non-state actors were operating at the regional and local levels.

Significantly, this regional vision of SAGQ was extended to South East Asia through India’s Act East Policy. It was argued that “India is acting East through its sub-regions⁵”. In 2000, India along with five of the Mekong nations (Thailand, Myanmar, Cambodia, Laos and Vietnam), established the Mekong Ganga Cooperation (MGC), which emphasised cooperation in the field of tourism, culture, education and transport linkages. In many ways, these approaches gave credence to a distinct ‘development turn’ in sub-regional frameworks

³G. Padmja, “BBIN agreement: Building sub-regional corridors of trust”, South Asia Monitor, June 29, 2015.

⁴Yhome, “Acting East Through India’s Sub-Regions”, Issue Brief, Observer Research Foundation. 2017.

⁵Yhome, “Acting East Through India’s Sub-Regions”, Issue Brief, Observer Research Foundation. 2017

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like BBIN, an acronym representing the sub-regional cooperation between Bangladesh, Bhutan, India and Nepal. In 2014, when Indian Prime Minister Narendra Modi announced his Neighbourhood First Policy (NFP), the BBIN cooperation, which initially drew its inspiration from Article 7 of the SAARC Charter, and was constituted as part of SAARC⁶, gained an identity of its own and found a prominent place in NFP. One can also say this disassociation with SAARC was an inaugural moment for the sub-regional turn in South Asia, which in many ways gave credence to terms like 'new regionalism' and 'development regionalism'⁷. Yhome and Maini note that 'sustainable development and management have been at the core of India's cooperation at the regional and sub-regional groupings, and this will have implications on regional resources such as water and energy'⁸. While these words reflect a thoughtful vision for South Asia, a key challenge is whether New Delhi has a regional vision to go beyond rhetoric and how will the new discourses around connectivity impact transboundary water cooperation.

⁶Smruti Pattanaik, 'Sub-regionalism as New Regionalism in South Asia, India's Role', *Strategic Analysis* (40) 3, 2016, pp. 210-217

⁷Smruti Pattanaik, 'Sub-regionalism as New Regionalism in South Asia, India's Role', *Strategic Analysis* (40) 3, 2016, pp. 210-217 and Yhome, 'Acting East Through India's Sub-Regions', Issue Brief, Observer Research Foundation, 2017

⁸Yhome, 'Acting East Through India's Sub-Regions', Issue Brief, Observer Research Foundation, 2017

4 Water and the Connectivity Discourse - A Missing Link

Like the connectivity discourse shaped by economic ideas, the water discourse was also being broadened and deepened. Terms like Water-Energy-Food-Ecology, the WEF-E composite, and Integrated Water Resource Management (IWRM) were used to govern transboundary rivers. While different regions (Central and South East Asia) embraced these global visions uniquely, South Asia witnessed a shift from land energy and water connectivity with terms like inland water navigation and sustainable energy transition being cases in point. Notably, these ideas have received political traction through sub-regional vision embodied in groupings like BBIN, where a case is being made for inland navigation, which requires engaging with transboundary rivers. With India's forays into the renewable energy sector and its global commitment to going carbon-free by 2070, the sustainable energy transition has opened pathways for cooperation. Further, the Indo-Pacific discourse has given leverage to the maritime identity of South Asia. This vision of connectivity has opened up space for non-state actors (international non-governmental organisations, international financial institutions and civil society organisations), who have been salient players in transboundary water cooperation in South Asia post-2000. Water diplomacy in South Asia is thus being read through the new discourse of energy and water corridors. However, the sustainability of this discourse from a social and ecological perspective is yet to be deliberated upon.

Thus, it would not be wrong to say that the connectivity discourse has some prominence for the water diplomacy discourse, as the latter has been usurped by the former. This has marginalised and silenced certain issues which need immediate attention. In order to visibilise some of these issues, the following section offers an overview of some enduring problems witnessed by South Asian rivers. In what ways are these enduring problems being recognised/not recognised

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by the connectivity discourse around new regionalism, and what could be a potential way forward for water diplomacy in South Asia.

