THE IMPORTANCE OF STABLE AND INSTITUTIONAL APPROACH IN INTERNATIONAL WATER

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THE IMPORTANCE OF STABLE AND INSTITUTIONAL APPROACH IN INTERNATIONAL WATER

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PLAGIARISM

I hereby declare that all information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.

28.05.2021

HALİT ÇAĞRI SEÇİLİR

ABSTRACT

Since the abrupt ending of the Cold War and the concomitant process that has led to the questioning of primary concepts and approaches in the International Relations discipline, one of the intensely debated subjects has focused on the question of whether environmental problems and matters of sovereignty and the use of natural resources could lead to conflicts that may overspill into the international realm. Given that, such claims that international water resources had been at the center of several international conflicts and the future may resemble the past, have led the attentions to turn onto inter-state relations over transboundary water resources including the Euphrates-Tigris. The manner as a result of which Turkish and Syrian relations over theEuphrates-Tigris has come to the forefront, in turn, set up limitations over how the dispute should be understood and defined. In other words, rarely to be investigated in its own right, the dispute has usually been regarded as a testing ground to prove a potential linkage either between the environment, water, and conflict or the environment, water, and cooperation. In many cases, that has led to the omission from the analysis of factors that have emerged from the history of riparian relations and that have also shaped the principal nature of riparian interactions. The questioning of whether relations over water in the Euphrates-Tigris basin could solely be explained with such concepts as power-security-conflict or cooperation has rarely or never been asked. Because of that, for a more accurate explanation of the Euphrates Tigris dispute; this study critically explores the ostensible linkages between water-security and conflict or cooperation, as well as the manner with which non-water factors may have influenced the riparian perceptions of themselves, of each other and the problem in question, and finally what form of a state behavior those perceptions may be transformed into during the dispute.

Key Words: Primary Approaches in International Relations, Environmental Problems, Shared or International Water Resources, Security, Conflict, Cooperation, Turkish and Syrian Relations

ÖZET

Yaşam için başka hiçbir madde ile ikame edilemeyen su, hayati öneminin yanı sıra tarımsal üretimde ve enerji üretiminde önemli bir girdi oluşturduğundan ülke kalkınması için de elzemdir. Kıtlık baskısına eşlik eden bir güç unsuru olarak önemi nedeniyle su, ülkeler arasındaki siyasi ve ekonomik ilişkileri etkilemekte, zaman zaman farklı nitelikteki diğer siyasi ihtilaflarla etkileşimde gerilimlere yol açabilmektedir. Bu konu uluslararası hukuk bağlamında ele alındığında, çeşitli uygulama ve çalışmalarda , makul ve optimum kullanım ve kıyıdaş ülkelere önemli zararlar vermeme ilkelerinin yaygın olarak kabul edildiği görülmektedir. . Türkiye ile Suriye arasındaki Fırat ve Dicle nehirleri ile ilgili çatışma, Türkiye'nin Güneydoğu Anadolu Projesi'nin başlamasıyla daha belirgin bir nitelik kazanmış ve terör ve Hatay gibi diğer konularla bağlantılı olarak gerginliklere neden olmuştur. Suriye, özellikle barajların su tutma dönemlerinde, alacağı su miktarı azalabileceği veya kirlenebileceği gerekçesiyle Türkiye'nin proje kapsamında inşa ettiği barajlara karşı çıkmış ve konuyu uluslararası forumlara taşımaya çalışmıştır. Suriye ile Türkiye arasında 1987 Protokolü imzalandı. Mevcut durumu düzenleyen 1987 Protokolü ile Suriye'ye saniyede ortalama 500 metreküp tahsis edilmesine karar verilmiştir. Ancak Suriye, iki ülke arasında yeni bir anlaşma ve daha fazla su tahsis edilmesini talep ediyor. İki ülkenin katkısı ve su tüketim hedefleri dikkate alındığında, toplam talep nehirlerin mevcut su potansiyelini aşmaktadır. Suriye, Irak ve Türkiye'nin Fırat ve Dicle nehirlerini uluslararası sular olarak kabul eden ve dolayısıyla "su paylaşımını" öngören tutumları, Türkiye'nin iki sınıraşan nehirden mutabık kalınan su tahsisini öngören Üç Aşamalı Planı ile çelişmektedir. Türkiye, Ortadoğu'daki su sorununa çözüm bulunması için Üç Aşamalı Planı'nın yanı sıra Barış Boru Hattı ve Manavgat Projeleri gibi önerilerde de bulundu. Suriye ve Türkiye ile Fırat ve Dicle üzerindeki anlaşmazlık Türk siyasetinde önemli bir yer tutmuş ve bölge ülkeleriyle ilişkilerini etkilemiştir. Temel amacı bölgesel dengesizlikleri ortadan kaldırmak olan Güneydoğu Anadolu Projesi, çeşitli sulama, enerji, altyapı ve çevre projelerinin yanı sıra insani gelişmeye katkı sağlayan sosyal projeleriyle Türkiye'nin kalkınmasında itici bir güç olacaktır.

Bu, sorunun ekonomik boyutunu vurgular. Su sorunu, yönleri ve doğası itibariyle yeni boyutlar kazanmış görünüyor. ABD işgali sonrası Irak'ta yeni yönetim ve Avrupa Birliği'nin Fırat ve Dicle nehirlerine artan ilgisinin ardından sorunun yeni boyutlarının öneminin artması nedeniyle yeni stratejilerin belirlenmesinin bir zorunluluk olduğu açıktır.

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CHAPTER ONE

INSTITUTIONAL FRAMEWORK AND ITS RELATED CONCEPTS

INTRODUCTION

Indiscriminate life for the creatures living on the land it has flown through for centuries. Euphrates and Tigris rivers, which gave the II. After World War II, it was essentially global with the search for what can be done to prevent other conflicts in the future. Making it a research subject for a discipline that takes shape is surprising at first glance, It might sound interesting. Churchill's "An Iron Curtain has collapsed over Europe." your words yet remember, to the division of the Berlin Wall and Germany, NATO and the Warsaw Pact for someone who witnessed the struggle for influence in the world, such an effort beyond, it will also arouse a special curiosity. Satisfying the curiosity in question, in this context a more realistic view of the subject, which is described as the Euphrates-Tigris water problem in the literature for identification.

"• Whether the water-based relations between the Euphrates-Tigris basin states can be explained by the facts of power-security conflict or cooperation alone or questioning how much of the attachments can be explained by the facts expressed,

• Hence Turkey-Syria-Iraq relations and emerged in the historical process of non-water issues, which predominantly determine the main structure of relations, the basin countries themselves, each other and the How it shaped the perceptions they developed about the problem between them, how perceptions are reflected in the behavior of the state in the scope of the dispute removing, To reveal the raison d'etre of this study, which aims at some developments and some of the post-Cold War periods it is necessary to look closely at the facts. ."[1]In this context, a statement regarding the control of Euphrates-Tigris and tributaries feeding both rivers. The prediction that conflict may arise between the powers that dominate the basin. It was

[1] Alkin, Erdoğan, **Economy**, Filiz Bookstore, İstanbul-1992. p. 2-5

built only at the beginning of the 20th century. “However, in 1919 in Paris, the Peace In an intelligence report prepared for the American delegation attending the Conference This prediction did not come true, it was the ruler of the region for a long time." Turkey, a significant focus resource in the basin between Syria and Iraq, and there was no conflict. “By the beginning of the 1960s, the upper basin states of both Turkey and Syria the plans they developed to benefit from the resources of the river to disturb Iraq, which has continued to use it without any intervention started.” It is mostly about the activities of the Damascus administration on the Euphrates. the disturbance is that two countries that have had a conflict-heavy relationship structure for a certain period, between 1973 and 1975, causing them to experience a crisis from which the brink of war resigned. However, in the shadow of the nuclear terror balance between the Eastern and Western blocs. This crisis has not received much attention in the ancient competition process that continues.

“Who and how much rights over the Euphrates-Tigris among the relevant countries in the following year's Problems regarding how the watershed resources should be used Although these problems continue to be experienced, these problems are considered essential in terms of importance could not get in front of the issues? Events that brought the end of the Cold War-era one at the beginning of the 1990s, the chain now come to life, this time with Turkey. A new crisis has emerged between Syria and Iraq regarding the flow pattern of the Euphrates, and this crisis an intense interest around the basin than in any of the previous periods.”[1] It has led to the concentration on inter-state relations. Thus, a coming up for a long time; "The water demand is increasing rapidly and the existing resources are also many of the world, especially the Middle East, which are far from meeting the increase. water in the region, which states have to share and/or use jointly allegations that they can conflict among themselves for control of their resources, 1990 crisis. It has also been used for the Euphrates-Tigris basin.

“Indeed, such claims have traditionally been between state actors and nation-states conflict or cooperation focused on war or peace in the international system he was quite foreign to the discipline of international relations. However, the Soviet Union's

After the collapse and dissolution of the Eastern Bloc, the phenomenon of "imminent military threat" change or transformation of many parameters on which the discipline is based."[2] It started a debate about the need. In this context, the realist approach of the discipline recovery from restrictive security detection so has been ignored so far. "Sharing of environmental problems and water resources in their sub-context and/or arguments that issues related to its use should be made important was being developed."[3]

As a justification for the arguments in question, they were pessimistic in this study. Some of the experts have been qualified. It pointed out that a relationship could be established between the conflict between states. "This again another group of experts identified as optimists in the study was water, security and conflict Considering that an automatic and inevitable cause and effect relationship can not be established between, Cooperation between states in solving problems related to environment and water resources. He insisted there was a realistic possibility. Thus, both are international Believing that the discipline of relations should be the subject of a re-inquiry, but two different approaches, one on water conflict and the other on the water-cooperation relationship. to prove one's claim and to refute the other was beginning." [48] One of the top priority missions within the scope of the relevant race is a review of the ongoing water-focused relationships between states and these different examples of empirical evidence to support the claims.

"The race between these two groups and the empirical on the one hand, the need for access to evidence has increased the interest in the Euphrates-Tigris water problem, On the other hand, there is a limiting affected. In other words, the basin-focused.Relationships are rather deductive rather than a subjective subject area. as an area in which the environment-water-conflict or environment-water-cooperation

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[2] Sönmezoğlu, Faruk, **Introduction to International Relations**, Der Publications; İstanbul-2002, p.1-3. The author states that international relations are used mainly in two meanings in today's literature, in the first pine; international relations are synonymous with international politics. He states that he sees it; and the second pine ; it is understood in the framework mentioned above.

[3] Sönmezoğlu, Faruk, **Introduction to International Relations**, Der Publications; İstanbul-2002, p.1-3. The author states that international relations are used mainly in two meanings in today's literature, in the first pine; international relations are synonymous with international politics. He states that he sees it; and the second pine ; it is understood in the framework mentioned above.

[4] Sönmezoğlu, Faruk;İbid; 2002; p.104-106.

relationship is proven has been evaluated.” [5] This approach, on the other hand, is the main reason behind the Euphrates-Tigris water problem. historical relationships between basin countries, the issues that emerged during the process and predominantly determined the main structure of the relations were excluded from the analysis. On the other hand, water-based relations between state actors in the Euphrates-Tigris basin whether it can be explained by the facts of power-security-conflict or cooperation, questioning how much of the said relationships can be explained by the facts stated it was either never or rarely done. On the other hand, we spend 20 years on water resources subject to common use and/or sharing. Overtime studies, problems caused by related resources, and relations between states; a simple supply and demand as neither pessimist claim that optimists do not believe that common problems, common solutions they need for development will force states to cooperate, as easily as in their statements revealed that it could not be. Because the "conflicts caused by these sources" usually almost entirely arises between connected neighboring states ”,“ the water problem is often a diverse mix of intertwined economic, political, ethnic, religious and strategic issues.

it is reflected outside as a dimension.” “The total economic product, which has increased nearly four times since 1950, needs to increase in time to compensate for this increase. This means more energy use, more waste material mixing with nature, and more land to be converted from a natural state to use. Is this possible? Civilian mass organizations working to preserve the ecological balance are extremely disturbed by this trend and are trying to attract the attention of the interested circles.”*“International environmental organizations such as Green Peace, Wildlife Protection Associations, Animal Rights Associations are eco-political organizations. These keep problems such as the greenhouse effect, holes in the ozone layer, rapid consumption and pollution of non-renewable natural resources, destruction of rain forests, rapid population growth, animal and plant species extinction, and pressure on states for solutions. "One of the pioneers in this regard is Mikhail Gorbachev, the last president of the dissolved Soviet Union. In his book, " My Earth Manifesto", which is*

[5] Bilen, Özden, **Environmental Imperialism and Example of Ilısu Dam,** Eurasia Strategic Research Center Publications; Ankara-2003. P.13- 15.

also translated into Turkish, brings a remarkable perspective on the historical general character of the water problem, the past, and present of the issue, its political and social dimension; Since the Sumerians, who claimed that they belonged to the war, water has been the main cause of all conflicts."[6] "American writer Mark Twain writes that whiskey is the cause of consumption and water is the reason for a fight. In the America of those times, the stories of the West Side would pass in semi-deserted lands. The water there was the cause of many quarrels and fights. Unfortunately, it is regrettable to see that the mentality of many contemporary politicians has never changed compared to that of American cowboys at the time. In the era, where the volume of natural resources is gradually melting, the witness that many countries use force to keep these resources under their control, and this sometimes leads to armed conflict. Of course, when water is the most important source of life, it is normal that the reduction of water resources on earth will have the most circulating results. Like religions and ideologies, the issue of water can revolt masses of people. Today, one in every five people in the world is deprived of drinking water. And the situation is particularly serious in the Middle East, Africa, Central Asia, and South East Asia."[7]

Addressing the water issue, which Gorbaçov, who was headed by the leadership of the Communist Block and the establishment of the "Green Cross", as the "source of life and conflicts", will facilitate a better understanding of the subject in two different ways. "The first is the current problems related to the sharing of important water resources in the region and their search for solutions within the framework of international relations and international law, the diplomatic and political dimension of the issue. The second is the quests and activities that rely primarily on international technical and economic cooperation and outweigh the scientific and commercial side, to address water scarcity, which will be felt more severely in the future compared to today. This is the social and cultural dimension aimed at the welfare of humanity, that is, targeting a higher civilization.

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[6] Gorbaçov, Mikhail, **My Earth Manifesto; Translated by:** Faruk Turan. Babıali Culture Publications İstanbul 2003, p. 92-95.

Eralp, Atilla (Ed) **State, System and Identity,** p.54 58. The author expresses the following views regarding the birth of International Relations Discipline: "International Relations are preceded. We can easily say that the pre-International Relations shed light on the birth of the display. Close links can be established between the Grotian and the Kantian thoughts and Idealism, and more specifically between the thoughts of N. Machiavelli and T. Hobbes and Realism. However, it should be noted that the emergence of International Relations as a discipline occurred after the First World War, and the work of International Relations became widespread and matured after the Second World War. Although some authors take the International Relations back to the nineteenth century or earlier periods, the common belief in the International Relations community is that this discipline is a phenomenon of the twentieth century.

All these facts stand before us as the source of countless problems that deeply affect international relations and often await solutions. In the light of all these data, the Euphrates-Tigris water problem is the subject of a more comprehensive definition. It must be done. With the crises that emerged in 1973-1975 and 1990, the parties' problems related to the use and/or sharing of watershed resources, international relations, and regional dynamics between the countries concerned. makes it necessary to investigate in terms of. Such work is also the environmental problems and the issues of transboundary waters, which are its lower spiral, provide sufficient reason (s) for a change of understanding or paradigm in the discipline of relations It will make

important contributions to answering the question of what they do not offer. Within the framework of the stated reasons, the first part of the study discusses the Euphrates-Tigris water problem. The subject is devoted to the examination of field studies. What is desired to be reached with the examination the main goal is to provide a theoretical framework for the analyzes considered for the further parts of them to prepare a framework. The method to be followed for this section is "pessimists, optimists, and neutrals ", environmental, conflict, and security the subject of discussion, sharing, and/or common use, which begins with the focus of to reveal how it evolved into the Euphrates-Tigris water problem. It was determined as. Relative to the Tigris-Euphrates basin in Turkey, Syria, and what happened in Iraq. The realization of the analyzes planned for the later stages of the work without knowing. The second part is designed to reveal the historical analysis of the Euphrates-Tigris water problem, based on the idea that it can not be made or understood. About this section, which will fulfill a mission of presenting data for analysis, the watershed events, recorded developments are recorded in chronological order is defined. Five different periods have been determined for the definition made, starting and ending dates of periods, access to and/or use of watershed resources the effect of the issue on the general structure of the relations between the countries concerned, and determined depending on.

In the third part of the work, mainly Realist / Neo-Realist international relations the

pessimistic approach shaped in the depths of his theories; “Security and power of states water that is the subject of sharing and/or common use, which has become a part of the definition by testing the thesis that conflict over resources is inevitable,

- Turkey, Syria, and Iraq between the Tigris-Euphrates basin formed the focus of relations whether it can be explained by the relation "water-conflict" alone,
- How much of the relationships can be explained with this relation, and answers to their questions?

In the related scope,

- Turkey, Syria, and Iraq in the Euphrates-Tigris basin at the center of ongoing resources There is water at the core of the problem.
- Water, Syria, and Turkey in the Euphrates-Tigris basin resource center in Iraq.It is one of the factors that cause the ongoing problem.

- Turkey, Syria, and Iraq's relative position in terms of force against each other, effective in taking a conflict-based or cooperative attitude on the water issue. has been. ”, their propositions were analyzed in order.

In the fourth part, international relations are discussed in terms of reconciliation, cooperation, win-win strategies, and compatible interests, in a sense, "should be" how the optimists who read over the defining the Euphrates-Tigris water problem and Turkey's define what basins focused on relations between Syria and Iraq It is analyzed in detail that can explain the degree. For the analysis done optimists first, "Water resources subject to sharing and/or use of states the factors that are thought to lead to the conflict may also cause cooperation. " Based on the thesis, when and the conditions under which they will choose to cooperate are determined. More Then, some propositions are put forward within the scope of this determination, related propositions are in the last stage, the ability to explain the Euphrates-Tigris-oriented relations between the basin countries; tested in terms of their capacities. In the last chapter, states make decisions regarding any subject area in real life.

· While receiving, gathering, and evaluating information, differentiating between different behavioral patterns based on benefit-harm analysis" and decided on the best

alternative they go through a process that can be briefly described. They do not always act rationally, even in almost the same conditions. They can react differently, themselves, "actors with whom they interact and cause of interaction that they developed some perceptions regarding the subject area,

· Developed and established perceptions, often in the past images used to understand and interpret

history, and regardless of the internal-political conditions faced by decision-makers. They could

not be, the different relationships that exist between the actor (s) with a certain relationship structure. Based on the determinations that they are open to the influence of the issues,Euphrates-Tigris water problem in Turkey, Syria, and Iraq and the ongoing historical relationship between in the context of non-water issues that determine the general structure of these relations.It is being evaluated. In the relevant context, the first two parts of this section are a decomposition between the relations between Turks and Arabs, and between Arabs. In the last part, the historical perceptions of the parties for the Euphrates-Tigris water conflict. How it is reflected in the behaviors they determine is revealed.

PART-1: THEORETICAL FRAMEWORK

Water Disputes between Turkey and Syria and Iraq (and analyzed by the water law's three-phase plan of Turkey's solution) with the title of this work; International relations discipline and international law theories will be carried out with analysis and theories. In terms of the integrity of the study, after examining the global view of the water problem, in summary, water will be evaluated as a "strategic item" in terms of international relations discipline. Since the emergence of international relations as a scientific discipline, many theories have been developed for efforts to examine the events going on in the international arena in the past century. This study, will be tried to explain the subject within the framework of realist theory, considering the nature of the water problem and the real political phenomena. However, realist theory in international relations can not respond to many new approaches and understandings today. "For example, there is a huge difference between the perception of national sovereignty in the post-World War II order, where realism began to emerge stronger, and the perception of this concept today. Likewise, many critical perspectives such as environmentalism, multiculturalism, globalism (Worldwide movement) have become strong references by taking root in the field of sharing resources, living standards, and common values of humanity and the protection of human rights and human dignity." At this point, however, it should be noted that, despite all these developments, it is also a fact that realism, which perceives international relations and politics as a struggle for power, has taken a strong stage again. The most striking example of this is that the United States and Britain pushed aside the international legal order, invading an independent state, Iraq, and forcibly overthrow the administration in the country.

Taking into consideration this development, which changes the political and legal status of Iraq, which is one of the parties of the Euphrates-Tigris basin, which is the main subject of our study, and thus directly concerns the water problem process, the realist approach will be centralized in our investigations and evaluations due to the nature of the water problem, other critical approaches will be included. This method aims to examine the subject in a more realistic and actual way. Because Realism is an approach that examines the current state most clearly in our opinion, in contrast to Idealism in International Relations. In the meantime, it is necessary to point out the

following point: “The Idealism-Realism debate has taken the lead role both in determining the field of study of International Relations and in discussing the method problem. In contrary to the discussion of "traditionalism-behaviorism" where the problem of methodology is dominant, from the next discussions in the International Relations discipline, content and method problems were discussed together and intertwined in the Idealism-Realism debate. In short, ‘’ the emergence of international relations is synchronized with the discussions of Idealism-Realism. “On the other hand, Sönmezoğlu lists the basic assumptions of the realism (realism) trend: In this context, the basic assumptions (remembering all the drawbacks of simplification) in the work of authors belonging to the political realistic school can be listed as follows. 1- History is filled with examples that human beings are sinful and malignant creatures by nature. 2- The most obvious and perhaps the worst of such characteristics of human beings is the irresistible instinctive desire for power, the desire to dominate other people. 3- When this situation is accepted, this instinct can be

prevented from further reviving. 5- Under these conditions, international politics is a struggle for power where everyone fights with everyone. 6- The main units of this struggle are states. 7-In this environment, all states follow a policy aimed at protecting and developing their self-interest, which is determined by having power. 8-The phenomenon of power consists of military and non-military elements. 9- It is in the national interest to do everything possible to protect the self. 10- Due to the basic feature of international politics, no state trusts each other, nor do they expect international organizations or international law to protect their existence. 11-In order to be able to resist the potential enemy, it is in the national interest to make enough military capacity. 12- Defense capacity is supported by forming alliances. 13- If all states act in this way, they will converge to the goal of peace and stability in the international system through the balance of power that will occur between the parties. The duration of the formulation and implementation of a whole foreign policy is based on a rationality principle defined according to the national interest. ” [8]

“Edward Hallet Carr, whose name is generally accepted as the thinker who laid the foundations of realism. His work "Twenty Years’ Crisis: 1919-1939 "is known as the

[8]Sönmezoğlu, Faruk; Ibid; 2002; p.12-15

most serious questioning of Idealism."[9] " According to Carr, the sciences have to focus on the" resolution "of the one by leaning to the" one "instead of the" should ". Opposing universal moralism, Carr returns to the Realist tradition from Machiavelli and states that power relations should be investigated to understand 'what' is in international relations. as it envisages an approach; The functionalist and neo-functionalist (neo-functionalist) debate that emphasizes peace and international cooperation, as well as the liberalist view, including contemporary normative approaches, will be used. Indeed, "The functionalist view argues that a collaboration with a neutral and technocratic approach will be effective in eliminating friction. In this way, even states that have contention between them will be able to progress on the path of peace in trust-raising solidarity provided by cooperation."[10]

In this first part of our study, with some concepts related to the subject and the status of water resources across the earth; "Estimates of the future growth of these resources, which are affected by the increase in population and urbanization and consumption, and environmental pollution caused by industrialization and global warming. The water potential of Turkey will be discussed as well as a summary in this section. In the second part, where the effects of water problems on international relations will be discussed; As a strategic item, the study of water in terms of international relations discipline, regulatory studies in the field of water law, the Middle East Region, and outside this region, water problems occurring on important waters and solutions that are tried to be brought to them will be examined."[11]

In Section 5, the last part of this section, the Euphrates-Tigris basin, except that concerning Turkey's riparian boundary or transboundary water forming; Agreements with other riparians will be examined. "The national, regional and global dimensions of the water problem will be summarized before considering the Three-Stage Plan on the Euphrates Tigris Basin, which is the main subject of this study."[12]

In the third part, Turkey's "Three-Stage Plan" will be examined for the resolution of

[9] Sönmezoğlu, Faruk; Ibid; 2002; p.12-15
[10] Eralp, Atila; ibid; p.69-73.
[11] Pamukçu, Konuralp; Water Politics, Bağlam Publications; İstanbul-2000; p.20-24.
[12] T.C. Dışişleri Bakanlığı, Regional and Transboundary Water Department, Water Problem in the Middle East, Ankara 1994, p.34- 37.

the water problems currently ongoing in the search for Turkey and Syria, and Iraq. However, before the review of this plan is underway, Turkey's relations with Syria and Iraq, which are down-breaking countries in the Euphrates and Tigris, will also be focused on the course of water and agreements with these states. The important water sources of the Middle East Region, which will therefore be examined in detail in the second part; Jordan, Litani, Nile, Euphrates, Tigris, and Asi rivers are the rivers that hold a wide range of locations in the relevant literature. The water issue in this region, as we will see in the following sections: affects international relations very deeply, and directs

some of them. Therefore, in the fourth part of our study, the impact of developments in the Middle East on water problems will be examined. In this section, the work done to remedy water shortages in the Middle East and the projects that want to be implemented will be discussed briefly. The last part of our study, the fifth part, consists of expectations for results and the future. In addition, some important texts about water law were given at the end of the study as attachments.

1.2.Some concepts on the subject

One of the main differences of opinion is related to the identification of the Euphrates, Tigris, and Asi rivers, which constitute the main part of the study, in the water problem between Turkey and Syria, and Iraq. While Turkey is based on the concept of "Borders", Syria and Iraq use the concepts of "International Waters" and "Common Waters". Turkey, on the other hand, considers the Euphrates and Tigris rivers as a single basin, especially while Iraq opposes this view. "We must immediately state that the waters and international waters that cross borders; two definitions that are against each other and give very different political results. Because, in terms of international law, the distinction between "international waters" and "cross-border waters" and the rights and powers on them are quite clear. "International waters" are streams under the rule of two or more states, and such waters are often shared."[17] This is either a "medium line" or it is called a "Thawing line". "Examples include Meriç, who set the border between Turkey and Greece, and Arpaçay, which acts the same function between Turkey and Georgia (Former Soviet Union)."[18] "Over bound waters" are

defined as waters that indicate the territory of two or more countries. Tigris and Euphrates rivers are the most typical examples of this kind of water. The issue of common sovereignty or equal sovereignty rights over borders stands out as one of the most important points of discussion. Sauser Hall, one of the famous theorists of this area, which is cited in many works on the subject, said, "Co-imperium (common sovereignty) over borders can not be held for a long time. There can be no mention of equal sovereignty between the countries where water flows out and the countries in which it flows." Turkey's water conflict with Syria and Iraq is based on the philosophy of "sharing" the two countries, the Euphrates, and the Tigris at more sources. This approach means "common sovereignty". At this point, Turkey is not "sharing", it highlights the principle of "allocation". In this too "equity" that is, he emphasizes that will adhere to the principle of equity."[19]

1.2.1 Waterways

The concept of waterways[20] is used as a term in terms of dictionary, which is essentially the equivalent of the Word "watercourse" in English, but also to express a meaning separate[21] from sea crossing paths and seagoric straits. The concept of "Waterways" [22] here is generally understood as the general name of the waterways (Watercourses), which are located within the land country and consist of streams, lakes, canals and groundwater.[23] On 21.5.1997, the convention on the Law on the Use of International Waterways for Non-Transportation Purposes, which was adopted and signed and approved at the General Assembly of the United States, adopts this concept.[24] The Convention on the Protection and Use of International Lakes and Cross-Border Waterways was established within the UN European Economic Commission and adopted in Helsinki on 17.3.1992, Article 1 is also used as a general concept called "waterways". According to the fact that waterways remain within the borders of one land country or overflow into the borders of another country, it is naturally divided into two categories. While the remaining waterways in the jurisdiction of a single state are called "national waterways"; In some ways, those adhering to international law rules are referred to as "international waterways" (Transboundary Watercourses), as in the International Watercourses or The Helsinki Convention.[25] These concepts will be discussed in detail below. In international law, the determination of the national or international nature of a waterway is carried out

according to two separate criteria. The first criterion is that the waterway in question is in one state country or multiple state countries. Accordingly, the streams, lakes, canals, and other waterways in the country of one state are the national waterways in principle.

In contrast, waterways that take up space within the borders of multiple countries are considered international waterways. It is important to emphasize that this criterion is in international law only for streams.[1926] Therefore, after being born in a state country, streams poured into the sea or lakes by folding other state countries, and streams that form borders between two or more states are defined as international waterways. On the other hand, in international law; it is seen that a second criterion plays a role in qualifying a waterway as an international waterway. . This is a criterion based on the importance of the waterway in question in terms of transportation and international transportation.[27]

From a legal point of view, if rivers end within the borders of the country or across borders, we have different statuses; National rivers, borders, rivers, and multinational rivers are made as follows: "If a river flows within the territory and borders of a single country, from its source to the point where it reaches the sea, the state of the country has the exclusive right to sovereignty over that river and its waters. Such rivers are called national rivers. Then there are the border rivers. These are rivers that distinguish the countries that different states have from each other. Border rivers are considered part of the states in which they separate their country. Some rivers reach the sea after passing through more than two states. The right to sovereignty over these streams, called multinational rivers, belongs to those states in the countries they water. On the other hand, there are some multinational rivers, which are accessible to the sea starting from the high seas. These rivers are considered part of the countries they cross, but they are named after the international rivers. Because in peacetime, the freedom of transportation in these rivers was accepted by agreements."[28]

[17] T.C. Dışişleri Bakanlığı; ibid; 1994, p. 38-39

[18] **Water Issue, Turkey&Middle East**; Prepared by Sebahattin Şen, Bağlam Publications, İstanbul-1993 (insert) Cengiz Çandar, For Turkey; A Water Policy; Is it possible; p.448-450

[19] Şen Sebahattin, İbid, shf. 450-453.

1.2.2 National stream

The concept of national streaming is a concept that has the most consensus on its definition in the literature. The meaning of the grip is as follows; "From its source to the sea, the remaining streams within the borders of a state are "national streams".29 Sar Brierly, who has made a comprehensive literature review regarding the concept definition; “The entire medium and both banks are the rivers within the borders of a single state.” And Servette; “Rivers with a bed, water and coasts in the country of the same state.” and Winiarski; "Whether or not navigable, if a river flows entirely in the country of a single state, it is the national river." It gives the definitions as.[30] The defining point here is that the entire media of the stream, i.e. from its source to the point where it is poured into the sea or ended, remains in the land of a single state. Because the point of access to the end of the stream does not always reach the sea. It can end by spilling into a lake, for example, within the borders of the country where it was born, without spilling any streams into the sea. Akipek[31] makes a definition that takes these characteristics into account: "Streams (rivers, streams) born in a state country and ended in that state country are included in the category of national streams" The right and authority of the state to benefit from national streams is included in the rights and powers granted by the sovereignty of the country and express certainty with this nature. In this respect, national streams are subject to the provisions of national law and do not constitute the subject of international law. Because the state's way of evaluating and benefiting national resourceswithin its own country is within the framework of the state's "national authority" and does not concern other states. Therefore, there is complete freedom of movement on the national resources of the state in this regard, and the international law is sufficient to recognize this authority of the state of the country.[13]

[13] The Report of the International Law Commission on the Work of its forty fifth session 3 May-23 July 1993 official records of the General Assembly, forty-eight session Supplement No. (A148110) Pg. 224.

1.2.3 Common Waters

The phrase used in the first for waterways outside national streams has been "common waters."[32] As a result of the development of the way the streams benefit and the use of transportation in the meantime, it has been replaced by "international waterways" and "international streams", and their identification and its contents have changed in various ways with the process.

The concept of "Common Waters", which has now been replaced by "international waterways", has been replaced by "international waterways", It took place in the exchanges that took place in the periods before the 20th century. For example, article 5 of the Karlofça Treaty of January 26, 1699, reads: "Until the neighborhood where Bosut water was poured into Sava, the river Sava, which is on the bank of Sava, and the river Sava, and the islands in this temple, are both common and inexperienced. the reaya of the party acts as a beneficial person and treats each other individually…"[33] In the first article of the 1718 Treaty of Pasarofça, this concept is included: "…The waters that are mentioned are border and they are common to the person who is the same person, as in the Morş, and the common reagent of the party is to be in favor of the shop."[33] In the 19th century, it is possible to find the concept of "Common waters" in the agreements of rivers built in Europe."[34] Meanwhile, Turkish and Iraqi governments officials in connection with the implementation of the Keban Dam project on the Euphrates River, published as a result of the talks in 1966-1967, issued joint statements, such as the 'joint waters' statement Used. In the future, these papers, for example, are published in Ankara on February 10, 1966, in the Joint Statement of Turkey-Iraq, which will examine in more detail regarding the right to benefit, as follows: 'It has been observed that there are the interests of the parties in the rapid reach of an agreement that protects the basic interests of countries that share rivers by increasing their efforts in common waters. 'The concept of 'common waters' is as follows, in a joint statement issued by the parties in Baghdad on May 26, 1966: '.The Two Ministers have agreed that the rights of the towns and the needs of the states and the needs of the towns that are permissible to the use of joint waters constitute the basis of negotiations.'[35]

1.2.4 International Streams

The concept of international streaming has changed over time and has developed and achieved its present meaning. Traditionally, "international streams" were called non-national streams, only those eligible for transportation/navigation, or those who care economically..[36]

Discussions and comments on the concept of international streaming have focused more on transportation and geographical criteria over time. The concept of "international stream" containing these criteria was given to the first and most recent regulations of regulations, which the Institute of International Law adopted on international streams at the Paris session on 1934, article 15 of the Paris Agreement dated March 9, 1815, article 331 of the Versay Agreement, at the Paris session of the International Law Institute on 1934. "[37]

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[32] Sar, Cem., Ibid, p.45- 48

[33] Ibid. 46-48 The above texts can be adapted to Turkish today as follows; Karlofça Agreement, art. 5: (Until where the Bosut Water poured into Sava, the Sava River, one side of which was in the Ottoman Empire and the other side in the Tsarist district, and meanwhile The people of the two sides of the islands are equally benefited both from the arrival and departure of the ships and to treat each other well. the people are common in animal irrigation and fishing and other important interests and benefit equally.

[34] Tiryaki, O., Shf. 2; "Article 5 of the contract between Austria and Platinum Elector dated 13 May 1799 is as follows: "The rivers mentioned in the above article (Danube, Inn and Salza) are common waters between Austria and Platinum Election." See in: Sar, Cem. p.45-50 Number 7 Footnote.

[35] Sar, Cem, p.45-50

[36] Tiryaki, Orhan., ibid, p.1-3.

37 Tiryaki, Orhan., ibid, p.1-3.

“Lassa Oppenheim divides streams outside national streams into three different categories; a- Border streams separating the two states, Non-national streams (multinational streams), as many states flow from their countries but are convenient for transportation by starting from the sea, and between its source and its mouth are streams that cut or separate the country of two or more states. Oppenheim recognizes the international streaming quality (on the condition that the freedom of transportation is granted by the law on them). In other words, the author is eligible for transportation from the sea, separating or cutting two or more states and allowing them to sail streams to be recognized as "international", to be recognized as the "international" nature of the freedom of transportation in these streams. must be recognized by international law."[38] The Dictionary of International Law Terminology also attaches weight to the mode of transportation in the definition of "international stream". The dictionary describes that the international streaming phrase is often used in the meaning used to specify "waterways that separate or cut two or many states in the naturally convenient part of transportation."[39] According to the first article of the International Law Association, “Dubrovnik Principles" decided at the Dubrovnik meeting in 1956; international streams are streams that cut or separate the countries of two or more states.[40] Technological developments that began to emerge from the 19th century began to affect the actions of benefiting from international streams. Until then, in addition to the basic form of "transportation", which is the basic form of benefit, the importance of agricultural irrigation has increased since long, and new forms of use such as energy production and water use in the industry have emerged. This significant change in technological and therefore economic space has also affected the traditional concept of "international streaming".“In the traditional definition of international streaming, the ability to access the geographical criteria as well as the transportation used; because of the evaluation of the concept in terms of new uses, it has lost its importance and only the "geographical criteria" remained. As a result, "international streams" have begun to be defined as streams that cut or separate two or more states.[41] At the 1956 Dubrovnik meeting of the International Law Association, the first report of the International Committee on the Use of River Waters was published on October 28, 1955, and the conclusion of the Conference's decision on August 31, 1956, "Dubrovnik Principles." article one; "An international river is a river that separates or cuts the countries of two or more states.”[42] According to this definition, it turns out that non-national streams can have two or more state-run

countries in two or more states that are not in the country of a single state in terms of all their media. These streams either separate these countries, which are called "contiguous rivers" or borderline streams - they are not the only one who's going to be able to do that. Or by folding these countries in succession, they pass through them, which are called successive rivers.[43] However, the idea that there is no need to make such a distinction is suggested in most doctrines in this regard, and it is suggested that the same general rules of international law apply to the stream sequentially in both categories. The new definition addresses a single stream as a geographical unit and is enfortable as an international stream. However, streams are often not in a single river or a single stream in nature. Streams create main body (mainstream) and networks or systems consisting of related arms in terms[20] of their hydrological properties.

River lever (affluent, tributary) in the literature of geography, is usually used to identify another stream that flows into a mainstream.[44] The term ‘’arm’’ is also divided into two according to its geographical structure. Of these, those directly involved in the main stream, "first-degree arm", and streams poured into these arms are called "circumstantial arms".[45] In this case, the scope of the concept of international streaming raises the question as follows; Is international quality recognized only to the main stream, or does it include arms pouring into this stream as well? Stream arms are divided into two different categories according to the mainstream, which enters the concept of international streams in accordance with the geographical criteria. The arms that fall into the first category are those that cut or divide the country of two or more states, such as the mainstream they spilled. In this case, there is no difference in geographical criteria between the mainstream semanta seizing international quality and its arms, both of which are covered by the concept of international streaming in accordance with this criterion. For example, the Tunca and Arda arms (the first is in Bulgaria and Turkey, and the second is due to "cutting" is in Bulgaria, Greece and Turkey") that are flown into the Meriç River, which is defined as international streams according to the geographical criteria, and the second is also fall to the same geographical criteria. They are under the category of international "stream". In contrast, the arms that fall into the second category are not the streams that cut or separate the country of two or more states, such as the main streams they are dumped in. Such stream arms have established their connections to the main international streams within national borders (in the country of a single state). When

the geographical criteria are applied, it is seen that these arms carry the national stream quality in the segments between the points where they were born and poured into the mainstream. For example, the arms of the Tigris River, which was born in Turkey fall into this second category. Sauser-Hall argues that the national arms are excluded from the concept of "International streams", defined only in accordance with the geographical criteria.[46] When bilateral agreements are examined, it is seen that some of the national branches of the agreements are excluded from the regime of the mainstream, while others connect all national branches. And also, some of the national branches in a particular regions connects to the main streaming waters. The decisions of the international judicial and arbitration bodies include provisions that the national branches are also bound by the main streaming regime. According to Cem Sar's [47] findings, the water area, geographically and internationally, as well as the rivers, again geographically and the same branches (national arms) to be taken as "a strict law, yet although it is not determined as a rule, it is understood that there is an increasingly settled trend.

1.2.5 International Stream Basin

Before the concept of the international stream basin, a concept expressed by the phrase "international water system" has emerged.[48] The concept of "international water system" covers a particular international river, lake and canal due to its arms and physical connections within the same system. However, this concept did not hold on to the authors and in the work of scientific institutions and was replaced by the concept of "international streaming". The authors and special scientific institutions, who have asserted the concept of "basin" as a water area unit, use terms such as "drainage basin", "hydrography basin", "stream basin".[49] In fact, these kinds of phrases are different names given to the same geographical term. Writers and private scientific institutions adopting the concept of the stream basin; they apply for a geographical criterion to determine the international nature of the area in question. According to them, a stream basin spreading to the country of two or more states has an international stream..

[44] Ibid, p.4-8.
[45] İzbırak, R., Ibid, p-7-10
[46] Sar, C., Ibid, s.60-65.

Indeed, the International Law Association's 1958 New York decision to implement the rules that apply to the international stream basin is defined as follows. 'It is the area where all natural and artificial streams, which are within the countries of two or more states, end up on the common shores of closed country, where all natural and artificial streams are not a seafront by draining the waters of a particular area."[50] On the other hand, article one of the "Helsinki Rules" adopted by the same Association in 1966 states that the scope of such rules is the "International River Basins": "The general rules of international law specified in these sections applies to the use of the waters in the international river basin."[51] Many agreements between the states also included the concept of an "international river basin".[52] This concept is about to contain a meaning; The term "Shared Natural Resource" is also seen to be used. The term "shared natural resource", a concept that essentially states the system in the "international streaming system" can perform maximum benefit without damaging each other from the waters of this system, seems different, ultimately, it specifies the characteristics of waters of "international" quality.[53] The concept of Shared Natural Resource has been criticised both at the U.N, International Law Commission and in the General Assembly. Countries such as Turkey, India, Jamaica, Ethiopia, Brazil, and France say that "the concept is contentious", that "the concept is not an appropriate term", that "the Commission will complicate its work" and that "it is contrary to the principle of absolute sovereignty over natural resources" while also opposing the reasons. Thailand, Egypt, Algeria, Argentina, the United States, the Netherlands, and Finland, on the contrary, supported this term.[54] As a result of the intensive quest seeking to protect, develop and manage water resources, a concept such as "Integrated Basin Management" has been established as a new approach to the concept of "basin". A long-term process where people can develop a perspective, agree on with shared values and behaviors, make informed decisions, and act together to manage the natural resources of a basin is a new approach that focuses on was formed.[55] Integrated Basin Management is an issue that may concern our country very closely, especially in the framework of Turkey's relations with the EU. In the future (Part Four; Part: 1) this title will also be discussed as wide.

1.2.6 Overbound waters

Lassa Oppenheim examined streams in four different categories in [56] International Law.[57] Oppenheim, who has been highly cited in the literature, said: "They are considered part of the country in which *they flow in streams. Thus, if a stream flows within the territory and borders of a single country, from its source to the point where it reaches the sea, the state of the country has the exclusive right to sovereignty over its streams and waters. Such streams are called national streams. And then there* are the *border streams. These are* streams that *distinguish* the *countries that* different *states they have* from *each other. Border streams are considered part of the states* in which they separate their country. *In such rivers, "the separation line passes through either the middle of the flow or through the middle of the transport section where the stream allows transportation. This determines the agreements between those states. Some streams reach the sea after* passing through the countries of two or more *states. The* right to *sovereignty over these streams, called* multinational *streams*, belongs to those *states. There are some multinational streams, which are accessible to sea, starting from the high seas. These streams are part of the countries* they pass through, *but they are called "international streams." Because in peacetime, the freedom of transportation in these streams was accepted by agreements. The streams, which are mainly connected by agreements to the use of water in non-transportation areas, are considered part of the countries they pass through, but they have the characteristics of international streaming."*[14]

As you can see, this view, which is due to the definition of the concept of "International Stream" according to the traditional approach, has a phrase called "multinational streams" in the third category. Based on this concept, states that find it appropriate to define "international streams" according to the traditional approach,

[14] 50Sar, C., p.70-74
51International Law Association, Report of the Forty-Eight Conference, New York 1958, S., VII-X; I.L.A.
52For extensive information see: Bir, M. Ibid, p.34-38.
53Ibid, p.38-42.
54For extensive information see: Bir, M. Ibid, p.34-38
55Water for Development in the World, General Directorate of State Hydraulic Works, İstanbul-2005 Symposium Papers, (insert), Buket Bahar Dıvrak, A New Approach in Water Resources Management, p.250-254.
56 Oppenheim, L., International Law, A Treatise, Vol. I, Eight Edition, London 1955, p.460-466.
57 Tiryaki, O., Ibid, p.10-14

and authors who support this view refer to the concept of "Multinational streams" in the term "Transboundary Waters" which they are called. It is also possible to define this concept as follows: From its source to the place where it is dumped, the waters that cut and cross the country of multiple states are called cross-border waters. Sauser Hall, one of the famous theorists of this field said; "Co-imperium (common sovereignty) over borders can not be held for long. There is no equal sovereignty between the countries where water flows out and the countries in which it flows." According to this view, the waters that cross borders can not be considered "international streams and can not be shared.[58]

According to the new approach, international streams are defined as "streams that separate or cut the country of two or more states" for non-transportation use. As can be seen from here, a stream is considered an "international stream", whether it is suitable for transportation or not, whether it is a border between the two countries or whether it is cutting down the country of two or more states.

[15]"During the research, both in practice and in the doctrine and in recent studies of the United Nations International Law Commission on the issue, the definition of international streams should be made according to the new approach, which has been revealed that this opinion has been adopted. Therefore, it was assessed that the waters described as "cross-border" are also covered by international law."[59] As a matter of fact, it is seen that both concepts are used in various texts prepared within international organizations; "According to article 17, 1992 of the Helsinki Convention on the Use and Protection of Borders Waterways and International Lakes; The waters that cross borders are surface and groundwater that make up the boundaries of two or more states, exceeding or located on those limits.[60] Article 2 of the "Convention on the Use of International Sulets for Non-Transportation Purposes" prepared by the B.M. International Law Commission, "International waterway" is expressed as a waterway with parts of it in different countries.[61] According to the international water definition, the approach that uses only two banks for water fragments such as rivers, lakes and seas, which are included

[15] See Above (Section 1.2 - Some Concepts on the Topic.)
59Tiryaki, O. Ibid,p. 10-14. 60Şimşek, T., Ibid., p.10-16 61 Ibid,p.13-16.
62 Water Issue In Mıddle East; T.C. Ministry of Foreign Affairs, Ankara-1994, p.1-3

in the countries of two separate states, these waters are often shared with the "common line" or "thalweg line" between coastal countries. In contrast, the term "cross-borderwater" refers to rivers that continue to flow on the territory of another country, crossing the border of two or more countries.[62] There is confusion in terms of meaning that the concepts of "international waterways" and "cross-border waters" are carried by. The following assessment is remarkable: "The various sections, the fact that the waterways concerning multiple states are described as "international", are the basis for the claim that they should be the subject of joint administration. However, with the concept of "international" used in the "Convention on the Use of International Waterways for Non-Transportation Purposes" prepared by the U.N International Law Commission, parts of the waterway shall be in the country of multiple states condition is highlighted. It is not right to install a different meaning and function in the concept of "international" used only to express a geographical situation. Therefore, it would be more appropriate for such waterways to be considered "multinationals". The concept that will emphasize this correctly will be "cross-border."

Thus, both the multinationality of the waterway and the continued dominance of the states on their natural resources will be emphasized."[63]

1.2.7 Coastal State (Related State)

The term "Related state" is used to express the state's situation in the face of international streaming.[64] When the flow direction of the stream is taken into account, the differentiation of states' situation sparked the distinction of "upper state, lower state". In this case, the states above the flow water and the states below each other can be in the state of "Upper-Coastal" or "Down-Coastal" (mansab country) according to each other. For example, based on the Euphrates and Tigris rivers, Turkey is an upper coastal country compared to Syria and Iraq, as well as Syria, which is a lower coastal country compared to Turkey, and is an upper coastal country compared to Iraq.The up-and- down and down-to-ground phrases are also seen to be used, synonymous with upper coastal and lower coastal terms. Since disputes between coastal states arise as a result of the exercise of the right to benefit from streams, the issue of determining the limits of this right in terms of international law arises. In this case, the "upper coastal state" – "lower state" separation, which is at the heart of the disputes, should be kept

in mind. The upper coastal state is the state that can change the nature or quantity of the waters, i.e the lower coastal state, when it goes into use based on its right to benefit. In the case of the right to benefit from the lower coastal state, the scope of this right is limited to the extent to which the downhill state is protected against the damage it will cause as a result of the use of the right to benefit from the upper coastal state. As you can see, there is a mutual dependence between up and down states. The scope of the right of the two states to benefit is inversely proportional to each other. As one's entitlement scope expands, the other narrows.[65] States that can advance certain rights on streams exploited by multiple states, as well as states with certain obligations are expressed as "coastal state" or "waterway state". The United Nations International Law Commission also described "states that are part of the international waterway in its own country" as a "waterway state".The waterway states: considering the diversion and storage activities they have developed for their use of streams for industrial and agricultural purposes, these activities are collected in three major categories.[66]

a. Actions of exploitation that do not change the quality and quantity of water.

b. Actions of exploitation that change the nature of water.

c. Consumer or depriving actions.

Water sports in streams, fishing, logging shipments, use of local transportation and even as use of hydroelectric energy production until recently, should not change the quality and quantity of water is evaluated. Irrigation processes for agricultural purposes and the use of some branches of industries that consume water are expressed as "consumer use". The water returned to the stream after use can contain pollutants or toxic wastes, and it is a form of use that changes the nature of the water. Depending on the expansion of the concept of international streaming, the concept of "relevant state" that benefits from international streams now has also changed. Depending on the grip used today (Stream basin, streaming system, etc.), the relevant state concept is also referred to as the "basin state" and "system state".[67]

[67] See Above (Section 1.2 - Some Concepts on the Topic.)

59Tiryaki, O. Ibid,p. 10-14. 60Şimşek, T., Ibid., p.10-16 61 Ibid,p.13-16.

62 Water Issue In Mıddle East; T.C. Ministry of Foreign Affairs, Ankara-1994, p.1-3

CHAPTER- 2 STATE OF WATER RESOURCES ACROSS THE EARTH:

Based on encyclopedic information that three-quarters [68] of the world is covered with water, at first glance, the idea that water resources on earth are sufficient for living things may come to mind. Water, a renewable natural resource, is feasible, therefore limited, regionally or in terms of quality, although it can be counted within a globally non-exhaustible natural resources group.[69] Because it is important to remember that most of the available water is not suitable for use in terms of quality. It said, "The total amount of water in the world is 1,360,000,000-kilometer cubes (km3). Assuming this amount of water was spreading to the earth's surface, the entire surface would become a layer of water at a depth of 2.7 kilometers. However, 97% of this massive amount of water is saltwater in the ocean and sea. The remaining 3% share, i.e 35 million km3, is the total amount of freshwater that can see the needs of living things. But this 3% freshwater can also be obtained limitedly. Because the total amount of freshwater is the very large part of 35 million sq km3; 77.2% of ice masses at the poles and permanent glaciers at mountain peaks. In addition, 22.4% of the rest is groundwater, which is very difficult to obtain. After all, the lakes and swamps, which can meet the needs of all living things and ensure the continuation of life, account for 0.35% of the total amount of freshwater; rivers and streams make up 0.01%."[70.] Amount of water falling by rainfall on the earth's surface is about 100,000 kilometers per year, and about 40,000 kilometers of this amount flows through rivers and lakes in closed basins. Only 9,000 kilometers of this amount is technically and economically available.[71] There are also many problems in obtaining the amount of water available. First of all, due to the climate conditions in different parts of the world, the distribution of land and seas by country's borders, geological structure and hydrological factors, the fact that there is no same proportion in all regions of the world and the population living in these regions water needs born according to rates are the most important factors in certain parts of the world that result in a lack of water resources.“According to the functioning of the water cycle, some parts of the world are increasing in water supply reserves as a result of rainfall above the world average, while in some parts, it is the opposite. For example, the Atacama Desert in Latin America is the driest region in the world. At a place called Arica in chile, zero per year rainfall is measured continuously. Similar measures apply to the great Sahara

Desert in Africa. In contrast, the amount of superficial flow observed annually in the Amazon water collection basin in Latin America alone accounts for 20% of the world's total.[16]

However, these amounts are 7% in Europe and 1% in Australia. 40% of the superficial flow in Africa is only derived from the Congo river."[72] On the other hand, 20% of the world's freshwater resources are in Lake Baikal in Siberia.[73]

[68]In nature, there is a dynamic balance in terms of the amount of water. It is an inexhaustible natural resource. The total amount of water on earth does not change over time. Available in various places and in various states (solid, liquid, gas), water constantly rotates between the various layers of the earth. This is called the hydrological cycle or hydrological cycle. There is no change in the amount of water during this transformation. See in: Bayazıt, M, Avcı İ, Şen Z.; Hydrology Applications; İstanbul- 1978, p.9-12.

[69]Şen, Z., Öziş, Ü., Avcı, İ., Our Transboundary Waters (I nsert) İlhan Avcı, Our Transboundary Water Resources: Water Potential, Water Usage Demands, Current and Possible Problems,p.65-68.

[70]Pamukçu,K,A.g.e,Shf.36-37;The author reveals the following views about calculating the amount of water in the world: "Almost all of the sources dealing with the amount of water in the world refer to two studies. The first of these was the former Soviet Union in 1974. It is the report of the State Water Institute in the Union. The other is the work of the US Geological Research Institute, published in 1980. The work of Soviet Scientists was translated into English by UNESCO.R. Nace (ed.), World Water Balance and Water Resources of the Earth, Paris: UNESCO, 1978. For the work of American scientists, see in; US Geological Survey, the 2000: Entering the 21st Century, report to the President of the USA, Washington, D.C.; US Government Printing Office, 1980." See in; Ibid; p.35-38,2nd footnote. On the other hand; Global Trends 2000. In The World AlmanacofDevelopmentandPeace, NewYork-1994;p..290-300); Water potential on earth is classified as follows: "71 percent of the earth is covered with water. 97 percent of this is salt water in the seas. Only 3 percent are available water resources. However, 77 percent of this is at the poles and glaciers in high mountains. 22 percent is groundwater. The remaining 1 percent is in lakes and rivers. The amount of drinking water available annually is 3,350 mil cube. 1200 cubic meters of this is in non- residential areas. Therefore, human beings can already obtain 2,150 cubic meters of drinking water annually. Future of our water and Turkey Water Policy, Water Foundation Publications Istanbul-2003 (inside) Gultekin Gunay, "Groundwater our" declares the distribution of the world's available water serve as follows: "% 97.32 salty ocean water, 2.14% glacial, 0.61% groundwater,% 0.0009 surface waters, 0.005% soil moisture, 0.001% water in the atmosphere. " p.57-60. In addition, Bayazıt, Avcı, Şen, gives a classification for the distribution of water on the earth: 97.4% of the total amount of water is in the seas. The remaining 2.6% of the freshwater resources are as follows: 77.2% in polar glaciers, 10.9% as deep groundwater, 9.8% as groundwater. It is found in 0.35% lakes, 0.17% ground moisture, 0.04% atmosphere and 0.003% in streams. See. Hydrology Applications, İstanbul-1978, p.8-12.

[71]Koluman, Aziz; Water Problems and Strategies in the World; p.6-10.

Table 1 Water Balance on Continents

region	precipitation:	discharge	ratio:	evaporation
	mm/a	mm/a	percent	mm/a
Antarctica	110	100	94	10
Australia	440	40	9	400
Asia	650	240	37	410
Africa	740	110	15	630
Europe	820	230	28	590
North America	800	330	41	470
South America	1600	700	44	900
global mean (land)	730	300	41	430
oceans	1140	-120	11	1260

***** http://www-das.uwyo.edu/~geerts/cwx/notes/chap10/continents.html

2.1. Effects of climate change and environmental pollution on water resources

Climate change, shifting seasons and global warming issues have become one of the most discussed issues in the world public, especially in the last quarter century. As the effects of human-induced activities leading to climate change grow and their threats on the environment reach eerie heights, efforts to prevent this are increasing day by day. "The climate system has tended to naturally change in all time scales, from millions to years to last recent years, during the nearly 4.5 billion year history of the earth. The effects are known as geomorphological and climatologically the latest and most important natural climate changes at the periods between the glacier (in the Quaternary). Natural change in the climate is caused by changes in the internal forces of the climate system, for example due to aerosols caused by volcanic spraying, or in the atmosphere and ocean circulation, or in the interaction between them. But in the 19th century, it was the first time that Since the middle of the 20th century, in addition to natural change, a new era has been entered where human activity also affects the climate."[74] Climate change, which has been frequently raised in media outlets recently and called one of the biggest environmental problems that threatens our world, was

primarily the result of fossil fuel use, industrialization, energy production, deforestation and other human activities; economic growth and population growth have accelerated this process even more.[72]

Global surface temperatures and[75] the warming that began in the late 19th century was peaked during 20th century. By the end of the 20th century, average air temperatures increased by 0.4 to 0.8^{C} degrees compared to the last century. In addition to the warming observed in the global climate, the most advanced climate models predict an increase in global average surface temperatures from 1.4 degrees to 5.8 degrees for the period 1990-2100.[75] Depending on increases in global temperatures: changes in hydrological cycle, reduced energy supply security and the volume and quality of water resources, melting land and sea glaciers, causal narrowing of snow and ice cover, sea level rise, droughts and floods, climate belt displacement, high temperatures due to epidemic swells and pests will directly affect socio- economic sectors, ecological sites and human life on the scale as a result of the increase significant changes that expected. The effects of climate change due to global warming can also vary in regional and time differences. For example, while in some parts of the world there have been increases in the severity and frequency of severe weather events such as hurricanes and floods, while in some parts there are prolonged severe droughts and associated desertification events more effective. This type of climate change can have unforeseen or unpredictable environmental, social and economic consequences. Turkey is also inevitable to be affected by the negative aspects of global warming. According to new research aimed at revealing long-term temperature changes and trends, and studies that have been updated to include 2003, the spring and summer season is the minimum (lowest at night) air temperatures tend to be statistically and climatologically significant in many cities in Turkey. Significant reduction trends in rainfall and drought events are more pronounced in the winter season. In the scenarios for the 2080 situation aimed at determining Turkey's impact on temperature and water regime: -According to the scenario, which acknowledges that no measures have been taken to reduce CO2 (Carbon dioxide) emissions given to

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72Koluman, Aziz; Water Problems and Strategies in the World; p.10-12.
73Koluman, Aziz; Water Problems and Strategies in the World; p.12-14
74Koluman, Aziz; Water Problems and Strategies in the World; p.14-16.
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the atmosphere as a result of human activities, an increase of about 3-4 degrees Celsius at average annual temperatures (compared to normal 1961-1990), 20-50% reduction in annual flows of streams; According to Sanrio, which envisages stopping CO2 savings at 750 ppm[76], an increase of approximately 2-3 degrees Celsius in average annual temperatures, a reduction of approximately 5-25% in annual flows of streams; According to the scenario that stopped CO2 savings at 550 ppm, an increase of about 1-2 degrees Celsius in average annual temperatures, a decrease of about 0-15% in annual currents of streams to be expected. Turkey and the Middle East region are among the stressful or water-stricken areas where the world is expected to increase in water stress, according to the scenario in which emissions are not controlled and the greenhouse gas emissions scenarios that stop CO2 savings at 750 and 550 ppm Evaluated.[77] On Saturday, December 11, 2004, Hürriyet newspaper said; "Birds Are Running, Salt Lake Shrinking" in the news given with the title: "Salt Lake, Beyşehir Lake, Eregli Plain, Karapınar Plain, covering an area of 50 square kilometers such as Konya basin, which started to give SOS.26 Water levels in the basin are decreasing day by day and drought danger has appeared. The lakes of Abundance and Terkasan dried up. In 1997, Salt Lake covered 260,000 hectares, and now reduced as 100,000 hectares in seven years.[75]

It's down to 160,000 hectares. The Konya Basin, defined by WWF (World Conservation Foundation) as one of the world's 200[78] ecological regions in terms of biodiversity, is facing drought. 16 regions that provide breeding facilities for 8 of the 13 endangered bird species worldwide are in this basin." In the same news, Turkey has lost 1 million 300 thousand hectares in the last forty years, or three times as much wetland as Lake Van.[79] The average temperature increase in the last fifty years of the earth, whose atmosphere has become increasingly warm, is said to be approaching some highest degrees ever. This led to the melting of glaciers, rising sea level and significant changes to the world's rainfall regime. Indeed, it was known that the Glaciers of Western Siberia were melting at unprecedented speed, which could

[75] 75Ibid (insert) Sedat Kadıoğlu, Orhan Dokumacı, Climate Change and Turkey,p.70-74. According to the Intergovernmental Panel on Climate Change (IPCC), the air temperature on the world surface increased by 0.3 - 0.6 C in the 20th century.
Unless measures are taken, the air temperature will increase by 10 C until 2025, and by 30 C until the end of the 21st century. See in: UN Intergovernmental Panel on Climate Change (IPCC). Climate Change: The IPPC ımpacts Assesment, Report prepared by Working Group II, World Meteorolgical Organization an Un Environmental Progamme, Canberra, Australian Government Publishing Service,

accelerate the warming of the climate. Scientists have determined that this is the first time this vast frozen region of the planet has been melting since it formed 11,000 years ago. About 1 million km2 will release billions of tons of Methane gas into the atmosphere as it expands, which will cause climate warming on earth.[80] In addition to the extreme droughts seen in some parts of the world in recent years, flooding in some regions means a great deal in terms of showing the consequences of climate change. The World Water Council is committed to determining general policies and strategies related to water, citing the fact that water, which is vital to the future of humans, is under pollution, climate change and many other effects has started to be seen in studies.[81] In 1980, the annually destroyed forest rate in tropical regions was estimated to be 11.4 million hectares.[82] According to one estimate that rings hazard bells faster, the total of tropical forests destroyed each year reaches 20 million hectares. That's equal to an area of Panama.[83] On June 3, 2005, news on CNN Turk television channel about the Amazon forests in Brazil was truly appalling. The country's largest gang of fugitives reportedly collapsed, the report said, among the arrested defendants, the head of the state agency (IBAMA) tasked with protecting forests and some other officials said the suspects have been charged with giving false slaughter permits since 1990, resulting in $500 million in benefits. According to the news, this major operation was carried out after the announcement of the Amazon report, which shocked Brazil. Since 1978, a fifth of Brazil's rainforests, or 520,000 square kilometers, have completely disappeared, according to an Amazon report released in May 2005. According to the same report, the forest area destroyed in the last year alone is 26,000 square kilometers. This figure is equal to the area of Ankara.[78]

It was used in Morphoplogie. Haeckel derived the word ecology from the Greek word oikos, which means everything related to the household (family or group living together as a family or group), or logia, which means science, regular or logical.

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[78] The term ecology was first introduced by the famous German Racist, Biologist and Thinker Ernest Haeckel (1834-1919) in 1866. See: Shiva, Vandana, Water Wars (Trans. Ali Kerem) Aram Publications, Istanbul-2003, p.15-19.

79Akyol, Cahit, Tektaş Aysin; Cumartesi Hürriyet 11 Aralık 2004.

80 http://www.guardian.co.uk/climatechange/story/0,12374,51546824,00.html; 11.08.2005.

81 Koluman, A., Ibid, p.8-12.

82 Kenney, Paul; Preparing for The Twenty-First Century, Türkiye İş Bankası Publications, Translate: Fikret Üçcan, Ankara-1995, p.120- 128.

83 Ibid; p.125-129.

Defining ecology as the study of the relationship between living creatures and their environment, this description of Haeckel remains valid today. This term is used in practice in terms of environment, environmental movement and sometimes environmental science. ” For a broad description, see. Bilen, Özden, Environmental Imperialism and Example of Ilısu Dam, Shf. 44 et al. The expansion of environmentalism has brought forward a trend that is increasingly expressed as an "Ecological approach". “The ecological approach has turned into a widely used and supportive perspective with the increasing importance of the idea of“ environmentalism ”since the 1960s. In general, it is the product of ecology, the relations between all the inhabitants of the world and the view that the eok-system and the biosphere intensify the vital functions. The ecological approach has two main wings: Someone, armament, racism, nations. It is a human-centered “social ecology” that deals with social issues such as inter-political organizations with environmental protection. The other is deeper ecology, with more radical discourses such as a complete change of today's human lifestyle, and a broad philosophical understanding that considers the entire eco-system and all its assets. ” See. Pamukçu, K., Water Policy, Shf. 30-31. Ecology of Water: “The hydrological cycle is the ecological process in which water is acquired by the ecosystem in the form of rain or snow. Crumbling moisture streams feed aquifers and groundwater. The water availability of a particular ecosystem depends on the climate, physiography, vegetation, and geological characteristics of the region. At each of these levels, modern man has despised the world and eliminated its capacity to hold, drain and store water. Deforestation and mining have eliminated the water retention feature of the basins. Monoculture has absorbed farming and forestry ecosystems in a degree to dry them. Increasing use of fossil fuels has caused atmospheric pollution and global climate change, resulting in recurring floods and droughts. ” Province. In the Amazon rainforest, which is called the "lung of the world," 50 percent of the world's animal and plant species live. [84] The disappearance of tropical forests (especially in Latin America, which contains about 60 percent of them) has prompted environmentalists to worry for a variety of reasons. First, the survival opportunities of many indigenous tribes living in these regions are eliminated.[27] At the same time, the issue is that these forests have the largest animal and plant stockpile in the world (the number of plant species in Panama alone is all the plant species in all of Europe) , the destruction of this enormous wealth in terms of the abundance of biological varieties constitutes a heavy blow to human beings' need

to continuously refurbish and develop harmful-resistant and productive vegetable products.The definition of the environmental system, the ecosystem, was first made in 1935 by Oxford Botanist A.G. Tansley:[85] "The ecosystem is a self-sufficient, balanced living area, consisting of the animal and plant community and the environment in which it lives, with an exchange of substances between them. For example, a small puddle, natural lakes, stream basins, oceans and rainforests are an ecosystem. Ecosystems produce nutrients through photosynthesis using inorganic substances such as water and carbon dioxide, organic compositions (protein, carbohydrates, etc.) solar energy, i.e, plants. It is a whole composed of bacteria, fungi, insects, ants, and many other creatures that finally break down compounds and make them available to plants. Within the whole system, living things form a chain of nutrients that depend on each other. Rainforests, oceans, lakes and others in tropical regions include their own unique, different types of plants and animals.Species diversity is much higher in rainforests, which are the most important ecosite in the equatorial regions, which receive 5/6 of the sun's rays reaching the earth." [84]

The development in agriculture and industry has affected water resources on earth in terms of both quantity and quality. The biggest reason for this is that in the 20th century, the world's population has increased from 1.6 billion to over 5 billion in the century, and as a result, demand for water is increasing. In almost all the countries on the path to development, the once pure and clean waters are now destroyed due to the combination of reasons such as overpopulation, a recklessly evolving industrialization process and almost no canalization and treatment facilities. The increase in the world's population has encouraged heavy investments for irrigation. The watered-down soil surged from 1900 to 1950, more than twice as many as ever since, reaching a total of 250 million hectares by earth, most of which are on the way to development, as well as population growth in the countries on the path to development. In terms of finding high rates and providing water, it is largely seasonal or regionally linked to frequent climate changes. In countries such as China, Egypt, India, Indonesia, and Peru, more than half of domestic food production is cultivated.[86] However, the contamination of both soil and water sources is increasing dangerously, especially due to incorrect and unconscious irrigation in developing countries.[87] China's Deputy Minister of

[84] www.cnnturk.com;3 Haziran 2005.
85 Bilen, Ö., Ibid., p.43- 48.

Reconstruction Chiu Baoşing said China is the world's most serious water-facing country. In a statement published in china daily, Baoşing said that water use per capita in China is a quarter of the world average, which will increase further in the coming years. Drought, pollution, rapid economic development and waste caused by thirst for, "before it is too late" said they had to take precautions.[88] "For millions of farmers and their families around the world, irrigation has been proven to be a boon; However, new technologies such as drugs to combat pests also bring their own disadvantages. Every year, very large amounts of water (this amount is estimated to be six times the[28] water that the Mississippi River carries in a year), is used to irritate herbal products by taking from rivers, streams and aquifers [89] on earth. Over time, this has led to the salting of the land, reduced underground water resources and pollution contamination, shrinking lakes and inner seas, and destroying natural life and fish habitats."[90] Pollution of soil and water resources is one of the biggest environmental problems facing both developed and developing countries today. Developed countries, because of the advantages of their people's education, consciousness and economic situation, can fight this danger more effectively; the problem continues with all its intensity in undeveloped countries. The Global Environmental Monitoring System (GEMS), organized by the UN Environment Program, covers inspections at 344 water observation stations in 59 countries. In 10 percent of the rivers under observation, contamination caused by human faces was detected. Rivers where such contamination is determined are usually found in developing countries. In rivers in Europe, pollution from industrial waste is observed. The proportion of nitrates detected in rivers on this continent is 45 times higher than in a river that can be considered clean. Pesticides used against agricultural waste, phosphate caused by fertilizers and harmful insects; It causes more pollution in the rivers of developing countries such as Tanzania, Colombia and Malaysia. Jan Egeland, the UN Emergency Relief Coordinator, said the Hurricanes that hit the United States were a "wake-up alert" to the world, demonstrating the dangers of global warming. [92]

Kennedy, P., Ibid; p.120-129."Human activities lead to two types of pollution of

[92] 88 http://www.sabah.com.tr/dun98.html, 01.11.2005.
89 Aquifer means the reservoir that contains groundwater. See in: Bilen, Ö., Ibid; p.119-124.
90 Kennedy, P.; p.127-130.
91Pamukçu, K., Ibid, p.43-48
92BBC Radio23 Eylül 2005

water resources. The first is microbiological contamination. This contamination is caused by urban waste, toxic chemicals and radioactive materials. The main cause of waterborne diseases is this type of pollution.The second is heavy metal contamination. Fertilizers used in agriculture, pesticides and drugs against wild ages; The industry's solid waste is the main cause of this type of pollution." Peter Gleick, "An Introduction too Global Fresh Water Issues", P. Gleick (ed) Water in Crisis: A Guide to the World's Water Fresh Resources, New York: Oxford University Press, 1993, p. 3-7.

One of the biggest environmental disasters as a result of human activities and consumption occurred in Lake Aral [93] in Central Asia. In Lake Aral, which was formed as a result of the accumulation of the Amu Derya and Siri Derya rivers from the Pamir Mountains in Karakalpakistan, the ecological catastrophe was during the Soviet Union period, in 1950-1960; It began with the implementation of policies to increase cotton production in Central Asia. The current contamination in Lake Aral is the largest pollution carried out by humans in the history of the world. The famous Professor of Biology, Kobolovic said "It was the only country in a generation that has destroyed a whole sea from the earth," he explains clear the plight of Aral.[94] Amu Derya and Siri Derya rivers, before being diverted to irrigate cotton fields, wasted 50 billion cubic meters of water a year in Lake Aral, while no water flowed into the Lake for almost forty years after the diversion process. Currently, 2 billion m3 of water is poured into the lake annually. That's why since 1960, the depth of the lake has dropped 19 meters. The area decreased by 1/2 and the volume decreased by 3/4. 20 species of fish have disappeared from the lake. Diseases in the drying delta of the Amu Derya River and the areas of the lake that have no water affect people who still have not migrated from the region.[95] Lake Aral is located in the center of Central Asia, which is almost bendy, making it a regional problem. The Aral Basin, which has a measurement of approximately 700,000 km.2, includes the south-west part of Uzbekistan, Tajikistan and Kazakhstan, the Oş and Narin regions of Kyrgyzstan, and the Daşpool Region of Turkmenistan. Northern Afghanistan and North-east Iran are also included in this affected area. Lake Aral is expected to dry before 2010 at this rate. With the drying of the lake already at 38,000 km.2, desert areas have grown by 30 percent, 10 million hectares of pasture have been lost, fishing has stopped completely, the balance of the natural climate has deteriorated. Winters are colder and

longer (less than -35 degrees), summers are drier and warmer (temperature rises to 50 degrees.). The length of the coastal area that Aral lost as a result of this environmental catastrophe is 100-150 km. and more than 33 km of the seabed has been exposed, resulting in 75 million tons per year (about 200,000 tons per day, about 200,000 tons) of toxic dust and salt, lifted by wind and scattered to the North Pole region of the Himalayas, Belarus and the Russian Federation. This sand and salt storm destroy the surrounding agricultural products, as well as the negative effects of people and other creatures living in this region. For example, the proportion of babies dying before the age of one in The Karakal Pakistan Region of Uzbekistan is one of the highest rates in Asia with 11 percent. It is known that one million people in this region are affected by adverse environmental conditions. In Karakal Pakistan, daily water consumption per person is about five liters. However, the acceptable rate of this is set at an average of 200-300 liters. In the mid-1980s, food and water were so poisoned in the area that four out of five pregnant women suffered anemia and mothers were not able to breastfeed for fear of poisoning their children. In addition to all this, the fact that approximately 10 million people living in the region face very serious health care problems, causing regional migration movement, and "ghost villages" have emerged. With the drying of the lake, the environmental hazard on local populations is more of in affect of people's health.[98]

The mortality rate has increased by three per cent each year, while life expectancy for men has decreased to 40 years in some areas.[96] Since all the waters have salt concentrations, a field that is given a lot of water throughout the year will also receive very large amounts of extra salt per hectare. In India, it is estimated that an additional 20 million hectares of land (36 percent of all watered land) has been reduced due to barrenness, and an additional 7 million hectares has been dehydrated. A method that was originally designed to increase the amount of herbal products, it has now produced a very different result.[97] While the damage sparked by acid rain, excessive and unconscious grazing and the depletion of water supplies has reached very serious heights, the concerned environmentalists today draw attention to the point where economic activities of mankind are likely to pose more threats than anything else in

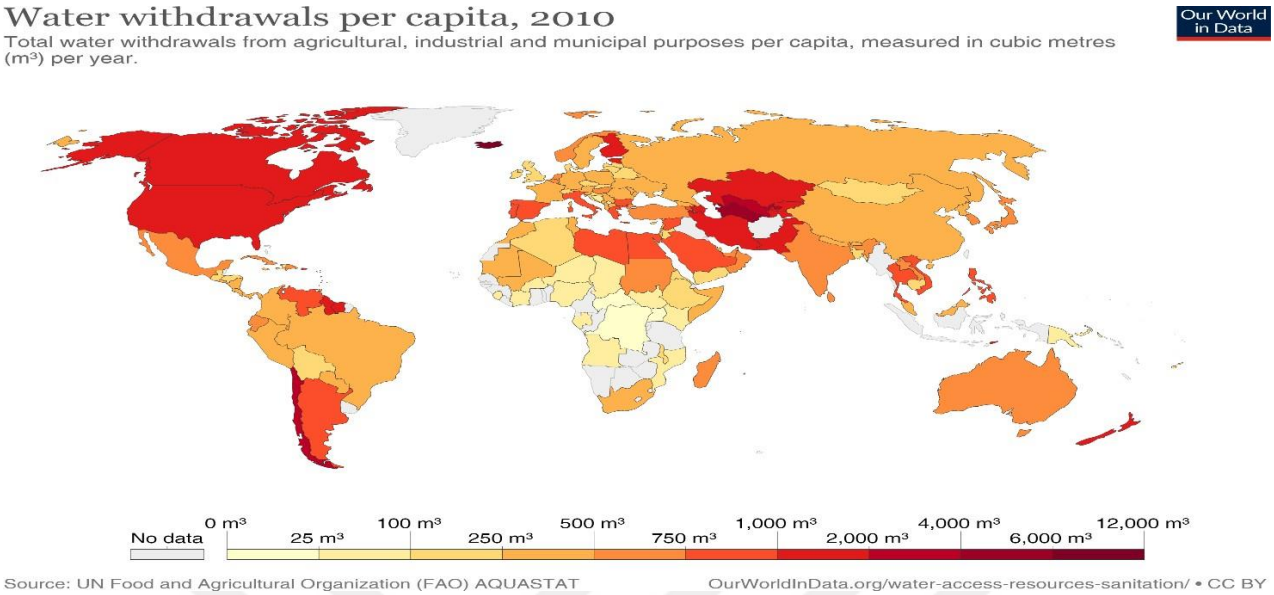
[98] 93Aral Sea", http//www.britannica.com/serch
94 Koluman, A., Ibid, p.98-102.
95Pamukçu, K., Ibid., p.43-48

the long run: this is a dangerous "greenhouse effect" that leads to the warming of the earth, and the lifestyle of rich and poor societies, both with the whole of the ecosystem on earth may have negative effects. If this is the case, it is sure that such damage will no longer be[29] possible to remain at the local level, so it will concern both Wisconsin and Jutland and Bombay and the Amazon Basin.[98] The earth's surface is deserted by 6 million hectares every year, and 40 percent of the world's population lives in water shortages.[99] In 1996, after 17 June, when the United Nations declared "World Day for Desertification and Combating Drought", the "Convention on Combating Desertification and Drought" came into force in 1996. Thanks to this agreement, solutions are sought for desertification, which poses a major problem for all countries with their economic, social, and ecological dimensions. In 1998, Turkey signed this agreement and began the necessary work.

The National Action Program, which should be prepared in accordance with the Convention on The Fight Against Desertification, has not yet been completed.Estimates of global warming are painted a slightly more pessimistic picture every year. If this trend continues, it is estimated that by 2050, one in four people will live in a country with chronic problems with clean water. About 600 million people in Africa, the third-largest continent on earth, will face clean water shortages in less than 20 years if no measures are taken. The International Agricultural Research Advisory Group warned that by 2025, 1-thirds of the world would be affected by water shortages if water consumption continued at the same level. The biggest problem will be experienced in Africa. Scientists and researchers gathered in the Kenya capital, Nairobi, warning that increased drought will negatively affect human life across Africa. Experts said the number of people unable to find clean water will double in less than 20 years, which could reach 600 million. (See table 2.)[96]

[96] Koluman, A., Ibid; p. 100-104 97Kenedy, P., Ibid; p.128-132. 98Ibid; p.132-136.
Ibid; p.132-136.
Milliyet Gazetesi, 16 Haziran 2004

Table 2 Water Withdrawals Per Capita(2010)



* https://ourworldindata.org/water-use-stress

2.2. Water problems caused by population growth and urbanization

The increase in water consumption due to the development of industry and increasing prosperity worldwide reveals remarkable figures. The point is that between 1900 and 1940, water consumption increased from 95 cubic meters worldwide to 215 miles or more than 200 percent. However, between these years, the world's population growth rate is only forty percent. In 1950, the world's water consumption climbed to 325 cubic feet, leapt to 988 cubic feet by 1990. World water consumption in the 2000s is estimated to be 1,240 cubic meters.[100] Statistics on the world's water consumption differ according to the criteria referenced. Calculation of using water and irrigation water separately or together gives quite different results. Due to population growth, a different data on the course of the world's water consumption is as follows: "In 1940, the total water consumption in the world was 1000 kilometers per cubic kilometer, while this amount doubled in 1960. In 1990, the world's water consumption was 4,130 kilometers per cube, and this amount was recorded in the second century. 680 kilometers (65 percent) of irrigation, 950 kilometers (23 percent) as drinking and drinking water, 500 kilometers (12 percent) are also used in the industrial sector. Water consumption per person in the world is around 850 cubic meters per year on average. Given that the world's population increases by 80 million people a year, it

seems inevitable that the world's freshwater needs will increase by 68 kilometers a year."[101] The largest share of water consumption
belongs to irrigation in agriculture. This amount, which is an average of 70 percent, exceeds to 85 percent in Asian and African countries.[102] The second largest area of water consumption is industry.

30

The industry's share here is 23 to 25 percent. This ratio varies greatly around the world due to the level of development of countries and the difference in economic structure. In third world ountries, water consumption in the industry is 10 percent, while in developed countries it is 60 percent or higher.[101]

Unlike the way used in agricultural irrigation and domestic consumption, most of the water used in the industry can be reused by additional units or treatment. The amount of water consumption for drinking, cooking, cleaning etc. in homes around the world is calculated by 8 percent. However, this consumption also varies greatly due to the income difference between regions, the level of sophistication, the needs, the condition of the plant and other factors. In residential areas of industrialized countries, 1000 units per person per day (liters) of water is consumed, while this amount ranges from 100 to 370 liters per person.[103] In villages on the African continent, consumption is between 20 and 75 liters is made, while in arid areas where water can only be supplied from miles away, this amount is between 2 and 5 liters, which is physically the lowest level.[104] In the 25-year period from 1975 to 2000, the world's population increased by an average of 1.60 per year to 6 billion in 2000. Since then, during the 25-year period we are in, the world's population is expected to increase by 1.03 percent to eight billion in 2025. By 2025, it is estimated that 84 percent of the population in developed countries and 56 percent of the population in developing countries will live in cities.

This trend, in addition to the increasing food need, is increasing on a regional basis as a result of rapid urbanization, drinking and using industrial water and other demands.[105] In his book Paul Kennedy (Preparing for the Twentieth Century), he

[101] Ingomar, H. and K., pm, Global Trends 2000, p.295-300.

voices the following views on the world's population boom: "While there have been a number of predictions about what the earth's total population will be in 2025 and 2050, the rough figures give people shudder, especially when it comes to a historical perspective. In 1825, when Malthus made his final corrections to the original On Population Essays, about 1 billion people lived on our planet, which only reached the figure after thousands of years. After that, industrialization and modern medicine allowed the population to grow at a growing rate. In the next hundred years, the world's population has doubled to 2 billion; In the next half century (from 1925 to 1976), it was 4 billion to fold again. By 1990, that number had reached 5.3 billion. It is true that this increase has slowed in the last 15-20 years; because in many countries, total fertility rates are declining. Even in countries with the fastest growing population today, urbanization and other factors cause a transition period in the population, and as the numbers begin to find stability, demographers expect average family size to shrink in the future. But even if these predictions come true , it will take at least twenty, thirty years: since more people are born than those who die in the earth's growing population, the effect is like a giant supertanker that slows down. After it's slowed down, it's going to have to go a long way until it stops. According to United Nations officials, the population supertanker will have come a long way before levels of "global substitution fertility", which could take place around 2045. How long does this take to happen? Because birth and death rates vary at the regional level over time, demographers use complex formulas to calculate these trends and then offer three possible variants (high, medium, low). According to the middle variant, by 2025, the earth will be able to have a population of 8.5 billion people. Even with a low variant of 7.6 billion, our population will be almost a half times bigger. If the high variant is correct, the population will increase almost once from today to 9.4 billion. According to an account by the World Bank, the earth's total population could find its "stability" between 10 billion and 11 billion, in the second half of the twentieth century; however, the increase expected to reach 14.5 billion."[103] All these analyses, among other factors in the future due to the rapidly growing population, our world seems to be looking to experience bigger water problems in the future. [104]

[104] 103Kennedy, Paul; Preparing for the Twenty-First Century, Türkiye İş Bankası Publications; Kültür Publications, Translate:. Fikret Üçcan, Ankara-1995, p.23-29

Table 3: Countries With Water Stress And Scarce(2010)

Country	**Water Supply (m3/person/year)**	**Country**	**Water Supply (m3/person/year)**
U.A.E*	1044	Kuwait	102
Bahrain	182	Libya	110
Barbados	190	Lebanon	1859
Belgium	1233	Malawi	960
Burundi	562	Malta	83
Cape Verde	583	Mauritus	1976
Algeria	524	Egypt	922
Djibuti	17	Peru	1681
Ethiopia	1994	Poland	1463
Morocco	1108	Rwanda	791
South Africa	1203	Singapore	210
Haiti	1530	Somalia	1458
United Kingdom	1213	Saudi Arab.	253
Iran	1740	Tunisia	442
Israel	380	Oman	890
Qatar	101	Jordan	312

* UAE: United Arab Emirates Source: Pamukçu, K.Water Politics, P.40-42.The World Resources Institute, UN Environment Program, UN Development Program, The World Bank, World Resources 1996-1997, New York: Oxford University Press, 1996, p.302, 306-307.

Table 4: Countries Suffering From Water Due To Excessive Water Use

Continent	Annual Water Quantity(km3)	Annual Water Use*(km3)	Usage/ SourceIndex
Algeria	**14,80**	**4,50**	**30%**
Egypt	**58,10**	**56,40**	**97%**
Libya	**0,60**	**4,60**	**767%**
Morocco	**30,00**	**10,85**	**36%**
South Africa	**50,00**	**13,31**	**27%**
Tunisia	**3,90**	**3,08**	**79%**
Belgium	**12,50**	**9,03**	**72%**
Italy	**167,00**	**56,20**	**34%**
Moldova	**13,70**	**3,70**	**27%**
Poland	**56,20**	**12,28**	**22%**
Spain	**111,30**	**30,75**	**28%**
Cuba	**34,50**	**8,10**	**23%**
Mexico	**357,40**	**77,62**	**22%**
Afghanistan	**50,00**	**26,11**	**52%**
Armenia	**13,30**	**3,80**	**29%**
Azerbaijan	**33,00**	**15,80**	**48%**
Iran	**117,50**	**45,40**	**39%**
Iraq	**109,20**	**42,80**	**39%**
Israel	**2,20**	**1,85**	**84%**
Jordan	**1,70**	**0,45**	**26%**
Kazakhstan	**169,40**	**37,90**	**22%**
North Korea	**67,00**	**14,16**	**21%**
South Korea	**66,10**	**27,60**	**42%**
Kuwait	**0,20**	**0,50**	**250%**
Oman	**1,90**	**0,48**	**25%**
Pakistan	**468,00**	**153,4**	**33%**
Saudi Arabia	**4,6**	**3,6**	**78%**
Singapore	**0,6**	**0,19**	**32%**
U.A.E.	**2**	**0,9**	**45%**
Uzbekistan	**129,76**	**82,2**	**63%**
Yemen	**5,2**	**3,4**	**65%**

***** Annual water use is listed in the table as water drawn from sources in countries.45 Source: Pamukçu, K., a.g.e. Page. 52. The World Resources Institute, UN Environment Programme, UN Development Programme, The World Bank, World Resources 1996-1997, New York: Oxford University Press, 1996, s.190-191.

Table 5 Countries With Most Outsourced Water

Continent	Amount of water renewed(km3/yıl)	Surface wate r from outside(km3)	Share of Outsourced Water In Total(%)
Albania	21,3	11,3	53
Azerbaijan	33,0	20,2	61
Benin	25,8	15,5	60
Botswana	14,7	11,8	80
Bulgaria	205,0	187,0	91
Chad	43,0	28,0	65
Eritrea	8,8	6,0	68
Gambia	8,0	5,0	63
Holland	90,0	80,0	89
Iraq	109,2	66,0	60
Cambodia	498,1	410,0	82
Congo	832,0	610,0	73
Hungary	120,0	114,0	95
Mali	67,0	40,0	60
Mauritanya	11,4	11,0	96
Egypt	58,1	55,5	96
Moldova	13,7	11,4	83
Namibia	45,5	39,3	86
Niger	32,5	29,0	89
Uzbekistan	129,6	98,1	76
Paraguay	314,0	220,0	70
Romania	208,0	171,0	82
Somalia	13,5	7,5	56
Sudanese	154,0	119,0	77
Syria	53,7	27,9	52
Turkmenistan	72,0	68,9	96

*The Table was created by calculating. Source: Pamukçu, K., University Press, 1996, s.150-151.

A forward-looking assessment of TUBITAK on water is as follows: "Water is one of the most important vital resources for sustainable development. In the 20th century, although the world's population increased threefold compared to the 19th century, the use of water resources increased sixfold. However, this rapid consumption does not have sustainable features that provide equal opportunities and benefits to those who benefit from resources. As a result, the water crisis has been inevitable all over the world. In the coming decades, especially in major cities, the water needs are expected to increase gradually. Within 20 years, 17% more water will be needed to grow food products in developing countries. From this point on, it is estimated that the increase in total water consumption will be 40%. On the other hand, lakes, rivers, wetlands and seas are the main sources of the economy based on fishing and similar aquaculture rations. Natural and/or anthropogenic effects such as flooding, drought, pollution and so on are rapidly threatening the sustainability of these resources. Some estimates suggest that by 2025, more than 3 billion people will face water shortages. This is not because the amount of water resources in the world is inadequate, but because its management is not good. Therefore, the world's water crisis is not a famine, it is a crisis of governance. The threats to the future have reached serious heights as there is enough resources for everyone on a global scale, but a good and sustainable management policy has not been adopted."[104] It is known that the potential for untouched waterpower in the world is above the amount that has been opened for use and planned to be opened. The most important reason why the water that people still use seems inadequate is because the wrong habits are over-wasted due to outdated technologies.[105]

2.3.- Turkey’s water potential

The average annual rainfall in Turkey is 643 mm, which corresponds to an average of 501 billion m3 water per year.[106] 274 billion m3 of this water is returned to the atmosphere through evaporation of soil and water surfaces and plants, 69 billion m3 feeds groundwater, and 158 billion m3 of it flows through various-sized streams ito the seas and lakes in the closed basins. 28 billion m3 of the 69 billion m3 of water that feeds the groundwater rejoins the above ground water through springs. In addition, there is an average of 7 billion m3 of water per year coming to our country from neighboring countries.[107] Thus, our country's gross above-ground water potential is

193 (158+28+7) billion m3. Considering the 41 billion m3 that feeds groundwater, our country's total renewable water potential has been calculated as 234 billion m3.[108] However, within the framework of today's technical and economic conditions, the potential for above-ground water to be consumed for various purposes is 95 billion m3, of the streams domestically,[109] and 3 billion m3 of streams coming from neighbor countries to our country, totaling 98 per year billions of m3, groundwater potency is calculated as 12 billion m3 according to the studies. In this case, within the framework of today's economic conditions, the potential for our country's consumable surface and groundwater is an average of 110 billion m3 per year.[110] As of this amount, the amount of water per capita in Turkey is 1692 m3. [107] Actual annual consumption is 32.41 billion m3. [110]

However, as a result of the studies, the amount of economically irritable land in today's conditions is 8.5 million hectares.[111] As of 2003, 4.7 million hectares of land is being watered in Turkey. 2.70 million hectares of this amount were opened by the State Water Works (DSI) and 1.15 million hectares by the General Directorate of Village Services (KHGM). In addition, public irrigation is carried out on an area of approximately 850 thousand hectares. The area opened by DSI is 500,000 hectares and are watered by groundwater. This area of 4.7 million hectares opened into operation accounts for 55% of the 8.5 million hectares.[112]

[110] http://vizyon 2023.tubitak.gov.tr 24.12.2003
[111].Zehir, Cemal, Turkey and Middle Est Water Isuue, Marifet Publications, İstanbul-1998,P.33-34..

