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Senior Division

Paper

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Process Paper

As a varsity debater, I have extensively researched water protection, this year's topic. During my work, I came across the notable Columbia River Treaty and discovered that attempts to emulate it globally have resulted in massive failures. Thus began my pursuit for the perfect diplomatic playbook to resolve complex transboundary water disputes. My research led me to the Jordan-Israel Peace Treaty of 1994 which was successful not only in finding compromise between two countries that had spent decades in conflict but also in laying out a set of diplomatic chess moves that defined the perfect global framework for water negotiations. Given its historic success, novel diplomatic approach, and its broad applicability and impact globally, I found the topic a great fit to the annual theme.

My initial research on the topic involved extensive online research, given the inability to travel widely due to the pandemic. I examined the Jordan-Israel Treaty, specifically focusing on article six, aptly titled, “Water.” Initially, I poured over easy-to-digest articles and videos in order to gain a base understanding of the topic. Then, I moved onto finding sources I would eventually cite. These included primary sources such as video footage, newspapers, and books as well as several research papers I found on databases such as JSTOR and websites such as the Brookings Institute. Using this research, I pieced together the trail of diplomatic moves that eventually led to the signing of the treaty.

I began the creation of my project with a rough skeleton. Five drafts and multiple reviews and edits were then completed before I settled on a final version.

Water diplomacy remains the most complex form of diplomacy and history is replete with failures to find peaceful agreements, often leading to increased tensions and even war. Thus, my historical argument is that by broadening the scope of negotiation beyond water,
bringing in a powerful third party, and identifying bilateral priorities that can be addressed to create a win-win proposition, the Jordan-Israel peace treaty created a perfect playbook to address water conflicts globally.

Water scarcity remains one of the biggest dangers to continued prosperity of humanity and is the root cause of several conflicts globally. My research on the Jordan-Israel Peace Treaty clearly demonstrates that water has the potential to rein in countries from the brink of war. Hence, the Jordan-Israel Treaty deserves great historic significance in the world of international diplomacy.
"From this podium, I look around and I see the Arava. Along the horizon, from the Jordanian side and the Israeli side, I see only a desert. There is almost no life here. There is no water, no well and not a spring - only minefields." – Prime Minister Yitzhak Rabin

On October 26, 1994, a watershed moment for global water diplomacy emerged from the arid Arava valley along the border between Jordan and Israel. With President Bill Clinton of the United States (U.S.) as their witness, the Jordan-Israel peace treaty of 1994 was signed by King Hussein bin Talal of Jordan and Prime Minister Yitzhak Rabin of Israel. It was an agreement that overcame decades-long hostility between the two nations to end their state of war and introduced the first warm peace between Israel and a bordering Arab nation. Yet, often overlooked is the strategy centered around water management which enticed two states that were unwilling to communicate, into vigorous deliberation, debate, and eventually, agreement on broader international issues. Thus, by broadening the scope of negotiation beyond water, bringing in a powerful third party, and identifying bilateral priorities that could be addressed to create a win-win proposition, the Jordan-Israel peace treaty created a perfect playbook to address water conflicts globally.

A History of Failures in Middle Eastern Water Diplomacy

Until the deliberations for the 1994 peace treaty, Middle Eastern diplomacy addressed sociopolitical and geopolitical issues as distinct matters, requiring distinct solutions. However, the lack of a substantive incentive for Israel to relinquish its hegemony over water in order to satiate the needs of Arab states who would not recognize its statehood, made positive-sum water diplomacy impossible.4

The long trail of failures in Jordan River diplomacy can be traced back to the collapse of the Ottoman Empire in 1918, following which, the oversight of the Jordan River was split between the British and French mandates by the League of Nations.5 The border revisions following the 1949 Armistice agreements exacerbated legal inconsistencies along the Jordan River, launching Israel and Jordan into competing unilateral plans over the development of the basin.6 Then, in 1951, Israel’s efforts in developing a carrier to partially divert the northern Jordan River to the Negev Desert were promptly met with Jordan’s Great Yarmouk Plan, which would divert and dam the Yarmouk River at various locations to meet rising water demand.7 Still, Jordan’s initiative was limited to a partial diversion to the East Ghor Canal, and Israel’s plan sparked an armed conflict with Syria in 1953, worsening regional riparian tensions.8

