SS19 Levelling players and context: Re-examining policy for transboundary water allocation and governance

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Chair: Naho Mirumachi, KCL

Scene-setting:
Key questions on levelling the playing field and actors: Mark Zeitoun

Roundtable responses to key questions and Q&A
Speaker 1: Steph Hawkins, University of Strathclyde
Speaker 2: Melvin Woodhouse, independent consultant
Speaker 3: Juan Carlos Sanchez Ramirez, University of Dundee
Speaker 4: Larry Swatuk, Faculty of Environment, University of Waterloo
• The starting point of the session is that ‘water cooperation’ does not ensure sharing, much less equity in contexts of power asymmetry. Recently, with the United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses coming into force, it is worthwhile considering discussions about legal agreements and frameworks, and the discrepancies between their role and the actual practice (or misuse) of them.

• In addition to reflections on legal arrangements, what kinds of policy, projects and (hydro)diplomacy is needed to ensure equitable arrangements? What kinds of governance mechanisms matter and work?
Questions to answer

1. Are there other ways that power asymmetry be challenged? Are these backed up by mechanisms and institutions? Who has access to them?

2. Can international water law or international law more generally serve to level the playing field?

3. Under what conditions is it more effective to level the players or level the playing field?

4. To what extent does ‘cooperation’ enable/dis-enable equity and issues of equitable allocation of water?

5. Are equitable transboundary water arrangements possible without confronting power asymmetry? Any examples?
Complying with and contesting established tbw arrangements can transform an arrangement.

Contest

Compliance

Complying with and contesting established tbw arrangements

Consent challenged through mechanisms of resistance or of counter-hegemony:

1. Coercive
2. Leverage
3. Transformative

CONTEST (COUNTER-HEGEMONY)

CO-EXISTING CONTEST & COMPLIANCE

Consent affirmed through compliance-producing mechanisms:

1. Coercive
2. Utilitarian
3. Normative
4. Ideological hegemonic

COMPLIANCE (HEGEMONY)

Compliance maintains or tweaks an arrangement.
A. Influence the powerful
   A1. Match interests
   A2. Encourage reform
       Positive-sum outcomes
       Benefit-sharing
       Appeals to leadership
       Diplomacy / dialogue

B. Challenge the powerful
   B1. Level the playing field
   B2. Level the players
       International Water Law?
       Fair water-sharing principles
       Effective regulation?
       Capacity building?
       others?