Table 6 Turkey's Water And Soil Resources

TURKEY

Soil Resources	
Turkey Area (projection area)	**77.95 million ha**
Farmland	**28.05 million**
Waterable Land	**25.85 million**
Economically Waterable Area	**8.5 million**
Areas built by DSI and Opened to Irrigation (early 2004)	**2.394 million ha (net)**
Water Resources	
Turkey Annual Rainfall Average (Arithmetic)	**642.6 mm**
Average Annual Rainfall In Turkey	**501.6 mm**
Surface Waters	
Annual Flow (Average)	**186.05 km3**
Annual Flow/Rainfall Rate	**0,37**
Annual Amount of Water to Consume (Average)	**95.00 km3**
Actual Annual Consumption (Average)	**33.90 km3**
Groundwater	
Retractable Annual Water Potential	**13.66 km3**
Quantity Allocated	**11.17 km3**

***1 km3=1 Billion $M^{3;}$ Source: State General Directorate(D.S.I) of Water Affairs 2005 Agenda.[113]**

Table 7 TURKEY HYDROELECTRIC ENERGY POTENTIAL And DEVELOPMENT STATUS

Status of Hydroelectric Power Plant Projects	**Hip Quantity**	**Total Installe d Power MW**	**Average Annual Production GWh/Annu al**	**Percenta ge Ratio %**	**Consecuti ve Rate %**
1-As of the beginning of 2004 in the business	**135**	**12 618**	**45 300**	**35,6**	**35,6**
2- In Ongoing construction in the 2004 program	**41**	**3 219**	**10 636**	**8,3**	**43,9**
3- The parts to be offered to the program in the coming years	**502**	**20 423**	**71 445**	**56,1**	**100,0**
Total	**678**	**36 260**	**127 381**	**100,0**	

***Source: State General Directorate of Water (D.S.I) Affairs 2008 Agenda**

DRAINAGE AREAS ACCORDING TO TURKEY IN TERMS OF AVERAGE ANNUAL BASIN WATER POTENTIA

Table 8 Water Potential By Basins

Basin Name	Average Annual Flow	Potential Affiliate Ratio (%)	Average Annual Yield(***) (l/s/km²)
Euphrates Basin(*)	**31,61**	**17,0**	**8,3**
Tigris Basin(**)	**21,33**	**11,5**	**13,1**
Eastern Black Sea Basin	**14,90**	**8,0**	**19,5**
Eastern Mediterranean Basin	**11,07**	**6,0**	**15,6**
Antalya Basin	**11,06**	**5,9**	**24,2**
Western Black Sea Basin	**9,93**	**5,3**	**10,6**
Western Mediterranean Basin	**8,93**	**4,8**	**12,4**
Marmara Basin	**8,33**	**4,5**	**11,0**
Seyhan Basin	**8,01**	**4,3**	**12,3**
Ceyhan Basin	**7,18**	**3,9**	**10,7**
Kızılırmak Basin	**6,48**	**3,5**	**2,6**
Sakarya Basin	**6,40**	**3,4**	**3,6**
Çoruh Basin	**6,30**	**3,4**	**10,1**
Yeşilırmak Basin	**5,80**	**3,1**	**5,1**
Susurluk Basin	**5,43**	**2,9**	**7,2**
Aras Basin	**4,63**	**2,5**	**5,3**
Konya Close Basin	**4,52**	**2,4**	**2,5**
Great Menderes Basin	**3,03**	**1,6**	**3,9**
Lake Van Basin	**2,39**	**1,3**	**5,0**
North Aegean Basin	**2,09**	**1,1**	**7,4**
Gediz Basin	**1,95**	**1,1**	**3,6**
Meric-Ergene Basin	**1,33**	**0,7**	**2,9**
Small Menderes Basin	**1,19**	**0,6**	**5,3**
Asi Basin	**1,17**	**0,6**	**3,4**
Burdur Lakes Basin	**0,50**	**0,3**	**1,8**
Akarçay Basin	**0,49**	**0,3**	**1,9**
Total	**186,05**	**100,0**	

(*) The main arm of the Euphrates river has an annual flow of 30.25 km3.

(**) The main arm of the Tigris river has annual flow of 16.24 km^3.

(***) These values are derived from base station flows in the most downstream of basins.

Source: General Directorate of State Water Affairs (D.S.I) 2005

Table 9 Turkey Hydroelectric Energy Potential Distribution By Project Situations (Summary)

Status of Hydroelectric Power Plant Projects	Project Number	Installed PowerMW	Total Energy Production Capacity				
			Reliable GWh	Average GWh	Consecutive GWh	Average %	Consecutive %
1- In business	135	12 618	33 250	45 300	45 300	35,6	35,6
2- Under construction	41	3 219	6 356	10 636	55 936	8,3	43,9
3- Final Project Ready	15	3 585	7 194	10 880	66 816	8,5	52,5
4- Planning Ready	143	6 918	12 960	25 127	91 943	19,7	72,2
5- Master Plan Ready	89	5 161	10 686	17 942	109 885	14,1	86,3
6- First Study Ready	255	4 759	9 147	17 496	127 381	13,7	100,0
Total Potential	678	36 259	79 593	127 381		100,0	

*Source: General Directorate of State Water Affairs (D.S.I) 2008 Agenda

When the efficiency of 26 basins[114] in the country are researched, it seems basins can be made more efficient with less investments. However, social and humanitarian preferences brought the GAP region to the forward. [115]

CLASSIFICATION OF INDOOR SURFACE WATERS ACCORDING TO WATER POLLUTION CONTROL REGULATION *

The following is the classification based on the quality of the superficial surface waters accumulated in the streams, lakes and dam reservoirs and what kind of water needs each class is suitable for.

Class I-High quality water

a) Drinking water supply with lone disinfection

b) Recreation albeit for recreation purposes (including those requiring body contact such as swimming)

c) Trout Production

d) Animal production and farm needs

e) Other purposes

Class II- Less contaminated water

a) Supply of drinking water with advanced or appropriate treatment

b) Recreation objectives

c) Fish production outside of trout

d) Irrigation water provided that it meets the quality criteria of irrigation water given in the Technical Procedures Communique

e) All other uses except Class I

Class III-Contaminated water

Food can be used for industrial water supply after appropriate treatment, excluding industries requiring quality water such as textiles.

Class IV-Very contaminated water

Above, it refers to lower quality superficial waters in terms of the quality parameters given for the I, II and III classes. The water quality parameters and their boundary values for the classification are given in the table. These values (excluding pH, dissolved oxygen concentration and percentage of saturation) should not exceed 90 percent probable. *Published in the Official Gazette of Turkish Republic dated September 4, 1988 and numbered 19919.

Source: General Directorate of State Water Affairs (D.S.I) 2005 Agenda

SECOND PART
WATER PROBLEMS EFFECTS, TO INTERNATIONAL RELATIONS

PART 1- EVALUATION OF WATER AS "STRATEGIC SUBSTANCE" IN TERMS OF INTERNATIONAL RELATIONS:

1.1- Concept of ‘’Strategy’’

Before the water does not pass on its assessment as a strategic substance, it would be right to address the concept of "Strategy". The concept of strategy is known to have been used by soldiers first. In this field, similar or close definitions have been made by different people. "In the analysis of this word, the military side is outweighed and meaningful. Especially when a war environment arises, the strategy of political power, considered to be the art of using military forces to achieve results, outside the military space, for example; the fact that it is also used in political, economic, cultural and similar fields has further expanded the known meaning of this term years ago. Thus, given the broader strategy, it is understood that a nation or a community of nations will organize and use their economic, political, military and moral forces in harmony to achieve the goal in the event of a state of emergency. This definition can be further generalized. "Great strategy" or "High Strategy" is also understood as the art of using all kinds of possibilities and tools scientifically in achieving the goals that a state has deviated in accordance with the policy adopted."1 In general, the main way to follow to achieve a purpose or goal and the concept of "strategy", known as all the work that needs to be done, is also used in different fields. For example, "The strategy is understood in the classical sense of military literature as the basis of the military action during the war to win a war. Napoleon Bonaparte, which first introduced it as an art, and Carl von Clauswitz, a theory maker. According to Clauswitz, the strategy is to achieve the purpose of the state through force. Secondly, strategy is used in general terms in terms of the way that institutions or organizations such as parties, businesses, states, etc. follow to achieve a specific goal."[2] Clausewitz describes the relationship between tactics and strategy like this: "Tactics, military units and strategy for wars are the art of using combat for ultimate warfare"[3]

1.2- Strategic Situation

"Strategic situation" is defined as an abstract and qualitative concept: "The number and its quality are constantly changing issues and environments in the form of certain effects and reactions between the opposite wills that arise and over time different scope and a process that develops towards different impact responses of nature, it is necessary to think of this process as a view at a certain moment. The main factor at the heart of this interaction is the mutual imposition of a psychological effect on the parties. For this purpose, the parties go into a competition process against each other with various stages."[4] "The strategic situation can be expressed as a synthesis of different dimensions within the framework of a certain main interaction model. "The dominant struggle pattern in the Middle East is the display of a typical and indirect process of attitude with its political and military stages,".

The water problem should also be considered within the framework of the application principles of this mold".[5] Okman examines the issues that constitute a strategic situation for the Middle East Region, the internal dynamics of the region and the effects of major forces outside the region and describes the strategic situation in the water problem as follows:[6] Strategy terminology will take "water factor" as a maneuvering element. Like oil and other types of natural resources, water is one of the material factors in the process of strategic interaction." "Is water a political tool?" We have to say right here that water is more important than energy. You can substitute energy in some way, but water can't be substituted in any way. Therefore, Turkey is the main player in the Middle East, even the only player about the water."[7] A similar comment to Bagis's description is often seen in the American press: "Los Angeles Times: Turkey is the key to the water problem."[8] Another foreign report describes the fragile situation with the region: "The British Foreign Ministry's report 'Water Problems in the Middle East', the Israeli Government sent the message that turkey could come to war because of the water in the Middle East."[9] The wealth it carries in terms of energy resources, especially oil (65 percent of known oil resources are located in this region...)[10] Due to the influence and frequent interventions of the great powers, especially in the 19th and 20th centuries (See later in Chapter 4, Section 1, this issue will be broadly addressed), the Middle East is now more vulnerable to external interventions. Because, in the 19th century, the classic forces balance, the

bipolar world system, which had a loose and then tight appearance in the 11th and 20th centuries, had the possibility of breaking the foreign interventions to the region at a certain rate. But with the dissolution of the Soviet Union in the early 1990s, the balance for the Middle East is quickly and radically changed. Nothing is the same in the Middle East anymore. With all these developments, the concept of "Middle East" has changed from its foundation. (See future 4. Section 1)[11]. Considering the characteristics of the Middle East, Okman considers the water factor affecting the strategic situation of the region for Turkey as follows: "The water factor in Turkey's position as long as the fundamental structure of the Middle East does not change, the relevant countries will continue to be considered a political force, a psychological pressure. This view will create their point of movement in approaching the subject. No matter what framework Turkey works to draw the issue (Technical-Law), the attitudes of these countries will not change easily. As a result, there will be central

The situation that disturbs Turkey here is that such maneuvers are directed from an outward basis from a base like the Middle East. Because in such an environment, with an increase in demand for this resource in the coming years, these attitudes can easily turn into harsh reactions or fuel some problems that will disturb Turkey."[12] Published many books and articles show that the water issue as a policy tool that the United States, the EU and Israel have driven to the Middle East Region.[13] In an interview with The Times magazine (November 1993), Shimon Peres, a former Prime Minister of Israel, said remarkable remarks about Turkey's water resources: "Turkey's strategic position in the region and its rich water resources are ours. It is very important for the Turkey may be an element of political equilibrium with this position, or a key country in solving the water problem in the region." Peres's statements also make Israel feel the flawed political goals of water resources in the region. International meetings, conferences and organizations outside the Region, especially in the United States, show that the water issue will be more on the agenda in the future. The waters of the Middle East, which are bordering; Founded in 1983, the Euphrates-Tigris, Jordan (Sharia), Litani, Asi and Nile river were established in 1983 as well. The volunteer working group, directed by Thomas Naff, a professor at the University of Pennsylvania and sponsored by Associates for Middle East Research, Inc. (AMER) [14], released its first publication in 1984 under the name Water in the Middle East: Conflict or Cooperation! - Water in the Middle East: Conflict or

Cooperation! (Westview Press, Boulder, Colorado, 1984). The note on the back cover of the book states that this work (supported and carried out) by the Defense Intelligence Agency of the Department of Defense, but the official views of the Us government or the defense ministry in the book it is stated that it is not. Thus, it is explained how closely the issue is followed from across the Atlantic. Additional reporting by Waltina Scheumann of The Technical University of Berlin and Manuel Schiffler of the World Bank, water in the Middle East Potential for Conflicts and Prospect for Cooperation. Thomas Naff, John F. Kolars and in the forefront of The Euphrates River and the Southeast Anatolia Project, written by William A. Mitchell and which has been referenced a lot in the literature on the subject in Turkey, expresses the following views as an editor: "This book you have is the world and the product of a great effort to explain water issues that the people of the region can no longer ignore. The project that created this book is a lot of hydrology, geography, geology, engineering, history, political science, economics, sociology, demography, international relations, international law and business brought together the experts..."[15] As you can see, the aforementioned water resources are located in the Middle East, but experts from transatlantic and trans-pacific countries are very concerned about this issue. This shows that the water problem within the Region is perceived in a much different way than its counterparts elsewhere in the world. “Despite its global qualities, water problems are constantly brought to the fore front and the region with war scenarios written on it is the Middle East, which has a complex political, economic and social geography," [16] He said. "Angry water fights were nothing new for the Middle East. Many previous battles were related to these three great rivers: Nile, Tigris, Euphrates. [17] " Here's another tense comment to confirm this headline used by Newsweek Magazine:

[12] Ibid, p.420-424.

[13] **Turkey Water Policy and The Future of Our Water**, Water Foundation Publications, İstanbul-2003 (insert) Cemal Zehir, Turkey’s International Water Policy

"Resources are constantly limited alongside increasing needs. With the same rhythm, the number of people is increasing. Water has been a source of pressure between states, which is mainly true in the Middle and Near East. Euphrates, Tigris, Nile; tomorrow, perhaps, these rivers will be fought for control."[18] Water resources should not be overlooked throughout history, when there has been a problem between people and communities (See Entry Section). Especially during the harps, these places where the first interventions are made are water sources. The seizure of a society's water resources or making them unusable by toxic substances or cutting off the water supplies of a fortress under the rubble is one of the first rules of war to be remembered, especially for the ancient times. In this regard, even during the second world war, attacks on water resources, especially dams, were bombed.[19] Water ways were used while the Babylonian City of Ancient Mesopotamia besieged. The Peruvian Dam was destroyed during the ethnic conflict skirmishes in Yugoslavia. World War II has also been the target of attacks on water facilities in the Korean and Vietnamese wars. During the Gulf War, the Iraqi Army demolished Kuwait's denuclearization facilities from seaways.[20] Regarding the strategic situation in the Middle East, It is necessary to focus on The Bagis's warning; "Turkey, which is located in the center of the region described by the United States as the axis of evil but is excluded from this definition, must decide whether to be a regional power and to take a decisive stance on the changes and developments in its region... Turkey must first redefine its geopolitical and geostrategic position again, and in a accurate way."[21]

1.3- Water and it's '' Strategic Matter'' feature.

Water, the source of life for the creatures on earth, is an absolute lyneeded substance for all humans, animals, and plants to survive. However, as examined above, (Part One, Part-2), due to the increasing need for the gradual depletion and contamination of water resources available on earth, in return, the world's population is growing rapidly, water is the most important and strategic subjects of today; has become one of the main items of future. In this respect, water has become an increasingly important security element for states to maintain population and environmental health in their own countries.[22] According to the United Nations Water Commission, there are 214 streaming systems in the world that pass through or constitute the territory of multiple countries. Of these, 155 are two countries, 36 are three countries, 23 are four to

twelve countries they are bordering.[23] Pamukçu points out that this number has increased, with the birth of new countries gaining independence because of the dissolution of the Soviet Union and Yugoslavia.[24] There are various problems between coastal countries in the use and consumption of these streaming systems.[25]

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As can be seen later in our study, there have been many problems that have been caused by armed conflicts between some countries in the past due to the sharing problems of water resources in various parts of the world, and there are still many problems that have not been resolved today. On the other hand, forward-looking predictions made by some authors suggest that new battles may occur due to water in the future.

The fact that water is a very important strategic material, and its source of diplomatic and military problems between countries in the past and present, has also put this natural resource in a remarkable position in terms of international relations. For example, the statement of the former King of Jordan, Hussein is very remarkable: "No issue can force us to go to war with Israel again. Except for the water!.."[26] In a similar statement, Butros Gali, a former UN secretary general, made a statement during Egypt's foreign ministry: "The next war in the Middle East will come out of water, not for political reasons..."[27] Predictions of hot conflicts due to water in the future are expressed in the media at regular intervals and very frequently. For example, if you want to "In the near future, people will fight for soil, for gold, not for oil, but for water with the most basic requirements. And this war will be intensely in the Middle East..."[28] It is possible to come across similar expressions in many publications. In 1974, Israel's former defense minister Moshe Dayan said: "Water is so important to Israel that entered the war with the Arabs in 1967 to control some

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[125] 26 Cumhuriyet Newspaper; 14 Mayıs 1990.
27 Beschorner, Natasha, Mirror Magazine. Güz-1993
28 EP Politician; 15-22 Ağustos '93
29 Müftüoğlu, Ferruh, Midde East Water Issue and Turkey. Marifet Publications, İstanbul-1997, p.20-24.
30 Shiva, Vandana; Ibid, p.89-92.
31 El Mısri, Corc, El İtmaul İsrailiyye fi-l miyah-il Arabiyye; Merkez-ud-Dirasat-ul Arabiyye El Urubbiyye, Paris-1996; p.5- 8
32 All News-TRT, 23.12.2004
33 Koluman, Aziz, P.5-8
34 Ibid, p.45-48.

water resources."[29] Also in 1962, former Israeli foreign minister Levy Eshkol said: "I'm not going to let you down. "The blood in our water veins and the blocking of our access will lead to a war," he said.[30] There are arab writers who express ideas in a similar sense to this view; In the foreword to the book "Al-Itmaul Israeli fi-l Miyahi-il Arabiyye" (Israel's Tamai in Arab Waters), Salih Bakir al-Tayyan suggests: "With the start of the Arab-Israeli peace process, the Middle East, according to all analyses and reports. is in danger of going into a war. This new fight between the countries of the region will be on the water. In this fight, Israel and some regional powers adopting its policies will be on one side and the Arab Countries will be on the other side. According to the analysis and reports, water-related strife will cover three regions. The possible scenarios are as follows: Water-related war zones are located in most Middle East, mainly Jordan and Israel. Second, areas full of dangers, which can actually enter the danger frame. Among them are the Gulf States (Syria-Iraq and Turkey) in the Tigris and Euphrates basins. Over a period of two to ten years, countries in the Nile Basin are seen as another water-related area of tension that is capable of being in danger."[31] There has been several water wars between Arab countries and Israel. In fact, the war between Israel and Syria has not ended even today. The most important point of the conflict between the two countries is the Golan Heights, which are of great importance to water reserves. Israel insists that even if it restores the Golan Heights, the water will flow to them.[32] In today's world, the field of struggle for natural resources has ceased to be one-dimensional, such as soil, coal, oil. All declining resources are becoming an element of power that people can use as weapons against each other. Water is the natural resource that is declining fastest and can not meet the needs of humanity.[33] The status of the evaluation of water as a strategic substance is present in all aspects, especially for the Middle East region.[34]

Although the Middle East is known as the main oil source for countries outside the region, the situation for the countries of the region varies. Currently, water shortages and water stress are in this region, and both domestic consumption, irrigation and energy production, misuse, and water waste leads to the increasing amounts of resources unavailablity. The high population growth rate in the region is another important factor. While other renewable energy sources can be replaced by oil, which is a strategic energy source, natural gas, nuclear energy, solar power, wave

energy, etc., there is no alternative to water that is the source of life. For this reason, the water, which countries with water resources perceive as an economic and strategic leverage, pose water, peace, and co-operation, but also put the potential danger of war on the agenda.[35]

In this region, water is becoming a strategic resource that is increasingly important due to the rapid depletion of surface and groundwater and the pollution of existing resources and increased salinity rates. Because this region, which holds five percent of the world's population, has only 1 percent of its water resources.[36] As a result, with the reduced water supply in the region, interstate tensions will increase, commentators said. Since an international legal system developed in water and accepted by all countries has not yet been established, agreements between various states have been sought to resolve disputes within the framework of some of the principles set out in the work carried out under the UN. In international relations, states often tend to draw conclusions with realist policies that emphasize power in areas where there are no accepted and settled rules. As can be seen above, Jordanian, and Israeli authorities briefly spoken from their mouths and in the future (Section 4) will also be examined when problems with water supplies in the Middle East are examined; some states may apply for military options for water needs and safety. Thus, different strategies also stand out according to the nature of the administrative regimes of the parties. This can also make it difficult for inter-country conflicts to be resolved through agreement from time to time. The growing and inability to make progress in the same parallel to the solution of water- related problems on a global scale is deeply affecting international relations in this respect. "Water resources are under the sovereignty and austerity of the states in many countries. Providing water to farmers by establishing irrigation facilities, providing services to all other users, especially industry has vital importance and these services have been named as public service."[37]

The size and nature of the water problem resulted in the multifaceted shaping of the search for a solution in this respect. In the current situation, voluntary work carried out by some institutions is also underway in addition to the work carried out by international official institutions. Determination of policies and strategies adopted around the world to ensure a reliable water future, with the support of the World Bank

and some European countries, the "World Water Commission" and the "World Water Council" formed.

In addition, an organization called the "Global Water Partnership" has been established to develop and implement action plans and programs in accordance with the policies set by these organizations. In 1997, the World Water Council organized the "First World Water Forum" in Merakeş, Morocco. "World Water Vision" in this forum to raise awareness of the protection of water resources and rational use and to reveal a widely shared view in the context of sustainable use and ensuring a safe water future in a study called "the work has been made." The "World Water Vision" study, which is the basis of the Second World Water Forum, was initiated by the "World Water Council" in 1998. In this study, accumulated experiences such as "Water for the People", "Water for Food and Rural Development" and "Water in rivers" were used by using water issues especially on a sectoral basis. Experts and volunteers from different sectors have developed, integrated and regional visions through exchange of views at the national and regional level. In addition, a number of special projects have been developed in the subjects of "Water Transfers between Basins", "River basin", "Water Management", "Social Water Requirement", "Water and Tourism".
Based on the results obtained by these projects, "Global Water Safety goals" put forward by the "Global Water Partnership" can be summarized as follows:[38]
"-Implementation of the necessary policies and strategies for the integrated management of water resources in 75 percent of the world's countries by 2005 and until 2015,
-Reducing the number of people in the world without a hygienic wastewater system by 50 percent by 2015,

- Reducing the number of people in the world who do not have reliable and adequate water by 50 percent by 2015,
- Increasing irrigation water efficiency by 30 percent by 2015.

-Reducing the risk of people living in flood areas not being affected by floods by 50 percent by 2015."

The Second World Water Forum was held in The Hague, Netherlands in 2000 under the auspices of the World Water Council. The meeting was hosted by the Dutch

Government and groups of experts and groups involved in water fields at all levels from the world's five continents came together. In the last two days of this event, which includes government officials, a conference was held by ministers in charge of water from various countries. The purpose of the World Water Forum is to discuss all water-related issues on a global scale and to discuss it on a global scale and to discuss the problems in 21st century. In order to create a sustainable and safe water scheme in the world in the 19th century, it was determined that all segments of the world's societies should make the necessary decisions of their own will.[39]

Water is vital to human life and health and ecosystems; However, as mentioned above, people living on earth lack the ability to access adequate and reliable water to meet their most basic needs. Water sources [40] and ecosystems that feed them are under threat from pollution, overuse, land use changes and many other factors. This clearly reveals the fact that known methods do not provide solutions. Undoubtedly, in parallel with economic and technological developments, the needs and conditions to meet them in our sphere also vary greatly. Therefore, in the 21st century, all countries face a common problem in ensuring water safety. Ensuring water safety means water for those with insufficient drinking water, food for hunger, protection from water, especially flood damage, and living in a sustainable environment.[38]

Efforts on a global scale to solve the water problem are not new. The ongoing discussions and actions at Dublin, Rio and CSD-6 [41] (The Commission for Sustainable Development), which began in Mar del Plata in 1977, continue at subsequent meetings in this area. This process initiated by the World Water Council; 21st Century Water Commission with the Global Water Partnership. It was continued in the 19th century, and then these studies prepared an environment for the preparation of international joint documents titled World Water Vision and Action Framework.[42]
The main problems faced in ensuring the world's water safety are listed as follows:[43]

-Meeting basic needs: To accept that access to water is a fundamental need and to make people have authority to make decisions about their own safe and adequate

[38] Koluman, A., Ibid; p.9-12.
39 Ibid, p.9-15
40 Bir, M., Utilization International Law and Turkey's Interests Streams Of The River, p. 5-12.

water and wastewater systems.

-Protection of Ecosystems: Ensuring the integrity of ecosystems through sustainable management.

-Ensuring Food Supply Safety: To improve food safety by increasing water efficiency for food production.

-Sharing of Water Resources: To improve cooperation between the states at all levels in the presence of water resources within the states themselves through river basin management.

-Risk Management: Providing safety against floods, droughts, and other damage.

-Determination of the Value of Water: To be pricing water services to reflect the economic, social, and cultural value of water and to cover all other costs. This approach should consider the requirements of the concept of equality and the basic needs of the poor.

-Rational Public Administration of Water: To create improved public management conditions by creating water resources management covering the participation of the public and the needs of all interest groups.[44] When closing this bet, it is necessary to upreach the following: It is not possible to replace the water that is the source of life. In this respect, even the location of oil, which is a strategic energy source, can be filled with other types of energy such as natural gas, nuclear energy, solar power, wind energy, but there is no alternative to water.[41]

[41] Commission on Sustainable Development
42 See in: World Second Water Forum Ministerial Meeting, Lahey- Holland, 17-22

PART 2- REGULATORY EFFORTS IN THE FIELD OF WATER LAW AND SOME PROMINENT BASIC DOCTRINES:

Legal regulations on the benefit of international rivers and cross-border waters from cross-border waters are a matter of being worked on this side from the late 19th century to this side, and while some progress has been made to this day, the issue has not yet matured enough. Because the legal building work on international and cross-border waters, which began in the very old days of transportation rules, has been reached to important levels in general and basic principles have been determined. As for the non-transportation benefit of the waters in question, with the increase of needs in this area beginning in the 19th century. Since the beginning of the 20th century, legal arrangement efforts have manifested itself. A stream is a whole in terms of physical geography with its main media and arms, from its source to the point where it ends. Organizing societies as separate states divides this natural integrity from a legal and, of course political point of view, and leaves different segments of the same stream in the areas of sovereignty of different states. This causes significant problems between states from time to time.[46] Here are the two main topics, such as drawing borders and concluding the actions of states to exploit streams for different purposes. The first of these issues is that the birth of the states expect to be resolved. The resolution of border disputes between some countries that are related to water can also be resolved within the framework of the established rules of international law. However, there are no binding and settled rules for anyone to benefit from the waters. Work is underway to develop rules in this area.

2.1- The right of the state to benefit from streams and the legal basis of this right

Above, concepts (1.2.2-National Streams) in the bet; because of the sovereignty rights of the state, it was stated that it has the right to absolute benefit from national streams under its sovereignty.[47] In contrast, the issue of taking advantage of streams defined as international waters, and border waters is entirely interested in international law and water law, which is still in the development and shaping phase. Therefore, various principles and doctrines are applied as the basis of the right to benefit from streams of this nature. The right to benefit from cross-border and bordered streams for industrial and agricultural purposes is mainly based on

"sovereignty of the country", the basic concept of international law.

Because "State" is under the provision and supervision of a superior and central authority, represented by a country that is governed by a government, the ink of people living in accordance with a legal and autonomous order is political and broad. The Montevideo Convention on the Rights and Assignments of the States of 1933 also states the state as the "Person of state's law"; A- permanent population, b- specific country, c-government, d- should have the authority to engage in relations with other states, as stated.[48]

"State Land" is also part of a place where a state's sovereignty acts as 'as it wishes' all its powers in accordance with the law of the states. The term state country is not only the surface of this land piece, but also the lakes and streams in this land part.[49] However, in this way, it is not just national streams that enter the concept of state land. As the definition of the concept of cross-border waters shows, streams that cut/cross the country of two or more states are subject to the sovereignty of the country in certain parts of the states they pass through their countries. In other words, each of these states dominates the segments of the streams in their own countries. In this case, it is the result that the relevant coastal states can use all the powers based on the sovereignty of the country on the segments of the borders within their own countries.

The sovereignty of the country is the authority of the state to make legislative, executive and judicial savings on anything or anyone in its country. This general principle is also expressed by the rule of "Qui in terri-torio meo est, etiam meus subditus est" (which is in my country that is subject to me).[50] Based on this principle; it is possible to take all measures that the state deems necessary on its country's sovereignty, especially the authority to carry out public works in the country and in the meantime carry out various public works. Essentially, states carry out the use and operation of natural resources in their country, based on the sovereignty of the country, in a way that will provide maximum benefit for their citizens. The legal framework on which these activities are based can also be stated as follows: The ability of the states to use the waters of excess borders under their sovereignty for industrial and agricultural purposes is a natural result of the "right to benefit" based on the sovereignty of the country.

Disagreements have been more about the scope and limits of the right to benefit. It is

confirmed in various documents that the actions of the benefit are based on a right recognized by international law and that this right is considered a requirement of the sovereignty of the country. In relation to a dispute between Canada and the United States, for example, the U.S. State Department's memorandum of 1958 on the legal aspects of the matter is as follows ; (A coastal state has the right to make the most of its sovereignty from the parts of international streaming systems under its sovereignty). [51]

On "The Use of International Streams for Industrial and Agricultural Purposes" at the VII international conference of the United States, the second article of the declaration adopted in Montevideo on December 24, 1933, states have the right to benefit from the rights of coastal states. It is verified as :"States have the right to benefit international river waters exclusively from their sovereignty, industrial and agricultural purposes."[52] The right to benefit is also supported in general and private agreements that are flown into the use of excess water. It is seen that the same principle is supported in international court decisions. In this sentence, it is confirmed that each state has a sovereign regulatory authority over the "cutting/cross-border waters" of each state in its decision on "the use of streams outside transportation" at the Salzbourg session, as well as the second article of the International Law Society's decision, known as the "Principles of Dubrovnik", which was adopted at the 1956 Dubrovnik conference. A special commission established by the United Nations to examine the issue of "sovereignty over natural resources" has also taken national and non-national streams into the concept of "natural resources" in its 1961 report.[53]
"This report was discussed at the XVIIth term meeting of the General Assembly and the General Assembly adopted the "Declaration of Continuous Sovereignty on Natural Resources" by Decision No 1803 on December 14, 1962. The first article concerning our subject is as follows: "The right of sovereignty over the natural riches and resources of nations and peoples should be used for the welfare of the respective state people and for the benefit of national development. It seems that the law is confirmed by various legal sources examined above, particularly the practice, in which states have a "right to benefit" over the waters of the territory under the sovereignty of cross-border streams. However, the exercise of this right, recognized by international law, raises the issue of determining the scope and limits of the right to benefit, raising the issues to be addressed below."[54]

2.1.1- Problems arising from the exercise of the right to benefit

There have been debates about whether the right to benefit from streams concerning multiple states is related to the water of the stream itself or the water of such streams. It is stated that the mainly adopted view is "waters of international streams" (Waters of International Watercourses).[55] Disputes occur between coastal states for various reasons regarding the exercise of the right to benefit over borders. With these disputes, there are a number of problems awaiting a solution regarding the scope and limits of the right to benefit in the field of international law. Over time, advances in technological opportunities have also changed the nature of the way states use industrial and agricultural purposes in the parts of the waters that are under the sovereignty of the excess waters. With the increased capacity to diversion and storage of stream waters, these benefit actions have had negative effects on the use of other coastal states that have moved beyond the national environment in which they are being carried out. "In general, the benefit actions entered on streams are divided into three categories in terms of their effects: These can be sorted as follows; Actions that do not change the water in terms of quantity and quality (e.g. hydro use for the production of electricity, log buoyation, etc.)

-Actions of consumer or deprivation, i.e actions that lead to changes in the amount of water. (E.g. agricultural irrigation activities) -Actions that change the nature of water: Quality-changing actions can be given as examples of water used in the industry and returned to the flow of streams.[56] The construction of larger dams to accumulate the waters of streams, and especially these dams are not used only in energy generation activity, but not for multifaceted purposes (for example, other than the purpose of energy production, irrigation and flood prevention, fish production etc.) On the one hand, changes are occuring in the normal regime of streams, while the water collected in dams to meet irrigation needs, from the streams they come from to other streams (sometimes completely different basins) is misled. In exchange for certain acts of benefit on the same stream (this is an example of the way it uses it for transportation.) as in the actions of the benefit for irrigation (polluting effects according to the consumer or situation), and those who differ with other kinds of acts of benefit.[57]In various ways in states with the effects of the negative consequences

described above in the industrial and agricultural purposes of exploitation taken by the Upper-Kıyıdas state on a cross-border stream is felt. In such a case, the 'Upper-Kıyıdaş" -"Down-Kıyıdaş" conflict occurs.[58] Coastal states, in other words (related states) and the main reason in the physical space (part of the river medium) in differentiation, the conflict, by evaluating the time point, makes doable to see different points. Indeed, the start dates of non-transportation benefits on bordered waters vary by state. Some coastal states may have begun to use their cross-border streams before other coastal states, as national needs appear early or the financial and technical facilities that enable development projects have been acquired more quickly. In this case, between coastal states, industrial and agricultural purposes, starting to use a certain amount of water in advance and constantly using the same amount of water with the coastal state, the waters of the same flow water
Leads to conflicts that arise between the coastal state that uses or wants to use it[59]

Since water disputes between coastal states arise; because of the exercise of the right to benefit, the issue that must be resolved in terms of international law is to define the scope of that right and, in other words, to determine the limits of this right. The issue of the scope and limits of the right to benefit has a different meaning, depending on whether the rightful coastal state is in the case of "upper-shore" or "down-shore" in the dispute. When it comes to the right of the lower-coaststate to benefit, the scope of this right is limited by the determination of the extent to which the lower state is protected against the damage it will cause as a result of the use of the upper state's right to benefit.

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[59] 55 Bir, M., Ibid; p.50-54.
56 Tiryaki, O., Ibid; p.18-22. Also See in: Bir, M, Ibid, p.50-54. "See that the distinction of benefiting according to their subjects is made and adopted in UN UHK studies. On 14 May 1974 by the International Legal Commission The distinction regarding the benefiting actions of the subcommittee formed in the 1256th meeting is as follows: 1- Agricultural Uses: a.b. Drainage c. Waste disposal d. Production of water products 2-Economic and commercial uses: a Energy production (Hydroelectric, nuclear and mechanical) b. Industry c. Structure d. Transportation outside of navigation. Log transportation f. Disposal of residues g. Mining (Mineral, oil production, etc.) 3- Local and Social Uses: a-Consumer Uses (Drinking, cooking, washing, washing, etc.) b. Waste disposal c. Rest.(swim, sport, water sport,etc.), Ibid, p.52-55;
57 Tiryaki, O., Transboundary Waters and Water Issue in Middle East, p.21, etc.
58 Ibid, p.21
59 Ibid, p. 20-22 (Albert Lepawsky, "International Development of River Resources" International Affairs, Vol. 39, No: 4, October 1963.p. 539-540

This is, in fact, the result of a kind of "mutual-dependency"[60] (interdependence) relationship between the right to benefit the upper-coast and the right to benefit from the down-to-shore. "In the study, it was revealed that there was no settled and definitive legal arrangement regarding the scope and limits of the right to benefit, and that the rules of the subject were in the process of forming. In the face of this situation, those who play a role in the development of such rules are authors who support the views of these states with states whose interest conflict in disputes conflict. Indeed, it has been the first to develop the doctrine that reflects a specific rule of law that can be applied on this issue, and the states in the upper-coastal state and the authors who defend their opinions."[61]

In border-bound streams, coastal states do not have both sides of the stream, forcing the relevant states to agree due to physical conditions in the exploitation activities of energy production, agricultural irrigation and water storage from such streams. For example, the lake waters, which will be built on a border-bound stream, must withstand both shores. It is thought that there will be less conflict over border waters than border crossing waters, but it should not be understood that there will be no conflict over such waters. For example, one of the coastal countries pollutes such a stream of water with sewage water, which can lead to problems with the other.[62]

On the other hand, developments in water storage and consumer use, especially for increased water needs, have led to the impact of water's non-transportation use being heard outside national limits. Over time, developments have expanded the scope and diameter of the use of streams and increased their opportunities to benefit. As a result of the actions of states to exploit streams, changes arise in the quantity and nature of the water and its regime. This raises many issues that have not been a conflict in the past for the state or states that use the flow first and then the states that use the flow water first. In this context, streams used by multiple states were evaluated in different forms over time, which in general was intended to determine the way water was used and the rules of water exploitation.[63] The sharing of water can be realized in two different ways in general:

a-Sharing of Water in Quantity Between Relevant States: As an example of equal sharing over quantity: a treaty can be shown on the use of rivers, tea and stream waters, which constitute a border date of 1927 signed by Turkey with the USSR. According to article one of this treaty, the two neighboring states will benefit from water by half. The treaty on Sarisu and Karasu, signed with Iran in 1955, stipulated

that Turkey would leave 1.8 cubic meters of water to Iran.

b-Recognition of the Right of Water to Be Divided by Geographical Regions and To the Relevant States to Benefit Water in Their Region: When the agreements are examined, it is seen that the states apply to both forms according to the situation. According to international law, if the rules of use of international waterways are not determined by treaties, the use must be made according to the principles of use. In other words, the principle of "fair use" is increasingly accepted. This principle, in simple words, points to the need to take a fair consideration of the interests of the other side in the use of water."[64] This grip will be discussed in more detail below.

2.1.2. Doctrines for the scope of the right to benefit

Disputes over the use of streams involving multiple states were in the 19th century. Since the end of the 20th century, it has emerged again in cross-border streams. The way they benefit from these streams has been revealed with different approaches in parallel with the developments in international political environment and international law. What should be considered here is not the powers of the states that arise from the right to sovereignty; but more about the scope and limit of these powers.[65] In the 1977 'B.M Water Conference' report, the way they take advantage of cross- border waterways was counted as agricultural, fisheries, industrial, hydroelectric power generation and internal transportation. Use of waterways in the survey submitted to states in the study of the International Law Commission on the 'Convention on the Use of International Waterways for Non- Transportation Purposes are these:

1. Agricultural use (1- Irrigation, 2- Drainage, 3- Waste discharge, 4- Production of food in water),
2. Economic and Commercial Uses (1- Energy production, 2- Manufacturing, 3- Construction, 4- Other economic uses such as shipping, 5- Log flotation, 6- Waste discharge, 7- Mining, oil production)
3. Internal and Social Uses (1- Consumer uses (drinking, cooking, washing, etc.), 2- Waste discharge, 3- Rest, entertainment).

The survey also asked whether floods and erosions were included in use. The answers have been informed that both issues should be included in this scope. However,

because flooding and erosion are essentially consequences, they should not be included in the types of uses.[66]

Theories about the right to benefit are by F. J. Berber; The sovereignty of the absolute country, absolute regional integrity, common ownership in water, limited national sovereignty, limited regional integrity were examined with the titles, B. A. Godana followed the berber's sort, but used the term "common ownership in the water" for the term of benefit partnership in the waters.[67] J. Lipper's points were; regional integrity, absolute country sovereignty, partnership of joint coastal dares in international river waters, in exchange for its distinction in the form of limited country sovereignty, B. R. Chauan distinguishes with the aforementioned theories, coastal rights, pre-allocation, sovereignty of the country, natural water flow, fair share, benefit partnership and decent use.[68]

The most common sort adopted in the examination of theories about the right to benefit; absolute sovereignty, integrity of the natural situation, superiority of preuse and fair use are put forward.[69] These doctrines, which are the basis for many existing solutions, are important in terms of also revealing the point reached today. As in a report by the United Nations Committee on Experts on this issue, is due to "the absence of international law rules on the possibility of exploiting rivers passing through the countries of multiple states".[64]

These views are collected on three general principles:[70]

The state that crosses the river from its country has an unlimited right to sovereignty in saving as it wants, not thinking about the interests of other states on that river.

States that cross rivers from their countries have the right to ask previous states that no action or initiatives should be taken from previous states that are closer to the source, which will violate, prevent, or affect the flow of water. States that cross rivers from their countries have the right to take advantage of that river as they wish in pre-agreed circumstances, ignoring the negative consequences it will have on other states. In this sense, the issue of cross-border waters was first discussed by lawyers at a meeting of

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[64] Koluman, A. Water Problems and Strategies in the World, p.16-20.
Toklu, V. Ibid, p.18-21.
Şimşek, T., Ibid, p.35-38.
Toklu, Vefa, Ibid. p.18-21. 68 Şimşek, T., Ibid, p.47-49.
Sar, C., Ibid, p.106, etc

the International Law Institute in Madrid in 1911, and the issue dissayred among some recommendations on international waterways. In the procedures of using and utilising rivers flowing from countries of the surplus states, states have been advised to avoid damaging behavior to other countries. In 1956, the same Institute established a commission to identify the way it exploits international waterways, and based on the work of this commission, it adopted some principles as a recommendation at the Salzburg meeting in 1961. These decisions can be seen when examined; states are accepted to benefit from the waters of rivers in their own countries as they wish, but in such case it is recommended not to harm other states and to consider the rules of fairness in such cases Required at The International Law Study in 1958 in New York. In the rivers passing through more than one country; states should not harm others with their activities in their own countries and to consider goodwill rules in this regard, and the rules of goodwill may be determined according to the conditions that arise in each case.[71]

In the work of the International Law Association on the subject, each state has full sovereignty over the rivers flowing in its own country and has the right to take advantage of these rivers economically in all respects, but this right is emphasized that it should be careful to make use of the usage of it in other countries without causing significant damage.

To ensure fairuse of the waters of rivers passing through the countries of multiple states, it is necessary to consider all the benefits and harms that the way it benefits to the relevant states. For example, it is necessary to consider the losses of some states in the construction of a hydraulic facility in matters such as energy, drainage, transportation, fishing, as well as the loss of water by others.[72] The concept of damage is one of the most focused animosities in this field.

2.1.2.1 Doctrine of absolute sovereignty

In general, the upper-coastal state is defined as being able to deflect or use the waters of the streams without any limitations, regardless of the impact of the lower-coastal state. It is U.S. Attorney General Judson Harmon, who announced the doctrine of absolute sovereignty in 1895 and gave his name to this view. Judson Harmon's view of the dispute between the U.S. and Mexico on the Rio Grande River has been put forward by the U.S. as a long-established international rule of law and is taken into a classic form. The Doctrine of Absolute Sovereignty is therefore referred to as the

"Harmon Doctrine". [73]

The rio grande river's attempt to water over parts of the U.S. country for irrigation has reduced the amount of water mexican farmers receive from the river, and Mexico has protested the situation. The U.S. Secretary of State then remitted the matter to Attorney General Judson Harmon and asked for his opinion legally. The question that was asked to be answered here was: Are the actions of exploitation in the remaining part of the Rio Grande River in the United States contrary to international law? Does Mexico have the right to seek compensation for these actions?[74] Attorney General Harmon, on these questions, on December 12, 1895, suggested that the following opinion: "The problem that is put forward is a new issue. Whether the terms are possible to take a measure in terms of international rules of civility or whether this measure is appropriate or not, it is beyond the authority of this ministry; however, the decision on this issue should only adhere to political reasons. Because I believe that the rules of international law, principles and exemplary events do not impose any responsibility or responsibility on the United States."[75] The Harmon Doctrine XIX was adopted and implemented by many states, particularly in disputes over the use of cross-border and/or border-bound streams at the end of the 20th century: in this sentence, the U.S. opposes both its southern neighbor, Mexico, and its northern neighbor, Canada; Austria vs Bavaria, India, Pakistan; They adopted the Harmon Doctrine and contributed to the creation of an application that was appropriate for this view. Essentially, the principle of "Absolute Sovereignty" before Judson Harmon is; German lawyer Johann Ludwig's. He was born in 1851; He said " Each state is about to achieve its own goals... Even if it has harmful effects on other states, it has the right to regulate within the borders of the country, especially by changing the media of rivers".[76] However, almost all of the authors who advocate the absolute right of the upper coastal state to benefit are based on Harmon's opinion. [77] Therefore, this subject is referred to by this name. In a 1895 response to Mexico, the United States said it could not deprive its citizens of the possibility of capitalizing on the waters in its home country.

"International hiccups have reduced the amount of water in the following section of the U.S. government that the flow of the City of Rio Grande to the United

States [78] has been able to capitalize on the water in the country - as a result of the use of the stream in the United States. The hypothetical that such the obligations may be found violates the sovereignty of the United States within its national borders." After the Mexican Government's complaints about the Rio Grande River continued, the Us State Department continued to defend the Harmon Doctrine in a second memo dated May 1, 1905.[79] "Because of the diversion of Rio Grande waters for the water of American citizens living in the United States, and as a result, Mexican citizens are unable to find the water needed to irrigate the top-rake in the Mexican country. Examining the legal responsibility issue against the Mexican Government, the Ministry says that the reasons for such responsibility are not in international law. However, the US Government is determined to determine the style of action in accordance with high principles of fairness and friendly feelings that must be established among good neighbors."

The United States signed the Treaty on May 21, 1906 with the Mexican Government to distribute the Rio Grande Waters fairly for irrigation purposes. In 1909, the Treaty on Border Waters and Related Issues Between the Two Governments was signed between the U.S. government and the Government of Canada, acting on behalf of the U.S. Government and the Canadian Government, due to disputes between Lake Michigan and Milk and St. Mary's between the U.S. and Canadian Dome.[80] The first sign that the United States has begun to give up Harmon doctrine was given in the senate during the senate ratification of the treaty on the use of the Colorado, Tijuana and Rio Grande streams, signed with Mexico in 1944.[81] Before the signing of the treaty on the use of Columbia River basin waters in 1961, a memorandum on the issue was prepared in 1958. "The coastal state has a sovereign right that envisages maximum use of the part of the international river system and matches the right of each coast to the counterpart. Coastal sequins are entitled to a share of the use and benefits of international river systems on a fair and reasonable basis."[82]

According to Charles E. Martin, the United States has given up on the Harmon Doctrine for the following reasons: The United States has provided the sharing of the waters of international streams in the agreements it signed. In interstate cases, local courts have applied the doctrine of sharing and rejected the Harmon Doctrine. The

Harmon Doctrine was rejected by Clayton, an Adviser to the American Department of the International Border Commission on the Senate of Foreign Relations Committee in 1945, and the treaty on the use of Colorado, Tijuana and Rio Grande streams, signed with Mexico in 1944, has not been implemented in any way.[83]

The Harmon Doctrine has been defended by some upper-coast countries outside the United States. Doctrine was used in the efforts to resolve many disputes. In the Dispute between India and Pakistan, India defended the Harmon Doctrine and the Treaty of Indus Waters on the dispute was signed in 1960. Austria acted in disputes between Bavaria and Inn, Saleh and Salah with a close approach to absolute sovereignty, and Austria and Bavaria arranged their reciprocal use on common streams in a treaty they signed in 1948. Austria's later practices, on the other hand, show that this state has given up on the Harmon Doctrine.[84] Harmon Doctrine,basically, has been highly criticized for adopting the absolute sovereignty of only one state.[85] Because the equal sovereignty of the other neighboring state is pushed aside in this doctrine.[86] There are two aspects of a state's sovereignty over its country. Sovereignty does not only grant the state rights; in addition to the rights of certain rights, some of the vestures are also imposed. The International Court of Justice rejects absolute sovereignty, saying in a ruling that "every state has the right to allow it to use its country for actions contrary to the rights of other states."[87] "While there are defenders of Harmon doctrine among the authors, those who do not accept this view are the majority. After the Second World War, we see an opinion that have begun to dominate the "Limited/Limited Sovereignty of The Country" in place of the views defending absolute sovereignty in the capital of the border. However, at the heart of these views of limited sovereignty lies for political reasons rather than legal. The fact that states play an important role in their views on restricted sovereignty should also not be kept out of sight. States with down-to-shore states have demonstrated three major doctrines with different views to prove that the right to benefit from upper-coastal states is limited, and to establish how and to what extent the right to take advantage of borders is protected against international law.

These are the Doctrine of The Integrity of the Natural State, the Doctrine of Preuse Superiority and the Doctrine of Fair Use [88]

2.1. 2 .2- Natural State Integrity Doctrine

The doctrine of the natural state is sourced from national law. The authors, who advocated this view, were inspired by the doctrine of coastal rights (Riparian rights) [89] in national legal systems.[90] The doctrine of coastal rights envisages that the waters entering the land of the coastal property will continue to flow without any change, preserving the natural rinse of the water. In other words, the upper-shore property must leave the waters of rivers or rivers flowing into the property below its property in their natural state (i.e. to leave as it is).[91] Swiss lawyer Max Huber and British lawyer Oppenheim are among the supporters who have proposed and supported the doctrine of the natural situation. Oppenheim cigs his opinion as follows.[92] "Sovereignty of the country does not provide unlimited freedom of movement. Despite the sovereignty of the country, the state is not authorized to change its natural conditions in its own country against the natural conditions of the neighboring state country, for example, to stop or diversion the flow of the river flowing from its own country to the neighboring country. Non- national rivers/borders and border-crossing rivers are not under arbitrary supervision of any of the coastal states ; because, under an international rule of law, no state can change its natural conditions in its own country against the natural conditions of the neighboring state country. Therefore, it is forbidden for the state not only to stop or deflect the waters of a river flowing from its own country to the neighboring state, but also to use river waters in a way that harms the neighboring state or prevents it from taking advantage of the river's current in its own part." This Doctrine has been suggested as a contrary view of the Harmon Doctrine to allow lower coastal states to benefit from international streams. [93] According to Max Huber, one of the doctrine's supporters, states should not interfere in monitoring the natural media of streams. Not any state can not disobey, cut, artificially increase or reduce water in a way that damages other states' rights in the stream. [94]If the Natural State Integrity Doctrine is placed in the application area, three results arise.[95] The upper coastal state is the physical quality of the waters in the lower coastal state of international flow and can't make any changes to the lower coastal state has the right to veto the use of international flows upwards. The lower coastal state is likely to use it in the future.

The most important dispute proposed by the Natural Situation Integrity Doctrine in

the international arena is the Nil River dispute, which was issued in 1924 and was resolved temporarily by a treaty in 1929. Sudan, which was under British rule during this period, wanted to realize the large-scale irrigation project, Egypt's response encountered. Egypt, with a close approach to the Doctrine of The Integrity of the Natural Situation, gave a no-data on January 26, 1925, and explained its opinion as

"The Egyptian Government has always and persistently thought that the irrigation project in question should not in any way harm irrigation activities in Egypt, and that it should not harm its possible projects in this country in order to meet the needs of the growing agricultural population." [96]"Article 4/b of the Treaty on the Use of Nile River Waters for Irrigation, Article 4/b of the Treaty on the Use of River Water on 7 May 1929, on the Nile River or the lakes that give water to the river or arms or river in other countries under British rule, the amount of water to flow to Egypt, the change in the flow rate of water, and damage the interests of Egypt reserves Egypt's rights arising from the previous treaty.[97] However, it is not possible to say that the treaty in question exemplifies the validity of the theory. Because there is a conviction that such a conclusion was reached because of the political conditions of the period when the issue was negotiated, and the treaty was signed. F. J. Berber states that the treaty was reached as a result of the political situation, that the British note on the protection of "Egypt's historical and natural rights" was a result of this country's policy on the region at the time, which means a different meaning than the principle of international law on the issue. [98] Egypt, in relation to the Asuvan Dam project, in the dispute that emerged after 1956, the 1925 note, leaving the extreme view, only to protect existing uses against Sudan, it appears to be the issue of protection."[99] But for Egypt, deeper conflicts with another upper-coast country, Ethiopia, are likely to begin. In the dispute between Lake Lanoux and Carol Stream, Spain's view of the up-shore France diversion project is typical of the stark presentation of the Doctrine of The Integrity of the Natural Situation, in practice, is specified.[100] If this doctrine is implemented, the upper-coastal state will not be able to take advantage of the waters that exceed the border without the agreement of the lower-coastal state and will not be able to exercise its right to benefit. In other words, this doctrine grants the lower- coastal state some kind of veto in the use of cross-border waters.[101] In practice, down-coastal states are based on the "consent clause" rule that results in the same conclusion, rather than suggesting the doctrine of the natural state in its "prohibition of all forms of physical

change". [102] Lower- coastal states argue that the actions of exploitation on the waters that exceed the borders adhere to the agreement of coastal states in order to maintain the natural state of the sections of the borders entering the areas of sovereignty, and in other words, to maintain the discretion army on the integrity of this situation. At first glance, the "condition of consent" rule, formulated in this way, can be considered to restrict the right of the lower-coaster state as well as the down-coast state. However, linking the actions of the benefit to be taken in the waters that are over the border is to restrict the right of the upper-coastal state to benefit only in practice, and to leave the use of this right to the discretion of the lower-coastal state. Because the path referenced in the formulation of the rule that stipulates the consent requirement of the coastal people is to seek the condition of consent in the event of "damage" or "significant damage", or for benefits that may cause harm. Given that the actions of the lower-coast state will not affect the waters that cross borders in the country of the upper-coast state, the lower-coast will not be able to obtain the consent of the upper-coast state, and it is always the opposite of this. It occurs spontaneously. Therefore, any physical change that the down-coast, up-littoral state can make in the waters sought for consent, is "important" for its own interests, suggesting that they have the opportunity to exercise the right of veto.

By banning the doctrine of the integrity of the natural situation, to amend the natural state of the bordered waters, the lower-coaster state also granted immunity to possible future worship- salutations on the same stream, keeping them hidden. However, as a result of the evaluation of the doctrine of the natural situation in terms of international law, the existence of a rule (consent requirement rule) that requires the pre-agreement of coastal states can not be mentioned in the use of borders, coastal states do not have a rule that protects their possible use in the future, the doctrine in question is not valid as a rule of law and has been rejected.[103] Regarding the issue, there are no provisions in the general and special qualified treaties that support the Doctrine of the Natural State Integrity. Generally, these treaties have similar provisions that states that coastal people can not make "significant changes" to streams or cause "significant damage."[104] The practices of states, the opinions put forward in the jurisdiction and doctrine, show that it is not considered an international

rule of law. In addition, the theory is not capable of organising actions to exploit cross-border waters.[105]

2.1. 2.3- Pre-Use Supremacy Doctrine:

The doctrine of "Pre-Use" occurred as a result of the transfer of a principle applied in domestic law to international law, as in the doctrine of the integrity of the natural state. His first appearance was through miners in western states of the United States.[106] According to this doctrine, the owner, who has started to use the waters on his land before compared to other coastal people, has some kind of earned right over these waters as long as this use continues. Other shores should not affect this absolute earned right of the first to use the same waters. Although it is expressed internationally in different terms as "natural or historical", "acquired" and "ancient" rights, they all have the same concept.[107] The doctrine mentioned was suggested in a dispute over The Waters of The Flow water of Colorado in 1931 and 1936.[108] The Doctrine of Pre-Use, the use of coastal states, international river waters before other coastal states, should be considered as an earned right that must be respected, in any way should not be harmed.[109]

Reflecting this concept, which is mainly applied in national law, to international law, E. Vattel states that the oldness and source of rights are as important as the essence of these rights in relation to the resolution of the dispute between the uses. Thus, the oldest right will be absolute, to the extent that it will be used with all its contents and does not harm the subsequent entitlement winner.[110] The Doctrine of Pre-Use recognizes the use of any coastal state before others as an absolute right. Thus, these states get an earned right because they started before they took advantage of the stream. However, not all waters flow into the territory of the country are not included in this earned rights. Only water that benefits, or rather, is actually pre-use. As seen here, the nature of the earned right, constitutes a fact that is, in a de facto state, the fact that the water is used and continued to use in a certain way. However, there is an important issue to focus on here. A situation that falls outside the doctrine of pre-use superiority. In exploiting any stream, this doctrine is not the right of a coastal state to be earned by agreement, while suggesting against the other coastal state, to the provisions of the covenant.

"The Doctrine of Pre-Use supremacy is seen as a doctrine that can be put forward both in terms of the lower-coast and the upper-coastal state as a result of this nature. However, the obligation not to damage the acquired rights, which constitute the essence of doctrine, is usually for the upper-coastal state. [111] Because the geographical locations of the up and down-coast states are different. It is the upper-coastal state that can always harm the rights gained. It is almost as if the coastal state does not have such an opportunity.[112] Another important issue is the fact that the down-coast states are starting to take advantage of the streams first. As it is known is settling around a stream and industrial activities usually start near the mouths of the streams, below their media. Population density and industrial development are developing from the isolation upwards of the flow of water. For these reasons, the ten-coast foreign states and their interests are applying to the doctrinument of the supremacy of the use. As a result, the principle of pre-use is a doctrine that the down-coast states resort to, to expand the scope of the right to benefit."[113] At the end of the evaluation of the Pre-Use Superiority Doctrine as a rule of law, the issues obtained can be summarized as follows:[114]

"In international law, the principle of respect for acquired rights (given the meaning it carries in domestic law) applies only to states to be successors ; therefore, it is understood that a general principle of law can not be put forward in the protection of the uses initiated by coastal-states before other coastal areas. In terms of absolute protection of existing uses, it has been observed that states that have to express their views on this issue do not have a coherent and general attitude. Indeed, in response to states such as Pakistan, Sudan, Egypt and Iran, the doctrine of pre-use, Mexico, Britain and the United States have rejected this doctrine, arguing that their current use will not be granted absolute immunity.

A provision of the Geneva Convention of 1923, the only general agreement on the issue, makes it clear that the current uses will not be granted absolute immunity. There are very few who foresee the protection of existing uses among special agreements. After a Decision by the U.S. Supreme Court that pre-use applied the doctrine of supremacy, it was understood that they changed their mind and rejected this doctrine in a second decision that followed." The current view of the absolute immunity of uses has been condemned by most authors in its doctrine and is not

considered a rule of law. Lipper, for example, expressed his opinion on this issue as follows.[115]

"In international law, there is no pre-use doctrine that automatically implements the concept of prior in time, prior in right in the internal laws of some states."[116] As far as it can be seen, Various legal sources suggest that the Pre-Use Superiority Doctrine in international law has been rejected, so the current uses are not strictly protected. From here, the following conclusion can be reached; The scope of the concept of damage, which the upper-coastal state should not give the right to benefit from the down-coast, is further narrowed. Because, it is not obscenity to affect the current use of the down-to-shore state into this scope in any way.

(The meaning of the obligation not to harm the right to benefit of the Lower-Coast) is inadequate when the application is considered. So, in order for the concept of harm to gain a further meaning, the issue that needs to be investigated is to the extent to which the current use of down- coast states is protected against the current uses of the upper-coastal states, in other words, the two conflicting states don't know how to reconcile the use."[117] One of the criticisms against the Pre-Use Supremacy Doctrine is the possibility of preventing economic development, especially in upper coastal states, if this doctrine is put into practice.[118] Another criticism of the doctrine is that this view leads to inequality among coastal states by preventing the benefit of the upper-coastal state and giving the lower coastal state an absolute advantage. In addition, some authors say that this doctrine distributes the benefits of international streams in an automated and mechanical manner, regardless of the mutual needs of the coastal, and prevents reconciliation and cooperation between the relevant states. of the world.[119] The Doctrine of Pre-Use [120], is not adopted by writers and scientific institutions as an international rule of law in this direction in the applications of states and judicial decisions. For example, the Mexican [121] state disputes with the United States over the Upper Rio Grande waters, claiming the superiority of preuse, while negotiating treaty negotiations with the same country on the Colorado, Tijuana and Lower Rio Grande waters. The theory of rights based on priority can not be considered a fundamental rule.

"The Theory of Superiority of Preuse is part of a very limited number of treaties. For example, the Treaty between Austria and Czechoslovakia on 12 December 1928 establishes new rights in border-setting streams, while the rights acquired by the Treaty of Saint Germain of 10 September 1919 are still protected. The article protects Egypt's natural and historical rights. Article 8/a of the Treaty dated June 4, 1953 on the use of Yarmuk water between Syria and Jordan, Syria reserves the right to use resources within its own country in the Yarmuk basin and the right to use water from yarmuk flowwater and arms at the lower part of the dam to be built to irrigate the Syrian territory located east of the Lower Yarmuk basin and Lake Tiberia. In Article 8/b of the Treaty, Jordan reserves the right to use excess water from reservoirs and the co-production station in Magarin for electricity generation and irrigation in Adasiya. Arab states have also been subject to the Doctrine of Pre-Use supremacy, in addition to the "condition of consent", in the dispute between Arab states and Israel regarding Sharia. However, in the same view, the fact that coastal states can not do significant damage suggests that they do not fully embrace this view. In this way, it is accepted that the upper coastal state may cause minor damage to the lower coastal state and the current uses are not given an absolute quality." [122] Given that the international community is in rapid scientific and technological development, it is organized and industrialized, as M. Whiteman points out, the need and use of water is increasing rapidly. In this case, strict implementation of doctrine can not meet the needs of societies. Iraq, as a down coasted country in the[123] Euphrates and Tigris rivers, continues to suggest this doctrine.[117]

2.1.2.4- Fair Use Doctrine

The names given to this doctrine have varied over time. When looking at the treaties, judicial decisions and scientific studies on the subject, it is seen that there is no unity in the expressions used for this.

The terms "fair use", "optimum use", "fair participation", "fair share", "utilitarian (or reasonable) use"[124] [125] are used together.The Doctrine of Fair Use

[117] Tiryaki, O. Ibid, p.30-34. 118 Toklu, V., Ibid, p.30-34.
Sar., C., Ibid, p. 274-276.
Sar., C., Ibid, p. 294

stipulates that all coastal individuals have equal rights in order to use the waters of a river that forms or exceeds the borders of two or more states in a reasonable and useful way. The intention of equality of rights is that each coastal state has the same qualified rights as other coastal people, taking advantage of water in its needs. This will also ensure that coastal states meet their needs to the widest extent by damaging each other. The Theory of Fair and Reasonable Benefit contains five elements.[126]

1. In the use of the waterway, there is equality of rights,
2. Equality of rights does not mean equal division of water,
3.Fair and reasonable use refers to a utilitarian concept,
4.The concept relates to the use of water for the purpose of benefit,
5.While users' current needs have not been met, it is against the use of the right to hold water for future needs.

The state, which has claimed the doctrine internationally for the first time, is the United States. Fair Use Doctrine, it was inspired by rules governing the relationships of coastal owners in relation to the use of water in U.S. national law. Eagleton, an American, is the first jurist to transfer such rules to international law under the doctrine of "fair use."[127] Eagleton argued that the same view could be applied to international (border-bound/ bordered) streams, as the Supreme Court refers to this doctrine in disputes between states.[128] Lipper, an American jurist who examines the Doctrine of Fair Use in the most detailed detail, describes this doctrine as follows: "Fair use is justified in the waters of international (border-border) streams between coastal states in accordance with their economic and social needs, it is divided into all of them in a way that is maximum benefit and minimal harm to each one."[129] When the details of this doctrine are reduced, it is observed that coastal states have the right to benefit from the waters of the distilling flowwater equally without considering the "up-shore"- "down-shore" differentiation of the waters. From this point, doctrine grants all coastal states the right to reasonable and fair benefit, thus prohibiting harm to the right of the coastal state to benefit, which is deemed reasonable and fair, in accordance with the restricted rule of sovereignty.

At first glance, the doctrine of fair use, in terms of the rules covered, as an evil eye, is an opinion that both the upper-coastal state and the down-coast state can benefit

from. However, if this doctrine is evaluated in terms of the concept of damage prohibited, it will be revealed that it protects the lower-shored state, which is damaged in disputes. In practice, the doctrine of fair use, as in the doctrine of pre-use superiority, is an interview that the lower-coastal state, which has to protect the right to benefit from the actions of other coastal people.[130] Already, the first state to defend the doctrine of fair use, the U.S., is the U.S. in a downward-coastal state against Canada in the Columbia river dispute.[131] However, the same U.S. has defended the doctrine of absolute sovereignty because it is upper-coast in the Rio Grande River dispute with Mexico. Israel is the only state that has advocated a close view of the doctrine of fair use other than the United States.

The Israeli Foreign Ministry said: "Israel undoubtedly acknowledges that in cases where a stream of land cuts multiple state countries, each of these states, in principle, has the right to take a fair share of the waters of this stream."[132]Some authors suggest that by the Doctrine of Fair Use, what a reasonable and fair share is should be determined in the light of the factors that each particular situation presents. However, these factors, depending on the specific conditions of each particular situation, are difficult to generalize in a way that is applied to all disputes. In terms of what these various factors cover, the Helsinki resolutions of the Inter-Uusantis Law Society, which adopted the doctrine of fair use, were adopted in 1966. article 1 can be mentioned. [133] The relevant factors to consider are as follows in this article:

The geographical state of the basin, including the proportion of drainage area that falls into the country of each basin state; Hydrological status of the basin, including water contribution of each basin state; Climate conditions affecting the basin; Past use of basin waters, including current uses; The economic and social needs of each basin state; In each of the basin states, the population of the living basin water; The economic and social needs of each basin state
comparing the remedies that meet; Finding other resources to be used; Avoiding waste of space in the use of basin waters; The ability to compensate one or more basin states as a remedy to distance conflicts between uses; The degree to which the needs of the basin state can be met without serious damage to another basin state;[134]As stated in paragraph 3 of article 2 of the Aforementioned Decisions, none of these

factors are given a priority or superiority compared to others. While determining what a reasonable and fair share is, it is envisaged that all relevant factors will be discussed together. It is possible to draw the following results by evaluating the Fair Use Doctrine as an international rule of law:[135]

"There is no state that adopts and defends the Doctrine of Fair Use, as mentioned earlier, other than the United States and Israel. In this respect, there is no mention of a general application that verifies such doctrine. The current agreements are far from showing the existence of a rule that adopts this doctrine. There were no other agreements that carried provisions that envisioned elements of the doctrine, except for five of the 140 special agreements examined. In contrast, the principle underlying the doctrine of fair use, which was more widely adopted in court rulings, was adopted by the arbitral tribunal on the Lanoux Lake issue. The Doctrine of Fair Use must leave the issue of defining the concept of harm not to a general rule of law, but to the agreement of the relevant states in each concrete dispute or a third authority to appoint it. However, in international law, as seen before, there is no rule in place to exploit the water, forcing the relevant coastal states to leave agreement or dispute to the resolution of a third authority.[136]

In a more conservative assessment, this doctrine is understood as follows; The principle of fair and fair use has prevented its priority use due to the position of the upper coastal country, and likewise, the right to veto the use of the lower coastal country against the use of the upper coastal country, ensuring the fair and reasonable use of the river.[137]

Within the framework of the Fair Use Doctrine, it should be determined in light of the factors that reveal each particular situation what the reasonable and fair share is. These are the factors that are at the heart of the doctrine and make it possible to evaluate the rights of the coastal people to the mutual benefit; However, it is difficult to identify these factors in a generalized and inequity manner, by all disputes, depending on the specific conditions of each particular situation.[138] The basis of the exercise of the right to benefit in treaties; productivity, reasonability, optimum benefit, fair and reasonable use are expressed in terms such as. All of this means maximum benefit and minimal damage to all coastal families.[139] The doctrine,

originally adopted by the United States as an international rule of law, was later put forward as an established rule of international law in the Columbia Stream dispute between the United States and Canada. And in special treaties, The Promissory Note on Economic Cooperation and Transportation between the Niger Basin States of October 26, 1963; the Treaty on the Use of Nile Waters between Egypt and Sudan dated November 17, 1959; The Agreement between France and Spain on the Regulation of the Upper Garonne Basin, signed in Paris on July 29, 1963, is among the treaties that include the Doctrine of Fair use.[140]

While treating the Doctrine of Fair Use as a rule of law, some authors suggest that it is a recent doctrine and that it is not present, but that it can generally be important in terms of the law that should be. The authors of this group also say that the principles of the Doctrine of Fair Use lack the certainty of expression and are difficult to implement.[141] In practice, in general, the principle of fairness and fair use become a rule of international law. This rule is valid both in the resolution of cross-border water disputes and for optimum benefit from these waters. [142]

2.1.2.5- Rational and decent use doctrine

This doctrine is much newer than the principles that have been examined so far. Recently, during the work carried out by the United Nations Organization, it was revealed and discussed. It is assessed that this view is parallel to the doctrine of "Fair use".[143] In accordance with a recommendation taken at the UN General Assembly session on December 8, 1970; The B.M. International Law Commission included the issue of drafting the "International Waterways Non-Transportation Use Bill" in the study program in the twenty-third session of 1971. In the forty-fifth session, which was held between 18 June and 6 July 1993, the International Law Commission agreed on the top 10 of the 32 draft articles, taking into account the opinions and suggestions from governments, and a study report published by the publication of the publication. The Commission then completed its second reading in the forty-sixth session in 1994 and transferred the Articles Bill to the General Assembly.[144]

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[144] Sar., C. Ibid, p.299-301.
Toklu, V., Ibid, p..29-32.
Ibid, p.29-32.

Although the draft provisions of the "International waterways non-use law" agreed by the International Law Commission are not currently binding, the determination of trends within the

B.M. and it is important to draw a framework for the issue in terms of international law.

"When the commission's drafts of the matter are examined, it is observed that the Helsinki Rules, which are now a major reference document for waters that cross borders, leave a narrower field of action than their approach, such as "Mutual goodwill, negotiation, and mediation.". Article seven of the draft imposes an obligation not to cause "significant damage". "Waterway states will cooperate on the basis of sovereign equality, territorial integrity, and mutual interest in order to ensure optimum exploitation and adequate protection from an international waterway," said The Eighth Article, which includes the general imperative for co-operation. [145]

The fair and reasonable benefit was put forward as an alternative to the idea of absolute country sovereignty during criticism against the Harmon Doctrine. The theory stipulates that all coastal people have equal rights to use the waters of a river that forms or exceeds the borders of two or more states in a reasonable and useful way. The purpose of equality of rights is that each coastal state has the same qualified rights as other coastal people and takes advantage of water needs in the measure. This will ensure that coastal states meet their needs to the widest extent by damaging each other. As previously seen in the Fair Use Doctrine bet; the theory of fair and reasonable benefit contains five elements.

1. There is equality of rights in the use of the waterway.
2. Equality of rights does not mean an equal division of water
3. Fair and reasonable use refers to a utilitarian concept.
4. The concept relates to the use of water for the purpose of benefit.
5. It is against the use of keeping water for future needs while users' current needs have not been met.

The research project on the use of international rivers and the law is envisaged

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Bir, M., Ibid, p.101-103.
İnan, Y., Ibid, p.232-234.
Tiryaki, O., Ibid, p.34-37.
Ibid, p.35-38.

to solve the problems arising from the use of water. Accordingly, a state can unilaterally save money on the part of an international river in its own country. However, the scope and measure of this are limited to fair principles. This result is included in both national court rulings and international exchanges. The U.S. Supreme Court, for example, ruled that while applying the principle of sharing in the Colorado-Kansas dispute, the amount of water Colorado could mislead without harming Kansas could not exceed the amount that was not shared.[146] The Nebraska-Wyoming case also counts factors that will determine fair share. Like this, in the Case of Württemberg-Baden, it is stated that the rights of coastal people to benefit by being resolved on a fair and reasonable basis are limited by the burden of not harming other coastal citizens.[147]

India's national court rulings see the theory as a fair share. For example, one of the solutions proposed by the Rau Commission, which was established to resolve the 1939 Sind-Pencab dispute, is social sharing. In the 1973 Krishana and 1979 Godavari water disputes, arbitral committees ruled that the rights of the coastal people were determined on a fair share basis.[148]

Agreements between states on friendship relations, border issues, or the use of cross-border water are provisions governing the fairly and reasonable use of these waters. The basis of the exercise of the right to benefit in these agreements is expressed in terms such as efficiency, reasonability, optimum benefit, fair and reasonable use.

All of which means the maximum benefit and minimal damage to all coastal families. The dispute in which the theory of fair and reasonable benefit was first proposed as an international rule of law is the Columbia River dispute.[149] The US State Department note on the river stated that coastal states have the authority to have a fair and reasonable share of the use of international waters. A fair and reasonable share;

1. Agreements
2. Judicial decisions
3. Legitimate and utilitarian uses
4. Current and future development of the system
5. The degree of dependence on the water of each coast

6. Comparing the economic and social gains provided by the various uses of the waters to each coast and region will be considered.

The contribution of international organizations and various scientific studies is remarkable in increasing the importance of the concept of fair and reasonable benefit. The 1957 Buenos Aires Declaration of the Inter-American Bar Association, the 1961 Salzburg decision of the International Law Institute, the 1966 Helsinki and 1986 Seoul rules of the International Law Association also express reasonable and reasonable use.[150]

The convention on the use of international waterways for non-transportation purposes prepared by the International Law Commission has been considered to be a factor in fair and reasonable use and benefit. According to Article 5 of the bill, waterways states should benefit fairly and reasonably from the part of an international waterway in their own country.[151] The waterway should be used and developed in a way that ensures optimal use and use of itself. Waterway states should participate in the development and protection of the waterway in a reasonable and reasonable manner. The clause emphasizes not only the right to fair and reasonable use but also an obligation.

Optimal use specified in the article does not mean the most technologically advanced or financially valuable use. What it means is to meet the interests and needs of all waterway's states to the maximum extent and minimize the potential damage to these states.[152]

Regarding the fair and reasonable use of Article 6 of the Bill;

1- Geographical, hydrological, climatic, ecological, and similar factors

2- Social and economic needs of waterway states

1. Waterway-dependent population in each waterway state
2. The impact of use in a waterway state on other waterway states
3. Current and potential use of the waterway
4. The protection, protection, development, and waste avoidance of water resources of the waterway and the cost of the measures taken for them
5. Presence of alternative uses

all relevant factors, including the need to be considered. The above-mentioned factors are considered exemplary and may require the characteristics of the waterway and the

needs of states to consider a number of factors. Some factors like this may not matter at all in some cases. Therefore, any of the above-mentioned factors cannot be given priority or weight in advance.

The factors written in the first paragraph are physical quality. These are related to geographical climatic conditions and issues such as the amount and quality of water flow rate periodic fluctuations in the flow. It should be assumed that this hydrological factor, which is counted in the bents, also covers the contribution of coastal states to the waterway. Again, the soil quality factor should also be covered by this bent.

International law imposes an obligation on states not to harm another state. However, the use of cross-border waterways will have a negative impact on other coastal or coastal people in any case. Therefore, the nature and quantity of damage that is likely to be inflicted on other coastal people in the implementation of the theory of fair and reasonable benefit is important. In other words, determining what the reason is will mean that some of the benefits of an upper coastal state that does not violate the law will be possible. The concept of damage is expressed in various international documents in different terms. For example, the plate river basin states signed an international agreement in 1971, which is the attachment of Resolution 25, is expected to use the waters on the condition that a cross-border river does not cause significant damage to another basin state. Article 7 of the agreement signed in 1995 regarding the Mekong River basin is a liability situation if use arises sorely damage.[153] Article 1 of the Helsinki Convention on the use and protection of cross-border waterways and international lakes is considered a significant negative impact on the environment as a result of human intervention in the conditions of bound waters. According to the first article of the International Law Association's "Complementary Rules to Be Applied to International Water Resources" adopted at the 1986 Seoul meeting, a basin state should avoid actions and omissions that would cause fundamental damage to another common basin state in its own country.[154]

The term discussion on the characterizing the concept of harm has also taken an important place in the work of the International Law Commission. A remarkable

expression of damage was used in the first form of Article 7 of the bill prepared by the Commission.[155]

As stated in the Commission discussions, the word appreciable is far from capable of determining the measure of damage, as well as a style of expression that is not used in many international conventions. The contracts use substantial or important (significant) words. Therefore, it would be more accurate to adopt one of these two words. In addition, the word important was used in the final form of the article in question. Un General Assembly 6. The committee's 51st meeting report states that the word important is not used in the basic sense. The effect expressed by the important word should be determined by objective evidence and, in terms of its nature, it should not have an effect on the small, but it does not reach its actual level.[156]

Criticisms of the theory of fair and reasonable use of cross-border waterways cannot be passed on to international law, which is included in national law, where theory is not an international rule of law, in international law at points where there is no rule that forces relevant coastal states to leave agreement or dispute to a third party's solution, the theory is not conducive to definitive formulation, and cannot always become a code that can be applied to any situation. Concentrates.[157]

The general course of development of international practice in relation to the theory of fair and reasonable benefit shows that states have a will to accept the theory. While the number of international agreements in which the theory is applied is not much for today, it is also imperative that states seem more willing to benefit from the use of cross-border waterways outside of transportation.

As a result, it is not possible to say that international practice justifies articles that criticize theory. The flexibility of the generally accepted theory among states in determining the factors related to fair and reasonable use is a feature that can contribute to the solution.[158]

2.2- Sources of International Law

Before moving on to international studies on water law, it is useful to briefly examine the sources of international law. The 38th anniversary of the United Nations

International Court of Justice (UAD) status. The article stated the sources of international law as treaties, treaties, the general principles of law, court decisions, and doctrine.[159] In the international community, there is no common legislature to legislate on behalf of this community. States fill this gap in accordance with international law by making treaties that create rights and obligations, establish a relationship, change or terminate the current relationship. As a rule, treaties only bind the parties. In some cases, however, it appears that the treaties also have an impact on third parties.[160] Article 34 of the Vienna Convention on the Law of Treaties. "A treaty shall neither be granted rights nor obligation for a third state without its consent."[161] This is the rule, but it appears that some treaties, particularly on transport routes, also have exceptional rights for third international semantics. These treaties are made between two or more states, but all states recognize freedom of passage for their benefit. On the 54th day of the vans, according to the article; If a treaty is not otherwise stated, the common will and unity of the parties are envisaged. The failure of one party to comply with the treaty provision does not end the treaty. Because international law, informal rules; [162] 38. In the article; "International team" to be applied in the resolution of disputes; (rule of law as evidence of the general practice). It consists of the combination of two elements: the rule of development of a structure, i.e. the material element (consuetudo), and the spiritual element (psychological element, opinion Juris stand necessitates).[163] The material element states that the same behaviors and attitudes in the same situations are repeated in the form of "do" or "not". In order for a rule of arrival to be introduced, it is not sufficient to repeat the exemplary behavior sewage in the same direction, but there is also a belief that these behaviors are required as a requirement of law.

General principles of law; there is no obstacle in terms of the legal logic or the value judgments of states; can be defined as rules that contain common legal values of states.[164] This resource has the function of filling the gap in the rules left by the other two sources in international law. The general principles of law can be listed as follows; "goodwill, loyalty, respect for earned rights, failure to misuse the right, compensation for the damage done, respect for finalized judicial decisions, the rule of international law, continuity of the state."[165] Decisions of the judicial or arbitration bodies that constitute the auxiliary source of international law include decisions of all judicial bodies relating to this rule of law and arbitral decisions.[166]

These decisions, which are referred to as "means of assisting in the determination of the rule of law", may only be applied to investigate, find or identify the original source to be applied in the resolution of the dispute, however, quad decisions only place a provision for the relevant dispute and do not constitute an international rule of law. In other words, similar disputes cannot be applied as international law rules[167] "On the 38th anniversary of The UAD Status. The "doctrines of the contractors" expressed in the article are of great importance in terms of their contribution to international law. The doctrines of dissidents are often head-shot in the interpretation of the rule of law, in the evaluation of other rules in response to other rules. Doctrine not only contains the individual views of expert authors, but also the reports and opinions of scientific institutions and organizations, as well as the personal opinions of international judges or arbitrators attached to decisions on various cases." [168.]

International regulations: primarily and in principle, it is binding only for states that agree to consensual bonding. In addition, most binding rules based on the specified consent are provisions that are open to conditions, possibilities, and options. International regulations give states a wide range of freedom of practice and action to use when international law is required to comply with this rule, the concept of sovereignty, taken in terms of international law; it is the fact that a state may not recognize the legitimacy of any human-qualified external restrictions that are not based on its consent. [169] The fact that international law rules impose sanctions without the consent of states; although it is a result of the stage at which the international order is now, these rules are already the natural prerequisites that any legal system should be. Their binding does not affect the sovereignty of states. If these assessments are taken into account, sovereignty according to international law; It would be appropriate to understand it as "the authority of the state to decide freely, without legally adhering to any external or superior power, and limited only to international law or its own connections." In practice and in accordance with the general rules of international law, no state shall be forced to resolve a dispute from judicial or political pathways, except its own will, unless expressly stating during the dispute or a source of an existing and current agreement between the parties.

However, if the dispute carries a nature that threatens international peace and

security, it will not be able to resolve article 33 of the United Nations Treaty. In accordance with the article, the parties must resolve the dispute between them peacefully. [170] It is also the 7th article of the UN Treaty. As stated in the section; In the event of the threat, deterioration, and attack of peace, the Organization will also be able to apply for coercion measures by the Security Council resolution. In this context, the organization. in accordance with article Article 41; economic relations, communication, and transport means, in whole or in part, such as the cessation of political relations, such as the use of armed forces, or, based on Article 42, can also be present in other entrances to be carried out by the armed forces through the air, naval and ground forces.[171]

2.3- The Stage of International Coding Studies on Water

During this process, there is a mandatory filling of the gaps, and therefore a legislative process. The codification of international law is x-on. Although it began in the 19th century, after the 1899 and 1907 Hague Conferences and the League of Nations, this issue was dealt with much more seriously during the United Nations era. The International Law Commission, created by the United Nations General Assembly on this issue, not only compiling existing rules, but also authorized to review them, change them if necessary, and add new provisions. One of the issues this commission has dealt with so far is the use of international rivers. Since the beginning of the 20th century, many international organizations and bodies have been working to establish a law that can eliminate international conflicts in water and provide an environment for reconciliation. The comprehensive rules or principles that determine the rights and obligations of states regarding border waters or water systems in their country are not yet fully formed. There are agreements reached between coastal countries for a variety of border-wide waters; however, it is not possible to apply any of these agreements to another bordered river. These agreements, each reflecting different conditions and situations and sometimes bringing different solutions to similar problems, have not been able to ensure the formation of generally accepted rules of law regarding the use of excess water for non-transportation purposes. The 1911 Madrid Statement of the International Law Institute and the 1961 Salzburg Resolution, the International Law Society (UHD) papers dated 1956, 1958, 1960, and

1966, and the United Nations International Law Commission (UN-UHK) 1978,1989, 1991, and 1994 reports are the most important studies in this field. Here, UHD's, 1966 Helsinki Rules and the UN-UHK's 1994 report on the use of international waterways for non-transport purposes constitute the work to be considered (voted at the UN General Assembly on May 21, 1997 and presented to the signatures of states.).[173]

2.3.1- Studies of the International Law Association (UHD)

Efforts to establish rules on exploiting streams involving multiple states; Since the 1950s, it has expanded and has emerged from the size of the law, which is only being created by countries that are parties to any disputes. In this new approach, studies have evolved into efforts to establish principles and rules that countries that are parties to disputes must be based on resolving conflicts. In these years, the authors who examined the view of fair use at the doctrine explained that doctrine is an evolving rule of law. In contrast, private institutions such as the International Institute of Law and the International Law Association have proposed the Doctrine of Fair Use.[174] In this context; The 1911 Madrid Declaration of the International Law Institute and the 1961 Salzburg Resolution, reported by the International Law Association dated 1956, 1958, 1960, and 1966, are the most important reports of the United Nations International Law Commission dated 1978, 1989 and 1991.[175]

In 1910, the International Institute of Law put the use of streams used by multiple states other than transportation, and in 1911, the Madrid Declaration on the use of international waters outside of transportation was published.[176] In general, this Decision, which strictly prohibits the serious damage that can be inflicted on the benefit of coastal states, thus contradicting the Harmon Doctrine, which was the dominant doctrine at the time, is in two categories as a border and detaching the countries. of the world.[177] The Institute's 1961 Salzburg Resolution also recognized the rights of all coastal people to benefit from river waters, but that one state could use the same waters in the waters of a river or a hydrography basin. and prohibit stake in their use and construction.[178]

International Law Society; At the 1956 Dubrovnik Meeting; when describing streams used by multiple states as international streams, it evaluated "streams between two or more states or through two or more states" and unanimously accepted the following principles of the world.[179] Each state will take advantage of the division of international streams in its own country, while it will take into account the impact of this use on other states. Each state will be responsible for public and private actions to the extent that it harms other states. Benefiting from streams; The right to reasonable use of each state, the dependence on the waters of that flow of each state, comparative social and economic gains, existing treaties, and current uses between the relevant states will be taken into account. The Association's decisions in 1958 and 1960 can also be considered as steps of the road to the Helsinki Rules, where the rights of the coastal people to benefit equal value are confirmed.

Legal problems in the operation and use of international streams began to be examined at the United Nations in 1959. Until 1970, no significant progress had been made except for the UN Secretary-General's report on the issue.[180]

The International Law Association (International Law Association) held a meeting in 1966 and made an important shift in code making. As a result of the studies, some rules that do not have binding properties; recommended. Although the rules are not binding; in the following years, it has gained light on the work in this field. In Helsinki, waterways are discussed in terms of international drainage basins. The rules state that basin waters that exceed borders must be used in a reasonable and reasonable manner. Although there is no limiter (egotism) to determine "fair and reasonable use", it has been stated that some criteria may be based on it and all factors must be taken into account for an allocation of this nature. [181]

Factors to consider for fair and reasonable use are the 5/2 of the Helsinki Decision.

The article states as follows.[182]

1. The geographical state of the basin, including the proportion of drainage area that falls into the country of each basin state,
1. Hydrological status of the basin, including water contribution of each basin state,
2. Climate conditions affecting the basin,
3. Historical use of the water of the basin, including existing uses,
4. The economic and social needs of each basin state,

5. In each of the basin states, the population, which is connected to the living basin waters,

6. Comparing the remedies that meet the economic and social needs of each basin state,

7. Finding other resources that might benefit,

8. In the use of basin waters, prevention of waste, the ability to compensate one or more basin states as a remedy to reconcile conflicts between uses,

9. The degree to which the needs of the basin state can be met without serious damage

to another basin state. Article 3 of the same article of the decision. In his paragraph, none of these factors are given a priority and weight compared to others; "the weight to be recognized in each of the factors will be determined as a result of comparing the importance of this factor to the importance of other related factors.

While determining what a reasonable and fair share is, all relevant factors should be discussed together, and a conclusion should be reached by keeping them all based."[183] The third grade of the Helsinki Rules. section, 9,10, and 11. important recommendations are envisaged for the identification and prevention of contamination of water in substances. Some of the articles relating to our study of the Helsinki Rules, which hold an important part in the coding work, are given in ANNEX-I.

2.4- Studies of the International Law Commission (UHK)

The United Nations began examining the legal issues that have been created over time by the operation and use of international rivers. Until 1970, no significant progress had been made except for the UN Secretary-General's report on the issue. In 1970, the UN General Assembly commissioned the UK, the UN's codification body, to develop gradually and gradually the "Law on The Use of International Waterways for Non-Transport Purposes" (codification and progressive development). Since 1970, the Commission has completed its work, which it has carried out and whose interim reports are discussed annually at the UN Sixth Commission and the General Assembly, at its meeting in Geneva in the summer of 1994, thus making international waterways (The Draft Articles) has agreed to submit it to the General Assembly in

the final form of the Articles on the use of rivers for non-transportation purposes. The Draft Articles are of close interest to Turkey, an upper basin country in terms of international waterways.

For example, you can use the 5th grade. the article states that the river, which tests it, should be used in a reasonable, reasonable, and optimal manner. The type of substance clearly indicates the optimal use of water without being wasted. Uhk has categorically rejected the idea that an international waterway is a shareable natural resource at the point of movement of its work. The "Three-Stage Plan" proposed by Turkey fully adopts these principles laid out by UHK (See Third Part, Part - 2). More meaningfully, Turkey not only supports the vicious and rational use of squealing waterways but also uses initiative to enact these principles.[184] Another important article is article 6. is the substance. The aim here is to identify the criteria and elements that will need to be considered in order to perform a reasonable, reasonable, and optimal use. These elements are elements such as population, climate, alternative, water resources, hydrology, the technology used, level of development, economic needs of the region, although not limited. Another important element is that if there are alternatives to meet the economic and social needs of a country, these alternatives should be considered in the allocation of a decent and rational amount from the water source.

