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TURBULENT WATERS

STEERING PAK-AFGHAN WATER DIPLOMACY

Turbulent Waters

Steering Pak-Afghan Water Diplomacy

By

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CRSS hopes that this report shall serve as a valuable resource in fostering constructive dialogue on transboundary water cooperation.

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PREAMBLE

Water is a critical and increasingly scarce resource in the South Asian region, and for Pakistan and Afghanistan, effective water management is not just a matter of economic survival but also a key to regional stability. Despite sharing several transboundary rivers, both countries have struggled to establish a comprehensive water-sharing agreement, leading to tensions that could escalate if left unaddressed. Given the growing pressures of climate change, population growth, and agricultural demands, there is an urgent need for proactive and strategic water diplomacy between Pakistan and Afghanistan. This report explores the potential pathways for collaboration and highlights the necessity of a robust water-sharing framework to secure the future of both nations.

1. FRAMING THE CONTEXT

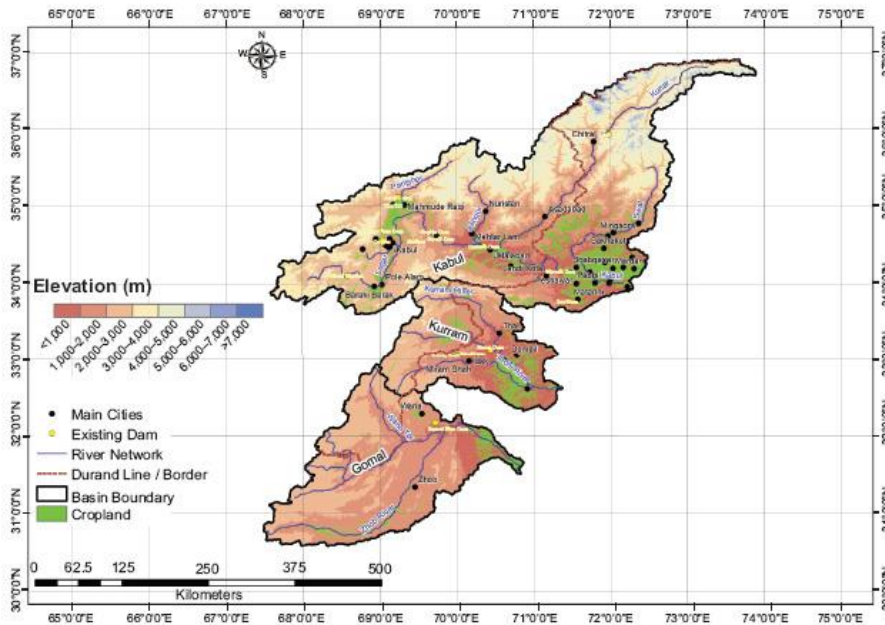
Pakistan and Afghanistan share nine rivers at Kabul River Basin with water flows reaching the 22.6 billion cubic meter mark annually. Located in eastern Afghanistan and north-western Pakistan, Kabul River sprawls over 700 km where 20 percent of the river flows into Pakistan while the remaining 80 percent goes to Afghanistan¹. This Basin as a whole presents a unique riparian position, rendering Pakistan and Afghanistan as upper and lower riparian partners but at difference areas. This basin holds huge hydropower generation, which is highly coveted by both riparian partners. Kabul River can generate up to 3100 megawatts of electricity.

Before entering KP province in Pakistan, the Kabul River passes through Kabul, Surobi, and Jalalabad in Afghanistan. In KP province, the Kabul River passes through Peshawar, Charsadda, and Nowshera. Its largest tributary is the Kunar River, which starts as the Mastuj River, flowing from the Chiantar glacier in Brughil Valley in Chitral, Pakistan, and after flowing south into Afghanistan, joins the Bashgal River flowing from Nurestan, eastern Afghanistan.

The shared rivers include three larger rivers with significant average annual inflows to Pakistan, including Kabul, Kurram and Gomal as well as six smaller rivers with small average annual inflows, including Pishin Lora, Kandar, Kand, Kadanai, Abdul Wahab Stream and Kaiser rivers.²

¹ Hayat, S. (2020). *Inclusive development and multilevel transboundary water governance: The Kabul River* (PhD thesis). Amsterdam Institute for Social Science Research (AISSR), Faculty of Social and Behavioural Sciences, University of Amsterdam.

² Shah, M. A. A., Lautze, J., & Meelad, A. (Eds.). (2024). *Afghanistan–Pakistan shared waters: State of the basins*. CABI.



Source: [Afghanistan–Pakistan Shared Waters: State of the Basins](#)

Pakistan’s share in the Kabul River Basin remains 17 percent³ while it contributes 26 percent to Afghanistan’s annual river flow. The basin fulfills the needs of over 43 million people, i.e. one-third population of Afghanistan, and most of the population of Khyber Pakhtunkhwa.

