Inclusive development and multilevel transboundary water governance

*The Kabul River*

Hayat, S.

**Publication date**
2020

**Document Version**
Other version

**License**
CC BY-NC

**Citation for published version (APA):**

**General rights**
It is not permitted to download or to forward/distribute the text or part of it without the consent of the author(s) and/or copyright holder(s), other than for strictly personal, individual use, unless the work is under an open content license (like Creative Commons).

**Disclaimer/Complaints regulations**
If you believe that digital publication of certain material infringes any of your rights or (privacy) interests, please let the Library know, stating your reasons. In case of a legitimate complaint, the Library will make the material inaccessible and/or remove it from the website. Please Ask the Library: https://uba.uva.nl/en/contact, or a letter to: Library of the University of Amsterdam, Secretariat, Singel 425, 1012 WP Amsterdam, The Netherlands. You will be contacted as soon as possible.
CONCLUSION
10.1 INTRODUCTION

This chapter brings together findings and analysis of chapters 1-9 in terms of addressing the main research question and sub questions. Overall, this thesis presents a multilevel institutional analysis of transboundary river basins. It has taken an integrated approach to assimilate the hydro-geological characteristics and ESS knowledge into current understandings of freshwater governance. It has identified the important role of both water and non-water related relevant actors as well as patterns in the freshwater governance frameworks. It positions inclusive and sustainable development as the guiding norm and highlighting the importance of multilevel institutional frameworks in order to deal with power politics and draws conclusions about how existing freshwater governance frameworks may be further improved using the case study of the transboundary Kabul River Basin.

10.2 RECALLING THE QUESTIONS

Based on the numerous existing and potential challenges concerning transboundary freshwater resources and their linkages to the inclusive and sustainable development of the populations, it addresses the question: How can regional hydro-politics and institutions be transformed at multiple levels of governance through inclusive development objectives and incorporate the relationships with non-water sectors in addressing issues of water quality, quantity and climate change? In order to answer this question, four sub-questions were developed: 1) How can the concept of biodiversity and ESS be incorporated in a framework to analyse the effectiveness of institutions, and the role of power, in governing transboundary water resources? 2) Which principles and instruments address the causes/drivers of freshwater problems in transboundary river basins at multiple geographic levels? 3) How does legal pluralism affect transboundary water cooperation? 4) How do power politics and institutions influence water governance in transboundary river basins at multiple geographic levels? These questions are explored with special reference to the Kabul River that flows through Afghanistan and Pakistan.

To respond to these questions, I adapted Oran Young’s institutional analysis model to accommodate the key concepts of my thesis (see 2.4). In this framework, it is first important to comprehend the context and the driving forces which lead to lack of cooperation in the Kabul River Basin. I looked at how power has shaped the existing transboundary, national and local institutions in the KRB. I then identified the key instruments that aim to change the behaviour of actors. Then I analysed whether these instruments have the potential to change actors’ behaviour, given the context and drivers in such a way as to ensure social and ecological inclusion and alter relational issues. Finally, based on an assessment of which principles and instruments work and which do not (in terms of addressing contextual challenges and the drivers; and in mobilising changed behaviour in actors), I suggest some recommendations for redesign of institutions regarding how the institutional approach can be improved and discuss whether this can change the win-set which might influence the underlying power politics and therefore lead to the development of mutually satisfactory conclusions. The entire conceptual framework is applied at multiple levels of governance focusing on the transboundary, national, provincial, and local levels as well as the relationship among these
levels (see 2.4.1). The four sub-questions are designed to explain the above-mentioned transboundary water issues in the KRB based on my theoretical framework.

**10.3 CONCLUSIONS AND RECOMMENDATIONS**

The overarching question is: how can regional hydro politics and institutions be transformed through inclusive development approaches? This is now answered through an integrated set of seven conclusions as listed and explained in Table 10.1.