UHK, 22 July 1994, the 46th President of geneva. at the 2nd reading of the Articles Bill at the 2nd meeting, he agreed to present these articles to the UN General Assembly. The key statement of the previous draft was "appreciable harm-significant damage", in the 2nd reading of the Draft Articles, changed to "significant harm.". This change constitutes an important development in the water use of coastal states. Thus, when using an international waterway, the degree of accountability of an upper coastal state that is likely to damage the lower coastal state has been increased from "significant damage" to "significant damage." More clearly, by raising the threshold, it is predicted that the damage done should be a significant loss. The word "appreciable-remarkable", which is the subject of tough negotiations, is not left to be changed to "significant-important", the title "Obligation not to cause significant harm-Obligation obligation not to cause significant harm" title "due diligence-necessary care " concept. Thus, a very important and legal basis element has been added to the article that an upper bear state, which is likely to harm a lower-coasted country, will

be held accountable if it does not show "necessary prudence" in its use of significant damage.

In this way, an important development has been made in determining the mutual responsibilities of all coastal countries. During UHK's work, there were also opinions on the inclusion of groundwater, which is not connected to an international waterway, by adding a new clause to the Draft of Substances or by establishing a separate protocol. In this way, an attempt by UHK's US special rapporteur to solve groundwater problems with Mexico was thwarted by other members of UHK. This obstruction is not adequately examined in accordance with Article 16 of the UHK status of the groundwater problem, the principles, and principles prepared over 20 years on the waters that have not been collected and the practice of the states are not collected, and the principles and principles prepared over more than 20 years are based on the fact that it cannot be applied to an unknown field. In the end, it was decided that efforts to continue efforts to determine the rules on groundwater (confined groundwaters) had nothing to do with cross-border streams.
The work of developing international law and gradual development of borders through UHK was initiated in 1972 by Argentina, which is leading the lower coastal countries, with a proposal to the UN General Assembly.

The Article Bill, which the UHK has completed its work on, was intended to create a "Framework Agreement", and this view was adopted by UHK. It is estimated that the framework agreement will take time for the agreement to be accepted and enacted by the internal legal procedures of the signatory states. Even when accepted and enacted, this Framework Agreement will not directly have an impact on resolving the potential intransigence between countries that use the same borderline waterway. However, since these principles and rules are deemed to constitute the latest legal norms for the use of international waterways adopted by the international community, the countries that sign the agreement will be agreed to in future agreements. policies and rules.

Today's international law is firmly committed to the degree of social solidarity and the consensus of will between international units, especially states, in terms of both the adhesion of the rules and its implementation of concrete events.[185]

International law does not establish any general rules except the rule that states should resort to peaceful means in resolving disputes, and leaves the issue of which peaceful lysis to be elected to the common consent of the states.[186] In other words, it is clear that the contract will connect the parties and not bind non-partisans.
Although the International Law Commission has published numerous reports [187] on the issue since 1971, however, in 1991; As a result of the initial reading, he revealed a "Draft of Substances" [188] that he accepted on his temporary record. [189]

Making the second reading and correction of the Draft of Substances; in 1994, after the receipt of the states' views on this issue. The latest "Draft" was first discussed at a meeting of the Sixth Commission working group of the General Assembly between October 7-25, 1996; [190] The bill was adopted "hastily" at the UN General Assembly on May 21, 1997. Of the 185 members, 133 participated in the vote, and the contract was accepted by 103 admissions, 3 rejections, and 27 abstentions.[191] "He was prepared with a flurry, without temptation and a partisan mindset, he was voted in a hurry, and the result was tainted by grave mistakes," said The Permanent Representative of France [192]

Alain Dejammet. It will take effect on the 90th day, following the approval, acceptance, consent, or participation of 35 countries.[193] Given the number of those who voted for the bill, the contract will come into force as soon as possible.[194]

As a source of international law, international treaties should be evaluated in accordance with all stages of formation, in the meantime preparatory work, necessary discussion texts, residency records, and finally all of the resulting texts. In this context, the resulting Draft Agreement is also remarkable in the way of preparation. The 1982 United Nations Convention on The Law of the Law of the United Nations, which was also uncovered by the initiatives of the United Nations, excluding attachments, was drafted by a series of conferences in Caracas on June 20, 1974, after preparations launched in 1967. The so-called [195] “Conference" was intermittently continued for 11 semesters and as a result, the "Convention on The Law of the Sea" was prepared and presented to the conference participants on April 30, 1982. [196] Compared to the BMDH Convention, the preparation efforts of the Convention on the Use of International Waterways for Non-Transport Purposes, such as this convention,

are assessed as unsatisfactory in the dimensions of participation, discussion, and reconciliation of the 1997 Convention. This issue was stated during the negotiations regarding agreement [197] as if there was no consensus by the Turkish Delegation in the basic or basic provisions. The convention is far from reflecting the will of the whole of the international community, and especially the will of a large majority of states in regions where the problems still in this regard have not yet been resolved. Indeed, Iraq and Lebanon did not participate in the vote; Turkey, China, and Burundi voted against it; USA, UK, Russia, Saudi Arabia, Bangladesh, Iran, Jordan, Sudan, Syria and Yemen, etc. positive votes, Bulgaria, Colombia, Egypt, Ethiopia, France, India, Israel and Pakistan etc. countries abstention. [198] The distribution of votes in this way is also; his approach to the contract and the fact that he cannot respond to problems, is essentially the case.

"He expressed his belief that a framework agreement would ensure the use, development, conservation, management, and protection of international waterways and the development of optimal and sustainable use for today and future generations," the entry section said. this attribute is also stated in various General Assembly decisions. [199] Since the beginning of the process, the Turkish Delegation, which has expressed objections to various provisions of the draft text, declared during the vote that the convention had no legal validity for the Republic of Turkey in accordance with international general and technical law, and declared the following issues, requesting that it be passed on to the general assembly minutes:[200] The contract; As a framework contract, it is necessary to give up general principles only and be based on special treaties that will be made by taking into account the specific characteristics of the waterways. In this way, the contract extends beyond the concept of the framework contract and creates a mechanism for "planned projects" contrary to its purpose and nature. This issue has no place in international general and international law. In addition, such a mechanism requires prior consent to a state of a category (waterway states) to carry out projects planned, creating a clear disparity between states. Both 7 - 2 October 1996 in Geneva, and between 24 March and 4 April 1997 in New York, Turkey's views and concerns about the Bill, the commission in accordance with the dislocation of the text or the replacement of the text, and Presented to the General Assembly.[201]

Article 2 of the Agreement, titled "Using Terms", is the first of its time in the United States. In its article " international waterway", its sections are defined as a waterway located in different states. [202] "Turkey has proposed that the definition of international waterways be classified as "waterways that make up a border and cross-border waterways through two or more states", but this offer has not been accepted. In the process of discussing the Convention Bill, Syria's; Responding to the approach that the separation of water or bordering water or bordering borders is not appropriate, in both cases the legal regime is the same, H. Pazarcı responds, that each situation can be evaluated in its own special circumstances, that the contract does not go to a distinction in this regard, but that the separation of streams that cross borders and create borders is 6. He also stated that the article can be clearly understood. 6. The issues related to the article will be discussed while examining; The principles for the use of a waterway are revealed in (a) paragraph, regarding the waterway; geographical, hydrography, hydrological, climatic, ecological, and other natural factors, and (d) in paragraph (d) the effects of use or use in a waterway state on other waterways states. As clearly understood from these statements, the application differs in terms of the waters that are bordering with excess water."[203] While this obvious deficiency in definition can be resolved by the addition of the expression offered by Turkey, the following articles have been prepared to cover the basis for interventions that will be realized by generalizing the "international waterway.” In almost all of the efforts to create international law on benefits other than transportation from streams used by multiple states, it is seen that streams that cross borders or cut countries are divided. In practice and in most of the doctrine, two categories of rivers are applied to the same rules, Sar said in his study; used this separation to specify two types of river categories. [204]In the process of being able to access, many problems will remain unanswered if this separation is not made and all streams in this situation are evaluated in the "international" category. "For more than a century since Harmon's Doctrine of Absolute Sovereignty, the method monitored by water law is to determine what the sovereignty rights of states using stream water are in their own country. International law has adopted streams of this situation as "cross-border streams" shared by various states, with principles approved at international conferences from the 19th century." [205] In 1980, the hypothesis adopted by the International Law Commission on the meaning of the international waterway system, "the international waterway system is a waterway system with two or more states. However, when uses

in a waterway state affect other states where water passes, such uses lead to the international waterway being considered as the "approach."[206] In later studies, the Commission adopted a broader but more ambiguous definition. It is noted that the current definition is far from revealing a number of differences.[207] Because the water in more than one country can be water that creates borders in some cases. Therefore, since they create borders in the countries of both states when it comes to the allocation of water in quantity, it is necessary to cooperate in the amount.

On the other hand, the excess waters; a certain part of it is in the country of one state, and the next part is in another state country. Since international law binds the right to use and benefit from the sovereignty of the states, "each state will benefit from it based on the right to sovereignty over the waters in its own country". In other words, I'm going to have to Each state will be able to exercise the right to benefit from its part of the stream in its own country - taking into account a number of other data set by international law, but in its own way, without going into a mandatory joint process with other states. [208]

In the cross-border water system, every coastal state retains its full sovereign rights over the remaining part of the water in its country, but coastal states will take care not to cause substantial damage to lower coastal states while taking advantage of these waters.[209] Sauser Hall's; "On the waters that exceed the borders, the common sovereignty (co-imperium) cannot be held for long. There is no equal sovereignty between the countries in which the water flows out and the countries in which it flows", as mentioned [210] above in the bet on concepts; in a different way, it reveals this issue. "The upper concepts of international law, such as "common" and "common heritage" are still being discussed in the dimension of resources that concern all humanity, which therefore should be passed on to future generations and which need to be addressed and regulated at an "international" level. It is not possible to accept cross-border streams as "common heritage" or "global commons". Approaching from this perspective, the concept of "common heritage" is legally a reflection of the concept of "public domain" (res publicae or res extra commercium). For any natural resource to be described as "public domains" - the whole world must have a common interest in relation to that resource. In addition, a legal regime change can happen by accepting this situation by a supranational organization."[211] A stream that crosses

borders is not a common stream that waterways state also have in common, or "co-domination" status. International law and current practices show that each state involved in the cross-border waterway system has the right to take advantage of the water of such a waterway system in its own country.[212] In this case, the concept of international water; covers both border-crossing waters and border-forming waters. If this distinction is not made, there will surely be problems in determining the differences in use.

You can use the third amendment of the contract. "Unless there is an agreement in the opposite direction, nothing in this agreement shall affect the rights and obligations arising from the agreements that apply to him at the time of a waterway state's party to that contract"[213] in the words of the statement, it protects the existing treaties. This is the result of the principle that "the law will not go backward" as the general principle of law reflected in international law, but as a result, the contract, the countries that have resolved their disputes to this day, regardless of how they resolve them, while not imposing sanctions, countries that have not yet resolved their disputes face a resurrected source of international law that does not reflect the international common will.

"Principles of use; " Under the title "Fair and reasonable use and participation", 5. "The waterway states will use the international waterway in their country in a reasonable and reasonable manner. An international waterway will be used and developed by waterway states, especially with the view of achieving benefits consistent with optimal and sustainable use from this waterway and adequate protection of the waterway and considering the interests of the relevant waterway states."[214] With this description, you can use the 5th. in substance, excess flow steps are not a commodity that can be shared, only they can be used in a decent, reasonable, optimal, and sustainable way.[215] Otherwise, it will have to be moved from units that have the right to share; number, or need,regardless of the number or sharing. [216]

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[216] İnan., Yüksel., Ibid, p.235-237.
Çandar., C., Ibid, p.449-451.
Toklu, V., Ibid, p.40-41. (Transfer from: Başlar., K., The Concept of the common Heritage of Mankind in International Law., p.68-72.)
212 Bağış., A.İ., Social-Economic dynamics and Financial Problems in the Industrialization of Southern eastern Anatolia Project., p.21-22.
UNGA 97, p.7-8.
Toklu, V., Ibid, p.46-48. (Transfer from: UNGA 97, p.9-10.)
İnan., Y., Ibid, p.6-7.

"An understanding that the general principle of "equality of rights" behind the principle of fair and reasonable sharing requires that the waters be divided "equally" by coastal states, has never prevailed in international law at any time. As a matter of fact, the interpretation of the relevant article states that the principle of "use of the word" constitutes the basic principle. The purpose and method is the use of this, which will make states that already have that water. So when it comes to water exploitation, especially when it comes to a general water problem; if a state is slaughtered into disputed water, it will be entitled to use."[217] If it is not in the case of coastal if it does not have a direct relationship with the waters (if not the relevant state); there will also be no legal claim to share on these waters.[218] "It has also been revealed that the concept of "fair sharing" should be understood flexibly in the negotiations at the United Nations. The essence of the concept is the balancing of these interests. No strict criteria are incompatible with the aforementioned concept. Policies such as "earned rights" or "proportional sharing" are not part of the concept. In fact, "fair use" means that it is not only considered by the relevant states, but also the possible impact on these states." [219]

The issue of fair and reasonable use should be determined by the waterway states in accordance with the special conditions of the waterway, also emphasized during the contract work.[220] Eagleton, one of the pioneers of the concept of fair (decent) use, states the lack of vision as follows.[221] " Fair Use Doctrine encounters difficulties in practice. Because, due to the necessity of judicial paths in national law, courts will determine what constitutes a fair use according to certain circumstances of each situation. However, the situation in international law is different, the doctrine of fair use, the concept of limited sovereignty is a very general principle." Lipper, meanwhile, explains the lex lata value of the doctrine as follows:[222] "The law of international streams, in its current state, is still in the age of infancy. As for fair use, the rules are so flexible and general that they are more of a guiding factor than regulatory provisions. Perhaps that's the limit for the contribution of law to this complex issue in which engineers and economists play a big role." Today, "the meaning of fair and reasonable use; the prevention of the use of the state in a way that

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Pazarcı., H., Ibid, p.45-46.

harms other states" [223] is to prevent it from using water, together with its general approach, "the concept of the badness should be defined; there are some criteria in international law, but there are also authors who argue that this concept is difficult to understand and available for different interpretations."

"To this day, most disputes about over-bordered waters have been resolved in the best will of the relevant states. Some disputes are still ongoing. This is probably because there are difficulties in fulfilling the various demands of the states in which the water passes, based on fairness, and the lack of comprehensive international rules that can be applied to every event in this area"[224] findings. As it suggests, the concept is yet to be controversial. However, it is not the first-time states should also be informed of the rights of the waterway within their own countries, within its own special conditions, and by the relevant waterway states.[225]

1. Article 2. The paragraph states that they will participate in the use, development, and protection of the waterway in a manner that is fair and reasonable so that the relevant states have the duty to cooperate at the same time. The necessity of cooperation specified in the article becomes even more important in this case, where different interests conflict.

The issue of cooperation in cross-border waters is also a very good example of international dependence. In addition, it should be emphasized that the union is based on many different factors.[226]

1. In the article, the Helsinki Decisions mentioned earlier are reflected in the article and stated as below, which principles and conditions will be taken into account in the determination of fair and reasonable use.[227]

2. Geographical, hydrographic, hydrological, climatic, ecological, and other natural factors,

3. The social and economic needs of the relevant waterway states,

4. The waterway-dependent population in each waterway state,

5. The effects of use or use in a waterway state on other waterway states,

1. Existing and potential uses of the waterway,

6.The protection, protection, development, and economy of the use of water resources in the waterway and the costs of the measures taken accordingly,

1. The presence of alternatives of similar value, especially for planned or existing uses. "Turkey; In the subparagraph (a) of paragraph 2, the term "pedology" (the science of soil
quality and related soil classification) and the Helsinki Decisions suggested that the phrase "water contribution to the waterway of each basin state" should be added, but; U.S.A., Syria, Iraq,

Twelve countries, including Lebanon, Sudan, and Egypt, have opposed it."[228] *"The point that should be specifically pointed* out in *relation* to these *principles* is set in the third paragraph of *the article: "The* weight to be given to each basis will be determined according to its *importance compared* to *other relevant principles. When determining what* reasonable *and* fair use is, *all the principles related will be dealt* with together *and a full-based conclusion will be reached."* Regulation of the article in this *way, avoiding the definitions of decent, reasonable, optimal concepts should* be seen as a correct approach given the whole *and purpose* of the *contract.* It should be noted that the "optimal use" specified in the article does not mean the most technologically advanced or financially valuable *use,* but that *these concepts have different meanings for each waterway* that offers different characteristics, as it means to meet the interests and needs of *all waterways states* to the maximum extent and minimize the potential damage to these *states."*[229] The concept of "harm", which can be expressed as the limit of fair and reasonable use; initially entered the bill as a "significant loss", while the 7th amendment of the contract was not subject to the bill. "Waterway states will take all appropriate measures to prevent significant damage to other waterway states while using an international waterway in their country," he said. In other words, waterway states will not cause "significant harm" to other states during their fair and reasonable use. Turkey; the concept of significant damage conflicts with fair and reasonable use, he said, suggesting that the substance should be removed from the text.[230] However, while Turkey interprets this article, turkey draws attention to the concept of "due diligence- necessary care", which is the change the Commission made during the second reading of the Draft Articles. Accordingly, Turkey will be held responsible for this provision if an upper coastal state does not show "necessary prudence" in the use of significant damage, which is likely to harm a lower coastal country on a very important and legal basis. of the world.[231] Turkey, along with the proposal at this point, voiced its objections, as well as the fact that the

concept of damage can be interpreted biased, as harm to the upper coastal country's economic development. he noted that it can be evaluated, and therefore, he reminded that only considering the material damage would be to ignore the legitimate development objectives of the upper coastal country.

In Section V of the Convention, the parties should cooperate to prevent or mitigate their effects, while "flooding, harmful diseases passing through water, emulation, erosion, saltwater mixing" are listed as conditions that can harm waterways. [232]

"In doctrine, the concept of "harm" has been discussed in various ways. The Framework Convention sets out the principles of fair and reasonable use and limits such uses to significant damage, while authors, including Stephen McCaffrey, a UHK rapporteur, have expanded the scope of the damage and "not be able to do so." pollution". A group of writers who express opposing views also consider the notion that there is no significant harm to the waterway and the environment without a grip. A group of authors, led by Robert Rosenstock, a UHK rapporteur, who wants to reconcile these two approaches, said that fair and reasonable use should be the main principle, but that pollution should be measured in determining harm if pollution stands out. they defend."[233] Comments on the concept of damage indicate that not only the upper basin countries will not be the harming party, in some cases the possibility [234] of the opposite. Stephan C. McCaffrey, a rapporteur on the UN Law Commission, said: "I don't know what you're talking about. A lower-coast country that first developed water resources, then the upper coastal country does not have the right to block projects, claiming it will harm itself. The principle of good use of water does not give such an understanding. It is just one of many factors to consider in the pre-development of the resource by the lower coastal country, the use of water, and the allocation on the basis of fairness.[235] According to the current provisions of international law, activities by a coastal state on water, including changing the physical situation, are not a matter of self-prohibition in order to exploit excess water. If these activities affect social life in a wide range of ways in the other state, there will be violations of international law. However, there are no general rules established in international law on measuring this negative impact and the damage that will arise.[236] A.P. Lester; "coastal (relevant) states, as a requirement of neighborly law, have an obligation to endure certain damages and have rights to be put forward only in case of

significant or serious harm," he said.[237] Discussions in international law, recent developments in the world; the approach to sustainable development; and environmental awareness that are raised in all areas are inevitable in the near future, affecting the criteria for harm or pollution. Indeed, the reference to determining water pollution; In addition to methods based on the collection of "physical and chemical" data for the detection of the current state of the measured place, it is increasingly prominent in the "biological" the method needed [238] to determine water quality in the long term.

The framework is the 8th amendment of the contract. The article imposes a cooperation obligation for optimal use of the waterway. Article 9 stipulates that waterways states should exchange data and information about the water, or even regularly anticipate future estimates. Article 10 states that no form of use of the waterway will prioritize the other, in the absence of an agreement or a contract rule.

Turkey's most opposition was probably the third part of the contract. In relation to this; Turkey, 11. Excluding the item, a package has submitted a recommendation. This offer, which was fully supported by Ethiopia, in part by Slovakia and the Czech Republic, was not accepted. On top of this, Turkey except for the item. He has expressed complete opposition to the department.[17]

Titled "Planned Measures", the section regulates lower-up coastal relations, detailed and restrictive states regarding planned projects. 12. Article "before implementing or granting the permission of a waterway state to implement or implement planned projects that may have a significant negative impact on other waterway states, the relevant states shall issue the necessary notices in a timely manner of the world. "[239] Paragraph 13 (a) stipulates that the state where it is notified will be given a six-month period to examine the possible impact of planned projects, and paragraph (b) can be extended beyond six months if requested by the state. Article 14, Article 13. To complete the article, it states that planned projects cannot be

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UNGA 97., P.15-16.
Toklu, V., Ibid, p.45-47.
Bağış.,A.I., Ibid, p.20-22.
Toklu, V., Ibid, p.. 45-47.
Pazarcı., H., Ibid, p.261-262.
Bir., Mustafa., Ibid, p.105-106.
Kazancı., Mehmet., Ibid, p.86-87

implemented without the approval of the reported state. Although 16. Article 5 of the state that issues the notification, unless the notification is answered. and 7. The clause stipulates that it can implement its planned projects depending on the obligations stipulated, but in the 18th century, the 18th-century building will be subject to the 18th century. The implementation of the projects may be delayed for a further six months by using the method specified in the article. Article 3 of the Year 3. According to the paragraph, if the state, which is notified, requests to initiate consultations and negotiations on the project, the state that makes the notification will refrain for a period of more than six months from implementing the projects. In this way, an up-or-higher state that examines the effects of the project in good faith and strives for negotiation will delay the project for eighteen months. Article 19, if the project has vital urgency, articles 5 and 7. Although it predicts that it can be implemented "immediately" depending on the substances, it is clear that a project that can be implemented "immediately" in terms of our position is not possible except in emergencies such as flooding, contamination, harmful waste." [240]

The current regulation reveals the obligation to notify, if the opposition objects, the inability to work and obtain a pre-clearance, and whether the lower coastal state can even oversee and allow the work of the source country a power focus that carries it to the point of the[241] It is generally accepted that neighboring countries in the up-and-down state of the state are cooperating in terms of the use of the waterway. However, it is possible for countries whose interests [242] are conflicting to easily resort to the use of a mutual benefit through such an arrangement. Therefore, the agreement, in this case, brings up a return despite the point at which international law comes from incomprehensible.

IV of the contract. In the section; "Protection, Protection and Management", Section V. "Harmful Conditions and Emergencies" are issued.

Vi. In the section, the Peaceful Resolution of Disputes (Md.33) is governed to the extent that a framework can be detailed for the contract, and in particular to "internationalize" the problem. Article 1 and 2. paragraphs, international law and international

policy science on the resolution of disputes; [243]

According to international law; the application for arbitration is realized by states that have a disagreement, and they agree to resolve the dispute by applying to this judicial

path. In order to do this, states that disagree must make an arbitration agreement (fortification).[244] Even if the parties have already signed a general arbitration agreement between them -- as with this agreement -- they must have an arbitral agreement for each concrete dispute.[245] In the arbitrary agreement, the parties also state the issue of dispute, how to establish the arbitral tribunal, the international law, and the procedure to be applied. [246]

The jurisdiction of the International Court of Justice is optional in principle. If the states agree to present their disputes to the Court, the Court may look at this dispute. In addition, states can decide in advance to present their disputes to the Court with a treaty they make. In such cases, the parties may take the dispute to the Court without a special declaration agreement for a specific dispute.[247] The Gabcikovo - Nagymaros Case process, which the International Court of Justice decided on September 25, 1997, will also be examined; The case was filed in 1993, when Hungary and Slovakia also made a special agreement to apply to the International Court of Justice, due to a dispute that arose after Hungary and Czechosia's treaty in 1977. The parties have stated in this treaty what they want the International Court of Justice to decide on, and the NAD has made its decision in accordance with this treaty and on the basis of the basic principles of international law, limited to this treaty. [248] The full text of the Framework Agreement prepared in a long process is given below in line with its importance. On the other hand, the Turkish text "Article Bill" was given in EK-II in terms of showing the situation before the changes to the UN General Assembly, which constitutes an important example of the way the contract is prepared and its stages.

Cem Sar;[249] It summarizes the consequences of international rivers and cross-border waters at the point of international law: "In accordance with international law, coastal states have the right to benefit from the waters in the parts of international rivers that pass through their countries or limit their country, based on the sovereignty of the country.

1. International law rejects excessive doctrines that give an absolute quality to the right to benefit and lead to allegations of superiority to a single coastal state in the use of international river waters.

2. In terms of the scope of the right to benefit from international law, the rule of the sovereignty of the absolute country has been passed to the rule of the sovereignty of the country.

3. Under international law, coastal states can change the terms of "per se" of the waters in the country of other coastal states of international rivers.

4. International law does not impose a mandate on coastal states, which requires other coastal states to obtain their consent before exercising their right to benefit from international rivers. There is no pre-agreement requirement for international river waters to take against the actions of coastal states and other coastal people. When applied, the rejection of the doctrine of the integrity of the natural situation, which leads to the recognition of the right to veto to the lower-coastal state, is the result.

5. Under international law, coastal states have no obligation to observe the possible use of coastal states in the future.

6. International law does not recognize absolute immunity, which prohibits the actions of other coastal states to exploit their current use of coastal states on international rivers, with a precede based on priority.

7. International law does not recognize immunity for the use of coastal states – which do not exceed their reasonable and fair share, which will be identified in light of the specific conditions of each dispute and other factors.

2. In international law, rules have not yet developed, showing the extent to which coastal states should not harm their current use while exercising their right to benefit from coastal states."

Sar's views on the subject areas of 1970. Although it is a very comprehensive assessment, significant changes and developments have been implemented over the intervening 35 years. In this sentence, in paragraph 9, the measure of damage stipulates; In 1994, the BMUHK's 46th Annual University of Geneva was completed in Geneva. in session, 2. in the draft articles that it has agreed to present to the UN General Assembly; a significant change has been made. "Appreciable harm-considerable damage" was changed to "significant harm" in the second reading of the Draft Articles, the key statement of the previous draft. (Mad. 7). This article was passed by this provision in the 1997 vote, "The Framework is within the Agreement." This change constitutes an important development in the water use of coastal states."[250]

PART: 3- DISPUTE OVER SOME IMPORTANT RIVERS OUTSIDE THE MIDDLE EAST REGION

In many parts of the world, especially in the last century; various disputes have occurred regarding borders and border-bound waters; some of them have been resolved temporarily or permanently by bilateral agreements, and some disputes are still ongoing. While these disputes are separate from the different characteristics of the relevant basins and the geopolitical positions of the parties; In this part of our study, disputes over some important rivers are discussed, taking into account the nature of the ongoing conflicts and the agreements made on the disputes that ended, taking into account the data provided by international law. It holds an important place in the literature in the river disputes between states; The Nagıymaros – Gabcikova (Bös) project, which is the cause of the dispute between the Danube River and the Republic of Slovakia (The Former Czechoslovakian State), is also of particular interest in transportation and in this respect was not evaluated here.[251]

Table 10 Troubled Waterbasins

Water Basin	**Troubled Countries**	**Causes of the Problem**
Nile	Ethiopia, Sudan, Egypt	Siltation, River Overflow water translation
Euphrates, Tigris	Turkey, Syria, Iraq	Dams, water flow reduction, salting, hydroelectric
Jordan, Crooked Litani, West Bank Groundwater	Syria, Lebanon Jordan, Israel Palestinian Authority	Changing and decreasing water flow, withdrawal of the ruptor, salting
İndus, Jelum, Cenab, Ravi, Beas, Sutlej	India, Pakistan	Irrigation
Ganges Brahmaputra	India, Bangladesh	Dilation, transport, changing water flow

		and decrease
Salween/Nu Jiang	Burma, China	Dilation, overflow
Mekong	Laos, Cambodia, Thailand, Vietnam	Reduced water flow, overflow, irrigation, hydroelectric
Parena	Argentina, Brazil	Dam, flooding
Lauca	Bolivia, Chile	Dam, salting
Rio Grande Colorado	U.S., Mexico	Chemical contamination, reduced water flow, salting
Great Lakes	Canada, U.S.	Water transfer
Rhine	Switzerland, France, Germany, Netherlands	Industrial contamination
Maas, Schelde	Belgium, Netherlands	Industrial contamination, salting
Tuna	Austria, Slovakia, Hungary	Changing the water flow, Hydroelectric
Szamas	Hungary, Romania	Water use

*Source: Leif Ohlsson, "The Role of Water and the Origins of Conflict" Leif Ohlsson (ed.), Hydropolitics- Conflicts over Water as a Development Constraint, London: Zed Books, 1995, p.834

3.1- Water Dispute between India and Bangladesh on Ganges River

Born in the People's Republic of China, the Ganges River crosses through India after Nepal and forms 128 km of the border between India and Bangladesh. After the Ganges flowed 112 km into Bangladesh territory, it merged into the Jamuna-Brahmaputra river in this country, named after Badma, and poured into the sea under that name, coupled with Meghna flow water. The issue of allocation of Ganges

waters, which constitutes the most important part of the disputes between India and Bangladesh, is in a position with the most parallel to the Euphrates-Tigris basin.[252] After India announced plans to build the Baraka Dam on the Ganges river, Pakistan (Bangladesh had not yet gained independence at the time, and with Pakistan, it was the only country under that name has proposed that the subject be examined by experts from the two countries. These proposals were not accepted by India and completed the construction of the Baraka Dam in 1961, and in 1968, when the issue moved to the United Nations platform, India suggested that 90 percent of the main media of the Ganges River and 99.5 percent of the water collection basin were on their territory, so the Ganges was a national stream, not international. Until 1971, when Bangladesh gained independence, the issue of the allocation of excess waters was negotiated between India and Pakistan. [253] After 1971, in talks between Bangladesh and India, Bangladesh expressed no support for temporary arrangements for the allocation of waters of common rivers and asked that the allocation be connected on a continuous basis and that this arrangement should cover all common rivers. India and Bangladesh, in November 1977, signed a deal that the waters of the Ghanian during the dry season They agreed that 63% would be given to Bangladesh.[254] This agreement, which was made for a five-year period, would remain in force if one of the parties did not oppose it. However, after 1989, this agreement was not renewed by India. In 1992, there was no result from the negotiations on this issue. Bangladesh fell to the concerns that India's position in the 1950s, 1960s, and 1970s could be repeated. Because Bangladesh's water security is almost entirely in India's hands.[255] After a long period of uncertainty, the prime ministers of Bangladesh and India came together in New Delhi to reach an agreement. Accordingly, between March and May, when river waters fell to their lowest level, India would leave Bangladesh with water not falling below 980 m3 per second. The signed agreement would also be a model for sharing 53 rivers flowing between the two countries and their arms. On the subject of Ganges waters, the whole process in the India-Bangladesh conflict; Indian authorities have emphasized that this agreement is based on the understanding that the construction of a canal between the Brahmaputra River and the Ganges will be seriously discussed in terms of increasing Ganges waters and that the countries concerned should benefit according to the principles of justice and fairness, which can be done by taking into account the population, soil, and needs. India also argued that the country that claimed to be damaged in terms of reduced

water, that Bangladesh, which opposes the construction of the Farakka Dam, is unfair in this regard, that the construction of the dam is the country's most natural right, and the water held in the dam being built in the water of the country building the dam; the international plan is that the exact rules on these issues have not been settled, the UN UHK has not settled on these issues. he stated that he was trying to code international rules that could be created.[256]

3.2- Water Conflict Between Us and Mexico on Rio Grande, Colorado and Tijuana Rivers

On the deepening of the conflict between the United States and Mexico on the Rio Grande River in 1895; The U.S. State Department said the Rio Grande River was a border between the two countries.[257] in the remaining part of the U.S. territory, he appealed to the opinions of the U.S. Attorney General regarding the diversions made by this country about the issues that Mexico has put forward in terms of international law.[258] Then-Attorney General Judson Harmon said that this country has the right (absolute sovereignty) over the part of the Rio Grande River within the United States, so international law has not imposed any obligation on the United States on the sharing of the river's waters. Later, these views on the waters that crossed borders were later referred to as the Harmon Doctrine, as mentioned above (Part One, Section-4). The U.S. made its first deal with Mexico on the Rio Grande River in 1906, bringing flexibility to this view in the following years. In a 1944 agreement, the United States was obliged to allocate certain quantities of water to Mexico from the Rio Grande, Colorado, and Tijuana rivers, which are involved in the two countries.[259] agreement [260] was jointly used by the Colorado, Tijuana, and Rio Grande rivers. This agreement observes that the rights of the upper ground nation (US) are significantly protected, and water allocation has been made as if there are no borders between the two countries. The agreement consisting of Article 28 contains highly deductive provisions regarding water sharing and basin management. [261] In order to fulfill the agreement in question and resolve disputes that may arise, the Agreement shall be subject to article 2 of the Agreement. The establishment of an "International Border and Water Commission" has been established in the article. The first article of the agreement defines the relevant terms. Up to 10 Items in the Rio Grande, 15. It's about

Colorado until the matter, and then it's about the Tijuana River. The text of this agreement, which creates interesting examples in terms of the provisions it carries, is given in its entirety in EK-II, based on its importance.

3.3- Water Conflict Between Mexico and Guatemala

Three rivers, Usumacinta, Suchiate and Grijalva, are born from Guatemala and enter Mexican territory. Mexico has offered the Guatemalan government an agreement to share the waters of the mezkûr rivers but has not received a positive response until early April 1990.[262]

However, Guatemalans agreed to discuss this issue after Mexico began building dams on the Most water-carrying Suchiate river, which has descended to 20 m3/s in the rainy season, especially in the dry season. The established bilateral technical commission operates in Tuxtla Gutierrez, the Mexican wing of the border province, and the Guatemalan side in Guatemala City. According to the information obtained, negotiations are continuing on the issue and no agreement has yet been reached. The agreement, which is planned to be signed in the future, is intended to be based on general principles and that the water use related to these rivers will be done on a rational, rational, and optimum basis. The Mexican side says that both countries should inform each other about the dams they will build on the mezkûr rivers, suggesting that the country that built the dam could claim this additional benefit, especially if the other country takes advantage of the stream of the river due to the dam to be built in one country. [263]

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[257] The Rio Grande River, born in Colorado, USA, is 3034 km. It is 1,500 km long between the United States and Mexico. It forms a border throughout the Gulf of Mexico.
[258] Sar, C., Ibid, p.105-107.
[259] Turkish Ministry of Foreign Affairs, **Water Issue in the Middle East**, p.49-51.
[260] "Utilization of Waters of the Colorado and Tijuana rivers and of the Rio Grande, Treaty Between the United States of America and Mexico."
[261] See more information that is given in Annex-IV
[262] Turkish Ministry of Foreign Affairs, **Water Issue in the Middle East, P.49-51.**
[263] Ibid, p.50-52.

3.4- Water Dispute Between Kingdom of Lesotho and South Africa

Another example of water allocation between the states, the dispute between the Kingdom of Lesotho and the Republic of South Africa, reached a final settlement under an agreement signed in 1986. The agreement stipulates that all activities related to the amount of water left in the Mandap country, South Africa, will be carried out by a Joint Technical Committee based on the water facilities envisaged in the Sengu/Oranj Basin. In addition, a Tunnel Administration was established responsible for the management of the Trans-Caledon Tunnel, which was built for the transport of water to the Republic of South Africa, and authorized to allow it to undertake all activities related to the tunnel in question. It is ruled that this administration will work closely with the Joint Technical Committee and consult with the Committee, where necessary. In addition to the above mentioned points, the agreement was agreed to allocate water to the Republic of South Africa so that Lesotho does not interfere with the activities of the water facilities it has built on the Waters of Senqu/Oranj. An important issue in this agreement is that South Africa, the country of Mansap, pays the price for the water it receives to Lesotho, the memba country (Royalty Payments). In addition, the sharing of energy revenue to be produced in water facilities with a joint contribution has been arranged with the agreement. The provisions of the Agreement in question are given in EK-III, which are closely related to Turkey in terms of the provisions it contains.

3.5- Water Dispute Between Swaziland and South Africa

On rivers involving multiple states; and the solution to this; Another example is the Komati River between Swaziland and the Republic of South Africa. The feature of this river arrangement is: The Republic of South Africa does not pay Swaziland for water, but it finances almost all of the water facilities planned to be built on the remaining part of the Komati River in Swaziland. [264] In the resolution of the water dispute over the Cinque Orange and Komati rivers described above, the upper coastal countries; It can be said that a general and independent application has been established that it should behave within the framework of the principle of not doing significant damage to lower coastal countries while doing so.[265]

The dispute between the Lesotho-South African Republic and the Swaziland-South African Republic, where the dispute is subject to different nature, is that Lesotho and Swaziland have been ruled by the South African Republic for many years. irrigation and energy projects that could contribute materially to the development efforts of these countries have been implemented in a form of "support and compensation" given by the Republic of South Africa. The most important point that stands out in both applications is that the sovereignty rights of upper coastal countries (Lesotho and Swaziland) on rivers originating from their territory are recognized by the South African Republic.

3.6- Water Problem between India and Pakistan, On the Indus River

One of the water problems that have a very large place in the relevant literature is the looming dispute between India and Pakistan on the Indus river on the Asian subcontinent. India, which was up-and-right in the conflict between India and Pakistan India and Pakistan, over the use of the Indus River and its cos, adopted the view of absolute sovereignty and opposed pakistan, whose thesis was down-and-right. he has suggested.[266] The numbing streams are the branches of Jhelum, Chenab, Ravi, Sutlej, and Beas, which feed this river from the east with the Indus River. A detailed examination was required under this heading, based on the emergence of the Indus water dispute, the process, and the importance of the agreement reached in the field of water law.

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3.6.1- State of the Indus Basin during the Colonial Period

As is known, the countries of India and Pakistan were British colonial status before independence in 1947. Upon the adoption of the "Indian Independence Act" of the British Parliament on July 18, 1947, two independent states were established on these colonial territories, India and Pakistan. He analyzes the situation in this basin during the period of British Colonialism [267]: "The fundamental economic policy of the British Empire, once described as a sun-setting state, was to provide raw materials from its colonies in Asia and Africa to the industry that flourished at the end of the industrial revolution. As a natural result of the stated economic policy, it is aimed to grow cotton and other industrial plants in the fertile land of the Indus Basin and to be processed in facilities in the UK and driven to world markets. Within the framework of this approach, a total of 26.3 million hectares of requisite agricultural land in the Indus River Basin, which was established by the Republics of India and Pakistan, were inadequate. equipped with a drainage system and soil ducts. The exploitation of soil kay-naks with irrigation practices lacking technical principles to meet the UK's need for raw materials has caused the rise of groundwater levels in the Indus plains, and the soil strain has been lost. Instead of taking technical measures, the colonial administration opened new agricultural areas to aqueous agriculture by the same primitive methods, instead of stopping this bad development, so it tried to maintain the level of production." [268] During the independence period that ended the colonial order, the boundaries between the two established states generally adhere to the former Indian borders, but were divided between Punjab and Bengal state territory to the east of the peninsula, Pakistan and Hindustan.

With the division of Punjab Province in the west, the above-mentioned arms of the Indus river and advanced canal systems, which have long been largely irrigation activities between these arms, were also divided between the two states. [269] This division, in particular, under the de facto control of the Chenab, Sutlej, Ravi, and

Beas arms, sometimes its resources, and sometimes a significant part of its medium. Ten of the 13 channels available in the Indus basin, on the other hand, remain in Pakistan and two in India. The Upper Bari Doab channel was divided between the two domes, leaving India in an upper state position. [270] Since the republics of India and Pakistan have initiated development and refurbishment efforts in watery farmland covering millions of hectares of space in addition to new projects, these studies have been widely financed to both states. On the other hand, the borders between India and Pakistan, drawn in 1947, did not clarify the status of the State of Kashmir, and it was decided that Pakistan or India's belonging sits in the popular vote.

267 APPLICATIONS OF Colonialism Politics (Colonialism) “The word colonialism, from time to time, is a word that can lead. In the western languages, a Latin word, "colonialism", is used for colonialism. Sometimes the word imperialism, which makes the meaning a bit more abstract, is used instead. Indeed, while colonialism describes the relations of a developed country with one or several underdeveloped countries, imperialism is used to express a general exploitation.In fact, the words colony and colonialism have changed meaning over time, at least their emphasis on the phenomenon they want to explain has changed. Previously, the understanding of the discovery and conquest of the world by sea power was largely based on (at least in words) religious motifs and ended with 'looting'. Japan and the USA, on the other hand, used completely different concepts in their colonial experience in the early 20th century. For example, "protection zone", "protectarate", "mandat", "impact zone" etc. However, as a result, there was no change in the case. At the beginning of the 20th century, the industrialized capitalist states in Europe, Japan and the USA; Afghanistan, Tibet etc., which were out of effect as a result of the balancing of the power struggle. Except for a few exceptions, such as population and land, they controlled the entire world considerably. While this supervision was mostly in the form of direct colonial rule, in some regions such as the Ottoman Empire and China, the efforts to influence were done in many different ways, and a constant war of balancing was fought. At this stage, the word and concept of imperialism emerged. In the Oxford dictionary, the word imperialism is first encountered in the 1881 edition. Here, in exchange for the word imperialism, "the basic principle of the imperial spirit, doing whatever imperial requirements require and defending it" is given. For more

The exploitation of soil with irrigation practices lacking technical principles to meet the UK's need for raw materials has caused the rise of groundwater levels in the Indus plains, and the soil strain has been lost. Instead of taking technical measures, the colonial administration opened new agricultural areas to aqueous agriculture by the same primitive methods, instead of stopping this bad development, so it tried to maintain the level of production." [268] During the independence period that ended the colonial order, the boundaries between the two established states generally adhere to the former Indian borders but were divided between Punjab and Bengal state territory to the east of the peninsula, Pakistan and Indian. With the division of Punjab Province in the west, the above-mentioned arms of the Indus river and advanced canal systems, which have long been largely irrigation activities between these arms, were also divided between the two states. [269] This division, in particular, under the de facto control of the Chenab, Sutlej, Ravi, and Beas arms, sometimes its resources, and sometimes a significant part of its medium. Ten of the 13 channels available in the Indus basin, on the other hand, remain in Pakistan and two in India. The Upper Bari Doab channel was divided between the two domes, leaving India in an upper state position. [270] "Since the republics of India and Pakistan have initiated development and refurbishment efforts in watery farmland covering millions of hectares of space in addition to new projects, these studies have been widely financed to both states. burdens. On the other hand, the borders between India and Pakistan, drawn in 1947, did not clarify the status of the State of Kashmir, and it was decided that Pakistan or India’s belonging sits in the popular vote. After Kashmir, a majority Muslim was overrun by Pakistani seamounts, India intervened at the request of the province's Indian rulers and there were bloody conflicts in Kashmir. With the initiatives of the United Nations. A ceasefire was reached on 1 January 1949. Although the ceasefire line has divided Kashmir, the distinction has not been accepted by Pakistan and the problems have been moved to this day. The chaos left by Britain, which seeks to leave the Indian Peninsula as soon as possible under the illusion of Indians and Pakistanis fighting for independence, has spawned many years of hostilities, just like in the Middle East." [271] Meanwhile, in the Independence Act, which paved the way for independence, and in the minutes of border commissions set up to determine the borders of Punjab and Bengal, shared states, in the divided rivers or canals; there was no provision. In 1948, after eastern Punjab, which was confined to India’s borders, cut

off the waters of the Bari Doab Canal, it initially caused a dispute between Western Punjab and Eastern Punjab, but this dispute soon became all over the place. It has become a Pakistan- India conflict that encompasses the Indus arms.[272]

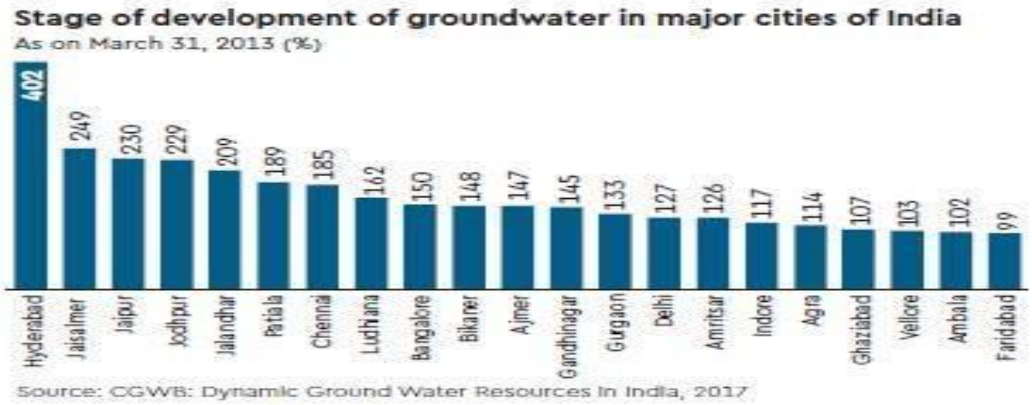
Indus, one of the world's largest rivers and referred to by local communities as "Abbasi" or "Father of rivers", is a cross-border stream between Pakistan and India. The water collection area is larger than the area of Turkey; 964 261 km2ldir[273] 10% of this area was in China and Tibet, 8% were in Afghanistan territory and the rest were in Pakistan and India. The water collection area, which includes the Himalayan Mountain range, is the world's largest glacier mass, except for the arctic regions, and again 40 of the top 100 peaks. About a 2,900 km long road is slaughtered and dumped in the Arabian Sea near Karachi.

On its long journey to the sea, a large number of water mixes into the main branch of the Indus River and forms the Indus system. [274] According to the definition of the 1960 Indus water use Agreement between India and Pakistan, this system is divided into western rivers and eastern rivers. The western rivers are the main branch of Indus, Jhelum and Chenab, while the Eastern Rivers are Ravi, Sutlej and Beas rivers.

3.6.2- Water Potential of Indus River

Although the average annual current in the Indus system is 3 m 3, seasonal annual changes are huge. Therefore, 147 billion m ^{3} (119 mat") of water will be restored by organizing with storage facilities in the Indus Agreement and based on allocation. This value equates to 7% of the average annual water.

Table 11 Indu River And It's Arms



***** https://nasrinsiddiqui.wordpress.com/2018/12/18/looming-water-crisis-in-indian-cities/

**According to the British measurement system used in India and Pakistan, 811 acre-feet = 1 million m3.

The ratio between the smallest and largest monthly average currents is approximately 1/10. For this reason, storage facilities should be built at suitable points on The Indus and its arms. To date, a large number of dams have been established within the Indus system that transmit water from rainy years to arid years and make seasonal arrangements. Tarbell Dam, built in Pakistan on the main branch of the Indus River, ranks first among similar types of dams with 3 rock and landfill volume. Tarbell Dam releases approximately 9 billion m^3 water a year for irrigation purposes and also produces energy with a total of 3478 mw installed power.[275]

3.6.3- Water problems looming over the Indus river

From 1948 to 1960, when indus was incompatible with water dispute, India was first the view of the Eastern Punjab Province, and later as a government view; the rivers or canals in the country can use the waters as desired, in other words, the doctrine of Absolute sovereignty (Harmon). [276] In contrast, M. Ali Jinnah, Pakistan's independence leader and first head of state, argued that the issue of watering his country's fertile territory could not be left at The mercy of India. Javaharlal Nehru,

india's prime minister at the time, argued that it was something that they would decide how to use Indian waters; the 10.5 million hectare irrigation system's joint run of operating and maintenance services as a political game that would lead to new problems.[277]

That's why Sir Cyrill Radcliff, chairman of the Punjab border detection commission, rejected the water dispute began to deepen as India's East Pencab State Government halted water to Pakistan on April 1, 1948. The economic and political reasons that lead India to such an application are summarized by some experts as follows: *"a) To force the muslim population living in Kashmir* to migrate by *applying pressure onPakistan,*

a)To show that Pakistan *can not succeed alone by making pakistan's economy difficult and*

to *direct cooperation* with *India.*

b) Retaliation for the *tax imposed by Pakistan* in *crude jute* smuggled from *East Bengal for processing at factories* in West *Bengal."* [278]

On April 1, 1948, after the water was discontinued by India, negotiations between the two countries on the use of Indus waters began again, and Indian Prime Minister Nehru instructed the Eastern Pencab State Government on April 30, 1948. watering the irrigation canals in Pakistan.

At the end of the talks, representatives of the Government of Western (Pakistan) and Eastern Punjab (India) also participated in the talks; In Delhi, a general comprehensive agreement was signed on 5 May 1948 on the amount of water to be allocated to the parties. It's the 1st part of this agreement. in article, the opinion of the Eastern Punjab (India) Government was as follows: "... In accordance with the opinion of the Eastern Punjab government... Property rights on river waters in Eastern Punjab are entirely owned by the Eastern Punjab implosion, and the Government of West Punjab can not claim a share of these waters.[279] This view, as mentioned above, was a clear expression of the doctrine of absolute sovereignty. In the Delhi Agreement of 1948, the principle of the irrigation system remaining in Pakistan to take water from the facilities to be built in this country was adopted. India has pledged not to cut water until the new canal and water retrieval structures are realized. Pakistan, on the other hand, has agreed to india to develop new irrigation sites by taking water from the Indus River. However, although it has brought practical

solutions to some problems, this agreement has not been long-lasting. On December 8, 1950, the Pakistani Government unilaterally terminated the agreement, citing a provision in the agreement that weighed heavily on the interests of the Eastern Punjabi government. [280] In September 1950, the Pakistani Government's proposal to take the matter to the International Court of Justice was in September 1950, as India continued to defend the Harmon Doctrine, which was the upper coastal country and embraced the use of water first and as it wished. When he refused, it was a dead end.[281] Eugene, the President of the World Bank at the time.In september 1951, Black wrote to The Prime Ministers of India and Pakistan, Nehru and Merit Ali Khan, that the World Bank's mediation mission (and, if necessary, assistance for costs that would allow the parties to compromise) reported. The Prime Minister of both countries welcomed the World Bank's offer. Eugene K. In the same year, Black sent a new letter to Pakistani Prime Minister Nizameddin and Indian Prime Minister Nehru, who replaced him after Merit Ali Khan was assassinated, following the World Bank's approach. summarized:[282]"The water resources of the Indus Basin are sufficient to meet all available uses and the future needs of both countries. Water resources should be developed in cooperation and used to ensure the economic development of the basin. Problems with the development of the Indus Basin and the use of water resources should be solved on a functional basis, regardless of political issues."

The President of the World Bank has offered a method of working to achieve a solution: "India and Pakistan should appoint highly distinguished engineers to prepare a comprehensive and long-term joint plan to ensure the effective use of water slide-and-cash in the Indus Basin. The World Bank will appoint an expert who will jointly work with engineers of the two countries in the planning phase. This technical expert will learn about the course of planning work and express his views by taking part in the working group as an impartial consultant. It will help solve problems without being in the position of an arbitrator. The method and stages to be followed in the preparation of the plan in the first meeting of the working group will determine how and by which personnel these stages will be discussed and the completion dates of the works. Work on the plan will be initiated immediately without the need for special authorization following the agreement on the specified issues…" The working group held its first meeting in Washington in May 1951 with the participation of the parties and the World

Bank. After three weeks of intense discussions, the following program has been agreed upon: The total water presence of the Indus Basin and the needs of water able land in each country will be determined and measurements and research will be carried out as necessary for the preparation of a comprehensive' plan. The working group will collect all the data and determine the accuracy of this data from an engineering point of view. In addition, the time and estimated costs for the preparation of the data will be determined.[283]

Table 12 Indus Water Forecast Plans

Recommended Water Allocation	**India's Water Quota (billion m3)**	**Pakistan's Water Quota (billionm3**	**Total Potential available**
India Plan	**37**	**112**	**148**
Pakistan Plan	**18**	**125**	**146**

***** Source: Bilen, Ö. Ibid, 238-242.

3.6.4- Plans to Allocate Water Between India and Pakistan

On May 13, 1952, the governments of India and Pakistan signed an agreement; If the World Bank's mediation and the co-operation work that will begin in this way continues, they have agreed not to act unilaterally in the use of river waters. The ongoing negotiations with the participation of [284] banks continued until 1960, with some intercontinental. "In 1947, when Pakistan and India became independent, the need for existing irrigation was met by turning the waters into canals in the riverbed. In other words, large storage facilities were not available to regulate the currents that have changed greatly over time. Therefore, between October and April, the arid period, the needs could only be met by the water drawn from all of the Indus main arm and Jhelum, Chenab, Ravi, Sutlej and Beas arms. Because there are not enough storage facilities, Pakistan wants to take advantage of all rivers, and insist that the same conditions continue, whichever rivers the existing irrigation fog items are taking from the Republics of India and Pakistan before they are established

The bank stated that the other three rivers (Ravi, Sutlej, and Beas) that make up the Indus system should be exclusively allocated for the use of India." [285] During the negotiations, India did not give up its desire to deflect Sutlej, Ravi, and beas waters, which constitute the eastern arms of the Indus River, while Pakistan has failed to reduce the amount of water it will lose as a result of such a diversion, to install the costs of a new system of channels that will allow it to supply other branches of the Indus river to India he wanted to.[286]

Essentially, in order to implement the Above-mentioned offer of the Bank; in addition to the new dams, additional connecting channels were required to be built. The waters from the rivers to be allocated to India will decrease greatly in arid periods and the feeding direction of irrigation systems previously fed from these rivers will change, and the rivers to be allocated to Pakistan will be new from the dams to be installed. water was an inevitable need to be transported to the existing system with canals. In addition, the World Bank has proposed that India give water to Pakistan from the rivers allocated to it and that India will contribute financially within the time it takes to plant storage facilities and additional channels. In response to India's positive response to the announced plan, Pakistani Prime Minister Muhammad Ali explained his hesitation in 1954 as follows. [287] " The World Bank's plan makes Pakistan in an unacceptable situation. The amount of water carried by the western rivers is far from meeting Pakistan's current uses. It will take a long time to build storage facilities to close the gap, and the Bank's offer does not address this issue. Pakistan's limited storage capacity is only sufficient to meet the current needs and it is not possible for the growing population to meet future water needs" Assessing Pakistan's objection described above, the World Bank acknowledged the need to build new storage facilities so that western rivers can be allocated to Pakistan and the Eastern rivers to India, in other words, and to India's financial contributions. on May 21, 1956. On this statement, which changed the bank's initial proposal, Pakistan stated that it had accepted the offer in principle. India, which says that the water gap that will arise only if the eastern rivers are allocated to India can only be met with the facility of the Mangla Dam on the Jhelum River, has suggested that it will not contribute financially to other dam constructions outside the dam. In addition to Mangala Dam, Pakistan stated that the tarbela dam should be built on the main arm of Indus, giving the total amount of investment needed at a meeting in London in 1958 at

$1.12 billion. In contrast, India has been insistent on its own plan, which it claims will be carried out more economically and in a short time. [288] In order to reach a consensus in the face of the parties' attitudes; to ensure the following requirements:

1.If the eastern rivers are allocated to India, the contribution to the cost of technical measures to meet the needs of irrigation areas in Pakistan should be large enough to be met by India.

2.First, an agreement should be reached on projects related to the measures to be taken and there should be additional sources of financing. Black, president of the World Bank, said that the talks were part of the marathon; He visited India and Pakistan in May 1959.

In his discussions with Black Nehru, he proposed stabilizing India's financial contribution and assessing this contribution regardless of the final cost of technical measures that would spread over a long period of time. He also stated that the World Bank will help finance the construction of the Beas Dam in India. Under these circumstances, Nehru has agreed to give water to Pakistan from the Eastern rivers for a 10-year transition period. Pakistani President Eyup Khan said he would positively address a plan in Pakistan that included the construction of the Mangla and Tarbela dams.[289] Finally, the World Bank's initiatives and a consortium of the United States, Canada, Britain, Germany, and New Zealand have come together to approve the *"Indus Basin* Development *Plan"*. According to the financing plan approved in September 1960, the total cost of investments in Pakistan was $893.5 million. The consortium provided $541 million of that amount as a grant to Pakistan. India's contribution was fixed at $174 million and Pakistan was also given a $150 million loan. Under these terms, the Indus Agreement is valid from 1 April 1960; It was signed by The Prime Minister of India and Pakistani President Mohammad Eyup Khan in Karachi on September 19, 1960. [290] The agreement, with some exceptions, mainly the use of Sutlej, Ravi, and beas branches of the Indus River to India; In contrast, the Indus river itself and Jhelum and Chenab arms leave the use of Pakistan. In this way, 80 percent of the waters of the Indus Basin were left to India and 20 percent to Pakistan. The agreement also envisaged the establishment of a permanent commission to carry out co-operation between the parties.[291] The Indus Agreement

[292] consists of 20 articles containing 79 paragraphs. There are also 3 attachments covering 102 pages.[293]

"In the agreement in question, the Sutlej, beas, and Ravi rivers are given the right to use without any restrictions. However, in the 10 years, which is defined as the transition process and covers the circuit from April 1, 1960, to March 31, 1970, it is agreed to continue watering by India, according to a detailed technical arrangement attached to the agreement. Are. Over a ten-year period, the water-inducing points of Pakistan's irrigation network, which is fed with water translated from the rivers mentioned above, have been enclosed in this country and new connection channels have been built. Pakistan has been granted the right to make unrestrained use of the Rivers of The Indus River, Jhelum, and Chenab. However, the water-related to new projects covering 284.000 hectares (701.000 acres) have been kept hidden. The deal is vi. in the article, the data on rivers and canals must be regularly teased and vii. the principles of future cooperation are emphasized. The Permanent Commission on the River Indus, consisting of engineers specializing in hydrology with article VIII, has been established. This komis-yon is scheduled to meet in India and Pakistan at least once a year. The commission's duties and work are summarized below.

1. To ensure the implementation of the agreement,
2. To enhance cooperation between the parties in the use of water in the Indus River system,
3. To examine and resolve disputes arising from the implementation and interpretation of treaty articles,
4. To present annual reports of one-year activities in July of each year,

Article IX describes the methods to be applied to resolve disputes. According to this article, if the commission cannot reach a consensus on resolving any problems, it is stated that the issue will be dealt with by an impartial expert. If the impartial expert fails, it is envisaged that the issue will be addressed by the Arbitral Tribunal.
When the Indus Agreement is evaluated the negotiation process, it is clear that an approach in accordance with technical rules contributes greatly to solving problems related to borders." [294]

[294] See for the agreement text in: U.N. Treaty Provisions, p. 301-366

In terms of international law; The point of note of this agreement is whether India, which has advocated the doctrine of absolute sovereignty (Harmon) since the beginning of the dispute, has abandoned this view with the agreement. Cem Sar, after pointing to the views of Indian writers on the subject; With this agreement, there is no change in India's thesis based on Harmon doctrine, yet the 11th Amendment of the Indus Waters Agreement will be amended. article 2 of article 2. "No provision in this agreement shall be interpreted by the parties in any way to constitute a general principle of law or any precedent." This provision reserves the legal opinions adopted by the parties during the dispute. As India moves in this way, it considers the Ganges River, which was born in its own country and flowed here a long distance, entering Bangladesh (Old East Pakistan) and spilling into the Bay of Bengal.[295] Addressing the issue in a wide range, Bilen considers the basic views that dominate the Indus River Agreement as follows:

"a- River basins should *be evaluated as a whole,* and *determinations on water potential and*
needs should be based on health *data.*

b- There may be *multiple drivers that* pose problems between coastal *countries* and water demands of different *densities* from *these rivers.* In *this case,* it *is not possible* to *meet* the needs *by addressing each river separately and* the *system* should be considered as *a whole,* the amount of water *allocated to Pakistan,* which is a mandap country from some river branches in the *Indus Basin, is high and very low from some arms.* It has been determined by *the work carried out on* the basis of *basins, where equal proportional use allocation is* not possible for the parties from *each arm. In topographic terms,* if different amounts *of* rivers close to each other are *allocated,* it may not be *possible* to sustain existing uses from the *same water source. The problem* can be overcome by changing the feeding direction *of irrigation networks fed from* rivers with little *water* allocated and *transferring* from *nearby rivers.* The financial contribution of other coastal countries can *be* considered in reasonable *measures to* the investment *cost* of *new channels and facilities* to *be built to ensure this issue. it* will be seen that the *result is only reached* in *this way."*[296]

3.7- Water Problem in Central Asia

Apart from the Middle East, Central Asia is one of the regions struggling with major water problems in the world. The issue of water in the Central Asian Republics is one of the most current and important problems in today's experiencing drought and water loss.[297] The nature of the problems in the region is focused on water policies; Amu Derya and Siri Derya meet the basic water needs of Central Asia. The excessive use of the waters of these two rivers, which once nurtured Lake Aral[298], due to incorrect irrigation policies, has tripled the amount of salinity in lake waters.[299] Recently, the lower water level in Amu Derya and Siri Derya poses serious problems for the countries of the region, whose economy is largely agricultural, benefiting from these rivers. The wrong policies of water resources and use during the Soviet Union have made this problem even more intractable today.

[298] Because the water resources in the region can not find a way out, the waters accumulated in Derya will be form. In the Aral Lake, which is the fourth largest drinking water lake in the world (Today it has dropped to the eighth place ...) Since the 1960s, an internal deterioration has been experienced due to the dam construction for cotton cultivation and hydroelectric power plants. Aral Lake poses a regional problem since it is located in the center of almost all of Central Asia. The Aral Basin, which has an area of approximately 700 thousand km2, covers the south-west part of Uzbekistan, Tajikistan and Kazakhstan, Osh and delicate Regions of Kyrgyzstan, and Dahanu region of Turkmenistan. Also included in this affected area is North Afghanistan and North-east Iran. Koluman, A., Ibid, p.97-102.

At this rate, the water problem seems to cause serious disagreements between Central Asian countries in the future. Water resources, which are rare in Central Asia and are of vital importance to the states of the region, have now reached a critical point today. Population growth is a second issue that increases water shortages. In 1996, the population of 47 million in the Aral basin is estimated to reach about 60 million by 2020. Likewise, in the region, agriculture, industry and homes, demand for water used has increased three-fold. While this increase causes deterioration in the

quality of water, on the other hand, garbage, agricultural and industrial waste, agricultural medicines and fertilizers lead to contamination of water sources; [300]

Table 13 Climate Changes In The Aral Environment, Ecological Improvement And Health Problem

Climate Change	**Ecological/Economic Destruction**	**Health Problem**
Increase in drought	Ecosystem disruption	Dangerous increase in diseases (e.g. cholera, typo, gastritis, blood cancer)
Increase of salt and dust storms	The collapse of the fishing industry (average 44,000 tons/year)	Increase of respiratory diseases (asthma, bronchitis)
Shortening the life span of vegetation	Decrease in productivity in agricultural areas	Decrease in birth rate, increase in mortality rate

*****Source: Koluman, A., Ibid, p.103-105
www.dfd.dlr.de/app/land/aralsee/backjnfo.html Dr. John C. K. Daly; "Global Implications of Aral Sea Desiccation"

On the Rivers of Amu Derya [301] and Siri Derya [302], which pass through the territory of almost all central Asian republics; recently, the states of Kyrgyzstan and Tajikistan have turned to policies to keep water under control by building dams and cisterns35.The fact that these two rivers are generally vital in the supply of agricultural irrigation, drinking water and hydroelectric energy needs of the region focuses attention on these policies of the countries mentioned. Kyrgyzstan and Tajikistan are considered to use water as an important card to provide a political and economic advantage over its neighbors. In recent years, both countries have been able to From time to time, cutting water temporarily, thus creating bargaining power, buying cheap gas, oil and agricultural products from Uzbekistan and Kazakhstan, has been a successful result forthem.[303]

Their neighbors in this way, bringing effective results, but in the long term, both regional economies and environmental conditions if the same application continues in the long term it is clear that it will have very negative effects on it. In this case, the rise of tensions up to military operations and ultimately the likely appearance of conflicts; it will further increase the instability already in the region.[304]

Indeed, Uzbekistan, the world's fifth largest cotton producer and second-largest exporter, has been known to face a decrease in cotton production due to declining water quantity and drought over the past two years. [305] At this point, Kyrgyzstan has been able to clear Uzbekistan (barter) duly to meet its gas needs. Uzbekistan, on the other hand, wanted to gain an important leverage against Kyrgyzstan by stopping gas shipments in order to ensure that the border determination with Kyrgyzstan was in its favor. However, as a result of Kyrgyzstan's harsh response and increased tensions in the region, he was forced to back down by accepting the exchange (water corresponding to gas), which is in fact a diplomatic defeat for him.

The water problem is not limited to these events. In the same geography, Kazakhstan criticized Uzbekistan for failing to comply with the 1997 intergovernmental agreement on the common use of the Toktogul Dam on the Narin river and not leaving enough water for Him. For this reason, the Presidents of Kazakhstan and Uzbekistan met in 1997 to discuss the water breach. In 1997, Uzbekistan reduced water to southern Kazakhstan by 70 percent, kazakh officials said, noting that more than 100,000 hectares of land had been negatively affected. Kazakhstan [306], which has the opportunity to water only 6 percent of its territory with its own resources, is one of the states in the region that is again most dependent on water from Kyrgyzstan and Tajikistan. Kazakhstan, one of the world's largest wheat exporter countries, has experienced a decline in production in recent years due to water shortages. Water problems in the region are deepening. In terms of the richness of water resources it has in the geography of the former Soviet Union; Tajikistan, second after Russia and first in Central Asia, believes that all of the water flowing from its territory is the main owner and asks for a fee for the water used by Uzbekistan. Uzbekistan is the only one who can do it. He accuses Tajikistan of causing mass diseases in Uzbekistan by mixing toxic wastes (such as pesticides and fertilizers) as well

as sewage waste to water, along with industrial and agricultural pollution. On the other hand, Kazakhstan and Uzbekistan, which are suffering from water problems in the region, are demanding more water from Tajikistan due to the droughts. Turkmenistan, on the other hand, is trying to create Turkmenbashi Artificial Lake in karakum desert; However, this issue seems to be conceived by serious consequences, as water to fill this lake can only be provided from the Amu Derya river, which is born from Tajikistan and has been under drought for the past two years.

As a result, Kyrgyzstan and Tajikistan are now engaged in the process of armed due to the war- induced causes in the region. Uzbekistan may apply for a military option to take this dam and the land it claims to be in the future denial of payments made by Kyrgyzstan due to border problems in the Fergana Valley and to the dam construction in southern Kyrgyzstan. In addition, Uzbekistan can use the Uzbek ethnic group, which is majority in Kyrgyzstan's Ochs Region, to launch a separatist movement in the region. This is the most important card Uzbekistan has, but if this card is played, a very bloody result will be inevitable. Uzbekistan's desire to become the most powerful state of the Central Asia Region by taking control of the Fergana Valley and it has mane relations with the countries of the region are an important factor in using the Tajik and Kyrgyz states as a threat to Uzbekistan. On the other hand, if Kyrgyzstan and Tajikistan continue to play this powerful water card against their neighbors, it is inevitable that they will be able to find themselves trapped in a dangerous crisis, with increased backlash and threats.[308] Given the strategic importance of the Central Asian geography, especially in terms of riches, it raises the possibility that global powers that want to dominate the region; Indeed, after the terrorist attack on September 11, 2001, the United States established military bases in Kyrgyzstan and Uzbekistan. In Kyrgyzstan, the people’s movement and former government leader Askar Akayev were removed from power, and in Uzbekistan, hundreds of people were killed. Russia, meanwhile, is once a backyard in this region, within the framework of the Shanghai Organization to ensure that the United States does not take the upper hand; It cooperates with China and the countries of the region. After the Shanghai Organization’s open declaration against the United States to remove its bases, Uzbekistan repeated the same call for bases in its country, and after a while the United States removed the military base from that country.36

Table 14 Population Growth In The Middle East

Country	Population rate of increase (percent)	1990-year population	2000-year population	2025-year population
Syria	3.6	12.4	17.5	35.2
Jordan	3.3	3.5	5.3	10.8
Iraq	3.4	18.1	24.8	46.3
Lebanon	2.2	2.7	3.3	4.5
Israel	1.7	4.6	5.6	6.5
Palestine	3.0	1.6	3.0	4.5
Saudi	3.8	14.9	20.7	40.4
Qatar	3.4	0.4	0.55	0.7
U.A.E.	2.2	1.6	2.0	2.8
Kuwait	2.8	2.2	**,17**	2.8
Bahrain	3.1	0.5	0.65	1.0
Oman	3.7	1.5	$r_{2.5}$	**LAL**
Yemen	3.7	12.4	18.1	43.1
Egypt	2.2	56.5	67.9	90.5
Total	-	132.9	173.6	293

[308] For more information see in: T. Usubaliyev, "K Voprosu O Vodnıh Recurs, Kyrgyzstani", http://www.ca- c.Org/journal/13_1998/st_1 Ojjsubaliev.shtml.; Source: Koluman, A., Ibid, p.40- 41

PART-4: WATER PROBLEM IN THE MIDDLE EAST AND THE GEOPOLITICS AND HYDROGRAPHICAL SITUATION OF THE IRRECONSE WATERS IN THE REGION

The strategic importance expressed for the Middle East region of water and water resources, above; Chapter-3. "Water in the Middle East is as valuable as real life, each nation tends to find its own water and acts in accordance with its own truth. Here, "water" is used synonymously with "power" today as it used to be. It is suggested that it is almost impossible for a country that is not self-sufficient in terms of water to survive in the region."[309] Important water resources in this region; in terms of their physical structures and the international relations, they are the subject of, it is especially important to note that it has very different characteristics compared to other parts of the earth. Because of the political events that have ruled in the past and the problems that continue to affect today the streams in this geography; it is frequently exposed to the interventions of some actors who are not only between coastal states but who are outside the region but are very closely interested in developments here because of their political and economic interests. Before addressing the important river systems in the region one by one, which is still the subject of various problems, it is important to briefly address the concepts of "Geopolitical" and "hydro politics", which reveal the relations between geography and politics and strategy: The geopolitical statement refers to "the national powers of states and their approach to explaining foreign policy behavior, the geographical location of countries and the physical environment". Geopolitical theorists have tried to demonstrate the importance of national policies on concerns such as reaching natural borders, exploiting important sea routes, and controlling areas of strategic importance. Many writers use the geopolitical term synonymous with the term political geography.[310] As an example, it is possible to take the following approach: "Geopolitical comes from the same family as political realism. However, it tends to see "geography" as the only important element in conceptualization and implementation of foreign policy."[311] Indeed, it was Rudolf Kjellen, a Swedish geographer who used this phrase for the first time. Let's briefly put another author's approach to the subject: "The claim that the whole policy is geopolitics is a little more than an indispensable fact, perhaps dangerously powerful, even if it is very strong. All political life is associated with

geography, and all international political life is lived on a board of games that shows spatial relationships... The relationship between strategy and geography requires a similar relationship. The whole strategy is geostrategy. Strategy isn't just geostrategy, it's geopolitical, the only thing that's above politics. Strategy is beyond specific geography in one way."[312] Geostrategy, a subunit of geopolitics; "because of the location of a country, it is the management and planning that it will carry out in the future."[313]

4.1- Concept of "Middle East"

The Middle East" (Middle East) was first introduced in 1902 by Alfred Thayer Mahan, a military theorist[314.] The concept that only expresses[315] the Persian Gulf 316 and its surroundings at this time, military as predicted later and especially during the Second World War It has undergone significant changes

In 1932, the Royal British Air Force was divided into two commands. The command in central Iraq was called the Middle East Command and the Near East Command in Egypt. Under the new Middle East umbrella, which also entered Tropical Africa, Sudan, and Somalia in 1939. Thus, at the end of the war, the borders of the Middle East expanded from Libya to Afghanistan."317 In the literature, the concept of the Classical Middle East refers to an area of 8,012,779 km2.318 (See Part Four in Section-2) Today's scope of the Middle East concept (Great the Middle East or Broad Middle East) will be discussed in detail. The Middle East Region is one of the world's water problems today. The Middle East, regardless of the occasion it is concerned, comes to mind immediately geopolitical and geostrategic approaches, many of which have been political and economic conflicts that have been going on for decades, and multifaceted competition and traction on a global scale. Therefore, there are many who are involved and confused about every issue that occurs here.[319] There are problems in this region, each of which has been going on for many years in the sharing of the waters of river systems that cut the territory of multiple countries, causing great tensions and even hot conflicts from time to time. In this section, within the framework of our study, the River Jordan (and Yarmuk), the river system that is

still the most conflicting river system in the Middle East region, and the Litani, Nile, Euphrates, Tigris, and Asi rivers will be examined.

4.1.1- Water problems in the Middle East in general

Middle East water problem; Due to the characteristics mentioned earlier in this region, it is much more difficult and difficult to decipher than its counterparts elsewhere in the world.[320] "The Middle East has a strategic structure of significant dimensions, each of which carries various problems. This is what puts the "space" element, which is one of the main factors in strategic decisions both in the region and outside the region, into a very different framework from other regions. With its shape in this region, this element itself is a factor that fuels instability. It is the strategic character of the region and partly the geographical location of this substance, which has made water, which has been used as an element of cooperation in various regions over the past hundred years, making it a factor of instability here, in contrast."[321] The water problem in the Middle East has recently become a topic of discussion; International technical meetings were organized at the initiative of the United States, Japan, Canada, and some European countries to identify the countries of the region's approach to water problems, and the Euphrates and Tigris rivers were frequently brought up in these meetings. As a water-rich country, Turkey will play a key role in solving water problems; It has been shown that water resources in the Middle East should be treated as a whole.[322] However, as can be seen in the examination of the river systems in the region, which we will consider in detail below, it is not possible to treat and evaluate these cross-border waters, each of which has a different hydrological structure.[323] In the Middle East region, the water problem is addressed internationally; historical, geographically, politically and strategically different elements to be used, at least such an environment is intended to prepare, although the main principles of the following approaches are observed to gain weight:

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[317] Armağan, M., Ibid, p.17-19**.**

[318] Zehir, Cemal, **Turkey and Middle East Water Issue**, Marifet Publications, İstanbul-1998, p.18-21.

[319] **Water Issue in The Middle East and Turkey**, Water Foundations Publications, İstanbul-2004 (insert), Kapan, İsmail, **The Concept of the Great Middle East and the Water Issue in Our Region**p.48,etc.

"a- Existing water resources in the Middle-East have become unable to meet the needs. b- There will be a serious water shortage in the region in the near future.

b- As a result, water is a candidate to be the main potential cause of future wars in the Middle East."[324] On the other hand, because almost all Arab countries are lower-coastal countries in terms of cross-border rivers and are poor for water resources, there is easy solidarity between these countries in terms of water.[325] Israel controls the arms of the Sharia River through the territory it occupied in the 1967 war and exploits the waters of this river to the maximum extent. Israel [326] also uses groundwater resources in the West Bank, which it has again occupied, as it has pulled water from the Litani River in southern Lebanon, which it has occupied for 22 years. 40% of this country's annual water needs come from these groundwater sources.[327] In other words, close to all of the water resources Israel has to use today come from the surrounding areas, which it actually controls by occupation.[328] According to some Israeli officials, the country's loss of control over these regions could lead to Israel's depriving it of its water resources, as well as endangering its assets and security.[329] Due to this concern, some world-renowned water experts say Israel can compromise on occupied territories, but cannot give up water resources in these areas.[330] With this nature, water becomes an element that connects peace between Israel and its Arab neighbors to extra conditions. "Water quantities, hydrological characteristics, geographical and hydro political positions in the Middle East should be examined in detail in the Euphrates, Tigris, Asi, Jordan (Sharia), Litani and Nile rivers, which vary greatly. The total water potential of the Euphrates and Tigris from these rivers is approximately equal to the Nile River and its annual average is 87.7 billion m3. The average annual water amount of the Jordan River is 1.4 billion m3 per year, compared to only 1.5% of the annual water carried by the Euphrates-Tigris Basin or the Nile River. The basin of this small river was shared between Israel, Jordan, Lebanon, and Syria, the four states that gained their independence in the 1940s, and these states have come to this day fighting each other for close to half a century. With the establishment of the Autonomous Palestinian Authority in the West Bank and Gaza, a fifth state is born in the region.

The water collection basin of the Nile River, the world's longest and fourth-largest flow of water in terms of drainage, is divided between 9 countries. Egypt, which has no contribution to the waters of the Nile River, claims that 70% of Nile waters, with

an average annual amount of water of 84 billion m3, belong to him. Egypt has tried to guarantee this through an agreement with Sudan in 1959."[331]The countries with the most water shortages in the Middle East are Palestine, Jordan, and Israel, respectively. Thus, according to the calculations, after 30 years, water resources in these countries will only be enough to meet their drinking requirements.[332]

Countries with water supply between 2000 and 1,000 m3 per person per year are under water stress, according to water expert Malin Falkenmark, director of the United Nations-backed Stockholm Environmental Institute. countries with less than 1000 m3 of water per person per year are counted as water shortages. Water-scarce countries are on the brink of danger in food production, economic development, political stability, public health and protection of their natural environment...[333] Different figures are given in various sources.[334] However, according to 1995 figures from the World Institute of Water Resources, the size of the problem is better understood, given that Israel's annual water supply per capita is 382 and Jordan is 314 m3. Today, the annual amount of water in the Gaza Region of Palestine is only around 100 m3 per person makes the painting even more serious. In this region, salting of agricultural areas and polluting water supplies are catastrophic. In the near future, Gaza City and refugee camps will be deprived of drink-quality water. In the Middle East, 10 countries with Palestine are in water shortages. And the population of these countries has doubled in 25 years. Every nine months, 1 million people are added to the Egyptian population.[335] All this data reveals that the water problem grows a little bigger every day. As a result, each of the rivers in this region, which concerns multiple countries, has its own geographical and hydrological conditions. In these circumstances, each of the rivers requires separate evaluation.[336]

Table 15 Water Supply Per Person In Some Middle Eastern And Water-Rich Countries (In Cubic Meters Per Year)

Countries	Years	
	1993	2025
Water-rich countries (7)	10000 +	7 000 +
Iraq (8)	2110	850
Turkey (8)	1830	880
Syria (8)	1420	680
Israel (9)	300	120
Jordan (9)	250	80
Palestine (9)	100	30

*****Canada, USA, North and Western European countries. Source; Turkish Ministry of Foreign Affairs, Water Problem in middle east, Ankara 2005

4.2- Jordan River Basin

It is at the center of the most urgent and heated water problem in the Middle East, which is located in the Jordan River Basin. Jordan, Israel, Palestine, Lebanon and Syria are the main sides of the water problem in the region. The Jordan (Sharia) River consists of two main parts.

The so-called Upper Jordan is composed of Dan, Hasbani[337], and Baniyas, born from the Lebanese mountains. From these arms, Dan comes from Israel, Hasbani from Lebanon, and Baniyas from the Golan Heights, which are still occupied by Israel. The waters are also called Galilee (Tiberias- or Tayberries), which is 210 meters below sea level, passing through the Huleh lake and swamp area, which has been dried up by Israel and opened for agriculture.) It'll come into your lake. The part of the river, which stretches from Galilee Lake to Oludeniz (Lake Lutz), is defined by being In Fer. After the exit of Lake Galilee, the River Jordan is the largest arm and joins the Yarmouk river from Syria. The Yarmouk River is a border between Syria and Jordan in the fount, and further down the border between Jordan and Israel. [338] From the junction point of Lower Jordan and Yarmouk, waters from east and west in the Jordan Valley are mixed into the main arm. The Jordan River Basin has an area of 18,000 km2. 54% of this area is in Jordan, 30% in Syria, 14% in Israel, and 2% in

Lebanon. River waters come from Jordan, 27% from Jordan, 32% from Israel, 31% from Syria (including Banyan's Source), and 10% from Lebanon. [339]

There are many problems on the Jordan River that have also caused military conflicts in the past. Currently, Israel's military and economic power in the region allows them to easily implement their own policies and block the practices of other countries. "For example, Israel's monopoly on upper Jordanian waters has caused 3,500 hectares of farmland to dry up in Palestine and Jordan. Israel's collection of agricultural, urban, and industrial waste and dumping them into the Lower Jordan river turns the river into an open wastewater channel. The use of the good-quality arms of the Jordan River by Israel and Syria is increasingly affecting Jordanian agriculture and water resources."[340] Israel no longer wants to withdraw from the Golan Heights, which are very important not only for military security but also for water security.[341] Thanks to Golan, Israel controls The Lake of Tiberias with the rears of Yarmouk and Banyans. In addition, the springs in the Golan Heights are important water sources for Jewish settlers here. Another Israeli-occupied Syrian territory is also a problem between the two sides. While Syria wants the Jordan River and Lake Tiberias to set a common border and thus become international waters, Israel is not willing to do so. Palestinians, who have been under Israeli occupation since 1967, have been unable to take advantage of their water resources in any way they want. Israel strictly controls water use in the West Bank and does not allow Palestinians to drill new wells for uses other than drinking water.[342] However, Israel personally drills deep wells that consume groundwater here, rapidly consuming and damaging the geological structure of the region. As with Israel, the territorial issue, and other political issues; he does not always hesitate to implement the policies he wants in his own interests. In addition to its own military and economic power, he can do this comfortably with the support that the United States has always provided unconditionally. Currently, the United States has repeatedly threatened Iran for allegedly making nuclear weapons and trying to turn the world's public opinion against it, and Israel, which is known to have nuclear weapons capability and does not accept control of the International Atomic Energy Agency, does not speak out. All of this is the result of Israel's challenge to Arabs and international law in every case in the region. In this region, where the balance of power reigns instead of fairness and

justice measures, the increasingly difficult solution of problems is a greater danger for the future.

The above data, which is only part of the water problem in the Jordan River Basin, and the general political situation, should be further accelerated and strengthened in the search for lasting and fair peace between the Arabs and Israel. of the world. Israel has long been making persistent demands for the purchase of excess waters of Lebanon's Litani River. Lebanon, however, rejects the demands, both because of the concern that Israel may take it as an acquis right in the future, and because Syria and Arabs, in general, do not want it. The Litani River is a resource with the cleanest and most abundant water in the water-scarce region.

After many years of civil war, Lebanon, which is trying to achieve political stability, is not a major problem for water today. He shares the Asi River, which watered the Bekaa Valley in the north of the country, with Syria. Lebanon can't take advantage of these waters as much as it wants. However, this is not a problem with Syria. Perhaps the most important reason for this is the weight of Syria on domestic and foreign policy. Until recently, Syria had 40,000 troops in Lebanon. However, under UN Security Council Resolution 1559, led by the United States and France, The United States continues to put pressure on the Damascus regime, saying that Syria’s intelligence efforts in this country are continuing, which has previously had difficulty withdrawing its troops sent to Lebanon to intervene in the civil war. Here, strange steel of international relations and therefore the international system draws attention. Since 1967, Israel, which has occupied the territory of Syria and Palestine, has adopted 78 resolutions on various dates, particularly the famous resolutions of the United Nations Organization no. 338 and 442. With the usual great support of the United States, it can maintain its invading position.

Syria, by contrast, during the Lebanese civil war; According to the Arab league's decision, he was forced to back down, unable to withstand the international pressure he had subjected to withdraw his troops as a kind of peacekeeper. Lebanon is also attached to the Jordan River Basin because the Hasbani branch of the Jordan River was born in his country. But there is no water sharing problem here. The waters

of the Hasbani River are left to Israel as well. Jordan is perhaps the unluckiest country in the region in terms of water resources. This country, which is mostly deserted in most of its territory, must share its existing water resources with its neighbors, which are much stronger politically and economically than it is. Political and military weakness prevents him from getting enough of his water resources.

Jordan has previously held technical talks with Israel under the Johnston Plan, called "Picnic Meetings", but has not received the water share it should receive since 1967 due to Israel's dominance over the Jordan River. The water shortage in Jordan is so extreme that some towns can only be given water one day a week. Unless there is a realistic share of the 343 Jordanian River system, Jordan's water shortage will increase day by day. This is the same for Palestine. The fact that the groundwater of Palestine continues to be consumed by Israel without any obstacles is a life-threatening threat to the future of this country. The Jordanian River System, which carries only two percent of the Nile River [344] and looks like a mud river, has been the cause of big fights for half a century. There's still a danger of it going after that.

Table 16 Jordan River And It's Arms

River	**Source**	**Political Control**	**Amount mil. cubic meter**
Hasbani	Lebanon	Before 1967 Lebanon	
Banyans		After 1767 Israel	123
	Syria	Before 1967 Syria	122
Dan	Israel	Israel 1967 after Israel	252
Upper Jordan			642
Yarmouk	Syria	Syria, Jordan, Israel	452
Down Jordan			1,526

*****Source: Miriam R. Lowi, "Conflict and Cooperation in Resource Development", Elise Boulding (ed.), Building the Peace in the Middle East: Challenges for States and Civil Society, Boulder, Colorado: Lynne Rienner Publishers, 1994, s.266. Daniel Hillel, Rivers of Eden: The Struggle for Water and the Quest for Peace in the Middle East, New York: Oxford University Press, 2005, p.160-167.

Table 17 Jordan River System (Million M3)

Approximate water budget for average year(see data section further below for period over which averaging took place and for details on the method used(in million m3-MCM)

Surface Water Supply	Annual Streamflow (MCM)
Upper Jordan River (Hazbani, Dan, Hermon)	676
Yarmouk River	495
Zarqa River	85
Lower Jordan River–East side wadis	43
Lower Jordan River–West side wadis	40
Total Supply	1,339
Groundwater and Other Supplies	Annual Net Production (MCM)
Mountain Aquifer *–Groundwater/Springs	693
Jordan–Groundwater/Springs	139
Israel–Local Groundwater/Springs	534
Israel–Flood Capture	164
Israel–Desalination	42
Total	1,572
Water Demand	Annual Demand (MCM)
Jordan Municipal	100
Jordan Agricultural	103
West Bank Municipal	102
West Bank Agricultural	161
Israel Agricultural–in basin	357
Israel Municipal–in basin	10
Israel Agricultural–out of basin	766
Israel Municipal–out of basin	805
Upper Yarmouk Diversion to Syria	360
Total Demand	2,764

* Israel and West Bank Palestine both draw from the Mountain Aquifer; Note that Israel‘s
desalination capacity has now reached about 250 MCM per year, but we have used an
average value (42 MCM) for the baseline situation. See in:

https://www.researchgate.net/publication/229015634_A_Water_Resources_Planning_Toolfor_the_Jordan_River_Basin

4.2.1 Yesterday and Today of Water Problems on the Jordan River

The annual amount of the Annual or tress natural flow of the Jordan River, widely accepted among the authors, is 1.527 million m3. Of this, 640 million m^3 is located in the upper part of the river (north of Lake Tiberias) and 887 million m3 in the lower part of the river. This natural water volume is quite reduced by the use of basin countries. The volatility of the rainfall regime in the basin according to seasons and years leads to instability in the amount of water carried by the river. The Jordan River has 1/45 of the Nile and 1/20 of the Euphrates. Although its volume is so small, this river is one of the most problematic issues in international politics [345]

The Jordan River Basin includes Jordan, Israel, the Palestinian Autonomous Region (West Bank and Gaza), Syria and Lebanon. Jordan River is the only superficial water source of Jordan, Israel and Autonomous Palestine, and its water potential is exhausted with various projects developed to date. Various projects have been prepared for the use and allocation of the Jordan River and its branches, starting from the dates when the region was under ottoman rule.[346]

Table 18 Plans Developed For The Use Of Jordan River

Year	**Proposed Plans**	**States or Organizations that Address Studies**
1913	Franghia Plan	Ottoman Empire
1922	Mavromatis Plan	England
1928	Henriques Plan	England
1939	lonides Research	Jordan
1944	Lovvdermilk Plan	U.S
1950	MacDonald Report	Jordan
1951	Israel Plan	Israel
1952	Bunger Plan	Jordan/U.S
1953	Main Plan	U.S
1953	Israel's Seven-Year Development Plan	Israel
1954	Cotton Plan	Israel
1954	Arab Plan	Arab Union Technical
1955	Baker - Harza Plan	Jordan
1955	Unified Johnston Plan	U.S
1956	Israel National Water Plan	Israel
1964	Upper Jordan Turning Plan	Arab Union

Source: Bilen, Özden, Water Issue in the Middle East and Turkey, p.110-112(Naff, Matson -1984).

