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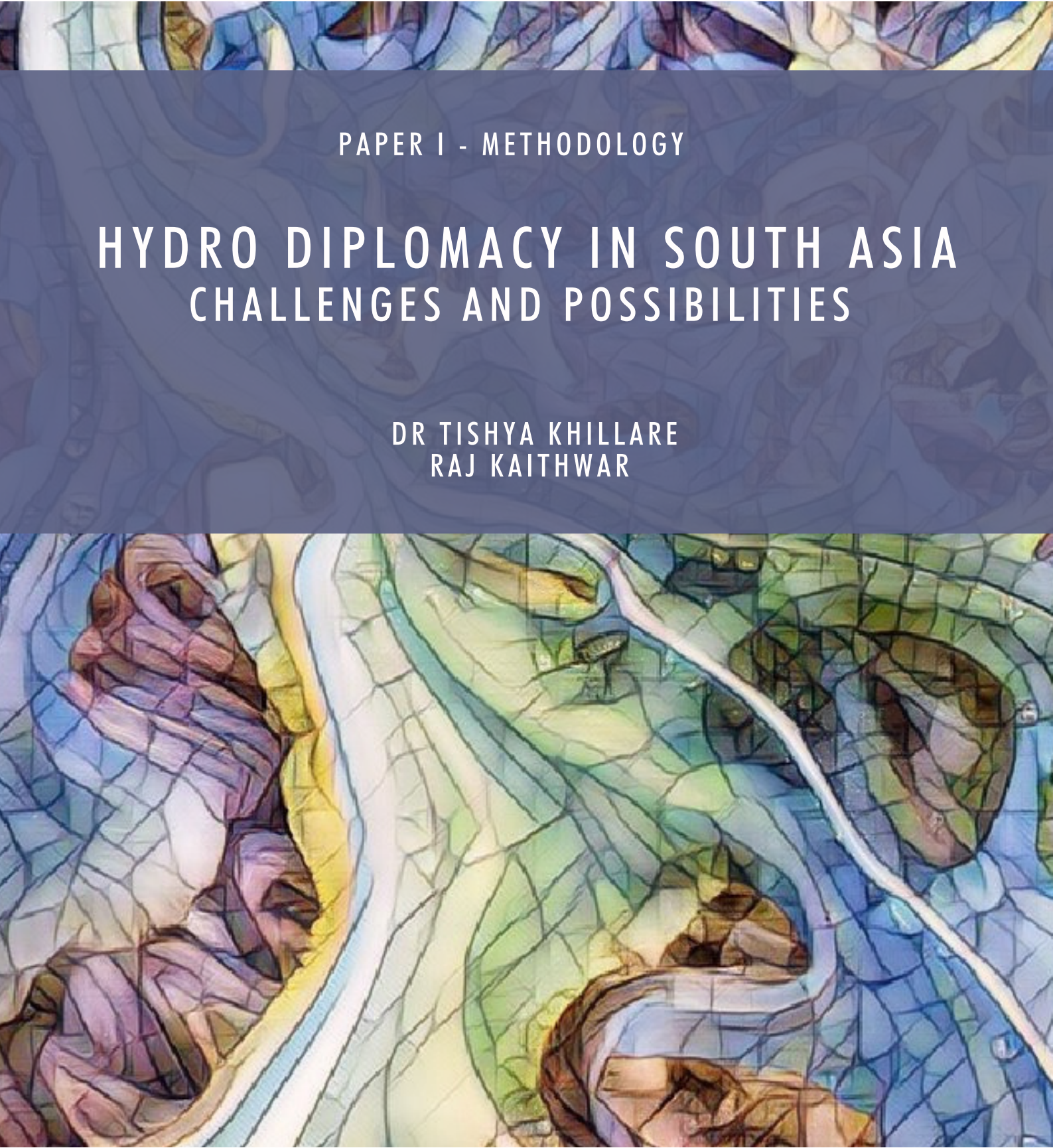
Hanns  
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## SOUTH ASIA WATER DIPLOMACY INITIATIVE

PAPER I - METHODOLOGY

# HYDRO DIPLOMACY IN SOUTH ASIA CHALLENGES AND POSSIBILITIES

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## EXECUTIVE SUMMARY

- The paper highlights the objective of South Asia Water Diplomacy Initiative (SAWDI) to map a Zone of Possible Agreement (ZOPA) for bilateral transboundary water relationships between India-Bhutan, India-Bangladesh, India-Nepal and India-Pakistan, and present a range of policy options on which the states are most likely to cooperate.
- The authors outline and explain the project's conceptual framework which relied on the concepts of normative systems, regulative and constitutive norms, and Zone of Possible Agreement (ZOPA).
- The methodology entailed a detailed geopolitical, political-economic and politico-legal analysis of the bilateral water relationships. In addition to primary and secondary data review, expert interviews were conducted with an array of stakeholders from selected countries. Various norms that guide bilateral water relations were mapped, and a Zone of Possible Agreement (ZOPA) for each bilateral relationship was subsequently identified.
- Data was triangulated using literature review, stakeholder interviews, and a validation exercise carried out during a two-day regional stakeholders conference held in December 2021 in New Delhi.