5 Transboundary Water Engagement in South Asia: Some Enduring Patterns

In order to give a perspective to water diplomacy in South Asia, it will be helpful to understand the nature of South Asian rivers. The nature of rivers, which flow from the Himalayas to the seas, gives South Asia a unique ecological cartography. While fed by the glaciers and prone to climate change impacts, these rivers also bring along heavy sediments. The location of these rivers in the disputed areas (Mahakali and Indus) have diluted efforts for regional governance. Further, the Himalayas are young mountains lying in a high seismic zone, which makes (myopic) development planning in this region a recipe for cascading disasters.

Recently, there have been calls for trilateral cooperation (Nepal, India, Bangladesh and Bhutan, India, Bangladesh) over energy resources, even though the translation of this vision is only expressed in principle. There is also a growing focus and awareness around ecological discourses, preservation of wetlands and biodiversity and ensuring minimal environmental flows to lower riparians. Significantly, transnational actors have facilitated people-to-people cooperation around transboundary rivers. Water dialogues in the form of nadi baithaks mahakali sambad, gram shivirs, focusing on marginal and minor rivers along with major rivers, have gained traction. These informal collectives are important as they draw attention to the nature of problems that people living in the borderlands of South Asia have to endure. Thus it is useful to understand the water diplomacy of South Asia by bringing together the meta and micro narratives around transboundary water diplomacy and governance.

6 The Meta and Micro Narratives

If one were to point out the broad contours of the meta narrative of the water diplomacy discourse in South Asia, there are a few issue areas which become important like hydropower, irrigation, flood management, inland water navigation, and water supply and demand, with an overwhelming focus on the quantity of water. Meanwhile, the micro narrative has revolved around maintaining ecosystem services, including preserving bio-diversity, ensuring water quality, controlling salinity intrusion and river pollution, managing the challenges of shifting rivers, and adapting to cascading disasters. The following section will help elucidate some of these points.

6.1. India and Bangladesh Water Narratives

The meta narrative of the India-Bangladesh water engagement revolves around the allocation of river waters and the augmentation of flows in the dry season. Though many have termed the Ganges Water Treaty between Bangladesh and India a successful example of a need-based approach, many claim that the treaty lacks the positive features of the 1977 agreement, which had the minimum guarantee clause. Thus, many in Bangladesh point out that ensuring minimum environmental flows and the means to engage other co-riparians (like Nepal and Bhutan) is also conspicuously lacking in the 1996 agreement. This, Bangladesh asserts, is a major shortcoming of the treaty⁹. Meanwhile, shifting the gaze to micro-discourses reveals that the Farraka Barrage, which was built upstream, has led to water security in West Bengal (India) but has resulted in floods in Bihar (India), which are caused due to backwater flows resulting from sediment deposition upstream of the Farrakha Barrage¹⁰. Dams have always been a point of contention between upstream

⁹ M.M Rahman, "Water Conflict an Cooperation between Bangladesh and India," Asteriskos, 1/2 2006, at <http://www.scribd.com/doc/13264275/Ganges-Water-Conflict>

¹⁰ Nilanjan Ghosh and Dipak Gyawali, "Himalayan Water Governance: Re-Imagining Institutions, Science and Transboundary Cooperation", Konrad Adenauer Stiftung and Stimson, 2021.

India and downstream Bangladesh, where sediment blockage, flood management, and hydropower generation have animated concerns for both countries.