None of the projects shown in Table 19 have been compromised, and since the early 1950s, issues related to the Jordan River have been heavily placed on the agenda of various international organizations. The countries that share the basin have prepared their separate plans to try to get ahead of other coastal countries, turned into a dangerous escalation.[347]

Two Israel water projects that caused the dispute were the drying of the Huleh swamp north of Lake Tiberias and the flow of Jordanian River waters into the Canal on the Jacob's Daughters Bridge (Arabic name Cisr Banat Yakub), the first leg of the National Water Carriers. In the summer of 1951, Israel shut down water gates south of Lake Tiberias and dried up two swamps in the disarmed area between Syria and its borders, a continuation of the Huleh Swamp. and Syria. [348]In June 1953, when Israel continued its construction at Jacob's Daughters Bridge, Syria troops had piled up troops at the Syrian Border and opened artillery fire on the construction site. Meanwhile, both Syria and Jordan protested against Israel in the UN. The UN has decided to stop Israel's construction, and when the United States announced it would cut financial aid if it did not comply with the resolution; Israel had to stop construction.[349] With the developments mentioned above, the UN Refugee Affairs Agency, which considers the new political developments in the basin, had launched a study from the 1950s on the Jordan River issue, which gained an international qualification. According to the UN Plan (Main-Klapp Report) released to the public on October 20, 1953, 394 million m3/year water for watering 41,600 hectares of land is Israel's water for 49,000 hectares, 774 million m3/year water for watering 49,000 hectares of land Jordan, 3,000 hectares of land to be watered down 45 million m3/year Syrian water would be available for use. In other word: 32.5 percent of the water was divided into Israel, 63.5 percent to Jordan and 4 percent to Syria. [350] In addition to these developments, a detailed water allocation plan has been prepared, called the *"Johnston Plan"* at the initiative of Eric Johnston, special representative of US President Eisenhower. This study, which is generally accepted at the technical level, has not become a political document. The developments in the negotiation process, initiated in 1953 by the initiatives of the President of the United States, are interesting, as Arabs and Israel reflect their approach and strategies on water issues. The following 5 main topics are discussed in the negotiations:[351]

1. Water use quotas of coastal countries,
2. The use of Lake Galilee as a storage facility,
3. Transmission of Jordan River waters out of the basin,
4. The allocation of the sum of both water between coastal countries, connecting the River Jordan of the Litani River, which was born from Lebanon and flown into the sea within the borders of this country, In different stages of negotiations involving international audits and warranties, numerous plans have been

developed, demonstrating the parties' approach to the issue. As a result of the study, water quotas for each country were determined and various facilities were built on the Jordan River and its branches. The U.S. State Department and President Eisenhower's Special Representative participated in technical studies from time to time as observers in order to determine the political approaches of the parties. The facilities projected to be built in the Master Plan are summarized below:

1.Building energy and irrigation dams on the Hasbani, Dan and Banias branches of the Upper Jordan River, Drainage of the swamp of hole,

2.175million m^3 capacity dam installation on Yarmouk,

3.The construction of structures that will turn Yarmouk River waters into Galilee Lake and East Gore Canal,

4.Using the lake as a storage facility by placing a lid on the exit of Lake Galilee,

5.Watering the fields east and west of the Jordan River,

6.Irrigation with dams to be built on the side valleys of the Lower Jordan River,

assuming that the above-mentioned facilities will be built, as the main plan approaches first. He allocated 394 million m^3 water to Israel, 774 million $m^3$to Jordan and 45 million m^3 to Syria. Both Israel and the Arabs objected to this proposal. Israel has requested that the water stored in Lake Galilee be increased to800 $m^3$of the approximately 400 m^3quota stipulated in the main plan for Israel, taking together the Mediterranean coast and the Rivers of Najafi, as well as the Rivers of Litani and Jordan.

The River Litani, which was born from Lebanon and spilled into the sea, is an inland river and does not qualify as water across the border. Without Lebanon's approval, connecting the River Litani to Jordan is not possible according to international law principles. Nevertheless, it is aimed to increase the water quotas of the parties based on the total water potential of both rivers.[352]

A study by Israel called the Cotton Plan against Johnston's proposal. The Arabs responded to the main plan with the Arab Plan they put forward in 1954.

Arabs stood on a point of fact, stating that 77% of the waters were born from Arab countries, [353] and opposed the division of the quota system in

principle, as well as the proposed 400 million m 3-year water for Israel, They offered to limit it to 200 million m3. In parallel with the progress of the talks, Israel

abandoned its request to merge the River Litani with the Jordan River, while Arabs removed objections to the use of Jordan River waters outside the basin. They refused to accept that the Yarmouk river waters should be transmitted to Lake Galilee and stored there. Syria and Jordan have proposed that Lake Galilee be considered a regional water source and jointly used with Israel. This proposal has not been accepted by Israel. The Arab proposal for the inspection of water use by international organizations has been rejected by Israel. After a general agreement on technical issues, a difficult negotiation process on the allocation of water quotas began. Given the option of connecting the River Litani in Lebanon to Jordan, Israel abandoned its demand to increase its water quota to 800 m 3m a year. Meanwhile, a new proposal has been shaped based on the main plan. According to the proposal, called the Unified Johnston Plan, Israel has been allocated 400 m 3 a year, 720 m 3to Jordan and 132 m 3 to Syria. The stated plan was adopted at a technical level by experts of the parties. The most intense objections to the final plan, which is by technical experts, have come from Syria. The use of the Jordan River among coastal countries was based on the de facto situation achieved by Israel's military power. Today's uses are very different from the Combined Johnston Plan.

4.2.2- More Projects related to the Jordan River

Lake Galilee is Israel's main superficial water source, and an average of 390 million m3 water, pumped from this lake to a height of 360 meters, is converted into the National Water Channel, Israel's lifeblood. The needs of the settlements and agricultural areas along the Mediterranean are met by the National Water Channel, which is 110 km long.[354]

From the end of the specified transmission line, water is

delivered to the interior of the Najaf Desert with 2 pipelines that are approximately 95 km

long. The National Water Transport system, which is 205 km long from Lake Galilee, is reinforced by groundwater in some areas, and about a seven-fifth of Israel's electricity generated is in the operation of pumping facilities on this canal. is used. A significant portion of the waters in the font parts of the Jordan River is stored in Lake Galilee and very little water is left down the lake. After 170 million m 3 of Yarmouk river waters with an average annual capacity of 500 million m3 were used by Syria,

120 million m3are converted into the East Gore (King Abdullah) Channel on Jordanian territory. In addition to the water converted into the East Gore Canal, approximately 250 million m3 water from the east to the Lower Jordan River is regulated by various dams, preparing 31,000 hectares in the Jordan valley.[355]

Since the 1950s, there has been no trilateral agreement on the use of the dam's waters between Syria, Jordan, and Israel, while the construction of the Maqarin Dam, which will increase the amount of water used by organizing the Yarmuk River streams, has not been reached since the 1950s. Moreover, the use of a significant portion of the waters to the dam, which is being built in Syria, without considering Jordan's rights, has largely eliminated the economic feasibility of the dam.

4.2.3- Hydropolitical Conditions in Jordan River Basin

Jordanian and Euphrates-Tigris basins are discussed in a common concept, although some literature on the subject; As can be seen from the analytical review above, the conditions in the Jordan Basin are completely different from the Euphrates-Tigris Basin. He summarizes these differences from political, social, and technical aspects: "In the last 40 years, there have been four important wars between Israel and the Arabs in the Jordan River Basin, and the state borders have not been finalized. Israel has been constantly seeking a military solution to gain a greater stake in its water resources (Hydraulic Imperative Hypothesis). In contrast, the political borders between Turkey, Iraq, and Syria took their final form with the treaty of Lausanne in 1923 and Hatay in 1939. Given the conditions for 2020 in the region, which includes Jordan, Israel, and Palestine, 2 billion 630 million m3 water is available for the population of 25 million, while the amount of water that can benefit from the population of approximately the same amount in Syria is 20 3'kind of billionm3'. This amount is 7.6 times as much as all water resources in the region, which includes Jordan, Israel, and Palestine.

The issue of sharing Sharia waters is much more complex today than the plans of the 1950s could solve. The sources of the river and its arms have dissipated among the warring countries, as well as allied Arab countries, which have caused disagreements within themselves. Israel, the legally groundbreaking country, fought in 1967 and

1973 and became a de facto up-ground country with the invasion of southern Lebanon in 1982, suggesting that water security must be satisfied with the withdrawal from occupied territory. On the other hand, the water needs of the basin countries are about to exceed the capacity of the Sharia River and underground reservoirs, especially due to the growing population as a result of migrations. More importantly, once again, the re-sharing of the waters will come up once again as the State of Palestine takes its place in the region."[356]

4.3- Israel - Jordan Water Agreement

The Jordan River basin, which has a water collection area of approximately 18,000 km2, has five different countries: Israel, Jordan, Syria, Lebanon, and Palestine. Considering that Lebanon's need and contribution to basin waters is low, Israel is the upper watershed country in the Upper Jordan River and Syria is an upper basin country in the Yarmouk River, Jordan, and the two hydro- politically difficult states are the most difficult. It's Palestine.

Although the Gaza Strip [357] has been agreed to be part of the Palestinian State, it is not certain which areas will be given to the Palestinians on the western bank of the Jordan River and from the territory still under Israeli occupation. Continues. Therefore, uncertainty remains, with no agreement foreseeing the allocation of groundwater on the west side between Israel and Palestine. It has not been clear who will belong to groundwater-rich regions in the drawing of borders and to what extent the restrictions on the use of these waters will still be imposed on Palestinians.[358]

Due to uncertainty of the future status of the Golan Heights and other problems, peace talks between Israel and Syria were cut in 1996. The interim talks resumed in December 1999 with US initiatives but were interrupted again without progress.

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[356] Bilen, Ö. Ibid, p.129,130, etc.

[357] Gaza, which has been under Israeli occupation since 1967, was led by Israeli prime minister Ariel Sharon in late 2005 and which foresees the evacuation of the Jewish settlements here; Within the framework of a unilateral withdrawal plan, it was transferred to the Palestinian Autonomous Administration after the withdrawal of Israeli soldiers.

[358] Bilen, Ö., **Water Issue in the Middle East and Turkey**,p.248-250.

On September 11, 2001, the balance surged widely in the Middle East in the new process, which began with the terrorist attack on the World Trade Center. Syria, which was forced to withdraw from Lebanon under UN resolution 1559, allegedly supported insurgents in Iraq; is already under pressure from the United States. Syria-Israel relations have also entered a tense period again. Therefore, it is not known when and under what conditions peace talks will begin again. On the other hand, security issues and the position of downstream country according to all its neighbors forced Jordan to reach an agreement with Israel and a peace agreement was signed on October 26, 1994. The agreement includes various regulations on the use of Jordan and Yarmouk rivers and Arafa groundwater resources, among other things. With this peace deal, Jordan will On September 11, 2001, the balance surged widely in the Middle East in the new process, which began with the terrorist attack on the World Trade Center. Syria, which was forced to withdraw from Lebanon under UN resolution 1559, allegedly supported insurgents in Iraq; is already under pressure from the United States. Syria-Israel relations have also entered a tense period again. Therefore, it is not known when and under what conditions peace talks will begin again. On the other hand, security issues and the position of the downstream country according to all its neighbors forced Jordan to reach an agreement with Israel, and a peace agreement was signed on October 26, 1994. The agreement includes various regulations on the use of Jordan and Yarmouk rivers and Arafa groundwater resources, among other things. With this peace deal, Jordan will increase its water budget by 25%.[359] The agreement in question [360] states by experts that there are provisions in favor of Israel on issues concerning the allocation of water.[361] "The Car/Arafa Groundwater Use Treaty with the Jordanian and Yarmouk rivers is the 6th anniversary of the peace agreement signed between Jordan and Israel on October 26, 1994. the article "Water" is titled and contains 6 sub substances. Here is a translation of Article 6.1 in English: "Based on the principles, quantities, and quality of the annex H, the shares of both sides of the Jordan and Yarmouk River and Arava/ Car groundwater have been mutually accepted and the parties will comply with these principles and will pay full respect." In Annex H, which is of interest under the article, the technical principles for the allocation of Yarmouk and Jordanian rivers and groundwater are given separately for each water source."[362] In the judgment of the Yarmouk River, in the summer period (from May 15 to October 15), it is stated that

Israel will receive 12 million m3 of water from Yarmouk and the rest of the water will be used by Jordan. Israel guarantees its stake in terms of quantity for the summer months, while Jordan's amount of water it will use remains largely dependent on climate conditions and the water that Syria will leave. These two factors pose a significant risk to Jordan. Under the contract, Israel will use 13 million m3 of water from the Yarmouk River in the season, defined as the winter period (October 16-May 14), and the remaining water is allocated to Jordan. In addition, Jordan has allowed Israel to pump another 20 m3 of water, provided it is returned in the summer. Although the agreement is not disclosed, 20 million m3 of water will probably be stored in Lake Galilee (Tiberias), Israel's main water source. A similar proposal was made in the Johnston Plan of 1955. As in the summer waters, Israel has obtained a guarantee of quantity for the winter waters. However, given that there may be a more reliable amount of water in the Yarmouk River in winter than summer, there is not much risk from Jordan. Under the provisions of the agreement, Israel has so far limited the 70-100 million m3 Yarmouk water it has obtained as a de facto to 25 million m3.[363] The final article of the agreement on Yarmouk stated that if increased water remains in the section (the point of turning it into Addai) under the points where both Israel and Jordan turn to water, this water can be used by the parties. However, no value has been given in volume.[364]During the winter period, an average of 20 million m3 of water will be allocated to Jordan, which will be accumulated in a storage facility outside the riverbed in the region south of the junction point of the Jordan River and the Yarmouk River. (Appendix II, M.1, P.2b.)365

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[359] Pamukçu, K., Ibid, p.216-218.

[360] **Treaty of Peace betweenThe State of Israel and The Hashemite Kingdom of Jordan**, October 26, 1994. For the text of agreements see in: Journal of Palestine Studies, Winter 1995, s. 124-140.Also see in: www.Israel-info.gov.il; Israel Foreign Ministry,"Israel- Jordan Peace Treaty-Main Points."

[361] Beaumont, P., **Dividing the Waters of the River Jordan: An Analysis of the 1994 Israel-Jordan Peace Treaty, Water resources Development**, Vol. 13, No.3 p.414-425., Carfax Publishing Ltd. 1997,

[362] Bilen, Ö., Ibid, p..248-252.

[363] Pamukçu. K., Ibid, p.215-218.

[364] Bilen, Ö., Ibid, p.250-252.; Pamukçu, K., Ibid, p.215-217.

[365] Pamukçu, K., Ibid, p.215-218.

Both sides will benefit from the unused water that is excluded from this amount (Article I.2-b). However, the agreement on how to allocate rising waters between Israel and Jordan was not included in the agreement. In addition, Israel will maintain existing water use in the region, where the Jordan River borders the two states, up to Wadi Yaris/Tirat Zevi. Jordan will use equal amounts of water in this section to the water Israel receives. However, the specified uses will not harm Israel's use in terms of quantity and quality. The Joint Water Committee will identify existing uses and lower the necessary documents (II.2-c). There was no quantitative determination for the available uses under the article and the issue was left to the work of the Joint Water Committee.[366]

The 20 million m3-capacity salty spring waters on Israeli soil are still being discharged into the Jordan River. The agreement on this issue has introduced a new arrangement, to work with Israel to desalinate 20 million m3 of water and to give 10 million m3 of water to Jordan. As a result of the peace agreement, Jordan was entitled to 30 million m3 of water from the main arm of the Jordan River, water that is not quantitatively obvious in the section between Wadi Yaris/Tirat Zevi, where the Yarmouk River meets the main arm. Dan, Hasbani, and Banyans, which feed the Galilee Lake in the Jordan River, within Israeli territory, total from about 500 million m3 (Table: 1). Israel has not allocated a share of the waters born within its territory to Jordan, while it has achieved a quota of 25 million m3l as a lower basin country in the Yarmouk River.

"As a result, Jordan has abandoned all demands regarding the waters mentioned above, within the process from the founding of the State of Israel to the 1994 Peace Agreement. Article 1.3 of the Agreement states that "Israel and Jordan will cooperate to provide Jordan with an additional water quality of 50 million m3 a year". Although a plan to be developed by the Joint Water Committee within a year of the agreement's entry into force is stated under the clause in which the parties submit their governments for negotiation and decision, there is no binding provision for the supply period of 50 million m3 of water. The Peace Treaty is the first time that the Peace Treaty will be held in World War II. In its Annex, a narrow comprehensive reference to groundwater was made. Accordingly, Israel will continue to benefit from

the wells used by Israel, which have been drilled in Jordanian territory to the east of the river, in the area where the Jordan River borders between the two countries.

During the wars between Israel and Arab countries in 1948, which resulted in the establishment of the State of Israel, the right to use groundwater in the Israel-controlled region in the Hayagriva/Wadi Arab region to the east of the Jordan River was recognized by Jordan and established Jordanian rule on these lands, limited to 10 million m3 a year. The agreement states that if such wells are renewed, the permit documents for these wells will be issued according to Jordanian law and technical information about the wells will be provided to Jordan by Israel (Article IV.2). The water deal between Jordan and Israel has defeated radical Arab nationalism, which is accustomed to frequently describing rivers in the Middle East as "Arab waters!."[367] The Johnston plan, drafted in 1955 by the United States initiatives, adopted by Jordan to allocate more water to Israel than the amount stipulated for Israel. Bilen points out an important point regarding the Israeli-Jordanian agreement: "Regarding the agreement, which has been described by some Middle Eastern experts as a diplomatic achievement of Israel, Prof. Beaumont makes the following comment:" The Peace Agreement with Jordan meets all Israel's expectations of water, without any doubt.

Indeed, Israel has made little concessions while maintaining all the water resources it obtained in the 1967-June war. The principle of "fair" allocation of water slides laid out in the Johnston Plan has been ignored. This issue should be quite interesting for many Israeli academics who have argued for years the importance of international law, rules, and regulations in solving water problems."[368]

4.4- Litani River

The Litani River is a river that was born in the Bekaa Valley within Lebanon’s borders and flowed into the sea from the borders of this country. In other words, Lebanon is inland water and does not have the nature of water that constitutes a border or crosses the border. However, different projects have been proposed by Arabs and Israel to convert the River Litani into the Jordan River, and therefore the

Litani River has frequently come up.[369] The Litani River, which carries a total of 700 million cubic meters of water per year, is 145 km. long. Since it is the largest river born in a single state in the region and flowed into the sea within the borders of the same state, the disputes over this river are not much compared to others; However, the fertile water resources of the Litani River and Lebanon were tried to move to the international platform by countries in the region and especially Israel, and it was intended to irrigate Israeli and Palestinian territories through the Litani river. The Only Lebanese-owned dam on the River Litani, a high-deceit river, is the "Qirawn Dam", and Israel's proposal to increase the flow of the Jordanian dam by combining the Jordan river and the Litani River has been rejected. Nevertheless, research on water resources in Israel still has a lot of flow from the Litani river.[370]Indeed, when Israel invaded southern Lebanon in 1982, it used surface and groundwater that feed the Litani River from the Golan hills it had previously seized.[371] The amount of water Israel obtained from the Golan heights amounts to about 40 percent of Israel's total water demand. Therefore, Israel has seized the Golan hills to fight Hezbollah and the Palestine Liberation Organization [372] (PLO) and to remove it from Israel, and it is clear that what Israel is aiming for is to take advantage of the water resources that feed Litani.[373] On the other hand, with Litani, the Muslim population and Palestinians living away from the Litani river basin, despite Christians living in areas where the soil is fertile and having a greater say in the administration, with many water sources. there is a disagreement about the sharing of water between the two. Meanwhile, research by Israeli sources states that Israel had a water deficit of 800 million cubic meters in 2000 and that 50 percent of the gap would be eliminated if the Litani River was included in the Israeli water system. With future droughts and populations, the sharing of the Litani River can be expected to cause problems unless a permanent peace agreement is signed between Israel, Lebanon, and Syria. The Zionist proposal, which was taken to the Paris Peace talks in 1919 following the First World War, was shown in Jewish settlements of the Litani Basin Hayim Weizmann, who was elected the first president following the founding of the State of Israel, wrote in a letter to Churchill in 1921 that "the Sykes-Picot compromise between Britain and France has eliminated the possibility of The Jews benefiting from Litani." The plan, drafted by Lowdermilk in 1944, proposed transferring the Litani river as part of the Jordanian river system to Hasbani, an offshoot of the Jordan River, for 40% of the Litani River water.

[372] Today it constitutes the backbone of the Autonomous Palestinian Authority and is regarded as the representative of the political presence of the Palestinian people.The foundation of the Palestine Liberation Organization (PLO) was laid by Yasser Arafat in the late 1950s. Born in Gaza, Arafat (Organization name Abu Ammar) fled Kuwait after banning his political activities in Egypt and established the Palestine Liberation Movement (Fatah) organization here. El Fetih is the reverse reading of the initials of the Arabic "Movement el- Tahrir el-Palestinian" (Palestinian Liberation Movement). Then, in the first congress held by Palestinian refugees in East Jerusalem in 1964, it was decided to establish the Palestine Liberation Organization. For more information see in: Armaoğlu, Fahir, **Palestinian Issue and Arab-Israel Wars,** (1948-1988) İş

Lebanon has prioritized the energy-reproduction team in exploiting the waters of the River Litani. Before the civil war, Lebanon, one of the richest countries in the Middle East, invested in tourism, trade, and light industry sectors to meet the energy needs of these sectors.[374]

On the Litani River, with an average annual water amount of 700 million m3, at the southern end of the Bekaa Valley, the Qian dam was built, and the river's waters were arranged. After energy was produced at the exit of the dam, the water was converted into the Aweil River by a tunnel, providing energy from this river. There are also 25,000 hectares of irrigation in the Awa-li Valley. Since 82% of Litani river waters (574 million m3)are converted into other rivers, only 126 million m3 water remains. With other rivers and groundwater sources taken together, Lebanese experts say Lebanese has an average of 3 billion 200 million m3 a year for Lebanese water presence.[375] However, Shuval, a professor at Hebrew University in Jerusalem, gives Lebanon's water presence at 9 billion m3. [376] As mentioned earlier, many different figures are given by various authors for rivers in the Middle East. As seen above, two numbers, one three times the other, are one of the countless examples of figure confusion in the Middle East. I wonder why so many different figures are being given. Israel is a country adjacent to Lebanon, and it plans to take advantage of Lebanon's resources as a long-term strategy, both to take advantage of water resources in this region, as well as to take advantage of the water resources in this region. he thought of destroying the effectiveness of the PLO. Lebanon, by contrast, claims to have only

enough water to protect its water resources. [377] There are also some internal problems on the Litani River from time to time. About 600,000 Shiite Muslims live in southern Lebanon, a region that is left behind in Lebanon. Transferring the Litani River water to another northerly river further north, and neglecting irrigation in the region, has increased dissatisfaction with the central government, which is usually dominated by Christians, between Shiites, Sunnis, Christian Arabs, and Druze problems have arisen. When the liberation of the Palestine Liberation Organization (PLO) settled in southern Lebanon following its expulsion from Jordan and Israel began bombing southern Lebanon, chaos broke out and civil war broke out in Lebanon. He's got control of the lower reaches of the River.[378] With Israel ending its 22-year occupation, the situation in the Litani River pre-occupied pre-occupation status. But between Lebanon and Israel, in the southern region where the Hezbollah Organization is influential; occasionally small-scale border conflicts occur. Meanwhile, with some internal political turmoil in the country; Tensions with Syria are also prevailing. Mehlis, a German prosecutor appointed by the United Nations investigating the death of Lebanon's former prime minister, Rafiq Hariri, who was killed in a bomb attack, has prepared a report blaming Syria and has been told by some Syrian authorities in connection with the incident. He has applied for the testimony. Anti- Syrian demonstrations are held in Lebanon from time to time.

4.5- Nile River System

Churchill, a former Prime Minister of England, describes the River Nile in striking sentences in his 1902 book "The River War": "The Nile is like a lone palm tree. Root in lakes region (topped!), its body (long White Nile) in Sudan, branches, and fruits in the Nile Delta in Egypt. If the bodies and branches are rooted, their body and branches will die of thirst.

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[374] Bilen, Ö.,Ibid, p.150-153.
[375] Bilen, Ö.,Ibid, p.150-153.
[376] Shuval, H., Proposals for Cooperation in the management of the transboundary Water sources Shared by Israel and her Neighbors, Water as an Element of Cooperation and Development in the Middle east, A.İ. Bağış (ed.) Hacettepe University, Ankara- 1994, p.294-295.
[377] Bilen, Ö. Ibid, p.153.
[378] Bilen, Ö. Ibid, p.153-154.

If the root is separated from the trunks and branches, it will no longer have the opportunity to define itself as seedlings and fruit..." For this reason, The UK's policy has been based on the integrity of the Nile. Based on the hydrology direction, he argued that it was necessary to look at nile waters from top to bottom connected. The fact that Britain has invaded all the upper Nile countries from Sudan to the top of the lakes has helped defend this view. England's attitude was consolidated in 1894 in the famous Fasoda incident. Because Britain pushed back the French's move to infiltrate the upper Nile countries, forcing it to withdraw immediately from the upper Nile. In addition to Egypt and Sudan, Britain signed several international treaties with Italy and Belgium representing Ethiopia, Congo, Rwanda and Burundi on the other side, as a result of the occupation of Kenya and Tanganyika. These agreements highlight Egypt's accredited rights in the Nile waters."[379] The Nile River, where nine separate countries are coastal, means life, especially for Egypt. Or rather, if there is a country called Egypt, it is thanks to the Nile. So, the Nile is Egypt, Egypt means Nile. Close to the entire Egyptian population lives in the Nile Valley and Delta, which make up three percent of the Egyptian territory. 97 percent of the remaining lands are a barren desert and are almost completely empty. Ethiopia controls the Blue Nile and Atbara River, which provides 80 percent of the Nile waters, and the White Nile, which provides fifteen percent, is overtaken by the states of Uganda and Sudan. Countries that hold the source of rivers in many parts of the world, i.e. upper coastal states, change the flow of water or threaten water in order to control events in the lower coastal states as a means of power. they used it. But in the Middle East, Egypt is the only exception to the rule that my countries above the river hold tap sands and affect the countries below it. position, technical knowledge and military force. Egypt has shown that it is the dominant power in the Nile Basin, not only did it not leave it so-called, but also with its actions.[380]

Table 19 Nile River Waters Shareout By The 1959 Treaty

Country	**Contribution of Countries to Water Potential (billion m3)**	**Water Allocation by 1959 Agreement (billion m3)**
Egypt	0	55.5
Sudanese	0	18,5
Ethiopia	72	0
Other Upstream Countries	12	0
Evaporation Losses	-	10
Total	**84**	**84**

Source: Whittington, D., McClelland, E. (1991)

During the eight-year major drought between 1980 and 1987, the 125 billion m3 water carried by the Nile river to the Asuan Dam decreased by two-thirds to 46 billion m3. This has led the Egyptian people to be more sensitive about water. As a result of diplomatic efforts that began under the direction of former Egyptian Foreign Minister Butros Butros Gali, the "UNDUGU GROUP" based on cooperation was established. Sudan, Uganda, Zaire (New name Democratic Republic of Congo), Rwanda, Central African Republic, which means "brotherhood" in swahili and is the political application of Egypt's approach to co-operation instead of conflict and Egypt joins as a member, while Burundi and Tanzania have observer-level representatives.[381]

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[379] Ahmed, Mahmud Semir, **Mearik-ul Mukbile fi Şark-ıl Avsat, Dar-ul Müstakbel-il Araby**, Kahire-1991 p.24-26,etc.
[380] Tiryaki, O., Ibid,p.64.66.
[381] **Water Issue in the Middle East and Turkey**, Water Foundation Publications, Istanbul 2004 (insert), Kapan, İ., Great Middle East Concept and Water Issue in our Region,p.61-62, etc.

Kenya and Ethiopia do not attend the annual meetings of the Undugu Group, neither as a member nor as an observer. However, the Undugu Group attaches importance to the membership of the Blue Nile countries, which are connected to the Nile Basin due to the Blue Nile. Because 85 percent of the water used by Egypt comes from Ethiopia. The Undugu Group has worked on various projects so far, but as a result, there is not much success. As mentioned earlier, the form of sharing agreed between Egypt and Sudan in the 1959 agreement (55 billion m3 a year to Egypt and 18.5 billion m3 to Sudan) remains valid. Sudan is unable to fully use its agricultural potential due to years of political turmoil and financial shortages in the country. Moreover, it is difficult to provide clean drinking water to its people. Sudan, which is normally in a water-rich position, is suffering from water shortages and inability to fully use agricultural areas, while 99 percent of Egypt's agriculture, the lower coastal country, is based on irrigation and acting as the owner of the Nile remains a source of contradiction and potential problems in the region. The same contradiction is at stake for Ethiopia. This country has almost reached the brink of disintegration due to decades of insurgency, civil war and famine. The newly recovered Ethiopia's work and projects show that it will now need more water. In these projects, Ethiopia receives significant financial support from Israel. Israel wants to take control of the Blue Nile with this financial support and put pressure on Egypt, a particularly low-rise state.[382] Egypt is forcing Ethiopia to strike a comprehensive water deal that does not harm the "right to peruse", which it considers a earned right. However, Ethiopia, in response to the doctrine of "integrity of the natural situation", which Egypt advocates for all pressures. “The doctrine of full sovereignty", and that the Nile has the freedom to use its remaining waters in China, its own country's borders, often declares that it will not accept any limitations on the issue. As a result, Egypt has so far only failed to fully secure itself with its water deal with Sudan. It is assessed that the water conflict with Ethiopia [383] may continue for many years.Egypt and Sudan have significantly restricted the use of Ethiopia, which is the largest contributor to the Flow of the Nile River, with the agreement, which took its final form in 1959. The 1959 agreement, shaped by the various influences and initiatives of the European States and the British Colonial Administration in Egypt and Sudan, which has dominated Africa for a long time, is between fount countries and Egypt, most of which have achieved independence in the second half of the 2Oth century and have not yet achieved

political stability, in the next century. it will probably cause great disagreements. The Nile River basin, which is shared among 9 African countries consisting of Burundi, Rwanda, Zaire, Kenya, Tanzania, Uganda, Ethiopia, Sudan and Egypt, covers a drainage area of 2.9 million km 2, which is opposed to 10% of the entire African continent. The world's longest river, the Nile, travels 6,825 km from Central Africa to the Mediterranean coast, and combines the Blue Nile arm from the White Nile Ethiopia plateaus near Khartoum City in Sudan. Born from Lake Viktoria, the White Nile enters the world's largest swamp and wet area, covering an area of about 70000 $km^{2.}$ Political instability in Central Africa and South Sudan has been set to prevent water losses in this area in southern Sudan, which is called the Sud swamp, to translate the Nile from entering the specified region. could not continue due to. In addition, the effects of the project on the site, the world's largest wet area, have provoked great reactions from environmental organizations in Europe. The Nile has an annual water potential of 84 billion m^3 near the Egyptian-Sudan border, with the potential equivalent to the total current amount of the Euphrates and Tigris rivers.

The contribution of the other 6 countries is 12 billion m^3. There is no contribution from Sudan and Egyptian territory. Approximately 10 billion m^3 water evaporation is lost due to the very hot climate conditions from the large lake area (depending on the water level) which occurs after the Asuan Dam is built. The amount of water lost each year by evaporation in Lake Asuan is four times the total amount of water from Jordan, Israel and Autonomous Palestine, which is sourced from underground and aboveground water. The water accumulated in storage facilities built in lower parts of the rivers spread to large areas, increasing the surface of the water open to evaporation.

Table 20 Water Amount And Resources Carried By Nile River

River	Carrying Water (billion m^3)	Share(%)
White Nile	11	14
Sobat	12	14
Blue Nile	50	59
Atbara	11	13
TOTAL	85	100

Source: Koluman, A. Shf. 52-54.Özhan Uluatam, *Drop by Drop.p.93-95*.5.

4.5.1- 1959 Nile Agreement

Egypt, which signed in 1959 between Egypt and Sudan, signed an agreement to share the waters of the Nile River, which did not contribute to the formation of the river in question and caused a loss of 10 billion m3 of water due to the Asuan Dam, Egypt, 84 billion m^3 of the natural currents, 66% of the natural currents, Sudan % While it has 22, the remaining water disappears by evaporation. Water lost by evaporation every year in Asuan Dam lake; The total amount of water obtained by Jordan, Israel and Autonomous Palestine from above ground and underground sources is four times the total amount of water it obtained from above ground and underground sources.[384] The arbitrary interventions of colonial governments in Egypt and Central Africa on an important natural resource, such as water, are the main cause of the problems that will continue to increase in today's and 21st century.[385] This situation is clearly seen when the process until the 1959 Agreement is examined.

According to the protocol signed in 1891 between Italy and the British Colonial administrations in Egypt acting on behalf of Ethiopia, Ethiopia will not be able to do any construction activity on the Blue Nile that will change the amount of water that flows into the Nile River. is specified. The defining points of British politics, which determine the principles of this protocol, were mentioned above following the definition of the River Nile by Churchill.[386] Following this protocol, the agreement between Ethiopia and the British colonial government determined the limits of Ethiopia was signed on 15 May 1902.

Although the document is an agreement to regulate borders, no facilities will be built on the Blue Nile and Lake Tana that will change the amount of water to Egypt. Melanic has been committed by the New Kingdom, France and Italy, and the three-way agreement between Britain, France and Italy, and notes issued between Italy and Britain in Rome in 1925, Egypt's interests in the Nile River, the fount countries, again, has been confirmed.[387] The Nile Waters Agreement, dated May 1929, is of particular importance in the hydro-political history of the Nile River. The most important item of the agreement is taken down: "In Sudan and other countries under British rule, no irrigation, energy facilities can be built or injunctions on the Nile River and the lakes that constitute its source, which will reduce the amount of water that is migrating to Egypt, delay the date of arrival or reduce water levels. can't be taken." Following the 1929 Nile Convention, which regulates the regime of use of the Nile River, the final agreement was signed in 1959, which determines the sharing of waters between Egypt and Sudan after the implementation of various protocols and notes in the nature that supports this agreement. This agreement, which is currently in force, contains the following important considerations: "Except for the annual amounts of water allocated to Egypt and Sudan, the provisions of the 1929 agreement were preserved exactly. The construction of the Asian Dam, which was planned to be built by Egypt and part of the lake area it has created in the Sudanese ground, has been approved by Sudan. The entire amount of water entering the Asian Dam was divided into 55.5 billion m^3 Egypt and 18.5 billion m^3 Sudan. Egypt has been approved to build other facilities with the Roseries Dam, provided that Sudan remains within its quota. All coastal countries in Egypt and Sudan's ranks must seek approval by applying to the Joint Technical Committee formed by these two countries and giving single-nick details before starting any construction. Sudan will be able to take measures to reduce water losses in swamps and wet areas in southern Sudan by agreeing with Egypt."[388]

In 1935, an American company by Ethiopia was allowed by Ethiopia to build a dam at the outskirts of Lake Tana, but based on the 1929 agreement, construction was halted by the UK. However, the work of bureau of reclamation, the largest water company in the United States, revealed that 33 irrigation and hydroelectric plant projects could be carried out in Ethiopia. The timing of America's interest in these

projects is remarkable. After the construction of the Asian Dam in 1960 with soviet help and the political rapprochement of Egyptian leader Nasser to the Soviet Union, the United States is technically assisting Ethiopia with technical assistance to prepare these projects. has started to be found. This is how Egypt's political stance has been expressed in this way, and the water issue has been drawn to the international platform through two superpowers. As a matter of fact, America's interest has diminished with Nasser's departure from the administration.[389] With projects prepared by US water experts, 434,000 hectares of land in Ethiopia have been envisaged to be irradiated. This amount still corresponds to 17% of the 2.6 million hectares of land in Egypt, and with 4 dams to be built under Lake Tana, the source of the Blue Nile, there is an average of 25 billion kilowatt-hours of energy per year (Approximately The production capacity of Ataturk and Aswan Dam is 3-ass). Due to the specified irrigation and evaporation from the dam lakes, it was calculated that there would be a reduction in the amount of water to Egypt by 4 billion m^3. Although 72 billion $m^3$of the 84 billion m^3 water of the Nile River is formed in Ethiopia, the country's use of 4 billion m^3 water is being blocked by Egypt. The agreement, which has the rights of coastal countries, is justified in rejecting Ethiopia's rightful demands.

On the other hand, the populations of Egypt, Sudan and Ethiopia are estimated to be 50, 23 and 44 million, respectively, compared to 99 million of Egypt's population, 56 million in Sudan and 122 million in Ethiopia, respectively. Ethiopia is one of the poorest countries in the world with gross national income of $130 per person (1989) and is obliged to carry out the projects mentioned above. Ethiopia's political instability, economic and technical incompetence is seen insurmountable today and in the near future.[390]

In 1957, the Government of Ethiopian reported his views to Egypt with the following note highlighting the sovereignty rights: "Ethiopia alone provides 84% of the waters, along with the national soil that makes the lower parts of the Nile river efficient. Given the great importance expressed by these waters and territories compared to Ethiopia's total water and other sources, the Government of Ethiopia wants to reiterate its rights and attitude outlined in the 1956 note. Ethiopia, which

specifies the right to use all-natural resources, including water, will also develop water resources as scientific measures to meet the needs of its growing population."[391] Ethiopia, which is in various political and economic turmoil, is in a great stalemate, both financially and technically. Ethiopia's situation is being assessed by Israel and probably wants to develop water-based relations with this country, especially to use it as a political maneuver against Egypt when its turn comes. "Israel first established a relationship with Ethiopia in 1956. After the 1956 Suez War, Israeli representatives went to Ethiopia to meet Haile Selasiye and his friends."[392]" Ben Gurion mentioned that Ethiopia was very important to them during his correspondence with Eisenhower. The African branch of the Mossad is very active in Incoda, Ethiopia, and there is great Israeli control in Ethiopia. "Israel is still working on the development of water projects in [393] Ethiopia. But shortly after signing the Camp David agreement with Israel, in 1979, Anyway Sedat's statements about the threat that Egypt targeting Ethiopia could fight for water are also present in political records. Furthermore, in cases of possible disagreement over the waters of the Nile River, Egypt has developed cross-border military action plans and taught them at the Nasser Military Academy, which is said to target Ethiopia and the Al Crocodile Plan is targeting Sudan.[394]

On the other hand, Egypt, which still watered 2.6 million hectares of land in the Nile valley, has turned to increasing irrigation areas with the reclamation of desert regions. Egypt has made efforts to increase Nile waters at every opportunity and get a greater share of these waters and has developed many projects on this subject. One of them is the Jonglei Canal project.[395] Under the land reclamation master plan, Egypt plans to establish an area of 580,000 hectares as a priority area with irrigation facilities in the medium and long term. It foresees the development of an area of 340,000 hectares in this area with water returned from irrigation within a water quota of 55.5 billion $m^{3.}$ However, Egypt needs 10 billion m^3 more water to open the additional sites for irrigation, and the source of this amount of water is unclear. [396] Meanwhile, the Upper Nile Project is thought to be addressed to reduce water losses in the Suds swamp in southern Sudan.[390]

[390] Ibid, p.160-162
Ibid, p.160-164

The amount of water entering the Suds swamp is approximately 50 billion m^3, and the water coming out of it is 12 billion m 3(which refers to the contribution to the Nile River). It is planned to minimize water losses with Jonglei I and Jonglei II channels to open in this region. Construction was halted in 1983 due to internal turmoil in South Sudan, even though construction was started by a French company in 1978, which will provide 3.8 billion m^3 additional water to Egypt and Sudan.[397]

4.6- Euphrates and Tigris Rivers

As Mackinder, the famous British geomatics, put it, Between the east and west of the "Great World Island", consisting of Asia, Europe, and Africa continents, from north to south, the Urals, Caucasus, Eastern Anatolia, and Mesopotamia are the main connection and gateway zones. Of these, eastern Anatolia and Mesopotamia have always been of great importance in terms of civilization, military service, politics, and trade since the early days of history, and the focus of international competition has often been areas of conflict. The main water resources of these important regions are the Tigris and Euphrates rivers.The Tigris and Euphrates rivers in Anatolia and Mesopotamia, one of the first regions where civilization was born and developed, were water source and transportation routes for the people of the region, starting from summers in the early days and 3000BC. Indeed, from the earliest periods in history, these two rivers have been connected to a large network of canals in Mesopotamia to be made to benefit more widely. Meanwhile, during the Abbasid Empire (750-1258), this water network began around Samarra, the government headquarters. The channels separated from the Tigris and Euphrates and formed a mixed network, the waters of the Euphrates at the upper part of this network to the Tigris, and in the lower part, the Tigris's waters to the Euphrates. These channels between the two rivers have existed with some changes over the centuries.398 There have been very important struggles between various states in history over the Euphrates and Tigris rivers. The struggle between the Ottomans and the Portuguese was the 16th century. It began in the early century and lasted for about half a century. Likewise, the Ottoman-Iranian struggle was a 16th-century ottoman struggle. Starting in the last quarter of the century, the 17th century was the first time. continued until the first half of the century. Since the 18th century, the British interest in this region began to grow, and then the struggle

for events between Britain and Russia began. In the 19th century, a similar struggle took place between the British and the Germans.399After being born from Turkey and flowing through Territory in Syria and Iraq, the Euphrates and Tigris rivers, which united within this country and jointly poured into the Persian Gulf, have been known to be a source of life for the people of the region for at least 5,000 years. (In the entry section, the disputes of the summers period were mentioned.) Since the earliest periods in history, these two river-related issues, which have been connected to each other through various canals and have shown major changes in their use in irrigation areas over the centuries, are particularly important in Turkey since the 1960s. and significantly affecting the political relations of the three countries.400 The first international agreement between Turkey and Syria Iraq, covering border waters, is the Lausanne Agreement. On the 109th day of the Mezkur Agreement. In its article, the water system of one state is adhered to the work to be done in the country of another state because of the drawing of a new border at the time of the agreement's signing, or in the country of one state, in accordance with the pre-military convention, in the country of another state. if water or water force is used, an agreement is specified between the relevant states to maintain each other's interests and collateral rights. However, no such agreement has been signed until now. The 1No.lu protocol of the Turkish-Iraqi Friendship Agreement signed in 1946 is in the best interests of both countries, and Turkey will build. facilities are required to notify Iraq.[401]

A new era has begun in Turkey-Iraq-Syria relations after Turkey decided to build the "Keban Dam" on the Euphrates River. After Keban, the relations that became tense from time to time during the construction and water retention of Karakaya and Ataturk Dam, which is especially for irrigation purposes, have entered a more positive atmosphere today, especially with Syria. The protocol, which was carried out with Syria in 1987 and envisaged the release of 500 m3 of water to the riverbed per second, is regularly implemented by Turkey. Iraq, which has had to stop and postpone most agricultural and irrigation projects since the 1991 Gulf Crisis, has been under occupation for the past two years and has been grappling with challenging issues.

Table 21 Euphrates River System (Million M3 / Year)

	Observation at Hit Station in Iraq	29.800
	Withdrawn in Turkey (pre-GAP)	820
	Withdrawn in Syria (before Tabqa Dam)	2.100
Natural Flow	Natural flow at Hit Station	32.700
Pre-Keban	Flow in Turkey	30,670
(before 1974)	Withdrawn from Turkey	(820)
	Entering Syria	29,850
	Added in Syria	2,050
	Withdrawn in Syria	(2,100)
	Entering Iraq	29,800
	Added in Iraq	0
	Iraq agricultural irrigation	(17,000)
	Irrigation water returning to river in Iraq	4,000
	Şattul Arab	16,800
All Projects Application Scenario (2040)	Flow in Turkey	30,670
	Withdrawn from Turkey	(21,600)
	Entering Syria	9,070
	Added in Syria	2,050
	Withdrawn from Syria	(11,995)
	Irrigation water returning to river from Turkey and Syria	9,484
	Entering Iraq	6,559
	Added in Iraq	0
	Iraq agricultural irrigation	(17,000)
	Irrigation water returning to river in Iraq	4,000
	Şattul Arab (can't reach the sea)	(6,441)

Source:(Yahia Bakour and John Kolars, "The Arab Mashrek: Hydrologic History, Problems and Perspective", Peter Rogers and Peter Lyndon (eds.), Water in the Arab World: Perspectives and Progress, Cambridge-: Harvard University Press, 1994, p.129-131.)

4.6.1- Hydrological Properties of the Basin

The Euphrates River, which was born near Erzurum, is about 2,330 km from the junction point of Murat and Karasu arms until it reaches the Tigris River. travels. The Euphrates River, which is largely fed by snow in the Eastern Anatolia Region, is part of the Touma and Göksu rivers, two important arms beneath Keban dam. At the point where he left the Turkish border, the average annual water amount of the Euphrates River is 31.6 billion m^{3t}, according to measurements covering 1937-1993. [402] The annual water potential of the Euphrates River, which takes the Habur arm and Sacır waters from Turkey within Syria's borders, has annual water potential reaching 35 billion m3 on the border between Syria and Iraq. Syria's contribution is only 3.4 billion m3. There is no contribution from Iraqi territory. According to the figures, approximately 90% of the Euphrates river waters are made up of Turkish territory and 10% in Syria. [403] In the flows of the Euphrates River; Major changes occur between the years due to both the annual regime and climate change. The experts' findings on the subject are as follows:

Table 22 Tigris River System (Million M3 / Year)

	Pre GAP	**After year 2000**	**Natural Flow**
Streaming in Turkey	18,500	18,500	18,500
Withdrawn from	0	(6,700)	
Turkey	18,500	11,800	18,500
Entering Iraq			
Flowing into Mosul	2,000	2,000	2,000
Big Zap	13,100	13,100	13,100
Little Zap	7,200	7,200	7,200
Other Surface Waters	2,200	2,200	2,200
Subtotal	43,000	36,300	43,000
Evaporating from the reservoir	0	(4,200)	
Fatah region irrigation	(4,200)	(4,200)	
Returning irrigation water	1,100	1,100	
Adhaym	800	800	800

Baghdad region irrigation	(14,000)	(14,000)	
Returning irrigation water	3,600	3,600	
Taken for domestic use	(1,200)	(1,900)	
Diale	5,400	5,400	5,400
Other agricultural irrigation	(5,100)	(5,100)	
Returning irrigation water	1,300	1,600	
Subtotal	30,700	19,600	49,200
Evaporating from the reservoir	0	900	
Tokuf Region irrigation	(8,600)	(8,600)	
Returning irrigation water	2,200	2,200	
Entering Şattul Arab	24,300	14,000	49,200

Source: Yahia Bakour and John Kolars, "The Arab Mashrek: Hydrologic History, Problems and Perspective", Peter Rogers v and Peter Lydon (eds.), Water in the Arab World: Perspectives and Progress, Cambridge: Harvard University Press, 1994, p.126-128.

"Euphrates River currents, both between years and within a year, seasonal, show big changes. According to data of the Birecik current observation station on the Euphrates River, near the Syrian border, the average annual current at the border is 31.6 billion m3, and between 1937 and 1993, there are two important arid periods before the Keban Dam comes into operation. The first arid period covers 1958-62 years, and in 1961 the annual trend at the border decreased to 14.9 billion m3. This value corresponds to 47% of the long-term average. The second dry period began in 1970 and ended in 1975. In 1973, the driest year of the specified period, the annual current decreased to 18.8 billion $m^{3.}$ This value is 59% of the average for many years. Since the Keban Dam is not in operation during two very dry periods, the negative effects of drought have been felt in Syria and Iraq, the lower coastal countries. After the construction of Keban dam, the impact of the arid years in Syria and Iraq as well as in Turkey has decreased. For example, if you want to If it wasn't for Keban Dam in 1989, which was a very dry year, 20.8 billion m^3 water per year would have gone down from the border, while this amount increased by 4.7 billion m^3 because of the regulation effect of the dam to 25.7 billion m^3. On the other hand, the highest currents detected in the Euphrates River were 56.4 billion m 3 in 1969and 57.7

billion m 3 in 1988. These values correspond to 178% and 183% of the long- term average, respectively. Seasonal changes are also huge in a year, with high currents occur in April and May, while the lowest currents usually occur in September. Monthly changes show an oscillation between 530% and 16% of long-term monthly averages. [404] On the other hand, the highest currents detected in the Euphrates River were 56.4 billion m 3 in 1969and 57.7 billion m 3 in 1988. These values correspond to 178% and 183% of the long-term average, respectively. Seasonal changes are also huge in a year, with high currents occur in April and May, while the lowest currents usually occur in September. Monthly changes show an oscillation between 530% and 16% of long-term monthly averages. [404]The Tigris River, which was born near Elazig, travels about 1,840 km until it merges with the Euphrates on Iraqi territory. The average annual current amount is 16.2 billion $m^{3,}$ according to data from the Cizre current observatory station on the Turkish-Syrian border, according to the Main Arm of the Tigris, which is fed by large waters such as Batman, Ilısu, Botan and Garzan within the borders of Turkey. [405]The Tigris enters Iraq after forming the Turkish-Syrian border of about 30 km. The Hezil water, which is a side branch of the Tigris and formed the Turkish-Iraqi border in a short distance, and the Great Zap waters born from Hakkari, are united in Iraqi territory and Turkey's total contribution is 21.3 billion of m^3. The Tigris River is one of the mountains of Zagros in the east in Iraq, with a large number of waters. The most important of these are Little Zap is Adıyaman and Diyarbakır. The contribution of the specified rivers and other waters to the Tigris within Iraqi territory is 31.4 billion m3'. With 21.3 billion m^3 from Turkey, the total water potential of the Tigris River before the merger with the Euphrates reaches 52.7 billion m^3.The currents of the Tigris River, like the Euphrates, vary greatly over the years and seasonally. [406] As a matter of fact, the average annual flow on the Syrian border on the Main Branch of the Tigris increased from 16.2 billion m^3 between 1946-94, to 9.6 billion m^3 in 1973 (59% of the average; 34.3 billion m 3 in 1969 and 212% of the average. [407]

4.6.2- Water Measurements in Euphrates-Tigris Basin

There are significant differences in quality between Turkey and the work in Syria and Iraq in the measurement of Euphrates-Tigris waters. The study of Öziş, Baran, Pistachio from Dokuz Eylül University Faculty of Engineering provides the

following detailed information:[408]

Although there are very extensive observations about the natural flows of the Euphrates- Tigris, which is a cross-border streaming system, there are few information for the waters originating from Turkey, and the results of the current observation are generally not officially explained. In some of these studies, there is no significant flow from Syria and Saudi Arabia, and the flows originating from Iran are among those coming from Iraq, as flows from outside Turkey. The presence of a certain water potential in areas not controlled by the current observation stations in Turkey, the observation results in Syria and Iraq can not be obtained reliably, and the current observation stations in Turkey are mentioned as well as the very different potential values mentioned, these values are adapted according to climate and topography conditions in various sub- basins of the Euphrates and Tigris, taking into account the issues as well as the very different potential values in various publications. Mesopotamia water potential has been cut. The average annual current amounts before the merger of the Euphrates and Tigris rivers and the contributions of coastal countries to these amounts are seen in the table below.

Table 23 AVERAGE ANNUAL CURRENTS AND CONTRIBUTIONS OF COASTAL COUNTRIES (Billion M3)

River	Average Annual Current	Countries' Contribution to Water		
		Turkey	Syria	Iraq
Euphrates	35	31,6 (% 90)[3]	3,4(%10)	0
Tigris	52,7[1](49,2)[2]	21,3 (%40)[3]	0	31,4(%60)
Total	87,7	52,9 (%60)	3,4 (% 4)	31,4 (% 36)

SOURCE: Bilen, Ö., Water Problem in the Middle East and Turkey(p.45-47.) (1/ Beaumont, P.,Water Problems Changing Borders in the Middle East, Bilkent University, 2-3 September 1991, p.11-13.2/ Kolars , J., Water Resources in the Middle East, Canadian Journal of Development Studies, Special lssue,1992 p.1079-1083/ General Directorate of State Water Works.)

When the painting is examined, Turkey's contribution to the Euphrates River is

90%, Syria 10%, Iraq is zero; Turkey's contribution to the Tigris is 40%, Iraq is 60%, and Syria is zero. If the Euphrates and Tigris's sum is discussed, Syria's contribution is only 4%.[409] The average long-term water potential of the Euphrates River in Mesopotamia is also determined as follows: "1013 m3/h (31,9km3/year) from 121,560 km2 of rainfall in Turkey;135 m3/h (4,3km3/year) from 87,300 km2 of rainfall in Syria;26 m3/h (0.8 km3/year) flow from 182,300 km2 of rainfall in Iraq; There is no significant flow from the 58,000 km2 rainfall area in Saudi Arabia; Tigris's long-term average water potential in Mesopotamia 763 m3/h (24.1km3/year) from 57.615 km2 of rainfall in Turkey; 3 m3/h (0.1 km3/year) from 850 km2 of rainfall in Syria;331 m3/h (10,4km3/year) from 39,400 km2 of rainfall in Iran (almost all of the rainfall area is in Iran and near Amara to Iraq, karkeh and all-in-part Iran and the River of Snow flowing into the Gulf at the end of the delta); 736 m3/h (23.2) from 146,150 km2 of rainfall in Iraq km3/year); the total flow is calculated to come from, and it is determined as 1833 m3/h (58 km3/year) "[410] In this context, in the Sharia (Jordan) River basin, Israel, Palestine, Syria and Jordan's water needs in addition to the potential of 1.5-2 billion m3/year of this stream, the possibilities of providing 2 billion m3/year of water from outside the basin are investigated, while talking about the scenarios of "water wars", Euphrates-Tigris water potential, 37-29= 8 in the Euphrates, 58-42= 16 in Tigris, therefore a total of 24 miles-half m3/year to fix the difference as soon as possible, the disclosure of the flow information stored in foreign countries without masking, in the Middle East " it will be one of the most important contributions in the creation of permanent peace conditions that are reasonable and reasonable.[411]

4.7- Asi River

The Asi river is born through Lebanon territory and flows through Syria and Turkey into the Mediterranean Sea. The length is 248 kilometers. Of this, 40 kilometers are Lebanese, 120 kilometers are in Syria and 88 kilometers are within Turkish territory. The total annual water amount of the river is 1.2 billion cubic meters. Of this, 6 percent are Lebanese, 92 percent are from Syria and 2 percent from Turkish territory.[412] 98 percent of the Asi river waters are used by Lebanon and Syria. Born from the Bekaa Valley, Asi is 20 miles from this valley. after flowing, it enters The Lake of Homs (Hama) within the Syrian Borders. Just below this lake is Hama-hummus

irrigation of 20,000 hectares. Another important project on the Asi River is Gap irrigation covering an area of 70,000 hectares. The waters of the Asi River, organized by Rasta and Mehrieh dams, are largely consumed by these irrigations.[413] Turkey, on the other hand, benefits only two percent of its own territory. Lebanon and Syria are in the same situation in terms of exploitation. So, they use the amount of their own territory. This actual situation is not based on bilateral agreements. In the past years, when Turkey wanted to bring the issue to the table, Syria suggested that it originated from the territory of the Asi River and spilled into the sea and used water from its territory. Today, however, it has seen today that Syria has given up on these old theses. The use of the Asi River has caused serious problems from time to time between Syria and Turkey, especially in the past. Syria, the upper ground country of the Asi river, is losing a serious crop in The Amik Plain as soon as the flow of flow of flow cuts off Asi's waters. [414]

The importance of the Asi river remains in the second plan, given the dispute between Turkey and Syria based on water so far. Turkey considers the Asi River to be "Cross-Border Water"; However, Syria's practices on the Asi River in the past, without turkey's knowledge, have damaged agricultural areas in Hatay and the Amik Plain has become almost deserted. (See Section-8) this topic will be contacted extensively.

Table 24 Asi River System (Million M3/Per Year)

	Observed Flow	**Natural Flow**
Flow in Lebanon	420	420
Agricultural use of Lebanon	(80)	
Returning irrigation water	30	
Participating in Syria	370	370
Hummus and Hama Irrigation	(200)	
Returning Irrigation Water	70	
Gab Valley watering	(580)	
Returning Irrigation Water	230	
Afrin Water and it's arms	310	310
Water total in Hatay	570	1,100

Source: Transfer from: Pamukçu, K. Water Politics,p..136-140.Yahia Bakour and John Kolars, "The Arab Mashrek: Hydrologic History, Problems and Perspective", Peter Rogers and Peter Lydon (eds.), Water in the Arab World: Perspectives and Progress, Cambridge: Harvard University Press, 1994, p.129- 132.

4.8- Turkey's Situation in the Region in terms of water issue

In the examinations, which are discussed in terms of Turkey's water potential and other related issues, it appears that there are different approaches for various reasons. At the beginning of this, Turkey is defined as a water-rich country. In this respect, it is important to record that Turkey does not have the wide and rich water resources that it can allocate to meet the needs of others. Because, "Wealth is a constrained concept and it should be noted that it is determined according to which criteria, which is often not done. Although they know it is not true, Westerners are the leading ones who repeat that Turkey is a water-rich country."[415] Turkey is not a country with a surplus of water. It has enough water resources for now, but it is a country that is determined to remain unable to meet the needs of these resources shortly.Due to the imbalance in the geographical distribution of existing water sources, it is already facing a serious water shortage, especially in western parts of Turkey. Turkey's average annual stream potential is 186 billion cubic meters.

The available part of this capacity for consumption consists of 110 billion m3. Some sources reflect this figure differently.[416] (Part One, Part -2) examined Turkey's water potential, while it was stated that the resulting figure was 1 892 m3. For a country to be considered water rich, the amount of available water per capita must be more than 10,000 m3.[417] In other words, the amount of water per capita in Turkey is one-fifth of the water-rich countries. The impression that Turkey has a surplus of water is due to the lack of water resources to be used in the same way as needed. Today, 25.9 billion of the 110 billion m3 capacity that is technically available are used. The remaining 84.1 billion m3 is not the amount of water Turkey needs, but the amount it has not yet directed to meet its needs.[418]

Some international publications indicate that the annual water per capita in Iraq is 5 192 m3 and in Syria, it is 2 362 m3. The amount of water available to use in the world's water-rich countries and some selected countries is shown in Table 16. As can be seen from the examination of this painting, the amount of water per capita in Iraq is higher than in Turkey. The amount of water per capita in Syria is not far short of what is in Turkey. These figures show that Turkey does not have enough water to allocate to meet the needs [419] of other countries in the Middle and East.[420]

[415] Müftüoğlu, Ferruh; **Water Issue in the Middle East and Turkey**, Marifet Publications, İstanbul-1997, p.24-26.

416 Müftüoğlu, Ferruh; Ibid, p.24-26; also give the following information: "Turkey around 500 billion cubic meters of rainfall per year while falling, 186 billion m3 of it flows on the surface and forms streams while 11 billion m3 of it leaks and forms underground waters. However, it is not possible to benefit from all the rivers economically and the 186 billion river potential is only possible. About 95 billion m3 is a situation that can be used efficiently. Because the rest of our streams in steep mountainous regions such as the Eastern Black Sea region are not economically stored and transported."

[417] It counts countries with water supply between 2000 m3 and 1000 m3 per person per year in water stress, and countries with water supply per capita less than 1000 m3 per year. Countries being in water scarcity, food production being the first for; It means that it is in danger in terms of economic development and thus in ensuring political stability and protecting the public health and the environment. See in: **The World Resources Institute, UN Environment Program, UN Development Program**, The World Bank, World Resources 1996-1997, New York: oxford University Press, 1996.p.301- 302, etc.

[418] Turkish Ministry of Foreign Affairs, Water Issue in the Middle East, p.1-4.

[419] "To identify the approaches of the Middle Eastern countries to water problems; International technical meetings were held before and after the Madrid conference at the initiative of the USA, Japan, Canada and various European states. In these meetings, the Euphrates and the Tigris Rivers were brought up frequently. Turkey's "water rich" will play a key role in solving the water problems and water resources as a country in the Middle East have been raised that need to be addressed as a whole.

For example, it has been suggested that the water to be taken from the Atatürk Dam by a channel should be brought to the Golan Heights and both water should be given to the Yarmouk River and that the channel in question should not constitute an obstacle or border between Israel and Syria in the Golan Heights." Bkz. Bilen, Ö., Ibid, p.30-34.

[420] Turkish Ministry of Foreign Affairs, I

PART -5: TURKEY'S RESEARCHES AND AGREEMENTS WITH COASTAL WATERS APART FROM EUPHRATES , ASI AND TIGRIS RIVERS

5.1- General Review:

The reason this title is included in the study is because of the study; Before moving on to the water problems with Syria and Iraq and the examination of the Three-Stage Plan, seeing the consequences of regulations on the waters in which Turkey is up or down, except for the Euphrates, The Tigris, and Asi; To ensure that its international relations with water concerning Turkey can be evaluated as a whole, together with its historical course. All streams outside the national streams of Turkey; the river itself (main arm) or arms, cutting out two or more states and given the definitions of the relevant section (Section-2) above; (Contiguous) streams that cross borders (Successive/Transboundary) or border with neighboring states.

Therefore, certain segments of the waters that are mentioned are under Turkey's sovereignty. Some of these are either entering Turkey after being born in other countries, or after being born in Turkey, crossing borders and pouring into the sea by folding other countries. In both cases, some of these streams also constitute a border between the two countries. Meriç and its important branches, Arda, Tuna, and Asi rivers, which were born in foreign countries and entered Turkey; The Coruh, Kura, Aras, Tigris, and Euphrates rivers can be cited as examples. Turkey is a down-coast state for those in the first group of streams; The second group is in the state of upper-coast.[421] Since the 1960s, turkey, like other states, has gone on the path to benefit from streams by trying to carry out hydraulic energy production and large-scale irrigation projects; Due to the changes in the river waters mentioned, some problems have arisen. Other neighboring states are trying to exploit the same waters from these streams, which are either influenced by these actions or negatively affect Turkey by these actions, depending on the fact that it is an up-and-down state.

Except for the Tigris, Euphrates, and Asi rivers, various agreements or legal regulations with other coastal states concerning streams that are problematic or likely to be problems to date, dealing with multiple countries, problems, significantly

resolved reunited. This section will examine agreements and arrangements with neighboring countries outside Syria and Iraq.

5.2- Agreements with the Meriç River and Greece:

The most important stream of international law between Turkey and Greece is the Meriç River.[422] The Meriç River is born from the northern slopes of the Rhodope mountains. The length is 490 km. First Bulgaria-Greece, then turning south, Edirne forms a border of approximately 200 km. from the relatives of Turkey and Greece. Across the border from Turkey, Arda and The Balkans come from the Rhodes and receive the Tuna streams passing through Edirne and the Ergene flow sway further south. Enez poured into the Aegean Sea in front of them. The Meriç River; While Turkey, Greece, and Bulgaria are interested together, there is no trilateral agreement in the face of these countries that will be the subject of international law. Legal agreements on this river were made between Turkey and Greece. The "Protocol for Border Allocation due to the Reclamation of the Meriç River, [423] which determines the Important Part of the Turkish-Greek Thrace Government" dated January 19, 1963, which imposed provisions on the benefit of the "Establishment of hydraulic installation on both banks on both banks" [424] signed in Ankara on June 20, 1934, holds an important place.[423]

The 1934 agreement included the branches of the Meriç River within the scope of the arrangement. Provisions on flood protection, irrigation, and fishing are put in place. The 1963 agreement also stated that the basic provisions for the use of the waters of the Meriç River for agricultural purposes will be sought through the "Mixed Technical Commas" in the event of a conflict. In the provisions of benefit, the parties have obligations to provide reciprocal information, to prevent the erosion of the riverbed and the erosion of the coasts, to participate in costs, and to cause significant damage to the other party.

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[423] 421 Tiryaki, O., Ibid, p.38-40.
422 Ibid, p.38-41.
423 Code, III. Arrangement, C.16. p. 812-831. R.G. 25 May 1935. No: 3011
424 See for Agreement Text; Official Newspaper, 9 January 1967. No: 12499

5.3- Agreements between Turkey and Bulgaria:

Transboundary or bordering rivers across the Euros River between Bulgaria and Turkey, Tuna River, Değirmendere, and Happy Creek is the main. In Turkey to benefit from these streams, riparian down to the River Tuna, while Değirmendere is the case for the upper riparian. Meriç River and Happy river constitute a border between the two countries. Bilateral agreements regarding these streams have been made recently. Signed in Ankara on December 28, June 1967 "The Republic of Turkey with the People's Republic of Bulgaria Between Borders Prevention of Events and Agreement on the Maintenance of Settlement with the Border Signs" on [425] 23 October 1968 signed in Istanbul "The Republic of Turkey with the People's Republic of Bulgaria Among the Mites from two Homeland Soil Waters in the Utilization of rivers Agreement on Co-operation of "[426] and signed in Sofia on September 13, 1975 Launch of" the People's Republic of Bulgaria with the Government of the Republic of Turkey between the Government of Long-Term Economic, Technical, Industrial and Scientific Cooperation Agreement "[427] are the most important. The most comprehensive agreement on water benefiting is the 1968 agreement, but other agreements also have provisions on water. The main purpose of the 1968 agreement is to regulate the use of streams that cross borders or constitute borders. As the subject of the arrangement of the agreement, a parallel arrangement has been brought to the latest approaches and developments by taking "river water" rather than "river". In the agreements, streams are not covered by the arrangement. Regulation has been introduced to acts of exploitation, such as protection from floods, irrigation fishing, and energy production. As the obligations of the states in the benefit, cooperation and information between the parties, participation in costs, and not to cause significant damage to have been identified. “Turkish- Bulgarian Mixed Commission" has been appointed, an equal number of experts from the two sides, to resolve disputes that may arise regarding the implementation of the agreement.

5.4- Agreement between Turkey and the Old S.S.C.B. (Current Georgia)

The most important streams between Turkey and the former Soviet Union of Socialist Republics (now between Georgia, Armenia, and the Autonomous

Nakhichevan Republic) are the Coruh River, Posof River, Kura River, Arpaçay, and Aras River. The Coruh River is about 376 Km. long and 355 Km.si are on Turkish territory. It is born through the slopes of Mount Mescit, passes through Bayburt, and after a while, it merges with the Oltu river. Artvin takes Berta-şavşat water in front of them, crossing the border further north and pouring into the Black Sea around Batumi.The Kura River is about 1523 km. long. This River, which is fed by water descending from the Allahüekber Mountains, enters the Caucasus after watching the Georgian border for a while, where proof takes it. It then merged with the Aras River and poured into the Caspian Sea. Arpaçay is 140 Km. long and consists of Kar's water, Deli water, and Customs water arms, and merges with the Aras River after creating a long border between Turkey and Armenia. The Aras River is formed by the merger of many floodwaters that descend from the northern and southern slopes of Bingöl Dağlan's North and Palandöken Mountains.[500]

The total length is 920 Km. and the length of the segment in Turkey is 441 Km. After merging with Arpaçay, it creates a border between Turkey and Armenia, and Noachian. After Turkey leaves its territory, it is poured into the Caspian Sea. The main feature of these streams is that it poses a border between Turkey and its eastern neighbors. These streams, which make up almost the side of Turkey's eastern border, have been the subject of regulation between Turkey and the old Soviet Union. from ancient times. The first of the agreements between the two countries on the subject, which belief is still in force, is the 'Republic of Turkey and the Republic of Socialist surahs' signed in Kars on January 8, 1927, the 'Alliance of The River, Tea and Stream The Contract on The Resignation of The Waters and the Museum protocol for the construction of Serderabat dam are [428] some of the clauses of this protocol were later amended in 1928.[429]

Another agreement between Turkey and the Soviet Union on streams concerning the two countries is the "Meeting Protocol of the Turkish-Soviet Mixed Commission on the Construction of a Joint Dam on Arpaçay" [430] dated 23 April 1963.

[500] R.G. 18 October 1969, No: 13330.
For Agreement Text, See in. R.G. 27 June 1970, No: 13531. The agreement entered into force on 25 September 1970. R.G. 13 November 1970. No: 13666.
R.G. 28 January 1976, No: 15482

Then, on October 26, 1973, 'Between the Government of the Republic of Turkey and the Government of the Union of Soviet Socialist Republics, the Building of Dams on the Border (Ahuryan) River and cooperation on the Building of Dam Lake on the issue [431] The agreement is signed. When the terms of the agreement mentioned above are examined, it is generally seen that border waters (Boundary Waters) are based on regulation. The agreements, in particular, are not regulated to take advantage of the waters of the important ones, but not to regulate all streams that constitute borders. Another issue between Turkey and the Soviet Union regarding the border streams is that there is no clear provision for the arms of the streams in question. The main principle of these agreements is the use of the waters of the streams subject to the agreement by half. Almost all of the agreements made have provisions on this issue. On the other hand, another basic principle in the arrangements for the use of streams between the two countries is respect for acquired rights and the protection of existing facilities.

It will be seen that Turkey and the S.S.C.B. accept the "Irrigation and Water Ingestion" action as a basic way of benefiting from border-crossing streams. Detailed provisions have been introduced in the agreements on this issue and the principle of equality in the benefit is based. A "Permanent Commission" consisting of three representatives of the parties has been established to control the implementation of these programs and to apply for changes if necessary. The provisions that regulate hydroelectric energy production and fisheries, which are parties to the agreement, are included in almost all agreements. To avoid changing the riverbed, helping and providing reciprocal information to states with other forms of benefit, equal participation in the costs of facilities to benefit from the waters, and not to cause significant harm to each other obligations have been introduced. The "Mixed Commission", which consists of the equal number of representatives of the two parties, has been authorized to resolve the problems that will occur between the parties.

5.5- Border Agreement between Turkey and Iran and Protocol on Streams

It is not possible to say that there is a fundamental agreement between Turkey and Iran to benefit from the streams of the two countries.[432] However, various agreements contain provisions for some streams, and discussions are held between the parties on this issue from time to time. Therefore, the issue of the use of streams concerning the two countries has been examined within the framework of the above-mentioned agreement and protocol provisions.

5.5.1- Alliance on The Determination of Border Line Between Turkey and Iran

The first agreement, which includes provisions to benefit from streams concerning Turkey and Iran, is an attachment and integral part of the 'Determination of the Border Line Between Turkey and Iran' signed in Tehran on January 23, 1932. .[433] When the provision of the agreement on the issue is examined, it is understood that not all streams concerning the two countries are entered into the scope of the arrangement. It is observed that certain streams are taken into the provisions of the agreement, which are counted individually and brought in separate arrangements. On the other hand, the purpose of taking advantage of these streams is limited, and only "border guard outposts" can benefit equally from these waters. The provision of the agreement reads: "The border guard outposts of the two sides shall have the right to benefit from the waters of the Barolin lake founts and the waters of the borderline and the coup and the mouth line and the village and the village of the lake, and in the area of the lake, Salep, Kozlu and upper peninsula founts with cataract meadows."[434] The most important thing in the text is that the parties will benefit equally from these waters.

5.5.2- Aid Contract between the Republic of Turkey and the City of Iran to the Security of the Border District and the Leveling of The Events and Disputes in Mezkur District.[435]:

As the name of "Contract name" suggests, this agreement is not directly related to the issue of streams.[436] However, it contains some provisions on issues concerning the two countries for the benefit of streams. Because it is always possible to take advantage of the streams in the region among the problems that may occur in the border region. The relevant articles of the agreement are as follows: "Article 1. The High Court, the two-country government will be in a 50 km district on both sides of the events and conflicts mentioned in Article 2, the border authority compiled in Article 4, the measure represented in this contract and they have decided to level up. Article 2. "Incident and Conflict" is understood as follows: F-River and Sikaianans [437] installation and border waters, including the thawed line, the construction and the destruction and location of the border stones located near the border."[438]

5.5.3- Protocol on Joint Resignation of Saris and Karasu Waters:

When this protocol is examined, it is seen that the principle of "fairness" is based on the use of such waters. Articles 7th and 10th of the protocol confirm this observation. Article 7 of the protocol is as follows:[439] "Regardless of the way Sarisu is used in Turkey, the minimum flow of water to Iran in the dry years and at the time of the water level is at the lowest level will not be less than 1.8 m3/s." Article 10 of the same protocol includes the following provision. 'The parties will use the right to benefit from the water at every point throughout the Karasu bed, to agree on the needs and needs of their irrigation projects, and to comply with the current border regime.' In the meantime, many sections of the protocol are decided that the parties will set up observation stations and give the information they obtain ed each other.

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[433] For text See in: **States Law Text,** Ö.İ. Akaipek, Ankara-1966. Shf. 19-24; Also See in: Code III Arrangement, C.13, p.672- 686.
[434] Code III Arrangement, C.13, p .684-685.
[435] Bkz. Code III Arrangement, C.18, p. 1211-1215; R.G. 21 June 1937, No: 3636
[436] Bir, M. Ibid, p.140-143.

Also, you can use the protocol to step 6. an article, the costs of the facilities that the parties will make for Karasu observation stations will be shared equally.[440]

5.5.4- Turkish-Iranian High Border Commission Meeting Protocols:

Another source, which should be considered and includes regulations on streams concerning both countries, is the Border Commission Meeting Protocols, especially in terms of some of the concepts it contains. These protocols include the principles of benefiting from such streams. The protocol signed as a result of the XIII meeting of the "Turkish-Iranian High Border Commission" states that the request for an arrangement to arrange to benefit from streams concerning the two countries is as follows in Article 10:[441]

"At the request of the Iranian Government, which has a common nature between Turkey and Iran, it has been agreed to advise the governments of the parties on a fundamental agreement between the two countries." What stands out here is that the term "Joint Waters" is used for streams concerning the two countries in the protocol. (Section-2) concepts, as examined, are used in common or "joint" terms for non-national streams (streams that constitute a limitation) and are wrong with the rules of practice and international law. was abandoned over time because it caused comments. The phrase "joint" or "partner" used to indicate a physical condition can gain a legal meaning. Therefore, the streams referred to in the specified adjectives are misjudged, as if they were the property or sovereignty of the relevant states.[442], the XIV meeting protocol of the Turkish-Iranian High Border Commission dated January 17, 1972, did not include this term and was replaced by more explicit statements such as border crossing and border-setting waters.[443] Studies on this subject are ongoing and have not yet been fully finalized.

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[440] Bir, M., Ibid, p.142-145.

441 For protocol text, see. Code, V Series , C. 9/2 , p.2320-2322; Official Newspaper, 19 August 1970, Number 13584

442 Sar, C., Right to Benefit from International Rivers for Industrial and Agricultural Purposes, p.47-49.

[443] Tiryaki, O., Ibid, p.45-

THIRD PART
HISTORY OF WATER PROBLEMS BETWEEN TURKEY AND SYRIA AND IRAQ AND "THREE-STAGE PLAN"

Between Turkey and Syria and Iraq, the ongoing problems and the search for solutions related to them, especially the essence of this study and turkey's interlocutors on this issue "Euphrates- Tigris Basin Streams Rational, Hakçe and Optimum (Before equitable, rational and optimum) begin to be reviewed underwater law, it is necessary to look at agreements signed by the three coastal countries in the past and covering the water issue. The process of water problems between all three coastal people so far also reveals the origin of some of the problems that continue today.

PART-1: AGREEMENTS BETWEEN TURKEY AND SYRIA:

1.1- Turkish-French Alliance

The 'Turkish-French Alliance" [1], signed in Ankara on October 20, 1921, during the War of Independence, brings an arrangement as follows in Article 12 on the use of some streams concerning the two countries. : "Between the City of Aleppo and the remaining Turkish district, both sides will be satisfied with the proponent of fairness. The city of Aleppo will be able to get water from the Euphrates on Turkish soil at its own expense, including the need for the madrasa." When this article is examined, it is seen that two important issues stand out. The first is the fact that the principle of "fairness" is included in the use of Kuwait waters, and the other is that the use of such waters is limited to a specific area. Kuwait Water will be divided fairly, taking into account the needs of the city of Aleppo and the region to the north of it; besides; 'Syria's ability to buy water from the Euphrates at its own expense, however, the city of Aleppo will be possible for the need. For this purpose, Syria withdraws 0.7 cubic meters of water from the Euphrates.[2]

1.2- Negotiations and Relationships Hasenei Neighbor Agreement:

Another regulation on the use of streams concerning Turkey and Syria is article 13 of the

" Negotiations and Relationships Hasenei Neighbor Agreement" signed on February 18, 1926, and signed on May 30, 1926, is found.[4] This agreement, which imposes an obligation to assist Turkey (against Syria) about the execution of Article 12 of the Ankara Alliance, was terminated by Turkey on 3 December 1937 without being able to find a field of application. The contract was entered into force on August 12, 1926, the date of the confirmation documents, and was terminated by Turkey on 3 December 1937. On the other hand, signed between the Republic of Turkey and France on 29 June 1929; and the text, which contains the title "Surveillance of The Hudu, Border Regime, Financial Regime to Be Applied to The Swarms of the Border, and Protocol on The Control of the Nomadic population"; In a 5-kilometer field on both sides of the government, animals have some kind of earned rights to water the waters in this region, [5] has been ruled as follows: "In the history of the signature of this protocol, the people of the resident or nomad who have real estate on the side of the border or who have the right to water [6], continue to take advantage of their rights as before. They'll do it.[7]

1.3 – Threat of Border Final Protocol

Between the Republic of Turkey and France regarding this protokol[8] Tigris Basin, signed in Aleppo on 3 May 1930 river shipping regarding the issues raised by the state to be shared between the two parties, hunting, industrial and agricultural enterprises waters, full equality of solving problems such as river police decides that it will be based on the principle. While examining the 12th article of Kuwait Water of the Turkish-French Alliance of 20 October 1921 above, it has seen that the parties will benefit from these waters by the principle of "equity". However, the principle of full equality is abandoned here. As can be seen, there is no consistency between these two regulations.

1.4- Hatay-Syrian Arbitration Border Final Protocol

Another legal document, which brings regulation on the exploitation of streams concerning Turkey and Syria [9], was signed in Antioch on May 19, 1939. Article 3 of the protocol in question states: "The land water river, the Afrin River and the Asi rivers are shown on the map and in the parts of which constitute the border, the taleggio of these rivers and teas has been accepted as the border and The people of both sides of these waters have been held based on the same right."[10] When the arrangement is carefully examined, it is seen that the principle of "equality" is included in the use of Karasu river, Afrin River and Asi Rivers. Another aspect of the issue is that no limit has been imposed in terms of the type of actions of the benefit.

1.5- Protocol on the Use of Çağçağ Creek Waters :

This protocol, which is tidy to take advantage of the waters of Çağçağ Creek, was signed in Ankara on May 13, 1952, at the end of negotiations between Turkish and Syrian experts that began on April 19, 1952.[11] This Protocol includes the following provisions: The waters of Çağçağ Creek, which are still flowing under normal conditions, will be divided between Turkey and Syria. One of the towns that do not have the condition to use its water will leave this amount to the use of ketone with the other member."[12] On the other hand, if the facilities to be built by Turkey on the Çağçağ Creek benefit Syria. Syria will participate in the costs of the construction of these facilities in the measure of benefits, and the principle of "fairness" is more in place in the regulation of the protocol in question. The 3rd article of this protocol is as follows. 'In the future, as a result of a dam to be built on the Çağçağ Creek and captions of sums, it is possible to increase the value, and if Turkey is to leave some of the excess work to be obtained from this way to Syria, Syria is in the state of this construction will benefit from the fact that it participates in maintenance and construction." When this provision is taken together with the principle of "equality" in article one, it is stated that the existence of a contradiction can be suggested even in the text of the same protocol.[13] The protocol also governs the beginning of negotiations on the Asi and Afrin rivers in the same atmosphere of understanding and

friendship, and the implementation of the provisions of these protocols if agreed upon about the rivers in question.

Provisions concerning streams concerning the two countries other than the above-mentioned legal regulations are also found in some border protocols. However, since these provisions are more relevant to border determination, the study is not directly related to our subject.

1.6 - Related provisions of the Lausanne Peace Treaty

Article 109 of the Lausanne Peace Treaty is as follows:
'Unless there are provisions, the order of one state's waters (opening channels, floods, irrigation, drainage, or similar works) depends on the work to be done on the land of another state, or a state of affairs, if there are no provisions. if water or hydraulic energy is used on the territory of the other state, they must agree with the relevant states to protect the interests and rights of each of them." Due to the redetermination of the borders, agreements must be made between these three states to ensure the continuation of the water regimes that exist edify between Turkey and Syria and Iraq before the start of World War I. Cite.

1.7- Turkey - Syrian economic cooperation protocol

The "Economic Cooperation protocol between the Republic of Turkey and the Syrian Arab Republic" signed in Damascus on July 7, 1987, is as follows.[14] Protocol on issues related to economic cooperation between Turkey and Syria. Remembering the current historical and cultural ties between the two countries, with the desire to add new dimensions to existing good neighbor relations Considering that countries will make numerous contributions to their economies, The Republic of Turkey and the Syrian Arab Republic agree to sign this protocol.
Water Item. 6: During the filling of the reservoir of the Ataturk dam and until the final allocation of the waters of the Euphrates river between the three coastal countries. The Turkish side commits to release an average of 500 m3/second water per year on the Turkish-Syrian border and will make up for this difference in the following month if the monthly flow drops below 500 m3/second.

Item. 7: Both sides will work with the Iraqi side to allocate the waters of the Euphrates and Tigris rivers as soon as possible.

Item. 8: Both sides will step up the work of the Joint Technical Committee on Regional Waters.

Item. 9: Both countries, provided that their projects are carried out by experts from the two countries, are involved in building and operating joint projects like irrigation and electricity generation facilities on the Euphrates and Tigris on their territory. they agreed in principle.

Item. 10: The Turkish side is scheduled to carry some of the waters of the Seyhan and Ceyhan rivers in Turkey, one from inside Syria, one to the Gulf countries, and the other to the kingdom of Jordan Hashimi and Saudi Arabia with two pipelines for home use and partially irrigation purposes He explained the details of the Peace Water Project. The Syrian side agreed on the project in principle and showed interest in the project provided that the Turkish side conducts its technical and economic feasibility work with an international advisory company. The Syrian side undertakes to facilitate feasibility work of part of the project in Syria. In the event of a positive result, the Syrian side will enter negotiations for the final realization of the project. The English version of the protocol was written and signed in Damascus. July 17th, 1987

Turgut Özal Dr. Abdul Rauf-Qassem

Turkish Prime Minister

The above provisions of the protocol on the subject are temporary, but the amount of water allocated to Syria during its current period is obtained by Article 109 of the Lausanne Process, which is used in 1914; is considered to be more than the amount of the

[14] Waltina Scheumann, **"Conflicts on the Euphrates: An Analysis of Water and Non-water Issues"**, Waltina Scheumann, Manuel Schiffler (Eds), **Water in the Middle East**, Potential for Conflicts and Prospects for Cooperation, Springer-Verlag Berlin Heidelberg New York, 1998, p. 121-123.

PART- 2: WATER AGREEMENTS BETWEEN TURKEY AND IRAQ

The history of cruising between Turkey and Iraq begins to be said in terms of water issues in international relations, it is later, according to Syria. two important legal regulations concerning water between Turkey and Iraq have been made. This; is the "Economic and Technical Cooperation Agreement" signed on February 7, 1976, with the "Protocol for the Regulation of the
Waters of the Tigris, Euphrates and its Branches" annexed to the "Friendship and Good Neighborhood Agreement" dated 29 March 1946.

2.1 Tigris and Euphrates Arms Water Assembly Protocol

This protocol, signed in Ankara [15], is designed to prevent the danger of proper water ingestion and flooding; is prepared to regulate the necessary considerations. The protocol, as of scope, encompasses the Tigris and Euphrates Rivers and their arms, thus organizing the river waters in question. At the beginning of the protocol, the protection facilities on these rivers are carried out as much as possible and by the interests of both countries by the purpose of irrigation and water electricity. "it is stated that it is flowing between the two countries. This protocol is the most important arrangement between Turkey and Iraq on the Tigris and Euphrates rivers. However, some provisions contained in the protocol for the actions of users are interpreted differently. Paragraph 2 of Article 4 is as follows: "Each of the structures other than permanent surveillance stations will be the subject of a separate agreement regarding the location, expense, operation and maintenance, and for Turkey to benefit from them for irrigation and energy acquisition."

Given the only word of this article, it is as if turkey can benefit from the facilities to be built on these rivers, a misinterpretation in the style of which it may be possible with an agreement reached between the two countries.[16] It may only be possible to make such a comment, with this article being treated as a lean one. Because considering the whole and spirit of the protocol, such an opinion is not consistent. The arrangement brought here is mainly aimed at the bent and similar

structures, which are built by Iraq to cover all their expenditures. These structures are; Since it will be built on Turkish soil, an agreement between the two countries must be reached in advance in terms of location selection, costs, operation, and maintenance. If such an agreement is not reached, it is not inherently possible for Iraq to carry out the construction of such facilities on Turkish soil. What is important here is the benefit of Such facilities in Turkey. If Turkey wants to benefit from these facilities for irrigation and energy acquisition purposes, the location, shape, construction cost, and operation and maintenance of these facilities may require different regulations after completion. As a result, an agreement is required for both countries to benefit from the same facilities. This is the main reason for the provision of the article in question.[17] As a matter of fact, article 5 of the same protocol supports this view and is expressed as follows. 'Turkey, one of the two rivers or their arms on the protection vehicles on their plans, as much as possible, turkey and Iraq by the purpose of these structures to be done by the purpose of Iraq agreed to notify"[18]

As you can see, the only limitation in terms of the facilities that Turkey will make for its use on these rivers. It's about notifying Iraq. Turkey's announcement to Iraq for the facilities it will build raises the question of whether these facilities will be built unilaterally by Turkey if Iraq does not consent to the construction of these facilities and does not agree to an agreement. However, accepting that Turkey cannot build these facilities is not based on a solid legal basis.

Because Iraq's refusal to settle for a stand-alone agreement results in the emergence of some kind of "veto right", which is impossible to accept. Because each state has the right and authority of absolute sovereignty in its own country, and it is also about taking advantage of its streams into this authority. Turkey's Tigris, Euphrates rivers, the waters of the bordering arrangement, Keban dam project before and after the negotiations emerged. The parties have not expressed any opinion during these negotiations that such protocol has imposed such a limit.[19]

With the protocol mentioned, obligations such as mutual assistance and information between the two countries and the equal sharing of operating expenses of the permanent surveillance stations to be established have been introduced by the parties. You can use protocol 5. By the obligation to provide information, Turkey has fulfilled

its obligation by reporting flooding from the stations of Birecik for the Euphrates, Cizre, and Diyarbakir for the Tigris to Iraq.[20]

1. Economic and technical cooperation agreement

Despite the "Tigris, Euphrates and Arms Water Assembly Protocol", a final solution could not be reached; Over the years, the issue of organizing the actions to take advantage of the waters in question has been put forward at every opportunity in the negotiations between the two countries on various occasions. Joint papers were published in 1965, 1966, 1969, 1971, and 1972.[21] As a continuation of this process, the issue was also raised during the preparation of the "Economic and Technical Cooperation Agreement between the Government of the Republic of Turkey and the Government of the Republic of Iraq", signed between the two countries in Baghdad on February 7, 1976. Although it is not directly accurate, the issue has been included in the agreement. Article 2 of the agreement, which determines the area of co-operation between the two countries, indirectly addressed the issue of benefiting from these waters as follows. 'The two sides, both countries, public and private sector organizations and enterprises can do on a mutual benefit basis in addition to the cooperation issues, economic and technical cooperation is possible to address the following areas they have agreed. -Industry;-Agriculture;-Oil; -Public Works (including Irrigation Projects) and housing construction."[22]

The same protocol is in the ninth. to maintain economic and technical cooperation between the parties; It is also decided that they will establish a "Joint Committee of Economic and Technical Cooperation" and that this joint committee will meet once a year and in Ankara and Baghdad in order as long as needed at the request of one of the parties. In this context, "Turkish- Iraqi Economic and Technical Cooperation Mixed Commission; in the following years, he held meetings with the contractor. In the first years, the agenda of these meetings was on topics such as the construction status of the facilities on the Euphrates and Tigris streams, the exchange of hydrological and meteorological information.[23] During the first two meetings held on 17-27 May 1982 and 29 November-2 December 1982, the Turkish side was asked to ensure that the Turkish side had been able to do so. in response to the thesis that both rivers and their arms should be treated as a single basin, the Iraqi side, river basins, given the use of water resources; he suggested that it should be dealt with separately, first, Euphrates and then the Tigris. The third joint meeting on 26- 28 September 1983

was held as a trilateral, with Syria joining for the first time.[24] Turkey, 5-8 November 1984 meeting, the next section will address a wide range of the following section and the main subject of our work, "Three-Stage Plan for the Use of Euphrates-Tigris Basin Waters" short name "Three-Stage Plan) on the agenda of the world.

Until 1990, the 15th joint meetings, which were held at least once a year, (twice in 1986 and 1988, three times in 1989), were held on 7-12 March 1990, the 16th and final meeting was held on 28 September-2 October 1992.[25]

PART- 3: TURKEY'S PLAN TO SOLVE EXISTING WATER PROBLEMS IN THE EUPHRATES-TIGRIS BASIN

"THREE-STAGE PLAN"

3.1- General assessment

The land historically referred to as Mesopotamia, has been the region of the area where the Euphrates and Tigris Rivers water and this region constitutes the northern region of the "Fertile Crescent" drawn within the framework of the formation of civilizations in the Middle East. Today, Mesopotamia is within the borders of Iraq, Syria, and Turkey. Therefore, the Euphrates and Tigris rivers are shared by these three countries and are of vital importance to these countries.

