

博士論文（要約）

国際河川における紛争防止メカニズムの比較考察  
—インドと中国の事例に基づく有効な水資源管理の検討—

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## 1. 研究の背景

近い将来、世界を揺るがす課題は「水資源の争奪」と考える。世界中のリーダーが集まる「世界経済フォーラム」(ダボス会議)の2015年の報告書では、今後10年で懸念される様々なグローバルリスクの中で、「水の危機」を1位にランクしている(World Economic Forum, 2015)。

地球は「水の惑星」と称されるが、ほとんどが海水で、日常的に使える淡水はわずか0.01%に過ぎない。人口増大や都市化の進展、経済発展などを原因に、世界は水危機に直面している。ジャーナリズムやアカデミズムの場でも、「水戦争」(Water Wars)という言葉で刺激的に表現される記事や論考も目立ってきたが(Starr, 1991; 柴田, 2007)、果たして水資源を巡る国際関係はそのような状況にあるのだろうか。

水資源は特に、アジア地域で逼迫している。世界の中でも、人口の増大や経済発展の著しいアジアでは、国家間の水資源紛争のリスクが指摘されてきた。その発火点はどこに所在するか。それは水資源が国境をまたいで存在する国際流域にあると考える。国際流域は湖沼や地下水など様々な形で存在するが、主要な形態は、最も身近にあり容易にアクセスできる国際河川である。

## 2. 研究の対象と目的

本研究の対象は、アジアの大国に位置付けられるインドと中国の水資源紛争である。具体的には、両国を流れるブラマプトラ川(中国側・雅魯蔵布江=ヤルツァンポ川)を事例研究の対象にするとともに、両国が抱えるその他の国際河川において過去及び現在においてどのような動向を示してきたか、その経緯や内容について分析した。その目的は、両国の水資源を巡る紛争及び解決を展望し、紛争を防ぐ実効性のある望ましい国際協調の在り方を考察及び提言することにある。

水資源紛争の原因を探ると、気候、地形、水文など自然的要因だけでなく、利用や開発に関する人為的要因が大きいことが概括的に把握される。特に国境をまたぐ水資源の場合、国際関係におけるガバナンスや協力体制を考慮する必要がある。そこで、本研究で用いたのが「紛争防止メカニズム」の概念である。これは、国際政治理論におけるネオリベラリズムの制度主義に立脚したもので、研究対象を限定するために、紛争「解決」ではなく、紛争「防止」に限定して分析を行った。すなわち、紛争防止メカニズムは、現実に発生した個別の紛争に対応するものではなく、将来の紛争発生を意識して、当事者の共通の関心事項を交渉することを制度化したものと定義する。

## 3. 研究の意義と知見

本研究の学術的な意義と得られた知見は、大きく分けて以下の4点にあると考える。  
①第1に、ブラマプトラ川におけるインドと中国の対立と協調の実態解明である。ブラマプトラ川を巡る水政治学の観点からの研究は、中国がこの河川での開発を公式に認めたの

が 2010 年 4 月であり、その研究は発展途上にある。先行研究は、両国の対立を強調する記事を掲載するメディアと同様に、ブラマプトラ川の水資源争いが、単なる外交上の対立から軍事的な対応を引き起こす可能性を示唆する論考が目立った。

本研究では中国やインドの外交記録やその交渉・経緯を分析した上で、協調関係が構築されていることに言及した上で、その協調には限界があり、限定的な関係であることを明らかにした。またブラマプトラ川の開発の実態もこれまで明瞭ではなかったが、本研究では中国の実際のダム開発会社の情報や政府が近年発信してきた情報などで開発の全体像を捉えた所に特徴がある。そして、河川開発の経緯と中国の対外的な主張とをリンクさせると、中国が情報を秘匿し、また問題を矮小化する意図を持っていたことが明らかになった（天野, 2015）。

②本研究における学術的意義の第 2 点として挙げられるのが、インドの国際河川における合意の履行状況の解明と、同国とその周辺国が構築してきた紛争防止メカニズムの比較考察である。

比較の対象は、ブラマプトラ川に加えて、インダス川（パキスタン）、ガンジス川（ベンガラデシュ）、マハカリ川（ネパール）の 3 河川である。これら 4 河川はいずれもヒマラヤ山脈を源流とし、インドとその周辺国を流れる。それぞれの流域に住む人々の暮らしにおいて、経済的・文化的・社会的に大きな影響を与えているとともに、歴史的にも水資源を巡る紛争を隣国の間で経験し、国同士が水資源の共有や分配、開発・管理などの点で、互いに条約や政治的文書を交わしてきたことに共通性がある。