**Table 10.1: Integrated conclusions and recommendations**

<table>
<thead>
<tr>
<th>No.</th>
<th>Conclusions</th>
<th>Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Differences</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Current cooperation: This is frozen as both countries use sovereignty approaches on water. This is also because both countries define their relationship in terms of security and strategic issues and ignore the water related issues. As a consequence, data and information on the river is also securitised and secret.</td>
<td>Water collaboration could provide gains to both countries. Pakistan, as the regional hegemon, could invest in and promote win-win collaboration with Afghanistan (see recommendations below). Establishing a river basin organisation is critical as a first step.</td>
</tr>
<tr>
<td>2</td>
<td>Border dispute: The contested Durand line prevents water collaboration. However, the Pakhtun population living on both sides of the Durand line have similar water related customs. Discussing water sharing in line with the Watercourses Convention may be counter-productive as the border itself is disputed.</td>
<td>However, one could perhaps address the water problems without waiting for the Durand line problem to be solved by using Pakhtun customs to develop common water strategies in the contested border areas. Pakistan needs to take the initiative.</td>
</tr>
<tr>
<td>3</td>
<td>Biodiversity and Ecosystem Services: Although there are differences (see Table 9.1 and Annex K), there are more similarities in recognising the huge social and economic value of protecting these services. In particular, if the water level falls too much, salt water intrusion can destroy agricultural land in coastal Pakistan.</td>
<td>Recognise the social and economic value of BESS and see if a joint collaborative approach can be more cost-effective for both.</td>
</tr>
<tr>
<td><strong>Similarities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Drivers: Both countries have similar drivers. At municipal level the drivers are also similar (see Table 9.3). Furthermore, both countries face the problem that non-water related policies dictate water use and pollution. The role of China as an investor in trade routes to Pakistan and Afghanistan can also be a major driver of water use and pollution.</td>
<td>Pooling knowledge and resources to address common drivers can be cost-effective. Developing an agricultural, industrial and trade policy that takes water limits into account is critical for the long-term sustainability of development policy.</td>
</tr>
<tr>
<td>5</td>
<td>Address contradictions: The principles (see Table 9.4) and instruments (see Table 9.5) at national level show that there is sometimes considerable consistency. Differences exist in power as water governance is centralised in Afghanistan and is devolved to state level in Pakistan making e.g. collaboration on dams difficult.</td>
<td>Tables 9.4 and 9.5 shows the common principles and instruments at national level that could be included in a transboundary collaborative instrument. Both countries should address domestic policy contradictions; and develop appropriate policy mixes.</td>
</tr>
<tr>
<td>6</td>
<td>Resource limitation: The research reveals that resource limitations seriously hamper the operationalisation and implementation of policy, its monitoring and enforcement. At the same time, instruments that limit the potential for corruption are often deliberately sabotaged by political actors. This leads to a focus on a short-term focus on economic growth and dependence on aid agencies.</td>
<td>A socially and ecologically inclusive system will be sustainable in the long-term. A focus on short-term economic growth will lead to externalisation of social and ecological impacts with long-term impact on security and livelihoods. Seeking out collaborative, locally developed, cost-effective solutions is critical for enhancing livelihoods and wellbeing.</td>
</tr>
<tr>
<td>7</td>
<td>Knowledge and Dialogue: There is an absence of collective and integrated knowledge based on data and experiences as well as dialogue at different levels of cross-border governance to be able to craft and refine each of the above recommendations in more detail.</td>
<td>The need for mobilising cross-border knowledge generation in schools, universities and life-long learning institutions and dialogue between civil society and governments is critical to address the long-term problems of water sharing.</td>
</tr>
</tbody>
</table>
10.3 CONCLUSIONS AND RECOMMENDATIONS

10.3.1 Defrost frozen collaboration for inclusive development

On the basis of research in this thesis, I conclude, first, that current cooperation is frozen as both countries see their own interests as distinct and adopt absolute sovereignty/territorial integrity approaches which prevents transboundary collaboration. This is also because both countries define their relationship in terms of security and strategic issues and ignore the water related issues. As a consequence, data and information on the river is also securitised and secret. Regional hydro-politics is mostly ignored and over-shadowed by the security and strategic discussions between Pakistan and Afghanistan. This leads to secrecy with respect to knowledge about water resources, uses and users.

