

CONFLICTS IN WATER MANAGEMENT

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In a theoretical model of conflicting situations one can distinguish between two different sides: those who want to achieve progress – developers – and those who want the situation to be maintained – conservatives. In water management, conflicts may arise from disagreements by environmental or other groups, from the activities of opposing interest groups, or from ideological contradictions. The hardest ones to resolve are those that transcend national boundaries and become of international concern.

There are many ways of resolving conflict, ranging from peaceful accord to the declaration of war. The following mechanisms are involved: (a) negotiation – two or more parties discuss the situation and try to find a mutually acceptable solution; (b) dissociation – partnerships are dissolved and conflict is avoided; (c) exertion of atypical political influence; (d) public opinion pushes for a change in legislation or for constitutional amendments; (e) increase or decrease of the influence of one of the two conflicting sides; (f) replacement of conflicting parties by a third, neutral party; (g) litigation; and, (h) threats for the exertion of power.

Conflict resolution ultimately depends on many factors. However, it is necessary to be fully aware of the essence of the problem, the nature of the opponent and the tactics which they will select. Conventional decision-making is based on the assumption that the two conflicting sides are unequal. One of the two is either stronger or possesses better arguments. In this case, the outcome can be a unilateral decision, a settlement, a mutual compromise, or negotiations to avoid further contention.

In the first case, an arbitrator can be assigned to decide for or against one of the two parties. In the second case, and if a unilateral decision cannot be reached, both parties could agree on a settlement. This poses the risk that the final solution will not be objectively optimal. Both parties could also agree to make mutual compromises, in order to relieve tension and provide alternative solutions. However, this option can ultimately lead to confusion. Negotiations to avoid further contention are attempted when neither party is willing to compromise.

Strategy based on contention relies on the "win-lose" philosophy, contrary to which is the principle of co-operation. Between two extremes, there is always enough room for convergence. Strategy based on contention is frequent and, if legal action is sought, a "win-lose" situation becomes competitive. Litigation costs both time and money, and does not ensure a long-term solution. It also creates a bad precedent between the two sides and it is, therefore, essential for other methods of resolving conflict to be found.

There are many alternative ways of resolving conflict and most are based on communication theory, conflict dynamics, and political analysis. This procedure is based on the belief that conflict is not always negative but can also be productive, as an altercation can sometimes give rise to co-operation. Steps involved in this procedure include:

- anticipation and prevention: Each side analyses the situation, gathers information and tries to prevent conflict.
- co-operation: Both sides voluntarily search for a solution, which will minimise negative effects on a long-term basis and prevent the aggravation of the situation.
- dialogue: Two or more sides discuss options for a common decision. A neutral party can be called in to assist in finding a mutually acceptable solution.

In order to control conflict, the following methods can be applied: dialogue facilitation; psychological preparation of the conflicting parties to discuss the essence of the problem; public support and publicity regarding the issue; hearing process; meeting with a justice of the peace, assigned to promote a resolution; arbitration; litigation.

For these methods to be successful, co-operation, balance of power and mutual trust are crucial prerequisites. As a result, the first step must involve an evaluation of the conflict. If it is proven that the balance has been disrupted in favour of one of the two sides, the resolution will probably be unsuccessful. In this case, a new strategy must be decided upon. The facilitator's prime responsibility is to find the right methods to bring both sides closer. These methods must include a definition of the problem, an account of expected results and an agreement proposal. Within this framework it is necessary to: evaluate and define the conflict; determine the interests of both sides; settle the technical details; try, intensively, to reach an agreement; implement the agreement; honour the agreement.

In the immediate future, it is necessary to resolve disputes through the promotion of co-operation and to avoid armed conflict. Simple, peaceful solutions can set a successful co-operation in motion. These are essential tools for everyone involved with water management.

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