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Three Stage Plan Over Euphrates-Tigris and Nile Basin Initiatives Over Nile: Innovative Approach to Resolving Trans-Boundary Water Dispute

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Abstract

Approximately 60 percent of the world's fresh water supply is located in 276 trans-boundary rivers, such as the Nile, Rhine, Danube, Indus, Columbia, and Mekong basins. These trans-boundary rivers cover 45 percent of the earth's land surface and provide a home for 40 percent of the world's population. About 90 percent of rivers and lakes in Africa are trans-boundary, while in the Middle East, trans-boundary basins provide over 60 percent of the region's domestic water supply. Indeed, the increasing scarcity of freshwater in many parts of the world points to the possibility of disagreements over shared water resources as a leading source of conflict in the 21st century. In short, about three-fifths of the water flowing in all rivers is shared by two or more countries. As a result, many countries are dependent on river water that flows from outside their own national territory. For example, 34% of water resources in India and 76% of water resources in Pakistan originate outside these countries. As another example, the Nile River Basin is shared by 11 countries that are mutually dependent on their water resources. Dependence on trans-boundary water resources can also challenge a state's ability to respond to floods and droughts. A state's failure to meet these domestic demands can contribute to regional tension and domestic insecurity. The paper begins with an examination of the major underlying reasons for inter-state river water conflicts. There are many worldwide examples of inter-state river water conflicts like in the Middle East region (Euphrates and the Tigris rivers dispute among Turkey, Syria and Iraq; and the Jordan River conflict among Israel, Lebanon, Jordan and the Palestinians) in Africa (Nile River dispute among Egypt, Sudan, and Ethiopia), and in the former Soviet Union (The Aral Sea conflict among Kazakhstan, Uzbekistan, Turkmenistan, Tajikistan and Kyrgyzstan). The paper delves into to examine the legal-politico approach of Middle East over Euphrates- Tigris water dispute. The Euphrates-Tigris Basin is shared between Turkey, Syria, and Iraq, with Iran comprising parts of the Tigris basin. Both Syria and Iraq are strongly opposed to all of Turkey's development projects on the Euphrates and the Tigris. Many initiatives have been taken by the Middle East countries to resolve the river water conflicts. The legal- politico approach toward water disputes remained insufficient in Middle East without their mutual trust and cooperation along cross border communities to resolve inter-state water conflicts. A set of approaches aims to resolve conflicts over water, before they acquire violent

nature or have other serious consequences. The paper explores the innovative approach to resolve the trans- boundary water disputes.

Furthermore, the paper examines one of innovative initiatives taken to resolve their water disputes such as three stage plan. In 1984, after several years of tri-partite negotiations among riparian's of the Euphrates-Tigris watercourse system, namely Iraq, Syria, and Turkey, within the context of the Joint Technical Committee. Turkish authorities came up with a proposal for a comprehensive plan, which was called the "Three Stages Plan for Optimum, Equitable and Reasonable Utilization of the Trans-boundary Watercourse of the Euphrates Basin," or shortly, the Three-Stage Plan. The Three-Stage Plan, indeed, has proposed a comprehensive evaluation of water and land resources with the aim of optimal, rational, and equitable water allocation, which would be based not only on supply-related data, but also on the determination of just demands. In this respect, the plan has a holistic and integrated approach. Another significant feature of the plan was the recognition of the central role of data sharing and calibration activities, which are also seen as indispensable elements in a sound water management system.

In the same manner, Nile River basin also made an initiative towards the intergovernmental technical partnership to resolve river water sharing disputes. The Nile Basin covers around 10% of Africa's land mass, and the Nile River, the worlds longest, underpins livelihoods for over 200 million people. The Nile is shared by 10 countries, each with different needs and priorities, but also with common challenges as discussed in South Asia such as increasing demand for water, environmental degradation, recurrent flooding, droughts, distrust, and energy insecurity. The Nile countries committed to a path of technical cooperation, and the Nile Basin Initiative (NBI) was established in 1999 as a transitional institution to promote cooperative management and development of the Nile basin's water resources. Finally, the implementation of the plan may reduce wasteful use of scant resources in the region, which would indirectly have a positive effect in an environmental sense. Based on the comprehensive nature of this plan its suitability and applicability should be analysed so that a plan can be proposed for similar conflicts in other regions. The growing impacts of climate change are making it mandatory for all basin countries to focus on water management issues from an unbiased and scientific perspective.