However, there is enough evidence to recommend that water collaboration could provide the basis for security and strategic collaboration. There is more to gain from transboundary collaboration than conflict. As Pakistan is downstream, more powerful, and has more to gain from collaboration, it is thus up to Pakistan to draw inspiration from hegemonic stability theory to invest in and promote win-win collaboration with Afghanistan, based on mutual trust. Pakistan is the regional hegemon because of its political strength (despite some issues, it is a democratic country with successive elected governments); its military strength (being the 17th largest military strength in the world and nuclear capability), its active participation in the international arena (i.e. in the UN, South Asia Association for Regional Cooperation, and Shanghai Cooperation); its ability to make laws and policies; its growing economic power and enormous growth; its superior geography, technological innovation, ideology, abundant resources, and other factors (Yilmaz 2010; Liu 2011). Being a land-locked country, all the trade and supplies for Afghanistan as well as international forces and NATO are routed through Pakistan, which gives it enormous power to bargain and negotiate trade terms.

Such win-win collaboration can build upon their similarities (see below) and facilitate establishing a river basin organisation to identify and refine such similarities, as a first step to a transboundary agreement, is critical. Clearly Pakistan as the regional hegemon will have to invest more in this relationship, both financially and intellectually, to make it attractive to Afghanistan to join. It will have to demonstrate that such collaboration will lead to social, ecological and political inclusion.

10.3.2 Bypass border dispute for inclusive development

Second, the border dispute hampers collaboration. Water issues between Afghanistan and Pakistan are politically charged issues as Afghanistan rejects the Durand Line as an internationally recognised border which allows Pakistan to claim the water flows from the Hindukush Mountains of Pakistan. Afghanistan argues that the source of the Kunar River which originates in Pakistan actually belongs to them. The question is whether cooperation on water issues should be postponed until after the dispute over the border is settled. However, one could perhaps address the water problems without waiting for the Durand line problem to be solved. On both sides of the contested border area, Pakhtun people live and use the water in accordance with their customs on equitable water sharing, water reuse and conflict resolution. However, while on the Afghanistan side these customs are recognised in the Constitution and dominant, on the Pakistani sides these customs are
not formally included in national water policy as these people have less representation. This
dissimilarity can undermine transboundary cooperation. It may be wise of the Pakistani government
to see to what extent it can use Pakhtun codes of conduct in the collaboration in this contested region
as a way of pacifying its own people and seeking common ground with Afghanistan in resolving
transboundary issues. Principles of social and relational inclusion including participation could be of
key relevance here.