Situation in the shared rivers of Pakistan and Afghanistan is persistently evolving. With population growth, climate change impacts, and development work in both countries, basin realities are changing at a rapid pace. Both Afghanistan and Pakistan are dependent on the KRB for agriculture predominantly, industry, livestock, and domestic use (by locals). Both countries are heavily dependent on agriculture for subsistence, and both are facing accelerated population growth. Water quality is also deteriorating because of anthropogenic factors, which will increase the pressure on the available quality water resources. Moreover, climate

³ Ahmadzai, S., & McKinna, A. (2018). Afghanistan electrical energy and trans-boundary water systems analyses: Challenges and opportunities. *Energy Reports*, 4, 435–469. <https://doi.org/10.1016/j.egy.2018.06.003>

change and weather variability have caused floods and droughts in the past few years.⁴

All these issues can be a driver for conflict between the countries if they do not have a pre-agreed arrangement for water sharing. The Afghan governments have previously considered enhancing their storage and energy generation capacity on the Kabul River basin, among others, which can drastically impact KP's water supply. The current regime also recognizes this need, as in the present circumstances, a significant amount of water remains unutilized, sparing domestic use. Given that these rivers are crucial for the livelihood of the downstream users, reduced water availability can cause stress and raise both water and food security concerns at the sub-national level. Besides, with weather variability and deteriorating water quality in the river systems, the need for data sharing as well as joint management has become paramount. Essentially, if not before, water cooperation between the two countries is incumbent now. For Pakistan, it is more important to have a pre-determined water sharing agreement to ensure certainty in its water inflows and have knowledge of any variability beforehand. At least, that's the need the country recognizes at its policy level for having a transboundary agreement. Therefore, it has expressed interest in having a water sharing agreement with Afghanistan a few times previously⁵. However, these attempts could not come to fruition.

Pakistan already raised its concerns on Afghanistan's announcement to build hydropower dams with the help of India⁶. It expressed its plan to divert water from Chitral River (that contributes to the Afghan side of the watersheds) if any such project comes to pass. In this situation, a Kabul River Treaty is need of the

⁴ Hayat, S. (2020). Inclusive Development and Multilevel Transboundary Water Governance: The Kabul River. Inclusive Development and Multilevel Transboundary Water Governance.

<https://doi.org/10.1201/9781003048688>

⁵ Express Tribune. (2011, June 21). Ministry suggests water treaty with Kabul to avoid dispute: Water sharing modelled on Indus Waters Treaty advocated. Express Tribune. <https://tribune.com.pk/story/193655/ministry-suggests-water-treaty-with-kabul-to-avoid-dispute>

⁶ Dawn. (2016, June 4). Afghanistan, India inaugurate Friendship Dam. Dawn. <https://www.dawn.com/news/1262735>

time. It will not only remove the uncertainty and risk of conflict but also promote cooperation between the two countries.⁷⁸

Multiple efforts were made in the past to reach an amicable water-sharing arrangement, but the negotiations couldn't continue. Several technical solutions, like building shared dams or joint water governance mechanism have been proposed to enable amicable water sharing. Some water experts have suggested diplomacy and benefit-sharing approach to eliminate the political hurdles and rationalize the process. While both approaches are highly effective, there has to be the will among the policy machinery of both states to achieve that. Without the will to negotiate, there cannot be any preliminary talks for a water treaty.

Right now, both states have a vantage of zero-sum approach where one's gain is being considered as the other's loss⁹. Due to the frequently tense political relations between the states, even if an agreement is chalked out, odds are high it may become ineffective over time or with regime change. To turn around this situation and ensure sustainable water-sharing mechanism for these states, there has to be strong political will in both countries. Hence, inculcating political will into a water-sharing framework is crucial to its efficacy.

This report proposes to incorporate political will into the inter-state diplomacy efforts. A study has been conducted to gauge the political will in both states for having a Pak-Afghan water-sharing agreement. 15 key informant interviews were conducted with water experts, practitioners, and government officials. Given the sensitivity of the subject, the Afghan respondents and a few from Pakistan as well requested anonymity. To obtain an unbiased perspective, international experts have also been interviewed for this study.

2. PRESENT SCENARIO: NO WATER SHARING MECHANISM

Water cooperation on Kabul River between the two riparian states, i.e., Pakistan and Afghanistan, is non-existent. However, lack of cooperation does not necessarily mean the existence of conflict. Pakistan is using 90

⁷ Salman, A., Kahlon, T. U. M., & Din, M. (2018). Pakistan-Afghanistan transboundary water governance. ISSRA Papers, X(II).

⁸ Ahmadzai, S., & McKinna, A. (2018). Afghanistan electrical energy and trans-boundary water systems analyses: Challenges and opportunities. *Energy Reports*, 4, 435–469. <https://doi.org/10.1016/j.egy.2018.06.003>

⁹ Nori, S. M. (2020). Challenges of transboundary water governance in Afghanistan. *Central Asian Journal of Water Research*, 6(1), 18–38. <https://doi.org/10.29258/cajwr/2020-r1.v6-1/18-38>

percent of the water flowing from Kabul River, despite being the downstream riparian. That is because Afghanistan does not have any infrastructure or mechanism for storing and utilizing the water later. Afghanistan's water usage is majorly for drinking purpose while Pakistan's Khyber Pakhtunkhwa province is heavily reliant on Kabul River for agriculture (strategic use). As for the demographic features, Afghan communities adjacent to the basin have high political influence on previous governments as well as the current Taliban regime, according to an ex-Afghan ministry official.

Kabul River Basin is one of the region's most populated basins. Notably, the water usage by Pakistan is deemed as strategic while that by Afghanistan is considered non-strategic. While water usage by Pakistan owes partly to the unhindered downstream supply amid lack of upstream structures, the current situation seems to benefit Pakistan. That leads to the notion that Pakistan does not want a water treaty on Kabul River.