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## ABOUT THE PAPER SERIES

The South Asian Region is one of the most densely populated regions, with rapidly expanding development needs, and ever-increasing freshwater scarcity. According to a 2017 report by The World Bank, per capita water availability in the region is 1,106 m<sup>3</sup>, much below the international standard of 1,700 m<sup>3</sup>, and dangerously close to the water scarcity threshold of 1,000 m<sup>3</sup>. Estimates suggest that by 2025, South Asia will be facing extreme water distress owing to inefficient water use. In addition, water-led migration has a significant likelihood of emerging as a point of concern in the mid to long term future.

As development priorities undergo transformation, the nature of geopolitical relations change and the role of non-state actors becomes more significant. South Asia must begin to imagine a new kind of regional cooperation around shared water resources, one that is able to move beyond issues that currently saddle cooperation, by identifying and respecting each other's political redlines and forging cooperation on issues on which positive policy movement is possible.

To this end, this paper series presents the findings of the SAWDI project which mapped issues that have a higher potential for agreement and cooperation in bilateral water sharing relationships between India and its neighbouring countries- Nepal, Bhutan, Bangladesh and Pakistan.

## ABOUT THE AUTHORS

Dr. Tishya Khillare is Fellow & Lead - Centre for Energy and Climate Security at the Council for Strategic and Defense Research. She holds a Doctorate from the School of International Studies, Jawaharlal Nehru University. She has led the Economic Connectivity and Regional Prosperity vertical of The Chao Track II Dialogue. In 2021, Dr. Khillare managed CSDR's South Asia Water Diplomacy Initiative (SAWDI). Her research interests include international and regional development, climate diplomacy, gender and security, and UN politics. She has previously worked with the UN Women (New Delhi) in the Women, Peace and Security Unit. Dr. Khillare has presented extensively on UN politics, women's rights and feminist theory in several international conferences and is a published author on Gender and Security.

Mr. Raj Kaithwar worked as a Research Associate in CSDR's South Asia Water Diplomacy Initiative in 2021. He is currently pursuing a doctorate from the University of New South Wales, Canberra. His research focuses on Posthuman International Relations and transboundary water politics in South Asia. In the past, Mr. Kaithwar has worked at the South Asian University on a transboundary water diplomacy project and at the University of Delhi as a guest lecturer. His work has been published in LSE South Asia and The Wire; reviews in EPW, Contemporary South Asia, LSE Review of Books and E-IR.



## INTRODUCTION

South Asia Water Diplomacy Initiative (SAWDI) mapped out a Zone of Possible Agreement (ZOPA) for bilateral transboundary water relationships between India-Bhutan, India-Bangladesh, India-Nepal and India-Pakistan, presenting a range of policy options on which states are most likely to cooperate. Research for the project was undertaken between August 2021 and December 2021 by the Council for Strategic and Defense Research (CSDR) with the support of Hanns Seidel Stiftung, India.

An in-depth study of the geopolitical, political-economic and politico-legal contexts of the bilateral relationships was undertaken by researchers at CSDR. In addition to primary and secondary literature review, expert interviews were conducted with an array of stakeholders from the concerned countries. Through this analysis, the researchers mapped out various norms that have been guiding bilateral water relations as well as those that are operating outside state apparatus, such as in the civil society, that hold the potential to influence inter-state relations.

The researchers subsequently identified a ZOPA for each bilateral relationship where cooperation can emerge, strengthened, or be institutionalized between India and its neighbors in the short to medium term. In the process, ZOPA analysis also explored the possibilities that can reduce stalemates or differences between the states. By undertaking this research, CSDR offers a range of pathways and policy options that carry the potential to maximize gains for all the states studied under this project.

## CONCEPTUAL FRAMEWORK

Our conceptual framework relied on two concepts: 'normative systems' and the 'Zone of Possible Agreement' to understand water diplomacy between the states in South Asia. The concept of normative multiagent systems, constituted by regulative and constitutive norms, helped enhance our understanding of interests, preferences and actions of various stakeholders. We used this analytical frame of norms to identify issues most likely to induce cooperation between the states to identify policy issues that may constitute a Zone of Possible Agreement.