10.3.3 Use biodiversity and ecosystem services (BES) for inclusive development

Third, the scholarly literature on biodiversity and ecosystem services (BES) shows that it is worth
many times the global GDP. Although it is difficult to calculate these services, and may not always
be sensible, it does convey the message that it is extremely short-sighted to ignore these services.
The research in this thesis shows that through centuries, the Kabul-Indus Basin (KIB) has provided
ecosystem services which the people of these two countries have benefitted from. My analysis of
BES at sub-national, national and transboundary levels shows the centrality of these services for a
large population as ‘GDP of the poor’. Degradation of water related ESS in the KRB can directly
affect these marginalised groups of people. On the other hand, conservation of these services can
empower them by allowing the needed environmental flows agreed by the two riparian countries
(such as in the case of IRSA which allows minimum flow of 10 MAF into the Indus Delta).
However, the thesis shows that currently the water quality and quantity in the Kabul River Basin is
being badly affected, modifying the quality of the ecosystem services which therefore affects human
lives, livelihoods and biodiversity. These have been analysed in great detail in the foregoing
chapters. However, although there are differences (see Table 9.1 and Annex K), there are more
similarities in recognising the enormous social and economic value of protecting these services.
Furthermore, protection and conservation of the snow leopard, markhor, migratory birds (Syberian
Ducks), and fish species (particularly the indigenous Mahasheer) can only be planned through joint
efforts under the Convention on Biological Diversity and using efforts at glacier protection.
Reducing pollution of the river in upstream areas in both countries can protect and promote animal
and fish species that indirectly or directly benefit a large population and economy in both countries.
While both countries are exploiting the provisioning uses of water since these services are materially
more visible and politically charged issues, they do so at the cost of the regulating, supportive and
cultural uses of water, if the latter three are not protected the provisioning services will be reduced.
In particular, if the water level falls too much, salt water intrusion can destroy agricultural land in
coastal Pakistan. If the water is polluted, fish will be affected. There is enough evidence in the
scholarly literature to show that protecting biodiversity and ecosystem services (BES) can enhance
the livelihood prospects of people along the basin while increasing economic development. Given
that both countries are sometimes upstream and sometimes downstream, they could draw inspiration
from the experience of the Boundary Waters Agreement between the US and Canada and develop a
common agenda on biodiversity and ecosystem services (BES). In order to implement this, they
could adopt the ecological principles that emerge from, in particular the UNECE Water Law (see
5.3.2) and ensure that the regulating, economic and management instruments are in line with these
principles. In order to influence policy makers, further detailed socio-ecological information
e (economic valuation) of biodiversity and ecosystems services (BES) is needed in future research projects to support local to transboundary water negotiations, ecological inclusiveness and enable a more cost-effective and sustainable approach for both countries.

10.3.4 Address Drivers for inclusive development

Fourth, the above-mentioned ESS and biodiversity of freshwater are affected by a number of direct and indirect drivers. Both countries have similar drivers although there are differences in nuance. Direct drivers of poor water quality include agriculture, industry, domestic water use and demographic shifts. Indirect drivers are political issues between and within states, culture and ethnic elements, non-water-related policies including economic growth and poverty reduction policies, the economic motivation of local industries, poverty of the local people, technological advances, international trade, climate variability and change and other natural factors.

In Afghanistan's case, the drivers of water problems are agriculture; industrial development including mining and manufacturing industries; demographic shifts; increasing demand for clean drinking water and improved sanitation; and natural changes due to climate and weather variability such as flooding caused by rivers overflowing and glacial lake outbursts (GLOFs) in the western region and central belt, while drought in the southwest and northern regions have put farmers out of work and degraded water quality. The indirect drivers of water conflict in Afghanistan are: (a) political drivers where (i) the state's weak regulation encourages privately owned water pumping stations and other actors to control the flow and consumption and provide safe drinking water to approximately 80% of the population, (ii) four decades of war has wrecked the water-carrying infrastructure while the government has also held back plans to build new infrastructure, as security challenges are disincentive to building infrastructure; (iii) solving Afghanistan's water crisis could cost as much as USD $11 Billion – money that is scarcely available; (b) social drivers including poverty where about half of the population has access to clean drinking water, and just about 35% use improved sanitation facilities; (c) economic drivers including national economic growth, consumption and pollution from agriculture and industry including mining and manufacturing, and the interest of private sector; (d) cultural drivers including wasteful behaviour towards water consumption and pollution, low technical knowledge, and low education which puts Afghanistan at the 169 position on the Human Development Index (HDI).