Both Pakistan and Afghanistan have not signed the UN Watercourses Convention. However, other UN Conventions and legal frameworks concerning water do apply on both countries, such as Convention on Biodiversity and UN Framework Convention on Climate Change. Although the responses differed on whether water can be a source of conflict itself, all of them posited that tensions on water might escalate friction over other issues as well.

3. THE DAMS' RIDDLE

Notably, resistance to dams have come from both sides. Pakistan's plans to construct Dasu Dam had met objection from Afghanistan, stating that since the dam was to be built on a transboundary river, the due process needed to be followed. While the then regime of Hamid Karzai, in 2014, strongly opposed the dam, the researchers are also of the view that development of that dam has implications for Afghanistan. Siltation from that dam would impact water quality and aquatic life, inter alia, of that specific ecosystem. According to an Afghan water expert who participated in the study,

“We are not against the construction of Dasu Dam. It’s the impacts of the dam about which we are concerned. The dam might be in Pakistan, but we are also benefitting from the ecosystem. Thus, certain initial steps need to be taken to prevent the harmful effects of siltation and protect the ecosystem.”

However, Pakistan’s stance has remained throughout that the area where Dasu Dam is being built does not concern Afghanistan. According to the then Pakistan’s envoy,

“Afghanistan’s objection against Dasu Dam was completely irrelevant. The area where Dasu Dam is being constructed, Kabul River doesn’t even go there. Now, we were very surprised when they objected to it. The Afghan foreign office had actually issued a statement on this.”

The embassy got it published in a newspaper that the site where Dasu Dam is being constructed is 100-200 km away from where Kabul River meets River Indus.

“Objecting to Dasu Dam is just like objecting to some dam being built on Nile River saying Afghanistan has reservations against it.”

According to the envoy, after the embassy’s letter got published in a main newspaper in Afghanistan, there was silence on this issue.

However, Afghanistan’s dams would impact the downstream flow, ecosystem, and the water quality on Pakistan’s side of the basin. Given Afghanistan’s limited usage and need for economic rehabilitation, the country would build irrigation and storage structure on the rivers whenever the circumstances allow. When the previous regimes started to plan the construction of dams and initiated work on some of them, Pakistan objected. India was funding a few of those dams and promising to facilitate more, which aggravated the situation and led Pakistan to believe that it was an act of destabilization against Pakistan. Afghanistan sought the World Bank’s funding for some of the infrastructure projects, but the World Bank required the country to notify the downstream riparian before carrying out any such plans. The Afghan dignitary replied, “Whatever development Pakistan has done downstream, did it ever give us any notification?” So, the resentment over development of infrastructure on the river basin prevails on both sides.

Nevertheless, Afghanistan's situation renders it its right to construct irrigation and storage facilities. On the dams proposed, an Afghan water expert and official said,

"If Afghanistan had a plan to build a dam on the upstream near Kabul, that water is seasonal, it's not the standard flow coming to Pakistan. The purpose of the dams is just to recharge groundwater. That's all. As I said, there is a very limited irrigable area (in Afghanistan near that water basin). It's super expensive to uplift that water to those irrigable areas because they are on high elevation."

Kabul River's upper extreme is (around) 6,500 above sea level. At Peshawar and Jalalabad, it's 400-450 meter. Due to the extreme variation in the elevations, the flow is sharper from the upper side, which can be disastrous in case of increased water levels (or floods). Hence, there has to be a few storage facilities on the upper side to reduce the velocity and avoid destruction.

4. DATA BLACKOUT

Data sharing is an important aspect of transboundary water cooperation. Even if the riparian states are not under a legal treaty, exchange of data or information indicates some level of cooperation between them. On Kabul River, no such practice is observed by either Pakistan or Afghanistan. There have been talks about data sharing, but practically no such step has been taken hitherto. According to the Afghan respondents, Pakistan also needs to notify Afghanistan regarding its downstream activities.

Pakistan has the same concern that Afghanistan does not share information about the situation upstream, such as water flow and rise in surface level, which can aggravate the flood situation, as the country would not be prepared to respond or reduce the risk of disaster. In fact, the need for data sharing is also being used as a blame game and leverage between the two countries.

5. SHORT BURSTS, LONG PAUSES

There have been multiple attempts to initiate a mechanism for water cooperation. Both countries tend to differ on who started these initiatives and who was the reason they could not come to fruition. There have been multiple statements showing consent to cooperation. The embassies and ministry level talks have also occurred. One of the Afghan respondents, an ex-government official and water expert said,

“Politics is very complicated. There are thousands of statements from the government of Pakistan towards Ghani government and towards Karzai government, and it’s the same way around here. But those are just political statements. The fact is that these countries don’t have trust on each other at all.”

As for the formal attempts regarding water sharing, the finance ministers of the two countries signed an agreement on an energy sharing hydropower project in 2013. The act was welcomed inside Afghanistan as well, but there has been no further progress or concrete outcome of that agreement. Afghanistan has been going through the energy crisis much larger than Pakistan’s. It has been seeking to enhance its power generation capacity. Hence, it was an attractive proposition. According to the officials of both ex- ministry of energy and water and foreign office of Afghanistan, the proposal was welcomed in Afghanistan. The issue arose in Pakistan, and it did not pursue the proposition further. According to Pakistan’s ambassador to Afghanistan, China was supposed to facilitate this process and the two riparian countries would share the benefit from the project.