Agriculture on the soils watered by these rivers for millennials; today with large dams and irrigation channels; it is done more scientifically. Rivers are now used as a source of electricity through hydroelectric plants besides irrigation. Within the framework of the evolving technological opportunities, these three countries have developed major projects to make more efficient use of these rivers. The fact that there are some problems in the use of these water resources among the three countries is due to the idea that the projects designed and carried out on the Euphrates and Tigris rivers for irrigation and energy purposes will be a disadvantage for other countries. Tabaka Dam, built by Syria in the 1970s, is a deep conflict between the country and Iraq trying to fill Lake Habbaniye.[26] As a result of the start of holding water for the Tabaka Dam, Syria, which cut off the flow of Euphrates water to Iraq, caused a serious crisis between the two countries. There was a short-term and low-intensity conflict between Syria, which did not respond to Iraqi ultimatums that threatened to bomb the Tabaka Dam and froze diplomatic relations between the two countries. Then the crisis was resolved after the intervention of the Soviet Union and Saudi Arabia and turkey's water from the Euphrates River by 450 meters of earrings.[27]

Syria, which has been steadily opposing turkey's projects on the Euphrates River, began to increase its accusations against Turkey about the Euphrates River in the 1970s, with the emergence of the Southeast Anatolia Project (GAP). In contrast, Turkey claimed that any reduction in the flow of the Euphrates River would not be in

question with this project, and on the contrary, it has declared that GAP will fully control the irregular flow of the Euphrates River, thus preventing droughts or floods during the year; In particular, however, Syria, which did not get the expected efficiency from the Tabka Dam, said: "They are not going to be able to do so. At the time, he tried to try different and indirect ways to prevent GAP, which was in the project stage and where Turkey was seeking financing. [28] First, Syria, which requested that this project not be financially supported, then began to support the PKK organization, which was very effective at that time and was trying to be effective in southeastern Turkey. Supporting Syria meant it wanted to block the GAP and keep the terror card against GAP.[29]

During this period, Syria demanded that European countries not financially support GAP and made efforts to ensure that the Arab League took a stand against Turkey. As the PKK continues its actions in the Southeast at an increasing rate, Turkey has begun to harden its rhetoric against Syria. Especially if Turgut Özal 1990 to up to continue to help the PKK in Syria, threatened to cut the Euphrates and then the civilian's map planes in the Syrian territory of Turkey downloading declined to the highest voltage levels between the two countries.[30]

On the other hand, despite the contrasts and tensions between them from time to time; We see that Syria and Iraq are acting together within the framework of the water problem. A status report prepared by the Syrian Foreign Ministry proposed that Syria and Iraq create a "single common front" against Turkey. The report suggested that Turkey will use water as a weapon for both countries unless Syria and Iraq compromise among themselves.[31] Although Turkey has given advance notice, during the filling of the Ataturk Dam, the fact that the era has increased support for the PKK by Syrian President Hafiz Assad is an indication that Syria is holding its terror card against Turkey during these periods; has not gone to a restriction. In the same years, Iraq tried to pressure Turkey on water and acted in partnership with Syria on water demand. The water will continue to give; however, during critical periods, he stated that he would remove this amount from 700 meters of earrings. By the 1990s, with the progress in GAP, Syria and Iraq began to voice the claim that Turkey would cut off the Euphrates, and the two countries again acted jointly, trying to put pressure on

Turkey, especially the use of the Euphrates River. Indeed, the Birecik Dam, which was built in 1996, has prompted the Arab League to demand that Turkey leave more water on the use of the Euphrates River. In the background of this request, assessments are being made that the Arab States see the Euphrates and Tigris rivers as "Arab rivers".[32]

Meanwhile, at the same time, in the negotiations [33] between Syria and Israel, if Syria abandons its water resources in the Golan Heights, it was discussed that Turkey would increase the amount of water it has given to Syria from the Euphrates River, and although it was expressed by the United States in 1997, Turkey strongly rejected this offer, and this view was later repeated by Israel and the United States. The result of all this is that Syria and Iraq may occasionally turn to turkey to pressure Turkey by taking the Arab League behind them in terms of the use of Euphrates River waters against Turkey.[34] Relations between Turkey and Iraq have also recently focused on border security issues. Under an agreement signed in October 1984, the two countries gave each other the right to monitor each other after terrorists fleeing to the other side after violating the border.

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[30] Scheumann, W., Ibid, p.123-125. 125

[31] Muhammad Muslih, **"Syria and Turkey, Uneasy Relations"**, Henry J. Barkey (ed) Reluctant Neighbor: Turkey's Role in the Middle East, Washington D.C., U.S. Institute of Peace, 1996, p.125-128.

[32] Koluman, A., Ibid, p. 68-70. Also see in: Bilen, Ö., Ibid, p. 45-47.

[33] These kinds of views have been expressed in some conferences and symposiums: For example, the water to be taken from Atatürk Dam It was proposed to bring them to the Golan Heights and to supply water to the Yarmouk River and to prevent the channel in question from being an obstacle between Israel and Syria in the Golan Heights. See in: **Water as an Element of Cooperation and Development in the Middle East**; Bağış, A.İ., (Ed.) Hacettepe University, Ankara-1994 (insert) Wachtel, B., "The Peace Canal Plan; A New Model for the Distribution and Management of Water Resources and A Catalysts for Cooperation in the Middle East."

[34] Koluman, A., Ibid, p.68-70 "Our transboundary waters Our neighbors, who are in the form of lower riparian in Euphrates and Tigris, are trying to guarantee their future water use by attracting other Arab countries. See in:Tiryaki, O., Ibid, p.93- 95.

Turkish troops to enter Iraqi territory for regular times by following terrorists, as well as Iraq's participation in negotiations on Euphrates waters between Turkey and Syria has had a negative impact on the relations between the two countries. During the Gulf War, 400,000 Iraqis fled The Regime of Jordan Saddam and took refuge in Turkish territory further increased the issue between the two states. U.S. aircraft departing from the Incirlik Air Force during the Gulf War hit Iraqi targets, and after the war, allied air fleets assumed in Eastern Anatolia to see if Iraq complied with the ceasefire agreement, and relations between Iraq and Turkey were very important. it's tense. Before the Gulf War, there were economic relations between Turkey and Iraq. Oil kept an important place in this regard. The transfer of a significant portion of Iraqi oil to the Mediterranean via Turkey with the Kerkuk-Yumurtalık pipeline yielded economic lore-driven results for both countries. In addition to Iraq reaching world markets via the Mediterranean and at a short distance, Turkey easily met its oil needs and made gains due to this shipment. In this way, Turkey supplied sixty percent of its oil needs from Iraq. During this period, joint economic initiatives between the two countries began, trade increased, Turkey became a creditor of two billion dollars from Iraq after the Iran-Iraq War; It has also caused many economic difficulties in terms of Turkey. Recently, Iraq has been opposed to projects carried out on the Tigris River within the framework of GAP. Iraq's opposition can also be interpreted as a response to Turkey's policy during the Gulf War and embargo.[35]

Besides the additional water shortage sparked by droughts in some years; In addition to the disputes mentioned above, polluting these rivers and mis watering them is causing inefficient use of existing limited water sources. Therefore, it is necessary to determine how much each of the countries needs water; they do. As will be addressed in the following paragraphs, as a result of this false or incomplete information, the problem of the use of the Euphrates and Tigris rivers remains unresolved, but it is not clear how valid the arguments put forward by the parties are. On the other hand, the possibility that Syria will start to pay more attention to dialogue with Turkey within the framework of the winds of change in the country, and the possibility of a change in this direction in Iraq is that the three countries may reach an agreement that is rational in the use of these two river waters and bring peace to the region strengthens.

3.2- Concept and identification problem

Identification of the Euphrates and Tigris rivers between Turkey and Syria and Iraq; in other words, in the determination of what criteria should be evaluated, in short, there is a conflict at the beginning. Euphrates and Tigris waters are international waters compared to Syria and Iraq; therefore, international teams for international waters should also be involved in the Euphrates and Tigris waters. Turkey, on the other hand, describes the two rivers, which are its source, as "border waters". These are opposite definitions and give very different legal and political consequences. Because in terms of international law, the distinction between "international waters" and "borders" and the rights and powers on them are quite clear.

To summarize, the approach of Syria and Iraq is the share of the Euphrates and The Tigris at a more source. That's the basis of the dispute. Because that means "common sovereignty." Turkey is not "sharing" at this point, i.e. "sharing"; "allocation" that stands out the principle of "allocation". In this, he stresses that he will adhere to "equity", the principle of fairness.[36]

Within the framework of these approaches, naturally, the doctrines focus on between the parties, such as "Mathematical Division", "Integrity of the Natural Situation", "Superiority of Pre-use", "Fair Use," Rational, Optimum Use" deep Differences of opinion are also emerging in the perception and acceptance of perception. Another discrepancy in identification is that it's not going to happen. It is a matter of evaluation of Euphrates and Tigris rivers as a single basin or separately in the form of two river systems. Turkey advocates the Euphrates and Tigris as a single basin, while Syria and Iraq have been urged to do so. these rivers act in consensus in the evaluation of them as separate systems. This approach of Syria and Iraq contradicts the definition of "waterway" adopted in international law. Because the concept of "Waterway" is; In the work of the International Law Commission: "Ground and groundwater that constitute a whole due to their physical relations and flow into a commonplace under normal circumstances".[37] Between the Euphrates and Tigris Rivers, there are no natural obstacles or any elevations within Iraqi territory. The two rivers are very close together so that their waters are mixed with deltas north

of Baghdad. This shows the most important technical characteristics of the Euphrates–Tigris system.[38] Indeed, there is consensus in Doctrine that the two rivers form a single system.[39] On the other hand, the Euphrates and Tigris rivers have been connected to each other with a large network of canals in Mesopotamia from the earliest periods in history, making it more widely available.[40] The Tigris and Euphrates rivers converge about 180 km north of the Persian Gulf to the name Şattul Arab. So, these two rivers are two side extensions of the main branch of Şattul Arab. On Iraqi soil, especially as approach the Şattul-Arab, it becomes very difficult to identify the water separation line. For this reason, the water collection basin of the Tigris and Euphrates rivers is jointly given at 884,000 km2 in the relevant publications. The figure given above is shown in the International List of River Basins published by the United Nations.[41]

3.3- Ongoing Water Problems in Euphrates and Tigris Basin

3.3.1- Water deficit due to the development of water resources in all three countries

As stated in the above paragraphs, the growth of water problems on the Euphrates and Tigris rivers and the acquisition of a dimension that directly affects international relations, and to improve the water resources that Turkey has initiated on these streams shows parallels with activities. The problem here is not only turkey's development of water resources. Syria and Iraq want to implement new and large projects with both energy growth and irrigation purposes, resulting in the amount of water needed in the same basin, far above the current potential. In order to see this situation more closely, it is necessary to meet the projects that all three coastal countries are trying to implement.

A- Turkey's Projects:

Water problems with lower-shore countries; What Syria and Iraq are constantly opposed to and trying to prevent using every occasion; The South East Anatolia Project (GAP), which contains a number of dams and hydropower plants in

which Turkey operates on the Euphrates and Tigris rivers, For this reason, it is necessary to review the GAP project in general: “The Southeast Anatolia Project (G.A.P.), which is the backbone of the development of Euphrates-Tigris water resources in Turkey, is one of the world's most important water resources development plans for irrigation and hydroelectric power generation purposes. is one of them.

This project is also the main driving force of the social and economic development of the region it covers. There are trends in Turkey to include the Eastern Tigris in the G.A.P., which covers the Lower Euphrates and the West and Central Tigris, to be built within the framework of this project, 18 in the Lower Euphrates, 12 in the West and Central Tigris, therefore 30 water power facilities in the East Tigris, 20 twh /year in the Lower Euphrates, 8 twh/year in the West and Central Tigris, hence a total of 28 billion kWh/year, and 9 twh/year electrical power will be produced in the East Tigris. The Southeast Anatolia Project also envisages the irrigation of a total of 1,800,000 hectares of agricultural land, including 2/3 in the Lower Euphrates and 1/3 in the Western and Central Tigris."[42] Apart from GAP's energy production and irrigation purposes; Some cities and industrial centers also have goals to meet their water needs.[43] To perform all these functions; 53 in the Lower Euphrates, 15 in the West and Central Tigris, therefore a total of 68, as well as 22 dams in the East Tigris will form the necessary regulatory reservoirs for irrigation and/or energy production. Southeast Anatolia Project: (a) body filling volume 84 million m3, chamber volüme 48 billion m3, power plant board power 2400 MW, average energy production 9 billion kWh/year, area to water at 0.9 million hectares Ataturk rock filling dam; (b) Sanliurfa twin tunnels with a length of 26.4 km each, 7.6 m in internal diameter and 330 m3/s in total transmission length; (c) height 173 m, concrete volume 2.6 million m3, power plant board power 1800 MW, average energy production 8 billion kWh/year Karakaya plan belted weight dam; Above the flow of the Karakaya dam, as the last stage of the Upper Euphrates basin, Keban dam, which is 207 m high, produces 6 billion kWh/year energy at the 1360 MW power plant at its foot and is a key facility in terms of regulation with a useful chamber volume of up to 25 billion m3, which is used in about two-thirds.[44]

Table 25 Southeast Anatolia Project(Gap)

INSTALLED POWER : 7490 MW NUMBER OF DAM: 22
ENERGY PRODUCTION: 27 387 GWh NUMBER OF HAP.: 19
IRRIGATION AREA:1 821 046 ha
(Including Individual Projects)

Projects and units	Installed Power Euprates Basin (MW)	Energy Generation GWh
1.KARAKAYA PROJECT	1 800	7 354
Karakaya Bar. AND HAPP	1 800	7 354
2. Lower Euphrates PROJECT	2 450	9 024
Ataturk Dam and HAPP	2 450	8 900
Şanlıurfa Happ	50	124
Ş.Urfa Tunnel and Watering:	-	-
A-Ş.Urfa-Harran Plain Watering	-	-
B-Mardin-Ceylanpınar Cazibe Watering	-	-
C-Mardin-Ceylanpınar Pomp.Sul.	-	-
Mardin-Ceylanpınar YAS Sul.	-	-
Siverek-Hilvan Pom.Sul.	-	-
Bozova Pompaj Sul.	-	-
Bozova Pompaj Sul. 1.Part	-	-
CLASS 3 Euphrates PROJECT	852	3 168
Birecik DAM and HAPP	672	2 516
Karkamış DAM and HAPP	180	652
4. SURUÇ-YAYLAK PROJECT	-	-
Yaylak Plain Watering	-	-
Suruç Plain Watering	-	-
5. ADIYAMAN-KAHTA PROJECT	195	509
Çamgazi Dam and Watering	-	-
Gömikan Dam and Watering	-	-
Koçali Dam , HAPP and Watering	40	120
Sırımtaş Dam , HAPP and Watering	28	87
Fatopaşa HAPP	22	47
Büyükçay Dam , HAPP and Watering	30	84
Kahta Dam and HAPP	75	171
	-	-

Pumped Irrigation From Ataturk Dam Lake		
6.ADIYAMAN-GÖKSU- ARABAN		
Çataltepe Dam.	7	43
Gölbaşı,Abbasiye,Araban, Besni-		
Keysun, Kızılin Yavuzeli,	-	-
İncesu		
Pazarcık Watering Erkenek HAPP		
	-7	-43
7.GAZİANTEP PROJESİ	-	-
Hancağız Dam and Watering	-	-
Kayacık Dam and Watering	-	-
Kemlin Dam and Watering	-	-
Seve Dam and Watering	-	-
Belkıs-Nizip Pumped Irrigation	-	-
Birecik B.Göl.Pom.	-	-
Bayramlı Regulator and Watering		
TOTAL	5 304	
		20 098
SINGLE PROJECTS *	40,5	42
Nusaybin Watering	-	-
Çağçağ HAPP	14,4	42
Akçakale YAS Watering	-	-
Ceylanpınar YAS Watering	-	-
Hacıhıdır Project	-	-
Dumluca Project	-	-
Seve Dam and Watering	-	-
Besni Dam and Watering	-	-
Ardıl Dam and Watering	-	-
Nusaybin Çağçağ		
2.Merhale Pr.	-	-
Bozova-Merkez Pumped Irrigation	-	-
Paşabağ Watering	-	-
Çermik-Kale Project	-	-
	TIGRIS BASIN	
	Installed Power (MW)	Energy Production (GWh)
Projects and units		
8. DİCLE-KRALKIZI		
PROJECT	204	444
Kralkızı DAM and HAPP		
	94	146
Dicle DAM and HAPP	110	298
Dicle Sağ Sahil Caz.		
Watering	-	-

Dicle Sağ.Sahil Pumped Irrigation (P2-P5)	-	-
Dicle Sağ.Sahil Pumped Irrigation (P6)	-	-
Dicle Sağ.Sahil Pumped Irrigation (P3-P4)	-	-
9. BATMAN PROJECT	198	483
Batman DAM and HAPP	197	483
Batman Sol Sahil Watering	-	-
Batman Sağ.Sahil Caz. Watering	-	-
10.BATMAN-SİLVAN PROJECT	240	964
Silvan Dam and HAPP	150	623
Kayser DAM and HAPP	90	341
Dicle Sol Sahil Caz. Watering	-	-
Dicle Sol .Sahil Pumped Irrigation	-	-
11. GARZAN PROJECT	90	315
Garzan DAM and HAPP	90	315
Garzan Watering	-	-
12. ILISU PROJECT	1 200	3 833
Ilısu DAM and HAPP	1 200	3833
13. CİZRE PROJECT	240	1 208
Cizre DAM and HAPP	240	1 208
Nusaybin -Cizre-İdil Watering	-	-
Silopi Plain Watering	-	-
TOTAL	2 173	7 247
SINGLE PROJECTS*	-	-
Devegeçidi Project	-	-
Silvan I. Ve II.		

Ks.Watering	-
Nerdüş Watering	-
Çınar-Göksu Project	-
Garzan Kozluk Watering	-
Çınar-Dilaver Watering	-
Ergani Project	-

* Source; State Water Works (D.S.I)2016 Agenda

B-Iraq's Projects:

Iraqi authorities have built many dams on the Tigris and its arms to ensure the best use of existing water resources. These include: Dokan Dam (1959), Derbendihan Dam (1962), Hemrin Dam (1981), Saddam Dam (1986), Dibbis Dam (1965), Diyala Dam (1969) and Azim Dam (1999).Likewise, numerous dams and major cross-country regulators have also built. The most important are: El Kut Dam (1939), Samira Dam and Sarsar Unit (1956), El Mişrah and El Hahla Regulators (1977), El Buteyre and El'And Regulators (1978).As for the dams and regulators built on the Euphrates, the most important ones are: El Kaddasiye (1987), Hindiye unit, which was first built in 1911 and renovated again in 1987, Miccara Regulator (1942), El-Ramadi Dam and Dibban Regulator (1948), El- Varar Regulator (1952), Kerme Beni Said Ümmeti Nahle, Ikayka ve El Baffar Regulators (1957), El-Mişhab Regulator (1959),Giiveyn Regulator (1968), Falluca DAM (1985),El-Kufe, El- Semsiye and El-Abbasiye Regulator (1986) and El-Basra Regulator on Şattülarap (1983).[45]Iraq with the oldest irrigation projects in the region[46]; scientific planning methods and agricultural projects have been adopted by adopting the implementation programs and have turned to the agricultural sector

despite the various problems experienced by the country. Since the early Seventies, investments allocated to the agricultural sector have witnessed a steady increase. Most of these investments are spent on the construction of infrastructure projects for the future. Trying to erase the negative effects of the embargo imposed after the Gulf War on the agricultural sector and food security, Iraq attached great importance to watery agriculture as before the war. Watered land in the country accounted for 32 percent of cultivated area in 1981-1983, compared to 47 percent in 1991-1993.[47] However, due to the ongoing occupation since 2003; the great tremor in the country's economic structure has38 undoubtedly deeply affected the agricultural sector. The area of agricultural land in Iraq reaches approximately 11 million hectares; however, due to the country's climatic conditions, irrigation is needed to ensure agriculture on most of this land. Much of this land has been used for approximately 6,000 years, including the alluvial plain. In normal times, spending 15,376 m3 of water per hectare in Iraq was placing the country in front of other states of the region in this area. He adopted a full reform policy to overcome problems caused by increased saltwater and rising groundwater levels. This full reclamation policy will be carried out by a number of activities or implementation studies, including the construction of a network that passes underground and connecting elements of the drainage network to a main channel. Another land reclamation activity is the struggle to regulate, level, wash and thus make it suitable for agriculture: the effort to regulate, level, wash the soil. All these activities are the sum of the projects for the most efficient use of water by making the soil efficient.

Iraq completed its construction in late 1992 to drain water, aiming to serve most of the irrigation projects in the middle and south of Iraq, and thus improve the quality of the waters. Saddam, who began to work, managed to connect the river to the flow water. [48]

C- Syria's Projects:

Since Syria has given a top priority to aqueous agriculture in recent years; seventy-five percent of all investments are divided into this, aqueous farmland of 14% in 1978; As of 1995, the cultivated land. It increased to 22% to 1,185,000 ha. In the

country where 13.450 m3 water is spent per average ha, the total amount of water consumed for agricultural irrigation has reached 11.130 million m3. Although the agricultural sector is responsible for 90% of the amount of water used in the whole country, its contribution to GDP is 19%, and its contribution to employment is 26%.[49] Within the framework of the policies set by the Syrian government, watery agricultural projects are carried out in the Euphrates Valley, in the Gab Valley, where the Asi River is watered, and in the southern regions of the Yarmouk River. 47% of the total areas where water agriculture is made are watered by groundwater.[50] The information presented by the Syrian technical delegation during its negotiations with the Joint Technical Committee on Euphrates waters in 1983 stated that the agricultural areas that had been watered from the Euphrates basin were 258,000 hectares, as well as water in this area.3.80 billion cubic meters of requirements are explained. [51]

3.3.2 - Euphrates in Terms of Soil Resources and Agricultural Water Use – Situation of Coastal Countries in Tigris Basin

Different values are given in various publications regarding the amount of water that has been transferred from Iraqi territory to the Tigris. Therefore, the total annual current amount of the Tigris River is expressed in figures ranging from 52.7 billion m^3 to 49.2 billion $m^{3.}$ [52] However, the main difference and debate focuses on the amount of irritable territorial presence in Syria and I.L. Irrigation is the most water-consuming sector in Turkey, Syria and Iraq, as in many other countries.39The amount of irrigation water, which is still in use and will be used in the future, depends on the amount of agricultural land suitable for irrigation. The question to answer at this point is: What is the amount of agricultural land suitable for irrigation in Turkey, Syria and Iraq?In order to reach an agreement on the fair and rational use of water adopted by international law (equitable and reasonable utilization of water), the parties must agree on the amount of water able land. There is a great mismatch between the figures expressed by Syria and Iraq at official meetings and the values given by foreign experts.[53] The authors who are concerned about this issue often examine this issue. Kolars, for example, emphasizes the following issues.[54]

"Conflicting reports and data are difficult to identify areas that have been

watered down from the Euphrates River in Syria. Due to the jibs, some of the watering, which was originally planned as 640,000 hectares, was abandoned. Land thought to be watered by Tabka Dam before 1983.It has been reduced to 345,000 hectares and 240,000 hectares. There has been no warning to Syrians about the effects of the soils on the canals and the application of water to the ground. The Rasafah project, considered 150,000 hectares by the Russians, was abandoned. In addition, some of the large and fertile land in the Euphrates Valley has been trapped under the waters of Esat Dam Lake, and some have become unusable due to inadequate drainage and salting. Syria's agricultural plans attach greater importance to dry agriculture and projects in the Habur Valley."

Naff [55], one of the authors who is also closely involved with the waters of the Euphrates-Tigris basin, said the Tabka Dam was never projected at $640,000 per hectare due to land reclamation costs ranging from $4,000 to $10,000 per hectare, referring to specific statements from Syrian authorities., the area of irrigation. The USAID Report [56] explained that only half of the 640,000 hectares projected in the initial planning could be watered down. Beaumont, meanwhile, stressed that figures on areas where Syria can develop an irrigation project contain contradictions, highlighting the latest estimates. It ranges from 400,000 hectares to 800,000 hectares. On the other hand, there is no information about the 2- million-hectare project that Iraq has stated will be built in the Tigris-Euphrates Basin, and it is not clear how much of this area will be watered from the Euphrates. [57] The figures they claim to water Syria and Iraq from the Euphrates River and their joint technical committee meetings are 773,000 and 1,952,000 hectares. There is a great contradiction between the figures given in various publications and researches and the above-mentioned values. According to The Bilen's assessments, Water able soil presence in Syria is taken 400,000 hectares and water consumption is 4.8 billion m^3 if it is accepted that 12,000 m^3 water will be watered per hectare by superficial irrigation methods. However, the need for 773,000 hectares, which Syria claims to be water able, is 9.3 billion m^3.

Table 26 Data Related To Irrigation Areas

HEKTAR		
	Syria	Iraq
Official1	77400	1962000
Kolars	375000	1284000 1450000
	398000	
USAID Report	340000	
Anderson	300000-500000	
Beaumont	500000-800000	

*Source:(Bilen,Ö.1994,s.83) 1/ Figures given to the Joint Technical Committee in 1982 and 1983

"As a result, based on the agricultural water needs provided by dams in Turkey, the natural currents of the Euphrates River are proportional, based on the agricultural water needs provided by Syria and Iraq, which are described as discrepancies with the data specified in the publications on this issue. There is no basis in accordance with the principles of technical and fairness of the request for division in this way."[58]

Turkey envisages consuming a limited portion of the waters caused by its territory. Meanwhile, the total amount of water that the three coastal countries envisage to use in the Tigris basin as well as in the Euphrates basin is from the total flow of the Tigris. 5.8 billion m3 more. Another issue regarding the Tigris River should be stated. Iraq alone uses 48 billion m3 of water because there are no dams or uses in Turkey on the river. When the supply of missing water in the Euphrates is proposed by transporting water from the Tigris to the Euphrates, Iraq rejects it and demands as much water as possible from the Euphrates.[59] This is incompatible with the principles of fairness.[59]

[59] 5 Kolars, J. (1992) "Water Resources of the Middle East", Canadian Journal of Development Studie.

In addition to these considerations, there are big differences between the statements of the authorities of these two countries and the statements of international water experts about what the breadth of the irritable land of Syria and Iraq from the Euphrates river is. In fact, many well-known academics and water experts see the solution of the water deficiency in the Euphrates river in the transfer of water from The Tigris to the Euphrates.[60] Generally accepted view is that if such a transfer takes place, it will be possible for all three countries to establish irrigation projects on the Euphrates river. Experts divide water able land into 6 categories. 1., 2. and 3. category land is the land that can be the highest yield by irrigation. 4th grade lands marginal units, 5. the land that can be yielded by investing significantly, but not in the 6th century. category is soils that can not be yielded with irrigation.[61]All Turkish lands to be watered from the Euphrates, 1st, 2. and 3. in the category of land. In contrast, only 48% of the territory declared to be watered by Syria is 1st, 2. And third class is earth.[62] In this case, Turkey does not water the quality land, it is not economical to allocate water to more shoddy soils and does not fall in accordance with fairness.[63] In the Euphrates basin, where water shortages occur, both Syria and Iraq are demanding water for a significant amount of areas that can not be reused efficiently. In this case, turkey's irrigation projects are also considered, the need for water, which is well above 31.58 billion m3, the annual capacity of the Euphrates river, is revealed. This is the point of Syria and Iraq, the countries, the missing water, proportionally, each country's demand to be deducted from the proposal. Turkey first stated that the same criteria should be applied in the determination of the water needs of each coastal country. Syria and Iraq argue that each country can determine its water needs as they wish, and that the number of needs declared by one country can not be questioned by other countries.[64]

Beaumont, P. (1992) Water-A Resource under Pressure, Gerd Nonneman (ed), The Middle East and Europe, An Integrated Communities Approach, Federal Trust for Education and Research, London, p.178-180 .

Table 27 demands of basin countries from eUPHRATES AND tIGRIS wATERS (million m3 / year)

	Water Demands from the Euphrates River	**Water Demands from the Tigris River**
Turkey	18.420	6.870
Syria	11.500	2.600
Iraq	23.000	45.000
Euphrates Rivers Flow Amount	32.700	
Tigris Rivers Flow Amount		49.200
Open	**20.220**	**4.200**

*Source:(Bilen,Ö.1994,s.83) 1/ Figures given to the Joint Technical Committee in 1982 and 1983

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[60] Kolars, J.F., **"Problems of International River Management: The Case of Euphrates"**, Middle East Water Forum, Cairo, 7- 10 February 1993, pg. 49; Naff, T., Matson, R.C., "Water in the Middle East: Conflict or Cooperation?", A Westview Replica edition, London, 1984, Pg. 192; Anderson, Ewan W., "Water Geopolitics in the Middle East: The Key Countries." Conference on U.S. Foreign Policy on Water Resources in the Middle East: Instrument for Peace and Development, Center for Strategic and International Studies (CSIS), 24 November 1986, Washington D.C., pg. 191; Beaument, P., "The Euphrates River – An International Problem of Water resources Development", Environmental Conservation, Vol. 5, No. 1, The Foundation for Environmental Conservation, 1978, p.40-42.

[61] Kolars, J.F., Mitchell, W. A., **The Euphrates River and the Southeast Anatolia Development project, Water: The Middle East Imperative**, Southern Illinois University Press, Carbondale and Edwardsville, 1991, p.150-152.

62 Kolars, J.F., Mitchell, W. A., Ibid,150-153.

63 See in: Turkish Foreign Ministry of Affairs, Water Issue in the Middle East,p.10-12.

[64] Turkish Foreign Ministry of Affairs, Water Issue in the Middle East,p.12-13

As can be seen from the examination of this painting, 88.7% of the total water potential of the Euphrates Basin comes from Turkey and the remaining 11.3% are from Syria. Iraq has no contribution to the flow of the Euphrates river. Syria, which contributes only 11.3% to the total flow of the Euphrates, demands 22% of the waters of this river and 43% in Iraq, which has no contribution to the flow. Turkey, which is 88.7% of its territory, envisages using only 35% of the total. Another more important issue revealed by the table above is that the total amount of water that the three coastal countries plan to consume is 17.3 billion m3 more than the total flow of the Euphrates. It is clear that such a request is impossible to meet.[65] The amount of water requested from both rivers, together, is as follows: In addition to the above differences of opinion in the definition of the waters of the Euphrates and Tigris rivers, the amount of water demanded by the countries is very different and above the river capacities. The annual water potential of the Euphrates River is 35.58 billion m3.88.7 percent of this water is born from Turkish territory and 11.3 percent from Syrian territory. Iraq's contribution to the flow of the Euphrates River is 0 (zero). In contrast, Turkey's consumption target is 18.42 billion m3 (35 percent), Syria 11.50 million m3 (Percent 22) and Iraq is 23 billion m3 (43 percent). This amount reaches 52.92 billion m3, which is 17.3 billion m3 more than the total flow of the Euphrates. There is a similar situation for the Tigris River. 51.9 percent of the waters of this river, from Turkish territory and 48.9 percent from Iraqi territory. Syria's contribution to the Flow of The Tigris is 0 (zero). In contrast, Turkey wants to use 6.87 billion m3 (13%) per year from river waters, Iraq 45 billion m3 (83%) and Syria 2.60 billion m3 (4%). It totals 54.47 billion m3, which means that the Tigris. It is 5.80 billion m3 more than the total flow of 48.67 billion m3.

Table 28 Water Potency And Liquidity Of Euphrates Basin Countries Consumption Targets (10) (Billion Cubic Meters Per Year)

	Turkey	Syria	Iraq	Total
Water Potential	31,58	4	0	35,58
	(% 88.7)	(% 11.3)	0	-100%
	18,42	11,5	23	52,92
Consumption Goals	-35%	-22%	-43%	-100%

3.4- Impact of Facilities in Turkey on Downstream Countries

More than four-fifths of the Euphrates' average water potential and more than two-fifths of the Tigris originate from Turkey. After the implementation of all the facilities of the G.A.P. and the Upper Euphrates in the Euphrates-Tigris basin, on average, the waters originating from Turkey; In the Euphrates, 40% and 65% in the Tigris will continue to flow neighboring downstream countries. However, when any water allocation agreement is made, the quantity of water to be allocated should be tiered depending on probability conditions, considering the stocks of flows. The total useful volume of dam reservoirs in Turkey is 60-70 billion m3 in the Euphrates, so double the annual flows in Turkey; 20 billion m3 in the Tigris, i.e. annual flows in the country. downstream countries, especially in the Euphrates, it is not possible to create a volume of regulation in this scale, and the unit evaporation values are very high in Turkey. The total useful regulatory volumes of the reservoirs in these countries are around 15 billion m3 in the Euphrates, most of them in Syria, and 20 billion m3 in the Tigris, almost all of which are in Iraq. The average annual evaporation losses from dam reservoirs in Turkey will be around 4.5 billion m3/year in the Euphrates, 1.5 billion m3/year in Tigris; 2.5 billion m3/year at the Euphrates in downstream countries and around 4.5 billion m3/year in Tigris.[66]

[65] This subject See in: Bilen, Ö., Ibid, p.59-60, etc. Also See in: Öziş, Baran, Fıstıkoğlu, etc., Ibid, p.43-44.,etc.

[66] Şen, Öziş, Avcı vd. (Eds), **Our Transboundary Waters**, Water Foundation Publications, İstanbul-2002 (insert) Öziş, Baran, Fıstıkoğlu, etc. Turkey's Water Law and Water Politics in terms of Status of Transboundary Waters, p. 43-45

Considering this situation, it will be seen that dam reservoirs in Turkey will also provide significant benefits in terms of recourse to downstream countries, effective control of floods, and increasing arid period flows. Therefore, the water that is depleted by evaporation from the dam tanks in Turkey should not be recorded entirely into the account of this country. In the years after 1973, the streams that replace Keban Dam were streamed by Palu/Murat + Logmar/Peri + Melekbahçe/Munzur + Bağıştas/Karasu + Skinhead/Weeping streams; Karakaya and Kömürhan streams Keban + Hisarcik/Tohma flows based on regression in total; Dutluca flows representing the location of Ataturk Dam were cut with the same approach. In this study, dutluca flows, which correspond to five-sixths of Euphrates's flows originating from Turkey and an average of 870 m3/s in 1937-1980, are well below average for 8 months in July-February, with around 300 to 550 m3/s; In the months such as August and September, it has been determined that it has landed even below that, even to 170 m3/s. In the same study, after approximately qualified operating accounts for the integrated Keban-Karakaya-Ataturk reservoirs, based on no fully reliable energy production in the period 1937-1980, regulated flows will not fall below 690 m3/s; Based on reliable energy production, which allows incomplete production in 5% of the month, it has been observed that streams arranged outside those months will not fall below 760 m3/s. Since 1974, reliable production at the plant at the foot of the Tabka dam in Syria has increased significantly to 600 million kWh/year. [67] Considering the projects that are currently in operation and will come into operation in the future, a situation arises as follows: in the face of the water potential of the Euphrates at 37 km3/year, beyond meeting the water needs of energy production and some cities and industrial centers, Euphrates waters are turkey's reasonable, economically consistent irrigation (450,000 ha in the Upper Euphrates, 1,100,000ha Lower Euphrates) and Syria's claimed maximum irrigation (800,000 ha; but especially in terms of soil quality, this is 300- 400,000ha, if it does remain around, Iraq will not have much share of this stream with the water potential of 58 km3/year, 650,000 hectares in Turkey, 3,500,000 hectares (some of which are throughout the Euphrates) agricultural land can be irritable; management, especially modern methods that save water should be given weight.

3.5- Syria and Iraq 's Reactions to Turkey’s Projects It Built in the Euphrates-Tigris Basin

a- Problems on the Euphrates River

Syria and Iraq, which are lower coastal countries, have vehemently opposed all water facilities that Turkey has built on the Euphrates and Tigris rivers, the upper coastal country to date. Within the framework of objections on the grounds that it would reduce the amount of water, it was only in the 1960s and 1970s during the construction of Keban and Karakaya dams; dams have indicated that their country will be harmed. Syria and Iraq, which are lower coastal countries, have vehemently opposed all water facilities that Turkey has built on the Euphrates and Tigris rivers, the upper coastal country to date. Within the framework of objections on the grounds that it would reduce the amount of water, it was only in the 1960s and 1970s during the construction of Keban and Karakaya dams; dams have indicated that their country will be harmed. Syria and Iraq, which are lower coastal countries, have vehemently opposed all water facilities that Turkey has built on the Euphrates and Tigris rivers, the upper coastal country to date. Within the framework of objections on the grounds that it would reduce the amount of water, it was only in the 1960s and 1970s during the construction of Keban and Karakaya dams; dams have indicated that their country will be harmed.[68]

In addition, Syria and Iraq have imposed provisions in Turkey, the United Nations (UN) International Law Commission (UHK) in draft clauses that have not yet been binding, and the water that the countries concerned plan to do on a waterway. the facilities have been accused of not complying with the rules of informing each other from a certain period ago. The rules have not yet been internationally binding, but Turkey, which was established in 1980 between Turkey and Iraq and Syria in 1983, in accordance with the Mixed Economic Commission (KEK) Protocol, to discuss regional waters At the meetings of the Joint Technical Committee (OTK) to date, he transferred information about the water facilities he had envisaged to build to the Syrian-Iraqi side.[69] The dams that Turkey has built and built on the Euphrates and Tigris rivers so far will contribute to its irrigation needs, as well as provide regular

and stable water to Syria and Iraq.[70] The dams built by Turkey on the Euphrates River are efficient lay in ways by experts with international reputation, low evaporation losses, geographical and topographic properties.[71] The flow of water in the rivers crossing the border in question has changed significantly over the years, and in the summer of some years, water flowing from the Syrian border to this country can fall by 100-150 cubic meters per second (m3/s). In spring, this amount rises to 4-5 thousand m3/s. This caused flooding in spring and drought in summer. Thanks to the dams built, a water arrangement has been made, and in this way, even in the event of a drought, it is possible to provide water to Syria and Iraq at the level they will not feel.

The most important of the objections to Turkey's dams on the Euphrates and Tigris rivers was made during the first filling phase of the Ataturk Dam, as has previously been in contact. In January 1990, during the first filling phase of the Ataturk Dam, the water retention for a month, despite all the time in the intervening, still in some Arab circles, aimed to deliberately deprive the lower coastal countries of water or cause great damage to these countries it is still considered a behavior. However, it is also stated by foreign writers that all necessary measures have been taken sufficiently to prevent damage to Syria and Iraq from this water retention tool, which is a technical necessity in dam construction.[72] Due to technical necessity, the river water will be cut for a month in Syria was reported at times;[73] In addition, [74] for a month and a half, the Protocol of 1987 allowed turkey to accumulate more water in reservoirs in their own countries by providing more water instead of 500 m3/s. As a matter of fact, from November 23, 1989, an average of 768 - m3/s water was left on the Turkey-Syria border until January 13, 1990, when the water retention began. Between January 13th and February 12, 1990, when the dam gates were closed, water from the river branches participating in the Euphrates in the area between the Ataturk dam and the Turkey-Syria border continued to flow into Syria. As such, the total amount of water crossing the border between November 23, 1989 and February 12, 1990 is 3.6 billion m3, which means a flow average of 509 m3/s. Thus, even in the 82-day period, which includes a month's period in which the water was cut off, more water is given to Syria on average than 500 m3/s. (See Table 30) more prominently illustrates the above mentioned.

[69] Turkish Foreign Ministry of Affairs, Water Issue in the Middle East,p.12-14.

[70] Detailed information about this issue is given in the above paragraphs.

71 Kolars, John F., "Managing the Impact of Development: The Euphrates and Tigris Rivers and The Ecology of the Arabian Gulf – A link In Forging Tri-riparian Cooperation", Water As An Element of Cooperation And Development In The Middle East Proceedings book of the conference. Hacettepe University and Friedrich Naumann Foundation, Ankara, Nisan 1994, p.135-137.

In addition, [74] for a month and a half, the Protocol of 1987 allowed turkey to accumulate more water in reservoirs in their own countries by providing more water instead of 500 m3/s. As a matter of fact, from November 23, 1989, an average of 768 - m3/s water was left on the Turkey-Syria border until January 13, 1990, when the water retention began. Between January 13th and February 12, 1990, when the dam gates were closed, water from the river branches participating in the Euphrates in the area between the Ataturk dam and the Turkey-Syria border continued to flow into Syria. As such, the total amount of water crossing the border between November 23, 1989, and February 12, 1990 is 3.6 billion m3, which means a flow average of 509 m3/s. Thus, even in the 82-day period, which includes a month's period in which the water was cut off, more water is given to Syria on average than 500 m3/s. (See Table 30) more prominently illustrates the above mentioned. The amount of water collected at Ataturk Dam between January 31, 1990 and September 1991 is 15 billion m3. In the same period, the amount of water left in lower coastal countries on a basis of 500 m3/h [75] was 27.3 billion m3.As these numbers have made clear, Turkey could have already completed the filling of the dam by cutting the amount of water it has left to lower coastal countries. The fact that this path has not been taken is shown as proof of Turkey's good will and its attitude that avoids harming its neighbors.[76]

Table 29 Objections to Birecik Dam:

Number of periods (m3/s)	(Billion m3)
23-30/11/1989 625 8	0.432
01-31/12/1989 818 31	2.190
01-13/01/1990 740 13	0. 831

*Source: Turkish Ministry of Foreign Affairs Regional and Border waters Department, Water Problem in the Middle East (Ankara 1994)- p.16- 17.

Objections to Birecik Dam:

The issue of Birecik Dam, which is projected to be built within the framework of the GAP Project, also caused objections in 1993. In notes obtained from the Iraqi Embassy in Ankara on March 17, 1993 and received by Ambassador Munib Rıfai, director of the Syrian Foreign Ministry's Legal Office, to the Turkish Embassy in Damascus on July 18, 1993; Both countries opposed the construction of the Birecik Dam on the grounds that it would damage its own water resources. However, the reason for the construction of Birecik dam is a facility that is born entirely of technical conditions and is in the interest of lower coastal countries. Because the waters of the Euphrates River are regulated and regulated in Keban and Ataturk dams with large reservoirs. However, the water left from hydroelectric plants (HES) in these dams, which have large reservoirs, should also be regulated, especially when the turbine is maximum, and the ecology in the lower parts of the river medium should be preserved. It is called dam (bay dam) to control the waters remaining from such dams, big dams and HEPP, which is a technical requirement. Birecik Dam, Ataturk Dam and HEPP, Syria is a dam that passes to downstream countries by regulating the remaining water from Tabka Dam in Syria.[18]

[18] 74 17 July 1987 Economic Cooperation between Turkey and Syria Article 6 of the Protocol on regional waters It is as follows: "During the filling of the Ataturk Dam reservoir until the final allocation between the three countries and the Turkish side of the Euphrates, Turkey -Syria border from an annual average rate of 500 m3 / s is committed to releasing more water. If the monthly flow falls below 500 m3 / s, it accepts the closure of the difference next month
75 Turkish Foreign Ministry of Affairs, Water Issue in the Middle East,p.16-17
76 Turkish Foreign Ministry of Affairs, Water Issue in the Middle East,p.17-18.

Al Baath dam in the downstream immediately, and the Baduş Dam, which is located in the immediate downstream of Saddam dam on the Tigris river in Iraq, and Baghdad dam, which is located in the downstream of the Kadisiye Dam on the Euphrates River, is similarly regulated (after- bay)) dams. Ataturk Dam's 8-unit HEPs will energize the system in the interconnect with all units at peak sates hours (peak sates) depending on energy demand, and with a unit depending on the situation at the time of low demand. Accordingly, the amount of water left from HES may vary between 200 m3/s and 2000 m3/s in one day, depending on energy demand and the condition of the interconnect system. On the same day, it was envisaged that the left-hander water was arranged in the Birecik Dam reservoir to address the negative effects of this large difference between the depillar left in the downstream of HES. The construction of Birecik Dam is therefore a must. Otherwise, considering the downstream conditions of the stream, the Ataturk Dam HES should be operated with the same power all the time, which is said to make it impossible to operate during peak hours, which is the biggest feature of HES.[77]

B- Problems on the Tigris River:

The Tigris River is born from the Caspian Lake, forms a border between Turkey and Syria for 40 kilometers (km) from Cizre to Habur water junction, and is merged with the Euphrates on Iraqi territory and poured into the Persian Gulf. Its main arms are Botan River, Batmansu, Karpansu and Great Zap water. On the terms of the consumption targets of the three countries, the following figures will be revealed if the table is drawn for the Tigris Basin, like the table built for the Euphrates River above.

Table 30 Tigris River Water Potential And Consumption Targets Of Coastal Countries(As Billion Meters In The Year)

	Turkey	Iraq	Syria	Total
Water Potential	25,24	23,43	0,00	48,67
	(% 51.9)	(% 48.1)		(% 100)
Consumption Goals	6,87	45,00	2,60	54,47
	(% 13)	(% 83)	(% 4)	(% 100)

*Source: Turkish State Department, Water Problem in the Middle East, Page. 8

As can be seen from the examination of this painting, 51.9% of the basin's total water potential comes from Turkey and the remaining 48.1% from Iraq, as in the Euphrates Basin, where the consumption claims of Syria and Iraq, It is well above the potential of the Basin in its own countries. As stated above, the effects of the countries' water resources in Turkey as well as the lower coastal countries with land resources suitable for aqueous agriculture, turkey has not completed the dams and other facilities it plans to build on the Tigris River. Therefore, the entire river water is already used by Iraq. But in the future, the situation will change. Prime Minister Recep Tayyip Erdogan, on the other hand, during his official visit; On December 22, 2004, he signed a Free Trade Agreement with Syrian Prime Minister Naci Otri. At a joint press conference after the signing of the agreement, Otri said the two countries had also reached an agreement to pump enough water from the Tigris River to water 150,000 hectares.

Syrian Prime Minister Otri stressed that the issue of water removal from the Tigris River has also been raised, that Erdogan is positive about this issue and that the necessary technical support can be provided. Prime Minister Erdogan, Turkish businessmen are currently investing $150 million in Syria, stating that 'relations between the two countries are improving in every respect,' he said. Erdogan argued that bureaucratic obstacles must be overcome for faster development of relations between the two countries, and said they are ready to contribute to Middle East peace. Prof. Veysel Eroğlu, General Manager of State Water Affairs, who accompanied Erdogan to Him during the trip to Syria; From the media where the Tigris River is

bordering Turkey and Syria, Turkey has consented to Syria pumping water into the Euphrates River, while Syria is located on the territory of the two countries at the point where the Asi River joins Turkey is willing to build a dam, he said. With the waters of this dam, 11,000 Ha on the Syrian side and 21,000 ha on the Turkish side will be irresolute. As a sign of friendship and cooperation between the two countries, joint water sports will be held on the dam lake, and recreation arrangements will be carried out around the dam lake.[78] On August 25, 2005, Hatay governor announced that preparations for the construction of the $60 million "friendship dam" are in the final stage, if the Syrian side does the necessary operations, construction will begin, the friendship dam watery agriculture will be done in the entire Amik Plain; 25 megawatts of electricity will be produced in addition to irrigation.[79]

C- Problems on the Asi River

The Asi River is born from Lebanese territory, entering Turkish territory after crossing into Syria and pouring into the Mediterranean. The distance it travels is 40 km. in Lebanon, 120 km in Syria and 88 km in Turkey. There are two small bents available on the river in Lebanon. In Syria there are Cisral-Sugur Bendi with the dams of Restan and Maherde. Both countries benefit heavily from the river for irrigation purposes. Syria is using 90% of the waters of this river, which has an average annual the dep of 1.2 billion m3, and leaves an average of 120 million m3 of water a year to Turkey on the Turkey-Syria border.[80] However, in addition to the existing dams on the river mentioned, the water left to Turkey if the reservoir of Ziezoun and Kastoun, which is projected to be built, will fall to 25 million m3 per year. Under the agreement between Syria and Lebanon in 1972, Lebanon is projected to allocate 80 m of water a year from the river. However, this agreement could not be enacted at that time for some political reasons. This time, on September 20, 1994, an agreement between Syria and Lebanon agreed to leave 80 million m3 of the Asi river to Lebanon from a total water volume of 403 million m3 in the Lebanese Syrian border.[81]

There are many lessons that can be learned from the Euphrates and Tigris flowing from north to south, and the Asi River flowing from south to north, from the comparison of the use and water left to the neighbors within the same dimensions.

Syria and Iraq accuse Turkey of reducing water as a fount country in the Euphrates and Tigris; Syria is using almost all of the water in the Asi River and leaving a small amount of water to Turkey.[82] Therefore, large-scale desertification occurred in the Amik Plain in Hatay province.

Syria has in the past considered Turkey's Hatay province as part of its territory, as if it were pouring into the sea on Syrian territory before it crossed into Turkish territory. Until 2004, the Syrian authorities had repeatedly avoided discussing the Asi River, as this issue was a sensitive Constitutional issue in Syria. However, in parallel with the healing process of relations between Turkey and Syria mentioned above, there has been an easier way to find an easier solution to many problems than in recent times. In this sentence, Syria is a common dam to be built on the Asi River; The agreement to transfer water from the 40 km media of the Tigris River to the Euphrates River, which borders Turkey and this country, can be cited as an example. These agreements with Syria can also have a positive impact on the negotiations on the final allocation of Euphrates and Tigris waters between the three countries.

3.6 – Search for Reconciliation in The Use of Euphrates and Tigris Waters within the Framework of The Rights of Three Coastal Countries

Given the issues examined so far and the views of coastal countries; It is seen that the implementation of an agreement on the rational and decent use of Euphrates-Tigris basin waters will only be possible by the presence of common criteria that will satisfy all three countries. In this case, it is important that a compromise between the basin countries is acceptable both nationally and regionally and internationally. "An important political problem in international basins is that permanent and well-functioning agreements covering all basin countries are almost none. More than 2,000 water agreements have been signed between countries since the 11th century, according to a study by the Organization for Agriculture and Food (FAO). But most of these treaties are either temporary treaties that do not involve all basin countries, do not cover new situations or. Most modern water treaties include technical information exchange and early warning systems for flooding. Such treaties are far from solving

the problem of water use in shared basins... While it is true that international law gives certain principles to the water problem in shared basins, it is difficult to say for now that it contains mechanisms to resolve the problem."[83] Above (Part Two, Section 4) was also widely examined by international law on the regulations on cross-border waters. The work carried out by the UN International Law Commission since 1971 was adopted on May 21, 1997, by the 51/229 decision of the General Assembly as "The Legal Agreement on the Non-Transportation Use of International Waterways". However, as previously stated, it is understood that this arrangement can not go further than a framework contract.[84] Because international water basins with very different hydrological and hydro political properties can not be subject to the same general rules. Therefore, the aforementioned "Framework Agreement" is a general compromise guide for the necessary care to ensure that the waters are used in a "decent, optimum and rational" manner, and that they do not cause "significant harm". The principle of "decent and rational use" of water is compared to other opinions today; is one of the main principles adopted in the work of international law.[85] Therefore, it is a use in accordance with this principle, although not limited; in addition to socio-economic, hydrological and geopolitical conditions, if there are other natural resources or facilities where needs can be met, some important foundations such as the consideration of these issues are also up-to-date. of the world. Within this framework, Turkey is scientific and objective in the use of Euphrates-Tigris waters among basin countries, in order to define a fair use in the same way in all three countries and determine which country how much water to be given the necessity of the common criteria established by the rules. Accordingly, a delegation of engineers from all three countries will be implemented and examined in detail below; He drafted a proposal called the "Three-Stage Plan" and proposed the plan to Iraq and Syria.

However, this proposal was rejected, particularly by Iraq, on the grounds that it would greatly block the country's water demand in the Euphrates. Another principle contained in the provisions of the Framework Convention and therefore accepted is the view of "no significant harm" . Accordingly, in cross-border rivers, coastal countries should be careful to avoid damaging movements of each other in the use of water. Despite some contrary claims, Turkey has not tended to use the Euphrates-

Tigris Basin waters as a weapon against lower-coasted countries. Within the framework of the principle of fairness, it also paid the utmost attention to sending the amount of water it had committed from the Euphrates.[86]

On the other hand, all three countries in the Euphrates-Tigris basin should review their own domestic policies [87] on water. Measures preventing water waste, especially rational price application, are a leading approach. Activities that will be shown individually or jointly based on states in order to raise awareness of this issue will undoubtedly benefit the people of all three countries. Another formula to help solve is the liquidation of wastewater and re-introduction. This method is still being implemented in oil-rich countries and Israel and has not yet been spread in other countries in the Middle East due to economic difficulties and other reasons. In parallel, it is thought that national and regional projects can be carried out on the treatment. The use of high technology in irrigation is also an important application. The use of primitive irrigation methods in agricultural activities, especially in water-strapped arid and semi-arid regions, greatly leads to water waste. Accordingly, the selection and characteristics of the agricultural product cultivated are also important.

On the other hand, the rational and decent use of the waters by using rational and scientific ways, mutual confidence and stability environment in the region mutual dependencies that will occur and will become a means of cooperation rather than a threat. Given the use of only Euphrates river waters between the three countries, as Syria and Iraq have persistently stated, it turns out that the river waters in question are far from meeting all the demands of the three countries. In addition, the demand for water especially for land where Syria can not be opened to agriculture by irrigation negatively affects the efforts of the solution. In this case, turkey's policy since the beginning of the problem, the water and needs of all three countries as a result of a scientific engineering study to be identified, the adoption of techniques to prevent water waste, and finally the already being carried out (as Iraq merged the Euphrates and Tigris with the Tharthar channel) has been on the way to address the needs to a certain extent by focusing on inter river water transfers. It is stated that the policy that Turkey will carry out next will be in line with the opinions described above.[88]

3.7- Turkey's Solution Plan for The Use of Euphrates-Tigris Basin Waters ("Three-Stage Plan" –Three Staged Plan)

In 1984, Turkey proposed a comprehensive plan to Syria and Iraq through the Joint Technical Committee on the use of Euphrates-Tigris basin waters. The full name of this plan is "Three-Stage Plan for the use of streams across the Euphrates-Tigris Basin borders fair, rational and optimum".[89] Although negotiations were held on the plan until 1990, no progress has been made. This plan is to examine the Euphrates and Tigris rivers as a whole and examine the amount of water able soil, water resources and the transfer of excess water of the Tigris River to the Euphrates River and integrate them into an engineering study. of the world.[90]

This plan, which is called the "Three-Stage Plan" in the literature in the field of borders, aims to reach a solution that will satisfy all interested parties in the Tigris-Euphrates basin. The three phases of the Plan can be summarized as follows.[91]*"Stage One; The first phase of the plan is related to water resources inventory work and is projected to cover the following funds. To provide all available data (level and current metrics) for the selected measurement stations below*

Table 31 Common Measuring Stations Available

Turkey	Belkısköy	Cizre
Syria	Kadahiye Abu Kemal	-
Iraq	Hubeyde (Hit) Nasiriya	Fish Khob Musul Kut

Source: Ministry of Foreign Affairs, Regional and Cross-Border Waters Department, Water Problem in the Middle East, Ankara 1994, p.32-34.

1- To report all data on monthly evaporation, temperature, rainfall, snow thickness (if available) from meteorological stations selected by experts from the Three countries in the Euphrates and Tigris basin and representing the basin.

2 *To check the above data,*

3 *Making joint measurements in different periods at the above-mentioned measurement stations,*

4 *Evaluating and correcting measurements,*

5 *To check* the current water quality data (after obtaining them,

6 *Calculation of natural currents at various stations after determining water consumption andwater losses.*

7 *Phase Two; The second phase of the plan will carry out the following activities related to the inventory work of soil resources accordingly:*

8 *To provide information about soil classification and drainage criteria adopted and applied in each country,*

9 *To control the soil classes of projects in operation, built and planned,*

10 *If the above article (b) can not be carried out on the grounds that the other parties agree, the soil classes will be identified as much as possible,*

11 *Studying and discussing plant patterns according to the soil classes and drainage conditions of the projects in the business, built and planned,*

12 *To calculate irrigation water and washing water needs in the business, construction and planned projects based on the work specified in the above articles.*

13 *Phase Three; In the third phase of the plan, it is related to the evaluation of water and soil resources and the following activities are expected to be carried out:*

14 *To discuss and determine the type of irrigation and system in order to minimize water losses in planned projects, to investigate the modernization and breeding opportunities of the projects in the business,*

15 *Based on the project-based work under Article V of the second phase, to determine the total water consumption of all projects in each country, including the loss of evaporation from reservoirs and transmission systems in irrigation networks,*

Turkey's Three-Stage Plan presented to coastal countries in order to address water problems in the Euphrates-Tigris Basin; basically, it envisages achieving two

important goals: first, to treat the Euphrates-Tigris Basin as a whole in a single basin format in accordance with the feasibility situation, thus making water resources the most efficient use; Secondly, thanks to co-operation by three coastal countries across the basin, together and in coordination, water problems are resolved in a long-established and permanent manner, eliminating the distrust that reigns between such countries. removal. As a matter of fact, these characteristics of the mentioned plans are stated in the official publication of the Turkish Ministry of Foreign Affairs as follows: *"The Three-Step Plan, which is based on these basic principles, has two important aspects:*

16 *Euphrates and Tigris should be considered as a single cross-border streaming system. These two rivers are not only combined as a result of their natural flow Şattul Arab, but are artificially communicated by the Tharthar Canal in Iraq. Therefore, the water needs of some areas already watered by the Euphrates river can be removed from the Tigris with 'water' ; It is understood that the current and future agricultural uses from the Euphrates River will not necessarily need to continue to be made from the Euphrates.*

17 *Currently, the studies of countries on data collection and evaluation differ greatly among each other and are not the nature that can be the basis for a healthy counterpart. In order to ensure coordination between, water and soil resources inventory work must be carried out jointly.*

Turkey, in this way; With the emergence of real water needs to be identified as a result of scientific studies, it is believed that it will be possible to use water resources in a rational and optimal way.

The positive environment to be created with steps to be taken in this direction will lay the groundwork for the use of not only water resources in the region, but also other natural resources within the framework of cooperation and mutual interests, and thus the root of relations will contribute to the disappearance of the environment of insecurity."[92]

3.8- Syria and Iraq's objections and opinions against the "Three-Stage Plan"

As mentioned above, when mentioning the concept and definition problem; The arguments put forward by the sides on the waters of the Euphrates and Tigris rivers, which are problems between Turkey and Syria and Iraq, differ greatly, especially in the identification of these rivers. Syria and Iraq claim that the Euphrates and Tigris rivers are international waters, while Turkey says these rivers are border-crossing waters. These two separate definitions mean that if the Euphrates and The Tigris are treated as international water, Syria and Iraq as lower basin countries; they may have the right to be entitled to it. On the other hand, according to Turkey's definition of cross-border waters, these rivers are turkey's rivers in terms of the length and resources it has been fed at the borders of the country that is the source of water, and therefore Turkey has the right to use these rivers within its borders within its own borders within the framework of their needs. As for how rivers should be shared, countries also offer different methods within the framework determined by these concepts. While defending mathematical sharing in Syria and Iraq, Turkey argues that the needs of the countries to water should be determined and that existing water resources should be allocated rationally and optimally within the framework of these needs. To realistically identify these needs, countries' land inventories and water needs must be determined accordingly.

For this purpose, Turkey proposes that a joint commission of the three countries should conduct these researches; However, Syria and Iraq reject this request.

A.Syria’s objections to the Three-Stage Plan and proposed ‘’three-step’’ solution formula

As a lower basin country, Syria advocates the doctrines of "integrity of the natural situation" and "fair use". According to the first doctrine, the upper basin country should leave the water in the lower basin in a way that does not disturb its natural condition. In this case, the upper basin country should not engage in any

activity that will change the flow of water. According to the doctrine of fair use, basin countries should benefit from international or sinkable waters in the equivalent regardless of their position in the basin. So the waters must be divided in equal quantities.[93]

The Turkish State Department, the Department of Regional and Territorial Waters; In the book titled "Water Problem in the Middle East", Syria's views are as follows: "The views put forward by the Syrian authorities and various media and media outlets can be summarized as follows: The Euphrates and Tigris rivers are international waterways and "joint sources" they are. These resources should be shared at a certain rate among basin countries.[94] This share should only be performed with a mathematical formula. According to this, each country will report the amount of water it needs from two rivers separately. The capacities of the two rivers will be determined separately in each country. If the total amount of water the three coastal countries want to receive from a river is more than that river, the remaining amount will be proportionally deducted from the amount demanded by each country. During the initial filling of the Ataturk Dam, Turkey acted in a way that would contradict the principle of good neighborliness and significantly reduced the waters of the Euphrates River, greatly damaging Syria's agriculture, energy production and the need for drinking and drinking water for its people of the world.[95] In this way, Turkey aims to put political pressure on Syria.

Peace Water and other water sales projects are a product of Turkey's leadership dreams over the Middle East. It is Turkey's secret ideal to make the countries of the region dependent on it economically and politically by making them dependent on it in terms of water. Moreover, while Turkey does not leave enough water from the Euphrates, it is contradictory that turkey sells water to the Middle East with the Peace Water Project. A country's use of an international water, modern and economic techniques, does not give that country the right to use more water than that river.[96] The work of the International Law Commission should be completed as soon as possible and the law on the subject should be settled. Thus, any dispute between the "sharing" of an international water between the basin countries should be discussed at international level in organizations such as the UN International Court of Justice and resolved within the framework of the arbitration of these organizations.[97]

"International observers" should be involved in negotiations between basin countries, and as a result of these "sharing" actions, the UN or countries that have made these "sharing" actions, sanctions within the framework of the views of such observer's application.[98] The above points are arguments based on Syria's technical talks as well. Toklu [99] says Syria has also proposed a three-step solution: "During the research on OTK meetings, Syria also proposed a three-step solution. It is understood that the document with the words "21-22 November 1988 and ministerial meeting-Ankara, Syria's Proposal" was revealed by the Syrian side at the trilateral Ministerial Meeting held on the same dates. Syria first proposes that hydrological and meteorological information Exchange continues under the heading "Hydrological Affairs", that the three sides conduct hydrological measurements at stations to be determined on common borders to determine the natural flows of both flows and to share these measurements. Secondly, OTK will be directed about the current and planned plans for the Euphrates and Tigris for "Determining Water Needs". In this map, the current status, capacity, water losses of each project will be identified, and basic information and operating systems will be shown, product patterns and density will be specified, and annual industrial and drinking water needs will be divided into months. Finally, this information will be evaluated by OTK as soon as possible, reasonable and appropriate water amounts that each country can use from these two streams will be defined according to the minimum and maximum current amounts, and will be presented with a joint report to the ministers to ensure that a final decision is made." In the political sphere, Syria is focused on determining the water it will receive from the Euphrates with an agreement without mentioning the figure." Syria and Iraq, on the other hand, have said they do not trust Turkey, claiming that they are not interested in a permanent trilateral deal. In the continuation of this idea, with the completion of GAP, he claimed that Turkey would not stop in its promise of 500 m3/sec, which was set up in the 1987 Protocol.[100]

1. Iraq's objections to the Three-Stage Plan and the three-legged (or three-stage) solution proposed in response

Iraq bases its water policy on Euphrates and Tigris streams on the view of "historical right to use". Iraq [101], which began to make use of river waters first by building the first water facilities among the basin countries, is the country of water

projects belonging to the upper basin countries (Syria for the Euphrates river and Iraq) claims that it should not damage its water usage share.[102] Tc. The Foreign Ministry's views on The Euphrates-Tigris waters of Iraq are also recorded as follows: "The views put forward by the Iraqi authorities and various media outlets can be summarized as follows: Iraq's Euphrates and Tigris rivers "Accredited rights" due to their "ancient irrigation" on the accreditation right has two dimensions.[103] One has become a deserved right for people who live and benefit from these waters in the Euphrates and Tigris rivers, which have been giving life to Mesopotamia for thousands of years. Therefore, an upper-coastal country should not take away the rights of the people in question. The second dimension of the acquisitive Right is due to existing irrigation and water facilities. Iraq has 1.9 million hectares of agricultural land, including those from the Sumer's. Many facilities for irrigation in these areas are in the operating phase.

In the first filling phase of the Ataturk Dam, Turkey violated the "rules of international law"; In this regard, he did not give Iraq timely knowledge, but reduced the amount of water under which he committed to the Iraqi people in a difficult position.[104] Not only will it be, but building new dams and facilities, will lead to the suffering of lower-coasted countries.[105] The waters of the Euphrates and Tigris rivers should be "divided" by mathematical formula according to the needs of all three countries. According to this, Each country will report the amount of water it needs separately for each project and by stating that the project is in operation, under construction, or planned. Hydrological data will be provided separately for the Tigris and Euphrates rivers. After compiling all the data, the Joint Technical Committee will first identify water needs for projects in the business, then water needs for projects under construction, and water needs for planned projects, including individually for each river. According to Toklu's symptoms, Iraq is essentially similar to Syria's view and we can say again (three-legged) the proposal is understood as follows: "According to Iraq, the waters of the rivers in question can be divided by a specific formula according to the needs of the three countries. First, each country needs the amount of water it needs, individually for each project; projects that are first in operation will then determine for projects under construction and planned. According to Iraq, the average annual flow of the Euphrates River is 1.000 m3/s, so it would be reasonable and fair to leave 1/3 of this amount in Turkey and leave the remaining

amount to Iraq and Syria. "[106] On the other hand, according to some media outlets reflecting Iraq's views, the following issues are put forward: "With the 1987 protocol, Turkey has committed to leaving an average of 500 m3/s of water on the Syrian border from the Euphrates river until the Ataturk Dam is completed. With the completion of the Ataturk Dam, this protocol has expired. The final allocation must be made at a higher amount. This amount should not be less than 700 m3/s. Given that the average annual value of the Euphrates river is 1000 m3/h, it is a fair and reasonable approach to divide this amount into 3 equal parts, leaving one-third in Turkey and sending the remaining two-thirds to Syria and Iraq."[107]

C- Syria and Iraq's views on the Euphrates-Tigris Basin are the place in water law

When looking at the views of Syria and Iraq in the Euphrates-Tigris basin, which are given in general lines above, these views are more political (opinions and assertions that Turkey wants to use the Euphrates and Tigris waters for regional hegemonic targets) and ideological (Arab Nationalism in general, Baath ideology) weighs[108]. The scientific and legal basis of these views is very weak. As detailed as the above (Part Two, Part-4) is examined in detail; an established water law that can be applied at an international level has not yet been mentioned. Currently, framework contracts are being worked on for the non-transport use of international and undeveloped waters. Likewise, there is no mention of the state of law on water.[109] In addition, there is a reference to the concepts and approaches that the doctrines used for the development of international law stand out about the scope of the right to benefit. Since some states' agreements on water only connect the relevant parties, they do not have a direct impact on conflicts outside the signatory states. Therefore, there is no general and comprehensive international legal arrangement that can be applied directly and immediately in resolving disputes related to river systems involving multiple countries.

According to Turkish authorities, the idea of "Accreditation Rights" is a claim that has been frequently pronounced by Iraq in order to ensure that Turkey leaves more water and provides a basis for such views.[110] On the international platform, however, there are views that this idea alone is not important. According to Prof.

Stephen C. McCaffrey, a lawyer who has been a reporter since 1985 on the code of law on waterways to the International Law Commission, the projects of a lower-coastal state on the cross-border river the right to object or block these activities to the upper coastal states that have made attempts to build facilities on that river. Having already begun water use over borders constitutes only one of the factors that can be considered in order to achieve a fair allocation.[111] Turkey, from here; He argues that the claims of Syria and Iraq, in particular, are not an effective rule alone in terms of "historical rights" or "ancient rights".[112]

The idea of "Dividing Common Resources with Mathematical Formula" was put forward by Iraq with the idea of guaranteeing the water use of its facilities in the business, and Syria supported this idea with a similar approach. The idea of "Mathematical Division" was initially rejected by the International Law Commission and is completely contradictory to the basic elements of international law being created with the principle of "use-equitable utilization". Because the fifth article of the Article of the Article 1994 adopted by the UN UHK states: "The parties will use the remaining part of an international stream (or streaming system) in their own countries in a manner and rational way. The relevant countries will use and develop international flow water (or system) in accordance with the necessary protection conditions, providing optimum benefit.[113] On the other hand, the idea of "sharing common resources" is an approach that is not accepted in international legal studies related to borders. For this reason, the borders are not considered "Dividable Natural Resource" by the international environment and related bodies.

The allegations about the first filling phase of Atatürk Dam are also considered politically purposeful. Because, during the time of the first filling, Turkey has left the amount of water it has committed to lower coastal countries (See Table above -30) The irremediable farmland that Syria and Iraq have declared by their projects in relation to the use of the waters does not reflect the reality. Many foreign experts on the issue say that in reality, the land of both countries is well below what is declared.[114] The goal that both countries want to achieve is to ensure that international law rules to regulate the use of excess waters for non-transportation purposes are created within the framework of their own views, and thus international pressure on Turkey to be able to set it up. Accordingly, both countries have gone on their way to

seek international support for their arguments about the territorial waters, thus making efforts to create economic and political pressure on Turkey. Meanwhile, Iraq, Turkey, and Syria are trying to get the maximum share of the Euphrates River, thinking that consumer use from the Tigris River will not be much compared to the Euphrates and that the opportunity to take advantage of the Tigris will remain largely in itself. Syria, on the other hand, supports Iraq's position, as it will pass the excess water through its own field, and assesses Iraq's interests over the Euphrates in its own interests.[115] Turkey has rejected the sharing of the waters legally while introducing a proposal for regional planning and rational and effective use of the waters.

The proposal package, known as "Optimum, Rational, Decent Use of Tigris-Euphrates Basin Borders Water", or "Three-Stage Plan" for short, is to remove a joint inventory of all regional water resources between the parties, than to agriculture in the entire basin reviewing and limiting the favorable land and discussing the total water consumption needs of the basin, which is connected to the land use and product pattern, and finally the evaluation of the water and soil resources of the basin together. the determination of which agricultural projects can be applied in the most rational way with which agricultural projects and what irrigation conditions, and the water needs of each country will be compensated for the shortcomings.[116]

3.9- Water law and "Three-Stage Plan"

As seen in the detailed examination conducted above (Part Two, Part 2), water law is still in the process of forming and developing. For today, it is not possible to talk about a universal agreement that is binding on all states, for example, as in the maritime field. In the international rule of law, the fundamental principle of sovereignty and equality of states (which is the provision contained in Article 2 of the United Nations Agreement) is binding solely on participating parties; Hundreds of agreements involving more than two states are known to exist in a bilateral or regional manner. Biswas says that's about 300.[117] However, the difference in the ability and achievements of the states that are party to these agreements in accepting the bargaining powers and conditions to their interlocutors, as well as the geographical

characteristics of the streams subject to the agreement, are very different. Due to very different results, it is also not possible to create a rule-based on them.[118]

Therefore, in the field of Water Law, according to the current data, turkey's "Three-Stage Plan" for the solution of water problems in the Euphrates-Tigris Basin to examine the legal characteristics of the one-to-one "touchstone" in the form of a general and it is not possible to mention the text of international law of binding nature. Today, all international water problems in the world, the decrees, and rules referenced are the sources of international law. These resources are as stated above (See Part Two, Part 2.2.); agreements, the general principles of the law. Article 34 of the Vienna Convention on the Law on Treaties. according to the article, as a rule, agreements only bind the parties. Because according to this article provision, "An agreement, without consent, gives rise to neither rights nor obligation quiescence for a third state."[119] In exceptional cases, some agreements may also bring several rights for third internationals. Examples include that agreements between coastal states on some of their waterways give other countries the right to passage. The "international team" in article 38 of the International Court of Justice Status, which will be applied in the resolution of disputes, is defined as proof of the general practice accepted as the rule of law. In order to arise a team (Rule of Development) consisting of the merger of two elements: material element and spiritual element (psychological element, opinion juris and necessitates), a belief in the direction that these behaviors are not sufficient to repeat in the same direction, but also to the existence of a belief in the direction that these behaviors are required as required by law.[120] "The General Principles of Law", defined as the common legal values of states, are also: "Goodwill, loyalty (Pacta Send Servando), respect for earned rights, abuse of rights, compensation of damages, finalized judicial decisions respect, the rule of international law, continuity of the state."[121]

Decisions of the judicial or arbitration bodies (cases) that constitute the international source of aid include decisions of all judicial bodies and arbitral it's regarding this rule of law and will be applied only to these sources in the resolution of disputes is consulted for the investigation and determination of the original resource. In other words, these decisions do not apply in conflicts of similar nature, as an

international rule of law.[122] There are not many refereeing decisions on international or cross-border rivers. The decision of the decision in this area, which is the subject of evaluations, is the decision of the arbitrator of Lenox Lake. "As the waters of Lake Lenox and the Carol river are designed to be detected by France, this decision regarding the dispute between France and Spain is, as a fundamental approach, the absolute sovereignty of the country - namely the Harmon Doctrine, the country, any limitation of the state, based on the consent of the state. It cannot be restricted; b- Therefore, there is no rule of law that limits the right of the state to benefit, denies the views of the law. France has not formally embraced the Harmon Doctrine in the dispute, but the Agreement on May 26, 1866, which is at the heart of a dispute with Spain, has given him the right to sovereignty over the waters in his country. he argued that the sovereignty of the country cannot be restricted beyond the provisions of the agreement and that the restrictions contained in the agreement should be interpreted narrowly. The court did not agree with this view, which resulted in the country's "absolute" recognition of the country's pasture after the 1866 Agreement stated that France had already imposed some restrictions on the sovereignty of the country and that there may be other restrictions. the parable declared the concept of sovereignty: before the court, (provisions contained in the 1866 Treaty that limit France's sovereignty) constitutes the exception of sovereignty, so it should be interpreted narrowly. has been driven. The court cannot accept such an absolute formula. The sovereignty of the country constitutes a coin. The coin in question falls in the face of all international rulers, regardless of its source, but can only be refuted by them." The court considered the sovereignty of the country to be a despicable coin, acknowledging that it could be limited by the voices stipulated by international law, regardless of the source. Thus, the sovereignty of the country has become a concept that can only be restricted by rules, and by all international rules – therefore, it can be limited by rules."[123] The other two referees in this field; In 1872, the two countries accepted the arbitration of British High Commissioner Sir Frederick Goldsmith in a dispute between Afghanistan and Iran over the use of the Helmand River. Goldsmith, in his decision dated August 19, 1872; In addition to their views on the border dispute between the parties, he explained that coastal states should not harm each other in the qualia of the Helmand river waters." Another example is that a review of an 1858 agreement between Costa Rica and Nicaragua was signed in 1858 when he applied for the arbitration of U.S. President Grover Cleveland in connection with an 1886 dispute

over the San Juan River. Cleveland, 22 March 1888, after stating that the agreement was a performer, the upper shore of Nicaragua has been clamped down on the right to benefit: "The Republic of Costa Rica has brought the republic of Nicaragua to its home country and its own account development work – provided that these efforts do not cause flooding or damage in the Costa Rica country – provided that these efforts do not cause flooding or damage in the Costa Rica country. it can't be." Apart from these examples, there are also national court hearings issued in Austria, Italy, Switzerland, Germany, and the United States.[124] 38. Of UAD Status. the doctrines of the contractors expressed in the article are usually applied in the interpretation of the rule of law and in the evaluation of them in response to other rules. Doctrine not only contains the views of expert authors, but also the reports and opinions of scientific institutions and organizations, as well as the personal opinions and dissenting opinions attached to various cases of international judges and arbitrators.[125]

In the field of water law, there is a wide contribution of dissident doctrines. Here in order to conduct a review of the Three-Stage Plan; summarize that international rivers and borders at the point where international law comes from.

According to Cem Sar's findings, the results of the studies in the field of water law are as follows: "1- In accordance with international law, coastal states are the water in the areas that pass through the countries of international rivers or limit their country. they have the right to benefit based on their sovereignty. 2- International law rejects excessive doctrines that give an absolute quality to the right to benefit and lead to allegations of superiority to a single coastal state in the use of international river waters. 3- In terms of the scope of the right to benefit from international law, the sovereignty of the absolute country has been reduced to sovereignty. 4- In accordance with international law, coastal states may change the terms of "per se" of the waters in the country of other coastal states of international rivers. 5- International law does not impose a mandate to allow coastal states to obtain their consent from other coastal states before using the use of international rivers. There is no pre-agreement requirement for the use of international river waters, which coastal states and other coastal people can take against their actions. When applied, the rejection of the doctrine of the integrity of the natural situation, which leads to the recognition of the right of veto to the lower-coastal state, is the result. 6- While using the right of coastal

states to benefit under international law, they have no obligation to observe the possible use of other coastal states in the future. 7- International law does not recognize absolute immunity, which prohibits the actions of other coastal states to exploit their current use of coastal states on international rivers, on a pre- priority basis. 8- International law does not recognize immunity for the use of coastal states – which will be identified in light of the specific conditions of each dispute and other factors – does not exceed their reasonable and fair share. 9- In international law, rules have not yet developed, indicating that while coastal states should not harm their current use while exercising their right to benefit."[126] As of 1970, Cem Sar's determination on the concept of harm has shown quite a lot of improvements over the past 35 years. UnN UHK, in 1994; and referred him to the UN General Assembly; In the Articles Bill, which was given the full text in ANNEX-II, changed the concept of "Considerable damage - appreciable harm" used in its previous work to "Significant damage – significant harm", and as such, the concept of damage was preserved in the same way as the "Framework Convention" (See Annex-III), adopted at the UN General Assembly in 1997. This new understanding of the concept of harm constitutes an important stage in water law.[127]

In the process of systematically converting the rules of law based on the form of customs and menstruation into written forms of law, the gaps in the field of water law are also mandatory. In this context, the 1911 Madrid Declaration of the Institute of International Law and the 1961 Salzburg Decree and the Declarations of the International Law Association (UHD) dated 1956, 1958, 1960, and 1966 and the United Nations Law Commission (UN UHK) reports dated 1978, 1989, 1991 and 1994 are the most important of the studies carried out in this field. UHD's 1966 meeting is an important step in the field of coding. The non-binding recommendations, known as the Helsinki Rules, shed light on the work that was later done. In terms of the "Three-Stage Plan", the provisions of the Helsinki Rules on "fair and reasonable use" brought by Section2/ Article 4 and 5 are of the right to be considered. This review is below; The FRAMEWORK Convention on the Non-Transport Use of international waterways will be made in conjunction with provisions on the same issue that it has further developed.[19]

[19] Turkish Ministry of Foreign Affairs, Water Issue in the Middle East,p.42-43.

"In the future, a basin country cannot be denied the use of these waters in the future, because the common basin country will use its international drained basin waters in the future." the article is in line with the views of the three-stage Plan at the point of use of the up-and-down coastal country. Article 27 of the Helsinki Rules, which imposes responsibility for peaceful resolution of disputes, is a responsibility to the parties. (The obligation to resolve disputes from peaceful ties is also the international rule of law established by Article 2 of the UN agreement.).[128] One of the two main features of the Three-Stage Plan, the water problem is in the same direction as the goal of resolving the prevailing environment of insecurity among the coasters. As is known, if the problems between states become a threat to international peace and security, the peaceful resolution of the disputes will be made to the UN Treaty. It is a mandatory rule under article 33. In order to eliminate disputes, the parties must be able to submit reasonable existing information. the three-step plan fully supports the article. In this case, 27. when evaluated the rule of the article and the understanding of international law together; the following result. Today's international law is firmly committed to the degree of social solidarity and the consensus of will between the international units, especially the states, in terms of both the arise of the rules and their application to concrete events.[129] Note that international law does not establish any general rules other than the rule that states should resort to peaceful means of resolving disputes, and leaves the issue of which peaceful lysis to be elected to the consent of the states you need to pull.[130] For the full text of the Helsinki Rules, see Appendix-I. One of the legal texts that the Three-Stage Plan can be subject to a broader review in the current case is that it is not the only one that can be subject to mutual evaluation. It is the UN Framework Agreement on the non-transport use of international waterways. This "Framework Agreement", adopted at the UN General Assembly on May 21, 1997, and examined above (Part 2, Part 2), suggests, is also based on its name. because a framework is an agreement, it will not have a direct effect on resolving disputes; however, since the principles and rules it brings constitute the latest legal norms that the international community accepts in relation to water use; the countries that sign the agreement must take into account these principles and rules in the future water agreement. Of this agreement, 133 countries attended the UN voting meeting, 103 voted to accept, and 27 abstentions. Turkey, along with China and Burundi, voted against it. Although it is clear that the agreement will bind the countries that are parties and will not bind non-parties (Reza Doctrine);

It is also necessary to draw attention to the doctrine of voting in international law: "The doctrine of consent that connects the formation of international law rules, the implementation of these rules, the open or implicit approval of the parties in question, the bipolar system during the period of international law, it remained the primary importance for development and implementation. At the same time, there has also been a significant increase in the relative importance of the doctrine of voting in terms of the formation of international law. The most appropriate example of the doctrine of voting, which means that a rule adopted by an "overwhelming majority" or "less than a majority, but more than a simple majority" will be attributed to general validity, the United Nations General Assembly some decisions are made.

[128] After the objectives of the United Nations Organization, which are stated as ensuring international peace and security, developing friendly relations and ensuring cooperation…, are specified in Article 1 of the Organization Agreement; The principles to be followed in order to achieve these goals are listed in article 2 as follows. a- the principle of the sovereign equality of the member states, b- the fulfillment of obligations with benevolence, c- the peaceful solution of international disputes by peaceful d- the principle of not using force and threats against other states' integrity and political independence, and in other matters incompatible with the objectives of the UN, e- Assist in any organization action and decision to be taken in accordance with the provisions of the UN Treaty f- Ensuring that non-UN states participate in ensuring the international peace and security as much as possible. See[20]in;

[20] Pazarcı H. Ibid, II. Printing, p.126-128.
129 Pazarcı, H., Ibid, I. Printing, p.483-485.
130 Pazarcı, H., Ibid, I. Printing, p.488-489.

There are also authors who say that these decisions, which are recommended and have more political meaning, are binding and contribute to the development of international law."[131] Article 13 of the UN Act. "to promote the gradual development and legalization of international law"; While UN General Assembly Resolutions are not self-binding, it is accepted that it contributes to the development of the law. In this case, it is clear that the framework agreement in question will be limiting, even if it is not binding on Turkey. What the Tri-Stage Plan differs markedly in or differs in the "Framework Agreement"; the definition problem at the beginning of the job. 2. Titled "Using terms". "International waterway"; is described as "a waterway whose departments are in different states". Based on this definition that saw above that there were views that treated the Euphrates and Tigris rivers as international waterways, and that Syria and Iraq were defending this view. However, in the Three-Stage Plan, Turkey, which describes the Euphrates and Tigris as "Borders Waters", proposed that the definition of "International waterway" be made as follows during the negotiations at the UN General Assembly: "The waterways that make up a border and cross-border waterways through two or more states." This definition proposal, which is a kind of classification style of Turkey, has not been accepted. (See Part Two, Section-2.4.) On the other hand, we see that the concept of "Waters in The Past" is used in some international texts: for example, article 17, 1992 of the Helsinki Convention on the Use and Protection of Borders-Crossed Waterways and International Lakes according to; "The water that tests is the surface and groundwater that make up the boundaries of two or more states, exceed these borders, or are located on these borders."[132] Twenty-six countries signed this convention. The United Nations European Economic Commission has other conventions and instructions based on the text of this agreement. For example, if you want to In 1996, 'Instruction on connecting wastewater discharge from point-to-border sources to over- border waters', in 1996's 'Chemical storage facilities and solid waste areas to prevent, control and reduce the contamination of groundwater, advice to the governments of the European Economic Commission on taking precautions', 'Instruction on monitoring and evaluating water quality in cross-border streams' in 1996, monitoring and evaluating cross-border streams in 2000 instruction', 'Instruction on monitoring and evaluation of over-border groundwater' in 2000, 'Instruction on sustainable flood prevention' in 2000.[133]

Section One, Section 1, the concepts bet, "international" and "cross-border" water lines were examined in the opinions indicating the differences. Looking at these views, it will be seen that the criteria that have been considered so far in the definition of "International" waters and "Cross- Border" waters differ over time. "Internationalization of some rivers with agreements" with geographical criteria and transportation criteria (In this context, the "Final Promissory Note of the Vienna Congress dated 9 June 1815, the Paris agreement signed on 30 March 1856, signed with Germany at the end of World War I, and which rivers "will be defined internationally" with the 1919 Versailles Peace agreement and international significance About the Regime of Navigational Waterways, the Barcelona Convention and Annex Status of 20 April 1921 are contracts that must be emphasized in terms of the introduction of multinational streams to international status.").[134] Identification of navigational rivers in terms of maritime to determine the international status of streams such as "Common Waters", "Shared Natural Resource", "Multinational Waters" "Non-national waters" "Over bound waters"; geographical clamping, with the availability of transportation is taken into account, but with the increasing importance of non-transportation benefit issues, this time the availability of transportation is replaced by the impact criteria; But here, when we have difficulties in detecting the degree of importance of rivers, finally watching a course where only the geographical criteria are discredited.[21]

All these phases show that there is still no certainty that such waters will still be generally accepted in identification. In the meantime, it is seen that a concept change has been changed in the identification of the rivers in question. On the one hand, the criteria change to determine the scope of the concept of "International river" – "Regulated water area"; On the other hand, new definitions are raised based on a geographical region under the name of "river basin", which runs beyond the concept and instead of the "river" unit.[135] Although the term "International" was used and thus accepted in the Framework Agreement; The "international" statement used to describe

[21] 131 Sönmezoğlu, F., Introduction to International Relations, p.20-24.
132 Şimşek, T., Ibid, p.14-16.
133 Öziş, Baran, Fıstıkoğlu, etc., Ibid, p.34-36.
134 Şimşek, T., Ibid, p.8

a geographical situation, such as the fact that parts of the waterways are located in more than one country, is said to be wrong to place a different meaning, and that such waters are "multinational" the concept that should be evaluated and the concept that will best emphasize this will be the expression "cross-border". (See Part One, Chapter – 1.2.6) Moreover, the inclusion of more and more elements of the issue, along with approaches and growing needs diversified by the criteria change and scope expansion summarized above, shows that even today, each of them has different characteristics this deficiency will manifest itself much more clearly in the future, as it is incapable of fully explaining the nature of the rivers it owns. It concludes that currently, the UN Framework Convention will be considered in resolving disputes to the extent that it can reflect the rules of international law. However, at the point of responding to changing conditions and evolving needs over time, the availability area may become narrower even more.[136] After summarizing the phase of international law, which is one of the most important points of conflict between the coasters in the Euphrates-Tigris Basin, in terms of concept and identification; it can move to other aspects of the Three-Stage Plan. The Three-Stage Plan has received legal and political criticism from various segments, particularly in Syria and Iraq, other relevant states of the Euphrates-Tigris Basin. It is possible to summarize these criticisms as follows:

Instead of sharing or mathematical division, the "Three-Stage Plan", which aims to address the problem of water shortages through regional planning and effective water use, does not recognize the rights of its down-ground countries over international waters, and the Tigris and Euphrates are the only basin on the grounds that the fact that other states have a say in agricultural policies will not be incompatible with the principle of sovereignty; it has not been accepted by the interlocutor countries, Syria and Iraq. On the other hand, some authors argue that Turkey is based on the "Harmon Doctrine" while defending its views on exploiting the Euphrates and Tigris rivers.[137] Some authors also wrote that in none of the agreements signed by Turkey to "place its water policy on absolute sovereignty"[138] is a trilateral and final one to keep the initiative in which it does not permanently share the water resources in the basin with lower basin countries. he does not agree with the sharing agreement and wishes to keep the amount of water needed for GAP[139] as his own right in the future." On the other hand, "in fact, there is an arrangement that actually divides Euphrates waters between the three countries, turkey signed in 1987

with the Economic Cooperation Protocol, which is committed to leaving more than 500 m3/second of water per year on average, Syria and Iraq signed in 1989 with a protocol signed in 1989, 42% of the water from Turkey and 58% of Iraq agreed on allocation.[22]

However, turkey does not adopt the concept of common sovereignty over borders, Iraq is not a party to the 1987 protocol, and more importantly, the protocol is not considered an insufficient and temporary guarantee by the lower ground countries, for reasons that Iraq is not a party, and more importantly, the protocol has committed an average of 500 m3 to "the completion of the Ataturk Dam reservoir and the final allocation of Euphrates waters between the three countries".[140] On the same issue, "Turkey does not use the concept of "international waterway" that defines the waterway within the borders of multiple countries accepted by international law because it thinks it can push itself to a water-sharing agreement [141] ("divide"), describing the Euphrates and Tigris rivers as "border waters", so it is one of three countries that voted "Law on the Use of International Waterways" to the UN General Assembly on May 21, 1997. Euphrates and Tigris Waters, [142] which remain within its borders because there are no parties to the agreement, do not have to enter into a compromise with the lower basin countries" views were also voiced. [143]

But the plan in question is that it's not going to be When examined in light of the developments made by water law, especially in the last quarter-century, it is more realistic and more relevant to the general trends of international law, primarily compared to the proposals put forward by Syria and Iraq on the issue. is seen. The legal dimension of the Three-Stage Plan is the legal dimension of river waters, which form or exceed the borders of two or more states; it is based on the theory of use in a reasonable, reasonable, and useful (optimum) way. The use of water in these criteria stipulates the equality of rights of all coastal ulks. The intention of equality of rights here is that each coastal state has the same rights as other coastal states, taking advantage of water in its needs. This way of use will ensure that the relevant states

[22] 135 Sar, C., Ibid, p.313-315.
136 Toklu, V.; Ibid, p.52-53.
137 Kliot, N., Water resources and Conflict in the Middle East, London, 1994, p.98-102.
138 Pamukçu, K. Ibid, p.245-247.
139 Pamukçu, K. Ibid, 245-247.

meet their needs to the widest extent by damaging each other.[144] The principle of "fair and reasonable use" on which the Plan is based contains the following five elements: (These principles are equally accepted in the doctrine of Fair use and the Helsinki Rules.): 1- In the use of the waterway, there is equality of rights. 2- Equality of rights does not mean an equal division of water. 3- Fair and reasonable exploitation refers to a utilitarian concept. 4- The concept regulates the use of water for the purpose of benefiting, not sharing. 5- While the current needs of users cannot be met, it is against the use of water for future needs.[145] This theory proposed by the International Law Association and the International Law Institute is increasingly finding a place in the field of international law. The principle of using the "generally accepted" [146] waterway in the Convention on the Non-Transportation Use of International Waterways, which was adopted and presented to the state's signature at the United Nations General Assembly, is valid both in resolving cross-border water disputes and for optimal use of these waters.[23]

Article 5 of the UN "Framework Convention" [148] in question. in the article, *"The waterway states will use the international waterway in their country in a reasonable and reasonable manner. An international waterway will be used and developed by waterway states, especially* with the view of achieving benefits consistent with optimal and sustainable use from this waterway and adequate protection of the waterway, and taking into account the interests of the relevant waterway states." the principles of principle are also defined in very detailed detail in Article 6:

[23] 140 Gün Kut, Ibid, p.474-476.
141 Turkey, international waterway definition of "forming a boundary watercourse and two or more states passing through transboundary watercourses" was proposed to be classified in the form indicated, but this proposal was not accepted. See in, Toklu, Vefa, Water Issue, International Law and Turkey,p.36- 38.
142 The other two countries that voted for rejection are China and Burundi. 106 countries accepted and 26 countries abstained from the general assembly where the said agreement was voted. See in: UN, General Assembly Official Records, 99th. Plenary Meeting (A/51/PV99), 21 May 1997
143 Pamukçu, K., Ibid, p.2454246.
144 Toklu, Ibid, p.27-29.
145 Şimşek, T., Ibid, p.64-65. (Transfer from: Chauhan B.R., Settlement of International and Inter State Water Disputes in India, Bombay, 1992, p.30-31.)
146 Bilen, Ö., Ibid, p.80-82.
147 Yüksel, İnan; "Legal Dimensions of International Watercourse 8Euphrates and Tigris)", Ali İhsan Bağış (Ed.). Water as An Element of Cooperation and Development in the Middle East, Ankara-1994, Hacettepe University and Friedrich Naumann Foundation, p.232-234.

