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# AFGHANISTAN WATCH

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# AFGHANISTAN WATCH

## **Iran Exchanges Heavy Gunfire With Taliban On Afghan Border, Escalating Tensions Over Water Rights**

**<https://apnews.com/48324a0cdc9158713a39edae7460cd5e>**

The Taliban and Iran exchanged heavy gunfire Saturday on the Islamic Republic's border with Afghanistan, killing and wounding troops while sharply escalating rising tensions between the two countries amid a dispute over water rights. Iran's state-run IRNA news agency quoted the country's deputy police chief, Gen. Qassem Rezaei, accusing the Taliban of opening fire first Saturday morning on the border of Iran's Sistan and Baluchestan province and the Afghan province of Nimroz. IRNA said Iran inflicted "heavy casualties and serious damage."

From the Taliban's view, Afghan Interior Ministry spokesman Abdul Nafi Takor accused Iran of shooting first. Takor said the firefight killed two people, one from each country, and wounded other. He described the situation as now being under control. IRNA, quoting Iranian police, said two border guards had been killed. However, that number may be higher. The semi-official, English-language newspaper Tehran Times said the fighting killed three Iranian border guards. IRNA said the Milak border crossing with Afghanistan, near the site of the clash (a major trade route), was closed until further notice over the gunfight.

## **Comments**

## **Background**

This weekend the world witnessed yet another exchange of heavy gunfire at the Sasuli border post of Iran's Sistan and Baluchistan province bordering the Kang district of Afghanistan's province of Nimroz[1]. The firefight resulted in casualties of three Iranian border guards, one Taliban fighter and unknown number of civilians, on both the sides.[2] By Sunday afternoon, the Iranian and Afghan border security forces firefight had ceased, possibly after high level engagement between the two parties.[3] Till date the reason for skirmish remains unknown but the Iranian Embassy in Kabul and Taliban-run acting Ministry of National Defense have initiated some correspondence and phone calls to investigate the causes that resulted in this clash. [4]

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[1] News Desk. 2023. "At Least Three Killed in Shooting at Iran-Afghan Border." Al Jazeera News, May 27, 2023. <https://www.aljazeera.com/news/2023/5/27/clash-on-iran-afghan-border-kills-at-least-three>.

[2] Scollon, Michael. 2023. "Iran And Afghanistan's Taliban Clash As Water Dispute Boils Over." Radio Free Europe/Radio Liberty, May 30, 2023. <https://www.rferl.org/a/iran-taliban-water-dispute-/32435442.html>.

[3] Iran International Newsroom. 2023. "Iran Sends Senior Military Officials To Afghan Border As Tensions Simmer." Iran International, May 28, 2023. <https://www.iranintl.com/en/202305289007>.

[4] IANS. 2023. "3 Killed in Clash on Iran-Afghanistan Border." DT Next, May 28, 2023. <https://www.dtnext.in/news/world/3-killed-in-clash-on-iran-afghanistan-border-715418>.

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From hindsight, the clash could be related to the statement made by the Iranian President Ebrahim Raisi where he warned the Taliban not to violate the Iran's share (water rights) over the Hirmand River, in accordance with the bilateral treaty signed between the two states in 1973.[5] What seems to be a response, a video appeared with an unidentified Taliban official holding bucket full of water, at an edge of (what appeared to be) a reservoir stating his desire to give water to Iran with an intent to prevent the launch a military attack by President Raisi, ridiculing him.[6]

President Raisi's statement came after a scheduled discussion (over a phone call where he stressed Iran's water rights over Helmand River) between Taliban's acting FM Amir Khan Muttaqi, and his Iranian counterpart Hossein Amirabdollahian on 17 May.[7] This was followed up by another bilateral engagement between the Acting FM Muttaqi and Iranian Ambassador Hassan Kazemi Qom (in Kabul) on matters of mutual interest, on 19 May.[8]

## Understanding Afghanistan's Hydrology

Afghanistan's hydrology comprises of four major river basins:[9]

- a) the Amu Darya River basin
- b) the Harirud River basin
- c) the Helmand-Argbandab River basin
- d) the Kabul River basin

The aforementioned river basins not only cross all major international boundaries, they are also unequally distributed.[10] That said, the Amu Darya basin, the Harirud River basin and its non-drainage regions, covers almost 37% of Afghanistan's territory. [11]

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[5] Associated Press. 2023. "Iran Warns Afghanistan's Taliban Rulers Not to Violate Its Water Rights, over Helmand River." Associated Press, May 18, 2023. <https://apnews.com/article/iran-afghanistan-helmand-drought-water-rights-f40ebf4d2927481c110dd3222eld13e4>.