When the commotion of Indian investment on dams in Afghanistan began in 2016, Pakistan embassy in Afghanistan approached the Afghan ministry for energy, asking to share a factual position of the hydropower projects in the country and whether there is a possibility of a project on the Kabul River. An email reply from the Afghan Deputy Minister for Energy divulged that the only project that is in some shape is a run-of-the-river project in Sarobi, which is being implemented with the help of local, private sector.

Moreover, after the inauguration of Salma Dam, Indians approached the ministry with a proposal to undertake further hydropower projects. However, in an in-house discussion at the top level, it was agreed with consensus that Afghanistan should do any more hydropower projects with

India that could impact its cooperation with Pakistan over TAPI and CASA-1000. Hence, the Indian proposal did not get through.

Other project that could impact the water flow to Pakistan included a dual-purpose project for irrigation and power generation included Kama at Kunar River. The Pakistan ambassador also revealed that the then officials from the Afghan Ministry of Water and Energy hinted that joint collaboration and investments in the field of water and energy by Pakistan might encourage Afghan government to consider dropping the irrigation component of the Kama project to address Pakistan's concerns. Notably, the attempts to cooperate on water or have a treaty have been initiated by Pakistan. This is because data sharing as well as the uninterrupted water flow is its major concern. An Afghan respondent revealed that Pakistan approached Afghanistan in 2009-10 as well through its ministers. The two sides tried to at least create a platform to discuss the issue. This attempt also became ineffective.

“At that time, I don't know what the reason was, but our Pakistani friends said due to some political reasons, Pakistan government would not like to talk on the issue of water.”

There seems to be a lag between the communication and announcements of initiatives. The causes of this lag are multi-faceted and identified in the later part of this section.

Aside from the state-level attempts, the academia and practitioners of both countries have also tried to begin the water cooperation process. These attempts have mostly been facilitated by the international agencies or NGOs. One such attempt was Regional Green Dialogues by Heinrich-Böll-Stiftung (HBS) in 2015-16 that engaged experts from Pakistan and Afghanistan¹⁰. A few meetings were held, which focused on information

¹⁰ Stated by interviewees and verified by Reference: Heinrich Böll Stiftung Afghanistan. (2015, November 24). *Proceedings of the First Conference on Regional Civil Society Engagement in Green Dialogs: Promoting Peace and Stability through Equitable Resource Management*. Kabul, Afghanistan. https://www.boell.de/sites/default/files/uploads/2016/04/proceeding_of_the_conference_jaw-1.pdf

sharing and research on the transboundary issues, electricity, and other venues that can benefit both countries and open doors for cooperation. The thought behind this process was that collaboration information, knowledge, and skill sharing can lead to cooperation on water sharing as well. However, according to the Afghan respondent, certain situation in Afghanistan and lackluster interest from Pakistan on transboundary water cooperation led the dialogues come to a halt.

A relatively recent attempt was made by International Water Management Institute (IWMI) that envisaged a plan to engage the universities from Pakistan and Afghanistan to collaborate and create an exchange program.

The plan was that both sides would conduct scientific workshops, conferences, and students exchanges for capacity building and knowledge sharing. However, due to certain objections from a security agency in Pakistan, this initiative also could not come to pass.

According to the Afghan interviewee, their country does not have any specialized degree on water resource management while many universities in Pakistan are offering degrees in this discipline.

“You can only have a discussion or debate with a doctor when you are a doctor yourself. You can talk with an engineer effectively only when there is an engineer in front of you.”

Hence, if Pakistan wants to talk on water with Afghanistan, the other party should have at least a basic understanding of the issue and its technical aspects. Afghanistan’s reluctance to have a treaty on water is mainly because it does not have the experts or people who understand the needs, terminology, demand and supply, and basic requirements.

As for the state level, the transboundary water issue came to limelight in 2016 when the prospect of constructions of dams (especially by India) was imminent. After that, the issue started facing inertia. According to the former Pakistani ambassador to Afghanistan, there was not any mention of the issue during 2017-2020 during his tenure.

*“There were some events a few years back, I think 10 years back, interest was shown by the World Bank in facilitating the process. There was some interest shown with regard to water sharing and water management of the Kabul River. But thereafter, there was **no interest shown** from either side.”*

According to him, the reason for this inaction is that Afghanistan's focus was to have a broad-based, inclusive Afghan-led peace treaty, as the withdrawal of foreign forces was approaching.

6. WHY PAK-AFGHAN WATER TREATY IS A MUST?

Pakistan has attempted to begin the process for a water treaty with Afghanistan in the past decades. However, these attempts remain intermittent and are perceived as half-hearted, as in a few instances, it did not follow up the propositions itself. These lackluster attempts lead to a narrative whether a treaty is even needed on Kabul River. Some of the interviewees maintained that the treaty is needed on the river, but it is not practical to sign a treaty before Afghanistan's capacity and stability reach a satisfactory level. As to why a treaty is needed, the reasons have been detailed below.