Both countries share 54 transboundary rivers. At present, transboundary water cooperation discussions have revolved around three rivers - Ganges, Teesta and Barak - which constitute three major river systems shared by both countries, i.e. Ganges, Brahmaputra and Meghna (both Teesta and Barak are tributaries of Brahmaputra and Meghna, respectively). So far, negotiations over the Teesta River have been held hostage to federal politics in India. Meanwhile, both countries have been contemplating broadening talks to other rivers, such as Manu, Muhuri, Khowai, Gomti, Dharla, Dudhkumar and Feni, where they have a greater scope of collaboration, particularly on tapping into the multiple uses of water. Notably, it was agreed to widen this area of ongoing cooperation by including some more rivers for data exchange. At the Technical Level Committee meeting of the Joint Rivers Commission (JRC), held on August 2022, discussions on sharing of flood data, addressing river pollution, conducting joint studies on sedimentation management, river bank protection works etc., were held between the two countries¹¹. In August 2022, a Memorandum of Understanding on interim water sharing of the Kushiyara River was also signed by both countries. While these are promising developments, the challenges the transboundary rivers find in some micro narratives have been summarised quite well by Nilanjan Ghosh and Dipak Gyawali¹². They write, “the Sundarbans archipelago, which is part of the Ganges-Brahmaputra-Meghna delta, has seen land losses due to sea-level rise, salinity ingress due to lack of freshwater flow, and a lack of soil resuscitation due to decline in sediment flow with sediments getting trapped in the upstream of the Farakka Barrage. The lack of freshwater has affected fisheries substantially in the mainstream in Bangladesh and India. One interesting example is the hindering of the Hilsha catch, with large-sized catch (in the range of 2.5-3 kg) being almost extinct. This has

¹¹Smruti Pattanaik, *Sub-regionalism as New Regionalism in South Asia, India's Role, Strategic Analysis* (40) 3. 2016, pp. 210-217 and Yhome, “Acting East Through India's Sub-Regions”, Issue Brief, Observer Research Foundation. 2017

¹²Dr. Nilanjan Ghosh is a director at the Observer Research Foundation (ORF) and Mr. Dipak Gyanwali is a former Minister of Water Resource of Nepal.

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also seriously affected agriculture in the Sundarbans delta, where, usually, freshwater is converting large tracts of agricultural land into brackish aquaculture ponds.¹³

6.2. India and Nepal Water Narratives

Meanwhile, India-Nepal water engagement is quite different when it comes to water cooperation over hydroelectric projects, and Nepal is keen to engage with the energy market in India and get linked to India's energy grid. The cooperation has broadly revolved around the Koshi, Gandak, and Mahakali transboundary rivers. The framework for cooperation primarily revolved around the optimal utilisation of water resources to meet the energy, flood control, navigation and irrigation needs of both countries.

Nepal's perspective on Indo-Nepal water engagement suggests that Nepal has perceived the construction of dams to generate hydropower as a means to legitimise their construction and establish prior consumption of water resources. This has made Nepal term the negotiated agreements as iniquitous-non-reciprocal in nature. There have also been demands for an unfair compensation package, inequitable water distribution to meet irrigation needs and unfair power-sharing arrangements. The location of the barrage and ensuing issues of operation and management of dams have also been an irritant to Nepal. The macro narrative has centred around flood management (beneficial to India) and power generation (beneficial to Nepal).

For instance, the Koshi Agreement, primarily designed to mitigate the disaster of floods, was later expanded to include power generation and irrigation purposes. However, contrary to expectations, every year floods have created misery for people living in India and Nepal borderlands. The Indian state of Bihar is responsible for managing the project, however, the displaced Nepali people have to wait for lengthy periods of time to receive compensation from the Indian government. The Gandak Project was initiated to serve multi-purpose

¹³Nilanjan Ghosh and Dipak Gyawali, "Himalayan Water Governance: Re-Imagining Institutions, Science and Transboundary Cooperation", Konrad Adenauer Stiftung and Stimson, 2021.

roles of flood management, irrigation and power generation. The project's vision included enhancing facilities for riverine traffic and inland water navigation in Nepal. However, contrary to expectations, as the river has changed course, the Sustapani dispute has emerged. Within the past several years, the Gandak river has changed course in such a manner that the Susta village, which was previously located within the borders of Nepal, is now located on the Indian side¹⁴.