[6] Sinaee, Maryam. 2023. "Iran's Water Dispute Continues With Taliban As They Ridicule Raisi." Iran International, May 20, 2023. <https://www.iranintl.com/en/202305208790>.

[7] Ministry of Foreign Affairs, Islamic Republic of Iran. 2023. "Amirabdollahian Talks to Taliban Minister, Stresses Helmand Water Rights." Press Release. 2023. <https://en.mfa.ir/portal/newsview/719780/Amirabdollahian-talks-to-Taliban-minister-stresses-Helmand-water-rights>.

[8] Bakhtar News Agency. 2023. "FM Muttaqi Meets Iranian Ambassador in Kabul." News Desk. 2023. <https://bakhtarnews.af/en/fm-muttaqi-meets-iranian-ambassador-in-kabul/>.

[9] Reich, Denis, and Calvin H Pearson. 2012. "Irrigation Outreach in Afghanistan: Exposure to Afghan Water Security Challenges." Journal of Contemporary Water Research & Education 149: 33–40. <https://www.semanticscholar.org/paper/Irrigation-Outreach-in-Afghanistan%3A-Exposure-to-Reich-Pearson/5846c0bea2bf39d9aa9c35abc3a49ea47c6f332e>.

[10] Najmuddin, Omaid, Xiangzheng Deng, and Jia Siqi. 2017. "Scenario Analysis of Land Use Change in Kabul River Basin – A River Basin with Rapid Socio-Economic Changes in Afghanistan." Physics and Chemistry of the Earth, Parts A/B/C 101: 121–36. <https://doi.org/https://doi.org/10.1016/j.pce.2017.06.002>.

[11] Kamil, Ikramuddin, Afghanistan, the Amu Darya Basin and Regional Treaties (July 13, 2021). Chinese Journal of Environmental Law 5 (2021) 37–62, Available at SSRN: <https://ssrn.com/abstract=3885594>

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The Helmand Arghandab River basin cover over 49% of the territory[12], whereas the Kabul River basin, covers over 12 percent of Afghanistan's territories respectively.[13]

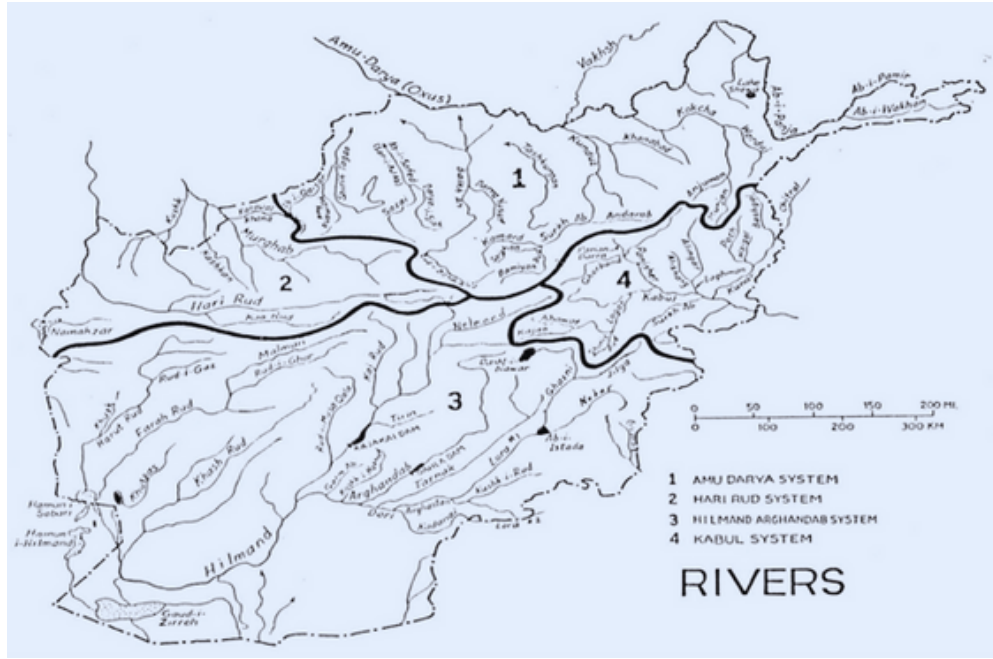


Figure 1: River Basin System in Afghanistan[14]