*"Article-6: Principles of Fair and Reasonable Use; Within the meaning of Article 1- Article 5, the fair and reasonable use of an international waterway requires that all relevant principles and conditions be observed along with the following. a- Geographical, hydrographic, hydrographic, hydrological, ecological, and other natural quality factors, the social and economic needs of b- related waterway states, the waterway-dependent population in each waterway state, the effects of use or use in each waterway state on other waterways states, e-Waterway current uses, f-water resources protection, development and other measures related to the costs of use in this direction the presence of alternatives, 2-5. in the implementation of the article or the first paragraph of this article, the relevant waterway states will negotiate in cooperation. 3- The weight to be given to each basis will be determined according to its importance compared to other relevant principles. When determining what reasonable and fair use is, all relevant principles will be discussed together, and a full-based conclusion will be reached." T*he article's software is mainly referenced in the 5th edition of UHD's 1966 Helsinki Decisions (See ANNEX-I). Article 2 of article 2. the factors to be considered in the paragraph of fair and reasonable use are as follows:

"a- The geographical state of the basin, including the proportion of drainage area that falls in each basin state, the hydrological state of the basin, including the water contribution of each basin state, c-climate conditions affecting the basin, d-Current uses historical use of the water of the basin, e-Economic and social needs of each basin state, the population in each of the f-basin states, population connected to the water, g- To meet the economic and social needs of each basin state the ability to compare remedies, to find other resources that can be used, i-In the use of basin waters, prevention of waste, as a remedy to reconcile conflicts between j-uses, the opportunities to compensate one or more basin states, The degree in which the needs of the k-Basin state can be met without serious damage to another basin state."[149]

Turkey shall refer to the text of the UN Framework Convention as "Pedology" (–the science of soil quality and related soil classification) for the classification of the territory that constitutes the second stage of the Three-Stage Plan in terms of aqueous agriculture; "Water contribution made by each basin state to the waterway" offered to be put in place. However, it is not the first time Six countries, including Syria and

Iraq, have been called "pedology"; Twelve states, including the United States, Iraq, Syria, Iraq, Lebanon, Egypt, and Sudan, were opposed to the water contribution statement. (See Part One, Chapter – 2.4.) In the details of the "Three-Step Plan" whose text is given in the above paragraphs; In the first phase, water inventory is increased by measuring water at stations to be determined in all three countries in the Euphrates -Tigris basin; control of data, control of water caldera, water consumption and destruction of water losses; In the second phase, inventory work of soil resources; Information about soil classification and drainage criteria adopted and applied in each country, control of soil classes of operational, construction and planned projects, the study of plant patterns according to soil classes and drainage conditions, calculation of irrigation water and washing water needs in the operation, construction and planned projects based on these studies;[24]

In the third phase, evaluation of water and soil resources; i.e. in order to minimize water losses in planned projects, determination of irrigation systems, research of modernization and reclamation facilities, according to the calculations of water needs made in the second stage; determination of total water consumption of all projects, including the supply of drinking, irrigation and industrial water in each country, evaporation losses from reservoirs and irrigation systems, and the possibility of water transposes from Tigris to the Euphrates. to develop a model for supply-demand balance, to negotiate methods and criteria to determine the feasibility of projects in the planning phase.[150] As you can see, the scope and objective of the "Three-Stage Plan" clearly demonstrate the joint work that needs to be done so that the Euphrates and Tigris waters can be used rationally, objectively, and optimally. The principles of cooperation laid out by the plan are for all relevant states; it is based on a measure of fairness in terms of both sovereignty rights and equality of rights in the exploitation of water. Because all activities envisaged in the Plan will be replenished by the participation and joint work of representatives of all three states. Therefore, all applications will be carried out under the same conditions (=equal terms) for each country. In this case, it is not right and valid to interpret the efforts to

[24] 148 For the English text of the contract see. above (Section-4)
149 For the full text of the Helsinki Rules, see: (ANNEX-I) Article 5 on fair and reasonable use on evaluation. See in: Sar, Cem, Ibid, p.300-
302. Bilen states that in the Article 6 of the Framework Agreement, the principles of fairness and reasonable use have been made ambiguous in some respects and the scope has been extended. See in: Özden, Bilen, Water Issue in the Middle East and Turkey, p.80- 83.

extract water and land inventories in all three coastal countries in the direction of interference in the internal affairs of any country and therefore in violation of sovereignty rights.[151] The Three-Stage Plan, in its respect, is the 8th Amendment, which brings the principle of general obligation in the cooperation of the "Framework Agreement". 11. for the exchange of information about the article and planned measures. 25, which regulates the regulation of the flow of matter and flow of water and the evaluation of needs and opportunities. in parallel with the provisions of the article. However, Turkey, during the discussion of the Framework Agreement at the UN, the title "Planned Measures" and 11 to 19. section 11 of the Third Section containing the materials. All other provisions, except the article, were opposed on the grounds that it imposed restrictions and prohibitions on the upper coastal state and gave it the opportunity to carry out inspections, instead, it offered a package proposal, but this proposal was only supported by republics that feed the Republics of Ethiopia and Slovakia. Annex III.)*"The Three-Stage Plan demonstrates the main principles of a multilateral and comprehensive water agreement that is fundamentally intended to be reached. As is known, agreements between the States are the leading source of international law. Because states that are parties to the agreements fill the gaps in international law by making arrangements that create rights and obligations in accordance with their own will, establish a relationship, change, or end the current relationship. The binding of an agreement on the country that is a party is entirely the result of the will of that country. In fact, the concept of sovereignty in terms of international law is the right of a state not to recognize the legitimacy of any human-qualified external limitations that are not based on its consent."*[152]

Therefore, if a trilateral agreement is reached based on this plan, an arrangement based on the consent of the parties' countries will be mentioned. As a matter of fact, in relation to the Euphrates- Tigris basin, experts on the subject; "a legal agreement must be reached that guarantees good-faith and fair use among riverside countries that will realize that voluntary alliances will be more balanced and permanent than compromises reached by the persuasion or difficulty of foreigners of the world. "[153] Watershed treaties are not only about ending tensions but also leading to the establishment of basin management spurts to ensure joint and efficient management of water resources.

It is as important to use water as best as sharing water. Water treaties can perform these two functions. In addition, each water treaty leads to the further clarity and settlement of international law on this issue. International treaties, which are the most important source of international law, solve water sharing and usage problems in certain basins, while on the other hand, they facilitate the development of solutions by exemplifying similar problematic basins.[154]The Three-Stage Plan is evaluated in the light of the information that has been examined so far; Many elements of the proposals proposed by Syria and Iraq for the solution (hydrological measurements, determination of water needs and dividing water compared to existing and planned projects, etc.), are more comprehensive, more balanced and reasonable, i.e. in fairness measurements. Meanwhile, the demands and demands of countries that have banked on the rivers are higher than the total water yield of the Euphrates and Tigris. (See Table 28) Therefore, it is needed to arrange to use the waters of the Euphrates-Tigris river basin in a rational, rational, and sustainable way. The development of coordinated and independent projects by basin countries can create several difficult problems whose solutions will not be easy to find. However, with appropriate and coordinated planning and implementation, many of these problems can be eliminated, eliminated, or greatly reduced.[155] The three-stage plan follows the principles of water conservation by not wasting and optimally using water contained in the UN Framework Convention.[156] It is clear that the implementation of the plan will serve the interests of Turkey, whose territory is more favorable to the most effective product, with the least water consumption than Syria and Iraq, and will require Iraq and Syria to make significant concessions from its agricultural projects.[157]

"But here, the decision that the countries of the region should make is this: It is more rational to increase prosperity on a regional scale by making water adequate by taking advantage of scarce water resources and creating common interests through cooperation, or scarce. Will it be preferable to face a bigger crisis soon by trying to solve the problem individually with its share of resources, with all agricultural projects reaching the point of blockage in the near future. Making this decision is difficult in the Middle East conditions of today. However, if developments in the region tend to soften the environment of instability and mutual insecurity, it will be possible to make more realistic assessments."[158]

In this context, the development of Euphrates-Tigris water resources in Turkey has essentially useful aspects of cooperation. If the plan is evaluated in this direction, concerns that could lead to depression will easily fall behind. Bagis, Euphrates-Tigris basin water problems are the only way to fix the cooperation, stating that the following assessment: "In the Middle East, rationality, unfortunately, does not happen as a basic approach of life most of the time. Political rhetoric sometimes masks the reality of long-term technical cooperation. Political figures, especially statesmen, always refer to water as the cause of war! "The lack of a regional program to protect water supplies can lead to war." In an official prediction, "If Turkey does not show the necessary sensitivity to the historical rights of Syria and Iraq; conflict may arise." There is no doubt that people who make such statements say that water is the perfect focus for interstate cooperation at any other time.[25]

The absence of two or more multilateral water allocation agreements on water allocation in the Middle East leads to mutual insecurity in the primary political interface and a lack of co-operation in the relative economic field. When talking about the water issue, the synonymous use of the words of conflict and war becomes almost dominating outside and inside the Middle East, with apocalyptic scenarios almost dominating. In this case, how can the source of tension between coastal countries be overcome? In areas where states depend on common values; to follow the procedure, to meet the criteria of international law, to develop cooperation is easier. Otherwise, the Region remains one of the most unstable places in the world. In this case, the water problem is only one of the causes of instability." [159] The views on "Turkey's water policy on the doctrine of absolute sovereignty"[160] do not reflect the facts within the framework of the Three-Stage Plan.[161] Because the Three and Progressive Plan proposed by Turkey; is in full contrast to the principle of fair and reasonable benefit adopted by the International Law Commission.[162] It should be underlined here that fair and reasonable use was suggested as an alternative to the idea of absolute sovereignty during the criticism of the Harmon Doctrine. The Doctrine of Absolute Sovereignty, essentially the 19th century. Long before the U.S.-Mexico water conflict, which began in the late 19th century, was named "Harmon Doctrine"; In

[25] 154 Pamukçu, Konuralp. Water Politics, p.114-116.
155 Altınbilek, Doğan, Ibid, p.25-27.
156 Meanwhile, in relation to transboundary waters, international law has left the right

1851, German jurist Johan Ludwig said: "…Each state is about to achieve its own goals... even if it has harmful effects on other states, it has the right to regulate within the borders of the country, especially by changing the media of rivers." Turkey, on the other hand, considers the principle of not causing significant damage to lower-coasted countries with this solution proposal brought in the framework of the Three-Stage Plan. So, an understanding that can be interpreted as (whatever the status of the down-ground countries I use the water originating from my land...) is not available in the Three-Stage Plan.[163] Turkey objected to the way the framework convention was held at the United Nations, the concept of "significant damage". However, his objections here have been at the point of spotting whether the relevant party has shown the necessary caution on the significant damage. (See Part Two, Chapter – 2.4. UHK's Work).

Turkey currently has an annual average of 1,000 m3 /sec. 500 m3 water is left in Syria and Iraq from the Euphrates waters. fount country is in the square where about 90 percent of Turkey leaves 50 percent of the water from its own country to offset countries, with no technical problems in this regard since turkey's energy and irrigation projects were commissioned. However, given the demands of Syria and Iraq, turkey leaves 70% of the Euphrates waters to these countries and it will be enough to settle for 30%. The Doctrine of The Principle of The Supremacy of the Previous usage, which is based in Syria with the Doctrine of the Integrity of the Natural Situation, was examined in detail in the relevant sections above, which is no longer valid in International Law.

The Doctrine of the Integrity of the Natural Situation has been suggested as a contrary view of the Harmon Doctrine to allow lower coastal states to benefit from international streams. The most diligent dispute proposed in the international arena of this doctrine is the Nile stream dispute, which was issued in 1924 and was temporarily resolved in 1929. But then in 1959, Egypt abandoned the extreme view in a note to Sudan in 1925, suggesting that it was the protection of existing uses against this country alone. The Integrity of the Natural Situation has not been accepted in international law because it gives the lower-bound state a kind of veto in the use of cross-border waters. The Doctrine of Pre-Use rule is that the benefits of coastal states

before other coastal states from international or cross-border river waters should be considered as a right that must be respected for absolute respect, should not be harmed. However, in the paragraphs above, we found that international law does not accept such a rule. One of the criticisms directed at the Pre-Use Supremacy Doctrine is the possibility of preventing economic development, especially in upper coastal states, if this doctrine is implemented. (See Part One, Section - 2.1.2.2 and Chapter - 2.1.2.3) Turkey aims to use 51.8% of Euphrates waters in exchange for its contribution of 88.7%. Syria aims to use 31.8% of these waters in exchange for its 11.3% contribution. Iraq also demands 64.6% of these waters, even though it has no contribution to Euphrates waters.[164] When make a similar assessment for the Tigris river, see that the following situation: Turkey's contribution to the Tigris river flow is 51.9%. In contrast, the proportion of water it aims to use is 13%. Although Syria has no contribution to this flow of streams, it wants to use water at 5.4 percent. Iraq's contribution to the flow of the Tigris river is 48.1%. In contrast, the amount of water it aims to use is 92.5%.[165] Bilen's following assessment of agreements on the use of river waters between various countries clearly demonstrates the meaning and importance of the Three-Stage Plan, which have reviewed above (Part Two section-3) regarding agreements relating to the use of river waters between various countries:

" a- Based on official documents in which only 5% of the U.S. basin waters are allocated to Mexico, the upper basin country in the Colorado River. Similarly, the agreement between Israel and Jordan is devoted to Israel's use of all the waters of the Upper Jordan River.

1. *Syria, which is a fount country in the Yarmouk River, left the waters under 250m jeans to Jordan's use under the agreement in 1987 with Jordan. (Beaumont, 1997). However, much of Yarmouk waters are above the level of 250 m and are used by Syria. When the Indus River Agreement is carefully examined, it is seen that the issues are looked at in technical terms and the result is reached only by this method in solving the water problem between India and Pakistan. In the Middle East, technical data and facilities were ignored and the problems were tried to be integrated with the complex political structure of the region. Turkey, as in the case of Indus, proposed that the Euphrates-Tigris Basin be treated as a whole and based on health data.*

a- *The agreement between the Kingdom of Lesotho and the Republic of South Africa agreed to pay a regular price to the upper coastal country in exchange for the waters used by the Lower African Republic. In the face of the table described, there is no example of the desire to allocate Euphrates river waters, 90% of which are formed on Turkish soil, equally between Turkey, Syria, and Iraq, when other agreements so far have been evaluated."*[166] (Part Two, Part-4) In the Middle East, where the examine its geopolitical characteristics; The answer to this question is probably present in this manifesto.[26]

"Water flows in its physical state (both above ground and underground) as well as on both visible and unseen sides of politicians in the Middle East! the phenomenon in Zahira is already visible. But once the agreements are made, complaints to the United Nations are moved, and the debate over the plans begins to cross the border as debates continue! Water is always the most strategic factor in political and military maneuvering in the Middle East... In the Middle East, water is both a vehicle and a goal."[167] Sandra Postel's remarkable approach from the World Watch Institute in Washington strikingly reveals this: "Over the next decade, the issue of water in Jordan, the Nile and the Euphrates- Tigris Basin is either a degree of cooperation or burning, as ever seen. there will be a cause of conflict and fighting." [168] In addition, while examining the water problem in the Middle East (See). Part Two, Part – 4) noted that water problems caused many tensions and hot conflicts. The major problems, particularly on the Jordanian (Sharia) River, have also put political problems in the Middle East in a complete stalemate. In 1953, the Johnston Plan, which had lengthy negotiations on the sharing of the Jordan River waters, was rejected for political reasons (which would mean Israel was recognized by the Arabs, etc.), then escalated the events until the great war in 1967. Israel, which defeated Syria and Jordan in this war and controlled all arms of the Jordan River, retains general control of the basin with the occupation as a de facto. Currently, Syria and Jordan can use less water than is prescribed in the Johnston Plan from this river. The problems on the Jordanian river are strikingly important for peacefully resolving water problems with agreements. On the other hand, in 1975, when Syria filled the

[26] 164 Turkish Ministry of Foreign Affairs, Water Issue in the Middle East,p.6-8
165 Toklu, Vefa, Ibid, p.126-128.
166 Bilen, Ö., , Ibid, p.254-257

Tabka Dam lake it had built on the Euphrates River, Iraq claimed that three million farmers had been damaged, and the sides began to pile up troops at the border with the tension that escalated at once between the two countries; Then, with the intervention of Saudi Arabia and the Soviet Union, a hot war was prevented.[169] As seen above, Syria and Iraq's views on water problems in the Euphrates-Tigris Basin are being examined; Syria has come up with a plan that does not explicitly admit but envisages the equal use of Euphrates waters. Iraq, on the other hand, has made recommendations requesting the installment of the waters after this need is determined and the rights of the accreditation are determined. In contrast, Turkey, as in the case of Indus, proposed that the Euphrates-Tigris Basin be treated as a whole and with a technical study based on health data. The long-running water problem between India and Pakistan called the Western Rivers; Ravi, named Jhelum and Chenab arms and East Rivers with its capital arm of Indus, is a comprehensive agreement on the Sutlej Beas arms, as a result of detailed technical studies conducted through the World Bank. (The Indus Agreement of 1960) has been resolved. (See the Second Part Above, Part 3.6 Water Problem on the Indus River Between India and Pakistan.) From 1947 to 1960, the Indus Water Problem was met with the agreement, for various reasons (Kashmir turkey, which has been tense since far, and Pakistan have created considerable relief in their political relations. The stable situation brought about by this agreement on water continues. Some Middle Eastern countries believe that the Euphrates and Tigris rivers should contribute to solving their own internal and international water problems. Economic forces, which are not directly parties to the issues, have pursued a policy in their own interests rather than constructive. (For example, in the Euphrates-Tigris basin, in the elimination of water problems, the parties are not in a position to reach a solution on their own, so they need some encouragement in this area; the only authority that may be able to impose a solution on this issue is an important factor for the party, which is already the United States, who wants to accept his own opinion because of its considerable political weight in the Region, is...) opinions have been laid in the way.[170] In such a complex picture, the technical approach of the Three-Stage Plan presented by Turkey was ignored and almost ignored.[27]

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[27] 167 Naff, T., Matson, R. C. (Eds.), Water in the Middle East, Conflict or Cooperation?, p. 178-183.
168 Water in the Middle East, Potential for Conflicts and Prospects for Cooperation, p.12-14.
169 Hillel, Daniel, Rivers of Eden, The Struggle for Water and Quest for Peace in the Middle East, p.

However, when the above figures are evaluated together, the amount the three countries aim to use in the Euphrates-Tigris water system, i.e. the total demand is 107.39 billion m3. In contrast, the current water volume of the two rivers is 85.25 billion m3. Therefore, it is not possible to meet the demands of the current volume of water. However, both the flow height and the amount of use, the more available than the Euphrates by transferring water from the Tigris to the Euphrates, the lack of water in the Euphrates can be significantly eliminated.[172] In the Three-Stage Plan, it is recommended to use the Euphrates-Tigris system consisting of a single basin in this respect. "Another point on which Turkey's water policy is based is that the Euphrates and Tigris rivers are a common basin. Both the water collection areas of the two rivers are located at the Eastern Anatolian elevations, and the two rivers merge disassembled the Şattul Arab River, which is the basis of this argument. In addition to hydrological grounds, Iraq's transfer of the Tartar Canal and Tigris waters to the Euphrates River justifies the Turkish view that the two rivers wish to be handled together. Turkey wants the Tigris and Asi rivers, which are shared between the basin countries, not only about the Euphrates but also to be brought to the table. In this way, he thinks that the water inventory of the basin countries will be revealed in its entirety."[173] A similar approach to Turkey's view was put forward by India in the 970s against Bangladesh in relation to the waters of the Ganj river. While together, when there was only one state, it was separated by the name Bangladesh at this time,), during his talks with India, connecting the waters of the common rivers to a permanent basis, not temporary, and for which an arrangement would cover all rivers. After lengthy negotiations, the agreement between India and Bangladesh in 1977 agreed to give 63% of Ganj waters to Bangladesh during the dry seasons. Indian authorities say the agreement is based on the understanding that the construction of a canal between the Brahmaputra river and the Ganges to increase Ganj waters will be seriously discussed, and that the countries concerned with the waters will have the right to justice and fairness. Should benefit according to; they stated that this can be achieved by considering the population, soil,

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107-110.

170 Allan, J.A., Mallat, C. (Eds.), Water In the Middle East: Legal, Political and Commercial Implications, p.220-222.

For more information see in: , J.R. Starr and D.C. Stoll, US Foreign Policy on Water Resources in the Middle East, The Center for Strategic and International Studies, Washington D.C. 1987, p.123-125.

171 Bilen, Ö., Ibid, p.245-247.

and needs. India also said that the country that claims to be damaged by the reduction in the amount of water should prove, that Bangladesh, which opposes the construction of the Farakka Dam, is unfair in this regard, that building a dam is the country's most natural right and the water held in the building dam. The country that built the dam declared that the final rules were settled in these matters in the international arena. As seen here, India has pursued a policy with the united states of The Euphrates-Tigris in the conflict with Bangladesh over the Ganges. The essence of this policy is that the principle of use has been adopted in relation to the river waters that cross the border through its country. [174] "The main problem in the region is the problem that the waters are not in abundance to respond to the need with today's use and trends. No matter how scarce resources are shared, scarcity is not a cure for itself. Moreover, fair sharing is still highly controversial. Even if inadequate resources can be divided according to the principles of fairness, the amounts of the parties' share will continue to be inadequate. In addition, the conditions that determine the principles of sharing are constantly changing, and the needs differ. While the need for water use is constantly increasing, new crises are inevitable when a few consecutive years of drought is a failure to leave the minimum amount of water that the country has guaranteed to be down-ground with the agreement."[175]

As far as the reviews have been seen, the ideal way to address the problems that are embankments between states is legal solutions reached by two or multilateral agreements. Because such solutions are based on the consent of the parties. In this way, permanent solutions can be provided in terms of the waters that are experiencing problems or create limits. For example, between the United States and Mexico; A comprehensive 1944 agreement was reached on the Rio Grande, Colorado, and Tijuana Rivers to solve the nearly fifty-year water problem. The Joint Commission, established with this agreement, has undertaken important roles. Article 28 in the water law literature holds an important place in the water law literature in terms of the provisions contained in this agreement. For this reason, the full text of the agreement is given in EK-IV. Similarly, a landmark agreement was reached between the Kingdom of Lesotho and the Republic of South Africa in 1986 regarding the use of Senqu/Orange River System Waters. This agreement is related to river management, including the 8th, 9th, and 12th Edition of the "Trans Caledon Authority – Authorized Administration". Materials are given in the full text in EK – V. Similarly, an

agreement was reached between Swaziland and the South African Republic on the Komati River. In agreements on the Komati and Senqu/Orange rivers; it can be said that a general and very reasonable application has been established that the upper coastal countries should benefit from the waters that cross borders fairly and reasonably and that they should act in the context of not harming the lower coastal countries while doing so. (See Part Two, Section-3.5) On the other hand, a joint bilateral technical commission between Mexico and Guatemala to find pottery on the ongoing water problem over three river waters, Usumacinta, Suchit, and Grijalva, continues. (See Part Two, Section-3.3.) According to Peter Rogers, the most rational and reasonable method of water sharing is to cooperate. Because water problems, in its nature; It has a feature that can easily conflict between basin states due to common use and requires cooperation so every shore error can be maximally profitable Cooperation agreements in the entire basin provide great economic conveniences in the management and use of international water resources.[176] As a matter of fact, water resources management was planned in the European-Mediterranean Cooperation Program with the "Mediterranean Water Requirement" signed in Rome in 1992.[177] Likewise, the "Water Framework Directive", adopted by the European Union in 2000, envisages joint management planning across the basin. This directive is 13/3. The EU impact report asked Turkey to work in the Euphrates-Tigris basin to plan joint governance with other coastal countries across borders.[178] The Three-Stage Plan aims to final regulate the use of these basin waters through joint planning and cooperation at its core, and in this direction, it is in compliance with the norms of European union water law. When rationally considered, it concludes that even all disputes and wars during human history, but in the end, they can be ended again with agreements made by the relevant parties. Between 835 and 1977, 2081 agreements were made on water, of which 1020 were made between 1914 and 1977.[179] In this case, to mention a law rule established to resolve the dispute sparked by coastal states to exploit cross-border and border-forming streams; It is possible to say that this rule is to make an agreement to solve the problem.[180] As mentioned earlier, the agreements are the leading source of international law. In water problems, coastal states deviate into the wrong policies, exacerbating the problems and pushing them into insolvency. As a result of the fact that water problems are being investigated in Central Asia, major environmental disasters arise as a result of incorrect agricultural policies and a lack of protection of water resources. In the meantime, the fact that some coastal countries want to engage

Moreover, Syria's policy [181] of supporting the separatist terrorist organization in the past in response to the water issue has once dangerously strained relations between the two countries. However, the normalization of relations between these two shores, the establishment of a common friendship dam on the Asi river; also near Cizre, where it borders Turkey and Syria; It was agreed that Syria should transfer water from the Tigris River to the Euphrates. Let us immediately state that the Three-Stage Plan also includes the formula for transferring water from the Tigris to the Euphrates. As seen in this example, some problems that remain unresolved can be easily solved in an environment of insecurity that has dominated the search for coastal people in the past. In this case, it is necessary to make good use of the opportunities for an agreement that arises in the settlement of disputes. Thus, the Euphrates-Tigris Basin water problem, which is widely discussed in political and strategic environments, is prevented from being subjected to the intervention of other states or international organizations outside coastal countries. In the Middle East, where there are currently 13 of the 29 countries in the world with water shortages, it is much more difficult to reach a solution to water problems than in other parts of the world. Because "Water issues in the Middle East are very complex; striking, heated, numerous, intertwined, technical and therefore exceptionally grumpy. The confusing characteristics of this complex come from two characteristics; The first is that the water serves many purposes. In this respect, water is both vehicle and purpose: drinking, cooking, cleaning, health, cooling, recreation, conservation of nature, fisheries, flow regulation, transportation, firefighting, crop irrigation, soil protection, industry, hydroelectric power, and aesthetic purposes. Water is also a weapon used in local and international sizes (in the form of diversion altogether... Secondly, water issues, life-sustaining, security, nationalism, demographic change, economic development, foreign policy, domestic policy, ideology, and other issues such as the environment are also incused to be associated with other issues. Water disputes provoke and retain these other issues..."[182]

On the other hand, with the process of increasing sensitivity and globalization on issues related to environmentalism, environmental organizations, which are increasingly weighted in international relations, have different types of international relations. may affect it. "Green Peace (Greenpeace) Natural Resources Defense

Council, Sierra Club (Sierra Club), and many other Western organizations and foundations are organizing demonstrations in Washington, Paris, London, Bonn, in China, India, chile, They want to stop dam construction in Malawi, Pakistan and many other countries."[183] This way of influence by environmental organizations can complicate the work of states at both national and international levels. To give an example from Turkey on this issue, the attempts of some environmental organizations to block the Ilısu Dam, which Turkey wants to build on the Tigris River, have had a very negative impact. Initially, Syria and Iraq opposed the construction of this dam, and for this, the political pressures on international financial institutions, culture, and natural assets in the region would damage the activities of environmental organizations; Turkey has become very difficult to find international funding it seeks for the dam.

Ilısu Dam, which was projected in 1982 and is projected to produce 10 percent of the total hydraulic power installed in Turkey and nine percent of that value, is expected to be produced by the UK and Swiss official financial institutions. due to withdrawal, it was unable to find the necessary external credit and it was laid in mid-2006 with a delay of about a quarter of a century. Similar consequences of the phenomenon of globalization can make it difficult to resolve water disputes between states. It seems that the coastal states of troubled streams will now have to take measures against the intervention of environmental organizations while trying to resolve disputes within the framework of their relationships. It is possible to conclude that control of problems in some ways will become increasingly difficult here. The relationship between environment and development was transformed into an international issue with the UN Conference on Human Environment held in Stockholm in 1972. The conference, which agreed to establish the UN Environment Program (UNEP) and celebrate 5 June as World Environment Day each year, decided to step up efforts to establish international rules on the environment.[184] The Middle East Region, as seen in our investigations, is already subject to external interventions for multiniche reasons. Especially given the needs of developing countries to build dams; Euphrates and Tigris Basin coastal areas should also pay attention to this issue. At this point, besides international law and international relations; hydrology, ecology, and climatology disciplines have been engaged and the problems are

technically more complex. Therefore, it is in the best interest of all three countries to resolve water problems in the basin without further delay. For this reason, the cooperation concept at the core of the Three-Stage Plan (carried out by the joint mechanism of experts of the three countries) should be more prominent. The Three-Stage Plan is being used by interlocutor countries; from this perspective, it will be useful for all three countries.

The purpose of international law is to ensure peace and cooperation between states. In terms of the international system, the functions of the law; justice, compliance with the purpose (practical benefit), legal safety, and order, as in the national rule of law. To summarize the rigid repercussions of realism in international relations with Hobbes's "Homo hominy lupus - man is the wolf of a man."; It is also possible to make the summary of idealism with Seneca's "Homo sacra res hominy - a sacred being for man." In the examinations so far, the importance of water as a source of life, especially humans, and the inevitability of water resources to be preserved, developed, and used in a decent, rational, and optimal way was clearly seen. . States should also address the issue not in a narrow context, but on the contrary with a broad vision. Thus, not only national interests but also universal values are preserved. The discussion of the Three-Stage Plan, which has not been adequately focused in scientific circles so far, will contribute positively to both the solution of water problems in the Euphrates-Tigris Basin and the work in the field of water law.[28]

[28] 184 Özden, Bilen, p.3-5. For more information about this subject, UN commission on Sustainable Development, Comprehensive Assessment of the Freshwater Resources of the World-Report of The Secretary-General, General E/CN. 17/1997/9, 4 February

FOURTH PART
EFFECTS OF DEVELOPMENTS IN THE MIDDLE EAST ON WATER
PROBLEM

PART- 1 : EFFECTS OF "MIDDLE EAST PEACE PERIOD" ON WATER PROBLEM AND DEVELOPMENTS IN THE REGION

The reason that needs to open this topic in our study is that, as mentioned above (Part 2-4), the water problem of this region is perceived in a very different way than its counterparts elsewhere in the world. In almost every period, the "Middle East Peace Process" has been linked to the water problem.[1] I wonder where to get there with this kind of approach. Various analyses are being done on this: For example, the following questions are quite remarkable: " In recent years, there has been a continuous water fight in the Middle East in the international public, the next war in the region will come out of the water, not because of oil, but because of the water. Processing the theme... Conflicts with water use and sharing are available all over the world. No one claims that these are the seeds of war. So why is it insisting that the issue in the Middle East is addressed in an air of depression?... I wonder if the water issue in the region has escalated to the size of the depression, and the water problem of the region is asked to be solved in a regional framework?.."[2] Indeed, the title and contents of many books that deal with the Region's water issue often highlight the theme of armed conflict.[3] Boutros Gali, the former secretary-general of the United Nations, said the next war in the Middle East would be caused by water, not oil.[4] Although America is invading Iraq; For now, Gali's prediction has been wasted, but when looking at the events that have occurred over the last 50 years, that such approaches are not very baseless.

1.1- The Place of Arab States in the Region on the Water Problem

Until the First World War, the Arab world, which had a monolithic image throughout the region, was the scene of a complete separation after the great war. Various Arab communities that lived under the Ottoman rule for nearly 400 years and were drawn in the form of separate countries in accordance with the aims and interests of the victorious states at the end of the First World War; For a quarter of a century, the British and French remained under buffalo administrations. These states gained

independence after World War II. During the First World War, the British provocations, various material and military aid, and the Arab leaders who rebelled against the Ottoman State and fought against the Arab leader's goal were to establish a single major Arab state, in fact, central Damascus.[5]

However, the weaknesses of various Western states, particularly the British and French, who want to exploit this region, and the individual benefits of Arab leaders who are engaged in their love of personal domination; [6] This society, which has not reached the idea of nationality, has divided foreign states within a number of artificial boundaries and in the supervision of foreign states into separate states. The Arabs only had access to the opportunity to govern themselves at the end of World War II.[7] However, fragmentation based on minorities has become the region's leading political feature. This is a result that imperialist forces specifically designed. "For example, the Shiite majority in Iraq is ruled by the Sunni minority (Saddam's Regime before the occupation), the rule of Lebanon by the Muslim majority Maroni Indian minority, the rule of the Arab majority in Palestine by the Jewish minority, the management of the Saud family in Saudi Arabia, the rule of the Hashimi family in Jordan, the Alevi (Unsay) minority of the Sunni majority in Syria."[8]

There was no natural balance between the territory separated from the Ottoman Empire, the British and the French, and, of course, the artificial Arab states established in accordance with their interests. Natural, geopolitical, and economic differences between Arab states in the Middle East cause severe mismatches and disagreements between these societies. These people of the same race, who have the same religion, language, and culture, even if they can't act together, let alone unite, are seen in every event. Indeed, although they formed an organization under the name of the Arab League in 1945, they were found to have taken the front in opposite directions, helping each other in their wars against Both Israel and Iran. In inter-Arab relations, foreign powers play both an encouraging and prohibitive role in the movements of the Arab league [9]. In the changes in the Middle East, problems have always attracted extensions of the struggles of power. There are off-zone interests and global balances of strength play a role.[10] The Republic of Turkey has always attached importance to singing its relations with Middle Eastern countries and especially with

states such as Syria and Iraq, which are border neighbors. From a historical point of view, there is no reason for these relations to be different, in terms of Turkey. In contrast, it is not possible to say the same for the behavior of our southern neighbors against Turkey from time to time. A manifestation of these behaviors fed by a number of nationalist sentiments caused by having lived in the Ottoman period is due to the issues caused by water that is very little in the Middle East according to the need. [11] Turkey has so far tried to bring the water issue to a technical level. However, that these efforts did not yield as expected. Until recently, the main factor that prevented this was the position of the Damascus Government (Hafiz Assad Period).

Because "The Damascus Administration's desire to have a say under the control of the Euphrates has radically changed the course of the issue." With the concept of "control", the water automatically connects to a political interaction process, turning into a power factor. It is pushed into the second plan before the genuine framework is even formed."[12] For the Tabka Dam, which began construction in Syria in 1963, for Keban dam, which Turkey began construction in 1964, water began to subside from the Euphrates River to Iraq when water began to be kept in the mid-1970s. Iraq reacted with Shiite seismogram the filling of Lake Assad, and the 16th-century city, which has its own "right to use fairly," has been a "fair exercise." in 1975, he complained to the Arab League about the release of billions of 100 million m3 of water. The Arab League's commission for this issue has not made progress, and when Syria withdrew from the commission, relations between Iraq and Syria suddenly became very tense, and both countries began recruiting troops at the border. Competition from the ruling Baath regime factions in both countries and Syria's use of the Kurdish card against Iraq were other factors that escalated tensions. The crisis between the two countries could be prevented before it turned into a war, as Saudi Arabia attempted to mediate for a second time and the Soviet Union sided with reconciliation. A similar tension in the same basin began when Turkey began filling the Ataturk Dam reservoir in 1990. This time, Syria complained to the Arab League about Turkey. However, as a passionate tool for Turkey's "imperialist dream" [13], Iraq and Syria acted together, despite the cold relations between themselves, and formed a front against Turkey. Iraq has announced that the Turkey-Iraq Security Protocol, signed in 1984, will not be renewed unless the water problem is resolved.[14] Syria, on

the other hand, has continued to escalate the issue. In this process, Turkey has tried to keep the path of dialogue open. In April 1992, during a visit by then-Interior Minister Ismet Sezgin to Damascus, a security agreement was signed with this country. In August of that year, Foreign Minister Hikmet Cetin, during his visit to the Syrian capital, said that if this country remains adhered to the signed security agreement, Turkey will stick to its commitments on water. In December 1995, Egypt and six Gulf states openly stood by Damascus in the water dispute between Syria and Turkey, calling on Ankara to sign a "fair agreement" on the sharing of Euphrates waters.[15] However, as Syria continues its support for the separatist terrorist organization, then-Prime Minister Tansu Çiller said: "No way to do so. Syria's then-President Hafiz sent a message to Assad, announcing that "the water problem cannot be solved until Syria has closed its doors completely to the terrorist organization".[16] Relations between the two countries, where the water issue and security issues are thus interconnected, against Syria, unless the commander of the then Ground Forces, Org. Atilla Ates did not stop supporting the PKK in Hatay Reyhanlı on September 16, 1998. he climbed to the tensest point with the shift of troops to the Syrian border as part of the NATO exercise.[17] After this speech of Org. Ates, President Demirel warned in the same direction and Egyptian President Hosni Mubarak's visit to Ankara and then to Damascus on the same days, Syria, which saw the seriousness of the situation; He began radically changing his policy of supporting the PKK, which has been going on for 14 years, and soon removed Abdullah Ocalan, the head of the separatist organization, from Syrian territory. This was also the beginning of Ocalan's arrest process. This process is a clear manifestation of the realist approach in international relations, where the balance of power stands out. Syria, which has piled up much of its military power on the Israeli border, was not able to resist Turkey's possible use of military force. In the meantime, it is important to remember that tensions in the Middle East due to water can be seen not only between Arabs and Israel or Turkey but also between Arab countries.[29]

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[29] 12 Okman , Cengiz, Water Issue and Strategic Situation in the Middle East, Water Issue, Turkey and Middle East, Sebahattin Şen (ed), Bağlam Publications, İstanbul-1993, p.418.

13 See in: Koloğlu, Orhan, Dialogue for the Future of Turkish Arab Relations,, Birikim Magazine, No: 56, Aralık-1993, p.62-65.

14 Cumhuriyet Newspaper, 8 May 1990

15 Hurriyet Newspaper, 30 December 1995

16 Milliyet Gazetesi, 3 October 1993

17 See in: Dated September 17, 1998 Turkey, Hurriyet and Milliyet newspapers

Indeed, as mentioned before, Tensions between Iraq and Syria began in 1975 when Syria built the Tabka Dam. Iraq has entered hasty attitudes towards Syria, citing the loss of its three million farmers. So much so that the two states are on the brink of war. On the other hand, tensions may is between Egypt and Sudan and Ethiopia on the sharing of Nile River waters. An agreement reached between Egypt and Sudan in 1959 divided at least 55,000 million m3 of Nile waters to Egypt and 18,500 million m3 of Sudan. Egypt, the down-ground country that is completely dependent on the Nile in terms of water resources; The agreement, intended to secure water use, prevents Ethiopia's water use, an upper-ground country in the Blue Nile. Although Ethiopia is not a party to any agreement, it is facing the blocking of this country in implementing any project that would reduce the amount that Egypt sees as a "historical gain". In the past, Egyptian President Anwar Sadat's statements threatening Ethiopia with war are present in political and historical records. Meanwhile, Egypt plans cross-border military intervention in preparation for possible disputes over Nile waters and has taught them as a lesson at the Nasser military academy, which is alleged to have been developed to intervene in this country if the Ethiopian government revives old irrigation plans and builds new dams.[18.]

1.2- Water size of the Arab Israeli problem

Since the establishment of the State of Israel in 1948[19], the issue of water has been the basis of many of the large and small conflicts[20] between Arabs and Jews.[21] For example, in 1951, after Jordan announced that it would build the East Ghor Canal, Israel closed the Watergates south of Lake Tiberias, the beginning of conflicts between Syria and Israel in the summer of the same year, two years later, i.e.1953 The squabble sparked greater conflicts as Israel continued construction of the project on The Daughters of Yakup Bridge, which began when the Syrian Artillery [23] fired artillery at the construction site.[22] In October of that year, US President Eisenhower sent Eric Johnston to the region as a special representative. The goal was to reach a compromise to make the final sharing of the Waters of the Jordan River. After negotiations until 1955, a plan called the "Johnston Plan" was welcomed by the parties. However, the Arabs have not formally approved this plan because it would

mean recognizing Israel. Nevertheless, the plan, which is approved as de facto, is still taken as a reference point to a more specific extent, despite all the events and changes that have passed. Arab League Countries, which met twice in January and September 1964, developed a common water strategy against Israel moving Jordan river waters out of the basin with the National Water Carrier. A translation plan has been approved to prevent the Jordan River welding arms from flowing into Israel. For this reason, even the Arabs took the war and decided to gather the armies of Syria, Jordan, and Lebanon under one command. Construction of the Arab translation plan began in the early months of 1965, with escalating conflicts between Syria and Israel, and as a result, the great conflict came in 1967. Israel, which gained its absolute advantage in this seven-day battle, took control of water supplies in the Jordan Basin thanks to its territory.

After the war, he monopolized the Golan Heights and the Upper Jordan River, and the Banyans arm. Israel not only reached the occupied West Bank and the Lower Jordan River but also controlled vital aquifers in the region.[24] Israel, meanwhile, occupied Lebanon's Southern Region from 1982 to 2000 and illegally pulled water from the country's Litani River for 18 years. Although he has repeatedly denied Lebanon's claims and complaints on this issue, the issue has also been included in the United Nations reports. Israel's total water source disband is 1 billion 600 million m3' kind.[25] Of this amount, 640 million m3of the remaining 960 million m3 from the Jordan River are provided from groundwater sources. In other words, 60% of the total freshwater resources constitute groundwater and 40% are superficial waters, and all these resources have been developed.

In Israel, there are two important groundwater sites. One of these sites also referred to as *the "aquifer"* [26] in the technical language, is spread across the Mediterranean coast to an area of 120 km/h and 15 km wide, including the Gaza Strip, and is referred to as a coastal aquifer. The other groundwater field is the West Bank. The West Bank aquifer is divided into three parts: mountainous region, eastern and northern aquifers. The main reason for Israel's occupation of the West Bank is the rich underground water resources this site has [27]layers containing groundwater on the beach is fed by the rains that fall on the western side of the mountain range between the coastline and the West Bank. significantly limited to their use. In Gaza and the West Bank,

Palestinians use approximately 170 m 3 groundwater, which amounts to only 18% of the total safe capacity. The amount Israel uses is 790 million m3. Especially the Gaza Strip is in a great water shortage. Approximately 700000 people live in the region at 360 km2l, with about 2,000 people falling to km2 and one of the regions with the largest population density in the world. Although the amount of water that can be withdrawn safely in this region is 60 million m3 per year, water levels have been reduced using 100 million m.3 water, and water quality has been greatly impaired by the initiative of seawater.[28]

The water issue is an issue that occupies the most important place in the concept of national security of countries as an economic and environmental element. In particular, this issue stands out in the changes in the concept of security after the end of the Cold War.[29] "When examining the nature of the threats to security in the new era, it is seen that economic, social, and environmental elements gain weight. Indeed, the United Nations statement dated January 31, 1992, emphasized the non-military dimensions of threats to the international system, such as economic, social, environmental, and human rights. It has been revealed that much more efforts should be made to ensure security than prevent wars."[30]

In addition to the negativity that the New World Order imposes on the water issue, high-rate population growth in the Middle East region is another factor that negatively affects the problem. In the last 50 years, the population of the region has almost doubled to 300 million people.[31] Rapid urbanization and contamination of resources in the same parallel are another negativity. In terms of natural and human conditions, the forms of governance of the countries in this region, where negative situations are almost clustered, are not of any means that will facilitate the solution of the problem. The dominant forms of governance in the region have monarchical and authoritarian characteristics. Only the administrative regime of Turkey and Israel is democratic.[30]

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[30] 24 Pamukçu, Konuralp, Ibid, p.208-212..
25 Tahal, The Water Sector in Israel, Tel Aviv: Tahal Consulting Engineers Ltd.,1993
26 Aquifer is a name given to layers containing groundwater.
27 Bilen, Ö., Ibid, p.120-123.
28 Bilen, Ö., Ibid, p.121-122
29 Barry Buzan, New patterns of Global Security in the Twenty First Century. P.431-433.
30 Changing the World and Turkey (Ed.) Sönmezoğlu, Faruk (Insert) Europe's New Security Order and Turkey, Eraydın, Özlem p.20- 22.
31 Pamukçu, Konuralp, Water Politics, p.148-150.

However, it is necessary to draw attention to the military's weighted role in both countries, which stands out on foreign political issues in general, especially on such strategic issues. Due to the Iraq and Cyprus issues, we can closely observe the sensitivity shown by the Turkish Armed Forces. In the water issue, there is no known disagreement between political authority and the military in Turkey, but it is always necessary to keep in mind the need to consider the sensitivity of the military in this field. For Israel, this situation is more pronounced at any age. Because the meaning of security for the Israeli Army is much more exaggerated. It's almost sanctified. "For Israel, which seeks national security in military solutions, the militarization of society has become a legitimate strategy, both inevitable and desirable, valued. David Ben Gurion, the founder of the State of Israel, said in a speech to senior commanders. "They say war is a continuation of politics with other means. It's not always true. Since our first ceasefire, every military activity is a kind of political action." According to Israel's founders, the army should have a special position in society. The army is the cornerstone of the State of Israel, the central point of constitutional institutionalization; On the other hand, the values he defended should be the political culture of society."[32] Let's think about strategic Golan Heights [33] and the water resources here; These hills, which are the main point of the conflict with Syria, are of very special importance to the Israeli Army and it is very difficult for the soldiers to accept a possible flexible behavior of Israeli political authorities. A similar situation is at stake for Egypt. During the Camp David Peace Talks in 1977, Israel's proposal to transfer a 10 percent of the waters of the Nile river to the Nejaf Desert by pipeline was first accepted by Enver Sedat. However, the confusion that this decision could have caused in Egypt, where the Nile is of almost mystical importance, was not considered. The Egyptian armed forces' primary mission is to protect and defend the Nile, which is considered Egypt's source of life. It did not materialize after the army received intelligence that Israel would not allow it to steal the Nile waters and that it could overthrow the Sedat administration in a military coup.[34] This political and military picture, in which we reflect very little from the Middle East, which feels water shortages and water stress the most, ultimately takes us to this point; As long as the Middle East remains stable in terms of political and military conditions, it is not possible to resolve the existing water problem between Palestine-Israel, Syria-Israel and Israel-Jordan unless a permanent and fair peace order is achieved, especially in

the Arab-Israeli conflict, the region's biggest pains. Because the conflicts that have been going on for more than half a century and the increasingly complex problems have led to deep distrust between Arabs and Israel. Indeed, the former King of Jordan, Hussein, said: "I'm not going to let you down. "No issue can force Israel and us to fight again. Except for water and the word is confirmation of this truth."

1.2.1- The Impact of Israeli State Policy on Water Problem

Israel is constantly trying to get results in its relations with Arab countries, including the issue of water, by constantly using force or by showing strength. In the time since 1948, a strategy based on the diplomatic and military dimensions of the concept of fighting to acknowledge Israel's presence as a state to Arab countries and guarantee its security has always been based on using force directly or indirectly. Mim Kemal Öke in his book Religion-Army Tension; Under the heading "Hebrew, Army and National Security Religion: Israel", considers Israeli policies as follows: "Surrounded by neighbors who do not recognize their existence and try to scrape it off the Map of the Middle East, the view of international relations of this small state would always be shaped by the prism created by the phobia of security. According to the Israelis, there are no friends in a world without Jews. Political realism is woven with pessimism and suspicion. Israel alone can maintain its security in this environment, not by alliances, but only by its own power and military strength.

Because even Christians are looking out for Israel if it serves its own interests. Based on this paradigm[34], Israel has built a national military industry and built its defense strategy on forward- line aggression. He has been alerted to possible attacks at any time, taking the initiative in case of any move, and he has conducted an active foreign policy with a policy that has frustrated his visions. Thus, Israel's deterrence will apply if it can scare its neighbors from their attacks. In order to maintain the image of a national security state, Israel also deemed "nuclearization"[35] appropriate. Israel's defense doctrine was not formed only in accordance with objective environmental conditions. Security is also in people's minds. As mentioned in part above, it was the first time that it had been subjected to anti-Semitic hostilities in ghettos, which have

been garb into exiles throughout its history. The fact that a race that suffered genocide in World War II was imprisoned in a security hysteria is considered a clear phenomenon by experts. The Israelis not only separate Palestinians living within their country as "others", but psychologically see them as "internal enemies." According to him, the moderate and reconciled attitudes of Palestinians with the potential of "open and imminent danger" are always considered with caution. For Israel, which seeks national security in military solutions, the militarization of society would become both inevitable and desirable, a legitimate strategy that was valued. This, as Ben-Eliezer wrote, produced the background of Israel's Militarism. In evidence of Clausewitz, who sees politics as a continuation of conflict or even war, Israel will make the military thinker the crown jewel of political culture. In other words, the state was founded and elevated above this column. Indeed, David Ben Gurion, the founder of the State of Israel, told senior commanders: "They say war is a continuation of politics with other means. It's not always true. From our first ceasefire, every military activity is a kind of military action."[36] The above analysis of Euc is confirmation of the following statements: "Shimon Peres: The population is growing. If we don't create a way to produce water for this time."[37] "Prof. Arnon Sofer of the University of Haifa in Israel said in 1990 that war would be fought in the Middle East because of the use of water resources."[38] Israel wants to control the water in its territory. From the Jordanian river, Yarmouk, and west bank sources, Israel supplies a large amount of water. The Zionist map, proposed in 1919 at the Versailles Peace Conference, includes the River Litani. Israel wanted to take control of the river in its 1982 attack on Lebanon. Israel wants the highest price from the Palestinians while providing the water needs of Jews in the occupied territories unrequited. All water disputes result in political turmoil.[39] The possibility that the water problem could lead to a war in the Middle East was first raised by the CIA's International Center for Strategic Studies in 1986. "The Center for International Strategic Studies, headquartered in Washington, publishes a report titled 'The Water Problem of the Middle East, out of the blue in 1986. The report includes research results such as the increased drought in the region, reduced river flows, water will be more valuable in daily life than oil, and a prophecy is made: ... Nile, Jordan and Euphrates... In the Middle East, future war will surely come out of the sharing of the waters of these three rivers."[40] Given that continued Jewish migration to Israel and more settlements are opened every day for new arrivals, there is not enough water supply available to the population of the future

State of Israel. Israeli authorities' explanations about the water issue are always tense: "Israeli Agriculture Minister Rafael Eitan: Water in the region is a ticking time bomb."[41]

Eitan, who has such interesting views on the water problem, was once the head of Mossad's military wing, LAKAM, and later served as chief of staff. "Israeli Prime Minister 's testimony comes to the same door as Eitan said: I hope the water problem will not be solved with a gun."[42] Again, shared, one of Israel's former prime ministers, said: "I'm not going to let you down. "For us, water is life itself."[43] His words strikingly reveal what water means to Israel. "For this reason, the water issue is a key nature to analyze Israel's policies."[44] Regarding Israel's water policy, N. Cerrahoglu expresses complaints from Palestinians: "Israel uses 90% of its water resources on the West Coast, which it occupies. He doesn't leave us any water to drink. That's one of the reasons for the occupation, and Israel has been building oasis in the desert with our waters for 25 years. In fact, one of the reasons he entered southern Lebanon is water again." The Palestinians say that because of the water problem, water is more expensive than Cola, and drinking Cola is cheaper. In the Palestinian territories occupied by Israel, the thirst is very serious. After all, over a million Palestinians are squirming from thirst. Open sewers are constantly polluting existing limited water. Palestinians can only use dirty water. If it's a biological war, it's a biological war."[45] Roger Garaudy, the famous French thinker, is the source of Zionist expansionism, as follows: "I gave this land to your land from the Egyptian river to the great river, to the Euphrates River." (Tekvin Section,15/18, 21)[46] Garaudy also reflects the integrity reading of Zionism: "If it has the Torah, if we consider ourselves the people of the Torah, it has to have all the land that is vested in the Torah." General Moshe Dayan, (defense minister of the Six-Day War) Jerusalem Post, August 10, 1967.[47] Joyce R. Starr and Daniel Stoll, researchers at the Washington Institute for International Strategic Studies, said in their research on "U.S. Foreign Policy on Water Resources in the Middle East" that a possible future war in the Middle East was caused by oil. they indicated that it would come out because of the water: "One of the most important reasons why Israel is invading the West Bank and southern Lebanon is that they have rich water resources. Golan Hills are mountainous, rainy, and reclusive regions. He can't get out of this place. Israel has

also occupied the Syrian part of Lake Tiberias, using the whole lake. Because water treatment from the sea is a very costly process. This affects even Israeli inflation.

Waterpower can be used to win friendships and trade together. But it's also liked a nuclear power that, once you're known to the people you have, it's great respect for them. Southeast, turkey's water-rich region. If things in the Southeast expand, it will be even more important for neighborly relations."[48] "Kivunim (Orientations), the publication of the World Zionist Organization, in February 1982. in the number of, the article, titled "Strategy for Israel in the 1980s," aims to divide Iraq's Basra into a Shiite Region in the south, a Kurdish Region around Mosul to the north, and a Sunni Region around Baghdad in the middle."[49] The purge of the Muslim Kurdish people in northern Iraq dates to the 1970s when a pawn state was established under the name of the Kurdish State. Mossad's assistance to Barzani has continued at regular intervals since the 1970s. Mossad provided Barzani with both modern weapons and various equipment.

In fact, then-Mossad President Meir Amit promised Barzani's supporters to help the camps in the mountains. Israel's aid to Barzani, which began in the 1970s, is described in the Cumhuriyet newspaper on April 5, 1975: "According to Newsweek Magazine, Israel has been supplying weapons and military equipment to the Kurds for five years, while sending military experts. “In his book "Barzani File", Hulusi Turgut describes the movement of Zionists to provoke Kurds in the Southeast as follows: "Jews who helped the Barzani movement in Iraq are also provocative and provocative in the Kurdish movement in Turkey."[50] The same book also includes the following interesting facts: “Indeed, it was also worth noting that many members of the Kurdish Committee for aid finance in Paris were Jewish. The Kurdish Society, which was founded in Amsterdam, the Netherlands, consisted of members, many of them Jewish, mainly president Silvio Van Roy."[51] The memoirs of Israeli general Rafael Eitan contain information that reveals the dimensions of Israeli- Barzani cooperation with all its nudity: "According to the memoirs, Rafael Eitan, at the request of Mustafa Barzani, went to northern Iraq in 1969 to see the uprising closely and discussed the fight against Barzani, the leader of the uprising, into a more common war. After his visit to Eitan, he told the Israeli Defense Ministry that the Kurds were very well

fighting, but they were deprived of advanced means of war and weapons and that they needed to be helped."[52] Israel's assistance to Barzani forces began with this report:

"After the publication of Eitan's memoirs, other information about Israeli-Barzani relations began to emerge in the Israeli press. Barzani also visited Israel twice, according to the September 4, 1989 issue of the weekly Ruz al-Youssef Magazine published in Cairo. During his first visit in 1968, in the second, Mustafa Barzani stayed at the home of David Gabay, a Kurdish Jewish who immigrated to Israel in mid-1950. On a second visit, he asked his friend if the gold necklace he brought with him would be a gift enough for Moshe Dayan's wife. From these revelations, Gabay and Barzani's fathers are very close."[53] "Kurdish insurgents in Iraq are always in Israel's interest. Mossad's support for the Kurds began in 1958. Israeli military advisers began aid covering ammunition and weapons in 1963. Training camps were set up for Kurdish officers in August 1965. In June 1966, Levi Eshkol held talks with Kurdish leaders. After the 1967 War, the Kurds were helped by Soviet-made weapons. About $500,000 a month was also funded. Kurdish leader Mustafa Barzani visited Israel in September 1967 and then in September 1973."[54]

1.3.Changing Concept of "The Middle East" and The Effects of the "Great Middle East Project"

On Water Problem the concept of "Middle East" needs to take a closer look at the controversy, comments that have flared up in recent years. Because of the ongoing mobility in this region and the changes and developments in which it seems inevitable that feels the effects in the future are inevitable, it can change both the factors related to the water issue and the parties. For example, the first water agreement between the Republic of Turkey and Syria was reached in 1921 by the Ankara Agreement. France, the mandatory state of the period, signed the agreement as to theother party.[5531]

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[31] 50 Hulusi, Turgut, Barzani File, Haşmet Printing Press, Istanbul,1969, p.123-127.
51 Hulusi, Turgut, Ibid, p.40-42.
52 Koru, F., Southeast and Terrorism Problem, Beyan Publications, Istanbul-1992, p.108-110.
53 Koru, F., Ibid, p.108-111.
54 Beit-Hallahmi, Benjamin, The Israeli Connection, Hardcover, 1988, p.19-22.
55 On the other hand, the Euphrates of the French mandate signed between the French and the British mandate on December 23, 1920. declared that Syria and Iraq complied with the terms of the agreement, which had to be discussed with the British mandate, and that the Tigris attempted to cause a decrease in

There is a situation that needs to be carefully examined today. In the present case, the United States is running Iraq, and it is not known whether this country will remain monolithic. I wonder if Iraq will remain all or divide disputed by three. How will the USA's effectiveness in this country be the future, when it began to rule in March 2003 by invading Iraq? How will a Palestinian state affect the problem in the short or medium-term? Moreover, when you say middle east, which countries enter the concept, and what will the political and military maneuvers that are being carried out here produce the consequences for the region?.. In order to shed light on these and similar questions, it is necessary to look at the current expansion of the definition of "Middle East."

After World War II, the Soviet Union claimed on the straits; Turkey's desire for Kars and Ardahan, on the other hand, supported the communists in the civil war in Greece, left the two countries directly facing the Soviet threat. The UK's notes to the US government have been informed that it cannot fulfill its own traditional responsibilities regarding these countries and that only effective American commitments against the Soviet threat can be protected. On March 12, 1947, Truman called for $400m in economic aid for Turkey and Greece.“ This process, which was put into practice as the “Truman Doctrine”, then continued in 1955 with the “Eisenhower Doctrine,”56 “Nixon Doctrine” [57] in the 1970s, “Carter Doctrine” [58] in the 1980s, and later in the USA with various orientations during Reagan and G. Bush. Middle East policy has entered a new phase after the September 11, 2001, terrorist incident in the format of the Greater Middle East Project or the expanded Middle East and North Africa Project. After the 9/11 incident, America's invasion of Afghanistan, meanwhile, its annexation of Pakistan, Uzbekistan, and Georgia, and finally invading Iraq in 2003, the borders of the Great Middle East, the large military deployment by the United States, and the large military deployment of the United States. is drawn by action. Already, the region from Gibraltar to Kyrgyzstan, Kazakhstan to the Caucasus, Yemen, and Sudan are considered as a whole by the definition of "Greater Middle East". And Condoleezza Rice, the current US President's Security Adviser, uses

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the waters that it had flowed into Iraq. representatives gathered in Damascus from 24 September to 9 October. See in: Alacakaptan, Aydın G.,The Expectations of Our Transboundary Streams, Tigris and Euphrates, to Cause Great Friction with Our Arab Neighbors are Exaggerated.

sharper language than Brzezinski. Ms. Rice wrote in The Washington Post on August 7, 2003, "Transforming the Middle East," [59] saying that 22 countries in the region would be redesigned. In some other speeches and records, the number of countries sometimes rises to 29. Although the phrase "Great Middle East", or "Broad Middle East", or "New Middle East" has become current for the past few years, it is essentially known that it has a history and background that is not considered very short. The end of the cold war, or rather, after the dissolution of the Soviet Union, was put into the expectation of "New World Order", using the world public, especially media tools, effectively, during the Gulf Crisis in 1991. Prior to the publication of this concept, theoretical studies were carried out, which is considered the beginning of Francis Fukuyama's famous "End of History" article, written by the Rand Corporation, which is considered the mastermind of the CIA.[60]

[56] The Eisenhower era is the years when the USA started to take an active role in the Middle East and the uncertainty policies were abandoned in the region considered as "vital". With Britain's membership and the US external support before this period, "Baghdad Pact" was established, but in 1958 in Iraq General in November from the monarchy subverting state power on Thursday after he left the pact of the country, the remaining members (Turkey, Pakistan , Iran and Britain) formed the CENTO, which would last until the Iranian revolution in 1979. Ari, Tayyar, "**The Persian Gulf and American Politics**", Water Issues, Middle East and Turkey, Sebahattin Sen (ed.), Context Publications, P.320-322.

[57] With Nixon's report to Congress on February 18, 1970, a new report brought significant changes in the foreign policy of the USA. the period started. During this period, he would support by developing diplomatic relations with the states in the Persian Gulf and by providing economic and technical assistance. However, the states in the region would have the ultimate responsibility for ensuring security and peace.

Fukuyama proposed a "homogeneous universal state" model to the world, noting that Communism and Fascism, which Liberalism considers alternatives, had been destroyed, and that religion and nationalism were perceived as potential dangers. Those who are part of this world order are over history, and those who are excluded are buried in history. Those who are stuck in history and those outside the Great

Powers have little say in the New World Order. Religion and Nationalism considered dangerous in the "New World Order", are being suppressed in some areas while being secretly supported in the interests of the Great Powers. Here, the Balkans can be sampled for both of the first choices, central Asia, the Caucasus, and the Middle East Region, which includes Turkey. Another dimension of the New World Order is manifested in the way that the United States and some other major powers, for now, are easier to intervene in certain parts of the world – for some reason that matters to them. The Middle East is one of the leading regions.[61] In the context of this aspect of the New World Order, the phrase "Greater Middle East", which began to be pronounced often, was used in American strategy and political circles as previously predicted. This concept, which is now widespread, describes the changes (and coming) of the world's political and strategic balances after the Cold War, shifting power and influence, and new formations in the geographical region of formations based on it, from Cebeli Tarık to Georgia, from Afghanistan to the Red Sea. Strategic competition and conflicts of influence of regional and global actors are active and trying to be in the Middle East, even fundamentally local, are immediately multilateral, making them more multilateral. To control the world's richest energy sources and transportation routes in the region, the prominent considerations of the policies of the United States, which surround the Middle East through a very large and dense military deployment, are strikingly explained by the important authors of this country; Between 1977 and 1981, Zbigniew Brzezinski, a Security Advisor to US President Jimmy Carter, [62] wrote in 1997 and translated into Turkish in 98, and his book "The Great Chessboard" was published in The 47th and 48th. The pages contain the following statements: "Is the United States, for example, ready to share leadership with Europe in the Middle East, a region that is closer to Europe than America, but also a region of long-term interests of various European countries? Israel comes to mind immediately. U.S.-European differences in Iran and Iraq have also been treated by the United States as a non-submission issue, not a matter of equals..." The same book is set to take the 29th century. A small paragraph from its page reads: "Especially after the brief sentencing mission against Iraq in 1991, special security regulations in the Persian Gulf have made this economically vital region an American military protection zone. Even the former Soviet Region has been infiltrated by various regulations aimed at closer cooperation with NATO, such as the Partnership for Peace, and which America is guarantors."[63]

Zbigniew Brzezinski, the conservative wing (neo con), which currently manages the Great Middle East Project, describes the strategy as "instant democracy" and criticizes some of the reasons it has put forward. "Instant democracy is "impatiently imposed democracy." This can have unintended consequences. This "Big Transformation Project created the first leg of the "Transforming the Middle East" by Us President Security Adviser Condoleezza Rice, published in the Washington Post.[64]

Then, on November 6, 2003, President Bush said, "The Strategy for Liberating the Middle East (after 9/11 said in a statement that will go to the Crusades.)65, "The Reform of the Great Middle East project 66 and finally, the statements of then-Secretary of State Colin Powell on the issue have determined the scale of the project," Vice President Dick Cheney announced in Davos in January 2004. Powell urged Arab countries to change to eradicate violence and terrorism in the Middle East, and President George Bush's administration said efforts to create a democratic society in Iraq and Afghanistan would continue in 2004. Writing in the New York Times, Powell said one of the President's goals this year was "a free and democratic Middle East" and "a free and democratic Middle East". Powell said they want to create an environment where a safe Jewish state, as well as a free Palestine, will be present. Powell said the United States would stand with the Iranian people in 2004, support people living under repressive regimes, and fighting for their freedom. America is also promising a modern future to countries in the region, as well as creating unified pro-government governments in the Middle East and creating sympathy for the people. This project is seen as a bridge between the United States and the Middle East. It is also emphasized that the United States will try to recruit Algeria, Saudi Arabia, and Lebanon to the World Trade Organization on the condition that they meet certain criteria. On the other hand, America's promise of more freedom and political reforms under the name of the Great Middle East Project is seen as a risk to the governments of countries in the region. International observers note that the Washington administration's reform move to the Middle East is behind the presence of energy and oil reserves in the region. In addition, the existence of Israel's problems with the Arab peoples plays an important role in the implementation of the project.[67]

The European Union has been opposed to America's "Great Middle East" initiative from the beginning, especially because it is concerned that it will block its Middle East and Central Asia expansion. The most obvious indication of the European Union's skepticism is that although it says America will bring freedom and democracy to the region, its interventions are always aimed at protecting the American interests of security and military quality and the Turkmen consider the concept of the new Middle East and America's foreign policy "It is now clear that none of the allegations put forward in order to justify the Iraq war are real. The U.S. Policy on Iraq and the Middle East is certainly concentrated before September 2001. He laid out the ideological basis of the Bush Administration's policy in a political lyric called "New Conservatives." Richard Perle, one of the most colorful figures in this draft, and David Frum, who worked at the White House for a while, wrote "An End to Evil" and revealed how deep prejudice and obsession about Islam are. The main theme of the book is that Islam aims to destroy Western Civilization and impose its own religion and law on it. According to the authors, the West either triumphs or is genocide against Islam. The wrath of Muslims is rooted in Islam itself. Saudi Arabia either fully cooperates with the West against terrorism, or the Eastern province with rich oil resources is severed from it. As for the Israeli-Palestinian conflict, Washington must abandon the idea of establishing a Palestinian State. "It can not cure the temple in the Islamic world that 9/11th year, by establishing the 23rd Arab State in the Judea hills. The regime in Tehran must be destroyed and all kinds of assistance should be given to the Iranian dissidents for this purpose. The Muslim wrath is synonymous with Arab culture. "Fundamentalists and secular militants in the Middle East, Sunnis and Shiites, communists and fascists have mingled with each other. They are all gushing out of the chamber of the ghazel ready to explode. " The solution to this situation is not democracy, but "democratization". Elections were tried in Algeria in 1995. There, the corrupt status quo was replaced by fundamentalists. Such an outcome is unacceptable. The reform process should be guided and cautious. "[6832]

[32] "President Bush Discusses Freedom in Iraq and Middle East", (6 November 2003), http://www.whitehouse.gov/news/releases/2003/11/20031106-2.html 66 Remarks by the Vice President to the World Economic Forum, (24 January 2004), http://www.whitehouse.gov/news/releases/2004/01/20040124-1.html

It is possible to understand better what the "neo conservatives" (neo cons) means by the democratization of the Middle East, by looking at the statements of a famous name from them. James Woolsey, who served as CIA director under Bill Clinton but is expected to take office as U.S. Supreme Commissioner in Iraq at one point, said in a nutshell at a discussion forum on April 3, 2003, at the University of California (UCLA) in Los Angeles, during the most violent days of the Iraq war. And this war will last for years, maybe decades. So much so that this war will last longer than the first and second world wars. I hope it won't last as long as the Cold War, the third world war in more than 40 years. Three enemies in this war are religious rulers in Iran, fascists in Iraq and Syria, and Islamist Extremists like al-Qaeda. They've waged war against America for years. But they just realized that. And now that have moved for a new Middle East, in the years to come, even so I think we're going to scare a lot of people in the coming decades. This is America's support for democratic orientations that causes concern in the Middle East. " In 1918, Britain and France, which shared important territory in this region, which had been under Ottoman rule for four hundred years, were deeply opposed by the Invasion of Iraq. While Britain, as the number one ally of the United States, was trying to maintain its effectiveness in the region from a second degree, France, along with Germany, strongly opposed the Invasion of Iraq, which the United States carried out as the steel core of the European Union, pushing aside the international system. EU members who have been trying to develop a common foreign policy since the 1970s; In 1986, he first laid the legal foundation for joint political work with The Single Promissory Note. Concrete steps of the institutional structure of common foreign and defense policies were taken by the decisions taken at the EU Council Summit in Cologne, Germany. For the first time in EU history, he has appointed a representative responsible for Europe's foreign policy and security. He was appointed as NATO’s former secretary general Javier Solana, as well as the General Secretary of the Council.

As Solana took over on 18 October 1999, his remarks signaled the roles and consequently policies that the EU aims to take on as a political force in the world. "Europe must be committed to its desire and ability to undermine its own interests and to accept these interests worldwide. To achieve this, three important steps are required: to create an effective decision-making process in common foreign policy,

transition from declaration-based foreign policy to action-oriented foreign policy, and to create an effective security and defense policy."[69] In fact, with the Great Middle East Project (BOP), the NATO summit with the Atlantic rift had gathered in Istanbul to lay the building blocks of a challenging lane. In fact, the G-8 meeting held before the Istanbul summit was sufficiently disagreed about what kind of trend would arise on key issues of the Istanbul meeting, and it was based on the problem of sharing.[70] Today, a global sharing struggle continues. The Great Middle East Project of the United States sits on four fundamentals. These four foundations, at the same time, are the 21st century's most recent use of the United States. It is the basis of its strategy to maintain unipolarity in the 19th century: "a- Balancing other forces of American power in Eurasia, b- American dominance over world energy sources, the c-EU's control within NATO, pushing Rusia into the boundaries; economic-political-military oversight and deferral of conflict with China, the elimination of anti-Americanism in the D-Middle East, the reconstruction of the region within the framework of the Great Middle East Initiative."[7133]

It is known that sharing fights have led to major wars on a global scale in the past. There is no denying the existence of a similar danger today. "The Monroe Doctrine was the first principle to be put together in a collective way about sharing the world," he said of the history of disagreements between the two sides of the Atlantic over sharing. But before World War I, England and France had obtained some bridge heads on the eastern coast of Latin America. The participation of the German Navy in this fight will be both the real cause of World War I and the cause of the US war against Germany later.[72] France [73], which has been in a diplomatic stand against Isgaline in Iraq for some time, then engaged in full cooperation with the United States against Syria in Lebanon. Meanwhile, during the social democrats' rule, Germany, like France, opposed the Invasion of Iraq, gave images of Angela Merkel pursuing parallel policies with the United States, with the takeover of prime minister. In this context, he was on the side of France and Britain, alongside the United States, in relation to Iran's nuclear program. Merkel's rhetoric on the issue gave a more stringent

[33] 69,Yıldız, Dursun, Water Issue in Mediterranean Basin, TMMOB Publications, Ankara 2003, p.40-42.

70 Hacısalihoğlu, İ. Yaşar, Journal of Geopolitical Researches, Kırıkkale Bookstore, Summer- 2004, No:11.

71 Özdağ, Ümit,"The Front Country - The Greater Middle East and a New NATO Strategy? " Eurasia File, Winter 2003, Binding 9, Sayı 4.

impression than the US authorities.[74] The policies of EU member states on the Great Middle East are undoubtedly very closely related to Turkey. Because Turkey has reached an important crossroads on the way to full membership with the EU. In this process, Turkey's foreign policy is in line with the EU's general policies.

1.4.- U.S. policy on water resources in the Middle East

The U.S. State Department has played an active role in regional waters for so long. Both the Ministry's Near East and South Asian offices and usage (especially Tel Aviv and Amman) in regional countries are closely following regional developments. These apartments are very interested in the political dimensions of developments economically. In addition to the ministry, the "United States Organization for International Development" is also doing important work. The agency has important experience in the evaluation of wastewater, water pollution, protection of water, the usage of water in agriculture. It produces effective policies, especially in Egypt and Jordan. So far, the agency has spent more than $2.5 billion on various water projects. The "Asia and Near East Circle" of the Organization is responsible for the management of technical elements and various policies within the Middle East Water Projects. Until recently, there was also the "Water Resources Committee". This committee was working as an official information centre; however, for a variety of reasons, the committee was recently terminated.

In addition, the Interior Ministry is also interested in the issue. "The United States Geological Survey (USGS) also plays an active role in water problems. He has been involved in over ninety projects. Likewise, the agriculture department, founded in 1902, is involved in various foreign projects. Of course, both institutions are not able to produce international policies; The U.S.A Department of Agriculture and the ministry's subsidiaries are also involved in water projects and programs in the Middle East. The Department of Defense is also monitoring water disputes and developments to the extent required by U.S. security. In addition, the United States cooperates with various countries such as Saudi Arabia and Israel on water. In summary, the United States has a strong history of developing water resources in the Middle East. He tries to gain an active role in both the creation, implementation and conclusion of all kinds of activities that arise on the subject, sometimes only through foreign aid. In the

future, the United States plans to take a much more active role in water-related issues in the Middle East.[34]

In particular, the focus is on technological development, more efficient management and storage of resources, increasing inter-institutional cooperation between water and preparing more comprehensive research and review plans.[75] The following comment on the current U.S. position gives a clear idea: "America's costly intervention in Iraq is very large, but only few are aware of it. Turkey controls the exit point of the Euphrates and the Tigris, a big part of the Euphrates, and intends to use the resources in its entirety. In this, it lies either a potential for an eternal conflict or the future of peace and prosperity. Turkey's massive Southeast Anatolia Project (GAP) includes 21 dams and 19 hydropower power plants and will eventually water and transform a large area up to Tennessee. Ataturk Dam alone has the capacity to hold the entire two-year flow total of the Tigris River. Both Syria and Iraq are opposed the water's direction and demanded more water distribution.

Only 60 of the more than 200 traditional water wells are in operation in part of the Tigris basin in northern Syria, and local authorities are pumping water floor, which is not cheap to fill dry stream beds, which will lead to a lack of grip. Syria has poorly built and inefficient water infrastructure, and the government has passionate plans to change the direction of water from the Euphrates, and a researcher Arab is exploring the arid, cracked territory in Iraq's Mountains. 90 percent of the swamps in the Euphrates-Tigris basin are dry. Under Saddam Hussein's leadership, he was not interested in planning and coordinating water issues with Iraq, Turkey and Syria. The "United technical committee" on water resources between Turkey, Syria and Iraq has not been convened in the last decade. But three months ago, U.S. advisers began working with Iraqi officials to develop a strategic plan to guarantee enough water

[34] 72 Ateş,Toktamış. Politicial History, Der Publications, İstanbul 1997, p.355-358.
73 In the speech he made at the UN General Assembly, Chirac directly targeted the USA and nobody himself, international he said he could not use force by pushing the law aside. AP Agency, 24 September 2003 Chirac stated in the interview published on BBC television that the world did not become safer with the overthrow of Saddam. BBC Press Office- Newsnight President Chirac interview, 17 Nov. 2004
74 Merkel said, "For those who do not recognize Israel's right to exist and deny the Jewish genocide, He said he could not expect tolerance. " Stating that Iran is developing mid-range missiles and is in an effort to manufacture nuclear weapons, Merkel said, "Iran has crossed a red border, which it also knows very well." See in, speech by Angela Merkel in the German Parliament on February 4, 2006. AP and AFP news agencies. February 5, 2006.

supplies for Iraq. The Iraqi new Minister of Water Resources has appointed and reorganized personnel with American help, planning a water commission for the first time and meaningful coordination with Iraq's upper-current neighbors. The Bush administration's $3 billion in funding request from Congress includes water infrastructure and water supplies. However, without guaranteeing the long-term water needs, this money may have been wasted. Meanwhile, Turkey is advancing the GAP project with hydropower units that it has completed almost and signaling the development of the regional economy in the southeast of the country. Turkish agriculture has not yet received the promised water 10 years ago. In fact, it's more important than the quantity of water. While more land is being produced in Turkey, Ankara's sending water to its Arab neighbors in the south will reduce the water quality. When major projects in Turkey significantly affect the natural flow of streams, will there be a water war in the Euphrates- Tigris basin in the next 10-20 years? Rather than a conventionally armed collision, this war seems to be more in the form of tension, worsening relations, people suffering and civil turmoil. Cooperation, water quantity and quality that can not be established between the parties, along with an additional demand for streams, will be a key factor in regional instability, led by a decline in economic and health conditions. This will undermine US policies in the region, which will increase its predisposition to fundamentalism and extremism. What can be done? There is a historic opportunity in the next few months that the United States could encourage the establishment of a water commission for these three riverside countries.

75 Koluman, A., Ibid, p.46-50. USA's an interesting approach to the assessment of the Tigris-Euphrates waters as follows: "Turkey is preparing to print to the water problem in the US. Koban the construction of the US in the 1960s to give the credit to get money from Turkey stated that the letter of goodwill that can be used as a trump card. State Department officials say that America has two scenarios to reconcile Syria and Israel. According to the first scenario, Israel will leave the Golan hills that it occupies, including water basins. Israel's water shortage that will arise in this way will be met by the Tabka Dam that Syria has established on the Euphrates. Of course, the Tabka the water of the Euphrates out that 98 per cent of Turkey, leaving more water than it is now Syria. In the second thesis, Golan will remain in Israel. And who needs water

from Turkey to Syria again, now to be met by releasing more water than giving up. For those wanting peace and the realization of this scenario of America revealed that Turkey would exert pressure for the cessation more water is required for both scenarios. " Sabah Gazetesi, 1 September 1996

In front of them, there are many models that can be exemplary, such as the U.S.-Canada International United Commission and the Mekong Streaming Commission.[76] America's activities in relation to the water problem are continuing. In September 2005, senators Bob Margett and Dick Ackerman, who arrived in Turkey to discuss regional issues, were also members of the Water Commission.[77]

1.5- European Union water policies and Turkey

" Water requires international cooperation as a common source of no borders. "[78] The European Union, which adopted the provision as a basis, shaped its water policies in the process and declared that it had adopted the basin-based management approach with the "Water Framework Directive (SÇD)" [79] (2000/60/EC), which came into force in December 2000. The directive aims to protect and control water resources within all EU borders not only quantitatively, but also mentally. Thus, a comprehensive policy has been put forward for the protection of European waters according to a common standard. Member states must establish implementation plans for the directive by 2003. In 2015, access to defined environmental targets is planned to take place and the first cycle of management is scheduled to be completed in 2021. In 2027, the second management cycle will be completed by resolving the glitches in applications. All this planning and implementation timetable will be made in accordance with the joint implementation strategy adopted by EU member states.On October 6, 2004, in the "Impact Report", which the EU Commission published in conjunction with the Progress Report on the launch of full membership negotiations with Turkey, a sentence in the section titled Geopolitical Dimension, regarding the Euphrates and Tigris Rivers In Turkey, it has caused great debate both between the ruling and opposition parties in parliament and in the media. The statement, which caused great controversy and caused great reactions to Turkey's waters, said in the

Geopolitical section of the report, "1.3. "One of the issues that matters in the region is access to the water necessary for development and irrigation. The strategic importance of water in the Middle East will increase in the coming years. With Turkey's participation, the international management of water resources and infrastructure projects (dams and irrigation projects on the Euphrates and Tigris basins, cross-border cooperation in water areas between Israel and its neighbors) is an important issue for the EU will become. "[80] Based on this report by the European Commission, the above-mentioned EU Framework Water Directive is the 13th amendment to the 13th century, which envisions integrated basin management across borders. Article 3 of the article to the paragraph. The paragraph reads: "3-In the event of an international river basin area that exceeds community boundaries, Member Dvelets will strive to devata lying' to plan a single river basin management plan, and if that is not possible, the plan is the most at least it will cover the remaining part of the international river basin region within the territory of the relevant Member State."[81]

Management Plans: 1- Member States have their own borders. They will prepare a river basin management plan for each river basin region within the territory. 2-In the case of an international river basin region located entirely within the Community boundaries, Member States will coordinate to prepare a single international river basin management plan. If an international river basin management plan is not prepared, member states will prepare river basin management plans to attain the objectives of this Directive, at least for the part of the international river basin area left in their territory. 3- In the case of an international river basin region that exceeds the Community borders, Member States will endeavor to prepare a single river basin management plan, and if this is not possible, the plan will at least cover the part of the international river basin region within the territory of the Member State concerned. 4- The river basin management plan will include the information detailed in Annex VII. 5- River basin management plans can be complemented with more detailed programs and management plans for the sub-basin, sector, problem or water type to address specific aspects of water management. The implementation of these measures will not exempt Member States from any obligations arising from other parts of this Directive. 6- River basin management plans will be published no later than nine years from the date of entry into force of this directive. 7- River basin management plans will be reviewed and updated no later than 15 years from the date of entry into force of this

For Turkey, the conclusion of this text is that Turkey will strive to establish a joint basin management, along with Syria and Iraq, other coastal countries of the Euphrates and Tigris, in accordance with the provisions of this agreement. However, since Syria and Iraq are not members of the EU, the framework is not binding on them. Therefore, for Syria and Iraq, an integrated basin management is not mandatory in this context. Therefore, Turkey will prepare this plan for the remaining parts of the rivers within its territory unless it is possible to carry out a common basin management plan of the size. The European Union's thoughts on the Waters of Turkey are based on the ancients. On October 5-7, 1993, at an international water conference jointly organized by the Friedrich Nauman Foundation and Hacettepe University in Ankara, then-EU Representative to Turkey Michael Lake (UK citizen) brought up a "Joint Water Assistance Association" covering Middle Eastern countries in his speech. In this speech, the representative tried to make Turkey look almost obligated to water aid, implying that only Turkey could enter the European Union with the help of water. At the same conference, the EU Representative informed that the European Union had prepared a project on the sharing of water and allocated $6 billion for it.[82]

On the other hand, water resources management is planned in the European-Mediterranean Cooperation Program with the "Mediterranean Water Requirement". One of the primary problems of many countries within the EU-Mediterranean co-operation program is the supply of adequate water and the scannable management of water resources. Water shortages and shortages, which are still expected to increase in the future in many of the South and Eastern Mediterranean countries, require the creation and implementation of effective and efficient resource management policies in these countries. Even if the water problem is spread on a local or global scale, it is generally accepted that the problem should be addressed with the understanding of mutual dependency and cooperation and to bring systematic approaches to the solution. In this context, a co-operation between the basin countries was planned for the following purposes with the 'Mediterranean Water Charter' adopted in Rome in 1992. Within the framework of this cooperation: To evaluate the potential available, considering todays and future needs, to determine methods for strengthening regional co-operation, preparing recommendations for the management, planning and rational

use of water resources, It is aimed at developing and using non-classical water sources (reuse of water, sea and groundwater treatment, etc.), and pre-concept studies.[83]

At the end of the European-Mediterranean Ministerial Conference on local water management in Marseille in 1996; in a statement, participants stressed the need to implement short, medium and long-term plans as soon as possible to address the problems of the increasing gap between foreseeable water needs and existing water sources. The following decisions were taken at this meeting. The management and use of water resources should be based on short, medium and long- term development plans that consider economic, social and environmental criteria. Joint Water Management requires planned management with the relevant segments. Different ways of using water require the adaptation of corporate and legal mechanisms to social, cultural, physical and economic conditions.

Water quality should be monitored, and a long-term investment policy should be maintained in this area. Efforts should be made to develop training programs on water-related subjects.

Water has an economic and social value. For the poor living in cities and rural areas, access to drinking water should be provided effectively.[84] When the issue of water resources management is discussed within the European Mediterranean Partnership, the establishment of a Mediterranean Free Zone by 2020 and the strengthening of economic relations through financial co-operation are essential for solving the problems in this area. conditions. These developments will also benefit in the management of water resources and provide safe water supply facilities to more negative countries, but these results can be obtained in front of the international power in the Mediterranean Basin in addition to their struggles, many economic and political obstacles appear to be present. Moreover, when evaluated more generally, the negative effects of New World Order policies on underdeveloped countries, and the EU's approach to the basin only for its own safety and strategic purposes, limits these possibilities. [85]

PART- 2: SEARCH FOR A SOLUTION TO WATER SHORTAGE IN THE MIDDLE EAST

It is known that a variety of alternatives are being worked forward for the Middle East Region, including a solution to water stress and water shortages. These include a variety of thoughts, from seawater to fresh water, to bringing icebergs in the Arctic. However, these are cost-effective projects, making them difficult to implement. On the other hand, the danger of disrupting the ecological balance equilibrium on the road route of icebergs to be brought from the poles raises the issue of major environmental disadvantages.

First, it is necessary to prevent water waste by raising awareness about water consumption of societies living in the Middle East. Secondly, developing agriculture and irrigation technology by the countries of the region will achieve more efficiency with less water, preventing high water losses. Aside from the work that can be done in the direction of demand for the region, it is a fact that new resources will be needed to address the water gap, which will grow slightly with each passing year. It is not possible to meet the water needs of Middle Eastern countries in the coming years through traditional resources and methods. For this reason, resources need to be provided by new methods outside of existing.

After the first quarter of the 2000s, Middle Eastern countries had to deal with the water supply methods below to address water shortages:

a) Feeding the groundwater,

b) Increasing rainwater,

c) Waste; purifying and reusing the waters,

d) Economic planning of at-hand waters and the disdain of the waters

e) Replicating the number of facilities to sweeten salty sea water and using it in any environment.

f) Importing water from countries with plenty of water,

g) Rehabilitating underground leak waters,

h) Research of the field to be planted in agricultural areas and the methods of

2.1- "Peace Water Project"

One period of the "Peace Water Project" was one of the remarkable projects considered a remedy for water shortages in the Middle East. Some of the average daily water flowing through the Seyhan and Ceyhan rivers is used in the country, and the rest is poured into the Mediterranean Sea. "Peace Water Project" was brought up by Turgut Özal, who was prime minister at the time in the mid- 80s. It stems from the idea that the Seyhan and Ceyhan rivers are used to send excess water to the sea without using it in the Arabian Peninsula. It is 6 million m^3. Preliminary feasibility studies related to the project started in 1986.Brown and Root Engineering and Construction International, USA company, has carried out preliminary feasibility studies with the contributions of the relevant organizations in Turkey. In these studies, the route of the project, topographic conditions, pumping stations, power plants on the route, technological and economic factors and the characteristics of the construction to be carried out in the evaluations of this project is concluded to be feasible.In other assessments carried out during these studies, the capacity of the dams, which are still operating in both river basins, which are under construction and planned to be built in the medium term, have a volume that can fully provide the regulation of water, the water is of very good quality from places close to the source for the project, the press area is usually covered with forest cover and the settlement area is covered with six per thousand, the area is less than destroyed, the environmental contamination is low to Disappear has been seen. According to preliminary feasibility studies of the Peace Water Project, the route of the pipelines, which are thought to consist of two separate lines, is designed as follows: 3.5 million m3 of water per day on the Western Line in the Seyhan Lower basin; It is expected to start near Adana and transfer from Reclamation and Kilis to Syria and then transfer via Jordan to The Cities of Yanbu, Medina, Mecca and Jeddah, Saudi Arabia. The distance traveled by the line will be approximately 2,700 km. There will be 11 pumping stations and 900 MW power centers along the line. It is estimated that 8-9 million people will be served by this line, including four and 100 liters per person per day.