先行研究を概観すると、4 河川の水政治学の観点からの研究では、それぞれの国際河川において紛争の発生からどのように合意に辿り着いたかなど、歴史的な紛争要因や交渉過程、合意に至った成因に焦点を当てた論考がほとんどであった。しかし、こうしたインドの国際河川を巡る合意がどこまで履行されてきたかについての分析が先行研究では見られなかった。ましてインドを軸とする 4 河川を比較する論文は皆無である。

本研究の比較分析で得られた知見は、インダス川では特に条約上の目的や義務が着実に履行されている一方で、ガンジス川とマハカリ川では合意内容の進展が見られなかったことである（天野, 2016a）。

さらにそれぞれの河川で構築されたメカニズムを比較すると、共通項目として「常設の共同機関」があり、「情報・データ交換」でメカニズムの強化と信頼醸成が図られていることが分かった。特に共同機関では他の政治的問題とは離れた専門機関としての側面が有効であり、メカニズムに内在する「水利権分配」や「水量分配」が紛争防止に有効性があることを明らかにした（天野, 2017）。

③第 3 の学術的意義は、中国の国際河川における紛争防止メカニズムを比較考察することで明らかになる中国の水資源政策の要諦である。

アジア地域における水資源の需給が逼迫するにつれて、国境をまたぐ水資源における中国の開発動向が決定的な影響力を持つ。なぜなら、中国は近隣の 17 カ国との間に 40 以上の国際河川を共有し、その大半で上流国として位置付けられているため、中国の国際河川開発やその政策が、下流に位置する他国の水資源環境に大きく作用するからである。

中国の水資源の現状に対する論考は多い。しかしながら中国の国際水資源における政策や周辺国に対する潜在的影響を考察する論考は少ない。その理由は中国が情報の開示に消極的で、政策の不透明さがあるからである。

把握できたのは、中国の国際河川政策の共通の特徴は、国際河川が複数国にまたがっているにもかかわらず、主に「二国間アプローチ」を取っていることであり、河川流域国を全て含んだ「多国間アプローチ」を取っていないことである。

本研究ではインドと同様に、紛争防止メカニズムの比較考察を進めたところ、国際河川を巡る紛争防止の要因が把握できた。すなわち、中国でも当該国と「常設の共同機関」を設置し、「情報・データ交換」を通して、国際水資源の有効な利用・開発を志向していることである。特に北方地域にあるロシアやカザフスタンの間では緊急事態が起きた場合の通報システムも構築して充実したメカニズムがある一方で、ブラマプトラ川やメコン川といった南方地域は異なるメカニズムを構築していることが明らかになった（天野, 2016b）。

④第 2、第 3 の点を総合して考察すると、以下の点が知見として得られた。

まず、中国がこれまで未開発だったブラマプトラ川の水資源開発に着手したことで、インドの外交政策の転換の兆しが見えたことである。あるいは余儀なくされているといってもよい。つまり南アジア地域でインドはこれまで、相対的に国力が強く、国際河川における上流という立場も生かして、「地域覇権的地位」を握っていたが、インドよりも力の強い中国が台頭してきたことにより、水資源政策においてもその覇権が維持できなくなってきたことである。

次に、中国がこれまでの「二国間アプローチ」から「多国間アプローチ」へと展開の可能性が見られたことである。同じ河川を共有しながら、それぞれの国で別々の合意文書を結んでいるが、その合意内容を見ると、互いに相違点は少なく、多国間による統合アプローチが可能であることが指摘できる。実際に、外交交渉を見ると、そのような視点の動きがあることも把握され、ブラマプトラ川に限らず、ロシアやカザフスタンが共有するイルティシ川でもその展開が明らかになった（天野, 2016c）。

さらに、流域外の外国の関与も見られた。メコン川においては中国の支配力が、他の流域国に比べて強かったが、オバマ政権の「アジア回帰」により、米国が急速に同河川流域へと接近し始めた。近年は水資源問題が国際的な食糧やエネルギーに影響を与えるという「国際社会の関心事」として米国が流域に関与していることが明らかになった<sup>1</sup>。

最後に、統合的水資源管理の概念について言及し、より望ましい紛争防止メカニズムの

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<sup>1</sup> 天野健作（2014）「メコン川の水資源をめぐる中国と米国」『水文・水資源学会誌』第 27 巻第 2 号

在り方について考察した。

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#### <ロシア語>

МИНИСТЕРСТВО ПРИРОДНЫХ РЕСУРСОВ И ЭКОЛОГИИ РОССИЙСКОЙ ФЕДЕРАЦИИ (ロシア連邦自然資源省) (2005) ”7 апреля 2005 г. Министр природных ресурсов Российской Федерации Юрий Трутнев в рамках визита в Пекин провел рабочую встречу с Министром водного хозяйства КНР Ван Шученом (2005年4月7日、ロシア自然資源相が北京を訪問し、中国の水資源相とワーキング会合を開催),” [http://www.mnr.gov.ru/news/detail.php?ID=14391&sphrase\\_id=269366](http://www.mnr.gov.ru/news/detail.php?ID=14391&sphrase_id=269366) (2016年8月25日閲覧)