In the context of sharing international borders, the Amu Darya is one of the longest rivers in the central Asian region.[15] It flows from the Afghanistan's borders to the Tajikistan, Uzbekistan and Turkmenistan (meeting the Aral Sea).[16] Water resources from the Amu Darya are shared between all central Asian states (where it flows through).[17] The Hari Rud is centered in Herat, a region with high (intense) irrigation in Afghanistan.[18] The river flows from the Koh-i-Baba mountains of central Afghanistan, Turkmenistan, forming a Tejed oasis before disappearing in the Karakum Desert.[19] In its lower course, it acts as a border between Afghanistan and Iran and further south-eastern part of the border between Iran and Turkmenistan.[20]

[12] Asian Development Bank. 2019. "AFG: Arghandab Integrated Water Resources Development Project." <https://www.adb.org/sites/default/files/linked-documents/48096-002-sd-02.pdf>.

[13] Azizi, Abdul H, and Yoshihiro Asaoka. 2020. "Assessment of the Impact of Climate Change on Snow Distribution and River Flows in a Snow-Dominated Mountainous Watershed in the Western Hindukush-Himalaya, Afghanistan." *Hydrology*. <https://doi.org/10.3390/hydrology7040074>.

[14] Centre for Afghanistan Studies. 2023. "Map of the Main Rivers of Afghanistan." University of Nebraska Oklahama. 2023. <https://www.unomaha.edu/international-studies-and-programs/center-for-afghanistan-studies/academics/transboundary-water-research/DLM3/DLM3.php>.

[15] PINGUA, RAJA. 2020. "The Distribution Of Water Resources In Central Asia." *World Affairs: The Journal of International Issues* 24 (1): 118–31. <https://www.jstor.org/stable/48622911>.

[16] White, Kristopher D. 2013. "Nature-Society Linkages in the Aral Sea Region." *Journal of Eurasian Studies* 4 (1): 18–33. <https://doi.org/https://doi.org/10.1016/j.euras.2012.10.003>.

[17] Hummel, Sarah. 2017. "Relative Water Scarcity and Country Relations along Cross-Boundary Rivers: Evidence from the Aral Sea Basin." *International Studies Quarterly* 61 (4): 795–808. <https://www.jstor.org/stable/48539054>.

[18] Loodin, Najibullah, and Jeroen Warner. 2022. "A Review of Hydro-Hegemonic Dynamics on the Transboundary Hari Rud River Basin: 2001–Present." *MDPI*, 16. <https://www.mdpi.com/2073-4441/14/21/3442/pdf>.

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[20] Hummel, Sarah. 2017. "Relative Water Scarcity and Country Relations along Cross-Boundary Rivers: Evidence from the Aral Sea Basin." *International Studies Quarterly* 61 (4): 795–808.



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[The Helmand/Hirmand is the longest river in Afghanistan, which emerges from the Sanglakh Range of the Hindu Kush mountains in the north-eastern part of Maidan Wardak Province, separating from the watershed of the Kabul River through the Unai Pass.[21] It feeds the Hamoun reservoir on the border between Afghanistan and Iran.[22]

The Kabul River emerges from Sanglakh Range of the Hindu Kush mountains in the north-eastern part of Maidan Wardak Province, and is separated from the watershed of the Helmand River by the Unai Pass.[23] It is the main river for the East (Afghanistan) and the provinces of Khyber Pakhtunkhwa in Pakistan.[24]