Keywords: Trans-boundary, River Water, Dispute, Innovative resolution, Three Stage Plan

Introduction

Water is a primary human need and a critical national asset. Today Water holds the strategic key to peace, public health, and prosperity. There are many instances of direct and indirect conflicts between various countries over water. As the human population grows, lifestyles change, and with them, change the demand for fresh water. Moreover, climatic variability makes water supply and demand problematic and uncertain (Mastoor, 2008, p.95) [9]. The lack of safe and sufficient water can

threaten human security, food security, national security, and regional stability. Water shortages and increasing dependence on trans-boundary resources to meet domestic water needs can also contribute to regional tension and instability as states increase their demand on shared resources (Wolf, 1995, p.387) ^[20]. As a result, many countries are highly dependent on water resources that originate from outside their national territory. For example, 34% of water resources in India and 76% of water resources in Pakistan originate outside these countries (Renner, 2010, p.14) ^[14]. As another example, the Nile River Basin is shared by 11 countries that are mutually dependent on their water resources. The Nile River basin has been discussed further in this chapter in detail as it presents a model of dispute settlement. This chapter deals with the water dispute of Middle East and Nile River Basin. Furthermore the chapter also explains the initiatives taken to resolve their water disputes such as three stage plan, and Nile Basin Initiatives (NBI) which can be taken as a lesson for other regions.

Approximately 60 percent of the world's fresh water supply is located in 276 trans-boundary rivers, such as the Nile, Rhine, Danube, Indus, Columbia, and Mekong basins. These trans-boundary rivers cover 45 percent of the earth's land surface and provide a home for 40 percent of the world's population (Wolf, 1995, p.388) ^[20]. About 90 percent of rivers and lakes in Africa are trans-boundary, while in the Middle East, trans-boundary basins provide over 60 percent of the region's domestic water supply (Wolf, 1995, p.388) ^[20].

Indeed, the increasing scarcity of freshwater in many parts of the world points to the possibility of disagreements over shared water resources as a leading source of conflict in the 21st century. Inter-state disputes, in one form or another, are currently occurring in many regions (Upreti & Salman, 2011, p.641) ^[18]. There are many worldwide examples of inter-state river water conflicts, like in the Middle East region¹ in Africa,² and in the former Soviet Union³. The main focus is to examine the legal-political approach of Middle Eastern countries and Nile basin countries. The legal-political approach followed by the Middle East toward water disputes, remained insufficient without their mutual trust and cooperation along with cross border communities to resolve inter-state water conflicts. A detailed explanation of both the legal-political approach as well as the humanitarian approach has been given further in this chapter. Further, this research highlights the Nile Basin Initiative as a successful mechanism from which lessons can be drawn for other regions.

Generally, the major underlying reasons for inter-state river water conflicts include (1) low rainfall, inadequate water supply, and dependency on one major water source; (2) high population growth and rapid urbanization; (3) modernization and industrialization; and (4) a history of armed combat and poor relations between countries and among groups within countries. Water scarcity alone, however, is infrequently the cause of armed conflict over water.

Immediate causes of each conflict include socio-political tensions, disputes over dams, reservoirs, and other large-scale projects; and disputes concerning environmental and resource issues (Gleick, 2009, p.151) ^[4].

One of the most common typical grounds for disagreement is a lower riparian's objection to flooding, pollution, water sharing, excessive irrigation, or the construction of dams by an upper riparian. It may decrease the quantity or degrade the quality of water available to the lower riparian. Such grounds also include the upstream riparian's concern that they can be affected, or even harmed, by the potential foreclosure of their future use of water, caused by the prior use and the claim of rights to such water by the downstream riparian.