6.1. Flood Management

Both Pakistan and Afghanistan have been grappling with floods for the past several years¹¹. A stark variation between the upper basin elevation and the lower basin elevation can make a flood catastrophic. To reduce the velocity of flow, constructing a storage structure upstream is inevitable. However, it should be built with a shared agreement of the details of such project. While the common perception in Afghanistan is that a water treaty is Pakistan's concern, a formal mechanism would benefit Afghanistan as well. Until it builds a storage facility that is acceptable for both riparian states, it can ask for an incentive in return for the water flowing towards Pakistan. However, to be able to accomplish that, the two countries need to agree on the water allocation for which there has to be a needs

¹¹ Saifi, S., Magramo, K., Khan, A., Popalzai, M., & Nasser, I. (2024, April 17). More than 100 killed across Pakistan and Afghanistan as flash floods and heavy rains sweep the region. *CNN*. <https://edition.cnn.com/2024/04/17/asia/pakistan-afghanistan-flash-floods-intl-hnk/index.html>

assessment as well as projections of water flow and future needs of the two countries in place.

6.2. Data Sharing

As of now, both countries are not following any data sharing practice, which is a prerequisite of any formal water sharing mechanism. Data sharing is a concern of Afghanistan as well, contrary to the popular perception that data is required by downstream states only. According to many water experts, downstream activities affect the upstream states as well. Hence, the knowledge of downstream activities is the concern of Afghanistan. A treaty can necessitate data sharing for both states. The far-reaching impact of climate change in the strategic economic sectors is a big concern. It is reducing the water flow in the river basin. In fact, it has drastically reduced river water in Jalalabad and Kabul as well as in the downstream cities. Hence, a treaty is incumbent for peaceful management and allocation of resources, as water scarcity can escalate the tensions between the two states.

6.3. Economic Benefits

The respondents also discussed the economic implications of a potential treaty. For Afghanistan, a treaty implies formulation of water storage (which is a common component of a water treaty containing water allocations) that will help with its water and energy crisis as well as its agriculture and ultimately economic growth. It will help Pakistan prevent and prepare for floods and droughts along with effective management of its crops. Aside from that, the countries can adopt benefit-sharing approach and jointly manage irrigation and hydropower facilities.

“The energy and power that not only benefits the households but a lot of businesses, medium and small sized businesses. And of course, big corporations. So, economically, it will be a huge win for Afghanistan and Pakistan, for everyone.”

6.4. Water Quality

Another benefit of this treaty would be improved water management. In both Pakistan and Afghanistan, water is God-gifted and hence can be utilized in any way pleased. This attitude towards water use is leading to wastage of water. Besides, water quality issues also mar Kabul River Basin. The unregulated use is polluting Kabul River and rendering it unfit for drinking and agricultural use. A treaty can help regulate and manage water, which will reduce the environmental implications as well as economic cost (health and agriculture).

According to a Pakistani water expert,

“There are a lot of water treatment plants installed on the Kabul River in Kabul as well as Peshawar, but none of the system is still functioning. If we make those systems functional and we just move away our attention a little away from adaptation towards mitigation, then we will incentivize these water quality aspects where around 3 million tons of greenhouse gases are emitted from poor quality water. So, 3 million tons mean that if we invest \$20 million on reclaiming water, we can get benefits up to 3 billion for the next 10 years. And apart from the financial incentive, it will also reduce the pressure from the available water resources in the basin.”

7. SENSE OF URGENCY

Experts and officials who believe that water can be a source of conflict between the states opine that a water treaty between the two states is incumbent. Citing that water will replace oil as the most coveted resource and be a potential source of conflict, especially in certain regions including South Asia, this school of thought propounds that an agreed water cooperation mechanism is need of the time.

“We cannot wait for the war to start,”

say two of the Pakistani and Afghan respondents.

The consultative process should go alongside the other issues and politics should not shadow over the potential benefits from a water treaty. If the process stumbles over certain hurdles, incentives, lobbying, and

cooperation among the civil society of both states should keep the ball rolling. For Pakistan, it is high time to sign a treaty.

“We need to formalize the mechanism because then you have institutions on both sides. If there is an abnormal kind of situation, there is already a water crisis, climate change, and other issues, that affect water resources, reducing their quantity. In that sense, when there is a conflict, you have a cooperation mechanism that can come and play its role to diffuse the tension. But when you have no treaty, the might is right.”¹²

Afghanistan needs dams, and there would not be any law preventing them from building one, as they will be utilizing their share. A treaty will ensure that Pakistan’s interests are taken into account when Afghanistan constructs dams.

“Be it lack of capacity or lack of interest, we are not considering a water treaty with Afghanistan now, and it will bite us in the long run. The power of negotiation that we have now might not remain as such when this issue becomes urgent. We might even go on backfoot during negotiation while now we are on a strong foot. Just like India has signed treaties with Nepal and Bangladesh on strong footing, we can do that now. Being a bigger and more powerful country, we should use our position¹³.”

However, some of the respondents opined that because of Afghanistan’s lack of capacity and capabilities in terms of both finances-institutions and knowledge-skills, the treaty might not be the right or fair option. Technical discussions, need assessments on both sides, and certain icebreaking, trust-building measures should predate any talk or negotiation for a treaty.

A Pakistani respondent says,

“India can stop our water instantly. Afghans do not have this kind of option for now. For this, they have to build a proper dam first. We need to keep our eyes on any potential or a risk that such plan is coming out there. But the current absence of such plan shows that this is not a very urgent issue.

¹² Pakistani-based water expert

¹³ Pakistani government official

However, this issue is not to be ignored as well and postponed/delayed for long.”¹⁴

Some respondents from Afghanistan also shared this view.