Recognizing the lack of will to find peace between the riparian countries (who shared a natural transboundary water system), U.S. President Dwight D. Eisenhower selected Eric Johnston, the U.S. ambassador to the Near East, to develop a multilateral plan for management

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8 Ibid.
of the Jordan Basin. The resulting Johnston Plan was doomed by its sole focus on water allocations without consideration of other hostile politics between states. In fact, Johnston conceded that Jordan, “utterly refuses consideration of any joint project to utilize the waters of this river [the Jordan] with the enemy.” The Johnston Plan’s failure demonstrated that a more comprehensive diplomatic approach was necessary to incentivize Arab states to engage in any formal water agreement which might signal a tacit recognition of Israel’s statehood.

Still, the Johnston Plan’s proposed river allocations were informally adhered to by all nations of the Jordan River basin, demonstrating the potential for Arab-Israeli cooperation over water management absent political obstacles. The formal veto of the Johnston Plan by the Arab League in 1956, the Suez Crisis, and the incessant Fedayeen attacks, however, left the Arab countries and Israel teetering dangerously at the brink of war. Unsurprisingly, water played a major role in the deterioration of this delicate peace. The first trigger for war occurred when Israel blocked Jordan’s construction of the Maqarin dam on the Yarmouk, an initiative informally sanctioned by the Johnston Plan. Simultaneously, Israel neared completion of its National Water Carrier (NWC), which relocated water from the Yarmouk, Hasbani, and Litani tributaries to Lake Tiberias in order to prevent its salinization. This impelled the Arab states to retaliate with a plan to divert the headwaters of the Hasbani and Banias eastward into Syria. Faced with Arab construction that would not only have diminished capacity of the NWC by two-thirds but would have additionally increased the salinity of Lake Tiberias by sixty percent, Israel

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9 Haddadin and Shamir, *Jordan Case Study*
11 Ibid.
12 Ibid.
launched a militaristic demolition of the diversionary canals. Largely because of these events, the Six-Day War broke out amongst the neighboring states two months later.

Emerging victorious from the Six-Day War elevated Israel’s geopolitical position in the Jordan valley, from a fledgling nation with a mere three percent control over the waters of the Jordan river basin to a hydro- hegemon controlling the Golan Heights, the Banias, part of the Hermon Range, the entire coast of Lake Tiberias, and enough of the Yarmouk to permanently thwart any future upstream dam construction by Jordan (see Appendix A). This newfound riparian dominance squashed any incentive for Israel to engage in multilateral water-focused negotiations with Arab nations, dooming the possibility for initiatives like the Johnston Plan to reach a lasting diplomatic consensus.

Jordan’s decision to ally with Egypt and Syria in the Six-Day war was motivated largely by a desire to cement its position as a bulwark of Arab resistance against Israel. Still, a carefully laid-out sequence of diplomatic maneuvers brought Israel and Jordan to the cusp of lasting regional peace.

Broadening the Scope: From Zero-Sum to Mutual Gain

As a newly born nation surrounded by hostile states, Israel realized that recognition of its official statehood from Jordan, a regional leader and the official mediator for Palestine, was its biggest objective. Thus, Israel sought to use its newly acquired water resources as leverage to

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13 Ibid.
14 Ibid.
15 Morag, "Water, Geopolitics and State Building:"
bring Jordan to the negotiating table.\textsuperscript{18} Israel’s strategy proved ideal when Jordan’s endemic water deficit, burgeoning debt burden, and recent losses suffered by the Islamist party in the 1993 parliamentary elections presented a window where a “water-for-official-recognition” trade was a more palatable proposition.\textsuperscript{19} Thus, perhaps the biggest breakthrough in diplomacy came about when Jordan and Israel transitioned to broader negotiations that address each other’s core needs.