Dependence on trans-boundary water resources can also challenge a state's ability to respond to floods and droughts. A state's failure to meet these domestic demands can contribute to regional tension and domestic insecurity (Zawahri, 2012, p.265) ^[21]. A Set of approaches aims to resolve conflicts over water, before they acquire violent nature or have other serious consequences. Such preventive measures include

1. laws and regulations at the local, state, provincial, national, or international level;
2. proactive cooperation among nations or among states or provinces within nations;
3. mediation and arbitration. Internationally, there have been more than 3800 unilateral, bilateral, or multilateral declarations or conventions concerning water, including 286 treaties (United Nations From Water Wars).

Proactive cooperation can help resolve conflicts over water and help maintain public health, food security, and social, environmental, and economic stability. It can also help prevent violent conflict over water and help build sustainable peace. Two examples of such cooperation in the Middle East have been the three stage plan and the Nile Basin Initiative.

The Nile Basin Initiative, which began in 1999, is an international venture in which nine countries have developed the Nile in a cooperative manner, shared substantial socioeconomic benefits, and promoted regional peace and security (Nile Basin Initiative).

Conflict Over the Euphrates-Tigris in Middle East: Turkey, Syria and Iraq

The Euphrates-Tigris Basin is shared between Turkey, Syria, and Iraq, with Iran comprising parts of the Tigris basin. Since the 1960s, unilateral irrigation plans altering the flows of the rivers, coupled with political tensions between the countries, have strained relations in the basin. Both the Euphrates and the Tigris rivers originate in Turkey and flow to the Shatt al-Arab basin in southern Iraq as shown in Fig 1.

¹ Euphrates and the Tigris rivers dispute among Turkey, Syria and Iraq; and the Jordan River conflict among Israel, Lebanon, Jordan and the Palestinians.

² Nile River Dispute among Egypt, Sudan, and Ethiopia.

³ The Aral Sea conflict among Kazakhstan, Uzbekistan, Turkmenistan, Tajikistan and Kyrgyzstan.



Source: https://www.researchgate.net/figure/The-Euphrates-Tigris-Basin-and-the-riparian-countries_fig1_326894747

Fig 1: Euphrates-Tigris Basin

The Euphrates flow through out of Turkey, through Syria, and into Iraq before entering the Persian Gulf via the Mesopotamian marshes. The Tigris rises further east in Turkey and flows through territory currently controlled by the Kurdish army in Iraq. The Tigris rises further east in Turkey and flows through territory currently controlled by the Kurdish army in Iraq (Pearce, 2014) [13]. The Euphrates crosses Syria and Iraq, with Turkey and Syria contributing 90% and 10% to its water flow, respectively. On the other hand, the Tigris flows from Turkey to Iraq, with Turkey, Iraq, and Iran contributing 40%, 51% and 9% of its flow, respectively (Kibaroglu, *et al*, 3013, p. 279) [7]. Although Iran contributes to the flow of the Tigris, it is generally not considered a main co-riparian in the Euphrates-Tigris (ET) basin.

Both Syria and Iraq are strongly opposed to all of Turkey's development projects on the Euphrates and the Tigris. They maintain that the country enjoys rights over the going back to ancient times. And also emphases that as the Tigris and the Euphrates are both international water courses, they should be classified as shared resources. The essence of their approach is that each country is entitled to calculate its own water requirements unilaterally, and these figures are then used as the basis for allocating river flow. Specific allegations on the Waters issue made against Turkey by the Syrians and Iraqis include: (Nadhir, 2016) [11].

- Turkey failed to inform them in advance about its plans or the rivers and did not follow the customary practices of international law on international watercourses.
- Turkey's hydro-power projects reduce the amount of water flowing into their countries and harm agriculture and power projects in countries further downstream. In the previous chapter, we discussed the claim of similar hydropower projects between India, Pakistan, Nepal and Bangladesh.
- Allegedly Turkey releases polluted water across the frontier.

Just like South Asia, many initiatives have been taken by the Middle East countries to resolve the river water conflicts which are discussed ahead in this chapter.

Turkey's Approach: A Three Stage Plan

In 1984, after several years of tri-partite negotiations among riparians of the Euphrates-Tigris watercourse system, namely Iraq, Syria, and Turkey, within the context of the Joint Technical Committee, Turkish authorities came up with a proposal for a comprehensive plan, which was called the "Three Stages Plan for Optimum, Equitable and Reasonable Utilization of the Trans-boundary Watercourse of the Euphrates Basin," or shortly, the Three-Stage Plan (Sumer, 2015) [19].