Direct drivers of freshwater issues in Pakistan's case include: increasing water demand for agriculture and industrial practices including commercial agriculture, manufacturing and mining, as well as other intensive activities under the indirect driver of China-Pakistan-Economic-Corridor (CPEC); water and sanitation needs of the growing population (2% growth rate in 2018) and unsustainable rapid urbanisation which is further increasing water demand and affecting water quality. Similarly, the key indirect drivers of the water problems in Pakistan include political dynamics within states, i.e. mistrust and imbalanced power relations among provinces despite the 1991 interprovincial water apportionment treaty which ensures fixed allocation with a monitoring mechanism among provinces. In the same vein, transboundary water issues with India (in addition
to building dams in Afghanistan) are considered key issues in the national and water security context which often mask domestic water governance issues such as: negligence about the domestic water crisis including climatic and environmental changes; legacies of the colonial laws which are still in practice and support conventional irrigation and water management practices; plural legal systems governing water through informal and formal laws including weak regulation for water allocation and quality control; and growing poverty.

The key direct drivers of KRB conflict are: agriculture development; industry; municipal water supply and sanitation services and demographic shifts. Similarly, the indirect drivers include: political dynamics between states; culture and ethnic elements, non-water-related policies, economy (economic growth, poverty, technological advances, international trade and natural change and variability in weather), droughts; floods; earthquakes; landslides, and tectonic movement. The political context of extremism, Taliban proxies, and Pakhtun nationalism inhibit collaboration. Moreover, the Hindukush region is prone to earthquakes and climate variability which can also indirectly influence freshwater resources. Furthermore, both countries face the problem that non-water related policies dictate water use and pollution. The role of China as an investor in trade routes to Pakistan and Afghanistan can also be a major driver of water use and pollution.

Given the similarities in (a) the need to address drivers; and (b) the nature of the drivers, both countries could pool knowledge and resources to address common drivers as this can be cost-effective. Addressing multilevel drivers can lead to effective transboundary water governance. For example, continuous flooding (a common phenomenon in both countries) has recently resulted in meaningful dialogues, since both the countries have equally suffered. Similarly Afghanistan and Pakistan have been facing acute energy deficiencies over the last two decades which has resulted in increased poverty and unemployment levels. Due to these similar issues, both countries have prioritised hydro-energy development in negotiations at all levels. Furthermore, increased poverty, lack of economic opportunities and education, and a weak institutional setup has contributed to various social issues such as radicalisation, extremism, and militancy (especially in conflict areas such as Afghanistan and Pakistan). Both Afghanistan and Pakistan may face an increased level of conflict, enhanced transaction costs, lack of cooperation, deteriorated natural environment, and lack of foreign investment, if relevant drivers at multiple levels are not addressed through the institutional context in order to achieve inclusive and sustainable development. This shows that highlighting these drivers and linking them to similar issues of both the countries (e.g. agriculture development, industry, economic growth, environmental degradation, unemployment and militancy) can result in common problem framing at the transboundary level where solutions can be discussed with a shared understanding of issues, and ultimately feed into policy making processes. Finally, a key problem in both Afghanistan and Pakistan are agricultural, industrial and mining policies as these are seen as critical to economic growth. However, if such policies are to be sustainably implemented they need to draw inspiration from the Sustainable Development Goals. They should be managed within a clear water budget and should climate-proof the water use
strategy for these sectors. This is another common substantive issue that both countries could benefit by engaging in multi-level dialogue.

