Mediation in the Israeli-Palestinian Water Conflict: From zero-sum to mutual gains at multiple levels

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This paper provides a case study analysis of two distinct trajectories of mediation and facilitation in the Israeli–Palestinian water conflict. The first case-study is the development of the NGO-based Integrated and Transboundary Master Plan for the Lower Jordan River Basin (2012-2015), the second case-study is the operationalization of the Water Annex (2014-2015), being part of the Geneva Accord (2003), which proposes a detailed solution for a final peace agreement between the two parties. The track II agreements reached in these case-studies were both shaped within the parameters of a two-state-solution, respectively as a transboundary Master Plan and as a model Peace Treaty. As such, the agreements strengthen the options for future formal (track I) peace negotiations. The author of this paper was deeply involved in both case-studies, as an independent and external third party mediator/facilitator during the key events described in this paper. The analysis zooms in on four different stages of the mediation and facilitation process, including stakeholder assessment and engagement, joint fact finding, facilitating multi-party problem solving and developing forms of agreement that take account of the need for adaptive management. The author concludes that cooperation over shared water resources, characterized by complexity and uncertainty, requires adaptive approaches that are more sensitive to diverse viewpoints and values, ambiguity and uncertainty, as well as changing and competing needs. Societal and iterative learning processes are required to address these challenges, based on commitment to dealing with uncertainties, deliberating alternatives and reframing problems and solutions. Hence, the case-studies show that water-related conflict resolution is mostly the outcome of processes of negotiation, mediation and conciliation that are rooted in an in-depth understanding of the social, cultural, environmental, hydrological, economic conditions and political contexts. The case-studies also show that it is crucial to support these processes with objective and unbiased assessments and analysis, performed by independent professionals who are respected by all conflict related parties. Transformation of water conflicts to cooperation over water is often only possible by means of constant (re-)negotiation, as to assert mutual learning, create trust and profound dialogue, between the many stakeholders at different levels.