Another bone of contention, which has also evolved into disputed borders, is the Mahakali Treaty signed in 1996. The moot points of cooperation on the Mahakali were: integrated development of the Mahakali river focused towards benefit sharing from the Sarada, Tanakpur and Pacheshwar barrages. The treaty has not translated into reality given the domestic opposition in Nepal and considering the socio-economic aspects of indirect costs related to it. Some even claim Mahakali is an even worse treaty than the Koshi and Gandak treaties as it delimits the water rights of Nepal and has been incorporated as a strategy to legalise the Tanakpur Barrage¹⁵. The Mahakali Treaty has witnessed new controversies over the Kalapani border dispute with the issuance of different maps about the headwaters of Mahakali. This, as Gyawali argues, has "complicated official engagement mechanisms with high-level official meetings, originally designed to take place every six months, not taking place for years"¹⁶.

Further, the improper land use and water management policies, which have led to improper groundwater and springshed governance in Nepal, have an ecological cost for Ganges River Basin. Domestic issues in Nepal regarding the shareholding rights of the local community in hydel projects are another challenge for Nepal. Micro narratives also reveal that borderland communities are keen on

¹⁴Nidhi Jamwal, "As a river changed its course, a village on the India-Nepal border became disputed territory", Scroll, March 19, 2017, at: <https://scroll.in/article/831576/as-a-river-changed-its-course-a-village-on-the-india-nepal-border-became-disputed-territory>

¹⁵"Indo-Nepal Mahakali Treaty has not been properly ratified," Kantipur Daily, November 30, 2009, at: <http://www.ekantipur.com/2009/11/30/Oped/Indo-Nepal-Mahakali-Treaty-has-not-been-properly-ratified/303605/>

¹⁶Nilanjan Ghosh and Dipak Gyawali, "Himalayan Water Governance: Re-Imagining Institutions, Science and Transboundary Cooperation", Konrad Adenauer Stiftung and Stimson, 2021.

mobilising around asset-centric water issues¹⁷.

6.3. India and Bhutan Water Narratives

Contrary to a myriad of issues which India and Nepal witness, including implementation on the ground, Bhutan's story is different. The major rivers Torsa (Ammochu), Sankosh (Punatsangchu), Wangchu (Raidak) and the Manas flow through the country in a north-south direction before finally joining the Brahmaputra and carrying an estimated potential of 30,000 MW of hydropower. The Master Plan, developed with World Bank assistance, estimates that the four major rivers of Ammochu (Torsa), Wangchu (Raidak), Punatsangchu (Sankosh) and Manas alone have the potential to economically generate around 20,000 MW of hydroelectricity¹⁸. Prior to 2007, Bhutan exported most of its electricity generated by the Chukha, Kurichu and Tala hydropower projects to India. This could be termed as a progressive phase in India-Bhutan relations, as in just 30 years, the Kurichu and Tala projects together have been able to generate approximately 1,500 MW of hydropower. Encouraged by these reforms, India and Bhutan started the second phase of power cooperation in 2007. According to the MoU, both countries were to generate 10,000 MW of power by 2020. While ambitious in scope, there have been some challenges to the second phase of hydel cooperation. In 2022, around six projects were stalled. Some of the problems which the hydel power cooperation has witnessed in recent months are sediment load and uncertainty of payoffs to Bhutan in the long term, given the emergence of solar and wind power as potential options.

According to a study, the value of sediment concentration increased in the Punatsangchu River because of the Glacial Lake Outburst Flood that occurred in 1994¹⁹. Climate change is a concern for Bhutan, and natural disasters like Glacial Lake Outburst Floods (GLOF) could be

¹⁷ Dharma Bagale, & Kesha Adhikari, "Mahakali Treaty: delay in implementation and resulting impacts from Nepal's perspective". *Water Policy*, 22, 2020.15"

¹⁸ Bijay Man Serchan and Bhim Subba, "Hydro-Power" *Nepali Times*, August 30 - September 5 2000, at: http://himalaya.socanth.cam.ac.uk/collections/journals/nepalitimes/pdf/Nepali_Times_007.pdf