“You know this very complex issue to say whether we need a legal framework or we don’t. Around the world, there are many examples of cooperation without having a legal treaty. And there are also examples of being a legal framework in place but lack of cooperation. So, cooperation is important. In fact, it can help with the cooperation overall.”¹⁵

8. STUMBLING BLOCKS OF WATER COOPERATION

The failure of cooperation efforts and the prevalent inertia afterwards at the state level originates from certain irritants.

8.1. Durand Line

There are a lot of foreign policy obstacles when it comes to water cooperation between Pakistan and Afghanistan. The major one is the issue of Durand Line. For Pakistan, this issue has been sorted out, as it is a recognized international border. However, for Afghanistan, it remains a major issue. In fact, during the Karzai administration, an order was issued to all the public offices in Afghanistan to call and write the concerned border Durand Line and not a border.¹⁶ This issue has been politicized and used as a tool by every Afghan government. Hence, their people are sensitive about it. The issue of water is linked to Durand Line, and just as people do not approve of giving land, they oppose giving water as well in there.

According to an Afghan interviewee,

“No matter what government comes, people think that if you sign any kind of treaty on the Kabul River, it means legitimizing Durand Line. And whoever does it, he will be called a Shah Shuja. Shah Shuja is the Afghan

¹⁴ Pakistan’s former ambassador to Afghanistan

¹⁵ Afghan ex-foreign ministry official

¹⁶ Respondent from Afghanistan.

ruler who signed the Durand Line and he is still cursed in Afghanistan for being a person who sold his motherland. So, every government will avoid being a Shah Shuja.”

Apart from this perception, Durand Line towers over any cooperation attempt between Pakistan and Afghanistan. It has remained an irritant since Pakistan’s inception and has always impacted the relations between the two countries. Therefore, it can loom over the water cooperation attempts as well.

“Whether you refer to the Durand Line issue or Taliban or previously Mujahideen government, there was always this mistrust between the two countries at a political level. And that of course affected the population as well. Because then population has a negative perception of the other country.”

8.2. Mistrust

There has been historical mistrust between the two states. Ever since Pakistan’s inception, the two states have had tense relations. Afghanistan was the only country to oppose Pakistan’s admission to the UN. The border dispute has rendered the two neighbors looking at each other through security lens. The tensions aggravated further by a pro-Indian narrative in Afghanistan in the wee years of Pakistan’s inception. Resentment grew further against Pakistan when it decided to support Mujahideen and later Taliban.

After Taliban were designated as a terrorist entity, Pakistan was blamed for still supporting them and sponsoring terrorism in Afghanistan.

“Before the Taliban’s takeover of Afghanistan, Pakistan’s support for Taliban, that’s something that we can’t hide. It was a main impediment in cooperation, and not just on water, water issue would be the last one on this list. There were many other issues that we couldn’t reach to an agreement while there was Pakistan government’s support for Taliban.”¹⁷

¹⁷ Ex-foreign ministry official from Afghanistan

The terrorist attacks at infrastructural development during previous Afghan regimes on the transboundary river (Kabul River) are associated with Pakistan¹⁸¹⁹.

8.3. Perception about Water Sharing

In Afghanistan, water sharing is considered as a zero-sum game. According to an Afghan respondent, this perception prevails in the upstream countries and not just specific to Afghanistan and Pakistan. Water is a sensitive issue among people as well and has been highly politicized in the past few years. There have been statements from the Afghan leaders that Afghanistan will sell water at the price of oil.²⁰ People there also think that the water in their area is their right. Overall, the country follows the absolute territorial sovereignty doctrine whereas Pakistan propounds the absolute territorial integrity. In both countries (and many others for that matter) water remains a challenge, as there have been contentions among the provinces of the same country. The issue would of course be exacerbated when it comes to sharing water between the states.

8.4. No Political Will

Many respondents maintained that there is no political will on both sides to have a treaty or any other formal water sharing mechanism on Kabul River. Government on both sides are trying to use this issue for political gains and as leverage. Afghanistan has shown reluctance to share river flow data ever since the issue has been brought up, which is Pakistan's

¹⁸ The Conversation. (2021, August 13). Taliban seize Herat and assault nearby dam that provides water and power to hundreds of thousands of Afghans. The Conversation. <https://theconversation.com/taliban-seize-herat-and-assault-nearby-dam-that-provides-water-and-power-to-hundreds-of-thousands-of-afghans-165722>

¹⁹ BBC News. (2019, December 4). Tetsu Nakamura: Japanese doctor among six dead in Afghan gun attack. BBC News. <https://www.bbc.com/news/world-asia-50654985>

²⁰ One of the Afghan respondents quoted it. In 2019, President Ghani said in a government meeting that no more free of cost water for Afghanistan's neighbors.

major concern and Afghanistan knows it is one of the few leverages it can use against Pakistan.

*“Unfortunately, water is a political issue here. And I would say it would have been solved, many issues are political but then there are solutions. But in our part of the world, there is **no political will** to solve this issue.”²¹*

8.5. Securitization of Issue

Water is a securitized issue in both Afghanistan and Pakistan. Even within the country, researchers are denied access to data regarding water saying it is classified. That is the major obstacle cited by the researchers on both sides. They cannot collaborate on assessing canal and river mapping, snowfall and precipitation. The reluctance to share data with academics is preventing research on other domains as well, such as impact of climate change on the river basin. This issue has been cited by Afghan researchers mostly. They mentioned security concerns as well.