In the Gulf Pipeline, the waters of the Ceyhan River from the lower basin of Aslantas Dam followed Kilis again, crossing Syria and Jordan, and then with an arm

heading east from the old oil pipeline (trans Arabian pipeline) road in S. Arabia. It is intended to reach Kuwait and then move on to Bahrain, Qatar and the UAE. The length of this line will be 3900 km. and 2.5 million m3 water will be transferred per day. There will be five pumping stations along the line and power plants with a power plant of 600 MW. It is estimated that the water to carry with this line will serve approximately 6-7 million people. Most of the lines will consist of 7.5 meters long concrete pipes with a diameter of 4 meters.87 There are also different strategic and political comments about this project. Recai Kutan, for example, says that this project was examined by American Company Brown and Root in 1980, before Özal, that preliminary feasibility studies were also given to this company, but decisions about this were always made behind closed doors, and that it was not possible to find out the characteristics of the project and which organization made this tender to Brown and Root. Kutan also states that DSI and DPT, who are responsible for survey, project, construction and operation services of all water resources in Turkey, have no knowledge of this project beyond rude.88 According to cost calculations in the early 1990s, the Sunken line was estimated to be worth around $8 billion,and the Gulf line would be worth around $12 billion. Accordingly, the price of m3 of water was calculated as approximately 0.84 dollars on the Western Line and $1.07 on the Gulf Line.

[87] Yülek İ.Ertan, **"**Middle East Water Issue and Middle East Water Projects" GAP, Middle Est and Water Issue, Aydınlar Ocağı Publications, p.71-74.

[88] Kutan,M. Recai, "**Water Disputes in the Middle East Countries**", GAP, The Middle East and the Water Issue, Aydınlar Ocağı Publication, p.60-63. According to Kutan, while preparing this project, Turkey has close consideration of future needs, even in today's conditions In the Seyhan and Ceyhan rivers, it is not carefully investigated whether there is water above our needs. Because the total flow amounts given for the two rivers are the average of the 50-60-year flows. However, the annual water potential varies from year to year, and even in some dry seasons it is difficult to find the water that Çukurova needs. See in the same article, p.60

Turkey says this project, above all, will contribute to political stability in the Middle East. This project, which will benefit nine countries, will be one of the elements of the ongoing co-operation between them. Once the project is carried out, none of the party countries can be expected to take an attitude that will complicate such a pro-business cooperation. This is mainly why the project is called the "Peace Water." In 1986, the Turkish Government asked the American Company "Brown and Root" to conduct preliminary feasibility studies of the "Peace Water" project. The Ministry of Foreign Affairs, a Turkish delegation headed by the Deputy Director General of Economic Affairs and the pre-feasibility study "Brown and Root" officials in order to promote the project, water transport edicts with the authorities of the countries projected to make intensive contacts with their approval, announced that the feasibility studies will begin if the approach of all countries concerned is positive, in the first place, attitudes of the relevant countries Although it gave a positive impression, then Arab countries opposed Israel's inclusion in the project. Israel, which stated that it is not possible for the project to take place if it does not participate, threatened that it would become difficult to provide loans from international financial circles for the project. Arab countries have used the issue of cost as a justification to reject the project, as well as the Israeli factor. Feasibility study, peace water project to be taken with the cost of a maximum of 1.07 cubic meters of water, sea water worth five dollars, while the Gulf countries, peace water project, the water to be supplied with the more expensive suggested. Electricity and Water Minister said in July 1991 that since water treatment plants cost less, gulf countries decided to freeze the Peace Water Project, the project would cost $24 billion, such as a gallon of water would cost $1.3 billion, whereas a gallon of purified water was $0.8. The main reason these countries do not accept the project is because they are concerned that they will be dependent on Turkey in terms of water. [90] The Peace Water Project was interpreted in the Arab world as Turkey's trying to cut the taps of rivers flowing into the region (Euphrates and Tigris) and market the waters within its borders. According to Arab countries, in addition to overseeing the source of water going to Turkey, Iraq and Syria, it will control the water supply of all Arab countries in the region, almost except Egypt. Therefore, Turkey will become the most effective focus of power in the region. Peace Water pipelines are under the control of not only Turkey, but also the countries they

cross, in a region where political stability such as the Middle East is still not fully established, the fact that these lines are open to sabotage, other reasons why the project is not accepted by Arab countries is put forward. The peace water project, which has been suspended for some time, has been established in the middle east with the appropriate conditions for the revival of the Palestinian- Israeli peace process, this project should be touted as a matter of urgency, otherwise other countries are preparing to sell their own projects in the press. is frequently located.

After the Peace Water project was withdrawn from the agenda, another project called the "Peace channel" was put forward in academic circles outside Turkey. This project envisages moving 1.1 billion m3 of water per year from Atatürk Dam or Aslantaş Dam on Ceyhan River to Golan hills by pipe. The reason for the project is called the "Peace Channel": Water transported by pipe will flow to a 60km long, five-meter channel from the Golan hills, and by building this channel in a way that the armored combat vehicles can not pass, the canal will also function as a security-enhancing function between Syria and Israel. This proposal states that turkey can pay compensation for the water it will give, and irrigation techniques in the region can be developed with this compensation, so it can water the land of the same width as less water, etc.[9135]

This project has not been officially proposed to Turkey.[92] On the other hand, the "Middle East Water Association" project is recently mentioned as an alternative to the Peace Water Project. This project envisages the realization of a series of cooperation programs between Middle Eastern countries, from irrigation of agricultural areas, energy production, from the construction of joint facilities to population planning. In today's distrust environment that reigns in the Middle East, projects are on the agenda after appropriate conditions are provided not only with technical feasibility studies, but especially by conducting necessary preliminary research from a political point of view it is considered appropriate to be brought in.[93] The Peace Water Project is also an indisputable idea of the cellars for various reasons.However, Jordan (Palestine, the second most water-strapped country in the

[35] 89 Yülek, İ. Ertan, Ibid, p.71-74.
90 Koluman, A., Ibid, p.82-85.
91 Yakis,Yasar, "Turkey, Middle East and Water Issue", GAP, Middle East and Water Issues, Intellectual January Broadcast, p

Middle East); Among Arab countries, Turkey is known to have taken a positive stance on Turkey's efforts to address water shortages in the region. Given the acute water shortage in the [94] Middle East Region, it would not be wrong to predict that soon, the Peace Water Project could be one of the effective solution formulas. Turkey's reach of a comprehensive agreement with Syria and Iraq in the Euphrates-Tigris basin and the solution of Arab Israeli problems will undoubtedly facilitate the implementation of this project. Because the two biggest obstacles to this project are the Arab Israeli conflict and the Arab countries' policies on water.

2.2- Obtaining water through purification from seawater

One of the ways referred to as a solution to the water shortage in the region is to meet the need for water at a certain rate through the treatment of seawater. Technology for desalination of groundwater, which can not be exploited due to its seawater and salinity, is widely used by oil-rich countries in the Middle East. The total capacity of the world's salt treatment plants is 15.6 million m^3 (5.7 billion m^3 per year) per day, compared to24.4% in Saud-di-Arabia, 10.6% in the United Arab Emirates, 9.1% in Kuwait, 15.2% in the United States, 4.1% The remaining 36.6% in Japan are scattered across various countries . Sea water treatment plants are not used in large capacities outside of oil-rich Middle Eastern countries due to high energy consumption. For example, even in Israel, a high-tech country, only 4 million m^3 water can be pirated annually with 33 units scattered in 23 regions. This amounts to two thousandths of Israel's water use. [95]

In Israel and Egypt and Jordan, failed attempts to establish nuclear-powered treatment facilities were made after the 1967 War. Eisenhower, a former president of the United States, has also been actively involved in the project, which aims to purify about 1 billion 400 million m3 Water. The project, estimated at 1967 prices at $1 billion, was intended to be overseen by the International Atomic Energy Commission and carried out by an international special partnership. A technical committee of Arab, Israeli and American experts continued to work from 1968 until 1973. However, the political decision, which relies on the creation of nuclear technology to both the economic and region, the implementation of the project has

been abandoned.

One of the factors that influence saline cost of water is the salinity of seawater. The saltyness of the Red Sea, for example, is much greater than the saltyness of the Persian Gulf. Treatment of red sea water is more expensive, given only this factor. The widespread usage of water purifying from seawater due to its high cost for agricultural purposes is not possible in today's world. However, an intensive effort is being made to develop cheap technologies that will reduce costs.[96] In 1971, the amount of purified sea water, which was 1.5 million m3/day worldwide, increased to approximately 22 million m3/day in 1999, with 11,000 treatment plants in 120 countries. Currently, 30// of the facility capacities installed all over the world is in Saudi Arabia and 15% are in the United States with 1900 facilities.[97]

2.3- Connecting the Mediterranean and Red Sea to the Dead Sea

Probably the 21st century. With the project, which will be discussed in the 19th century and will connect the Mediterranean and Oludeniz (Lut Lake), energy will be produced and obtained by taking advantage of the 395 meter height difference in the region and Mediterranean, which constitutes the world's most pit point energy is intended to be used to meet the needs of treatment plants and industry. The work on the project has been concentrated in Israel since the early 1980s.

Table 32 Connection Options Of Dead Sea And Akabe Gulf's To The Mediterranean

Option	**Input-Exit**	**Length (km)**	**Descriptions**
(a) North line	Israel-West Sheria	153	Israel plan
(b) Southern line(1)	Gaza-Israel	102	Israel plan
Southern line(2)	Israel- Israel	130	Israel plan
(c) Central line	Israel-West Sheria	76	Israel plan
(d) Akabe line	Jordan-Jordan	176	Jordan plan

*Source : Özden Bilen, Water Problem in the Middle East and Turkey p.137-138.(Murakami, M., Musiake, K., 1994)

The central and south lines, construction costs and environmental impact of the project appear to be appropriate among the four options. The total length of the central transmission line is 72 km and 57 km of this length is a 5 meter diameter tunnel. The 30 km is located on Israeli territory, while the second 42 km remains within occupied territory (Autonomous Palestine). The Southern line between the Gaza Strip and Ein-Book-2 must be built on 80 km long tunnels. However, since part of this line remains in Gaza, were Palestinians or so- for political reasons, the connection between the Mediterranean and the canal has shifted north, and the entrance part is taken into Israeli territory (Southern line - 1). The point of the connection and the connection of all lines is the Dead Sea, which Israel and Jordan share.[36]

The amount of energy produced annually with the Southern line-1 project, which is completely within Israeli territory, is 1.4-1.85 billion kwh (20% of the energy produced by Atatürk Dam) and will be transported from the Mediterranean to Oludeniz by taking approximately 1.23-1.67 billion m^3 water per year. The total cost of the project is estimated as 1.9 billion dollars at prices in 1990. In response to the project put forward by Israel, Jordan proposed that the water will be taken from the

[36] 96 Bilen, Ö., Ibid, p.132-134.
97 Yıldız, D., Ibid, p.135-137.

Gulf of Akabe on the Red Sea coast and brought to Oludeniz by a canal of about 85 km. There are various pump facilities and intermediate storages on the canal, and approximately 395 m level of awarding is used to generate energy. Israel's water from the Mediterranean caused a significant increase in the level of the Dead Sea and threatened some archaeological facilities as well as potassium production facilities, causing objections from other Arab countries, particularly Jordan. Jordan's initation on a similar project has caused political tensions and delayed both projects. The water level in Oludeniz is claimed to be $0.64/m3 of the unit production cost of 100 m3 purified water to be obtained per year, provided that it does not exceed -390 m. However, the financial and low financial cost of transmission facilities between the Mediterranean and Oludeniz, the effects of sea water on the equipment to generate electricity have not yet been revealed, the technology related to filters in the reverse osmosis system used to purify saltwater has not yet developed for very saltwater, such as given the economic feasibility of the project, there are hesitations.[98]

2.4- Large Volumes of Water Transport by Sea

Reusing wastewater as a remedy for water shortages (the share of use of 200 million m3 of water obtained in Israel in this way is 20% of the use in agriculture.) is one of the methods referenced in some countries. To address water shortages, many alternatives to the transport of icebergs in Alaska are to transport water by sea. Currently, all or part of the water needs of some islands in the Mediterranean Basin are met by moving from the outside. At the beginning of these islands are Palme de Mallorca and the Greek islands. [99] In order to address the water gaps that will occur extensively in some countries in the 21st century, the continuous water transport of large volumes has already been examined as an option among the various measures to be taken. According to a study aimed at transporting water from Pakistan, Sudan or Egypt to Saudi Arabia, the Jubail treatment plant, the world's largest sea-water treatment plant, has the daily capacity of 910 000 m^3, the most economical in transporting water by sea. option, during the pre-examination phase, was determined as the Karachi-Damman line. In this option, German water is projected to be transported 1000 miles (=1600 km) to Damman on the Persian Gulf coast with tankers with a capacity of 300 000 tons (dwt) from the point where the

Indus River spilled into the sea in Karachi. A fleet of 17 tankers must be created to ensure continuous water of 910 000 m^3 water equivalent to the daily needs of a city approximately the size of Ankara. The unit cost of water on the tanker at the terminal point was determined as \$0.79/m^3 with 1985 prices. This price does not include the costs of purification and discharge of water, it is the price of the raw water. However, even if these charges are added, the specified value is lower than the \$1.67/m^3 given as the unit cost of water produced at the Jubai treatment plant.

Plastic vehicles that can carry up to 1 000 000 m^3 volume, which claimed to be more economical and called medusa-bag, instead of tankers with conventional transport vehicles, can carry up to 1000 000 m^3 volume, and to be pulled with a trailer. However, the subject is in the research phase and has not been implemented in large volumes. [100]

2.5- Manavgat Water Sale

Manavgat Water Supply Project has been implemented to meet the demands from abroad as well as in the summer due to the increasing water needs in the summer due to the domestic and foreign tourism that develops on the Mediterranean coast of Turkey. According to the project, it is about 2 km from the beach near Manavgat. Tankers built on the sea will be given 500,000 m3 (180 million $m^{3)}$ per day from the Manavgat River. [101]

With a pumping station to be built in the downstream of Manavgat Dam, the water will be pumped into the patch. Every day, 250,000 m^3 water from the pumped water will be purified and drunk at the treatment plant on the slope, and 500,000 m^3 water will be stored on the hillside every day without any processing. With two pipes of 10 km. long, 750,000 m^3 /day water will be supplied to the terminal facilities on the seafront and will be filled with tankers or plastic balloons from there.

It is envisaged that the right to operate related to the Manavgat Project is transferred to the private sector and water sales and distribution will be carried out by

private organizations. [102] As mentioned earlier, the project is aimed at both meeting Turkey's internal needs and exporting water out of the country. Therefore, it is possible for the countries in the middle east or other regions to benefit from Manavgat water in market conditions. Many Arab countries, particularly Syria, oppose the "Manavgat Water Supply Project", which is scheduled to begin in February 2002 within the framework of negotiations between Turkey and Israel starting in 1998.

The main concern of Arab states, which say they oppose the sale of water as a commodity, is the fear of expanding the framework for strategic cooperation between Turkey and Israel. Indeed, a report prepared for the Arab League Foreign Ministers claimed that Turkey had cut the waters of the Euphrates and Tigris rivers, which were discussed within this framework as the "Manavgat Water Supply Agreement", which is expected to be signed between Turkey and Israel while examining the military dimension of Turkey-Israel relations. As a result, recent developments in the Euphrates and Tigris rivers have been more carefully examined by the Arab world. Within the framework of these developments, turkey and Israel should be left with more water from the Euphrates and Tigris rivers of the Arab World against the cooperation in the field of water, stressing that Turkey's opposition to water policy increase. Negotiations are underway on the sale of 50 million m3/year section sands produced by Manavgat Water Supply project to Israel for 20 years. [10337]

[37] 100 Bilen, Ö., Ibid, p.146-149.
101 Yıldız, D., Ibid, p.140-142, Zehir, C., Ibid, p.154-156.
102 Kutan, M.Recai, Ibid, p.61-63.
103 Yıldız, D., Ibid, p.143-145

FIFTH PART
SOME EXPECTATIONS ABOUT OUTCOME AND FUTURE

Under the shadow of a devastating cold threat of war, with the use of nuclear weapons begins after the unexpected end of the war period, the concepts and approaches that dominate the discipline of international relations such as security. It is difficult to say that they have been concluded something in the re-interrogation process. Aforementioned environmental problems, the sovereignty of natural resources, which came to the agenda in parallel with the process or the issues related to its use, starting from the local and extending to the international arena.It is also possible that a definite judgment can be made as to whether it will be the source of conflicts is still in doubt. Under these conditions, the demand for water is increasing rapidly and the available resources are the drought and problems such as the Middle East, where it is far from supplying such an increase. In regions where war is preferred rather than acting together in the solution,water resources in the state to be shared / used jointly. To control the existence of allegations that they may conflict with each other. It seems that they continue. In order to correspond to the related claims, sharing and / or it is thought that there will not be an absolute causal relationship between the water resources subject to common use and the conflict, and it will even lead states to conflict; that factor may cause the relations to evolve into cooperation. It is observed that the arguments continue to be put forward.

A discussion between pessimistic and optimistic perspectives within the scope expressed between Turkey, Syria and Iraq, known as the Euphrates-Tigris water problem,relationships shaped around watershed resources are often either water-conflict or It is considered in terms of providing empirical evidence for water-cooperation theses. Basin other than the Euphrates-Tigris, which determines the general structure of relations between their countries. Including the issues, the parties themselves, each other and the water problem. Quite important factors such as how they perceive the relationships between them such a deductive approach, which allows the question to be comprehensively and truthful. It seems that it can not reveal its closest definition. The lack historical relations between basin countries to solve the Euphrates-Tigris water problem in doing so, define in the context of both conflict and security, and to reveal the relations of cooperation between states with a critical

analysis. This targeted study was carried out within the framework of five chapters. The Euphrates-Tigris Water Problem in the Clash and Security Pendulum" and His contributions to the literature with the aim of creating a theoretical framework in the first part, which sets forth, a reconstruction of the international relations discipline How the inquiry process started and what kind of security It has been analyzed to reveal the definition.

Then, the new security definition is the inclusion of water resources subject to sharing and / or common use in the context of has been transferred.In the last part of the chapter, while the developments that emerged at the beginning made the Euphrates-Tigris water problem a serious issue, it turns out to have a limiting effect on how it should be perceived. has been put. In this context, in the historical process between Turkey, Syria and Iraq the issues that shape the basic structure of the relations, what are the perceptions of the parties on these issues? The perceptions that are determined and determined by the state regarding the Euphrates-Tigris water problem. Conclude that an analysis of how it reflects on their behavior is necessary. has been reached. In the second chapter titled "Chronology of the Euphrates-Tigris Water Problem", in preparation for the Euphrates-Tigris focal point between Turkey, Syria and Iraq. historical dissections of relations are included. Five different periods have been determined for this. the starting and ending dates of the periods; access to relevant watershed resources and / or the effect of the subject of use at the level of interstate relations and this Depending on the change that the effect causes on the general structure of the relations has been determined.

Water is an essential need for human, animal and plants to survive. But water, such a necessity, is also too scarce to meet existing demands. 71 percent of the earth is covered with water. But 97 percent of this water on earth is saltwater in the seas, as in its current form; can't be used for drinking, using and irrigation. The water needs are increasing as the regeneration of limited resources available is also limited. The water needs of living things are both due to the rapid increase in the world's population, as well as the increase in water use in cities and industrial societies, on the other hand due to global environmental pollution, decreased clean water resources, i.e. faster depletion of resources; enlarged with geometric array. In 1900, the world's total water consumption was 95, while in 1940 it rose to 215 miles. However, in these years, the

world's population had only increased by 40 percent. In 1950, the world's water consumption increased by 325 miles. By 1990, this consumption jumped 988 miles! As of 2000, the world's total water consumption is calculated to be 1240 milk up.[1] On the other hand, there is no equivalent resource to replace the water.

This situation on a global scale is even more troubling on a regional scale. In the Middle East Region, due to both the available water resources and climate conditions and nature characteristics; water is a much more important resource. Therefore, the water problem in this region is in every respect, and it is a strategic position in the country's politics. Due to the geographical and political characteristics of the Middle East studied above, it is seen that a case of general distrust among the countries involved here has been dominated by the fact that the security element is always at the forefront and interventions from outside for control of rich resources in the region have been sustained. Due to this phenomenon of mistrust, both neighboring countries, cross-border or border-forming rivers, countries that are coastal faces more difficulties in solving their problems than in other parts of the world. This makes water problems in the Middle East very different from similar problems elsewhere in the world, and therefore it is not easy to solve. The water issue is one of the factors that complicate the solution, not only by countries in the region or coastal states, but also by states in the case of global actors, and policies that affect one or more of the relevant states through the problems in this area. Unlike other parts of the world, wars may occur in the Middle East due to water problems and are widely voiced by writers and some politicians on the subject. Indeed, in the second half of the twentieth century, there were tensions and conflicts between Arabs and Israel because of the water.

Today, the water problem is essentially an issue that is constantly on the agenda in different aspects of the country. Because, within the framework of the changing concept of security, water is also a security issue for countries, so it is a strategic matter. The fact that water is a strategic substance naturally makes it one of the most important issues of inter-country relations. Because water problems of the country are resolved within the framework of national law rules, the problems of the transnational dimension are the subject of controversy within the framework of international law and international relations. There are 214 rivers in the world where

two or more countries are slaughtered. This figure shows the volume of the problem in international relations. At the beginning of our study, that stated the necessity to meet unlimited needs with limited resources leads to sharing fights, which directly affect international relations, and that tensions and conflicts occur from time to time due to the water problem. The investigations found that the water problem was one of the most threatening issues of humanity due to the state of water resources and increasing environmental pollution throughout the earth. Currently, about a quarter of the world's population can not find enough water, while half of the world's population is deprived of adequate clean and healthy water resources.[238]

As of today, 13 of the 29 countries in the world are in water shortages in the Middle East Region, and by 2020, the number of countries that will be reduced to water shortages will be 46. It is estimated that some oil-rich countries that meet some of their needs by purifying seawater at expensive costs today will be more distressed if their oil resources run out. Because they still must abandon the expensive methods they use. On the other hand, the Arab-Israeli issue and the Middle East Peace process are directly involved in the water problem. Within the framework of the Peace Process, water problems in the region are also negotiated in working groups of the world's major states.

While international relations are a very important issue that concerns a large scale, water problems are not able to be an international legal system to be implemented in general is not yet available. Since the end of the 19th century, a rapid increase in the problems of non-transportation use and exploitation has been recorded on major rivers that have involved multiple countries, and various organizations have begun work to establish water law. Doctrines developed in these studies have not been enough criteria for solving problems. Bilateral or more multilateral agreements

[1] Kennedy, Hauchler, I., P.M., (Eds) Global Trends, **The World Almanac of Development and Peace**, p.296-298.

[2] "The claim that water exports will replace oil ", Water will soon become as important as oil. Only 2.5 percent of the world's water can be drunk. According to the research published in the Christian Science Monitor newspaper published in the USA, OPEC will be replaced by the organization of the countries that export water. Turkey also is among issuers water by the newspaper, the plan similar to water transportation between England and Scotland was also stated that between Turkey and Central European countries. Turkey's water delivery will be found in Israel, emphasized that the two countries argue over the price and shipping form.

between states also have no chance of being applied to other disputes, as they are binding specifically on the issue. Moreover, the unique conditions of each problem make such an application impossible by its nature. Since the 1950s, the United Nations agency has behaved to deal with the water problem but has been able to begin effective work since the 1970s. The International Law Commission, which is commissioned to conduct code location work in water law, has matured after a quarter of a century of work, provisions of the "Law Agreement on The Non- Transportation Use of International Waterways" in 1994, he delivered the bill to the UN. The sixth Law Commission of the UN General Assembly also finalized the bill after three years of work and handed it over to the General Assembly. The contract, which was voted and accepted at the UN General Assembly in May 1997, is a general reference and will be able to act as a guide in the pottery of the problems.[3] It is not binding on non-party countries. Turkey, together with China and Burundi, is not a party because it voted to reject the agreement. However, the limiting effect of the contract is the subject of the conversation. The framework is one of the most important issues brought by the Convention, the use of water fairly and reasonably and the failure of coastal states to cause "significant harm" (significant harm) to each other during thi

On the other hand, the European Union adopted the Water Framework Directive in 2000 and put it into effect. The Framework Directive imposes common basin management obligations on member states in the size of the limit for the protection and development of international waterways. For Turkey, which has belated full accession talks with the EU, the "Impact Report" published in October 2004 asked him to work for joint basin management on the Euphrates and Tigris rivers.

Turkey has so far failed to reach a permanent solution from its joint talks on the Euphrates and Tigris rivers, one of the most important borders, to address the problems it has experienced with Syria and Iraq, the lower-facing countries. Until 2003, the policies of Baas regimes in Syria and Iraq against Turkey ,in general, has also deeply affected the water problem, preventing a solution. On the other hand, close to all Arab countries are often downstream countries on cross-border waters, and their easy common stance against fount countries on cross-border waters also affects the problem. Contrary to the claims of some authors; Turkey is not one of the water-rich countries with its water resources and the amount of water per capita. Because a

country needs to have more than 10,000 m^3 of water per person to be considered a water rich. However, in Turkey, this figure is 1892 m^3, but Turkey has more water resources than some Middle Eastern states (excluding Iraq), which is deliberately watered by Arab countries and Israel. thus, Turkey is asked to compromise on its rights, especially in the Euphrates and Tigris rivers. In the past, intensive activities have been shown to prevent turkey's projects on these rivers. However, approximately 90 percent of Euphrates waters and about 53 percent of Tigris waters are born from Turkey.

Turkey, the current water potential and the Euphrates and Tigris rivers, which will not meet the demands of the Euphrates and Tigris rivers, to ensure the use of the waters in a manner, reasonable and efficient manner, and the establishment of an eventual allocation order between the three countries, "Euphrates-Tigris Basin Borders Cross-Borders Streams, rational and offered a proposal called "Three-Stage Plan" for optimum (equitable, rational and optimal) use. However, as mentioned above, Syria and Iraq have not agreed to accept this plan for more political reasons. The plan, which is referred to as the "Three-Stage Plan" in the relevant literature, is a proposal in accordance with the principle of the use of water law", which is accepted today. Likewise, the Three-Stage Plan also considers the UN "Water Framework Agreement" not to cause significant harm to each other by coastal countries. The principles of the Three-Stage Plan are based on the joint work of experts of the three coastal states and the same principle of applying all criteria in the determination of water and soil inventories of the relevant countries. The consensus of the states in solving problems of their own volition, i.e., reaching an agreement, is an ideal way for international law. With a Three-Step Plan, such a solution can be achieved. For this reason, studies should be carried out for a broader and effective description of the Three-Stage Plan by Turkey. The plan should be raised both in academic circles on an international scale and resolutely defended on diplomatic platforms. The Three-Stage Plan, which envisages a rational approach to regional and basin conditions, is likely to be better understood by interlocutor countries over time. As a matter of fact, with the gradual improvement of relations between Turkey and Syria, a dialogue environment has been formed for the water problem and important steps have been taken to build a joint friendship dam on the Asi river.

Meanwhile, under the occupation of Iraq (and the collapse of the Baath regime led by Saddam Hussein), the lower coastal country of the Euphrates and Tigris rivers, significant changes in the region, the political structure of the Middle East and its traditional borders. has made deep changes. Changes are also expected in the governance structure of Syria, the other coastal country in the region. On December 23, 1920, the determination of water from the Euphrates and Tigris rivers of Syria and Iraq was ruled by an agreement signed by the British and French Manda Authorities in Paris. Today, the Iraqi country is ruled by the United States. On the other hand, turkey-Syria and Iraq water issue has entered a critical period, considering the theses that multinational

official and private organizations have been trying to impose, which want to take the water resources in the Middle East wholesale across the region. It is of great importance that water resources are allocated between the relevant countries in a manner and reasonable measure to meet the needs best, without the opportunity to influence and interfere with non-coastal foreign countries.

In short, sharing is not the solution to the water problem, it is the registration of water shortages. A comprehensive and lasting solution to the problem may be possible by adopting a two-way approach that requires cooperation on a regional scale by all parties: rationally and effectively using existing water resources and increasing usable water resources. Rational and effective use will allow water to be saved and avoid waste to meet the needs that are increasing and differentiated in the long term. Increasing and diversifying available water resources will also soften the dilemma of net gain-net loss between the parties and play an important role in closing shortcomings where rational use alone can not be resolved. The implementation of this approach depends on the joint evaluation of water resources and water needs on a regional scale, not according to the national interest accounts that exclude others from the sovereign states. The Three-Stage Plan presented by Turkey, when touched in this respect, reveals how important it is.

It is also understood that the search for a solution to water shortages in the Middle East will continue increasingly. The Peace Water Project developed by Turkey is an important example of how water can mediate peace and cooperation. Soon, when the

water shortage will increase slightly more, it is necessary to expect Turkey to develop joint projects on water with the nearby countries around it. These investments, which will be revealed as small projects, will encourage large-scale projects such as the Peace Water Project to become reality, and in this way, water seems likely to lead to peace and cooperation in the future. The course of water problems in the Middle East will be closely related to developments in Arab Israeli problems. Therefore, the implementation of large projects on the scale of the region will be directly related to regional peace. In meetings and events held in international forms, it is often repeated that water in the Middle East is a more valuable element than oil. Because oil has alternatives. But that is not the case for water. In this context, "Blue Gold" and so on are also made for water. As a result, that if you do not, you are going to have Thirst is not just the problem of the Middle East. However, an assessment that the region where water shortages are most felt and therefore the water problem is most severe and dangerous is the Middle East.

It is another fact that there is still no mutual security and cooperation environment in the Middle East. However, it is not completely impossible for a vital source such as water in the region to be a factor in building trust and cooperation. Because as seen in the previous section, projects are produced and discussed in this regard. Water is one of the most important vital resources for sustainable development. But in the 20th century, it was the first time that although the world's population increased threefold in the 19th century, the use of water resources increased six-fold. In addition, this rapid consumption does not have sustainable features that provide equal opportunities and benefits to those who benefit from resources. As a result, the water crisis on a universal scale is increasingly inevitable. Some estimates suggest that by 2025, more than 3 billion people will face water shortages. In March 2000, he was a "World War II" meeting in Den Haag, The Netherlands. The World Water Forum has brought the World water crisis to the top of its international agenda. The relationship between poverty and water safety has become one of the focus points in international discussions on sustainable development. At this point, water resources management must be based on "basin-based management". One of the most important decisions on water on a global scale is the "International Development Goal" created by the United Nations Millennium Council (UN Millennium Assembly), convened in October 2000. One issue that is

expected to face turkey in the framework of compliance with the EU, especially in terms of environmental standard, is also a matter of wastewater.

The European Union has enacted the IPPC Directive (96/61/EC), which combines wastewater, solid and hazardous waste, air pollutant emissions, in the management of wastewater from industries. The Integrated Pollution Prevention and Control Directive determines that all listed businesses can only be operated in accordance with this permission, with the Reduction of pollution in different point sources in the European Union. These permits are required in the Best Available Technology-BAT available in the Directive, and in some cases, their implementation is very radical and high factor factors must be anticipated for an 11-year transition period from the date caused by the directive effect. With the introduction of the directive, differences between existing discharge standards in EU countries can be eliminated and waste loadings that may be encountered in areas where limits are low can also be prevented.[3] With the chronological analysis made, it was seen that the results presented below were reached: • Since the beginning of the 20th century, the discipline of international relations in the modern sense The Euphrates-Tigris basin water resources, which have become the subject of the region's sovereignty any, as long as it is sufficient to meet the needs of the it did not cause a conflict or problem. This situation is mainly countries based on the natural flow of the Euphrates-Tigris rivers in the early 1960s have not planned and finalized any project that could change it in some way can be explained by being.

- As a dispute on sharing and / or common use in the region contrary to expectations, the first dispute that can be evaluated was due to the Euphrates-Tigris not, it originated between Turkey and Syria in relation to the Asi river.
- Upper basin countries Turkey and Syria engage in planning activities to benefit from Fırat-Tigris resources since the early 1960s, With Iraq being uncomfortable with these activities, the rights owned and how those rights should be exercised. problems started to surface for the first time. Until the end of the 1970's The dispute over who has what and how much right in the process as the conflict between Syria and Iraq, the subject of the conflict is mostly. It has been observed that he focused on the Euphrates, not the Tigris. Within the relevant dates range a series of

meetings were held between the basin countries, during these meetings, while making an acquired claim, Syria is also It brought up the claims that there should be more. The parties are involved they used various legal arguments to give legitimacy to their claims.To demonstrate that the demand for more water is justified, to the Euphrates-Tigris by various international organizations and / or foreign countries. have used the technical studies prepared in relation to. Nevertheless, in this period, basin countries seek to compromise rather than clash. that they prefer and are more concerned with the technical aspect of the dispute. It has been determined. • Tabqa and Keban, which were completed in 1973 and 1974, respectively, on the Euphrates River Initiation of water retention in dams, in relations between basin countries This tension caused a tension between Syria and Iraq in 1975. it has turned into an all-out crisis with the threat of military conflict. Crisis The lesson-like result of the process, Syria's Euphrates efforts to harness its resources worries Iraq, more importantly The ongoing water problem between the two countries and other subject areas It is that pass-through is beginning to be the case. For any subject area political concerns or negative experiences may not be associated with another subject area (s). This situation, which will be described as the transfer of the relations between the basin countries, problematic or problem-free, where different issues are intertwined and a very difficult solution. has begun to transform into wrapping. Again, during the crisis period, Turkey the issues can be negotiated, and the country has been able to maintain its position.

• Benefiting from the Euphrates-Tigris water resources of Turkey towards the end of the 1970s transforming its efforts into a comprehensive development project with the GAP, moreover, taking a decision without coordinating with the sub-basin countries, Syria, and Iraq it has led them to worry about the future of energy and irrigation projects. With this concern, the first reaction against GAP is the project of Turkey. Finding foreign financing for water facilities that it wants to build within the scope of has been trying to prevent their efforts. Applied by both countries,However, another method in which Syria is particularly effective is the regime in Turkey. It has taken the form of supporting anti-groups. Water problem and border security at first the boundaries between different subject areas are almost eliminated. This new situation, which has been removed from the Euphrates, was signed between Turkey and Syria. average 500 m3 per second in return for the dropping of water, the actions

of the PKK. It was registered with the 1987 Protocol, which includes the commitments to restrict it.

. • In the 1980s, inter-state While negotiations are continuing, Turkey's Euphrates-Tigris water resources the "Three-Stage Plan" proposal for the appropriate, rational and optimum use of Syria and Constructively, the water future of the Middle East countries, including Iraq, has brought the "Peace Water Project" to the agenda to determine. Both offers. First, the negative attitude of the sub-basin countries, the source of the parties to the past. Their distrust towards each other for reasons based on these reasons has come to light has taken out.

At the beginning of 1990, for the filling process of Turkey's Atatürk Dam, the Euphrates by informing Syria and Iraq that the flow will be restricted for a month together, a new crisis period has been entered. The prominent factor in the relevant process is the complaint addressed to Turkey, rather than the technical reasons of the decision and it did not change its plans despite the protests. Concerning the verdict, some experts argue that water and terrorism issues are now a dangerous one. While commenting that they came together in a way, in fact, with an incompatible attitude, determined to use water as a foreign policy tool, that he is trying to discourage Syria and Iraq from supporting the PKK have been found.

• In the period covering the years 1990 to 1998, what happened during the 1990 crisis Syria and Iraq, who do not want to encounter a similar situation again, it is a final decision that envisages the sharing of Fırat with the arithmetic calculation method. They started to demand the signing of a treaty. Turkey "A Turkish river the sharing of Fırat is unacceptable. " Such offers with rhetoric.

while refusing, 42% of the Euphrates was to Syria with a treaty dated April 16, 1990, 58% of which belongs to Iraq, the water problem is mostly with the Turks. It has reduced it to an issue among Arabs. From that date Turkey also pays attention to its failure to respond to its proposals for technical cooperation has adopted a tougher and more assertive approach. First Bay the Euphrates-Tigris problem, which started to fall behind the agenda with the war, The facilities of the Allies on the Euphrates to Turkey a different quality, with their proposal to use it as an element of pressure.

has gained more.

Again, in the relevant period, the dam planned within the scope of the GAP such as Birecik and Karkamış As news that the construction of the projects to start is made public, Syria and With the triggering of Iraq, both countries, the Arab World against Turkey. It has been observed that they increase their reactions. Mutual defamation, accusation and foreign This is where the efforts to attract actors to the Euphrates-Tigris problem are intensified. During the period, the negotiations between the basin countries for a while continued. It has also been observed. During the talks in question, Turkey. While putting forward the argument that it should be addressed with its dimensions, Syria, and Iraq. They have increased their efforts to carry the problem to the political sphere. Essentially this Therefore, Turkey can develop basin resources with decisions taken alone. while continuing its activities, through Syria and Iraq diplomatic or non-diplomatic methods tried to prevent these activities.

- In the first half of the 1990s, the relations between Turkey and Israel a relatively rapid development process, which is why Israel needs its own needs. and the two countries come closer to the idea of purchasing water from Turkey to meet with the signing of the Military Training Cooperation Treaty between Its prominence has increased the uneasiness of Syria and Iraq in terms of security.

- Perhaps the most striking development regarding the period 1990-1998, Israel, terrorism and

Topics such as Hatay are clearly linked to the Euphrates-Tigris water problem This situation also leads to the slow progress of the relations between the basin countries. It affects the general structure in a very negative way.

Deterrent military pressure applied by Turkey, Syria in 1998 policy and the threat of using force, taking a step back and after this development, Security on relations between the two countries with the Adana Treaty the impact of their anxieties could be limited. Meanwhile, Second Bay Not intervening in the war, moreover, protecting the territorial integrity of Iraq between Turkey and the new administration in

Baghdad, which expresses its necessity at every opportunity It has been observed that a process of convergence has begun. Came to power in 2002. Within the

framework of "Zero problems policy with neighbors" of Justice and Development Party. Paying special attention to Syria and Iraq is also important in relations between basin countries. It has been a sign that a new era has entered. Turkey and downstream countries In this period when they try to understand each other's concerns, the water problem Co-operation like the Friendship Dam, as it can negotiate as a technical issue efforts could also be put on the agenda. Euphrates-Tigris with the EU's progress report

reveals that he may be a party to the problem, but all these positive it remained a shadow over developments.

Conflict Phenomenon in the Euphrates-Tigris Basin: The Power and Security of the Pessimistic Approach As for the third section titled “Analysis of the Definition”, the main goal of this section is;

pessimistic approach to the "sharing and / or use of Euphrates-Tigris water resources. issues that turn into a security and power issue, or such a transformation by bringing the possibility of the relationship between basin countries on the axis of conflict. has led to the development. " It was determined as analyzing the proposition. Made to support the "water-conflict" thesis by the pessimistic approach with analysis. How sufficient are the propositions developed in defining the Euphrates-Tigris water problem? It is aimed to determine that it is. In this context, especially basin countries between the Euphrates-Tigris focal point, and the water element alone whether it can be disclosed and / or to what extent An answer to the question that can be explained was sought While the mentioned analysis was carried out under three headings, in the first heading, pessimistic your approach; “Euphrates-Tigris basin resources between Turkey, Syria and Iraq There is water at the core of the ongoing problem in the center. " The argument is listed below evaluated within the scope of the claims. Real or potential scarcity phenomenon by increasing its importance, the main cause of the problem between the relevant states has brought it to the state,

- Increasing famine phenomenon has caused the states to affect the existing water resources in the Euphrates-Tigris basin. increased addiction or such addiction for any actor it is open to the influence (manipulation) of other riparians in the basin. has created a situation. With the evaluation, the following results have been reached; Within the historical process of the Euphrates-Tigris water problem, neither the

general nor they did not face with the phenomenon of resource-oriented scarcity. Facing a potential famine in Turkey, Syria and Iraq probabilities only valid for Fırat and under the conditions of the worst-case scenario. there may be a situation.

- Within the historical process of the relations between the basin countries, with future demands

with concerns about possible negative balance between existing water assets. There is no doubt that the allegations that the action was taken and that this feeds the phenomenon of conflict. It is very difficult to show evidence to prove it without leaving room. A general dependence of the basin countries against the Euphrates-Tigris resources This dependency does not affect state behavior or decisions. The possibility of being used without taking great risks in replacement is very low.

- Water storage installed in Turkey or Syria's Euphrates-Tigris basin facilities only offer a control over the flow of the Euphrates. the subject of control as an element of power against downstream countries or countries. Usage, possible technological, economic, social, political and

It is very weak due to legal difficulties.

"Water is at the center of Euphrates-Tigris basin resources between Turkey, Syria and Iraq. It is one of the factors that cause the ongoing problem. " The argument is evaluated The claim made in the second heading is;

- Up or down along the Euphrates-Tigris rivers of Turkey, Syria and Iraq Geographical alignment as riparian, in essence, carries "control, influence and Due to factors, such as "vulnerability", common basin resources Can be used as a real or perceived weapon on other states it has been whether or not to reveal the situation. The following conclusions have been reached with the inquiry made.

- Within the historical course of the Euphrates-Tigris water problem, Turkey's basin the advantage of priority-subordinate status in terms of access to resources or their disadvantages are about to change the attitude or behavior of Syria and Iraq. that there is no definitive evidence that he used it.

- Similar expressions can be used for the comparison between Syria and Iraq, even in

1973-

Damascus and Baghdad governments during the 1975 crisis It has been demonstrated that what they did not receive was supported by expert opinions.

Under the third heading determined for this chapter, "Turkey, Syria and Iraq their relative positions in terms of strength to each other on the subject of water whether it affects their confrontational or collaborative attitude or attitude" By analyzing,

- The concept of the relative balance of power is at the center of the Euphrates-Tigris among basin countries. That the concept in question can not be applied to all the developing relations. In the rare instances where it may be used, factors related to conflict and / or cooperation unable to explain all without leaving any question marks,
- Again, the related concept refers to certain periods of water relations between basin countries. or even when it offers the potential to explain parts of it, it has the consequences that it can often be done using factors other than water has been reached. As a general result regarding the section, power, security, and Conflict-oriented perspective is based on the Euphrates-Tigris between Turkey, Syria, and Iraq. It is difficult to say that you can fully explain relationships because "I wonder" as an indicator of appropriateness and competence in the analyzes made from the perspective of the interpretation that the need to make inquiries occurs spontaneously in many stages has been made.

The fourth study titled "Analysis of Cooperation Phenomenon in the Euphrates-Tigris Basin division; Turkey, shaped by the optimistic approach focusing on the Euphrates-Tigris water resources,

How they define the cooperation between Syria and Iraq, the subject description has the ability to explain the behavior of the watershed states. It is designed to critically analyze whether it is or not. It. In this context, first of all, according to the optimistic point of view, the states thought to persuade people to cooperate rather than conflict on issues related to on "reasons", "conditions of cooperation" and "factors affecting the cooperation process" some assumptions were stopped, and then some assumptions derived from this Euphrates-Tigris water It has been tested for applicability to the problem. After the structure of the department is determined in this way, international

relations are more through the concepts of interests, attainment strategies, cooperation, and so on.the reasons, conditions and conditions for optimists to cooperate on common watershed resources. more in terms of factors affecting the process; "Choice structure of states", riparian country that should participate in the cooperation process issues related to the water problem, knowledge and epistemological communities, regimes and international organizations and international law norms" It is given that they emphasize.

What kind of function does the aforementioned elements take to establish a "water-cooperation" relationship? and those who adopt the optimistic approach generally.It is revealed that they act with a reasoning within the framework of the propositions listed belowhas been put;

1. Sharing and / or jointly using any common watershed resource states in the situation, the problems related to the resource in question can be tackled alone. when it goes beyond the boundaries of making or individual solutions. they can choose.
2. Sharing and / or jointly using any common watershed resource states in a state of affairs, problems with the resource in question arise in conflict or war. By initiating a dialogue process or making concessions between them against the risk of transformation they can cooperate.
3. The obligation to share and / or use common basin resources together, by creating complex interdependencies between riparian states It lays the groundwork for cooperation and collective action.
4. The interests of riparian states clustered around common basin resources the right direction between overlapping and cooperation, cooperation with the separation of interests.There is an inverse relationship between.
5. While deciding whether to cooperate within the scope of common basin resources, Near-term interests of the state are valued above long-term interests.

6.The riparian states that are convinced to cooperate within the scope of common basin resources

The rule of teeth that prevents cheating or punishes withdrawal (The presence of elements such as `` for

Tat " strengthens the tendency to cooperate).

7. Rewarding cooperation within the scope of common basin resources, non-basin interventions punishing riparian states to cooperate may be an important factor in their preferences.

8.States are included in the cooperation process to be initiated within the scope of common basin resources. They prefer to keep the number of riparian countries to be as low as possible.

9.Employment of existing non-water subject areas among riparian states as the possibilities of Issue Linkages increase, States are more likely to cooperate within common basin resources. 10.Intergovernmental to be provided in matters related to common basin resources epistemological consensus will eventually convince the parties to cooperate.

11. Regimes or organizations established both internationally and regionally,conflict of riparian states over common basin resources contributing to the collaboration process by helping to eliminate the elements They can be found.

12. International law determining state behavior according to some code's norms make a positive contribution to the cooperation process. These optimistic propositions are then put under four periodic titles, basin. Negotiations between the countries on the Euphrates-Tigris basin resources has been applied to the process.

As a result of this implementation, Turkey, Syria, and Iraq cooperation on the Euphrates-Tigris from time to time, justifying the optimists optimistic, but at different stages of the negotiation process It has been determined that many historical facts that would make the propositions invalidate were also encountered. has been. In addition, the relations between the basin states began in the 2000s. process, optimistic propositions as to the correctness or falsity of the most.

It has been concluded that this is the period when data can be obtained. To that period Perhaps this part of the study is the most crucial and interrelated the following two related questions are based on;

"With the new century, the relations between the basin states the phenomenon

of cooperation emerging in terms of resources; related states with the basin Is it because their relevant interests have come closer to a more harmonious line, or the problems experienced in the field of security, especially terrorism, were Is it due to the fact that it could be overcome with factors?".

- "I wonder what changed in the 2000s, and the relevant states are home to terrorism for each other.

sharing water resources fairly and / or refusing to use, interfering with territorial integrity, supporting the West (v.b.) while describing as 'enemy', it is now 'friend or friend' to each other. have come to a position to say, "my strategic partner"? ". In terms of answering both questions, both regional and

Some new trends emerging in the international arena, the Euphrates-Tigris basin reshaping the entire Middle East politics, including their countries the following determinations have been made regarding the process.

- In terms of Turkey-Syria relations, Adana Agreement and Security Cooperation envisaging cooperation It is possible to accept the Agreement as a milestone. Because it is with the agreement, the two countries have long been in conflict and confrontational. they give up their attitude and change their relations, especially economic, social, cultural, and restructuring based on cohesion and cooperation, in political spheres They have taken the decision.

Such a change of attitude in terms of Turkey in 2002 Justice and Development Party came to power and "Zero Problems with Neighbors" in Turkish foreign policy It can be explained by the implementation of its policy. Because this policy is; as a result, "common destiny" in relations not only with Syria but also with Iraq, Emphasis on "common history" and "common future" and "maximum integration" has been started.

- Iraq was a US-led company in 2003 for terrorism and security reasons. The occupation by the coalition will help Syria to be both its strategic priorities. It has forced them to rethink, as well as to seek new alliances. In the relevant period Brought to the agenda by neo-cons who are known to be effective in US foreign policy Syria and its strategic partner under the Greater Middle East Plan

Statements made in the direction that it will also come to Iran in its position, it has also been a driving

factor for a change in strategy. Damascus administration in this case with a pragmatic understanding of foreign policy, Turkey, and Turkey to get rid of the situation stuck between Israel. sought in the development of relationships. Turkey is an ideal partner for Syria This country's EU connection also influenced its position. Because Developing relations with the EU through the bridge of Turkey,
the liberation of the United States from international isolation, as well as with another global power.
It could serve to balance it.

After the 1st Gulf War, it is a country that has already been isolated from the world. Declining Iraq, with the intervention of the USA and its allies in 2003, its territory has become a country under occupation. In this context, the AKP government Turkey's efforts to get closer to itself during its period are a gateway for Iraq has been evaluated as a sufficient for the development of relations with this country. justified. With the US in Turkey's decision to intervene in Iraq to protect Iraq's independence and territorial integrity. The stance it has taken makes the Baghdad administration almost all of the old animosities. persuaded him to set aside. Economic activities between both countries and their desire to gain benefit with the development of the relations in many areas.Helped to evolve into cooperation. The general structure of the relations between the basin states of global and regional politics and especially this which reveals how it is reflected in the will to cooperate. As a result of the evaluation; the most supportive of the optimists' propositions. the relations between the basin states, which should contain the data, beginning period.

It can be explained by elements outside the water-cooperation relationship,

- The cooperation of the same elements in relations with the focus of the Euphrates-Tigris basin resources It has been concluded that it has important effects on the correct evolution. This situation suggests that the adequacy of the optimistic approach is questionable. It has been concluded that it should be understood. With this result, the department's international legal norms are its impact on the cooperation process between Turkey, Syria, and Iraq within the scope of its resources. it was passed to the part where it was analyzed. At the very beginning of the analysis in question, the

optimists international law norms developed on common basin resources clearly defining the rights and responsibilities of states, help to resolve disputes and thus contribute to the cooperation process.
The determination that they expect to do is included.

However, this expectation between Turkey, Syria, and Iraq in the historical process that it can not be met with treaties and contracts, and the main reason for this is also the sovereignty and use of the mentioned regulations over the Euphrates-Tigris resources that his rights and obligations could not be conclusively concluded. specified. Legal disputes between basin countries the fact that it has not disappeared yet is one of the most important evidence of this point. It has been stated. Optimistic expectations are based on equity, reasonable use and use of customary international law. The answer is yes to the question of whether it can be met with the do no harm principles. Both in general and between the states of the Euphrates-Tigris basin. While it is stated that it is very difficult for the dispute, the following reasons are included.

- As it is revealed in the preparation of the UN Waterways Treaty, the said principles, now established in customary international law There is no distinction between priority and postponement. Consciously seeking the support of as many states as possible as a method of application, "no discrimination between principles", in practice this It has caused a conflict and at times a conflict between principles.

In its current situation, these principles are against each other due to common basin resources.
to states their very predetermined demands, interests and positions It offers the opportunity to reshape within the framework of international law. The ongoing conflict of interest between upstream and downstream states, or This situation, which allows the conflict to be transferred to the legal sphere, is law, which ensures the continuity of the disputes rather than the resolution of the disputes, and thus the expected contribution to the inter-state cooperation process. has brought it to a position that it can not. As the last subject analyzed in the chapter, on the Euphrates-

Tigris basin epistemological.

In the question of whether the community exists or not, the determinations given below, and results have been achieved. The World Bank and USAID have been influential in Turkey's decisions regarding the Euphrates Tigris with their conditional-loan policies. On the process of the 1973-75 crisis As the Arab

League, as the mediator, the possible conflict between Syria and Iraq played an important role in preventing it. Both structures are essentially optimists It falls outside the epistemological definition of community. Of these structures Although it is accepted that they are suitable for the definition even for a moment, their Euphrates-Tigris Completely removing existing confrontational elements in relations between basin states. It is fair to say that it can or can substitute cooperation. there will be no inference.

- In terms of the purposes put forward, the Euphrates-Tigris basin cooperation process Neither positively nor positively about the activities of the ETIC, which aims to have a direct impact.

it is not possible to form a negative opinion.

- To assist information exchange and negotiations between basin countries In terms of functions of establishing the necessary communication channels, OTK is a kind of Although considered an epistemological community, this structure itself occurs. to cause cooperation regardless of the will of the bringing states it has no capacity.

Finally, in terms of being a general conclusion regarding the section, the following findings are included. Given; • Using common basin resources together in cooperation instead of conflict It is true that it is a ore rational, effective and beneficial solution. However, promise the use of resources is more on the axis of individual interests. Cooperation only states that "this is better for you" when it is determined. It would be naive to expect it to appear with suggestions.

- In this context, encourage states to switch from will to conflict to cooperation. In the evaluation of the factors that will be obtained, as much as the benefit to be obtained, it has to be recognized that other related factors also play a role. So, optimistic approach cooperative behavior of states in the focus of common basin resources. Although it can be explained with certain limitations, as in the example of the Euphrates-Tigris basin the conflict itself and the transition from conflict to cooperation fully can not define. Negotiation between Turkey, Syria and Iraq in order to explain the phenomenon of cooperation, as revealed in the process of the search for other factors is the question of the adequacy of this approach. It means that the signs can not be eliminated.

The Euphrates-Tigris Water Issue; the main goal of the last chapter titled “Problem” is developed by the basin countries. How do historical perceptions affect state behavior regarding the Euphrates-Tigris water problem? It was determined as revealing that it reflected. In this context, first, the historical background of the relations between Turkey, Syria and Iraq. its plan is as independent as possible from the Euphrates-Tigris on the one hand, and on the other hand, subject areas that determine the essential structure of the ongoing relations between the subject countries has been analyzed based on. With the relevant analysis, the basin countries themselves, each other and The perceptions they developed to define the Euphrates-Tigris water problem It is aimed to determine the background and relations between basin countries for this It is dealt with with a distinction between "Turks and Arabs" and "Arab relations" has been taken. The findings obtained during the analysis were later transferred to the Euphrates-Tigris water has been associated with the state behavior adopted within the scope of the problem. This type of What is really meant to be achieved with this method is the actor related to a specific subject area, building a bridge between its behavior and the historical process of inter-state relations has been.

Topics determining the relations between Turks and Arabs in the evaluation,

- "Perception of others and distrust over negative images",
- "Controversial border issues focusing on the Mosul Issue and the Hatay Issue",
- "Turkey's image problem in the context of East-West encounter",

- "Turkey's attitude in the Arab-Israeli conflict"
- It has been determined that the titles “Supporting Anti-Regime Groups and Turkey-Syria-Iraq Relations in the Context of the Problem of Terrorism” come to the fore. When a similar evaluation is made in the context of relations between Arabs;
- "Conflict Tendency Over Ideological Differences",
- "Role of Different Ethnic and Religious Groups",
- "Differentiating Preferences Between East and West",
- "Difference in Perception and Strategy on the Arab-Israeli War",
- "Material Conflict of Interest Between Neighbors Under Ba'ath Rule", it was seen that they came to the agenda more prominently.

The subject areas mentioned or, with a more accurate definition, the problem areas. With the analysis, the following findings were reached; Relations between Turkey, Syria and Iraq dating back to the early 2000s section, the main element that determines the attitude of the parties to each other. There has been insecurity.

- To establish a healthy communication between them, mutual understanding, and common interests

The countries that could not be able to act together based on in the period that started, consensus and taking steps for cooperation, with the transformation in perceptions, could be the subject.

- The change in the general nature of the relations has also reflected on the approach of the basin countries to the Euphrates-Tigris problem.
- To reveal more clearly how this process works, the events regarding conflict and cooperation in the Fırat-Tigris basin should be analyzed through the perceptions of actors.It should be read again. The relationship between perceptions and state behavior on the Euphrates-Tigris water problem. To demonstrate, as presented below, the two crisis processes in the basin and the changing nature of the relations in the 2000s has been considered.

Finally, wanting to change the regime in Damascus, embracing Aflak, who was expelled from Syria for this purpose, It supports anti-regime groups and openly protects its opposition in almost every field. revealing, Allowing Imperialism to infiltrate the Middle East again in alliance with Western powers, Palestinian

organizations and PLO leadership in Lebanon against Syria's interests supporting Yasser Arafat for, Before the 1973 War, while the main enemy Zionists stood, the Kurds and Iran. the solidarity between the Arabs by choosing conflict, after the war, Syria, Israel and Israel by withdrawing its troops untimely and without notifying anyone leaving you alone in the face, regarding economic interests, both are regional allies of the United States, both Turkey and Iran, which officially recognized Israel, prefer an Arab country and thus Deprives Syria of the resources it can use to fight Israel, Taking courage from the peace it has made with the Kurds and Iran, To pursue a more active foreign policy against Syria's interests in the Middle East. a country that starts. The Iraqi people, especially the Shiites, sees their main purpose Explaining as to overthrow the Baath regime in Baghdad, in this context, the Iraqi Ba'ath Those who see any attempt that will harm their legitimacy are permissible, providing base support,Iraq is deprived of the dignity to be gained with the victory of the 1973 War who made the Arabs lose the Golan Heights for the sake of Arabs' determination to fight against Israel, the defeat immediately after the 1973 War, with Israel under the mediation of the Imperialist West for personal interests. who started the ceasefire negotiations and undermined them, Putting aside the struggle against Israel and cooperating with Palestinian organizations, especially the PLO. serving the goals of Imperialism in the Middle East, Preferring Maronite Christians to Palestinians in Lebanon, by establishing self-dependent administrations, the Great Syria Project was implemented. who want to spend it, acting against Iraq's regional plans in this respect, Past in oil transportation fees, jealous of the nationalization of the Iraqi Oil Company? demanding double increase compared to the periods, by closing the pipeline in Iraq a threatening country. Turks, who had followed an aggressive policy against Arabs in the past, the consequences of their multifaceted foreign policy and support for the Arabs in the meantime, relations should be carried out in a friendly and good neighborhood. Iraqi Foreign Minister Saadoun Hammadi: Syria's stance on water determines political motives and mainly to Iraqi farmers living in the Euphrates basin. Aims to cause harm. Because in case of decisiveness, the problem is surrounded 1-2 weeks. Technical solutions will be found within the week. Iraqi Information Minister Tariq Aziz: The restriction of the flow of the Euphrates, The Syrian administration, which has been in ideological conflict with its wing in Iraq for a long time, it is an

effort to take political revenge. Damascus regime, USA trying to damage the flow of the Euphrates River to Iraq It has cut by the force of imperialism.

The total amount of water reaching Syrian lands from the Euphrates was much higher compared to previous years. Damascus administration allowed most of the water to flow to Iraq gives. A Syrian spokesperson speaking on behalf of the Ministry responsible for the Euphrates Dam: Drought Reports of major troubles in Iraq are completely wrong, produced, and unfounded claims. Syrian President Assad: The conflict with Iraq is of a political nature. There is no doubt left. The source of the problem between the two countries is neither water nor this. it's the kind of thing. If the real problem is water, Syria will supply Iraq with the amount of water it demands is ready to give. Syrian Ministry of Foreign Affairs official statement: Those responsible for the 1973-1975 crisis, instead of trilateral talks on filling Tabqa and Keban dams before the crisis, It is Turkey and Iraq that prefer to negotiate with each other. Turkey on the Euphrates, which can be negotiated on a technical scale, it is a country that does not confuse political problems with water issues. Based on the perceptions that Syria and Iraq have developed about themselves, each other, and Turkey it is not a coincidence that the 1973-1975 crisis broke out between the two countries.It is possible to say. Without oil and high import costs in energy, the Euphrates-Tigris rivers It makes it necessary to evaluate the hydroelectric potential. Recently, one of the most important national security problems, ethnic to eliminate one of the reasons for the existence of terrorism, foreign powers (Syria) By supporting the PKK, they prevented the threat they posed to the security of the country. The living conditions of the people of the region must be improved rapidly through the GAP. After the Cold War, Turkey lost its role in the Western alliance. As a new strategy against the possibility of suffering, the Middle East in particular, a more active role should be played in its immediate surroundings.

Despite the Security Protocol signed in 1987, Syria's PKK. The continuation of its support is an excuse for Iraq not to be included in the protocol in question. The historical “insidious, deceitful, unreliable, Turkish The Arabs, who stabbed their nation in the back” justify their description. The regional politics of Iraq, where Saddam Hussein is the leader of "the most dangerous man in the world" and got stronger from the Iran-Iraq War of 1980-1988, should be followed closely. The failure

of the pro-Arab stance pursued since the second half of the 1960s Therefore, more balanced relations should be established with Israel on the basis of individual interests.

(Iraq) Rapid integration of soldiers demobilized after the war with Iran, but in the agricultural sector, which requires more efficient use of existing water resources possible with new reakthroughs The reason for NATO's existence, in a process where the USA is also beginning to lose power, Having emerged from the war with Iran as a rising regional power, Iraq's more assertive There is no significant obstacle to pursuing a foreign policy. (Syria) In a region where the threat element has almost never disappeared Ensuring food safety arising from the necessity of existence, rapidly increasing meeting the electricity and food needs of the country's population, the basis of the regime is medium and to protect the interests of the lower classes in the agricultural sector, in foreign trade Foreign resources can be obtained with the export of agricultural products, which have almost the largest share. requires increased use of existing water resources. Free aid from the Soviet Union that declared its intention to end the Cold War To accelerate the economic development of the country, since the opportunity to buy a new effort should be undertaken on the use of national resources. Hatay was taken from the Arabs by the Turks. Turks did not give up their claims regarding Mosul. Most of the time he was the agent and gendarme of the imperialist West in the Middle East, arrogant, self-righteous, unreliable, self-interested, and aggressive. Regional politics should be followed carefully. A recent close between Israel and the Turks, the arch enemy of the Arabs, contacts are worrisome.

"Insidious, deceitful, unreliable" Arabs demanded water from the Euphrates-Tigris rivers. It is unclear how much is based on real needs. Turkey will benefit sub-basin countries on the Euphrates-Tigris. While realizing the investments at the costs alone, Arabs only Their "we don't want" attitude can only be explained by ignorance. "Ignorant, dirty, lazy, chaotic, uncivilized" Arabs have a justified aspect of demanding more water from Turkey while wasting resources there is no. Suggested for the rational and efficient use of water,

outcomes that can resolve complaints about disability and benefit all Only the (ignorant and traditionalist) Arabs can object to the Three-Stage Plan. Syria and Iraq's water problem in an "optimum, reasonable and equitable" that there is no intention to solve it with an approach, Not really interested in Turkey's proposals during the negotiations, on the contrary, a complex problem "Let's share the water of the Euphrates right here and let's go." with their interest in (uncivilized) solutions that can be described as has emerged. News about a decrease or pollution in the flow of the Euphrates and Tigris, Arab allegations, and unfounded complaints, mostly with political motives. is due. With many historical examples, the Arabs, who are now clear that they can not be trusted making a final agreement on the future of the Euphrates-Tigris, only 1987.As in its Protocol, Turkey will tie Turkey's hands and arms, and Arabs. They will continue to do what they know. The Arabs, including the Syrian and Iraqi rulers, said they were experiencing water shortages. that Turkey's Seyhan and Ceyhan rivers are Peace Water Project, which was brought to the agenda by sacrificing its use It emerged with their refusal.

Joint project aiming to generate more energy and open new lands to irrigation Syria's jet-speed refusal to its proposals is that this country's water and energy It undermines the credibility of the problems he claims to have experienced in his subject. Syria's refusal to negotiate the future of the Rebel and the Euphrates together, accept the fact that the country in question is a part of Turkey, Hatay.
It should be understood as not. Syria put pressure on the PKK to compromise from Turkey on the Euphrates-Tigris issue while using it as an intermediary, Iraq from time to time in Northern Iraq for similar reasons.It overlooks the organization's actions.

Turks confiscated Arab water under the pretext of irrigation and electricity generation, it gives signals of a return to Ottoman colonialism and thus to Arab countries. poses a threat to the independence given by the Turks against the Arabs by using the water weapon punishing because of the struggle. The politics of the Ottoman period, which caused the "backwardness" of the Arab Nation. Turks, now giving life to Arab lands for centuries, in this respect, "Arab by restricting the flow of the Euphrates-Tigris, the water of which should be accepted and is trying to prevent its development. Being at the mercy of Turkey in terms of a vital resource such as water Pan
It contradicts Arab ideals and claims of Greater Syria or Iraq. Golan While the loss of

resources in the Hills to Israel stands out as a shame, the Arabs the loss of the Euphrates-Tigris belonging to another non-Arab state is an inexplicable will be the case. A final agreement was signed on the resources in question, and both the country's rights, especially the sovereignty, to be guaranteed strictly, thus, for any reason (Israel or the West), Turkey would be in the water of the Arabs. It is essential to prevent it from interfering with. As happened during the 1st Gulf War, Turkey is again anti-Arabs (Western or Israel) on the Euphrates-Tigris to suppress Syria and Iraq by a force

be forced or persuaded to use the facilities it has. Ultimate one with the treaty, such a possibility must already be avoiding. Companies cooperating with Turkey for water facilities built on the Euphrates-Tigris It should be questioned that many of them are of Western origin. With the Peace Water Project, Turkey, on the one hand, uses water as a tool. To become the leading country in the Middle East, on the other hand, the countries in this region It wants to make it dependent on itself economically and politically. Promise With the subject project, Israel must gain an interest in the water resources of the Middle East; works. Insisting on evaluating the future of the Rebel and the Euphrates together, Turkey. It tries to make Syria accept that Hatay is a part of Turkey. Due to its expansionist politics and use of violence against Arabs, to meet the needs of Israel, which causes human death, Turkey's His approach to the idea of selling water from the Manavgat river " disappointing." (Turkey) It is very much for them that the flow of the Euphrates will be reduced for a short time. Forewarned; even a detailed description of the history and content of the application.measures for Syria and Iraq, for whom the program is offered, to overcome the process with the least damage despite the receipt; reacting beyond what can be considered normal, Negative of preventing the development of Turkey by blocking the GAP,it causes a search for intention. War Turkey against the decision of the Iraqi Minister of Agriculture to restrict the flow of the Euphrates. threat, 700 m3 per second at the Turkish-Syrian border Not less than Fırat the demand for water is how the country in question can use the new power it has acquired and is one of the possible reflections. (Syria-Iraq): Turkey made its decision to restrict the flow of the Euphrates on technical grounds. Syria and Syria in the process of implementation of the decision and past experiences. The fact that the demands from Iraq were not

responded to, the decision taken is a political by using it as a tool, both countries cooperate in the fight against the PKK. shows that it has a political nature like coercion. As a front-line country until the 1990 crisis, pro-Western in the Middle East and the West's contribution to the Israel Peace Water Project. Including Turkey with suggestions, "Forcing Syria to peace with Israel, the imperialist West and its partner Israel,it is likely to restrict the flow of the Euphrates with its effect. As simple and technical level as filling the Atatürk Dam during the 1990 crisis.If Turkey does not listen to Syria and Iraq on an issue that can be resolved with negotiations, in a situation where more important interests such as security are at stake It can not be expected to take decisions by acting in coordination and solidarity. So, an ultimate with the agreement, the rights regarding the Euphrates-Tigris should be guaranteed immediately. Conclusion The gap and deadlock between the perceptions of the basin countries listed above.When taken, it is very difficult to base the crisis of 1989-1990 on the water factor alone. With the end of the Cold War, the changing world balances, with the interests of the country It necessitates the redefinition of strategic priorities. A forementioned;In defining the new Turkish foreign policy, neighbors, and former sphere of influence.Relations with the countries in the country on the basis of mutual understanding, compromise and cooperation It should be done in a way to include development goals. "Strategic Depth" and "Zero with Neighbors" implemented since 2002. New lines of Turkish foreign policy reflected in the "problem" policies, Turkey's peaceful regional and international problems (Arab Israeli conflict) It also requires it to play an active role in the solution. For Syria, which has been supporting PKK terrorism against Turkey for many years, Abdullah g Öcalan out of its land and signing the Adana Treaty in 1998. Relations between the two countries are no longer national security can be reshaped, leaving worries behind. After the two recent Gulf Wars, a regional power as before the most important concern for Iraq, which can not threaten Turkey with its quality, is that Northern Iraq its future and the activities of the PKK here. Turkey since 2003.The negativities caused by staying away from the developments in the region are taken into consideration. When taken, these concerns can only be brought closer to the administration established in Iraq. it can eliminate interacting and acting together based on cooperation.

The war, such as the September 11 attacks, the suppression of the 2nd Intifada

movement by Israel,

In an apocalyptic world steeped in terrorism and religious phenomena, the AKP government the solutions it found in a short time to its problems, including the Palestinian cause and the Lebanon problem. Positive mobility in the international arena, Islam, modernity and his new vision of becoming a Muslim in the modern world, like many others.It is also admired by the Arabs. With its new administration, Turkey is now a part of the Arab world, including Syria and Iraq. With each passing day, the two nations are getting closer to the world of trade, investment, tourism, bridges of education and politics than ever before (but the most They are intertwined as they should have been) from the beginning. Contrary to expectations, during the 2nd Gulf War, using terrorism as an excuse, to stand with the USA, which has implemented the new imperialist plan regarding Turkey's attitude that refuses should be appreciated and the active cooperation policy to be followed and this country should be prevented from coming under the control of Imperialism again. The positive mediation role played by Turkey between Syria and Israel, Prime Minister Erdogan's attitude towards the Gaza attacks and in this context on January 29, 2009; to Israeli President Shimon Peres during the Davos meetings "One Minute" output is positive among the Arabs for the Prime Minister and for Turkey. It has strengthened the perception. While intervening in Iraq, his main purpose is to realize the Great Middle East Project before the highly probable attack on Syria, which the USA has clearly stated.

With a rising regional power like Turkey and again through the country in question New alliances should be sought by opening to Europe. Relations with Turkey, which does not want a Kurdish formation in Northern Iraq New administration in Iraq Although (Malik's government) developed problematically until it was officially recognized in 2007, this country is now a positive attitude for Iraq's territorial integrity and independence,exhibits. In addition, commercial relations with the country in question Kirkuk-Ceyhan pipe its vital importance, including the transportation of oil from its line protects.(2004)

Syrian President Bashar Assad: “What is said about transboundary waters? Beyond all framework agreements, the friendly relations that exist between the two countries a dialogue based on mutual trust and friendship in an environment dominated by him sees that he will also solve the problem - he is solving it even now.

we believe. " (2005) Iraq's Minister of Water Resources Rashid": Bad relations with neighbors " the former government could not agree on water quotas. Now our different We have a strategy; we want

to increase it with new agreements. " Energy and Natural Resources Minister Taner Yıldız: knowingly, sometimes without generating electrical energy to fulfill our obligations we let the water flow from the Euphrates for our Iraqi (Syrian) brothers."

With the GAP Regional Development Administration dated August 23, 2001, the Syrian Land Reclamation Organization Cooperation protocol between (GOLD). Partnership Establishing the Turkey-Syria Free Trade Area dated December 22, 2004 Agreement. Turkey-Syria High Level Strategic Cooperation Council of 13 October 2009 Agreement. For the Establishment of Turkey-Iraq High Level Strategic Cooperation dated 10 July 2008 Joint Political Declaration on. Turkey-Iraq Comprehensive Economic Partnership Agreement dated 23 March 2009.

Occurring locally, in the region and internationally since the early 2000s developments, the watershed countries themselves, each other and their relations. it caused a change in perceptions. More because of what happened in the past as these perceptions based on insecurity and conflict change, the Euphrates-Tigris relations between basin countries, including the subject of more moderate, reciprocal
has begun to be redefined based on understanding and cooperation.

Finally, looking closely at the historical process of the Euphrates-Tigris water problem, and optimistic approaches that are shaped by the basin focus between Turkey, Syria and Iraq, aspects of relationships that look at conflict and cooperation, specific periods, or episodes However, the countries concerned may occasionally use both approaches. that they can adopt the exact opposite of that foreseen by the aforementioned. It is possible to say that the moments are not too few. Other one in other words, the parties are confrontational according to the pessimistic approach's power and security point of view. they may prefer to cooperate when they are thought to display an attitude, When the parties are expected to cooperate according to an optimistic point of view,

It can be observed that they can adopt a confrontational attitude. Based on the relevant determination, the essential relationship between basin countries in the historical process the structure of the parties themselves, each other and the problematic subject area between them. determining how they perceive; negative images, insecurity, controversial border issues, image problem, Arab-Israeli conflict, supporting anti-regime groups, terrorism problems such as ideological differences, divergence in East-West preference, financial conflict of interest. To explain the state behavior of non-water issues regarding the Euphrates-Tigris.It can be claimed that they can produce healthier results. In this context, peace and cooperation When it comes to a political will, water is not an obstacle to peace, but rather a In the presence of the will, the statement that excuses from 'su' are sufficient summarizes this thesis.

Attachment-I:

SOME OF THE RULES OF INTERNATIONAL LAW ASSOCIATION RELATED TO THE USE OF INTERNATIONAL WATERS IN 1966 ARE THESE

The 52nd Meeting in Helsinki in August 1966. The following are the articles[4] of the rules adopted by the International Law Association at the conference regarding our working subject.[5]

PART -1: General.

Article 1

The general rules of the international law in these sections relate to the use of the waters of an international drainage basin unless an agreement or binding tradition is found in violation of the agreement between the basin countries.

Article 2

An international drainage basin is a geographical area spread over two or more country land, defined by the boundary of all kinds of water systems, including surface spills and groundwater flowing somewhere.

Article 3

A "Basin Country" is part of an internationally drained basin of its region. Part- 2.

Fair and Reasonable Use of International Drained Basin Water.

Article 4

Each basin country has the right to share fairly and reasonably in the useful use of the waters of an international drained basin within its region.

Article 5

1. What is fair and reasonable sharing in the sense of Article 4 will be defined in the light of all relevant factors in each case.
2. Related factors that include but not limited:
1. Basin geography with drainage area in each basin country,
2. Hydrology of the basin, including its contribution to water by each basin country
3. Climate affecting the basin

4. Part use of basin waters, including the current usage

5. The economic and social needs of each basin country

6. Population of each basin due to basin waters in the country

7. The comparable costs of alternative roads that meet the economic and social needs of each basin country

8. Availability of other resources

9. Avoiding unnecessary waste in the use of basin waters

10. Compensation of one or more common basin countries as a way to correct disputes between usesThe degree at which the needs of a basin country are met without significant damage to the common basin country the weight to be given to each factor will be defined in comparison to other appropriate factors. All relevant factors in determining what fair sharing will be considered together with a fundamental conclusion to be reached.

Article 6

A category of use or uses is not entitled to any natural preference over other usage or usage category.

Article 7

A basin country can not be denied the use of these waters already, as the common basin country will use its international drained basin waters in the future.

Article 8

1. Unless the factors that regulate continuity are more important than other factors that lead to an end or modified outcome in a way that reconciles the opposite use, an existing reasonable use may continue.

2. (a) It is considered that a use of a direct use from the start date of the construction is the current use, but if such construction is unnecessary, this usage will be addressed by the corresponding functions of the actual application.

(a) Such use will continue as an existing use until it is not maintained with the idea that it will be abandoned.

3. If this use is incompatible with an existing use, it will not be considered as the current use.

PART-3 Pollution Article 9

As used in this section, the term "Water Pollution" is attributed to any harmful change that changes the natural state, content, or quality of international drained basin waters as a result of human consumption.

Article 10

1. In consistency with principles regarding the equal use of international drained basin waters, a country.

11. An international

12. drainage basin, which can cause significant damage to the region of the common basin, should refrain from any action that will increase existing water pollution or pollute water.

13. It should take necessary measures to reduce existing water pollution in the international lyre basin, which does not cause significant damage to the region of the common basin.

14. The rule of this article specified in paragraph l applies to water pollution that arises from:

15. Water pollution from withing the country’s region.

16. Water pollution caused by the country's government.

Article 11

1. In the event of a violation of the rule specified in Paragraph 1 a of Article 10 of this section, the country will be asked to be responsible to stop misuse and compensate the damaged partner country for the damage caused.

2. If there is a violation of the rule specified in paragraph 1 (b) of Article 10, if a country is incapable of taking appropriate measures, it is prompted to begin negotiations with the damaged country to reach an equal consensus under these conditions.

PART-4: Transportation (Articles 12-20) PART-5: Timber flotation (Articles 21-25) Because these two sections are out of your working position, as indicated in the above foot note of 266.

PART-6: Prevention of disputes and settlement practices.

Article 26

This section covers the practice of preventing international disputes and reaching an agreement in international drained basin waters, in which the legal rights and other interests of basin countries and other countries are met.

Article 27

In compliance with the United Nations Declaration, countries are at risk of peacefully resolving international disputes in a situation where international peace, security and justice are not compromised, considering their legal rights and other interests.

It is recommended that countries constantly apply for ways to avoid disputes stipulated in articles 29 to 39 of this section and to find a state remedy.

Article 28

1. Countries are under an important responsibility to resort to ways to prevent and resolve the intransigence stipulated in the agreements that bind themselves and are in practice.
2. Countries are limited by the ways in which disputes are blocked and stated in agreements that link them to the implementation.

Article 29

1. In terms of legal rights and other interests, it is recommended that each basin country provide reasonable available information about drainage and such water in its territory and use, with the idea of eliminating conflicts between basin countries.
2. Regardless of the position of a country in a drainage basin, article 26, as defined in Article 26, in a situation that can cause a dispute, any construction or

installation designed to change the basin regime, and any other basin should report its interests that may significantly affect the country.

The notice should include the facts necessary for the buyer to assess the potential impact of the proposed change.

3. A country that provides the tip specified in paragraph 2 of this article should provide the buyer with a reasonable time to evaluate the proposed construction and the possible impact of the installation and to convey their views to the country that issued the tip.

4. If a state fails to issue the notice specified in paragraph 2 of this article, the state change in the basin regime shall not be weighted primarily depending on the use if it is defined what the reasonable and equal sharing of basin waters is.

5.

Article 30

In the event of a debate between states, they should seek a remedy through negotiations, looking at their legal rights and other interests, as defined in Article 26.

Article 31

1. If there is a problem or disagreement due to the current and future use of the waters of an international basin, it is recommended that the basin countries talk about the problem or dispute of a common intermediary in the best and most effective use in their interests and to request tools for the examination of the international basin and to make plans and recommendations.

2. It is advisable that the agent should be informed to give reports to the authorities of the relevant member states considering their authority.

3. Member states that are joint intermediaries are required to invite non-basin-free states that have a right to use international drainage water in appropriate circumstances or allow them to participate in the work of their joint intermediary.

Article 32

If there is a problem or disagreement that the solution in the situation described in Article 31 is not considered to be made by the relevant countries, it is recommended to seek good officials and ask for mediation by a third country or a limited

international organization or a limited person.

Article 33

1. If the relevant countries failed to reach an agreement on the measures defined in Article 31 and 32, or if they could not resolve their disputes through negotiations, it is recommended to create a research commission or a voluntary commission to try to find a solution that the countries concerned will agree to, to protect their legal rights.

2. It is recommended that the voluntary commission be established in the case specified in the Annex.

Article 34

The disputes of the relevant countries are recommended to a voluntary selected court, if the following conditions arises, to a court that is constantly serving or to the International Court:

(a) If a commission provided in Article 33 is not created, or

(b) If the Commission can not create a recommended solution, or

(c) If a recommended solution is not accepted by the relevant countries, and

(d) Unless a deal can be reached any other way.

Article 35

The relevant countries are advised by the United Nations International Law Commission to seek a solution in the case of the arbitral tribunal according to the model rules on arbitral Decisions prepared in the tenth session of b/19.

Article 36

The remedy of the arbitral tribunal means an attempt by the relevant Countries to give confidence in fulfilling its duties and to reach a conclusion.

Article 37

The ways of reconciliation attributed to the previous articles of this section are the use of the proposed means of reconciliation, without prejudice, or members or intermediaries of regional agreements, and the recommendations or wishes of other

international organizations.

Complementary Rules to International Resources. (1986)

The 62nd International Law Association conducted in Seoul in 1986. The complementary rules adopted at the conference are given below.[6]

Article 1: Significant Damage

A basin country will avoid and prevent activities or non-conduct that will cause significant damage to any country with a common basin, provided that the implementation of the Principle of Equal Use does not justify an exception in a particular situation, as set out in Article 4 of the Helsinki Rules. Such an exception will be defined in compliance with Article 5 of the Helsinki Rules.

Article 2

If the measures within the region of other basin countries require the use of the water supply or the use of water resources in this region, if an initiative by the basin country requires working in the region of a joint basin state and plumbing or the use of water resources in this region, all questions will be defined through the agreement. The countries concerned will demonstrate their best efforts to reach a full and reasonable agreement, in line with the principle of equal use.

Article 3

Notice and Objection

1. When a basin country aims to undertake or allow an initiative to take on a project that will significantly affect the interests of a common basin country, it will communicate the project to such a country or country.

2. After receiving the tip required by Paragraph 1, a basin country will have a suitable time, not less than six months to evaluate the project and submit its necessary objection to the bidder country. The country considering doing the project will not continue the project during this time.

3. If a basin country does not object to the project within the permitted period under paragraph 2, the country that intends to project can continue the project depending on the notice. If a basin country objects to the project, the relevant countries will quickly make their best effort to resolve the issue of procedures included in Helsinki Rules Section 6. The country with the project will not continue its project while this solution is underway if it does not expire. If these efforts are overextended or the country with objections refuses to go to third-party applications to settle the remaining differences of opinion; The country that owns the project, as its responsibility, will continue the project in a manner depending on the notice. If the communiqué and other relations specified in this article are not otherwise understood, they will be sent through the appropriate official channels.

Seoul Rules on International Ground Water

In 1986, the International Law Association convened in Seoul at the 62nd International Law Association. the rules on groundwater adopted at the conference are below.

Article 1: Waters of International Underground Water resources:

The waters of an underground water source that intersects with the border of two or more countries, if such a water source forms an international basin or part, these are international groundwater. These countries are basin countries that are considered in accordance with Helsinki rules, regardless of whether they form surface waters that form part of a hydraulic system that flows into a medium.

Article 2:
Hydraulic Mutual Dependence.

1. Under the Helsinki Rules, a water source that supplies or receives water from the surface waters of an international basin forms part of an international basin.[7]

2. A water source intersecting by the border between two or more countries that do not water a water basin with international drainage, does not take

water from it, forms an international basin under the aim of the Helsinki Rules.

3. Basin countries that exercise their rights under international law and perform their own duties will consider the independence of groundwater, including links between water sources under their own legal powers, leaks to water sources.

Article 3:

Protection of groundwater

1. Basin countries will prevent and reduce pollution of international groundwater and increase existing pollution in accordance with international law. Special attention will be given to the long- term effects of groundwater.

2. Basin countries will provide information about each other and exchange ideas at the request of anyone.

(a) To protect the geological structure of water sources, including drainareas, from lowering the water's groundwater.

(b) 3. For the purpose of considering common and parallel standards and environmental protection measures in international groundwater and resources. Basin countries will cooperate at the request of anyone to collect and analyze the necessary additional information and data about international groundwater and resources.

Article 4

Basin countries should consider the management of groundwater and surface waters at the request of one, the combined management of international groundwater, including the use combined with surface water.

Attachment - II

UNITED NATIONS THE 46th Edition of the INTERNATIONAL LEGAL COMMISSION. IN SESSION (May 2 -July 22, 1994), THE DESIGN OF SUBSTANCES FOR THE OUT-OF-REACH USE OF INTERNATIONAL WATER RESOURCES ACCEPTED

Part 1

Introduction

Article 1

Activity area of existing items

1. Existing substances apply to international water resources and their use of their waters for other purposes other than circulation, and to use and management measures related to the use of water sources and water.

2. The use of international water resources for transportation is not related to existing substances except for those affected by transportation or affecting transportation.

Article 2

Use of the terms of the agreement for the purposes of the current articles.

(a) "International water supply" means a water source with parts in different countries.

(b) "Water supply" means a system of surface water and groundwater formed by its own physical integrity flowing to a certain place.

(c) "Water supply country" means a country with some of an international water source within its territory.

Article 3

Water supply agreements

1. Water supply countries can enact one or more agreements attributed to "waterway agreements" that apply and adjust the terms of existing clauses to the uses and characteristics of a special international water source or part.

2. A water source agreement will identify the waters to be applied if it is made between two or more water source countries. Such an agreement can be made by looking at the state of a special project, program and use, or by looking at the international water source, provided that water supply water is used by one or more water source countries, provided that the agreement is not effective.

3. If a water source country considers that adjusting or implementing the terms of existing substances is necessary thanks to the characteristics and use of a special international water source, water supply countries will apply for negotiations to finalize a water supply agreement or agreements.

4.

Article 4

Proponents of water supply agreements

1. Each water source country has the right to be a party to any water supply agreement concerning all international water sources, such as taking part in appropriate consultations and taking part in the negotiations.

2. The international water source has the right to participate in discussing and exchanging ideas and making ideas that will be effective in the use of a water source country where the use of a water source country can be effective to the extent that the water supply agreement applied to a specific project, program or usage, or part of the water supply is fulfilled.[8]

Part II GENERAL PRINCES

Article 5

Fair and reasonable use and participation

1. Waterway countries will use an international waterway in their

territory in a reasonable and reasonable situation. In particular, an international waterway will be used and developed by the waterway states in accordance with its most appropriate use and interests, depending on adequate protection of the waterway.

2. Waterway countries will cooperate fairly and reasonably in the development and use of international waterways. Such participation covers the right of both parties to cooperate in the protection and development of water, as stated in existing substances, and to benefit from the waterway.

Article 6

Factors related to fair and reasonable use

1. The use of an international waterway equally and reasonably under Article 5 requires considering all relevant factors and situations, including the following.

(a) Geographical, hydrographic, hydrological, climatic, ecological and other natural factors

(b) Social and economic needs of the relevant waterway countries

(c) Population connected to the waterway in each waterway country

The impact of the use or use of waterway in a waterway country or other waterway country. Current and potential uses of the water way.

(d) The economy, development, protection, and management of the use of water supply of waterway and the costs of German measures

(e) Availability of the appropriate value of existing use or specially planned alternatives

2. Article 1 of this item. when the relevant waterway countries are needed in the implementation of paragraph or article 5, they will go to co-operation.

Article 7

Obligation not to cause significant damage.

1. Waterway countries will make the necessary effort not to cause significant damage to other waterway countries when using an international

waterway.

2. Although the effort has been made, there has been significant damage to the other waterway country; in the absence of such a deal, the country that has caused the use of such use will meet with the country that has suffered such damages.

(a) Fair and reasonable use, considering the factors listed in Article 6,

(b) The problem of adjusting for use designed to eliminate and alleviate any damage and compensation problem where appropriate.

Article 8

General obligation to cooperate.

Waterway countries will cooperate based on equality, regional integration and mutual interest to ensure optimal use and adequate protection of an international waterway.

Article 9

Regular exchange of data and information

1. In accordance with Article 8, they will regularly change reasonable data and information about the general state of the waterway, such as hydrological, meteorological, hydrogeological and ecological.

2. If the other waterway country wishes to provide data and information that can not be obtained from a waterway country, it will do its best to meet the request, but if it is appropriate, the country that requests the costs of processing it may be required to be paid.

3. Waterway countries will do their best to collect data and information in a way that facilitates its use by other waterway countries in which it communicates, and, if appropriate, to process it.

Article 10

Relationship between different uses

1. The use of an international waterway does not take advantage of its natural priority over other uses in the absence of an agreement or otherwise a tradition.

2. In the event of a dispute between the use of an international waterway, it will be resolved by adhering to the factors and principles contained in article 5 and 7 with a special care that will be given to vital human needs.

Part III: PLANNED MEASURES

Article 11

Information concerning planned measures.

Waterway countries will inform each other and discuss the possible effects of planned measures on the status of an international waterway.

Article 12

Notification concerning planned measures.

A waterway country will notify other countries of this over time before implementing or allowing planned measures to have a significant adverse effect on other waterway countries. Such a communiqué will include appropriate technical data and information to ensure that the countries communicated are assessing the possible effects of the measures.

Article 13 Time to respond to the notice Unless there is a contrary agreement,

(a) According to Article 12, a waterway country issued a notice will give the country a 6- month period to assess the possible effects of the planned measures, work on them and communicate the findings.

(b) This period will be extended at the request of the country, which has been notified, to exceed 6 months for the evaluation of the measure that reveals special challenges.

Article 14

Obligations of the country that makes the tip during the response period. The country that reported for the period specified in Article 13 will cooperate with the country it has reported by providing additional data and information that is appropriate and necessary for a full assessment and will not carry out measures without the permission of the countries reported or not to allow it to be implemented.

Article 15 Answer to the notice

1. The countries that have been nation will forward their findings to the country that reported them as soon as possible.

2. If a country that has been notified finds that the implementation of the planned measures does not meet article 5 or 7 requirements, it will transmit this finding

to the country that reported it within the appropriate time to Article 13 along with a documented explanation indicating the reasons for their findings.

Article 16

The absence of an answer to the notice

1. According to paragraph 2 of Article 15, the country that makes the tip-off within the appropriate time of Article 13 may initiate the implementation of the planned measures according to the notice and other data and information provided to the country that has been notified by adhering to its obligations in article 5 or 7 if it does not receive any notice.

2. Article 13 in the appropriate time reported to the country objected, after the expiration of the time for an ungiven answer, the costs issued by the country that reported, the claim of compensation of the country that did not respond to the notice can be equivaled.

Article 17 Consultations and interviews concerning planned measures.

1. If you have a news article 15 2. if it is done under paragraph, the country that makes the tip will exchange ideas to achieve an equal resolution of the situation and, if necessary, will also be in negotiations.

2. Consultations and talks will be held on the basis that each country should consider the rights and interests of the other country.

3. The country that makes the tip during consultations and interviews will refrain from implementing and allowing measures to be implemented for a period of not exceeding 6 months within the time it will provide the news if requested by the country that has been reported.

Article 18 Applications for the absence of notice

1. If a waterway country has serious reason to believe that another waterway country is planning measures that it may have a reversal and significant impact on itself, the previous country may ask the previous country to apply the terms of Article 12 from the next one. With this request, there will be an explanation for the reasons.

2. If the country that plans the measures finds that it has no obligation to provide a notice under Article 12, it will inform the other country by providing an explanation for the reasons for such a finding. If this finding does not satisfy the other country, the two countries will be able to enter article 1 and 2 of Article 17 at the request of the other. consultations and interviews specified in paragraphs will begin immediately. 3. If the country that plans the measures during consultations and negotiations is requested by the other country at any time it wants to start consultations and talks, it will refrain from implementing and allowing the implementation of the measures for a time not exceeding 6 months.