ПРАВИТЕЛЬСТВО РОССИЙСКОЙ ФЕДЕРАЦИИ АГЕНТСТВЕ ВОДНЫХ РЕСУРСОВ (ロシア連邦水資源庁) (2015) “В период с 17 по 19 декабря 2015г. в г. Сямэнь (КНР) состоялось VIII заседание Совместной Российско-Китайской комиссии по охране и рациональному использованию трансграничных вод (2015年12月17-19日、中国・厦門で、国際水資源の保護と合理的利用のためのロシア-中国の共同委員会の第8回会合を開催),” <http://voda.mnr.gov.ru/news/detail.php?ID=8117> (2016年4月10日閲覧)

#### <フランス語>

Institut de Droit International (1911) *Annuaire de l'Institut de droit international* (国際法年報), Vol. 24, pp. 365-367, <http://gallica.bnf.fr/ark:/12148/bpt6k5721849j.image> (2016年4月10日閲覧)

## 学術誌への投稿論文リスト

本論文は、以下の学術誌への投稿論文を基に作成した。それぞれの学会や研究所へ利用許諾を得て本論文を作成していることを付言する。

①天野健作（2014）「メコン川の水資源をめぐる中国と米国」『水文・水資源学会誌』（水文・水資源学会）第 27 巻第 2 号

②天野健作（2015）「『国際水路の非航行的利用に関する条約』の発効と衡平利用原則」『水文・水資源学会誌』第 28 巻第 1 号

③天野健作（2015）「ブラマプトラ川の水資源をめぐる中国とインド—対立と協調の考察」『アジア政経』（アジア政経学会）第 61 巻第 2 号

④天野健作（2016）「インドの国際河川における合意の履行比較—インダス川、ガンジス川、マハカリ川、ブラマプトラ川—」『水文・水資源学会誌』第 29 巻第 3 号

⑤天野健作（2017）「インドの国際河川における紛争防止メカニズムの比較考察」『国際政治』（日本国際政治学会）第 186 号

⑥天野健作（2016）「中国の国際河川における紛争防止メカニズムの比較考察」『人間と環境』（日本環境学会）第 42 巻第 3 号

⑦天野健作（2016）「国際水資源の利用における中国の多国間アプローチの展開」『中国研究月報』（中国研究所）第 70 巻第 10 号

それぞれの論文の英語タイトルと要約は次の通り。

①”Impact of the superpowers —China and the United States— on Mekong River Basin”  
The United States, as a superpower, has begun to approach the Mekong River Basin, an international waterway. The Obama administration brought with it a shift in U.S. foreign policy, particularly addressing the “rebalancing of Asia.” However, this policy has been undertaken to restrain China, which exerts a strong influence on Southeast Asia. Moreover, the U.S. approach to the Mekong River was spurred by a shift to democracy in Myanmar. China has built successive dams on the river, reflecting a one-sided policy of exploitation that is increasingly straining the Mekong River Basin’s water resources. Consequently, downstream countries have voiced criticism of Chinese projects and policies. International politics still entails “power politics.” Even if an issue involves the use of an international river, it is much more important to analyze trends of superpower policies and actions than to analyze an international cooperation framework.

②”The UN Watercourses Convention in Force and the Principle of Equitable Utilization”  
The Convention on the Law of the Non-navigational Uses of International Watercourses is to enter into force in August 2014 after adoption by the United Nations General Assembly in

1997. The convention shows international standards for the development and management of fresh water resources across the border, including rivers, lakes and groundwater. It is expected to influence international society strongly. Especially, the principle of equitable utilization is expected to be useful as a solution standard when a dispute arises between a downstream country and an upstream country on an international river. In fact, although the convention still had not entered into force, the principle was quoted in the International Court of Justice ruling. The convention in principle is to discipline only the related parties, but other rulings or state practices should be observed until it has become an international customary law.

### ③ "Analysis of Conflict and Cooperation between China and India on the Brahmaputra River Basin Water Resources"

The confrontation between China and India concerning water resources in the Brahmaputra River (known as "Yarlung Zangbo" in Chinese), which flows through both countries, has been deepening in recent years. There have also been diplomatic negotiations between the two countries. This study aims to analyze the conflict and cooperation over the Brahmaputra's waters.