## Making a case of Helmand/Hirmand River

The Helmand River (known as Hirmand in Iran), shared between Afghanistan and Iran, is the only river which Afghanistan has formally signed an agreement with an immediate neighbour.[25] As stated above, it is the longest river, stretched to almost 1,300 kilometers. [26] Its origin lay in the Hindu Kush Mountain ranges, almost 40 kilometers from Kabul, north of the Unai Pass, with five tributaries.[27] Crossing through the Dashti Margo desert (southwest), it makes the Afghan-Iran border through a stretch of 55 kilometers before emptying into the Sistan marshes, finally settling in a system of three interconnected and transboundary wetlands, the Hamoun-e Helmand (within Iran's borders), Hamoun-e Puzak (within Afghanistan borders), and Hamoun-e Sabari (shared between the two countries). [28]

Since the start of civilisations, the Hamouns have been critical in flourishing human settlements which also provided an ecosystem for numerous birds and fish species to flourish. That said, poor water management initiatives and lack of sustainable irrigation practices resulted in subsequent draught that left the Hamouns dry.[29] Tehran has been blaming Afghanistan upstream irrigation practices for the Hamouns' demise, specifically laying the blame on Kajaki Dam built in the 1950s and irrigation canals that were dug in early 1990s.[30] During author's discussions, the Hydrologist associated with Faculty of Water and Environmental Engineering at Shahid Chamran University blamed Tehran's water management efforts including the decision to divert water from the Helmand River to the four Chahnimeh water reservoirs, which supplies freshwater to Zahedan, Zabol, and sub-urbans in Sistan and Baluchestan province.[31] The drying of Hamoun wetlands has not only decimated ecology & diversity but is also a potential source of numerous storms in the region, causing severe health challenges to those depending on Hamouns for economic activity (fisheries) and sustenance.[32]

[1] HAMZEH, MOHAMMAD A., MOHAMMAD H. MAHMUDY-GHARAIE, HAMID ALIZADEH-LAHIJANI, REZA MOUSSAVI-HARAMI, MORTEZA DJAMALI, and ABDOLMAJID NADERI-BENI. "PALEOLIMNOLOGY OF LAKE HAMOUN (E IRAN): IMPLICATION FOR PAST CLIMATE CHANGES AND POSSIBLE IMPACTS ON HUMAN SETTLEMENTS." *PALAIOS* 31, no. 12 (2016): 616–29. <https://www.jstor.org/stable/26780068>.

[2] Akbari, Mahdi, Ali Mirchi, Amin Roozbehani, Abror Garurov, Bjørn Kløve, and Ali Torabi Haghighi. 2022. "Desiccation of the Transboundary Hamun Lakes between Iran and Afghanistan in Response to Hydro-Climatic Droughts and Anthropogenic Activities." *Journal of Great Lakes Research* 48 (4): 876–89. <https://doi.org/10.1016/j.jglr.2022.05.004>.

[3] Sidiqi, Massouda, Sangam Shrestha, and Sarawut Ninsawat. "Projection of Climate Change Scenarios in the Kabul River Basin, Afghanistan." *Current Science* 114, no. 6 (2018): 1304–10. <https://www.jstor.org/stable/26797336>.

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[5] Milani, Mohsen M. 2006. "Iran's Policy Towards Afghanistan." *Middle East Journal* 60 (2): 235–56. <http://www.jstor.org/stable/4330248>.

[6] Ramachandran, Sudha. 2017. "Afghanistan Clashes with Iran over Dam Construction." <https://www.cacianalyst.org/publications/analytical-articles/item/13443-afghanistan-clashes-with-iran-over-dam-construction.html>.

[7] Dero, Rasoul Afzali, Hassan Kamran Dastjerdi, Sajad Zibasaz Yazdanpanah Khoshmanzareh, and Yashar Zaki Oiuomars. 2022. "Monitoring of Water Resources and Vegetation in the Helmand Basin Using Satellite Image Time-Series and Border Hydro-Political Challenges." *Official Journal of the Water Policy*. <https://iwaponline.com/wp/article-pdf/24/8/1223/1092182/024081223.pdf>.

[8] Mileki, Saeid, Saeid Soltani Koupaei, Amirza Sofianian, Sasan Saatchi, Saeid Pourmanafi, and Vahid Rahdari. 2019. "Human and Climate Effects on the Hamoun Wetlands." *Weather, Climate, and Society* 11 (3): 609–22. <https://www.jstor.org/stable/26753230>.