Two Rivers, One River System -Turkey's plan rests on two basic principles.

1. The Euphrates and the Tigris make up a single trans-boundary river system.
 2. The three countries need to work together on preparing and assessing a common inventory of water and land resources in the basin.
- After joining at the Shatt al-Arab, Euphrates and Tigris empty into the Gulf as a single river.
 - In Iraq, they have also been artificially joined via the Tharthar Canal. This means that some Iraqi land irrigated by the Euphrates can also be irrigated with water from the Tigris.

According to the plan, *the inventory studies of water resources* are the first stage. In this stage, the exchange and examination of available data, joint measurements, the estimation of water uses and losses, the calculation of natural flows, etc. would be realized. *Inventory studies of land resources*, i.e. soil conditions and quality, crop patterns, irrigation requirements, etc. would be taken up in the second stage. These two stages, combined, would pave the way for the third stage. The third stage is *the evaluation of water and land resources*, which would be based on the previous studies, aimed at assessing the water needs of competing sectors. Water allocation would be done according to these needs. The modernization and rehabilitation of ongoing projects, the improvement of irrigation, the determination of total water consumption and demand, and the economic viability of planned projects were among the benefits to be harvested (Sumer, 2015).

The Turkish Three-Staged Plan has several advantages over a "free for all" approach based on rivalries and claims by individual countries. The Three-Stage Plan, indeed, has proposed a comprehensive evaluation of water and land resources with the aim of optimal, rational, and equitable water allocation, which would be based not only on supply-related data, but also on the determination of just demands. In this respect, the plan has a holistic and integrated approach. This kind of approach has been frequently recommended in recent decades by numerous international institutions in many international forums. For instance, the Integrated Water Resources Management Paradigm, as its name suggests, is basically founded upon the principle of "integration." As a second example, the Water Framework Directive (WFD) of the European Union adopts a similar understanding: "It is necessary to develop an integrated community policy on water." And as a third example, the Nexus approach also calls for new thinking based on the inter-connectedness of water, food, and energy. Another significant feature of the plan was the recognition of the central role of data sharing and calibration activities, which are also seen as indispensable elements in a sound water

management system. Finally, the implementation of the plan may reduce wasteful use of scant resources in the region, which would indirectly have a positive effect in an environmental sense (Sumer, 2015) ^[19].

Dispute Over Water in the Nile Basin

The Nile basin, including its main tributaries, the White Nile and the Blue Nile, is shared by eleven countries.⁴ The White Nile originates in the Great Lakes region of Central Africa, and flows north through Tanzania, Uganda and South Sudan. The Blue Nile begins in Ethiopia and flows into Sudan from the southeast. The two rivers meet near the Sudanese capital of Khartoum, from which the Nile flows. With a length of approximately 6,700 km, the Nile, together with the Amazon River, occupies the top spot on the list of the world's longest rivers (Swain, 2011, 687) ^[16].



Source: <https://commons.wikimedia.org/wiki/File:Nile-en.svg>

Fig 2: Nile River Map

Within this group of countries, Ethiopia holds a particularly important position, as the Ethiopian highlands provide nearly 86% of the Nile's water (Swain, 2011, p. 687) ^[16]. Confronted with rising population numbers and a fast growing economy (on average, almost 8% over the last 8 years), the country has the incentive and the means to develop its largely untapped potential for hydro-energy and irrigation (Gebreluel, 2014, p.25) ^[3]. As Egypt receives only very limited amounts of rain, it is highly dependent on irrigation by the Nile to sustain its agricultural production. It therefore opposes any upstream project that could reduce downstream river flow. While the construction of hydro-power facilities on the Nile tributaries does not necessarily lead to lower downstream flows, the government of Egypt is nevertheless worried that upstream damming projects might open avenues for irrigation projects and water diversion in the future (Swain, 2011, p. 688) ^[16]. After taking a brief overview of the Nile Basin, this research examines a successful initiative of the Nile Basin, discussed below, became a lesson for other regions.

