

Sustainable River Basin Management
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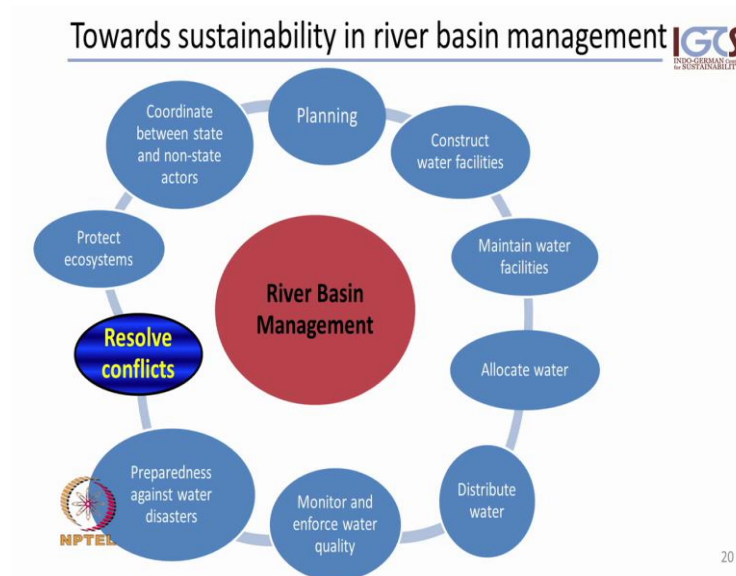
Module – 4 – 2

Lecture - 33

Part 3

Welcome everybody to sustainable river basin management; module 4- 2, part 3.

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This time, we will be talking about conflict resolution, is part of the river basin management functions. It is a very crucial one, which very often, lags behind the real necessities. Well, sustainable river basin management in itself is counseling change. So, we may expect that we move away from our stunner practices towards sustainable management of our river basins.

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Sustainable river basin management

..in itself is counseling change
→

- Resistance to change advantageous conditions to benefit others (e.g. upstream – downstream; landholder – owner of groundwater)
- Unwillingness to adhere to own countries laws (e.g. environmental pollution)


→Creates an environment for **potential conflict and cooperation**

- Need to understand what the tipping points are
- Formation and maintenance of institutions dedicated to conflict management is vital

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As well as many things which relate to change as a resistance to change advantageous conditions to benefit others. For example, the relationship between upstream and downstream users or the relationships of a land holder, who owns the ground water under his land or her land; there is also somebody who has rented a piece of land or landless, and often the unwillingness to adhere to the very own country's laws. There may be laws and good regulations in place to manage or to cope with environmental pollution, but very often, they are not enforced and as an unwillingness to do so. All of these can create an environment of potential conflicts, but it also can create an environment of potential cooperation. So, we need to understand what the tapping points are and we also, need to know and make sure that institutions, dedicated to conflict management, are created or set up and also maintained. So, both of those are very important to conflict management, towards a sustainable river basin management.

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Conflict - definition 

Conflict is present, when two or more parties:

- perceive that their interests are incompatible,
- express hostile attitudes or
- pursue their interest through actions that damage the other parties:

(World Water Development Report)

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Now, let us move into the definition of conflict first. A conflict is present when two or more parties perceive their interests are incompatible. It is also present when both express a hostile attitude or pursue their interest through actions that damage the other party.

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Conflicting interests due to 


- Access to and distribution of resources
- Control of power and participation in decision-making
- Identity (political, social, cultural)
- Status- often embodied in systems of government, religion or ideology

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Now, conflicts or conflicting interests are due to differences in the access to and the distribution of resources; think of water scarcity or water only available at certain times per day or once or twice a week from a tap or water supply system. Conflicts in interest also, rise over when there is differences in the control of power or participation in decision making; also, due to identity; that could be political; it could also be social or cultural; it could also come from status, which is very often, embodied in systems of government and religion or ideology and not well visible or often well detectable.