**U.S. Mediation: From Debate to Diplomacy**

Even following the failure of the Johnston Plan, the U.S. continued its positive engagement, most notably by simultaneously funding the Israeli National Water Carrier and the Jordanian East Ghor Canal Project, as well as by brokering peace following the 1969 Israeli bombing of the East Ghor Canal after suspicions of Jordanian overuse.\textsuperscript{20} Leveraging its newly blossoming ties with both countries, the U.S. brought Jordanian and Israeli diplomats to Washington D.C. to debate a variety of political, social, and economic issues, while also promising its own plan for economic support to Jordan as an incentive. This process of deliberation culminated on July 25, 1994, when President Clinton hosted King Hussein, and Prime Minister Rabin at the South Lawn of the White House to sign the Washington Declaration. As the crowd burst into applause, King Hussein affirmed the significance of the Declaration - “The end of the state of war between Jordan and Israel”\textsuperscript{21} – and thus began three months of intense diplomacy that culminated in the 1994 Peace Treaty.

\textsuperscript{18} Ibid.
\textsuperscript{19} Riedel, “25 years on, remembering the path,”
Jordan’s Gambit: From Arab multilateralism to direct bilateralism

Even while the gains from a peace deal with Israel were becoming apparent, Jordan’s foreign policy leading up to 1994 was largely determined by the shared values it held with other Arab states, values centered not only unconditional support for Palestine but also universal disdain for Israel. However, the revelation of secret Palestinian negotiations and a new accord in Norway without his involvement greatly embarrassed King Hussein, an outspoken crusader for the Palestinian cause.22 Bitter over this treatment, King Hussein declared, “Palestine has its own men to defend Palestinian rights. We limit ourselves to the Jordanian rights as Jordan stands today,”23 and informed Munther J. Haddadin, Jordan’s lead negotiator in the 1994 peace proceedings, to only care for the portion of the East Bank which was under Jordanian control for the 12th round of negotiations.24 This decision constituted a landmark shift in Jordan’s foreign policy by allowing it to bilaterally pursue its own strategic interests with Israel, free from the diplomatic constraints of simultaneously pursuing those of Palestine.

The Jordan-Israel Treaty: A “Watershed” Success

At the conclusion of the successful negotiations that followed, Jordan and Israel signed the Peace Treaty of 1994 which contains thirty articles of agreements concerning territorial, security, economic, refugee-related, and riparian matters. Article 6 of the treaty, entitled “Water Resources,” is composed of five key subsections. The first establishes binding, “rightful

24 Bookmiller, “APPROACHING THE RUBICON,”
allocations” in the Yarmouk and Jordan surface waters and the Arava groundwater. The second subsection protects water quality, declaring that either country’s utilization of their shared waters must not “in any way harm the water resources of the other party.” The third subsection recognizes the scarcity of water in the arid region and discusses measures to sustain as well as increase the quantity of water resources shared by Jordan and Israel. Subsection four further develops the idea of expansive water diplomacy, stating, “water issues along their entire boundary must be dealt with in their totality, including the possibility of transboundary water transfers.” Finally, the fifth subsection points to Annex II which contains detailed planning and descriptions of “undertakings” to be implemented following both countries’ adoption of the treaty. The Treaty brought legitimacy to the statehood of Israel as Jordan became the second Arab country to establish formal diplomatic ties with it, proving that water sharing between conflicting nations was possible if it was negotiated on a broad platform that included other political, social and economic priorities.

The Perfect Playbook: A Case for the Jordan-Israel Treaty

Only three percent of naturally occurring water is considered potable. This scarcity is further compounded by the transboundary nature of the two-hundred-sixty river systems which seventy percent of the global population is dependent on, making water diplomacy extremely

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26 Ibid.