10.3.5 Remove contradictions in the policy environment to promote inclusive development

Fifth, the principles (see Table 9.4) and instruments (see Table 9.5) at national level show that there is sometimes considerable consistency which can be scaled up to the transboundary level. However, there are four key policy contradictions which stand out in this thesis. (a) While, on the one hand, the Sharia recognises equitable use of water and the need to respect water and treat it as a gift of God, local practices often violate these principles. (b) Furthermore, while the vast majority of people are quite poor in both countries, the principle of cost recovery is pushed by donors in relation to meeting the human right to water and sanitation. For example, in Afghanistan, although water is described as a human right, it is clearly considered as an economic good through the development of a number of policy instruments. This is problematic. (c) Third, differences in governance of provisioning services (e.g. hydropower at federal level, see Annex H) can have negative consequences for transboundary level interaction because interests at local, provincial, and national levels can undermine the institutional cooperation between the two countries. (d) Finally, policies in both countries are sometimes not supported by other policies which undermines their effectiveness. For example, Afghanistan’s water governance policies (e.g. Water Law 2009) includes some functions (construction, development, rehabilitation, protection and monitoring of irrigation infrastructure) including agricultural activities to mitigate flood risks (indirect driver) and protect and maintain the environment. However, these measures are not supported by any regulatory or economic instruments such as subsidies. Although the policy recommends establishing River Basin Councils that should include representatives of water users, and relevant federal and local departments of the line ministries in the river basin, the provinces are not empowered and all matters fall directly under the administrative authority of the Federal Ministry of Energy and Water (MEW). Furthermore, in terms of addressing the indirect drivers of natural change and variability (e.g. flood and drought forecasting through data collection and analysis), normative management principles are applied without any effective policy instruments. Although it can improve equitable distribution at the canal level, the permit system is likely to provide benefits to the existing water bureaucracy by providing avenues for financial benefits and control over water recourses decision making (Lee 2006). In terms of non-water related laws, the other laws provide principles and instruments but many have not been updated and calibrated (e.g. the fines are set too low to be effective) to address modern problems or are simply not implemented. Moreover, post-colonial economic instruments often subsidise water extraction for agriculture and industry rather than promoting their sustainable use; and end up supporting the larger users at the cost of the smaller users exacerbating existing inequalities. Finally, instruments to share water between provinces such as the Indus Water Apportionment Accord in Pakistan are not fully implemented: e.g. the objective telemetry system which would help to monitor the sharing is the subject of controversy as many political actors do not wish it to become successful as it would affect their role in influencing water policy. There are serious issues among the four provinces over the Kalabagh Dam, where the Punjab province favours its construction and Khyber Pakhtunkhwa (formerly known as North-West-Frontier-Province or...
NWFP), and Balochistan and Sindh are against the project for various reasons. The province of Khyber Pakhtunkhwa (KP) is concerned about the loss of fertile land and displacement of local population in the fertile Peshawar, Nowshera, and Charsadda Valley, and the potential damages due to earthquakes. Moreover, Balochistan is concerned about its share of available water resources and fears that the dam might strengthen historic levels of control by the Punjab province. Sindh’s concerns are about the diminished water supplies reaching the province as it is the last downstream country with a fragile ecosystem of Indus delta. For the improvement of the Accord, it has been suggested that: i) water audits prepared by the IRSA should be made publicly available, ii) the terminology should be properly defined to avoid differing interpretations, iii) financial penalties for violation of the Principles of Accord should be adopted, and iv) a third party independent water auditor should be engaged to audit the national water resources, with the broader objective of increasing trust and credibility in the data and information released by the IRSA to stakeholders (Anwar and Bhatti 2017).

However, the analysis of global institutions (Chapter 5) shows that there are a number of relevant instruments (e.g. in UNWC and UNECE) to address a majority of the identified drivers, and can provide building blocks and guidelines for working towards a cooperation mechanism within the KRB. Moreover, the unaddressed principles are covered by the SDGs, which are universal, if both the countries are committed towards achieving these goals based on their national development priorities. The SDGs and other global institutions can provide an effective basis for working towards a transboundary water sharing mechanism since the SDGs have a specific water related goal (Goal 6) with a target on transboundary water sharing (target 6.5). Although the SDGs are voluntary and not binding, less developed countries have incentives to achieve these targets with the support from international cooperation. The SDGs and global water law instruments (e.g. in UNWC and UNECE) can inspire the design of a treaty for transboundary cooperation to achieve the goals of inclusive and sustainable development. Article 5 & 6 of the UNWC on equitable and reasonable water use is specifically relevant for water cooperation in the KRB (see 10.7 on redesign). Since most of the existing policy instruments do not address the identified drivers, my analysis shows that these policies were based on colonial legacies, ignored realities on the ground (non-participatory policy formulation mechanisms) and are supported by vested interests that support the continuation of the status quo.