[9] Darvishi Boloorani, Ali, Mohammad Saeed Najafi, Masoud Soleimani, Ramin Papi, and Omid Torabi. 2022. "Influence of Hamoun Lakes' Dry Conditions on Dust Emission and Radiative Forcing over Sistan Plain, Iran." *Atmospheric Research* 272: 106152. <https://doi.org/10.1016/j.atmosres.2022.106152>.

[30] Loodin, Najibullah, and Jeroen Warner. 2022. "A Review of Hydro-Hegemonic Dynamics on the Transboundary Harirod River Basin: 2001–Present." *MDPI*, 16. <https://www.mdpi.com/2073-4441/14/21/3442/pdf>

[31] Interaction with the Author

[32] HAMZEH, MOHAMMAD A., MOHAMMAD H. MAHMUDY-GHARAIE, HAMID ALIZADEH-LAHIJANI, REZA MOUSSAVI-HARAMI, MORTEZA DJAMALI, and ABDOLMAJID NADERI-BENI. 2016. "PALEOLIMNOLOGY OF LAKE HAMOUN (E IRAN)." *PALAIOS* 31 (12): 616–29. <https://www.jstor.org/stable/26780068>.

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That said, for Iran, the Helmand River is a primary source of irrigation, with Sistan and Baluchestan's economy heavily dependent on agriculture practices.[32] Over 96% available surface water entering Sistan and Baluchestan has its source in Afghanistan.[34] Taking note of both survivability of Hamouns and agriculture practices, access to water guarantees economic prosperity and regional stability. It will not be incorrect to state the Helmand River's salient role in stabilising Sistan and Baluchestan province. The majority population in the region is that of Iran's Baluchi minority, and the region is credited as most marginalized and volatile.[35] The existence of Baluchi separatist movements and drug trafficking networks pose a direct threat to Iran's national security.[36] That said, the Iran Meteorological Organization estimates that 97% of the country faces some kind of drought, which ties securing access to water to Iran's national security priority.[37]

## Tracing the 1973 Helmand/Hirmand Water Treaty[38]

In accordance to the Helmand River Treaty of 1973, Afghanistan must provide waters from the Helmand River to Iran at 22 cubic meters per second per annum in addition to 4 cubic meters per second taking in the interest of its goodwill and brotherly relations.[39] For Iran, it would access (annual average) of 820 million cubic meters or 556,000 acre-feet in normal conditions.[40] Although, the treaty does guarantee access of Helmand River water to Iran, Article V provides full rights to Afghanistan on the remaining water supply. According to the Article V, Afghanistan shall retain all rights to the balance of the water of the Helmand River and may make such use or disposition of the water as it chooses.[41]

In the conclusion paragraph of the Article V, Iran's access is entitled to a specific amount of water as agreed between the two parties, irrespective of additional amounts of water may be available and may be used for beneficial use.[42] Thus, Article V clearly states that Afghanistan has unequivocal and unilateral rights over the remaining supply of water from the Helmand River. This further enables it to undertake new reservoir projects (for agricultural, hydroelectric, or for reservoir) projects as it deems fit.

[33] Yeganeh, Yasaman, and Ehsan Bakhshandeh. 2022. "IRAN'S MODEL OF WATER DIPLOMACY TO PROMOTE COOPERATION AND PREVENT CONFLICT OVER TRANSBOUNDARY RIVERS IN SOUTHWEST ASIA." *World Affairs* 185 (2): 331–58. <https://doi.org/10.1177/00438200221081210>.

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[37] Associated Press. 2023. "Iran Warns Afghanistan's Taliban Rulers Not to Violate Its Water Rights, over Helmand River." Associated Press, May 18, 2023. <https://apnews.com/article/iran-afghanistan-helmand-drought-water-rights-f40ebf4d2927481c110dd322e1d13e4>.

[38] "Helmand/Hirmand Water Treaty 1973." 1973.

[https://www.internationalwaterlaw.org/documents/regionaldocs/1973\\_Helmand\\_River\\_Water\\_Treaty-Afghanistan-Iran.pdf](https://www.internationalwaterlaw.org/documents/regionaldocs/1973_Helmand_River_Water_Treaty-Afghanistan-Iran.pdf).

[39] Kumar, Ruchi. 2023. "Iran and Afghanistan Face off over Sharing Helmand Waters." *The National*, May 28, 2023. <https://www.thenationalnews.com/mena/2023/05/28/iran-and-afghanistan-face-off-over-sharing-helmand-waters/>.

