Evolution of Water Diplomacy Frameworks in the Euphrate-Tigris Basin: Challenges and Prospects

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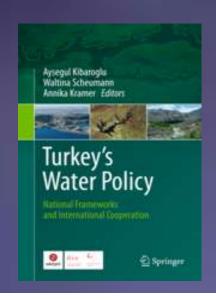
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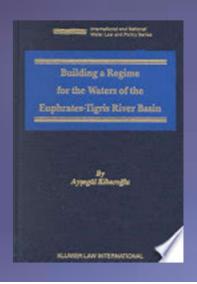
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WATER LAW
AND COOPERATION
IN THE EUPHRATESTIGRIS REGION

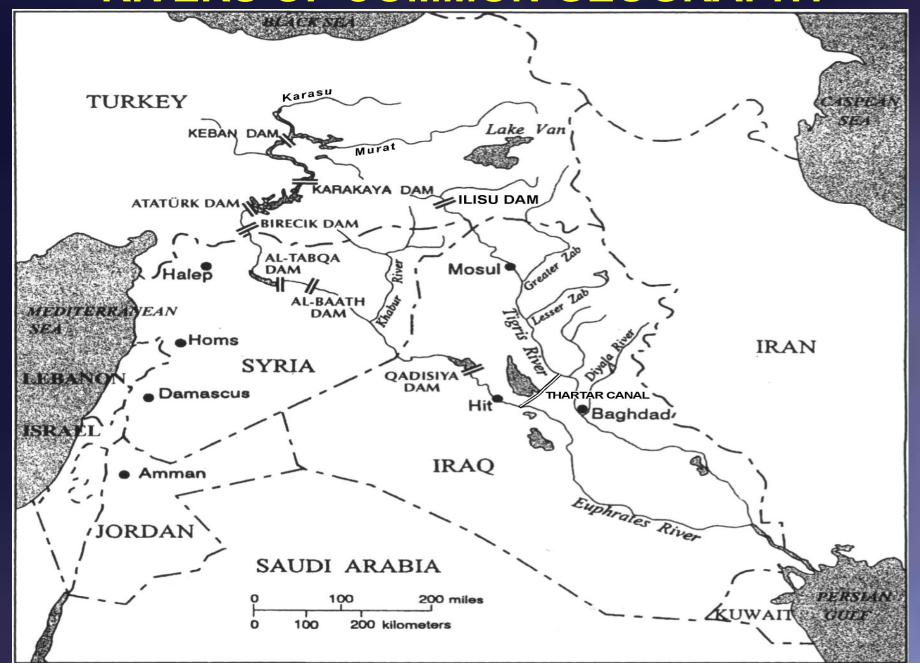
A COMPARATIVE AND
INTERDISCIPLINARY APPROACH

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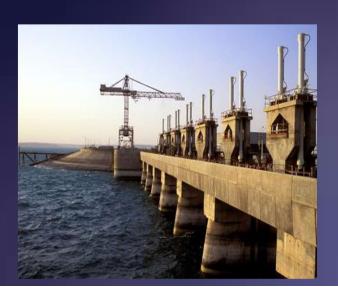


RIVERS OF COMMON GEOGRAPHY



RIVERS OF COMPETITION

Competitive and uncoordinated water development projects







RIVERS OF CONFRONTATION

- 1975 Crisis → Impounding of the Keban and the Tabqa Dams
- 1990 Crisis → Impounding of the Atatürk Dam
- 1996 Crisis → Construction of the Birecik Dam



JOINT TECHNICAL COMMITTEE (JTC)

- 1983-1992 → JTC held 16 meetings
- 1993 → JTC meetings suspended
- 2007 → JTC meetings revitalized



WATER USE RULES IN THE REGION

- The Interim Protocol of 1987 Between Turkey and Syria
- * The Protocol of 1990 Between Syria and Iraq



RIVERS OF COOPERATION

- HIGH LEVEL STRATEGIC COOPERATION COUNCILS
- NEW PROTOCOLS ON WATER



New Water Protocols: MoUs

- Among the <u>48</u> Memoranda of
 Understanding which were signed between
 Turkey and Iraq on October 15, 2009, one
 was on "water":
 - -calibration of existing <u>hydrological measuring stations</u>;
 - -modernisation of existing irrigation systems;
 - -prevention of <u>water losses</u> from <u>domestic water supply</u> construction of <u>water supply</u> and <u>water treatment</u> facilities in Iraq wtp of Turkish companies;
 - -development of mechanisms to solve problems arising during drought period;
 - -joint investigation, planning for <u>flood protection</u>.