Several low-tier initiatives, i.e., collaboration between universities have also failed due to this obstacle. However, due to the securitization of this issue, the initiative got lost in the procedural requirements. The distrust between the two states and security concerns render the students and academic collaboration difficult to materialize²².

“Our foreign policy dictates water cooperation. This is one flaw because our foreign policy is security related. If it is based on some other kind of aspects like development, SDGs, environment, climate change, it is easier to collaborate.”

9. THE TALIBAN FACTOR

Before the Taliban takeover, many policy experts were hopeful that they will have a friendly government in Afghanistan for a change. However, many respondents believed that the Taliban regime might not be able to help with water cooperation as well. The current situation supports their

²¹ Development practitioner from Afghanistan

premise. The two neighboring states are still grappling with political and security tensions. Besides, the Taliban regime is grappling with survival challenges now and would want to focus on them.

A water treaty on Kabul River might take time to materialize, but it is incumbent to start discussion on it and begin cooperation on water sharing. Pakistan's attempt to start discussions on treaty show that it realizes the need. However, these attempts remain feeble for a plethora of reasons, some explained above. Even for Afghanistan, a water treaty is beneficial. It will pave way for availability of funds, capacity building, knowledge sharing and other required support, among other benefits. Water allocation between the two states can be a bone of contention between the two riparian partners, but this friction can be circumvented by focusing on water quality. However, to achieve that, the policymakers on both sides need to make genuine efforts and see beyond the political gains to be able to understand the benefits that water cooperation offers. These benefits like electricity, improved irrigation, and reduced emissions from water wastage, inter alia, can have a spillover effect on the overall cooperation between the two states. Currently, Pakistan is in a better position to sign a treaty and negotiate at a strong footing. Therefore, it is high time for Pakistan to enter into a treaty or any formal mechanism with Afghanistan. The urgency is there, it is just not being perceived as so by the policymakers. If Durand Line or any other issue is expected to become a hurdle, Pakistan is in a position to offer incentives to Afghanistan, issues that matter to its Western neighbor the most like trade and transit. As for Afghanistan, it can also benefit from this treaty in the form of incentives and water structures.

Moreover, to circumvent the border issue, the countries can opt for integrative water management or any joint water sharing mechanism that does not emphasize the borders. Then there are ripples from either side or an effort by a third party, mainly international organizations. After the fall of Taliban regime in 2001, the Afghan administration has been trying to enhance its water storage and energy generation capacity whenever it could pay attention to it. In 2003, Pakistan seemed to have realized this, and its IRSA Chairman said that if Afghanistan builds dams on Kabul River, we will have no water to store any further. The treaty seemed to be the solution to contain this threat. In 2006, the World bank offered its role as a mediator to facilitate the consultation process between the countries.

However, Afghanistan refused, citing its limited capacity and lack of needs assessment. Since then, there have been multiple attempts at having cooperation only to be jeopardized by political issues and point scoring. Policymakers in Afghanistan have also been nurturing the narrative of absolute territorial sovereignty and propounding that Afghanistan will not enter any long-term treaty since the one they have is causing harm to them. However, the country has a policy draft on transboundary water management that provides for signing treaties with the riparian states, but with focus on safeguarding Afghan interests. Whereas, the Water Policy of Pakistan (2018) does not contain any provision for cooperation or water sharing mechanism while discussing the settlement of transboundary water issues. It has focused solely on the shared rivers with India.²³ The initiatives proposed or attempts made by Pakistan in this regard have also come about in isolation. For instance, the foreign offices of both countries were neither consulted nor notified before the signing of the 2013 agreement of a hydropower project. It leads to the indication that the initiative might not be a result of the consultative process of policymaking. The political statements regarding the need for a water treaty with Pakistan remain scanty, but they have come at certain times. In Afghanistan, these statements mostly toe the narrative of its rights over the transboundary river and that its interests must be safeguarded.

10. WATER DIPLOMACY TO THE RESCUE?

A water treaty on Kabul River might take time to materialize, but it is incumbent to start discussion on it and begin cooperation on water sharing. Pakistan's attempt to start discussions on treaty show that the country realizes the need. However, these attempts remain feeble due to a plethora of reasons. As for Afghanistan, the country can also gain from a water treaty in form of knowledge sharing, reduced uncertainty for its planned transboundary water projects. However, to achieve that, the policymakers on both sides need to make genuine efforts and see beyond the political gains to be able to understand the benefits that water cooperation offers. These benefits like increased power generation, improved irrigation, and reduced emissions from water wastage, inter alia, can have a spillover effect on the overall cooperation between the two states. The urgency is there, it is just not being perceived as such by the policymakers.

²³ It mentions Kabul River as water source in the introductory section, though.