We borrowed the understanding of normative systems from José Carmo and Andrew Jones who defined them as "sets of agents (human or artificial) whose interactions can fruitfully be regarded as norm-governed; the norms prescribe how the agents ideally should and should not behave. [...] Norms can be legal, moral, cultural, social, economic, political, etc. They embody an element of compliance that is derived from the legitimacy they hold or they project in a community.[i]

While norms influence the behavior of actors, they are also always 'contested', that is, they are always in competition with other norms espousing different value systems and behavioral standards.[ii] This push and pull can be understood through two categories of norms: regulative and constitutive. Boella and Tore define regulative norms as "goals of the normative system, and constitutive norms as beliefs of the normative system.[iii] Regulative norms "describe obligations, prohibitions and permissions", whereas constitutive norms "regulate the creation of institutional facts ...as well as modification of the normative system

itself".[iv] Constitutive norms help identify issue areas where various agents may have to be more sensitive to each other's divergent views when introducing changes in the normative system.

In negotiation analysis literature, the Zone of Possible Agreement refers to a set of options that have a higher chance of being agreed to by negotiating parties based on their perceived interests and cost-benefit analysis.[v] Policy options within a ZOPA are those on which each stakeholder/negotiating party considers a deal to be a better option to a no-deal. By undertaking this research, CSDR has successfully identified broad policy areas for policy makers and the larger constituency of stakeholders that have a higher chance of positive policy movement.

## METHODOLOGY

A politico-legal, political-economic and geopolitical analysis was undertaken to develop an understanding of the normative system of bilateral relationships between India and each of its neighboring countries on transboundary water sharing issues. This understanding, in addition to expert interviews, helped the research team identify what may constitute the Zone of Possible Agreement in bilateral hydro relationships.

The initial analysis entailed an assessment of four key aspects of the relationships, influenced by the work of Patrick Huntjens and others.[vi] First was a study of the historical trajectory of the relationship, followed by an appraisal of the 'action situation'. Action situation outlines the issues of significance that have a direct bearing on the transboundary water relationship between the actors either by strengthening it or by creating fissures and tensions. Third, was an analysis of various connected or contextual factors, such as geopolitical, economic, social and ecological, that have an influence on the course of the relationship. Fourth, was classification of stakeholders who have various degrees of influence on the relationship as well as those who are affected by the course of the relationship. This analysis was corroborated in extensive consultations with experts on potential future areas of cooperation between the states. This holistic approach allowed the researchers to discern the normative system of each bilateral hydro relationship and identify regulative and constitutive norms within the same.

The initial analysis involved a review of primary and secondary sources including open access reports published by governments and various national and international research and policy institutions, Books authored by historians, international relations scholars, former officials in water, economic and hydropower bureaucracies, diplomats and other practitioners were also studied to get an expansive and detailed understanding of various aspects of the relationships. Articles from a large array of academic journals were reviewed to include diverse, informed perspectives. Lastly, opinion pieces, news articles, and government press releases, were referred to get the most updated information and an understanding of contemporary debates in the respective countries.

The literature review was supported by carrying out expert interviews. For these interviews, extensive stakeholder mapping was carried out by the project team for each of the bilateral relationships. Sixteen high level experts, civil society and research organization representatives consented to be interviewed. The objective of the interviews was to

corroborate findings of the literature review, gather further detailed perspective on the relationships, and to explore potential areas of cooperation in the future—particularly with respect to the barriers that prevent cooperation and windows of opportunity that interest multiple stakeholders so that “red lines” around various policy issues can be discerned by the project team. Emphasis was laid on interviewing practitioners who have been engaged in bilateral negotiations, development initiatives, research work in technical and policy advocacy organizations, academia, and journalism. The interviews were semi-structured in nature with the questionnaires being guided by the methodological framework. Special attention was given to harvesting experiential knowledge from all interviewees. Together, the findings of the literature review and expert interviews contributed to the development of ZOPA Options.

To ensure soundness of the ZOPA options, the findings were triangulated through a validation exercise at a regional stakeholders conference which had participation of a multitude of practitioners and researchers from the region. The Zone of Possible Agreement for each of the bilateral relationships studied as part of SAWDI was presented to experts on transboundary water relations from India, Nepal, Bhutan, Bangladesh and Pakistan, and their feedback on the possibility of uptake in the policy circles was noted and incorporated. This stakeholder validation session was held as part of a two-day international conference hosted by CSDR and Hans Seidel Stiftung, New Delhi, on the 1st-2nd December 2021.