Nile Basin Initiative (NBI)

The Nile Basin covers around 10% of Africa's land mass,

and the Nile River the world's longest, underpins livelihoods for over 200 million people. The Nile is shared by 10 countries, each with different needs and priorities, but also with common challenges as discussed in South Asia: increasing demand for water, environmental degradation, recurrent flooding, droughts, distrust, and energy insecurity. Cooperation around trans-boundary water is difficult, but the Nile countries committed to a path of technical cooperation, and the NBI was born (Stronger Together). It was established in 1999 as a transitional institution to promote cooperative management and development of the Nile basin's water resources (Stronger Together). The NBI, an intergovernmental technical partnership of ten Nile basin countries, created a powerful forum for discussion and exploration of the possibilities of cooperative water resources management.

Now, the Nile region comes together on a regular basis, making decisions that benefit not just the people of one country, but those of several. Now the countries share information; in Sudan and South Sudan, for example, early flood warnings are issued when rainfall in Ethiopia reaches a threshold. Notwithstanding challenges, countries should collaborate to conserve and share a vital resource rather than simply scrambling to claim it. The NBI has been able to help basin countries negotiate, agree to, and prepare 30 projects with regional, shared benefits (Stronger Together). Support for institutions and policies at the national level have led to increased capacity within the basin to advance a cooperative development agenda for water resources.

The NBI supports cooperation in several key areas for the Nile basin. For example, the NBI has facilitated a number of energy projects, development and generation of hydropower, conserving and restoring watersheds, and providing benefits to women. Further, the NBI's institutionalization of knowledge sharing means less devastation from floods, and the adoption of regional dam management standards means less risk of dam failure. The World Bank has been supporting Nile cooperation since the NBI's inception 20 years ago (Stronger Together). Since Nile countries have successfully collaborated to plan and secure funding for projects of all types and sizes, they are able to build on their ability to tap into the benefits of cooperative water resource management and protect people and livelihoods from water-related risks.

These are the regional initiatives to resolve inter-state river water disputes that are discussed above.

Euphrates-Tigris Model: Lessons for South Asia

The Euphrates-Tigris Basin is shared between Turkey, Syria, and Iraq, with Iran comprising parts of the Tigris basin. Since the 1960s, unilateral irrigation plans altering the flows of the rivers, coupled with political tensions between the countries, have strained relations in the basin. Both Syria and Iraq are strongly opposed to all of Turkey's development projects on the Euphrates and the Tigris.

In 1984, after several years of tri-partite negotiations among riparian states of the Euphrates-Tigris watercourse system, namely Iraq, Syria, and Turkey, within the context of the Joint Technical Committee, Turkish authorities came up with a proposal for a comprehensive plan, which was called the "Three Stages Plan for Optimum, Equitable and Reasonable Utilization of the trans-boundary watercourse of the Euphrates Basin," or shortly, the Three-Stage Plan (Sumer, 2015) ^[19].

⁴ Namely Egypt, Sudan, South Sudan, Eritrea, Ethiopia, Uganda, Kenya, Tanzania, Burundi, Rwanda, and the Democratic Republic of Congo (DRC).

According to the plan, *the inventory studies of water resources* are the first stage. In this stage, the exchange and examination of available data, joint measurements, the estimation of water uses and losses, the calculation of natural flows, etc. would be realized. As has been emphasised in this research work, South Asian countries should also generate data and information and then share these with each other, so that a well informed and effective model can be planned to use shared river waters.

The second stage of the Euphrates and Tigris model is *Inventory studies of land resources*, i.e. soil conditions and quality, crop patterns, irrigation requirements, etc. would be taken up in the second stage. It is equally important of these countries to evaluate the soil and then decide the requirement of water for irrigation and also that would provide an assessment for suitable hydro-projects which can be built on the shared river waters.

The first two stages of the Euphrates-Tigris model combined, pave the way for the third stage. The third stage is *the evaluation of water and land resources*, which would be based on the previous studies, aimed at assessing the water needs of competing sectors. Water allocation would be done according to these needs. The modernization and rehabilitation of ongoing projects, the improvement of irrigation, the determination of total water consumption and demand, and the economic viability of planned projects were among the benefits to be harvested (Sumer, 2015) ^[19].