27 Ibid.

28 Ibid.

29 Ibid.

complex. These conditions have launched a search for the playbook best suited to overcome decades of mistrust, hostility, and diplomatic deadlock between neighboring riparians. Although the 1994 Jordan-Israel Peace Treaty may seem the obvious choice, diplomats attempt to model after the Columbia River Treaty between the U.S. and Canada, which the U.S. Army Corps of Engineers refers to as “the standard against which other international water coordination agreements are compared.” The Columbia River Treaty is commonly held as the poster child for effective water diplomacy on account of its model which focuses not on fair apportionment of water resources, but rather, equal distribution of the benefits garnered from them. Under this treaty, for example, Canada - the upstream state - is uniquely positioned to control water flow and protect the U.S. from disastrous flooding while the U.S. compensates Canada with energy from hydroelectric dams downstream.

While the “shared benefits” model has yielded striking results in the case of the Columbia River, the global riparian landscape is littered with failed attempts to replicate it for three main reasons. First, while scarcity of water pervades most water conflicts, the preamble of the Columbia River Treaty identifies potential benefits rather than the threat of imminent shortage as its primary objective. Second, the common cultural values, strong allyship, and consequent trust between the U.S. and Canada allowed water concerns to be addressed in a vacuum, unlike most other transboundary disputes where political and economic priorities preclude any chance

31 Ibid.
of standalone water diplomacy. Lastly, the limited enforcement capabilities of international entities such as the Permanent Water Commission (PWC) in the Indus River System and Mekong River Commission (MRC) in the Mekong basin demonstrate that the Columbia River Treaty’s usage of the International Joint Commission (IJC) as an independent oversight mechanism lacks practical applicability in other riparian systems.

The framework of the Jordan-Israel Peace Treaty, on the other hand, found success under the same challenging circumstances which commonly surround global water conflict. The Jordan-Israel Peace Treaty was negotiated and signed amidst a dramatic three-year rainfall deficit in what was already an extremely arid region. Hence, unlike the Columbia River Treaty that contemplated steps to reap additional benefits from an already bountiful water source, the 1994 Treaty’s “Water” article focused on combating escalating scarcity and contamination of an overused river system. Furthermore, deep rooted hostility and mistrust define most transboundary water disputes, rendering international law a relatively ineffective method to resolve and manage water disagreements.

Built on the realization that sustained progress was impossible without overcoming hostility, the Jordan-Israel treaty pursued three strategic moves to ensure cooperation and transparency between the two states. First, the oversight of the agreement was not placed in the hands of a powerless international committee such as the MRC, PWC, or IJC. Instead, Jordan and Israel utilized the U.S., a global hegemon, as an enforcement mechanism. As an economic powerhouse, the U.S. was able to entice Jordan to negotiate with a promise of seven-hundred-

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36 Ibid.

37 Newton et al, “Case Studies of Transboundary Dispute Resolution,”

million dollars in debt forgiveness.\textsuperscript{39} The success of this tactic led Prime Minister Rabin to deem President Clinton’s participation, “vital for the achievement of this final result.”\textsuperscript{40}

Second, unlike the previous negotiations in which the Jordan River states deliberated in a multilateral forum, the Jordan-Israel Peace Treaty was developed directly between Israel and Jordan (with limited participation from the U.S.). This stratagem freed Jordanian diplomats from toeing the multilateral rhetoric that accompanied unwavering Arab solidarity. Furthermore, it took advantage of the fact that each state’s primary needs could uniquely be satiated by the other. For Israel, this was recognition of its statehood and for Jordan, it was, for the most part, more water.

Finally, the Jordan-Israel Peace Treaty resolved a heavily contentious riparian issue by treating it as intertwined with other political and economic priorities. By adopting this wholesale view, Israel leveraged its hydro-hegemony to bring Jordan, a country starved of both water and financial resources, to the negotiating table.

