

An International Water Regime? The case of the river Scheldt

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Short Abstract:

This paper contextualizes the case of the river Scheldt in the framework of two different scales of water regimes: a) European Union (EU) level water regime, in the context of the Water Framework Directive, and b) the International River Basin governance regime in the context of the International Scheldt Commission. The establishment of these international water institutions was predicated on the assumption that cooperation could be politically feasible and therefore the regime formation could be viable. However, the history of the Scheldt international river is surrounded by years of intensive negotiations between different stakeholders, agreements/disagreements («learning»), and eventual fighting. The authors argue that the collective-collaborative joint vision from different stakeholders is not immediately achieved by default once the water regime is set. Moreover, the State-centered approach of international regimes, need to be completed by local analysis to properly understand and implement international agreements. This approach will give prominent importance to local variables related to the institutional contexts of locally managed water resources.

Long Abstract:

The «international regime» framework makes it possible to understand how international equilibrium between States can be reached in a given political topic. An international regime on a given issue-area can be defined as a consistent set-up of principles and norms of management on the one hand, and decision making rules and procedures on the other hand, at global level (Krasner, 1983). The framework has traditionally been applied to issue-areas such as security, finance, or human rights. However, the rise of environmental damages and the increasing awareness of the impact of human development and economies on the environment, in particular at the international level, call for an application of the international regime framework to environmental issue-areas. Many works have then been conducted in environmental issue-area as a whole, or in particular environmental domains including fishery regulation, biodiversity management, or energy production. Here, we propose to focus on the formation and the dynamic of an international regime of water management.

Water management presents some characteristics making case studies illuminating as regard to the international regime approach, in particular applied to environmental issue-area: water is at the same time a resource in itself (for energy production, for transportation, for water uses...), and an ecosystem that conveys secondary resources (e.g. fish) and may be affected by pollutions; water is inscribed in a geographical space of regulation; and in the case of rivers, the biophysical properties of water (as a stream) define asymmetry between upstream and downstream stakeholders. As a result, analyzes need to account for the interplay between biophysical features of water, human uses, and institutional dimensions of management. Furthermore, there is no international convention operating in the field of water management, which weakens the

possibilities of an international regime? This implies to focus on the local processes of cross-border coordination.

More generally, we argue that the State-centered approach of international regimes ? i.e. the idea that the States can be treated as individuals with their own interests, power capacity and knowledge, need to be completed by local analyzes to understand properly international agreements. In this regard, and following Conca's suggestion (2006), our purpose will be to base our analysis of international water regimes on a specific river: the Scheldt River. This approach gives prominent importance to local variables related to the institutional contexts of locally managed water resources.

There are three aspects to consider while focusing on the cross-border agreements. Each of them has not been properly addressed in the international regime framework.

1. International regimes or local cross-border regimes are not the same, in the sense that they do not rely in the same way on the same causal variables. For instance, it is fair to assume that at local level, cultural variables ? i.e. custom and usage, are more relevant, and may balance variables such as interest or power. When culture is shared on both sides of the borders, this may also facilitate agreements. Stakeholder approach may then be useful to assess the ways in which variables are relevant for local cross-border agreements.

2. The State-based approach of international regimes can be challenged by adopting a systemic approach of agreements. The key variables defining the shape and the scope of international agreements are embedded within in a wider structure. Moreover, given the geographical, resource, population dimensions of water management, all these systems are part of a territorial system. As a result, the power system coevolves with the interests system, with the knowledge system... They all are jointly determined.

3. Taking into account the local contexts, i.e. the key variables at local level (including their dynamics), also requires putting local variables face to face with the international variables and see how they influence or compete with each other. This multilevel approach of cross-border agreements has two dimensions:

- The causal variables are also locally grounded, i.e. local actors influence international agreements (e.g. local interests, local knowledge, local norms...)

- States are not only individuals, but also collective entities, which requires at the State organizational level that there is an agreement upon the (political) objectives, but also the (technical) means to be implemented to achieve them.

Using a case study, it is argued that local approaches of IR are preferable to the global ones, especially when dealing with environmental issues. In regard to Scheldt management, we would say that we rather face an international water regime than an international regime of water. Finally two main implications are outlined. First, a locally based approach of international water regime needs an interdisciplinary method in order to better understand the local contexts and dynamics water management fits in: an historical perspective is necessary to replace the coordination problem in the processes of agreements-conflicts perspective (genealogy); studying the texts of the international treaties and conventions, illuminates the tensions in norms and principles between local and global levels (hermeneutics); field inquiry are fundamentals, on the one hand to capture the features of local contexts and, on the other hand to assess the consistency of decision-making procedures and rules of management, their effectiveness, and the possible conflicts in locally grounded norms and principles in regard to the international ones (socio-economics methods). Second, since there is only local cross-border coordination of water management, international comparisons are vital. They will allow highlighting the cultural dimension (custom and usage) of coordination which until now has not really been considered as an important variable in the formation of international regimes. And since water management is a global matter, it will enable bridging local cross-border agreements between them. The condition for an international regime of water to exist, would be that patterns of local management are consistent the ones with the others, in regards to the quantity and quality requirements of water at the global level.