10.3.6 Combat resource limits and dependence by promoting collaboration on long-term cost effective solutions for inclusive development

The research reveals that resource limitations seriously hamper the operationalisation and implementation of policy, its monitoring and enforcement (e.g. the use of cost-recovery on water and sanitation, and subsidies for water withdrawal for productive purposes). At the same time, instruments that limit the potential for corruption are often deliberately sabotaged by political actors (e.g. the discussions around the telemetry system). This leads to a focus on a short-term political focus on economic growth which is also promoted by, and results with, a dependence on aid agencies. However, instead of an attempt at rapid economic growth, a socially and ecologically
inclusive system aiming at well-being will be more sustainable in the long-term. A focus on short-term economic growth will lead to externalisation of social and ecological impacts with long-term negative impacts on security and livelihoods. Seeking out collaborative, transboundary and locally developed, cost-effective solutions is critical for enhancing livelihoods and wellbeing.

**10.3.7 Knowledge and dialogue on inclusive development**

Finally, the research reveals that there is inadequate information about the transboundary water system, which is shrouded in secrecy, and inadequate local assessments of the kinds of knowledge needed to address the transboundary water system. This thesis has made an effort to integrate the secondary information and to generate primary information to establish a base line of information and pathways to inclusive development and the achievement of the Sustainable Development Goals. However, this needs to be supplemented by much more data collection and integrated knowledge as well as dialogue at different levels of cross-border governance to be able to craft and refine each of the above recommendations in more detail. The need for mobilising cross-border knowledge generation in schools, universities and life-long learning institutions and dialogue between civil society and governments is critical to address the long-term problems of water sharing. Such knowledge is also necessary to create the necessary arguments to convince the politicians and decision-makers to take the water challenge seriously and to find indigenous ways of addressing it. Such knowledge could be used to empower the hydro hegemon on the Kabul River to promote an equitable and sustainable knowledge based solution to Afghanistan and to promote an equitable solution within Pakistan building on the best of Sharia law (i.e. its focus on equity and community) and the latest scholarly information. After all, equitable and reasonable use has the potential to reconcile conflicting interests in multilevel and transboundary issues (ILA 2001).

**10.4 CAN PAKISTAN USE HEGEMONIC STABILITY THEORY TO PROMOTE WATER RELATED PEACE?**

Hegemonic stability theory argues that a hegemon can use its power and resources to shape institutional design in such a way that it leads to a win-win situation for the countries involved. I argue that by using its hegemonic character, Pakistan has the ability to promote peace in the region by trading in some of its existing advantages for long-term cooperation and sustainable water resources development. I have argued above that Pakistan could consider the Pakhtun customs in shaping transboundary cooperation which could meet some of Afghanistan's concerns; that it could promote collaboration on understanding how biodiversity and ecosystem services can be protected for the benefit of both countries; that agricultural, industrial and mining policy could be made climate-proof and be undertaken with a water budget and related constraints in order to prevent future problems; that multi-level policy contradictions such as between Islamic, customary and international law principles could perhaps be jointly resolved; that a better understanding of the common elements of Islamic Law and the principles of equitable and optimal utilisation of water resources may enable both countries to actually begin a discussion of water sharing; that existing
and new river basin organisation and dispute resolution mechanisms could be encouraged as a way of managing river basin issues on a continuous basis. All of these could be part of the ideas that the Pakistani government uses to promote greater trust and collaboration with Afghanistan. But it would require Pakistan to hold out enough incentives for Afghanistan to find its worth while joining such a discussion. This would require Pakistan to distance itself from the absolute territorial integrity doctrine and convince Afghanistan to waive it as well. It would require Pakistan and Afghanistan to draw inspiration from the Sustainable Development Goals and to see if they can manage their water resources within ecosystemic limits while meeting the needs of their society and promoting human well-being. It might require that both countries focus more on inclusive development than economic growth as the latter may have long-term social and ecological costs for society.