¹⁹ Sonam Choden, "Sediment Transport Studies in the Punatsangchu Basin", Lund University, Sweden, 2009, p. 44 at: <http://lup.lub.lu.se/luur/download?func=downloadFile&recordId=1415878&file-Id=1415879>.

aggravated by it. Northern Bhutan abounds in glaciers and glacial lakes. According to some estimates, there are 677 glaciers and 2,674 glacial lakes in Bhutan. Of these, 25 glacial lakes have been identified as potentially dangerous. These lakes, if they burst, can damage agricultural fields, lives, livelihood, and critical infrastructure, including hydel plants.

Meeting water shortages during the lean season is another challenge for Bhutan. Bhutan's hydro generation capacity is seasonal and is down to one-sixth of its total capacity during the lean season. This means that Bhutan has to import power from India during the winter months to meet domestic demand - primarily in eastern Bhutan²⁰. In recent years, there has been a debate on expanding the basket of renewables in Bhutan. This response mainly comes from the belief that the pace of projects was far behind the desirable capacity of 10,000 MW, as the total installed capacity is 2,326 MW. Currently, the total capacity of installed renewables (solar, wind energy, biogas and small hydropower) is 9 MW. A shift to renewable solar energy is seen in Bhutan as a desired investment. In fact, Bhutan is a part of the International Solar Alliance, which aims at implementing the Paris climate agreement through the deployment of solar energy. India's 'One Sun One World One Grid' initiative of achieving cross-border solar connectivity by sharing solar resources among countries could help Bhutan diversify its energy mix. Bhutan has decided to pilot a project to instal a solar power plant with 180 KW capacity that the Government of Japan will fund.

While the meta narrative of India-Bhutan water cooperation offers a liberating case for India-Butan water diplomacy, micro narratives abound in terms of the impact floods and flash floods have on lower riparian Assam in India. Some concerns include agricultural degradation of land due to sediments and the possibility of floods and flash floods²¹.

²⁰Phuntsho Wangdi, "Electricity rich Bhutan imports power from India," Business Bhutan, June 18, 2011, at: <http://www.businessbhutan.bt/?p=6344>

²¹ Medha Bisht, "From the edges of borders: reflections on water diplomacy in South Asia." Water Policy. 2019

6.4. India and Pakistan Water Narratives

India and Pakistan negotiated the Indus Water Treaty (IWT) in 1960 under the aegis of the World Bank. IWT can also be understood as a case of thin mediation, which was related more to conflict management rather than conflict resolution or transformation. The reason behind the IWT (Indus Waters Treaty) being commonly referred to as the water partition treaty is because it delineates the distribution of rivers between Pakistan and India, with three Western rivers allocated to Pakistan and the Eastern rivers allocated to India. If one analyses the Treaty post-1960s, border skirmishes often leading to wars and escalating tensions have made the treaty ineffective. While one might argue that conflict escalation has not jeopardised the functional aspects related to the Indus Water Treaty, the quality of the basin and the rivers has deteriorated over a period of time. Significantly, there has also been a shift in the nature of water disputes from political (in the 1950s) to social and ecological post-1950s, the primary thrust still being conflict rather than cooperation.

A recent development was the 12th Standing Committee Parliamentary Report published by the Government of India in 2021, which emphasised renegotiating the Indus Water Treaty. The report focused on emerging concerns such as climate change, global warming and environmental impact assessment as primary reasons for renegotiating the treaty²². Article -7 can be a good starting point to revitalise the conversations around IWT²³.