Article 19 Urgent implementation of planned measures

1. The country that plans measures in case it is urgent to protect public health, safety or other important interests of the implementation of the planned measures is committed to article 5 and 7, and article 17 is the third amendment. may immediately start the application, despite the conditions in paragraph and Article 14.

2. In such a case, the measures will be delivered to other waterway countries in accordance with an emergency official declaration, data and information as set out in article 12.

3. As stated in paragraph 2 of the country that planned the measures, article 1 and 2 of article 17 at the request of any country. consultations and interviews will begin immediately, as stated in the paragraph.

Part IV

PROTECTION, STORAGE AND MANAGEMENT

Article 20

The protection and preservation of ecosystems. The waterway countries will protect and preserve the ecosystems of personal or common international waterways.

Article 21

Prevention, reduction and control of pollution

1. For the purposes of this article, "Pollution of an international waterway" means direct or indirect human use and harmful change in the quality and content of the waters of the international waterway.

2. Waterway countries will reduce and control the pollution of an international waterway that can significantly damage the use of water or waterway

living resources used to human health or safety in other waterway countries. Waterway countries will take steps to harmonize

their policies in this context.

3. Waterway countries will consult with a list of substances related to the waters of an international waterway to be banned, limited, investigated, or monitored at any request.

Article 22

Formation of foreign matter or new species Waterway countries will take all necessary measures to prevent the formation of new species or foreign substances in the international waterway, which can have a detrimental effect on the waterway ecosystem that will result in significant damage to other waterway countries.

Article 23

Protection and protection of marine environment by considering the international rules and standards generally accepted as personal or partner, waterway countries are required to protect and maintain the marine environment, including the estuaries, by respecting the international waterway measures.

Article 24 Management

1. At the request of one of the waterways countries, they will participate in talks covering an international waterway management that includes the establishment of a joint governance mechanism.

2. For the purpose of this article, "management" is specifically attributed to the following considerations.

(a) Ensuring the implementation of any adopted plan and planning the strong development of an international waterway

(b) Rational development and optimal use, protection, and control of the waterway

Article 25 Editing

1. Where the waterway countries are appropriate, they will go to co-operation to respond to needs or opportunities to regulate the flow of the waters of an international waterway.

2. In the absence of a contrary agreement, waterway countries will cooperate on an equal basis for the payment or construction and maintenance of the arrangements they have reached an agreement.

3. For the purpose of this article, "regulation" means the use of any ongoing measures or hydraulic works that will change, turn the waters of an international waterway, turn it into another, or control it.

Article2 İnstallations

1. **Waterway countries will make the best effort to look and protect international waterway- related installations, buildings and other works within their regions.**

2. Waterway countries will begin negotiations considering the following, given that there is a serious reason why they believe anyone can suffer from significant effects.

(a) Safe operation or maintenance of international waterway installations, buildings or other works

(b) Protection of installations, buildings or other businesses from nature forces or willing or reluctant actions

PART-5: DANGEROUS CONDITIONS AND EMERGENCY SITUATIONS

Article 27 Prevention and reduction of dangerous conditions Waterway countries, personally or partners, to block, or reduce conditions that arise from human or natural conditions such as flood, ice, water diseases, alluvial, erosion, saltwater intrusion, drought, or desert, which can harm waterway countries take all necessary precautions.

Article 28 Emergencies

1. For the purposes of this article, "Emergency" means situations that cause serious damage or damage to waterway countries and cause human consequences such as flooding, ice breakage, landslides or earthquakes or industrial accidents.

2. A waterway country will transmit any emergence in its region to international organizations and affected countries without delay.

3. A waterway country with an emergency within its territory will immediately take all necessary measures to prevent, mitigate and eliminate the effects of emergencies in cooperation with affected countries and international organizations if possible.

4. When necessary, waterway countries will jointly develop plans to intervene in emergencies with other countries and international organizations.

PART-6: VARIOUS CONDITIONS

Article 29

International waterways and installations at the time of armed conflict

International waterways and related installations, buildings and other workplaces will use the protection status set by international law principles and rules applicable in international and domestic armed conflict and will not be used in case of violation of these principles and rules.

Article 30

Indirect applications

In the case of serious obstructions against direct contact between waterway countries, the relevant countries provided in existing articles, including the exchange of data vi

information, notice, communication, consultation, and negotiations through the indirect application accepted by them cooperation obligations.

Article 31

Vital data and information for national defense or security

Nothing in existing clauses can enforce the waterway country to provide vital data and information about national defense or security. However, if this country provides such information under possible circumstances, they will cooperate with other waterway countries.

Article 32

Not making any difference

Unless the relevant waterway countries reach an agreement to protect the natural and legal interests of those who are under a serious threat to the danger of significant border crossing as a result of international waterway-related activities, a waterway country in accordance with the significant damage caused by the activities under the legal authority, in accordance with its legal system, right to make applications or the right to make compensation, by accepting the right of such persons and accepting the damage seizing will not discriminate in terms of mill.

Article 33 Resolve disputes:

In the absence of an agreement between the relevant waterway countries, any waterway dispute that resolves the application or interpretation of existing substances or the actual problem will be resolved according to the following conditions:

(a) If such a dispute arises, the countries concerned will immediately begin consultations and negotiations to bring equal solutions to dispute by carrying out the use of any common waterway institutions established by them.

(b) If the relevant countries can not resolve disputes through consultation and interview at a time of 6 months after the requested date of the consultations and consultations, they will have the resources to lead to an impartial reality at the request of one of them, or brokerage or voluntary organizations will request in the event of the acceptance of the relevant countries.

5. Unless there is a contrary agreement, a research commission will be

established, each of the relevant countries will consist of a member nominated by the candidate, and a member who will serve as president and will be elected by members and is not of the nationality of any of the relevant countries.

6. If the members nominated by the countries can not decide on a president within 4 months of the establishment of the commission, any country concerned can ask the UN Secretary-General to appoint a president. If one country can not nominate a member within 4 months following paragraph b, the other country may request from the UN secretary general to appoint a person who will form a single member of the commission and will not be of the nationality of any of the relevant countries.

7. The Commission will define its own procedure. The relevant countries have the right to provide this information from the commission and allow the commission to enter its territory upon request and to examine any building, factory, device, structure, or natural characteristics for the researchment.

8. Unless the Commission is not a single commissioner, it will adopt its report by majority vote and submit the report to the relevant countries, which contain the findings, reasons and recommendations.

9. The commission's costs will be imposed on the relevant members equally.

10. If a commission of research or mediator sits 12 months after the launch of the mediator or research request, 6 months after receipt of the commission's report if the relevant countries can not resolve the agreement, countries can resolve the legal solution or the arbitral tribunal through the agreement.

SOLUTION ON THE SUBTERRANEAN WATERS

Due to the increasing water need, the increasingly consumed underground water sources, on the other hand, face more and more the danger of contamination. For this reason, both states and international agencies continue to seek solutions to groundwater. In 1997, at the United Nations Water Conference in Mar del Plata, Argentina, the recommendation stipulates that the necessary mechanisms for regular data collection and resources on the surface and underground water resources are established. strengthening is recommended.[9] "Seoul Decisions" (Section 4.3.4) adopted by the International Law Association in 1986 on the groundwater.

In addition to the B.M. International Law Commission's Draft Articles on The Non-Transportation Use of Waterways, the text on the groundwater is as follows:[10] The

International Law Commission has concluded its opinion on the issue in the international waterways non-transportation use law. In this context, after considering groundwater related to international waterways, the integration, life and health of the ecosystem is not related to an international waterway by defining groundwater, which is an important natural resource to maintain,

In addition, the need to continue work to detail the rules of cross-border groundwater, and the draft articles on the international waterways non-transportation use law that can be applied to cross- border groundwater considering the principles,[9]

11. In ordering cross-border groundwater, he agrees that countries will be guided by the principles contained in the draft articles on the international waterways' non-transportation use law.

12. It recommends an agreement with countries or countries where cross-border groundwater is located.[10]

13. In the event of any dispute involving cross-border groundwater, he recommends that the relevant members consider resolving such an agreement according to the terms in section 33 of the draft clauses in which they can be decided.

Appendix– III:

CONVANITY OF THE OUT-OF-REACH USE OF WATER BETWEEN NATIONS[11]

The parties participating in the current meeting. Aware of the use of international streams and their non-maritime streams in many parts of the world, The United Nations Agreement, which says it will initiate and advise the Council to promote the development and regulation of international healing laws, Article 1. In mind the paragraph, The successful improvement and regulation of the non-maritime use of international streams is the 1st anniversary of the United Nations Treaty. and 2. will contribute to the development and implementation of the purposes and principles put forward in the articles of Among other things, considering the problems affecting international streams caused by increased demand and pollution, by declaring a framework agreement will ensure the development, conservation, administration and protection and appropriate and sustainable use of international waters for existing and future generations,

Emphasizing the importance of international cooperation and good neighborly in this field that are aware of the special situations and needs of developing countries,Recalling the principles and recommendations of the Rio Declaration and Agenda 21, which the United Nations adopted on environment and development in 1992, Remembering existing bilateral and multilateral agreements regarding the non-maritime use of international streams, By keeping in mind, the valuable contributions of both the government and non-governmental organizations to the development and regulation of international healing laws on this issue,

By commending the work carried out by the International Law Commission on the law on the use of international streams outside the sea, Considering the United Nations General Assembly's Resolution 49/52 in December 1994, they agreed as follows:

CHAPTER I. PRESENTATION

Article 1

1. This convention applies to the out-of-transportation use of international waters and their streamwaters, and to the measures of conservation protection and management of these streams and their waters.

The use of international waters for shipping is not covered by this Convention, excluding any use of maritime.

Article 2

Use of Terms

For the purposes of this Convention:

a- "Stream" means a system of surface and groundwater formed by a physical connection that flows to a common endpoint.

b- "International streaming" means a stream whose parts are in different states.

c- The "Waterway State" is a state of the party to this Convention, which is part of an international waterway on the land of the State, or a regional economic integration organization with an international stream on the soil of one or more of the states that have a member, means a party.

d-The Regional Organization for Economic Integration means a fully authorized organisation created by the sovereign States in a particular region, which its members authorize on the issues set by this Convention, to allow them to sign, consent and accept in accordance with the internal procedure.

Article3 Waterway deals

In the event of an agreement, nothing in this convention affects the rights and obligations of a waterway state arising from the agreements in force at the time of its party to this convention. Despite the provisions of Paragraph 1, the parties to the agreements marked in Paragraph 1, where necessary, may arrange such agreements with the basic principles of this convention. waterways

. States may enter one or more agreements expressed as "streaming agreements" of this

convention, which apply the substances that match the characteristics of a particular stream or stream part.

Such an agreement can be put into the whole or part of an international streaming agreement it is dealing with, or into a special project program, or without the approval of one or more water from the waters of the Water State of the Water, and as far as it does not adversely affect the agreement. If a waterway state considers that the implementation of the provisions of this Convention should be regulated due to the characteristics and use of an international flow, waterways states exchange views on a stream agreement or agreement with a well-intentioned negotiating view. Such an agreement does not affect the rights or duties of seductive states that are not parties to such an agreement, with the terms of such agreement, if some of the Waterway States are parties to a particular international stream agreement, not all of them.

Article 4

Those who are party to waterway agreements

1. Each waterway state has the right to be a party to any streaming agreement covering an entire international stream agreement and participate in any party or related negotiations.

2. With the implementation of a proposed stream agreement concerning the use of only part or part of a stream, a waterway state that is significantly affected by international water use has the right to participate in the negotiation slated to be a party to such an agreement, at the advisory level, in terms of good will that will affect its use, of appropriate.

CHAPTER II. GENERAL PRINCES

Article 5

Fair and reasonable use and participation

1. Waterway states each use an international stream on their territory, fairly and reasonably. An international stream is used and developed by the waterway states in the idea of achieving optimum and sustainable use, considering the interests of the relevant waterway states in line with adequate protection of the flow water.

2. Waterway states, fairly and reasonably, are involved in the use, development, and protection of an international flow. Such participation covers both the task of protecting and improving it, as stated in this Convention.

Article 6

Factors related to fair and reasonable use

1. The fair and reasonable use of international water in the meaning of Article 5 requires

considering the relevant terms and factors set out below: Geographical, hydrographic, hydrographic, seasonal, ecological, and other factors of a natural character; Social and economic needs of the relevant waterway states; Population based on streams in each waterway state.

The effects of the use or use of streams in a waterway state in other waterways states.

Current and potential uses of the flow water.

The protection and protection of the use of stream sources, development and economy and the costs of the measures taken to influence it; There are significant alternatives to private planned or existing use.

In the implementation of article 5, or the first paragraph of this article, the relevant states enter consultation in the spirit of cooperation when needed.

The weight to be given to each factor is determined by the importance of other relevant factors. In deciding what is reasonable and fair use, all relevant factors are considered together, and a conclusion is achieved based on integrity.

Article 7

No obligation not to cause significant damage

1. Waterway states take appropriate measures to prevent the use of a stream on its territory, causing significant damage to the other stream state.

2. However, if it has caused the harm of another stream state, the waterway state, which causes such damage, takes all appropriate measures to discuss the issue of compensation if deemed appropriate, to eliminate or reduce such damage by meeting with the affected country, considering the predictions of the provisions of 5 and 6.

Article 8

General obligation in cooperation

1. To achieve optimum use and adequate protection of international water, the waterway states cooperate based on sovereignty, equality, territorial integrity, mutual interest and goodwill.

In deciding the shape of such cooperation, waterway states may consider creating common mechanisms or commissions to facilitate relevant measures and procedures in light of the experience gained through the existing common mechanisms and commissions in many regions, if deemed necessary.

Article 9

Regular data and information exchange

1. In accordance with Article 8, the flow states share existing hydrological, meteorological, hydrogeological, and ecological information and data on a regular basis, along with the relevant forecasts, the condition of the water, especially the water and the structure of water.

2. In case of requesting data or information that is not available from another waterway state by another waterway state, the state where information is requested from it will do its best to fulfill this request for a reasonable cost in exchange for the collection of this information and, if appropriate, processing such data. Waterway states make every effort to collect data and information to facilitate the use of the relevant streaming state and process them in appropriate situations.

Article 10

Relationship between different types of uses

1. In the absence of an agreement or a counter-tradition, no use of international water is a priority over other uses.

2. In the event of a dispute between the use of an international water, vital human needs are resolved by applying for articles 5 and 7.

CHAPTER III. PLANNED MEASURES

Article 11

Information on planned measures; waterway states exchange information and consult each other, if necessary, negotiate the possible impact of planned measures on international water.

Article 12

Declaration of planned measures with possible adverse effects a waterway state notifies other states in a timely declaration before allowing it to implement or implement planned measures that could have a significant adverse effect on other streaming states. Such a declaration will contain available data and information to assess the possible impact of planned measures by the states that are notified.

Article 13

Time to respond to declaration In the event of no other agreement:

- Under Article 12, the country that provides the declaration gives the countries that have been notified to review the possible effects of the planned measures and report their findings on it for a period of 6 months.
- If the planned measures cause a special challenge for the country where the declaration was made, this period will be extended for a period of 6 months at the request of the country.

Article 14

Responsibilities of the state that made the declaration within the six-month response period. Country that makes the declaration within the time marked in Article 13:

32 If requested, it cooperates with the state provided to the declaration by providing additional information and data that is necessary and available for an accurate assessment; and

33 Without the consent of the states issued declaration, it does not implement planned measures and does not allow implementation.

Article 15

Response to the declaration

34 The states that are notified to them transmit their findings to the country that made the declaration as soon as possible in Article 13. If a government to which it has been notified finds that the implementation of the planned measures does not comply with the provisions laid down in Articles 5 or 7, it attaches a documented explanation that raises the reasons for the finding.

Article 16

No response to the declaration

Within the time recorded in 13, the state that made the declaration was the 15th century. if the declaration specified in the article does not receive an answer, it will continue to implement planned measures based on articles 5 and 7, in accordance with any information and data provided to the states that have made declarations and declarations.

35 The claim for compensation made by the country, which has not responded within the period recorded in Article 13, is due to the implementation of measures that will not be applied if it is contested within the period of the state that issued the declaration. and balanced with losses.

Article 17

Negotiations and consultations on planned measures

36 Article 5 of the implementation of planned measures. or 7. if a communication is made under Article 15, the country that makes the declaration and responds to the negotiations,

and, if necessary, will begin negotiations to ensure a fair outcome.

- Negotiations and negotiations are conducted on the basis that each state pays reasonable attention to the goodwill, and the legitimate interests and rights of the other state.

- During the negotiations and negotiations, the country that issued the declaration in the event of such a request for the declaration while communicating, if no other agreement is reached, the country that issued the declaration refrains from implementing and allowing to implement planned measures for a period of six months.

Article 18

Procedures in the absence of declaration

- If there is reasonable reason for a streaming state that another state is planning measures that could have significant negative effects on itself, the first state will be the 12th state of the second state. may request that it apply the provisions of the article. Accompanied by this request, there is a description that documents the reasons for the allegations.
- However, the state that planned the measures was the 12th century. if it finds that there is no obligation to issue a statement in accordance with the provisions of the article , if this finding does not satisfy the other state, at the request of the other state, the two states , 17. article 1. and 2. immediately enters negotiations and negotiations as specified in paragraphs.
- During negotiations and negotiations, if the second state requests the start of negotiations and negotiations, the state planning the measures, if there is no other agreement, these measures for a period of six months and allow application permission.

Article 19

Urgent implementation of planned measures

- To protect public health and public safety and to the implementation of planned measures due to other equally important interests, the state planning the measures, 5 and 7. article 14. article and 17. the applications are immediately maintained, regardless of the provisions of paragraph 3 of article 3.
- In this case, the measures will be subject to a 12th-century declaration of the 12th century with relevant data and information, without delaying an official emergency declaration. to other stream states marked in the article.

- The state, which planned the measures, said that the 2nd World War immediately enters negotiations and negotiations as set out in paragraph1 and 2 of Article 17 at the request of any state in paragraph 2 .

CHAPTER IV. PROTECTION, RETENTION AND MANAGEMENT

Article 20

Protection and protection of ecosystems

Waterway states jointly protect and protect the ecosystems of international waters where they are alone and where appropriate.

Article 21

Prevention, reduction and control of pollution

- The purpose of this article means that "pollution of international water" means a detrimental change in the structure and quality of the waters of international flow water with consequences directly from human use.
- Waterway states jointly control and reduce the pollution of an international flow, which jointly harms the environment, human health and safety, or the living resources of stream water, any beneficial use of stream water, where individual, appropriate places. Waterway states take steps to regulate their policies in this context; At the request of any of them, the waterway states, at the request of any of them, to reach measures to agree on the provision to prevent, reduce and control any international flow. in interviews:
- Set common water quality targets and criteria.
- Create techniques and applications for contamination from point-to-point and non- point sources.
- Creating the submission of a list of substances for the restriction, investigation, and surveillance of an international water prohibition.

Article 22

Presentation of foreign and new species

Waterway states will suffer significant damage to other waterway states; It will take

all necessary measures to prevent foreign and new species from entering international flow, which can have a negative impact on the waterway ecosystem.

Article 23

Protection and protection of marine environment

Where individual and appropriate, waterways states jointly take all measures regarding international waters necessary for the protection and protection of marine perimeter, including golden horns that must be protected and preserved, taking into account the generally accepted international rules and standards in cooperation with other states.

Article 24

Management

- At the request of one of them, the waterway states engage in negotiations regarding the management of an international stream that could contain a common governance mechanism.
- For the purposes of this item, "management" specifically points to:

(a) Planning for the sustainable development of an international flow and ensuring the implementation of any adopted plan; and

(b) Otherwise, the reasonable and optimum use of the flow water is improved and protected. Article 25

Editing

- To respond to the need and opportunities to regulate the flow of the waters of an international stream, the water states cooperate where appropriate.
- In the event of no other agreement, streaming states shall be placed on a fair basis in the construction, maintenance, or payment of such arrangements of the works that can be agreed upon to be undertaken.
- The purpose of this substance means the use of the changing measure, which takes the purpose of the purpose to replace hydrologic work or, or, unlike, control of the flow of the waters of an international stream.

Article 26 Installation

- Waterway states use their best to keep and protect plumbing,

facilities, and other work, each on its territory, related to international streams.

- Waterway states enter discussions about the following issues at the request of any of the states that have reasonable reason to believe that they may suffer from significant negative effects:
- Secure operation, maintenance of installations and facilities or other businesses related to an international stream; and

- The protection of installations and facilities or other works from iradi or careless activities or natural forces.

PART -5 DAMAGED CONDITIONS AND EMERGENCY SITUATIONS

Article 27

Prevention and easing of harmful conditions

Waterway states are caused by individual, appropriate situations, whether caused by human use or natural causes, flooding, or ice conditions, waterborne diseases, slime, erosion, saltwater mixture, drought or other streams such as desertification states take all necessary measures to prevent and alleviate conditions related to an international stream that may be harmful.

Article 28 Emergencies

- The "emergency" in this article is the cause or situation that poses a threat to waterway states or other states caused by natural causes such as floods, ice defrosting, landslides and earthquakes, or from human-administered states, such as industrial accidents. A waterway state, without delay and the fastest available means, informs other potentially affected countries and authorized international organizations from any emergency that occurs on its soil. A waterway state with an emergency on its soil, potentially affected states, and if appropriate, in cooperation with authorized international organizations, it urgently takes all applicable measures required by the conditions to mitigate and eliminate the effects of the emergency.
- When necessary, waterway states, in cooperation with other potentially affected states and authorized international organizations, develop

prospective plans to respond to emergencies if appropriate.

PART 6. VARIOUS PROVISIONS

Article 29

- International streams and installations at the time of armed conflict; International streams and related installations, facilities and other artifacts benefit from the protection of principles that can be applied in the international and international armed conflict, and the rules of international law, and rules are not used in violation of the rules.

Article 30

- Indirect procedures: In the case of serious obstacles to managing contact between the waterway states, the Relevant States shall use any indirect procedure adopted by them, including exchanges of data and information and notifications, communications, consultations and negotiations. fulfills the responsibilities of cooperation recorded in this convention.

Article 31

- Data and information vital to national defense and security: Nothing in this Convention forces a waterway state to provide information that is vital to its national defense and security. Nevertheless, this state cooperates with the other streaming state in the view of providing as much information as possible under these circumstances.

Article 32
Not distinguishing

- In relation to natural and judiciary, because of activities related to an international stream, a stream is not otherwise agreed to protect the interests of people who have been harmed or damaged, as a result of activities related to an international stream. to grant such persons the right to apply for legal and other

procedures in accordance with their legal system, or to claim compensation or other remedy claims related to the significant damage caused by such activities carried out on their own soil, or where there is damage, the residence does not show any distinction.

Article 33
The hall of disputes

- In the event of a dispute between two or more parties regarding the interpretation and implementation of this Convention, the interested parties seek a state of dispute with peaceful means in accordance with the following provisions, in the event of a viable agreement between them.
- If the parties concerned can not reach an agreement with the negotiation requested by one of them, the parties jointly call a mediator, conciliator, or their office, or, if appropriate, they will benefit from any common waterway institute or the International Court of Justice, which may have been established by them.
- In accordance with the operation of Paragraph 10, if you are in the second grade, you must be processed. six months after the negotiation request in paragraph 2, the relevant Parties are either in negotiations or in the second paragraph. if they have not been able to resolve their dispute with any of the vats specified in the paragraph, the parties shall Otherwise, the dispute is presented to the impartial truth finder, in accordance with paragraphs 4 through

5. A Truth Fuling Commission is created from a person who is not of any of the nationalities of the relevant country and is elected by these members as the head of the commission, consisting of members determined by each of the parties concerned.

- If members of the parties can not agree on a president within three months following the request of the commission to be formed, any of the parties concerned may ask the Secretary General of the United Nations to appoint a president who is not the nationality of any of the parties to the conflict, or any of the relevant states that is bordering the stream. If one of the parties does not identify a member within the three months following the request, the 3rd Party shall not be able to determine a member. in accordance with paragraph, any Party concerned may ask the Secretary General of the United Nations to appoint a member who does not have the nationality of any party or any state that is the edge of the relevant stream. The person

assigned to this person creates a single-member commission.

- The Commission decides its own procedure.
- The relevant parties are obliged to provide and request the information that the commission may request, to enter the land of any relevant country and to allow it to enter the natural structure related to any plant, factory, equipment, construction or research.
- The Commission accepts its report by a majority vote, unless it is a one-man commission, and submits its findings and its recommendations to the relevant Parties, which the relevant parties will consider with good faith and accept it as a fair solution to the issue.
- Commission expenses are met equally by the relevant parties
- Ratifying, accepting, finding this Convention, or entering the Convention at any time or at any time after that, a Party that is not a regional integration organization submits in writing to Depository that it considers it a mandatory situation without a special agreement regarding any party that accepts the same obligation, in relation to whether any issue is resolved according to the second paragraph.
- Presentation of the matter to the International Court of Justice; and/or

- If the dispute parties do not agree otherwise, the decision of the arbitral tribunal established and working in accordance with the procedure set in accordance with this convention
- The party that is an economic integration organization
- subparagraph may make a declaration regarding the decision.

PART 7- RESULT SENTENCES

Article 34 Signature

This convention is at the United Nations Headquarters in New York. All States and regional integration organizations remain open to the signature.

Article 35

Approval, acceptance or entry;

- This Convention must be signed, appropriate, entered by states and regional economic integration agencies. The instruments of signing, acceptance, finding and entry are stored by the Secretary General of the United Nations.
- Any economic integration organization that is a party to this Convention, without any party to any member state, becomes liable to all responsibilities of this convention. If one or more of the member states of such organizations are a party to this Convention, weave and its member states decide their responsibilities for the performance of the responsibilities under this Convention. In such cases, organizations and member states do not have the authority to exercise the rights of this Convention at the same time under this Convention.
- Regional economic integration countries decide the size of authority in terms of issues governed by the Convention on signing, accepting, finding or entering instruments. These organizations also inform the Secretary-General of the United Nations of any significant change in the size of their powers.

Article 36 Taking effect

- This Convention is the 19th edition of the Convention, which follows thirty first signings, acceptance, the purchase of appropriate visual instruments or reaching the United Nations Secretary General. effective day.
- For each State that signs, accepts, approves or enters here after the receipt of the instrument of signing, acceptance and entry, it takes effect on the 19th day of the signing, acceptance, approval and entry of such a state or economic organization.
-

- For the purposes of paragraphs 1 and 2, any instrument purchased by a regional economic integration organization is not considered to be in addition to those received by States.

Article 37 Authentic texts

- The Arabic, Chinese, English, French, Russian and Spanish texts of the original of this convention are equally authentic and stored by the Secretary General of the United Nations.
- In the personality of those who have signed down.It was held on the day of in New York, one thousand nine hundred and ninety-seven.

Attachment REFEREE DECISION

Article 1

Unless the parties of the dispute agree otherwise, the 33rd chapter of the Convention is the third time in the United House. in accordance with article 2 to 14 of this appendix.

Article 2

The plaintiff's side is to the defendant, 33. article 200, he wires a dispute to the Convention. The declaration describes the article that is the subject of arbitration and specifically includes the articles of the Convention, the implementation and interpretation of the issues. If the parties do not agree on a dispute issue, the arbitral tribunal decides on the matter.

Article 3

- In disputes between the parties, the arbitral tribunal consists of three members. Each of the parties of dispute appoints an arbitrator, and the two arbitrators appointed like this shall appoint the third arbitrator who will be the president of the court by the decision. The President is not subject to the nationality of the parties of conflict or the states that are bordering the relevant stream, and the country on which these parties or such stream sides shall not be permanently residing or in any other capacity with the subject.
- In disputes between multiple parties, parties that are in the

same interest agree to appoint a joint arbitrator.

- Any arbitral space is filled in as defined in the initial assignment.

Article 4

- If the presidency of the arbitral tribunal shall not expire within two months after the appointment of the second arbitrator, the President of the International Court of Justice appoints the president within two months of the request of one party.
- If one of the parties to the dispute can not appoint a arbitrator within two months of receiving the request, the other party shall notify the President of the International Court of Justice, which will make the appointment within the next two months.

Article 5

The arbitral tribunal makes its decisions in accordance with the provisions of this Convention and international law.

Article 6

Unless the dispute sides agree otherwise, the arbitral tribunal decides its own rules of procedure.

Article 7

The arbitral tribunal proposes the necessary temporary protection measures at the request of one of the parties

Article 8

(a) The dispute sides facilitate the work of the arbitral tribunal, especially using all the means and;

(b) It provides the court with all relevant documents, information facilities and;

(c) When necessary, it allows witnesses or experts to call and take their witnesses.

- Parties and arbitrators are obliged to protect the

confidentiality of any

information they receive as a secret during the continuation of the arbitral tribunal.

Article 9

If the arbitrator's court does not decide otherwise due to the specific circumstances of the case, the costs of the court are charged in equal shares of conflict-side countries. He keeps a list of court expenses and provides the parties with a result account.

Article 10

Any party with a legitimate legal interest in the disputed issue, which may be affected by the decision in the case, may interfere with the methods with the consent of the court.

Article 11

The court can listen to and decide directly against the dispute issue.

Article 12

Decisions on both the essence and procedure of the arbitral tribunal are taken by its members by a majority.

Article 13

If one of the dispute parties does not appear in the arbitral tribunal or defend his case, the other party may ask the court to invite the process and make its decision. The absence of one party or the fact that a party's absence from defending their case does not constitute an obstacle to the court process. Before the court makes its final decision, the arbitral tribunal must rule that the claim is well based on the law and the truth.

Article 14

- If the time limit does not require an extension, provided no

more than 5 months, the Court makes its final decision within 5 months of its full establishment date.

- The court's final decision is limited to the issue of dispute, declaring the reasons for the decision. The decision gives the date of the final decision and the names of the members involved. Any member of the court can issue a separate objection to the court's final decision.
- The decision is binding on the parties to the conflict. The black appeal is non- appealed except that the parties to the dispute have previously decided an appeal procedure.
- Any dispute between the parties in relation to the interpretation or implementation of the final decision may be presented to the court that makes the decision by any party.

Notes

- See the document A/51/624 for the report of the Sixth Committee on the working group's work in the first session of the first session on October 7 to 25, 1996.
- For Official Records of the General Assembly, Forty-ninth Session, Additional Number: No. 10 (A/49/10), section. Ill. D. Attachment-4:

BETWEEN AMERICAN UNITED STATES AND MEXICO ON 3 FEBRUARY 1944 IN

WASHINGTON; USE OF COLORADO, TIJUANA AND RIO GRANDE RIVERS WATER AGREEMENT

- (Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, Treaty Between the United States of America and Mexico)

1. STARTING TERMS

Article 1

For the purposes of this agreement, it will be understood:

- "United States" means the United States.
- "Mexico" means united Mexican states.
- The "Commission" means the International Border and Water Commission, the United States and Mexico, as defined in Article 2 of this agreement.
- "Deflect, turn" means thinking about buying water from any channel, whether it's dam, water dam, side entry, pump or other means to use or store agricultural, stock or industrial purposes related to the country.
- "Dialing Point" means where water is flipped.
- "Capacity to Use Water Tanks" means part of the total capacity of water due to use and storage, and the additional capacity provided by the alluvial retention and flood control if necessary.
- "Water Drainage and Spilling" means that water is discharged on the discretionary or indiscretion for flood control, separate from the release of water for other purposes.
- "Return Flow" means the flow of water that returns to the source where the translated water is translated, finding its own way back.
- "Release" means the job of draining the accumulated water for direct use to transport the water elsewhere.
- "Consumption Use" means that water is evaporated, plant formation or use through another condition where water does not go to its source. In

general, this is measured by the amount of water being translated.

- "The lowest was the largest international dam or water ben" means the largest international dam or water dam, which settles in the farthest direction of the current.
- "The highest large international dam or water dam" means the largest international dam or water dam placed farthest against the current.

Article 2

To make it easier to meet the principles of the Agreement signed between the United States and Mexico on March 1, 1889 in Washington, and in the beds of the Rio Grande (Rio Bravo) and the Colorado River. the International Commission on Borders and Water, which will continue to operate for the entire time the current agreement remains in force, is the United States and It will be known by Mexico by this name from now on. Therefore, it will be considered to be extended independently of the March 1, 1889 Conference period, and the Conference between the United States and Mexico on the conference will be considered completely over, dated November 21, 1900. The implementation of the Current Agreement shall result in the implementation of all disputes in which the rights and obligations of the two governments may arise, and the implementation and fulfillment of the rights and obligations fulfilled by the two governments, and on this occasion, to the responsibility of the International Border and Water Commission, which will function in compliance with the limitations. In all directions, the Commission will have the status of an international board and will consist of a part of the United States and part of Mexico. The head of each part will be an engineer commissioner. Where the terms or similar conditions exist in this Agreement for joint activity or joint agreement by the two governments or for the provision of the two governments, studies or plans, it will be understood that the special situation

will be fulfilled through and by the Us Secretary of State and the Foreign Minister of Mexico.

The Commission or its sections can assist with assistance, engineering, and legal advice where necessary. Every government makes its diplomatic status appropriate to

the commissioner with the opinion of my other government. The commissioner is appointed by two engineers, a consultant and a secretary as their commissioner by governments and will have the right to priority and immunity to diplomatic officials in the region of the other country. The commission's

jurisdiction will expand to the borders of the Rio Grande (Rio Bravo) and colorado rivers, to the border between the two countries, with each commission having jurisdiction over factories in its home country. No part will consider judging and controlling workplaces within its borders without the permission of the other country. Even if these factories are in an international situation, they are built in full compliance with the terms of this agreement and will remain under the jurisdiction and control of the commission section in the entire country in which it is located, except for those specified in any other way. With this agreement, the duties and powers granted in the commission shall be in force between the two countries, excluding the conditions amended by the current agreement, and the agreements and agreements granted by the Congress of March 1, 1889, to those issued by the international border commission. Each government will cover the expenditures involved in the maintenance of the commission section. Common costs will be covered equally by the commission in accordance with an agreement.

Article 3

If the Commission is asked to make articles on the common use of international waters, the following references will be guiding:

1- Local and municipal uses 2- Agriculture and stock

3- Elektrical Energy

4- Other industrial uses 5- Transportation

6- Fishing and hunting

7- Other useful uses defined by the Commission

All uses will be subject to any health measures and workplaces by the mutual decision of the two governments, which agree to attach importance to the resolution of all border problems.

I- RIO GRANDE (RIO BRAVO)

Article 4

The waters of the Rio Grande (Rio Bravo) River between Fort Quitman, Texas and the Gulf of Mexico are allocated to two countries in the following ways.

A. To Mexico

(a) All the water that reaches the main bed of the Rio Grande (Rio Bravo), including water from the San Juan and Alamo rivers and the land they water.

(b) Each of the two countries is half the current in the main bed of the Rio Grande (Rio Bravo), which has been ejaculated from the lowest largest international dam ever, privately under this agreement.

(c) Depending on the conditions of the sub bend in paragraph B of this article, the Conchos, San Diego, San Rodrigo, Escondido and Salado rivers and two-thirds of the current that reaches the main bed of Rio Grande (Rio Bravo) from Las Vegas Arroyo.

(d) Between Fort Quitman and the lowest largest international dam, the main source of the Rio Grande (Rio Bravo), including those from all the unmeasured rivers not named in this article, is half of all other currents not specified by this article.

B. To the United States

(a) The Pecos and Devils rivers, the Goodenough spring and the water

reaching the main bed of Rio Grande (Rio Bravo), from the Alamito, Terlingua, San Felipe and Pinto creeks.

(b) Each of the two countries is half the current in the main bed of the Rio Grande (Rio Bravo), which has been ejaculated from the lowest largest international dam ever, privately under this agreement.

(c) Conchos, San Diego, San Rodrigo, Escondido and Salado rivers and Two-thirds of the current that reaches the main bed of Rio Grande (Rio

Bravo) from Las Vacas Arroyo. However, the average five-year average amount for this third will not be less than 350,000 acres (431,721,000 cubic meters) per year. Although this is more than a third, the United States may seek the right to use the waters of the rivers specified in this subparagraph, which is more than 350,000 acres (431,721,000 cubic meters), excluding the right to use a third of the current from the aforementioned rivers to the Rio Grande (Rio Bravo).

(d) Between Fort Quitman and the lowest largest international dam, the main source of the Rio Grande (Rio Bravo), including those from all the unmeasured rivers not named in this article, is half of all other currents not specified by this article. In the event of severe accidents in the case of extreme drought or severe accidents in hydraulic systems in the measured Mexican rivers, any inability to deliver the annual amount of 350,000 acres (431,721,000 cubic meters) of this article to the United States as the least distribution from the Mexican rivers mentioned and mentioned in the subparagraph B shall occur at the end of 5 years of water volume.

At least two of the largest international water bends, including the highest largest water dam, will be counted as the 5-year turnover when filled with us-owned water and all debts will be paid upon the launch of a new 5 years.

Article 5

The two governments agree to jointly build the following works on the main channel of the Rio Grande (Rio Bravo) through their own parts of the commission:

1. Dams necessary to regulate, store and use the annual flow amount of the river to develop possible projects within the limit of allocated water and ensure the continuation of existing uses.

2. Dams and other joint efforts needed to translate the flow of the Rio Grande (Rio Bravo).

One of the dams will be built in the section between Santa Helena Canyon and the mouth of the Pecos River, one of which will be built in the eagle pass and laredo, texas (Piedras Negras and Nuevo Laredo in Mexico), and the third in Laredo and Rome, Texas (Nuevo Laredo in Mexico and San Pedro de Rome). can be in planning the construction of these dams, the commission will define:

(a) Most reasonable locations

(b) Maximum water tank capacity in each place

(c) The desired water retention capacity in locations by each bie

country, considering the number and regime of the designed water and the amount and regime.

(d) Capacity requiring alluvial retention

(e) Flood control capacity

The water retention and alluvial capacity of each water tank will be evaluated at the same rate as the capacities requested by each country for water retention purposes. Each country will have an undivided interest in the flood control capacity of water tanks. The construction of international dams will begin within two years following the ratification of their own plans by the two governments. Work will begin with the construction of the lowest large international dam, but work above the river can begin at the same time. The minimum large international dam will be completed within an 8-year period after the effective date of this agreement. The construction of the dams and other joint works needed to translate the flow of the river will be launched on the dates recommended by the two governments. The cost of the construction and maintenance of each

of the international dams will be divided between the two governments at the capacity rate allocated to each country for the purpose of maintaining water in such a dam. The cost of the construction, operation, and maintenance of each of the dams and other joint works needed to translate the flow of the river will be divided between the two governments at the same rate in the interests of the countries, as approved by governments and defined by the commission.

Article 6

The Commission is on the 5th floor of this agreement on the Rio Grande (Rio Bravo), from Fort Quitman, Texas to the Gulf of Mexico. will investigate, review and prepare plans for flood control studies when necessary. These studies include soil sets along the river, artificial canals that change the way way to the river, sewerage, stationary canals, control structures and flood control routes. The Commission will report the work to be done to governments, the possible costs, the work sections of each government, the work sections that each government will do by each winter of the commission and the parts of the work to be maintained. Each government agrees to do these studies as approved by governments through its parts of the commissions and

recommended by the commission. Each government will pay the costs of self-employment and the maintenance and operation costs of the parts of the work assessed for this purpose.

Article 7

The Commission will review, investigate and prepare plans for facilities for possible hydroelectric power at international dams in the Rio Grande (Rio Bravo). Parts of the work to be done by each government will instantly report to governments, where estimated costs will be made. Each government agrees to do these work as approved by governments through the commission sections and recommended by the commission. Both governments will jointly operate and maintain these hydroelectric plants through commission sections. Each government will pay half the cost of the construction, operation and maintenance of these facilities, and the energy obtained will be allocated to each country at the same rate.

Article 8

Both governments will have the benefit of maximum use of these structures and the storage and use of the waters of international water bents in order to achieve the most beneficial, orderly and constant use of their own waters. Therefore, in the first year since the first of the major international dams to be built, Fort Quitman will give approval and arrangements to distribute, store and transport the waters of The Rio Grande (Rio Bravo) from Texas to the Gulf of Mexico. These arrangements, depending on the approval of the two governments, can be modified, corrected or added by the commission if necessary. The following general rules will govern separately unless amended and corrected by the agreement made by the Commission with the approval of the two governments.

(a) The storage, flood control, irrigation and power requirements in international water bents will be at the maximum water level consistent with.

(b) The water flowing into each water stream will be credited according to the ownership of each country.

(c) Water ownership of the country, which has a capacity to contain water, and the amount it needs will be passed to the country that does not fill its capacity. However, the other country can temporarily use the capacity of the country with higher reservoir levels. In addition, in the event of floodwater discharge and

spillage, one country will benefit from the capacity of the other to use, while all this flood discharge and water spill will be charged to the country that uses the capacity of the other country, and all water flow will be billed to the other country unless the flood drain or spillage is stopped or the other country's capacity is filled with its own water.

(d) Water tank losses will be billed proportionally according to the ownership of water in storage. For the purpose of generating electrical energy and other common purposes, the use of water in storage leaves from any water tank, except for invoiced in proportion to

proportionate, will be invoiced to the country that wants them.

(a) Flooding and spills from the higher water tank will be divided at the same rate as the ownership of currents formed at the time of water discharge and spillage, except provided in the subparagraph of this article. The water spilled and emptied from the lowest water depot will be used equally, except that one country does not use it upon the commission's permission.

(b) One of the two countries can use water accumulated and its own in international water bents whenever it wishes, provided that the water is taken directly from other water bents for use for benefit purposes. For this purpose, the commissioner of his own country will give the commission the appropriate notification of the measures for the on-site supply of water.

Article 9

(a) Rio Grande (Rio Bravo)'s channel can be used by each of the two countries to carry its own water.

(b) Each of the countries can turn and use its own water at any point on the main bed of the river from Fort Quitman, Texas to the Gulf of Mexico, and build any necessary factory for that purpose. However, unless the Commission agrees on broader use and translation, as provided by the paragraph of this agreement, none of the available use or translators will be allowed in each country at the time this agreement takes effect, and no factory will be built for such a purpose until the Commission Part in its country concludes that the water required for such translation or use is derived from this country's share. It will notify the Commission in advance

for the information for the use and plans intended for the dialing installation to be built.

(c) Their use of consumption from streams and main currents that have not been measured down from Fort Quitman will be billed against the country's share.

(d) When the water belonging to another country is converted and used without damaging the other, and it is made at any point in the river, the Commission will have the power to authorize each country to use and translate water that does not belong to this country.

(e) The Commission shall have the right to authorize the temporary use and translation of water belonging to another country by the other, provided that when a country does not need or can not use it, the water is used or authorized to translate the water.

(f) In the event of an extreme drought in the country, which supplies plenty of water to the other country, water belonging to the country that uses abundant water support and stored in international water bents can be withdrawn with the approval of the Commission for use of the drought-stricken country in the other country.

(g) Each country will have the right to take water from the main channel of any river, including water from the other country, and the main channel of any amount of water to obtain hydroelectric energy, provided that the water-flipping operations will cause no Caspian to the other country, which will not interfere with international energy, and the amount that the river will not return to, will not be billed against the country that does not turn it back. The probability of such water transfusions, which do not exist at the time of the effective date of this agreement, will be determined by the Commission, which will also define the amount of water to be billed and consumed against the translating country.

(h) If each of the two countries will build facilities for translations to the main channel or its streams of The Rio Grande (Rio Bravo), it will belong to the country that makes it a turn around the flow of the Rio Grande (Rio Bravo) at the time this agreement comes into force.

(i) The main channel losses will be billed according to the proportion of the water ownership, which will be transported at the time and place of the losses.

(j) The Commission will register the waters belonging to each country and those that can be obtained at the given time, taking into account the regulation of water in the storage, consumption uses, reversals, translations and losses and the measurement of those allocated. For this purpose, the Commission will build, operate and maintain the main canal of Rio Grande (Rio Bravo), and each Part will build, operate, and maintain all measurement stations and

mechanical devices in order to measure and obtain the data required for registrations on the measured streams in its own country maintenance.Information about translations and consumption-related uses on unmeasured streams will be given to the Commission by the appropriate Section. The cost of the construction of a new station on the main canal of the Rio Grande (Rio Bravo) will be evenly divided into two countries. The operation and maintenance or maintenance or maintenance and operation costs of all measurement stations will be divided between the two Sections according to the definitions to be made by the Commission.

I- COLORADO RIVER

Article 10

All sources of the waters of the Colorado river are allocated to Mexico

(a) The guaranteed annual amount of 1,500,000 acres-foot (1,850,234,000 cubic meters) of this agreement will be issued according to article 15.

(b) Other amounts of translation reaching the Point of Mexico, as defined by the U.S. Part, are the increasing waters of the Colorado river, which is more than the amount required to allow use in the United States, the guaranteed amount of 1,500,000 acres (1,850,234,000 cubic meters) annually given to Mexico, which the United States has promised to give to Mexico if it is in article 15, 1,700,000-a.m. The additional waters of the Colorado river, which will not exceed 2,096,931,000 cubic meters, are 1,500,000 acres-feet (1,850,234,000 cubic meters) by a subparagraph on the use of the waters of the Colorado river for any reason. Mexico will not get any rights except for what is provided. Under the subparagraph of this article, 1,500,000 acres of water allocated to Mexico (1,850,234,000 cubic meters) of water will be reduced at the same rate as the reduction in the water consumed in the

United States in the event of severe accidents or extreme droughts in the U.S. irrigation system, making it difficult to deliver the amount of water.

Article 11

(a) The U.S. is here with the exceptions provided.

He'll give all the water allocated to Mexico, regardless of whether there's water in the Colorado riverbed. Regardless of the source of such waters, this article will consist of the waters of the river mentioned depending on the conditions of the following paragraphs.

(b) San Luis, which will be provided at 1,000,000 acres-foot (1,125,000 acres-foot (1,387,675,000 cubic meters) to be provided in the part of the river. In the case of lowering the aforementioned amount near Sonora last year, San Luis will not be able to agree on the international land border near Sonora at some point, if the main cycle structure specified in the subparagraph of article 12 of this agreement will be entirely in Mexico, and Mexico, if it wishes, the United States will give it to the United States. except for the amount of water not exceeding 25,000 acres (30,837,000 cubic meters) per year, The subparagraph of the clause of this agreement will give the annual amount of 1 million acres of water (1,233,489,000 cubic meters) of the Colorado River, which was allocated to Mexico by January 1, 1980, from the time the subparagraph, Davis Dam and water bend will start operating, and then 1,125,000 acres-foot-to-foot (1,387,675,000 cubic meters).

(c) From the time the Davis dam and water bend will run, the U.S. will give Mexico 500,000 acres of annually allocated water (616,745,000 cubic meters) and then give 3 per cent year-on-year It will give 75,000 acres (462,558,000 cubic meters) through a channel connected to the bottom of pilot Knob Waste way and the American Channel, with other Mexican Channels available instead of the Alamo Canal at the international border. In each case, distributions will be made at the height of the water surface, which is not higher than the alamo canal at the point where it crossed the international border line in 1943.

(d) All distributions of the water mentioned above will be made in accordance with the terms of article 15 of this agreement.

Article 12

(e) The two governments agree to establish the following facilities: For five years from the date this agreement came into force, it will build a main translation structure under the northern part of the International Border Line, where the Colorado river intersects, to cover its own costs. Such a translation structure, construction, location and design will be done to be based on the approval of the commission. The commission will operate and maintain the cost to be owned by Mexico. Regardless of where this structure is, soil sets, internal drainage facilities, additions to existing facilities will be built at the same time to protect territory within the United States from floods and leaks that may arise from the construction, operation and maintenance of this translation structure, as in the commission's decision. These conservation facilities will be built, operated and maintained by or with the help of the Commission's own Parts, in the region of the country.

(a) The United States will make it possible to regulate the border of the waters it will provide to Mexico within 5 years from the date of entry into force and in its territory, based on the terms of Article 15 of this agreement, which will build dab is dam and water division, and then operate and maintain it.

(b) The United States will build or request facilities within its territory to move some of the waters of the Colorado River to Mexico, which is indicated by this agreement, to Mexican turning points over the international land border. These studies will include: channels and other installations needed to carry water from the bottom of Pilot Knob Waste way to the international border, a channel that will combine the main translation structure specified in the subparagraph of this article if Mexico wishes. This translation structure will be built on the river along with the Mexican canal system at some point where the Commission will reach a decision on the international land border near San Luis, Sonora. These facilities will be built or requested and operated and maintained by the U.S. Department, which costs Mexico. Mexico will also pay for the roads and locations required for these facilities.

(c) The Commission will build, operate and maintain the Colorado river, and will build, operate and maintain all the necessary measuring stations and other measuring equipment to provide water to Mexico and all the carrier facilities used to provide water to Mexico, and on the Colorado River below the Imperial dam. All data obtained from this distribution and currents will be compiled

periodically and replaced between the two countries.

(d) Article 13

The Commission will investigate, examine and prepare plans for flood control at the bottom of the Colorado River between the Imperial dam and the Gulf of California within Mexico and the United States, and will also report the estimated costs of facilities to the two governments, as well as parts of the facilities to be built by each government. The two governments agree to build these works through their Commission Sections, which have been approved to pay the costs made by them and recommended by the Commission. The Commission will jointly recommend the operation and maintenance of the facilities. The two governments agree to pay equal co-operation and maintenance costs and agree to pay for the work and maintenance costs of the facilities for this purpose.

Article 14

In the use of the American channel to distribute part of the waters of the Colorado Riverto Mexico, Mexico will pay the United States:

(a) Some of the costs arising from the construction of the Imperial Dam-Pulot Knob of the Imperial Dam and the American Canal will be defined by the two governments, which will consider the proportional use of facilities by the two countries for this purpose, and these definitions will be made as soon as Davis Dam and water division enter service.

(b) The annual proportion of the total maintenance and operating costs of these facilities will be compared between the two countries at the rate of annual amount of water given throug

facilities for use in each of the two countries. Reduced or repaid costs in the subparagraph of this article for the sale of hydroelectric power that can be obtained in Pilot Knob for all or part of the costs of the facilities mentioned in the Mexico will pay some of the costs of the facilities to be reduced or repaid at the same rate. Such an income will not be generated until the cost of any plant is completely removed from the proceeds to produce hydroelectric power in the place mentioned.

Article 15

A. The water allocated in the subparagraph of article 10 of this agreement shall be allocated to the distribution points specified in article 2, the following two-year distribution program, which the Mexican Part will explicitly and firmly indicate to the Commission before the start of the calendar year. according to:

Program I

The program is 1,000,000 acres of water each year from January 1, 1980, from the date Davis dam and water bend were in operation on the Colorado River, and then 1,125,000 acres of water each year (1,125,000 acres) each year (1,387,675,000 cubic meters of water). This program will be specified according to the following limitations: by looking at the amount of 1,000,000 acres-feet (1,233,489,000 cubic meters).

(a) During January, February, October, November and December, the rate at which the distribution is defined will neither be less than 600 cubic feet (17.0 cubic meters) per second, nor from 3,500 feet cubes (99.1 cubic meters).

(b) During the remaining months of the year, neither 1,000 cubic feet per second (28.3 cubic meters) nor 3,500 feet cubes (99.1 cubic meters) will be up.

By looking at the amount of 1,125,000 acres-feet (1,387,675,000 cubic meters);

(a) During January, February, October, November and December, the rate at which the deployment is defined will neither be below 675 cubic feet (19.1 cubic meters) per second, nor from 4,000 cubic feet (113.3 cubic meters). During the remaining months of the year, neither 1,125 cubic feet per second (31.9 cubic meters) nor 4,000 feet cubes (113.3 cubic meters) will be up. As stated in Article 11, these distributions will be made under a subprogram to be specified and supplied by the Mexican Winter, if

these distributions are to be made at the point on the land border near San Luis, Sonora. The quantities and monthly rates of distributions under the subprogram will be proportional to those specified for Program I, unless otherwise agreed by the Commission.

Program II

Program II is the issue of 500,000 acres of water each year from January 1, 1980, from the date of Davis dam and water bend in operation, and then 375,000 acres of water each year (462,558,000 cubic meters) of water. is awarded. This program will be specified based on the following limitations:

By looking at the amount of 500,000 acres-feet (616,745,000 cubic meters);

(a) During January, February, October, November and December, the rate at which the deployment is defined will neither be less than 300 cubic feet (8.5 cubic meters) per second, nor from 2,000 cubic feet (56.6 cubic meters).

(b) During the remaining months of the year, it is neither 500 cubic feet per second (14.2 cubic meters) nor it will be up to 2.1feet (56.6 cubic meters). 375,000 acres-feet (462,558,000 cubic meters;)

(a) During January, February, October, November and December, the rate at which the deployment is defined will neither be less than 225 cubic feet (6.4 cubic meters) per second, nor from 1,500 cubic feet (42.5 cubic meters).

(b) During the remaining months of the year, it does not fall below 375 cubic feet (10.6 cubic meters) per second 1,500 fett cubes (42.5 cubic

(c)

B- The U.S. is the 500th annual year-on-year date from January 1, 1980, when Davis Bay and water bend sits in function, through the American Channel. More than 000 acres (616,745,000 cubic meters of water and then more than 375,000 acres-foot (462,558,000 cubic meters) will not be liable. If, by mutual agreement, any portion of the amount of water specified in this paragraph is given to Mexico at points on the land border other than through the American Channel, the quantities of water above the top under the Program ll of this Article, and distribution rates will be similarly reduced.

C- The United States is on the land border specified in the subparagraph of Article 1 l, provided that all or part of the water that will be given at the point under program II of this Article in January, February, October, November and December of each year does not have the effect of increasing the total amount of scheduled water to be given

to Mexico, and such a reduction is the Mexican Part of Mexico. due to the use of this preference, it will have the preference to be issued from any source that the total specified annual amounts to be installed through the American Channel will not be reduced.

D- If the use of the Channel and installation will not have the effect of increasing the total programmatic distribution to Mexico, if the united states does not have the effect of increasing its total programmatic distribution to Mexico, if the additional amount to Mexico is not to be given through the American Channel, provided that the amount of 1,500,000 acres to Mexico is more than the amount required to meet the requirements, and the amount given to Mexico, provided that it will not have the effect of increasing its total programmatic distribution to Mexico through the American Channel, the United States, the United States, the United States, the Additional Amount, the United States, the Mexican Channel, provided that the amount will not be done by the United States, the United States, the Additional Amount, the United States, the Mexican Channel, provided that the amount is not done by the United States, the United States, the Additional Amount, the United States, the Mexican Channel, provided that the amount is not done by the United States. in his effort to cooperate with Mexico. Mexico will cooperate with the United States, provided it does not have the effect of reducing total programming distributions to Mexico if such a crony will happen without damaging Mexico and it is necessary to allow full use of water support, to reduce distributions in the years that are confined to water through the American Channel.

E- In any given year, Mexico's Part of Mexico has a maximum of 1,700,000 acres-foot (2,096,931,000) in any given year, which is more than the amount required to meet requirements in the United States and has 1,500,000 acres of 1,234,000 acres (1,850,234,000 cubic meters) given to Mexico. To complete up to cubic meters of excess water, the United States will inform the Mexican Part.

F- Increase the amount per month defined in programs, depending on the limitations of the distributions and total quantities specified in Program I and H, up to twenty percent of the monthly quantity. or reduce, Mexico will have the right to notify the U.S. Part 30 days in advance.

G- If the amount specified in Program H is properly reduced and, if the restrictions are properly increased and reduced, with the loading rates under each program, the total amount of water specified under Program I of this article quantity can be

increased within any year.

I- TIJUANA RIVER

Article 16

To increase existing uses and to enable possible further development, the commission will work and investigate, and also notify the two governments of the following for their approval:

- Recommendations for the equal distribution of the waters of the Tijuana River between the two countries,
- Storage and flood control plans to improve and advance the use of domestic, irrigation, development, and other water.

- An estimate of the costs to be shared between the two countries or the costs of the facilities intended in the event of construction,
- Parts of the work to be done and continued by the Commission and the parts to be done and maintained by each department,

The two governments will share the work and costs to be done through their own Parts of the Commission, as approved by governments, and distribute the waters of the Tijuana River between the two countries in proportions approved by the two governments. The two governments agree to pay equal costs for the joint operation and maintenance of facilities, and each government agrees to share the costs of working and maintaining facilities assessed for this purpose.

Part V. General Terms Article 17

The use of channels for the discharge of excess water or flooding of international rivers will be free and will not depend on limitation by each country, and no country shall make any claims against the other based on any damage caused by such use. Each government agrees to inform the other government of information obtained due to flood flows in its region and excessive water floods in the water bents, which could cause flooding in the other region. Each government describes the purpose of running dams in cases where the hydraulic systems of dams are normally functioning, avoiding possible damage, such as material damage in the other's area.

Article 18

Depending on the general regulations defined and implemented by the Commission with the approval of the two governments for the purpose of implementing the terms of this agreement, depending on the police regulations in each country's own region, when the use of the surface water of lakes created by international dams is not harmful to the services provided by these dams. depending on such regulations, the boundaries and areas of the lakes within it shall be free, and are common to both countries, depending on such regulations defined and implemented in accordance with the Commission For the same purpose will be. Governments will not use surface water in each of their regions for military purposes, except for the agreements they have made between them.

Article 19

The two governments will terminate special agreements, including the conditions for the export of electrical current, to adjust the acquisition, development, and regulation of electrical power in international facilities.

Article 20

The two governments will carry out the construction of the facilities given to them through the Commission's own Part. For this purpose, the Departments of the Commission's own, countries, according to their own laws, may use any public or private agencies. By looking at such facilities as the part of the Commission itself, it may have to take action on the other's region and will comply with the laws of places to be fulfilled or located along with the exceptions set out herein in the execution of these works.

All materials, appliances devices and repair parts designed for the construction, operation, maintenance of such facilities will be exempt from customs operations for import and export. All personnel directly or indirectly hired for the construction, operation, maintenance of facilities are free from one country to another without any immigration restrictions, passports or business

requirements. can be passed in a way. Approval certificates covering all materials, appliances, devices and repair parts for all facilities designed for facilities through each government commission' own parts, and the appropriate identification for the staff who have been given work in the previously specified facilities vehicles. Each government shall assume responsibility and in relation to the construction, operation or maintenance of any parts or all of the facilities to be agreed upon in the future in the execution of this agreement. will set up all allegations concerning their own laws that arise within the region.

Article 21

The construction of international dams and the formation of artificial lakes will not change any changes in the international waters of the river, which will continue to be managed by existing agreements and customs between the two countries. The two countries will form a practical and appropriate line to implement legal authority and control provided through this agreement with their own Parts and commission with the approval of governments, artificial lakes, buoys, or other appropriate markers.

Article 22

The terms of the agreement reached between the United States and Mexico, signed on February 1, 1933 for the maintenance of the Rio Grande in el Paso-Juarez Valley, were to be regulated, cleaning the Rio Grande (Rio Bravo) or sewage works or where the facilities will be built for artificial grooving works, the distribution of relations, sovereignty and authority rights with the relevant private property owners will be carried out.

Article 23

The two governments see the public interest attached to the facilities required for the execution and performance of this agreement and comply with their domestic

laws, except those provided specifically in this agreement, at the expense of those involved in the country's property. and perform any special property for work and may be required for the construction of reported facilities including construction materials and main structures. Each Part of the Commission will fulfill the demands on its own government for the gain of such ownership and define the location and scope of any property required within its own country. The Commission said the two countries would be able to plant facilities in the region of the other country for the transfer of water or electrical energy for the service of various facilities for the gain of each of the two countries. indicated that they will be required. Such facilities will depend on the assistance and jurisdiction of the Commission Within the placed country.

The construction of facilities built in accordance with the terms of this agreement shall not give the legal jurisdiction or property rights above any one of the two countries, regardless of any part of the other's region. These facilities will be part of the region and the property of the country placed. However, in the event of any accident in the facilities built across the street in the part of a river and on the grounds on both sides, the jurisdiction of each country will be limited by the central line of facilities to be specified by the Commission without changing the international limit. Each government shall affect the terms of this agreement and within the limit, the Commission's Part and the Commission shall have their own laws, which include real ownership within any river rights channel and rights for the construction, operation and maintenance of all facilities used, obtained or built, and within their rights, and its own directly under the ownership, control and jurisdiction within the region. Furthermore, each government will obtain and retain its titles, control and jurisdiction over these facilities in a similar way to its ownership.

Article 24

In addition to the powers and tasks provided specifically in this agreement, the International

Border and Water Commission will have the following powers and tasks:

(a) In cases not covered by the specific terms of this or any other

agreement that develop plans for facilities to be built or established in accordance with the terms of the agreements or other agreements in force between the two governments addressing borders and international waters.

To start and carry out research, identify these facilities, locations, capacity, variety and characteristic characteristics, estimate the costs of these facilities, share costs between the two countries, the date for the start of facilities, to make recommendations on arrangements for the provision of the necessary funds and funds.

(b) To build facilities, help build and operate and maintain these facilities under the domestic laws of each country. Each Part shall have the jurisdiction over the facilities to be built in the region of the country where facilities will relate to or directly influence the terms of this agreement, if necessary, if necessary, affecting the terms of this agreement.

To implement and carry out these and other agreements and agreements and special powers and duties that are granted responsibility to the Commission, and to prevent and exercise violations of the terms of these agreements and alliances. This country the authorities will assist and support the implementation and fulfillment of these powers and tasks, and each commissioner will use the appropriate agencies of his country to assist in the implementation and execution of these powers and tasks when necessary. will ask for the jurisdiction of the courts.

(a) Depending on the implementation and interpretation of this agreement, we will report their own ideas and points to the two governments to address all the challenges that may arise, to discuss and adjust the difference through diplomatic channels, and to implement the general or private agreements that governments have terminated in order to ensure that the issues that lead to discussion are being implemented, to their own ideas, to their governments, to report their own ideas and points they disagree with. information.

(b) To provide the information requested by the two governments from the Commissioners upon the circumstances in the jurisdiction of the trial. If the request is made only by one government, the Commissioner of the other government must have the government's clear authority to comply with this request.

(c) The Commission will build, operate and maintain parts of international currents, and each Part will build, operate and maintain current measurement stations that may be necessary for the actual function of this agreement

to obtain available or necessary hydrographic data on parts of international currents and streams within their borders. The data obtained will be compiled and periodically exchanged between the two Parts.

(d) The Commission will jointly submit annual reports to the two governments in their own circumstances. The Commission will also present common reports to governments in any general or special circumstances in some cases, which are estimated to be requested or necessary by the two governments.

(e) Article 25

In this agreement, article III and VII of the Agreement of March 1, 1889, except those provided specifically, will carry out their proceedings in fulfilling the terms of this agreement. In addition, depending on the approval of both governments, in accordance with the terms of this agreement and the terms of Article III and VU of the 1 March 1889 Agreement, the Commission will form a rule and regulatory section to carry out its own implementation. The Commission's decision, copied in English and Spanish languages, signed by each Commissioner, proven by secretaries and will be registered in the minutes submitted to each Government within 3 days after it is signed. failure to make it, the minutes in question, and the decisions it contains will carry out the Commission's decisions approved by both Governments. If each government does not approve a commission's decision, and in this case, if an agreement is reached between the two governments, which will receive the minutes that may be necessary to fulfill the agreement, the two governments will understand the situation.

Part -6 Transit Terms

Article 26

Over an eight-year period from the date this agreement came into force, or the start of the work of the larger international water bend in lower place on the Rio Grande (Rio Bravo), Mexico will

cooperate with the United States to irrigate the water shortage needed to irrigate the water-watering lands in the lower-placed Rio Grande valley in the United States in times of drought, until the end of the previous study, and for that purpose, Mexico will cooperate with the El Azur water on the San Juan River, Mexico, to address the lack of water needed to irrigate the watering edibles in the lower-placed Rio Grande valley in the United States, and for that purpose, The El Azur water on the San Juan River, Mexico, Mexico will release water from its own canal systems to flow back into the San Juan River so that the Us can turn water from the Rio Grande (Rio Bravo). These water releases, Except for those in a severe accident or extreme drought in Mexico's irrigation system and in the hydraulic system, and up to 40,000 acres (49,340,000 cubic meters) per year for the specified eight years, and a total amount of 160,000 acres-foot (197,358,000 cubic meters) per second, and 750 cubic feet per second (21,2 cubic meters) per year. if water is obtained, when the desired water flow rate is more than 500 cubic meters of 814.2 cubic meters per second), the water release period is 15 in a row provided that it does not exceed the day, and exceeds 500 meters (14.2 cubic meters) per second, provided that the flow rate is at least 30 days between the two water release periods. In addition to the guaranteed flow, Mexico is required to water the watering of the lands that were under irrigation in the lower Rio Grande Valley in the United States during 1943, after meeting the needs of the Mexican Part and during the drought. and will use it through its own canal system and the San Juan River to be stored and will leave water from the El Azur water bend.

Article 27

Article 10, 11 and 15 of this agreement is conditioned, within a five-year period from the date this agreement takes effect, or until the Davis dam and the main Mexican cycle structure on the Colorado river begin to work, and if these facilities are

mentioned will not be implemented if it operates before the end of the day. In this sense, plans for construction, construction and operation are to build a temporary cycle structure with its own money in the colorado riverbed in the U.S. region for the purpose of turning water into the Alamo Canal, provided that it is bound by the approval of the U.S. Department. will and will run it. During this time frame, the United States will make the country's currently unwanted river flow available in the river in the cycle structure, and the U.S. is watering within the limits of what it takes for irritable land from the Colorado River in Mexico during 1943. will cooperate with Mexico with the letter that will please the requirements.

Part 6 -Final Terms

Article 28

This agreement will be ratified, signed, and approvals will be exchanged mutually in Washington, issued after approvals, and will remain in effect until completed by another intended agreement between local governments.The full officials who signed this agreement and attached their seals testified about them, and on February 3, 1944, in Washington, two copies in English and Spanish. The U.S. government and the Governments of the Mexican States agree and understand:

Texas fort Quitman to the Gulf of Mexico, the use of the waters of the Rio Grande, Tijuana and Colorado rivers, the virtue of the terms of the agreement signed in Washington on February 3, 1944 between the U.S. and Mexico, the construction or use of facilities for the storage or transportation of water, flood control, current measurement or for any purpose, Speci

functions will be installed or special jurisdictions will be placed in each of the Parts of the International Border and Water Commission, which will be used only in part for the terms of the agreement and the performance of the jurisdiction to be applied within the country's region, and such functions, including the construction, operation and maintenance of the aforementioned facilities, will be authorized by the local law to build, operate and maintain the applicable facilities, and the Federal Country shall be authorized at this time or after. will be fulfilled and executed by the agencies. These functions or jurisdictions shall be applied to the point where all international obligations and functions can be regulated and fulfilled, co- operated with the Commission's own Part and in compliance with the terms of the agreement. Facilities to be built or used along the border and those to be built or used specifically to meet the terms of the agreement shall be under the jurisdiction of the Commission, according to the terms of the agreement. In the construction of these facilities, sections of the Commission may use public services or private organizations under the laws of their country. This Protocol, which will be considered as a necessary part of the previously aforementioned agreement signed in Washington on February 3, 1944, will be signed and approved will be amended in Washington. This Protocol will be effective with the date the agreement takes effect and will remain effective as long as the agreement remains in force. The agreement was made in two copies in English and Spanish on November 14, 1944, in the testimony of the full officials who signed the agreement and attached their seals.

Attachment Five :

ARTICLE 8, 9, AND 12 ARTICLES OF THE 1986 AGREEMENT BETWEEN THE KINGDOM OF LESOTHO AND THE REPUBLIC OF SOUTHERN AFRICA FOR THE USE OF SENQU / ORANGE RIVER SYSTEM WATERS

Article 8

Trans-Caledon Tunnel Authority (Authorized Administration)

1. Under the terms of this agreement, the Trans-Caledon Tunnel Authority will be responsible for the implementation, operation and maintenance of part of the project in the South African Republic and will be recovered with all the powers necessary for the implementation of these responsibilities.

2. Despite the requirements of paragraph 7 of Article 7, the Trans-Caledon Tunnel Authority may be authorized by the Parties with responsibility for the implementation and maintenance of part of the water transmission system in the Kingdom of Lesotho, and all necessary powers, powers and exemptions will be granted by the Trans-Caledon Tunnel Authority, Lesotho; Without prejudice to the title or other rights in terms of the respective shipping system and related land, it will maintain a close relationship with the Lesotho Highland Development Authority regarding the implementation of the water transport system.

3. The Trans-Caledon Tunnel Authority will monitor the amount of water given to South Africa and, in partnership with the Lesotho Highland Sege Development Authority, at the end of each calendar month, the Project will measure at the measuring point in the transport system connecting the extreme pond dam of the hydroelectric power complex, or in the event of a dispute, the Joint Continuous Technical Commission, defining the amount of water it is thought to have been given to South Africa, in the event of a dispute, is such a dispute. will solve it.

4. The Trans-Caledon Tunnel Authority will provide the Joint Continuing Technical Commission with all relevant information about the entire business of any stage of the Project, which is carried out at this stage at the request by the Commission.

5. The Trans-Caledon Tunnel Authority will provide full co-operation with the Joint Permanent Technical Commission and will have a full impact on the appropriaterequirements of Article 9.

6. The Trans-Caledon Tunnel Authority will perform its duties according to internationally approved standards for administrative, technical authority, expertise and practice, and at the end of that, whenever appropriate, proji management will appoint design, finance or

other experts.

7. The Trans-Caledon Tunnel Authority will set up comprehensive account and expense systems, as provided in paragraph 10 of Article 10, according to the advice of financial authorities and system experts. These systems will depend on periodic inspection. The Joint Continuous Technical Commission will have the right to request such a review.

8. The Trans-Caledon Tunnel Authority will establish effective and comprehensive administrative information, including performance indicators to be used to provide the information required for administrative decision-making during the design, implementation, operation and maintenance of the Project, which will be given to the responsibility of the authority.

9. The Trans-Caledon Tunnel Authority, on the basis of the accounts and expense systems and practices set out in the paragraph, such as developments impromptu by the terms of article 4, obtain hydropower in the Kingdom of Lesotho such as the costs attributed to south Africa and the costs attributed to water supply to South Africa, this shall divide all costs made by the Competent Administration.

10. The Trans-Caledon Tunnel Authority will carry out necessary protection measures, such as pollution caused by the opposing effect of the project's implementation, and all measures necessary to prevent pollution from water in South Africa.

11. The Trans-Caledon Tunnel Authority will disband separately, at least 6 months before the start of each phase of the Project, and then at least 4 months before the beginning of each financial year, at least 4 months before the start of the year, looking at the part of the Project on the production of hydroelectric energy in the Kingdom of Lesotho during the implementation, operation, and maintenance of this phase.

Article 9

Joint Continuous Technical Commission

1. The Joint Continuous Technical Commission consists of two delegates, each on one side. Each party will nominate three delegates who form their own delegation as an alternative to each candidate. At least one member of each delegation will be permanent resident in Maseru. Each delegation will show a presidential candidate for meetings of the Joint Continuous Technical Commission.

2. Each party will nominate their representatives at the Joint Continuous Technical Commission as an alternative for representatives within three months of the signing of this agreement and will inform the other party of the names of their candidates during this time. Each party can end such a nomination at any time and nominate another person to replace a representative or candidate whose candidacy has expired. However, this candidacy will only be in effect a month after reporting the tip to the other party.

3. All decisions of the Joint Continuous Technical Commission will require the agreement of both delegations.

4. Such a position will be discussed again at the next meeting of the Joint Permanent Technical Commission, which will meet as soon as possible at a time when no agreement has been reached.

5. Following the application in the paragraph, the Joint Continuous Technical Commission will talk to the parties about the situation in the absence of a decision in any situation of the two delegations.

6. The Joint Continuous Technical Commission will create its own rules of implementation and create the necessary arrangements by looking at meetings, technical, governance and financial activities.

7. The Joint Continuous Technical Commission will have a full legal personality in each party's region.

8. The Joint Continuous Technical Commission will have monitoring and advisory powers based on the activities of the Lesotho Highland Development Authority in the event of activities that may affect the delivery of water to South Africa.

9. The Joint Continuous Technical Commission will have monitoring and advisory powers linked to the activities of the Trans-Caledon Tunnel Authority, which may be effective in producing hydroelectric energy at lesotho.

10. The Joint Continuous Technical Commission shall be subject to administrative audit, administrative audit, all aspects of management, organization and the rights to be subject to the accounts of the Lesotho Highland Development Authority regarding the issuance of water to South Africa, and the accounts of the Trans-Caledon Tunnel Authority regarding the production of hydroelectric energy in Lesotho King's Office, its organization and management.

11. Depending on the decisions of each of the Lesotho Highland Development Authority and the Trans-Caledon Tunnel Authority and the aspects of the situationlisted below that will consult with the Joint Continuous Technical Commission and require the approval of the Joint Continuing Technical Commission to make an impact on a continuous basis and any aspects of these situations:

(a) The appointment of the external auditor of each authority,

(b) As provided in Article 7 and 8, all expenses related to plans and estimates are planned, fund plans and cash flow estimates and all budgets for their expenses, including the terms of reconciliation,

(c) Application plans for each phase of the Project,

(d) Annual, such as short-term operation plans,

(e) Annual maintenance plans, Design, price proposal applications and documents of project work, depending on the implementation, operation and maintenance of the Project,

(f) The appointment of consultants and contractors for the implementation, operation and maintenance of the Project, such as the reconciliation of all claims and the distribution of exchange orders,

(g) Payment of costs between the parties according to the terms of Article 10,

(h) Financial agreements and debt agreements, such as all borrowings, no matter where the source is for the project's purpose,

(i) The appointment of professional and administrative personnel other than the executive heads of the Lesotho Highland Development Authority and the Trans-Caledon Tunnel Authority,

(j) Establishing and examining comprehensive accounting, expense and administrative information systems provided in paragraphs 7 and Article 8,

(k) Establishment of accounts with banking institutions,

(l) Foreign exchange on debts, credit institutions and other liabilities,

(m) Any insurance receipt, and (it)is the definition of the Nominal Annual Yield.

Article 12

Share, Copyright Payments

1. According to the conditions of this article on the implementation of the subphase of the project I A, South Africa takes on sharing net profit with Lesotho, as in the case, on the basis of 56% of the Lesotho section and 44% to South Africa, or as in the case.

2. Net profit will be calculated based on the applications in the Copyright Handbook based on the difference between the following.

(a) The cost of the minimum cost plan in the Copyright Manual, defined as the "Orange Vaal Transfer Plan", and the complementary water project defined as the "Orange Vaal Transfer Plan" in the next Copyright Book, is the cost of a water project defined as "The Initial development of the Lesotho Highland Symbo Water Project", and a combined water distribution capacity of 70 cubic meters per second, and the minimum cost combination in the copyright manual, which is defined as the "Optimal Plan", and a complementary water project defined as the "Orange Vaal Transfer Plan" in the next Copyright Manual, or 70 cubic meters per second distribution. a water project on water distribution defined in the Copyright Handbook as "Lesotho Highland Water Project Startup Development" and:

(b) The cost of the alternative water project, which is defined as the "Least Costly Orange Vaal Transfer Plan" in the Copyright Manual, has a distribution capacity of 70 cubic meters per second.

3. 1,019,270,000 Rand in South Africa, and Lesotho section 1,297.250,000 Maloti amounts annually a discount rate of 6 percent and December 1985, as shown in the Book of Copyright, which uses the fee thing, the starting water is the provisional value of the parties at the time of the signing of the net profit defined on the basis of the flow data and calculated according to the general principles in the paragraph. These quantities will depend on re- calculation, as provided for this article.

4. The initial water flow data used in the calculation of the sharing of net profit by the parties, as provided in Paragraph (3) at another stage prior

to the first year, as it can be defined in the first calendar year or by the Joint Continuous Technical Commission, before the date of the first water given to South Africa, which will be January 1995. The water in the Copyright Handbook will be re-overhauled or updated according to the terms of paragraph (5), which holds my flow data format and takes into account all appropriate hydrological data collected before this year. This revised or updated water flow data will be used to recalculate net profit, as set out in paragraph 6 or 7, without updating or overhauling net profit and as provided in paragraph 2.

5. The modified or updated water flow data provided in Paragraph 4 will be defined by the Lesotho Highland Development Authority and will request the approval of the Joint Continuous Technical Commission for its impact as a result of the meeting with representatives of the hydrology department of each party or ministry. If the Joint Continuing Technical Commission does not approve updating or revision as a result of a dispute between its own delegations, this issue will be attributed to an expert adviser in the consultology department appointed by the parties. If the parties can not carry out the appointment of the adviser requested by them within 60 calendar days, the president of the International Commission of The Great Dams (ICOLD) will appoint such an adviser at the request of each party to make such an appointment. Such an adviser's conclusion and decisions will be final decision and binding for the parties.

1. If the minimum annual amounts of water specified for each year are adjusted in Appendix II according to the terms of paragraph 7, net profit will be recalculated on the basis provided in paragraph 2, which takes into account such adjustments according to the applications contained in the Copyright Manual.

2. In case of cancellation of the rest of the project at a stage after Phase I, in addition to those mentioned in Paragraph 8, net profit will be recalculated based on the applications contained in the royal manual based on the difference between:

(a) The cost of the current value of the least costly combination of a water distribution capacity of 70 cubic meters per second, and the next complementary water described as the 'Orange Vaal transfer plan' in the Royal Handbook, which will be implemented at this stage and previously accepted by the parties, is defined as the 'Operation The Lesotho Highland Symbras' water project,

which is defined as the 'Lesotho Highland Water Project Initial Development' in the royal handbook, which has the capacity to distribute equal to the combined distribution capacity of these phases, and the 'Orange Vaal transfer plan' in the Royal Manual. the cost of the project. However, at this stage, which exceeds the distribution capacity of the 'Lesotho Highland Water Project Initial Development', which forms part of the plan described as the 'Optimal Plan' in the copyright Manual, the cost of the next one will depend on recalculating if the combined distribution capacity of the project phases adopted and implemented by the parties are implemented.

(b) The cost in the Current Value of the alternative water project with a distribution capacity of 70 cubic meters per second, described as the "Least costly Orange Vaal Transfer Plan" in the Copyright Handbook. If South Africa unilaterally cancels the rest of the Project in the phase prior to Phase I, net profit will be recalculated according to the applications contained in the Copyright Manual at the basis of the distinction between the following.

(a) Described as the 'Lesotho Highland Syllabus Water Project Initial Development' in the 'Royalty Handbook', which will be implemented at this stage and has a distribution capacity equal to the combined distribution capacity of these phases of the project, which has been adopted by the parties and implemented earlier, and the cost of a water project related to water distribution in the Current Value.

(b) The cost of an alternative water project defined as the 'Comparable Orange Vaal Transfer Plan' in the 'Royalty Handbook', which has a distribution capacity equal to the combined distribution capacity of these phases of the Project, referring to the subparagraph (a).

3. The net profit to be calculated or calculated again in accordance with the terms of Paragraphs 2 or 6 or 7 or 8 will consist of the following.

(a) An investment employee who shows the difference in investment costs,

(b) An element of operation that shows the difference in electrical costs of the nature of pumping operations,

(c) The remaining operation and maintenance are an element of operation and maintenance that shows the difference in costs.

4. Depending on the terms of paragraph 11, Lesotho’s net profit shall depend on Lesotho in the form of a kingdom that constitutes the following:

(a) A fixed part of the investment element of net profit in the form of a monthly quantity that occurs according to the terms of Paragraph 15 and will be obtained according to the terms of paragraph 12,

(b) According to paragraph 16' requirements, the electrical charge attributed to pumping operations in the form of a monthly amount of the amount calculated according to the terms of paragraph 13] is a variable part of the net profit that indicates the difference in the arm,

A variable part of the operation and maintenance element of net profit indicating the difference in operations and maintenance costs left behind in the form of a monthly quantity, which will occur according to the conditions of Paragraph 16 and is calculated according to the terms of paragraph 14.

(c) Through the sharing of the Customs Union's general revenue pool. As a result of the implementation, operation, and maintenance of part of the Project on the delivery of water to South Africa, the income awarded to Lesotho shall be counted as the amount of payment paid by South Africa in terms of Lesotho's share of the investment element of net profit.

(d) This payment will be calculated as a fixed percentage amount of 10.69 percent of the Current Value of the Current Value for the calculation or recalculation of net profit according to the terms of paragraphs 2 or 6 or 7 or 8, according to the applications contained in the Copyright Manual. This payment will be initiated against the Lesotho share of the investment element of net profit before calculating the maturity part of the royalty. However, in the event of an exchange in the Customs Union Agreement affecting the Lesotho share of the Customs Union's general customs revenue pool, the fixed percentage will be adjusted according to the applications contained in the SACU contract, which uses the same project expense data, and only if the Customs Union Agreement expires, the parties shall be equal to any income given to Lesotho because of official dues, taxes or fees. they will accept the investment element of net profit on an amount to be initiated against Lesotho’s share, and in the event of the terms of paragraph 19 an applicable, each party shall define compensation based on the principles of the work of the payment that is no longer appropriate, and by sharing the general revenue pool of the Customs Union,

which shall be defined by the agreement between the parties. The implementation, operation, and maintenance of the Project section on the delivery of water to South Africa may require compensation on the reasons it shows the income given to Lesotho as a direct result.

(e) After the Customs Union is made depending on the allocation according to the terms of paragraph 11 for the revenue given to Lesotho through the sharing of the general revenue pool, The availability of the Lesotho share of the net profit calculated according to paragraph 2's terms is 6 per cent per year, which can be applied to each monthly amount for a 50-year time period from January 1995, according to the practices in the Copyright Manual, where the monthly amount forms the term part of the royal, as provided in paragraph 15. when a discount is made, the uniform monthly quantity will equal the sum of the Current values. However, if the net profit is recalculated according to the terms of paragraph 6 or 7 or 8, the recalculated monthly quantity is based on the terms of paragraph 11 for the revenue given to Lesotho through the sharing of the General Revenue Pool of the Customs Union , the recalculated net profit The monthly amounts equal to the Lesotho share of the investment element will be the amount paid in a single form from January 1995 for a 50-year period balance after the date of the recalculated monthly quantity.

(f) According to paragraph 2' terms, the current value of the Lesotho share of the working element of the net profit indicating the difference in electricity costs due to calculated pumping perits is a 6 percent annual discount applied to each amount for a period of 50 years from January 1995, according to the applications in the Copyright Manual, the minimum annual water amount in the Province after the allowance for the minimum amount of the annual water in the Province after the calculation of net profit is made for the minimum amount of the

yearly. the monthly average and the monthly amounts calculated as products at the fixed unit rate of cubic meters of water shall be equal to the sum of the Current Values. This unit rate will form the basis for calculating the variable part of the royalty in terms of the operation element, which shows the difference in electrical costs associated with pumping operations, as provided in paragraph 16. However, if the net profit is recalculated according to the terms of paragraph 6 or 7 or 8, the monthly amounts obtained as a recalculated fixed unit ratio per cubic meter of water, and this recalculated unit ratio. When paid monthly to balance the 50-year period from January 1995, the monthly amount paid until this date, the monthly rate of the annual minimum amount of water specified in the Additional IF for each year from the date of effectiveness, indicating the difference in electricity costs attributed to pumping operations the working element of the recalculated net profit will be in a total Current Quantity equal to the Lesotho share. The study of net profit showing the difference in the remaining work and maintenance costs calculated according to the terms in Paragraph 2 is the current value of the Lesotho share of the maintenance element, the minimum annual water amount in The Appendiation for the minimum annual water amount per year after the calculation of net profit is made for the minimum annual amount of the allowance for the minimum amount of the year after the calculation of net profit, when there is a 6 percent annual discount applied to each amount for a period of 50 years, according to the applications in the Copyright Manual. average and monthly quantities calculated as products at the fixed unit ratio of cubic meters of water will be equal to the sum of the Current Values. This unit rate will form the basis for calculating the variable part of the royal in terms of the operation element, which shows the difference in the remaining work and maintenance costs, as provided in paragraph 16. However, if the net profit is recalculated according to the terms of paragraph 6 or 7 or 8, the monthly amounts obtained as a recalculated fixed unit ratio of the water per cubic meter, and this When the recalculated unit ratio is paid monthly to balance the 50-year period from January 1995, the monthly proportion of the water specified in Annex H for each year from the date of effectiveness, with the monthly amounts paid until this date, the work and maintenance element of the recalculated net profit indicating the difference in the remaining work and maintenance costs The total amount equal to Lesotho’s share will be in the Current Quantity.

(g) Depending on the terms of paragraph 19, the monthly amount calculated according to paragraph 12 will be added monthly as part of the royal term for a period of 50 years for the date of January 1995, the month when the water was first issued to South Africa.

(h) Royalty-based components will be added monthly for a period of 50 years for the January 1995 date, the month when water was first issued to South Africa, and each monthly amounts will be added monthly for the first six months of any year, to undo any gap in the issuance of the minimum amount specified in Annex ll for the previous year, in such a Monthly Programmed Request, which is used for the first six months of any year or used to cover any clarity in the Scheduled Monthly Request for the month before each year. for each month, which is not excessive and the Scheduled Monthly Request, it will be defined as the actual amount of water given to South Africa and as products of unit rates calculated according to the terms of paragraph13 and 14.

(i) South Africa will be responsible for paying the kingdoms of Lesotho, based on the actual amount of water given to South Africa in any month during any calendar year, which is used to undo a gap in any consecutive month during the same calendar year and is not used as required in paragraph 16 to undo any previous vulnerabilities. Such payments will be the product of a unit ratio equal to the difference between the unit ratios attributed to paragraph 13 and 14, which are appropriate at the time of the water, and the amount of water used to perform such a rollback at the time of the provision.

(j) Unit rates calculated according to the terms of Paragraph13 and 14 and applicable at the end of the 50-year period on December 31, 2044, will continue to apply at the following time. South Africa will be responsible for paying the amounts calculated as: The amount of water given to South Africa every month, which is not oversized in the Planned Monthly

Request used to undo any gap in the first six months of each year and used to undo any vulnerability in the Planned Monthly Request for any prior month of this year, and the amount of water given to South Africa every month in the provision of the minimum annual amount specified for the previous year in Appendix II, and The unit rates attributed to paragraph 13 of the appropriate Article 13 at the time of the water amount are given, and a unit ratio equal to the difference between paragraph13 and 14, which is appropriate at the given time, and a subparagraph a in the same calendar year to recover a gap in any consecutive month, and subparagraph any previous vulnerability is not used to undo each calendar year. Which is the product of the actual amount of water given to South Africa within a month. All such amounts will be adjusted according to the terms in paragraph 20.

1. In the case of Planned Monthly Request for any month not given to South Africa, the term component of the kingdom's payment will be reduced by an open rate, provided that the deficits are made up of the following, according to the practices in the Copyright Manual:

(a) As set out for any year in Annex II, the start date of reliable supplies from any stage of the postponed Project to the request of supplies to meet the minimum distributions given to South Africa. However, by looking at the part of the Project, which the authority is fully responsible for, South Africa shall not be exempt from the obligation to pay this term ticket in the event of any deferral on the trans-Caledon Tunnel Authority's side as a result of any activity or commission, and, (b) Any probability attributed to paragraph 2 of Article 14 that occurred. However, if Article 14 has a possibility specified in subparagraph a of paragraph 2,

South Africa will continue to pay Lesotho the future compound of the kingdom. However, in the following months following the end of the calendar year, such a reduction will be repaid at the same rate as the percentage of vulnerabilities recovered through distributions in the surplus of Planned Monthly Request in the following months.

2. Copyright futures and variable combinations will be more than those contained in the Copyright Manual, and this paragraph will be set as conditional.

(a) The term combination of royalty fees, such as the variable combination of the royal on the remaining element of work and maintenance of net profit, will join the Production Price Index, which enters the actual payday.

(b) The royal's variable combination of the electrical element of net profit will join the Average Annual Electricity Wage Index, which enters the actual pay day.

3. (a) The due date for payment of amounts left over paragraph 15 will be the date at the end of each month for the 50-year period that begins in January 1995. However, in the event of a postponement at the beginning of reliable supplies from Phase IA according to paragraph 19's subparagraph A ‘nm terms, the due date of payment will be at the end of the month when the supplies begin, from January 1995 until that month, including the month before the date of the supply secures:

(b) For amounts under paragraph 16, the date will be the date at the end of the month when the corresponding amount of water is distributed.

(c) For amounts under paragraph 17, the date will be the date at the end of the month when the undone vulnerability occurred.

(d) For subparagraph b of paragraph 18 for the amounts under my terms, the date will be the date at the end of the month when the undo deficit occurred.

4. Prior to the implementation of the Project Phase IA, a billing application by looking at the payments and fees under the terms of paragraph 18 will be established by the agreement between the parties, and according to such an application, the Lesotho Highland Regional Development Authority will submit a bill on behalf of Lesotho on a date that does not exceed 5 calendar days following the end of each month, based on the terms and fees of paragraph 18 for the application month, and these invoices are billed according to the terms of this article, which are billed prior to the terms of this article. will be

- South Africa will place invoices submitted by the Lesotho Highland Development Authority within 30 calendar days from the date these bills were received.

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