Thus, when addressing global transboundary water conflicts fueled by acute scarcity and extreme hostility, the diplomatic framework laid out by the Jordan-Israel Peace Treaty of 1994 presents the best model to emulate.

\textbf{Conclusion:}

Trans-boundary basin systems make up nearly sixty percent of global freshwater, forcing bordering riparian nations to navigate complex resource tensions in order to secure reliable water


\textsuperscript{40} Rabin, Yitzhak, Hussein Bin Talal, Warren Christopher, Andrei Kozyrev, Shimon Peres, and Bill Clinton.\textit{ Ceremony for the Signing of the Jordanian-Israeli Peace Treaty}. Address presented in Arava Crossing Point, Israel, October 26, 1994. Aired October 26, 1994, on C-SPAN.
supplies for their constituents.\textsuperscript{41} However, increasing scarcity, lack of enforceable international laws, powerless management regimes, and extreme mutual mistrust dominate diplomatic attempts for reconciliation, have rendered various existing treaties ineffective. The 1994 Peace Treaty between Israel and Jordan is truly representative of the geopolitical conditions that exist in transboundary water conflicts. Its focus on bilateral negotiations, approach of evaluating water in concert with broader socio-political priorities, and reliance on a powerful third party as its chief enforcer, redefined the norms of water diplomacy and established a framework upon which future water disputes can be resolved.

\textsuperscript{41} Qamar et al, “Pitfalls in transboundary Indus Water Treaty”.
Appendix A

Israel’s territory before (dark blue) and after (light blue) the Six-Day War.

Annotated Bibliography

Primary Sources

Books


Munther J. Haddadin, the lead negotiator for Jordan in the peace treaty negotiations, wrote this book and provided a lot of first person descriptions of his interactions. Not only was his narrative an exciting way to understand the intricacies of the negotiation process from the Jordanian point of view, but provided me with a nice quote concerning King Hussein's instructions to the negotiators following the revelation of the secret Palestinian negotiations in Norway.

Audiovisuals


This source was extremely interesting to use since I got to actually watch King Hussein, Prime Minister Rabin, and President Clinton sign the treaty on video! I used King Hussein's speech immediately after signing the Washington Declaration to emphasize the significance of the diplomatic process in ending the decades-long state of war between Israel and Jordan.


This broadcast of the signing of the 1994 Jordan-Israel Peace Treaty allowed me to hear firsthand remarks of each of the key figures leading the negotiations. Not only did the speeches detail the significance of such a treaty, but Prime Minister Rabin's speech, in particular, provided me with a great quote to reinforce the essentialness of U.S. involvement in the peace process.

Treaties

This source allowed me to read the text of the Columbia River Treaty to understand its specific provisions. What was most helpful for my writing, though, was the preamble of the treaty which demonstrated that the incentive behind the implementation of the treaty was potential benefits in energy production rather than averting imminent water shortage or conflict.


This source was extremely helpful in understanding the specific contents and structure of the 1994 Jordan-Israel Peace treaty, especially given that this source is the very treaty itself. I was able to use this information in the section of my paper which describes Article Six in order to explain the actions material to the development of the Jordan River basin which were warranted by the treaty's provisions.

**Periodicals**


This source was able to provide me with the speeches of Israeli Prime Minister Rabin, President Clinton, and King Hussein at the signing of the Jordan-Israel Peace Treaty of 1994. I was able to use a powerful quote from Rabin to portray the common water crisis that devastated both Jordan and Israel in order to better frame the necessity of the treaty. This resource really allowed me to understand the necessity behind the unlikely cooperation present in the treaty straight from the perspectives of the world leaders who championed it.


This newspaper article from right after the signing of the Washington Declaration in 1994 reports a promise made by President Clinton to forgive 700 dollars in Jordanian debt in order to incentivize the state to participate in the peace negotiations and produce a treaty. I conveyed this information in my paper and it was extremely helpful in understanding how the U.S. succeeded in its role as a third party mediator for the peace process.
Secondary Sources

UN and Government Reports/Studies


From this paper, I used the section written by Munther J. Haddadin, Jordan’s head diplomat in the 1994 negotiations. This source was an extremely comprehensive rundown of all the events leading up to the 1994 diplomacy and helped me understand the various factors and historical context leading up to the diplomacy, much of which I wrote about in my paper.