[40] Iran International. 2023. "Share Water, Iran's President Warns Taliban Amid Rising Tension." *News Desk*, May 18, 2023. <https://www.iranintl.com/en/202305181442>.

[41] Hearn, Dr. Glen. 2015. "The Helmand River and the Afghan-Iranian Treaty of 1973." *International Water Law Project Blog*. 2015. <https://www.internationalwaterlaw.org/blog/2015/07/23/the-helmand-river-and-the-afghan-iranian-treaty-of-1973/>.

[42] Helmand/Hirmand Water Treaty 1973." 1973.

[https://www.internationalwaterlaw.org/documents/regionaldocs/1973\\_Helmand\\_River\\_Water\\_Treaty-Afghanistan-Iran.pdf](https://www.internationalwaterlaw.org/documents/regionaldocs/1973_Helmand_River_Water_Treaty-Afghanistan-Iran.pdf)

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On reading the Article V in conjunction with Article II (Iran Water Rights), it is Afghanistan's responsibility to not pollute the waters or undertake any measures that deprive Iran from its water rights, either wholly or partially.[43] To understand the significance of Article V, it is important to be read in conjunction with, Article III (monthly distribution), and IV (climate change) as interpreting Article V solely will not only result in an incorrect interpretation of the full context of the Treaty and its other provisions, resulting in unreasonable conclusions. [44] The Treaty also calls upon the sides to address differences diplomatically, failing which, through a mutually chosen arbitrator.

## Leveraging Helmand River

Afghan experts (taking the note of harsh treatment received by Afghan refugees in Iran along with forced repatriation of migrants), opined that Tehran is using the issue of Afghan refugees to pressure Kabul and as a countermeasure if the latter uses Helmand waters as a leverage against Tehran's treatment of Afghan refugees.[45] During author's interaction with an expert from the Department of Hydrology, Nangarhar University, he opined that since the fall of Kabul, there is a serious backlash against the Afghan refugees, a strong perception resulting in a blackmailed Tehran on undertaking stringent actions, which according to him may have resulted in the recent border skirmish (an escalated response). [46]

## Will Taliban budge?

Even after Taliban's takeover, Tehran did not shy away from flagging Afghanistan's violation of treaty, arguing its access to far less water than agreed amount in accordance with the 1973 treaty. As a matter of fact, Tehran has quite often blamed Taliban for its disregard for border protocols since, its takeover. The day before the border clash, Iran's FM Amirabdollahian had asked Taliban to 'follow legal framework to resolve border dispute'. [47] That said, under Taliban's rule Afghanistan is devoid of numerous administrative mechanisms and resources, departments, which existed in the previous regime. Hypothesing, if Taliban does come up with a concept of an environmental agency (through regional cooperation/assistance), experts argue that, it would either be defunct from administrative decision making or will be operational under strict Islamic law.[48] It is still unclear if Taliban has nominated a leadership appointee/in-charge of the water dispute with Iran as any further response (escalated or through dialogue) will bear direct consequence to the survival of many Afghans. Managing country's scarce water resources poses a serious challenge to Taliban, a stress to an already resource-strained and administratively devoid Afghanistan.

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[43] Hearn, Dr. Glen. 2015. "The Helmand River and the Afghan-Iranian Treaty of 1973." International Water Law Project Blog. 2015. <https://www.internationalwaterlaw.org/blog/2015/07/23/the-helmand-river-and-the-afghan-iranian-treaty-of-1973/>

[44] Interaction with a faculty from the Hydro-meteorology Department at Kabul University

[45] Interaction with a faculty from Hydraulics and Hydro-Technical Structures Department at the Kabul Polytechnic University

[46] Interaction with a faculty from the Department of Hydrology, Nangarhar University

[47] Jazeera New Desk, Al. 2023. "What Caused Deadly Afghan-Iran Border Clashes? What Happens Next?" Al Jazeera, May 30, 2023.

<https://www.aljazeera.com/news/2023/5/30/what-caused-deadly-afghan-iran-border-clashes-what-happens-next>

[48] Interaction with a faculty from the Faculty of Islamic Law, Kabul University