

Sharing Central Asia's Waters: The Case of Afghanistan

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Afghanistan has four major river basins. All are international watercourses as that term is defined in the [1997 UN Convention on the Law of Non-navigational Uses of International Watercourses](#). When looking at the waters in Afghanistan the regional history cannot be ignored and the circumstances that often provide an impetus to negotiate water-sharing agreements should be examined.

The major basins in Afghanistan are the Panj and Amu Darya, the Kabul, the Helmand, and the Hari-Rud. The Panj, a tributary of the Amu Darya, is shared with Tajikistan and the downstream Amu Darya is shared with Uzbekistan and Turkmenistan. The Kabul River is tributary to the Indus River and is hydrologically shared with India and Pakistan, but because of the division of the basin by the Indus Waters Treaty, is not legally shared with India. The Hari-Rud is shared with Iran and Turkmenistan, while the Helmand River is shared with Iran. The Panj/Amu Darya, Hari-Rud, and Helmand river basins are all endorheic or terminal basins.



Of the four basins, only the Helmand River has a water sharing agreement. The Helmand River Treaty between Afghanistan and Iran was negotiated in the early 1970's and entered into force in 1977 (see, e.g., [here](#)). The history of the treaty is unclear. Little has been written about the negotiation process and some recent commentaries have questioned its entry into force (see, e.g., [here](#)). What is known is clouded by the cold-war era in which it was negotiated. Nevertheless,

the treaty is an agreement based on modern principles for benefit sharing in a region with few positive examples.

The Kabul River flows to the Indus River. Because some of its tributaries (namely the Bara, Kunar and Swat, rivers) originate in Pakistan, the Kabul basin forms a hydrologic phenomenon in which Afghanistan and Pakistan are both upstream and downstream from each other. Both countries need better flood control measures on the river and Afghanistan is interested in the river for domestic water supplies and power generation for its capital city, Kabul. Talks between the two riparians over water management, however, historically have been secondary to the cross-border tensions.

The Panj River, which forms a considerable portion of the Afghanistan-Tajikistan border before being joined the Vakhsh River to form the Amu Darya, is dominated by remnants of the Soviet barter system of water for oil. The economy of the region is hampered by a lack of energy, frequent flooding, and political conflict over water. All four of the Panj/Amu Darya basin riparians (Afghanistan, Tajikistan, Uzbekistan, and Turkmenistan) could benefit from developing the basin. Afghanistan, however, has not participated in any of the numerous agreements regarding the Aral Sea and was never part of the Soviet water regime in the region. Because of its outsider status it may be able to play an important role in regional water sharing discussions in the future.

In fact, Afghanistan and most of its neighboring states are in need of water for domestic purposes, reliable irrigation supplies, flood control and hydropower. The circumstances seem ripe for an agreement. Nevertheless, in this region of conflict, cross-border incursions and lack of trust, circumstances and needs may not be enough to reach a water-sharing agreement. The identified requirements and the political will of the countries, to date, has not been enough. There needs to be a foreseeable and reliable means to accomplish the sharing of water.

As a result of decades of conflict, the human capacity in Afghanistan is limited due to the millions of people killed, the millions who fled the country, and the millions more denied an education. Those few Afghans who are available to negotiate water-sharing agreements are highly skilled and dedicated; yet, the need for their services within Afghanistan is immediate and immense.

Water sharing agreements take time and commitment. The Afghan government must decide how to best use their limited capacity. If they cannot have certainty as to whether agreed-upon dams, power plants and infrastructure will be built, how should they allocate and dedicate their limited resources? The Afghan Government is faced with the dilemma of which comes first: the agreement or the commitment to build the infrastructure. Until one or more donors step forward to fund both the process for negotiations and the infrastructure, neither may occur. Individuals within the Afghan government have little time and few resources to engage in protracted negotiations without a promise of results on the ground.

A donor's commitment to build watercourse infrastructure made contingent upon a water-sharing agreement has been a common impetus for agreements on international watercourses and for states within a federal system. The 1960 Indus Waters Treaty took decades to negotiate and required continuing commitments from the World Bank to fund its implementation. It is presently

unclear whether such a commitment is available for any of the basins shared by Afghanistan and the neighboring states.

The economic viability of Afghanistan depends on protection from floods and drought, adequate domestic supply, reliable irrigation, and power. All can be advanced through water-sharing agreements with neighboring states. Development of the Kabul River basin is key for stability in the southeastern region as is development of the Panj basin in the north.

Notwithstanding, until an external commitment is secured for technical support and training for the process of negotiation, as well as to implement the results of negotiations, the benefits of Afghanistan's and the region's transboundary rivers will remain unrealized.