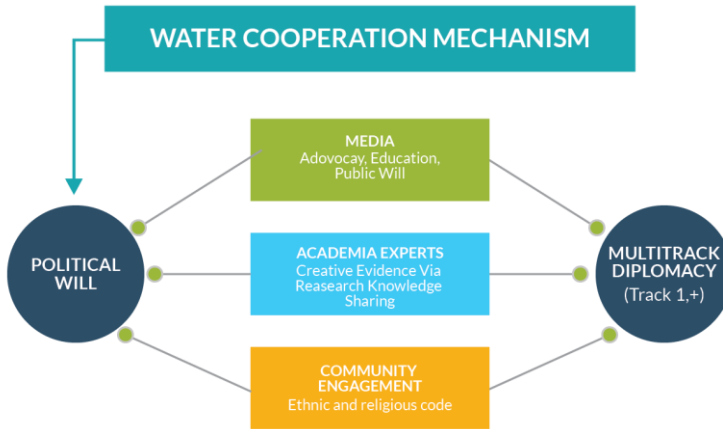
Dr. Asim Zia, an expert on water and environmental diplomacy, revealed that Pakistan and Afghanistan are reluctant to discuss water quantity, but they are willing to discuss and collaborate over the quality of water. Hence, focusing on water quality can bring the two states to table.

Another international expert, who desired to remain anonymous, said that water in South Asia has fallen into the hands of civil engineers. That is why it is all about the piles of concrete and all the solutions point to constructing new structures here and there. Both experts and policymakers focus on surface water. Ground water can be a source of collaboration and would entail less friction. On the question of whether a treaty is urgent, the expert maintained that it is beneficial for Pakistan to have a treaty now then in future. The future holds uncertainty.

Even if the treaty doesn't seem like a possibility, cooperation on water otherwise can happen. Sub-state level talks against this backdrop can help elevate the heat. Water experts, students, researchers, and media can engage with each other to discuss technical innovations in the Kabul River Basin to get the process started. Many participants suggested engaging local communities surrounding the Kabul River Basin until the official talks begin. They have customary practices in place and share ethnicity, religion, and customary codes. They would be more inclined to cooperate and manage water jointly than the political actors. All these options fall under multi-track water diplomacy.

Water Diplomacy is an alternative approach to water sharing against the prevailing competitive, contentious approach as well as the technocentric, value-oriented approaches. It takes into account the sensitive nature of water issues as well as the uncertainty associated with them²⁴. Moving a step ahead and incorporating the multitrack diplomacy approach renders the conflict to cooperation transformation more practical and attainable.

²⁴ Islam, S., & Repella, A. C. (2015). Water diplomacy: A negotiated approach to manage complex water problems. *Journal of Contemporary Water Research & Education*, 155(1), 1–10. <https://doi.org/10.1111/j.1936-704X.2015.03190.x>



Generating Political Will Through Water Diplomacy

Scenarios in which the countries are still deliberating whether there is a need for water cooperation amid severe political tensions remain deeply entrenched in the state-to-state interactions, multitrack diplomacy tends to be more effective. Studies show that track 2 and 3 diplomacy has proven to break the ice and move the countries towards cooperation²⁵²⁶. The non-state actors concerned with these two tracks can be engaged to generate and strengthen political will as well²⁷. Media can be used to disseminate information and educate people rather than sensationalizing and misleading the public as well as political actors. Similarly, academia can be used to generate evidence that a certain policy action is need of the time, which in this case is a water treaty.

²⁵ Panikkar, B., Zia, A., Sgorbati, S., Cohen, M., Abid, M., Fayyaz, M., Hashimi, N., Ali, S., Ahmad, M., Aman, Z., Halasah, S., Rice, D., Del Rossi, G., Ryan, B., Hameed, K., Hussain, M., & Salimee, N. (2019). Transboundary water governance in the Kabul River Basin: Implementing environmental and public diplomacy between Pakistan and Afghanistan. *Complexity, Governance & Networks*, 5(1), 101. <https://doi.org/10.20377/cgn-80>

²⁶ Wasike, S., Godfrey Okoth, P., & Were, E. (2016). The nature of track three diplomacy and its influence on cross-border security relations between Kenya and Somalia. *International Journal of Managerial Studies and Research (IJMSR)*, 4(7), 1–12. <https://doi.org/10.20431/2349-0349.0407001>

²⁷ Huntjens, P., Yasuda, Y., Swain, A., De Man, R., Magsig, B., Islam, S. (2016). *The Multi-track Water Diplomacy Framework, Cooperation over Shared Waters*.

CONCLUSION

Conclusively, the issue of water is highly securitized and politicized in the riparian partners - leading to low political will for bilateral water cooperation. To circumvent political issues and enhance collaboration, collaboration between sub-state actors can help thaw the ice between the states.

Here is the way forward for cooperation on the Kabul River Basin:

Initiate Water Quality Cooperation: Begin discussions on improving water quality, a less contentious issue that could serve as a foundation for broader collaboration.

Focus on Groundwater Management: Explore opportunities for cooperation on groundwater resources, which may face less political resistance and offer mutual benefits.

Leverage Multitrack Diplomacy: Engage non-state actors, including academics, media, and civil society, to build political will and promote the importance of a water treaty.

Promote Public Awareness and Education: Use media and academic research to educate the public and policymakers about the long-term benefits of water cooperation, moving beyond sensationalism.

Develop a Phased Approach: Start with smaller, confidence-building measures that can gradually lead to more comprehensive agreements on water sharing and management.

“We have everything we need except political will, but political will is a renewable resource” --Al Gore speaking on climate change, 2009²⁸

²⁸ Al Gore's Nobel Lecture on Dec 10, 2007.

<https://www.nobelprize.org/prizes/peace/2007/gore/lecture/>

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