The post-IWT phase also reflects that there has been more focus on western rivers rather than eastern rivers. For instance, the political narratives of the basin have been mainly underpinned by conflictual undertones. Mehsud et al. note, "Pakistan apprehends that the Indian strategy of constructing dams on western rivers would have serious ramifications for Pakistan. It is claimed by the Pakistani side that

²² Lok Sabha Secretariat, Standing Committee on Water Resources, 2021, at: http://164.100.47.193/Isscommittee/Water%20Resources/17_Water_Resources_12.pdf
²³ Medha Bisht, "Let Diplomacy Flow", Indian Express, March 11 2023, at: <https://indianexpress.com/article/opinion/columns/on-the-indus-water-treaty-hedging-and-entrenched-attitudes-from-india-and-pakistan-are-a-reminder-that-technical-agreements-are-only-a-partial-solution-8413832/>

such projects would adversely affect the agriculture, hydel potential, and food production of Pakistan²⁴." They further note, "even when the focus was on eastern rivers, a tactical approach was adopted. A case in point was the Bambanwala Ravi Bedian Link (BRBL) canal, built in 1958 to protect Lahore by linking Ravi in the north to Sutlej in the south in the Sialkot-Lahore sector, which was employed as an offensive structure in the 1965 war. [Such patterns, they argue] continue." Therefore, there is this perennial fear among the lower riparian nations and discourses are essentially indicative of a stalemate situation. As a result, diplomatic positions are fixated on water allocations, with water governance issues being highly politicised. This is reflected in the discourses around water storage projects, as evident in controversies surrounding the Baglihar Dam and Kishanganga Dam²⁵. Experts have argued that the dominant perception in Pakistan has been to open the water dispute to a third-party intervention/mediation²⁶. Meanwhile, on the Indian side, there is a growing perception that a call for third-party mediation is a deliberate tactic Pakistan employs to delay projects. A brief assessment of the positions and patterns and their impact on the nature of the Indus dispute (2018-22) reflects the divisive nature of the Indus Water Treaty. As a result, some of the micro narratives remain dormant. A study on the Ravi River shared between India and Pakistan Punjab revealed that ground and surface water quality has been deteriorating in India and Pakistan Punjab. There is a disconnect between legal structures, water policy and community needs, and inequitable development has led to water stress and increased waterborne diseases on both sides of the border²⁷.

²⁴Mehsud et al, Pakistan's Lower Riparian Anxieties on the Indus and Indian Assurances, *Journal of South Asian Studies*, Vol 10, No.1, January, 2022.

²⁵Tabassum Shaista , The Third Party Involvement in Resolving River Water Disputes between Pakistan and India, *Pakistan Perspective*, Vol. 25, No.1, January-June 2020

²⁶Tabassum Shaista , The Third Party Involvement in Resolving River Water Disputes between Pakistan and India, *Pakistan Perspective*, Vol. 25, No.1, January-June 2020

²⁷Medha Bisht, & Sohaib Anwar, (2021). 'Shared' waterscapes: The case of River Ravi in Indian and Pakistan Punjab, in Dutta (ed), *Water Conflict and Resistance*, London, Routledge, 2021

7 Bridging the Macro and Micro Perspectives- Some Policy Suggestions

Against this backdrop of a gap between the meta and micro narratives, some suggestions could be offered given the context of each country. If one looks at the nature of issues that impinge upon the water sector in South Asia, they range from flood control, developing hydropower, meeting irrigation needs, surface and groundwater contamination and disputes related to territory and shifting rivers. While territorial disputes tend to become positional in South Asia and lead to a stalemate, one also realises that water is a non-starter for successful negotiations. Therefore focusing on issues related to water might be useful in the short term, facilitating a relational approach in the long term.

7.1. Reinforcing Adaptation Strategies:

South Asian countries need a regional adaptive strategy to overcome threats posed by climate change. So far, the focus is on green infrastructure focused on mitigation rather than adaptation. Green infrastructure, which is sensitive to adaptation, needs to be accorded priority. A region prone to Glacial Lake Outburst Floods, where countries pay less attention to springshed and sedimentation management, requires thoughtful adaptation strategies. Flooding and sediment dynamics are closely linked. This not only requires integrated land and water management practices with a focus on both non-structural (soil and watershed protection legislation, building regulations and codes around flood and water-proofing, flood monitoring and early warning systems with an engagement of community) and structural (which includes both nature-based solutions and strict measures) requiring deepening of canals, carefully engineering drainage systems, constructing levees and dams

and storage projects after taking ecological and social costs into account. These initiatives could be led by civil society organisations and transnational actors (social and economic) present in the region with support from SAARC Disaster Management Centre.