The Three-Stage Plan, indeed, has proposed a comprehensive evaluation of water and land resources with the aim of optimal, rational, and equitable water allocation, which would be based not only on supply-related data, but also on the determination of just demands. In this respect, the plan has a holistic and integrated approach.

Another significant feature of the plan was the recognition of the central role of data sharing and calibration activities, which are also seen as indispensable elements in a sound water management system. Finally, the implementation of the plan may reduce wasteful use of scant resources in the region, which would indirectly have a positive effect in an environmental sense (Sumer, 2015) ^[19]. After analyzing the comprehensive nature of this plan, its suitability and applicability can be proposed for various regions. The growing impacts of climate change are making it mandatory for all basin countries to focus on water management issues from an unbiased and scientific perspective.

In the same manner, Nile river basin also made an initiative towards the intergovernmental technical partnership to resolve river water sharing disputes.

Nile Basin Initiative (NBI)

The Nile Basin covers around 10% of Africa's land mass, and the Nile River, the world's longest, underpins livelihoods for over 200 million people. The Nile is shared by 10 countries, each with different needs and priorities, but also with common challenges as discussed in South Asia such as increasing demand for water, environmental degradation, recurrent flooding, droughts, distrust, and energy insecurity. The Nile countries committed to a path of technical cooperation, and the Nile Basin Initiative (NBI) was established in 1999 (Stronger Together: 20 Years, 2019) as a transitional institution to promote cooperative management and development of the Nile basin's water resources (Jungudo, 2018, p. 66) ^[6].

NBI is an inter-governmental technical partnership of ten Nile basin countries, creating a powerful forum for discussion and exploration of the possibilities of cooperative water resources management. Now, the Nile region comes together on a regular basis, making decisions that benefit not just the people of one country, but those of several. Now the countries share information; in Sudan and South Sudan, for example, early flood warnings are issued when rainfall in Ethiopia reaches a threshold. The South Asian region should also create such a forum for exchanging their ideas to resolve their common issues through regular meetings. The countries should collaborate to conserve and share a vital resource rather than simply scrambling to claim it.

The Nile Basin Initiative supports cooperation in several key areas for the Nile basin. For example, the NBI has facilitated a number of energy projects, development and generation of hydropower, conserving and restoring watersheds, and providing benefits to women (Jungudo, 2018, p. 66) ^[6]. It has already been discussed in this study that women are even more severely affected by the water crisis. When drinking water is not readily available, it usually falls on the shoulders of women to collect and carry it long distances for their household. Women and children from vulnerable communities are bearing a heavy and disproportionate burden of unsustainable water management.

Yet, women experts and decision makers are far from equally represented in trans-boundary water management decision making processes. While it has been recognized that women play an essential role in both, the provision, management, and safeguarding of water resources, conflict resolution, and post-conflict reconstruction and recovery, rigid barriers restricting women's equal participation. The involvement of women in water diplomacy is also required like Women in Water Diplomacy Network Nile and Beyond Global Strategy 2022-2027 (A Path Forward for Women).

The Women in Water Diplomacy Network is an informal community of practice comprised of both formal and informal women decision makers and experts. The Women in Water Diplomacy Network holds a cooperative vision recognizing the unique and intrinsic social, cultural, environmental, and economic values of the trans-boundary water resources. Since its launch in 2017, the Women in Water Diplomacy Network in the Nile have promoted women's participation in high-level water diplomacy processes in the Nile basin. It has contributed to building both trust and an enabling environment for inclusive cooperation. Through the network, members share experiences and lessons learned. Many women water diplomats are currently at the innovative fore of efforts to advance cooperative and inclusive trans-boundary water governance solutions in some of the most vulnerable countries and communities around the world (A Path Forward for Women).

Conclusion

Based on the comprehensive nature of this plan its suitability and applicability should be analysed so that a plan can be proposed for similar conflicts in other regions. The growing impacts of climate change are making it mandatory for all basin countries to focus on water management issues from an unbiased and scientific perspective. A humble attempt has been made through this study to present the

inter-state river water disputes. It has been the focus throughout the study to highlight the least mentioned aspect of such disputes. While we have used several examples from other regions where such approaches have been more successful, as a researcher, I am hopeful that South Asia can do it too!

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