- Turkey and Syria signed on December 24,
 2009 at the High Level Strategic
 Cooperation Council in Damascus, <u>50</u>
 MoUs including four related to water:
 - The Joint Friendship Dam on the Asi/Orontes river
 - Syrian water withdrawals from the Tigris
 - Coping with the drought
 - Remediation of the water quality

CHALLENGES

- The biggest obstacle to cooperation and coordinated management of transboundary water resources in the basin is political instabilities and shifting power balances.
- Overarching political problems, namely the <u>Syrian</u> <u>civil war and the deterioration of bilateral political</u> <u>relations between any pair of the riparians</u> constitute disabling political background for the implementation of efficient and equitable water policy in the basin.

Emergence of violent non-state actors

- The spread of ISIS across region ended up with "non-state actors" to seize control of water resources in Syria and Iraq.
- IS subsequently lost control of all of the dams, but not before using them to flood or starve downstream populations, to pressure them to surrender.
- The emergence of IS in the region urges riparian states to be robustly prepared and utterly responsive to possible attacks to water supply and development infrastructure in the region.
- This phenomenon should instruct the riparian states of the need to establish regional security arrangements to preserve and protect their resources.

Climate change

- Water security in the region is in jeopardy due to humaninduced climatic changes.
- Policy analysts have previously suggested that the drought played a role in the Syrian unrest, and the researchers addressed this as well, saying the drought "had a catalytic effect."



PROSPECTS

On-going cooperation: Turkey-Iraq track

- It involves technical cooperation on issues related to building joint dams; promoting exchange and calibration of data pertaining to Tigris river flows; irrigation technologies and dam safety (Mosul Dam).
- It demonstrates that even during volatile times when multilateral negotiations became impossible, riparians could continue talks regarding the transboundary waters at a bilateral level.

How would transboundary water cooperation look like in future?

- Building on and strengthening existing transboundary institutions.
- Transboundary water institutions, namely the JTC, could act as a multilateral platform in framing and implementing water cooperation frameworks.
- Compared to bilateral water sharing treaties, the existing MoUs, with their broader outlook, can provide useful guidelines for establishing comprehensive transboundary water cooperation.

 These bilateral MoUs should be synthesized in a multilateral framework agreement which involves all of the riparian states as well as all of the concerned stakeholders, including civil society organizations and private companies from the sectors of energy, agriculture, environment, and health as well as the interested third parties such as international agencies, regional organizations and partner countries.

- Transboundary water cooperation should resume, whenever there is a chance to do so, from a variety of perspectives and issues that may provide opportunities for regional cooperation anew.
- In such a context, third parties such as the UN agencies, EU, the concerned European countries and development/aid agencies can offer array of perspectives which include initiatives for dialogue, trust building, information exchange, analysis and regional investment prioritization.

- Collaborative projects could be conducted in water-related development fields such as energy, agriculture, the environment, and health. <u>International actors could facilitate such regional cooperation through technical and financial assistance.</u>
- Lessons can be drawn from progressive cases such as the Mekong River
 Commission and the Nile Basin Initiative whereby international actors played constructive roles.

- Multilateral cooperation could provide a number of important building blocks that can support cooperative efforts in the region:
- It could contribute to improved water security for small and large water users; efficiency and productivity of water use, and generation of additional socio-economic benefits per unit of water; management of ecosystem goods and services at the regional scale and restoration options of deteriorated ecosystems; participation of stakeholders; accountability and communication.

Concluding remarks: contours of third party involvement

- International actors should support and act within the existing transboundary water cooperation modalities in the region.
- Riparian states are the ultimate decision-makers with regards to fundamental principles and practices in transboundary water diplomacy.
- International actors should refrain from interventions in foreign policy making in transboundary waters instead support basin-wide cooperation through partnerships among research centers, development agencies, universities and ministries and private companies.