7.2 Revisiting the Negotiation Framework

The Water-Energy-Food-Ecology nexus should be the broader framework to inform about co-benefits and trade-offs. Inspired by political economy and political ecology, the WEFE approach helps identify water, energy and food systems synergies, internalises social and environmental impact, and guides the development and cross-sectoral policies. Thus informed by factors such as social equity, the role of externalities and issues related to socio-ecological resilience, the nexus approach aims at providing food, energy and water security. An important aspect related to WEFE is that it broadens the understanding of water. The addition and subtraction of issues and actors can help make and break deals during international negotiations. Epistemic communities such as social and natural scientists could collaborate and create Track 1½ and Track 2 level dialogues to create platforms for discussions. Such efforts can be anchored at universities as neutral spaces for discussions.

7.3. Revitalising the Borderlands

Finally, the two approaches mentioned above require a fresh gaze at the borderlands of South Asia; zones where people in different transboundary settings interact and socialise with each other. Given that the new connectivity discourse focuses on borderlands, economic empowerment of communities is a prerequisite. While efforts to forge community awareness have been gaining traction in recent years, engagement with local government institutions during such activities will have a long-term impact on building water communities. Thus, collaboration between local-government institutions and civil society groups (both formal and informal)

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becomes important in this respect. Shreds of evidence say that formulating women collectives along borderlands is an effective way forward to feminise water diplomacy²⁸.

²⁹ Medha Bisht, *Thinking Through Networks: Towards a Feminist Water Diplomacy*, in Sehring, J., ter Horst, R., & Zwartveen, M. (Eds.), *Gender Dynamics in Transboundary Water Governance: Feminist Perspectives on Water Conflict and Cooperation* (1st ed.). Routledge, 2022

8 Water Diplomacy: The Way Forward

Against this backdrop, I contend that a shift from a rational to a relational approach is the need of the hour. Rationality has a singular focus on the volumetric allocation of water, whereas relationality expands the definition of water from surface water (water quantity) to water quality, preservation of wetlands and biodiversity, soil erosion, conjunctive use of ground and surface water, and nature-based solutions. Doing so may help align the enduring concerns of water diplomacy with new discourses on regionalism. The framework offered by Integrated River Basin Management could be the way forward. Privileging IRBM in current transboundary cooperation would help in the following ways. First, at the river basin level, there are strong upstream/downstream linkages. Any suggestion on connectivity (land, water, energy which is a dominant contemporary discourse) needs to be sensitive to these linkages. Second, as the main objective of IRBM is to establish a balance between existing natural functions of the river system and the development aspects of the system, a multiscale approach would demand South Asian countries to contemplate institutional reforms, which require going beyond parochial sectoralism associated with water. Third, IRBM also takes into account the sustainable use of water and land resources for livelihoods and related ecosystems.

Such an approach could be useful for the initial planning of connectivity projects in a holistic manner. New regionalism, which has introduced a constellation of actors across scales, can be one of the key drivers for such relational thinking. In South Asia, transboundary cooperation led by civil society groups has picked up pace in recent years²⁹. This is important as dominant themes around cooperation are marked by people's participation, economic opportunities and ecological preservation. Culture could play an essential role in creating water communities³⁰.

²⁹Medha Bisht, "From the edges of borders: reflections on water diplomacy in South Asia." *Water Policy*, 2019, 29(2), 201-215.

³⁰Medha Bisht and S.J. Ahmed, "Culture as a Fluid Interlocutor: Perspectives on Water Diplomacy from South Asia," *The Hague Journal of Diplomacy*, 16(4), 443-470, 2021.

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