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Conflict as Driver of Change 


Conflicts hold the potential to:

- Change (at all levels of society)
- Can be positive
- To achieve needed adjustments
- Clarify what is important / way we look at issues

Conflict resolution: conflict handling

Conflict management: pro-active, incl. prevention of conflicts


→ Tools to anticipate, prevent and react to conflicts



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Now, well, conflict as such as a driver of change and this change can take place at all levels of society, and such can be very positive. So, well established mechanisms may come to a point, where changes required and those changes will never take place in a quite or undetectable fashion. They usually come about through conflicts. Those conflicts are required to achieve, needed, very often needed adjustments and sometimes are simply, necessary as a way of communication to clarify what is important to refocus and to make sure that we demonstrate how we see and understand certain issues. Now, we have two different ways of differentiating between conflict mechanisms. One is conflict resolution, which simply corresponds to handling conflict; we will be talking about this. We have another instrument box, which is conflict management and this implies a more proactive approach. It also includes prevention of conflicts. Now, it is a tool box, which has such anticipate, prevent and also react to conflicts. How we do that?

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Conflict Management over Conflict Resolution 

Because conflict is

- Ubiquity**
 - Conflict is everywhere and an unavoidable fact of life
- Predictable**
 - Conflicts evolve along predictable pathways, thus providing space/time for action and preparation
- Litigation**
 - Resorting to the court to settle conflicts should always be the last to do and should be avoided as long as there are other means available
- Peace**
 - The absence of open conflict is not the same as a peaceful setting. Grievance, dispute and conflicts may be latent.

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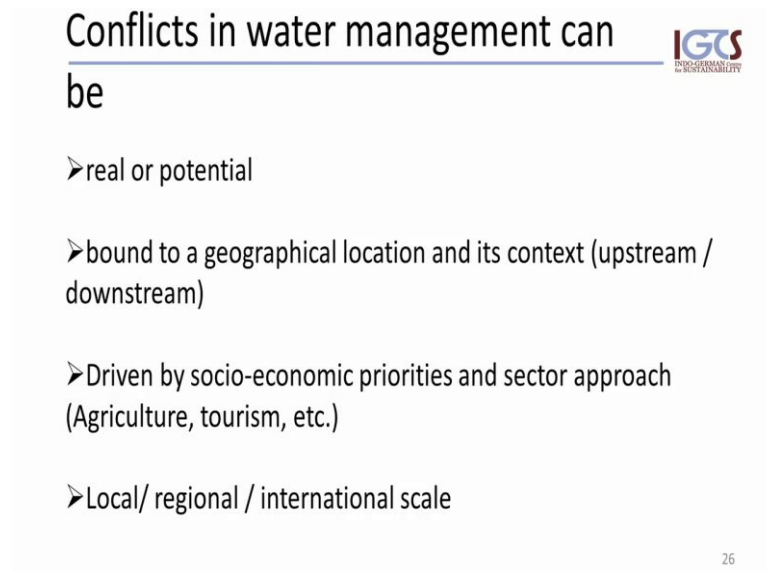
We will be looking into now. Well, let us look into conflict management over conflict resolution. This has, conflict management has its reason and its successes, because conflicts are everywhere. They are unavoidable facts of life and we can, in such knowledge builds, such an occurrence of conflicts into our management style techniques into our organizations, into our legal frames, and in that way, steer such processes. Also, conflict management, rather than conflict resolution, is possible because the conflict evolution follows a predictable pathway and for that reason, it knowing that pathways, it give us space and time for action and also for preparation.

As said conflicts are necessary and does not make sense to avoid always conflicts, but it is possible to prepare and generate actions in a predictable manner. On conflict management over conflict resolution; it is one of the instruments of conflict resolution is litigation, which means going to court to settle conflicts, but in many cases, it is not resulting; it has not resulted in satisfactory solutions. For that reason, it is rather preferable to avoid such litigation processes through a conflict management handling procedure, which will always lead to more acceptable solutions, and can be used to deescalate conflict at a much earlier stage.

