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Transboundary Water Security: An analysis of water treaties in South Asia

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Lacking a regional governance framework for transboundary water management and still dangling on to bilateral water sharing treaties having vague clauses and redressal mechanisms, South Asia will not be able to reap 'regional integration' economic benefits unless several water disputes hovering in the Indus, Ganges and Brahmaputra basins are put to an end using architecture of an international water governance framework having a regional character attached to it. With increasing power centres to control water, where states/provinces have the right over the water rather the central government, concerns on whether South Asia will ever be able to resolve water conflicts has been baffling the water experts in this region.

Venerated and the source of livelihoods for an estimated 900 million people, the three main rivers of South Asia-the Indus, the Ganges and the Brahmaputra have cradled civilization who have been fighting more aggressively over the right to water since geographical partition. In South Asia, water has been overwhelmingly expounded in the arena of "national security" thus leading to stringent "securitization" of water. This securitization has led to inaccessibility in accessing even basic information about transboundary rivers, including stream and sediment flow, water withdrawal, and usage. The [latest report](#) by the Asia Foundation, *Strengthening Transparency and Access to Information on Transboundary Rivers in South Asia*, describes transboundary water management and cooperation in South as highly nationalistic, technocratic and zealously securitized. It further states that in all the four South Asian countries (Bangladesh, India, Nepal and Pakistan) data and information on the selected rivers are collected and held by government departments in fragmented manner and information is not systematically collected at a basin level. Also, water information is shared more informally in piece-meal within countries having better relations. Like China recently signed a MoU with Bangladesh to share water flow of the Brahmaputra and rainfall data in its catchment area to Bangladesh but no agreement like this has been agreed between India and China.

With regards to the various bilateral water treaties-most of them were signed during 1965s and 70s and did not mention emergence of new challenges such as the impact of climate change and more variable rainfall patterns. To put further light, presently on the transboundary front India and Pakistan still have several issues concerning the construction of hydropower projects on the western rivers (Indus, Jhelum and Chenab) that was apportioned to Pakistan after the signing of the Indus Water Treaty in 1960. The recent case of verdict on Baglihar dam by International Court of Arbitration, The Hague is a case point to it. Along with that the treaty has no clause on sharing of water challenges in the light of falling groundwater levels and climate change concerns.

In the case of India and Nepal, even though the Mahakali Water Treaty was ratified and resigned in 1996 to resolve the issue of water sharing but due to some ambiguous clauses (with regards to construction of Pancheshwar Multipurpose Project and public indifference towards its establishment) it is the most resented treaty among fellow Nepalese as they are under the impression of small country syndrome who felt belittled by the treaties proposed economic benefits. The signing of Mahakali treaty was supposed to provide economic benefits to Nepalese but the citizens are of the view that this treaty is hugely favouring India and has not provided the benefits to Nepal as it was supposed to. Case point to it is the construction of Pancheshwar dam which has not been executed till date due to treaties ambiguous clauses for monitoring its establishment.

Public resentment towards construction of this dam is very high in Nepal.

Some clauses of the Ganges Treaty signed in 1996 between India and Bangladesh are considered detrimental to Bangladesh. One of the objectives of this treaty is to govern the dry season flow of the river Ganges and to seek ways to augment flows in the Farakka barrage in the Indian side and Hardinge Bridge in the Bangladesh side. But research has shown that dry season flow has significantly declined in the Hardinge Bridge after the commission of the Farakka barrage thereby severely impacting the agriculture and allied sectors of Bangladesh.

Furthermore, hydro-politics have garnered more attention in this region as India plans to construct the Tipaimukh dam in the state of Arunachal Pradesh and several other dams in the state of Sikkim on river Teesta and if constructed and made operational is feared to harm Bangladesh to a great extent. The fact that India and Bangladesh shares around 54 rivers and still has just one bilateral water sharing treaty presents a rather hazy roadmap on improving water cooperation given the complex structure of hydro-politics in both the countries.

The [report](#) by Chatham House, Attitudes to Water in South Asia, states that in this region water is currently treated as a zero sum resource and it will be nearly impossible to do anything on the transboundary front until the domestic water security issues are resolved. Within domestic limits, various States in India are still struggling to resolve domestic water politics that have plagued several Indian States over the years. The Indian states of Haryana, Punjab and Rajasthan have an ongoing conflict over the sharing of Ravi, Beas and Sutlej waters apart from many other conflicts over Cavery, Pennar and Narmada river covering other states. Punjab and Sindh provinces of Pakistan are still having an ongoing dispute over the sharing of Indus river water as per the 1991 accord.

Over and above the international and domestic political disputes on water sharing, territorial dispute have made the situation more worrisome. Disputed borders are both the cause and symptom of tension between neighbours in the Indus, Ganges and Brahmaputra basin that have exacerbated the trust deficit. India and China have territorial disputes along the border of Arunachal Pradesh. India and Bangladesh have disputes over the alluvial or 'char' land as it changes course with the river morphology. Nepal and India still have a territorial dispute over a 75 kms² land along the Kalapani River. Kashmir is the bone of contention between India and Pakistan whereas disputed boundaries between India and China includes 25,900 km² area in the regions of Snag, Demchok and Aksai.

Even though there are several flaws in the way water-diplomacy is handled in South Asia but sooner or later the countries have to take the transboundary agenda at the forefront and come up with mechanisms to make water a resource of economic benefit rather than a source of conflict or war. Given the huge economic growth potential that South Asia encompasses, it is time the respective governments come forward to formulate a basin wide approach to sharing of water in the lines of other successful models like the Mekong River Commission and the Nile River initiative. A regional water governance institution should be formulated having mechanisms and processes for exchange of data and information. Delineating limited powers to states/provinces in the context of transboundary issues can solve water issue to some extent. Efforts should be made to desecuritize water and enhance public and institutional access to water related data. Lastly, for successful implementation of transboundary agreements-policies, legislation, resources and management practices of each country should be harmonised with each other and efforts should be taken to first stabilize internal water management and then scaled up to transboundary water management through a building block approach.

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