This UN report provided me with policy statements, speeches, and legal documents from conferences (etc.) which helped me piece together the timeline of the Jordan-Israel Diplomacy as told through conference proceedings and primary source materials.


This source helped me understand the history leading up to the Columbia River Treaty as well as some general knowledge about the treaty itself. I used it as evidence for the fact that the framework of the Columbia River Treaty is commonly referred to as the current standard for water diplomacy.

Websites


This source was extremely helpful in understanding the process behind specifically the negotiation of the treaty. I was able to use information on the logistics it described to set the stage in my introduction as well as provide detailed information on factors that effected the negotiation process during the deliberations.
Appendix Graphics


This map allowed me to visualize the sheer amount of territory (especially riparian territory) gained by Israel in the aftermath of the Six-Day War. I used this map in an appendix in order to allow readers to better appreciate the scale of Israel's victory and, by extension, its leverage in the 1994 peace negotiations.

Non Periodicals


This sourced helped me understand Jordan's relation with Palestine and I was able to utilize it to describe how its advocacy for Palestine complicated multilateral diplomatic efforts.


This source uniquely provided me with the fact that Jordan usually remained a neutral party due to its location but joined the other Arab nations in opposing Israel, reflecting its foreign policy agenda.


The most helpful part of this paper was its description of various unilateral plans conducted by Jordan and Israel as well as information about failed diplomatic plans. I utilized this knowledge directly in my paper, but it was mostly helpful as contextual information to guide my writing process.


I used this paper to explain the details of the initial unilateral actions of Israel and Jordan concerning the development of the Jordan River basin. This paper was extremely specific when it came to unilateral action PRIOR to the Johnston Plan's failure and the string of
competing plans that devolved into war. Thus, I was able to use this evidence to understand and portray the cooperative disconnect between the two countries from the get-go, even before the situation began to rapidly escalate.


I used this source briefly in order to understand and explain hostility and mistrust between states as a catalyst for the failure of international law in resolving water disputes.


This source helped me understand the U.S.' role in sustaining cooperation between Jordan and Israel. I used it to describe how the U.S.' economic power made it a key asset in bringing Jordan to the negotiating table and how its position as a powerful third party involved in Middle Eastern affairs allowed to diffuse the escalating tension following Israel's bombing of the East Ghor Canal.


This source helped me understand how the Columbia River Treaty model differed from that established by the 1994 Jordan-Israel Treaty. I used it to explain the Columbia River Treaty's characteristic "Shared-benefits" model in my paper.


This source went very much in depth about what made the 1994 treaty "positive sum diplomacy" and helped me understand the mutual needs between Jordan and Israel which brought them together. I used evidence from this source to prove that Israel was incentivized by the recognition of its statehood to engage in negotiation and strike a peace deal with Jordan.


This source was extremely helpful in understanding and detailing the back-and-forth (Post-Johnston) unilateral plans, responses, and other factors concerning the Middle-Eastern riparians (particularly Jordan and Israel) which prompted a spiral into the Six-Day war.

This source was extremely helpful in painting a comprehensive image of the entire Israel-Jordan diplomacy for me. I was able to use it in order to demonstrate challenges faced by the Middle-Eastern Riparians (namely Jordan and Israel) like political hostility and water shortage in my paper.


This source allowed me to understand challenges to broader water diplomacy through the example of the Indus valley. I used its information in order to write about how wider political tensions posed an important complication to address when attempting to engage in water diplomacy.


This source allowed me to understand the triggers for water conflict beyond just the Middle East. I supplemented my paper with information from this source on how potable water is in heavy global demand, which is compounded by the fact that the majority of water resources are shared.