Now, also when we talk about conflict management, rather than conflict resolution, it is important to notice that although, there may be peace on the surface or may be know

open conflict visible, it does not actually mean that there is a peaceful setting. Wherever there are several people in one place so, having to share one place or work together or share the same resources; there will be some tensions, which may not lead automatically, to open conflict, but also not correspond to entirely peaceful settings. So, any other small process can actually, trigger or spark grievance, disputes, and conflicts and essentially, overturn the peaceful setting or peaceful situation very quickly. For that reason again, conflict management can analyze such situations and deescalate such pathways at a much earlier stage.

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Conflicts in water management can be

- real or potential
- bound to a geographical location and its context (upstream / downstream)
- Driven by socio-economic priorities and sector approach (Agriculture, tourism, etc.)
- Local/ regional / international scale

IGCS
INTEGRATED
GEOGRAPHICAL
CONFLICT
MANAGEMENT
SYSTEMS

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Now, conflicts in water management can be either real or potential. They could be bound to a geographical location and the context of this geographical location; for instance, upstream or downstream tradition. They could also be driven by socio-economic priorities or certain sector approaches, such as agriculture, such as tourism or any prestigious high level projects, implemented by governance or certain state actors and they could also come in all the states, in local regional and international scale.

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Potential Conflicts or Potential Cooperation



“Water wars”; “Blue Gold”

There is evidences for more cooperative than for
conflictive interaction over water resources
(Oregon State University Study, 2000)

though interstate-level conflicts do occur over water
resources

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Now, very often, when we talk about water in potential conflicts, we should, we hear the term water wars on blue gold. I recommended you a documentary earlier on this subject, but we also see that in many cases there is evidence in specifically, on water; it is more cooperation than any conflicts taking place over water resources. So, in a way, this term water wars are very alarming, but in reality, people tend to come together and rather cooperate, although we know that there are many interstate level conflicts over water resources.

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Points for Cooperation (or conflict)



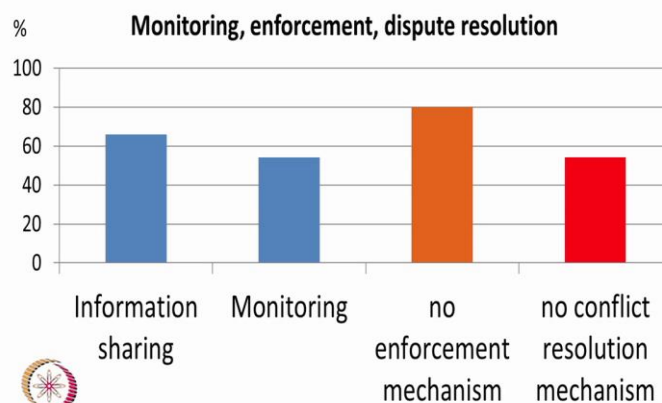
- Equitable sharing of rivers during lean periods
- Sharing data and expertise for flood forecasting
- Watershed management
- Hydro-power generation
- Augmentation of flow during lean periods
- Cooperation in flood management
- Cooperation in navigation management
- Sedimentation controls (and other losses controls)
- Cross-border pollution management
- Cooperation in training and capacity building

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Now, let us reflect upon the points for cooperation and of course, this (refer Time: 10:58) could be points of conflict. First of all, water points are usually, the equitable sharing of rivers during lean periods, the sharing of data and expertise for flood forecasting, watershed management, hydro power generation, the augmentation of flow during lean periods, the cooperation in flood management, cooperation in navigation and management, sedimentation controls or other loss controls, specifically, bodies for instance, cross border pollution management and the cooperation in training and capacity building.

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Conflict management mechanisms in river basin accords




(from Capnet, 2008)

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Now, let us look into an analysis that was conducted in 2008 on conflict management mechanisms in river basin accords. This only, I only extracted here the information on conflict management mechanisms in such accords and specifically, the information sharing monitoring; whether there are enforcement mechanisms in place and if there are any conflict resolution mechanisms at all, mentioned in these accords. What we see is that a major part of the accords, more than 60 percent, deal with information sharing in the first place. Very often, it is not about the water resource as such, but about to know what is going on in the river basin.