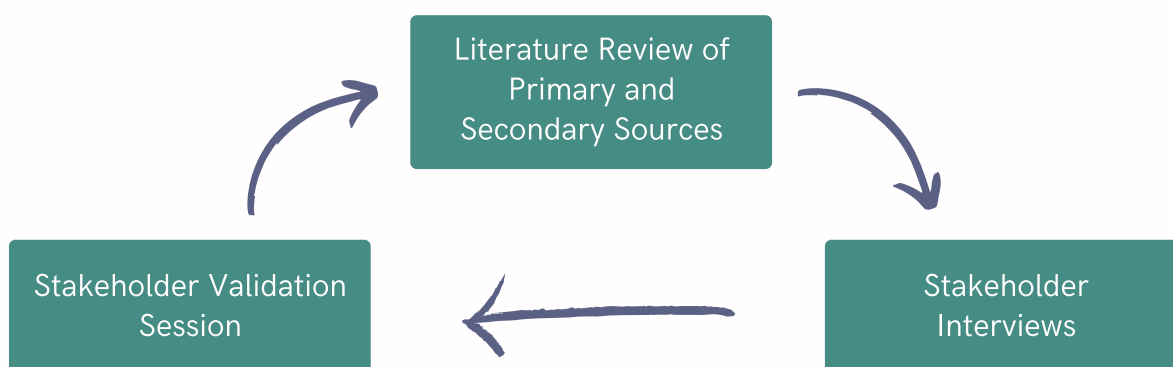


Image1: Triangulation of Data Collection and Analysis

## CONCLUSION

Transboundary hydro politics makes for a heady cocktail of power politics in South Asia. Rapidly escalating traditional and new transboundary water concerns, or highly volatile geopolitical relations, may lead countries to pursue suboptimal decision making on shared water resources. At the same time, water resources carry immense potential to develop and enhance cooperation in various sectors that can be beneficial to all states. To this end, it is crucial that multi-sectoral nature of transboundary water governance is analyzed, and lessons should be drawn from the work and experience of policy makers and practitioners, so that this knowledge may help support the development of more cooperative and vibrant relations on shared waters.

The South Asia Water Diplomacy Initiative is an exercise to study and learn from the nature of transboundary water relations between five countries in South Asia: India, Nepal,

Bhutan, Bangladesh and Pakistan. The purpose being to place diverse perspectives and evidence closer to policy conversations regarding transboundary water sharing in order to promote inclusive regional hydro-cooperation involving multiple stakeholder communities in South Asia. SAWDI's pilot phase was carried out to identify policy issues with the potential for positive policy movement in South Asia.

The upcoming papers in the series will present the findings of the project in the form of normative systems analysis and ZOPA options for the bilateral transboundary water relations between India-Bhutan, India-Nepal, India-Bangladesh and India-Pakistan.

## ENDNOTES

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- ii. Florini, Ann. 1996. "The Evolution of International Norms." *International Studies Quarterly* 40 (3): 363-389.
- iii. Ibid.
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## ABOUT THE COUNCIL FOR STRATEGIC AND DEFENSE RESEARCH

The Council for Strategic and Defense Research (CSDR) is a New Delhi based think-tank that combines rigorous academic research with policy advocacy and strategic consultancy. CSDR is based out of New Delhi — a key national capital in the emerging geopolitics of South Asia and Indo-Pacific. It works on issues such as foreign policy, regional connectivity, climate change and energy security, defense strategy, intelligence, strategic technologies, conflict resolution and peacebuilding.

CSDR's multidisciplinary network of research professionals and senior policy practitioners fuses incisive research with experiential knowledge. Its research philosophy is a product of critical thinking, non-partisanship, methodological rigor and empirical analysis. Through a comprehensive analysis of issues, CSDR facilitates optimal decision-making by providing policymakers with incisive advice and innovative solutions. CSDR also considers Dialogue to be a fundamental intervening variable between research and policy advocacy. Its various platforms understand and address multiple stakeholder priorities, bringing together members of the private and public sectors, civil society and academia.

## PROJECT TEAM

Principle Investigator: Prof. Mahendra P. Lama

Senior Associate: Dr. Tishya Khillare

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## ABOUT HANNS SEIDEL FOUNDATION, INDIA

The Hanns Seidel Foundation, founded in 1967, is a German political foundation, working "in the Service of Democracy, Peace and Development". It has been active for more than 40 years in the field of political development cooperation and is currently taking an active part in 80 projects in 60 countries worldwide.

In India, the Foundation started its work in the year 1996 and undertakes projects to support India's federal democratic structure, strengthen geopolitical relations, water governance and improved access to justice. The projects are implemented with government and non-government partners at regional, national and state level, aiming at increased systemic efficiency. The Foundation seeks to contribute to India's sustainable development by strengthening peace, democracy, and rule of law. More information on the work of Hanns Seidel Foundation India can be found at [india.hss.de](http://india.hss.de)



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