The other important aspect is that about 50 percent of the accords are about water monitoring or about monitoring in the river basin. Again, it shows how important participation or knowledge sharing is in river basins before anything else. However, we have about 50 percent of the accords, where there is no mechanism inbuilt into the accord of dealing with conflicts. There is no conflict resolution mechanisms built in and then, we have about 80 percent of the accords, who mention some mechanism of conflict resolution; however, have no enforcement mechanisms, lined up in the accord. So, there is good talk on paper, but in reality, it is impossible to enforce what is being said.

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Positive agreements achieved, when 

- ✓ Actors shared a common resource to which there is no ready alternative
- ✓ Actor's behavior is inter-dependent and all lived with the consequences of each other's actions
- ✓ Where a problem arise, individual solutions either did not work, or are short-lived, or would lead to win-lose outcomes and deepen grievances and latent conflict
- ✓ Actors face a common problem and impacts may be unevenly felt but are regarded as problematic by all parties
- ✓ Actors share a common interest

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Now, in which cases, where positive agreements achieved, and they are generic and applicable to any river basin, anywhere. Those agreements are achieved when actors

shared a common resource to which, there is there was no ready alternative. So, absence of alternatives brings people together. Also were achieved, when actors behavior is interdependent. All of these actors lived as an with the consequences of each others' actions. This is a very typical downstream, upstream users on cross country, trans-boundary river basin users are depending on each other and in that way, have to cooperate, because the problem is not being simply, cannot be passed on to the ocean or some neighbor, who has no voice to claim any other status. Where a problem arises, an individual solutions either did not work or short lived or would lead to win-lose outcomes and deepen grievance and latent conflict.

Those were also situations, where after all positive agreements were achieved, and also, those positive agreements are achieved when actors face a common problem, and impacts may be unevenly felt; however, are regarded as problematic by all of the parties. So, even though, somebody may financially or economically, better off and have alternatives; dwell a bore well or move out or build higher, it still will affect that party and for that reason, they after all, may come together and cooperate. Whenever, actors share a common interest that is a good foundation for positive agreement. Those common interest may be founded on the interest in water, but they also may be founded on completely, different interest, which may come together towards positive water management outcome as well.

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Cooperative Water Resources Use best if..



1. Adaptable management structures


- Level of flexibility to include new countries/ parties
- Stakeholder involvement
- Changing water use priorities
- Inclusion of new technologies for monitoring, data and information management;
- Provisions to address needs and rights of non-signatory riparian parties

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Now, the cooperative water resources use is achieved best when we use certain or we see a certain frame in our management approaches. There are four different ones which I want to show you now. This is to allow for an adaptable management structure. This means that there should be a level of flexibility to include new countries or include new parties, new stakeholders, which may have not existed at a time when the first agreements were laid down. Some countries are formed even today, not only during the colonial times and or new industries or new land uses are developing in certain areas, and become very important and become important stakeholders.


They must be able to join at a later stage, and have same level of influence. The stakeholder involvement is very important. The changing water use priorities must be accommodated in such a management structure. The inclusion of new technologies from monitoring and data information management is very important. This seems simple or trivial, even it is a huge discussion point very often, in such conflicts resolution or conflict handling procedures. The provision to address needs and rights of non signatory riparian parties must be addressed as well. Not all may be immediate part of the accord, but still have to have a provision in the accord to be heard and included in major decisions.

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Cooperative Water Resources Use best if.. 

2. Flexible and transparent criteria for water allocation and water quality

- Is at the heart of water disputes
- Must consider water quantity and quality aspects as well as political aspects

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Now, the second component of this is that flexible and transparent criteria for water allocation and water quality are setup. This is about water allocation and water quality. Those are usually really, at the heart of water disputes allocation and water quality. They must consider both aspects from a water perspective, as well as from a political and socio-economic aspect.

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Cooperative Water Resources Use best if..



3. Equitable distribution of benefits from water use

- Distribution of water use benefits → win-win-agreements
- Distribution of water → have-non-have (win-lose)

4. Conflict resolution mechanisms

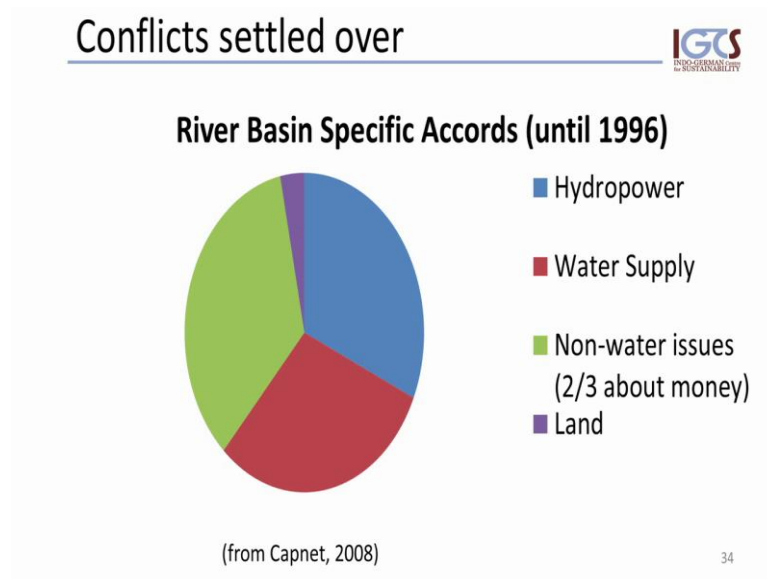
Disputes may continue even after treaty/agreement is signed

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The third one is the equitable distribution of benefits from water use and this is a very important point. The distribution of water use benefits will always lead to win-win agreements; whereas, we talk about the distribution of water in itself; we usually, will end up with a win-lose situation, where we have to have a one side, those who will have the water and on the other side, those would have lost that or will not have the water.

So, important is only the only successful accords lasting accords were achieved when the issues were not only built around distributing water, but the talk was about water use benefit sharing. Now, the last of those major points when how cooperation can be achieved is when there are conflict resolution mechanisms defined that any of the disputes may continue, even after the treaty or agreement, which is signed; then for that reason, people may have or parties may have signed documents and still, there may be, must be pathways and mechanisms to handle what was not resolved up to that point of signing the accord and what may come up at a later point when the accord is implemented.

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Now, conflicts were settled over the most common points, were on hydro power, on water supply, on land and on non water issues. Those, this analysis was conducted for river basin accords up to 1996; meanwhile, there are many more accords around for international river basins specifically, but important or interesting here is that it is what we would expect water supply; how the hydro power very important, but less expected may be are the non water issues, which they make up a large part of the pie, and most of these water issues were about money. So, this shows us how important, it is to move out of the frame of talking about water allocation, but to move towards the water use benefit allocation and sharing and in our accords.

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Suggestion



Take a case of a river basin conflict known to you and list for yourself what points for cooperation there appear to be. Who are the actors and who are the conflicting parties?

Find out, if any treaties or accords have been signed for this river basin. Who are the signatories? What conflict handling mechanisms are prescribed in the accord?

Which benefits could be shared in your selected case?

..to continue

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Now, on this we want to close for today. I suggest you the following; you should take a case of a river basin conflict, which you know from your area and list for yourself what points for cooperation there appear to be. You should look for cooperative points and you should analyze who are the actors and who are the conflicting parties. You should find out if any treaties or accords have been signed for this river basin. Who are the signatories? What conflict handling like in the sense, are prescribed in the accord? Which benefits could be shared in your selected case, which may be not in the center of the accord itself, but if you would be the one negotiating the accord; what would have been the benefits you would have port to the table from your perspective? We will continue on conflict handling in our next class. I will see you again.