First, the study describes the South–North Water Transfer Project, a multi-decade Chinese infrastructure mega-project that aims to channel the abundance of fresh water from southern China to the more arid north through canal systems. One development included in a western route of this project involves expanding the Brahmaputra. Ten dams have already been completed on this river, and China plans to build the world's largest dam, even larger than the Three Gorges Dam, on the Brahmaputra. India fears that the project will have a significant impact on the lower river region.

Second, the study considers both India's protest as a lower riparian country and China's reaction as an upper riparian country. Even though India's fisheries industry and ecological system are affected by Chinese development on the river, China did not publicly acknowledge its development activities until 2010. Instead it pursued what could be called a silent strategy. Since admitting the project's existence, China has sought to minimize the impact on downstream countries. However, the initial silent strategy has clearly amplified distrust on the Indian side.

Third, the study considers steps toward a cooperative relationship between the two countries. Although there is no binding legal agreement, China and India have established an expert-level committee and provided hydrological information to each other. They have also signed a memorandum of understanding that will guide expansion of their cooperative relationship.

As a guide to future work, the study indicates the immaturity of international standards and law to settle a conflict concerning an international river. In this respect, it is important to analyze the applicability of “the Convention on the Law of the Non-Navigational Uses of International Watercourses,” which entered into force in August 2014. Furthermore, the study indicates that there is a third country, Bangladesh, with concerns regarding the Brahmaputra’s resources. A water allocation agreement has been signed between India and Bangladesh.

When we emphasize only the aspects of conflict taking place regarding this international river, it appears that two large Asian countries are heading toward a collision. However, as shown in this study, China and India are trying to build a cooperative relationship. This situation can be perceived as a case study in international trust-building.

④”A Comparative Study of the Agreement Implementation over International Rivers in India—the Indus, the Ganges, the Mahakali and the Brahmaputra—”

India is a country where four important international rivers flow. The country has experienced many conflicts with the four neighboring countries concerning water resources. To resolve conflicts, each country has reached bilateral agreements by signing treaties or political memoranda. Furthermore, they have put in place permanent joint organizations, exchange of data, and river inspections. This article aims to analyze the implementation of the purpose and obligations prescribed in their agreements, something that previous studies have not been sufficiently analyzed. In addition, a comparative study of the four rivers in India is presently lacking. Recent disclosure of data and proceedings makes this analysis possible. India and Pakistan have formed a trusteeship with exchanging data and performing joint inspections of the Indus River, even during the war. India and China have cooperated and signed Memorandum of Understandings regarding the Brahmaputra River. Conversely, the agreements regarding the Ganges and the Mahakali rivers are not fully implemented owing to lack of money and feasibility studies. It is significant to explore the similarities and differences of implementation status of past agreements on international rivers in order to reduce the conflict between nations over water resources in the future.

⑤”A Comparative Study of Conflict-Prevention Mechanisms over International Rivers in India”

This study considers the conflict-prevention mechanisms over international rivers between India and its neighboring countries (Pakistan, Bangladesh, and Nepal). India is a country where three important international rivers flow. The discussion concerns the Indus, the Ganges and the Mahakali rivers. Conflicts have taken place in the past over water resources

between India and its neighboring countries, but India has presently signed treaties and Memorandum of Understandings and established mutually acceptable mechanisms for the development and management of the rivers. Furthermore, they have put in place permanent joint organizations, exchange of data, and river inspections.

Previous studies have analyzed how the conflict-prevention mechanisms were established in the process; however, no one has examined their effectiveness and weaknesses. In addition, there are no studies comparing policies and diplomatic efforts for all three rivers.

India and its neighbors have instituted permanent joint organizations to manage the water resources and have kept these organizations far from another politics. The role of mechanism's factor is important and thus it was also investigated. For example, in the case of the Indus River, the mechanism does not specify the quantity of water allocated as shown in the Ganges River, but it effectively provides for a territorial type of sharing. It does not change the boundaries between India and Pakistan, but traces a fictitious line that divides the basin and limits the sovereign rights of use of each state. In the case of the Mahakali River, which is at the border of India and Nepal, both countries benefited equally from the instituted irrigation and flood management policies.

Finally, this study examined the weaknesses of the conflict-prevention mechanisms. In the case of the Indus River, Pakistan has filed complaints against India to the Permanent Court of Arbitration concerning water resources for India to resolve the conflict. The court favored Pakistan on three out of four points, namely the restriction on India to maintain the minimum flow of the River, environmental protection and the diversion of water. However, the court ruled against and maintained that the instituted mechanisms function well.

In conclusion, while water supply and demand across the world is tight, considering mechanisms to prevent conflicts over water resources between countries will be significant. Especially, water demand in Asia is even sharply increasing compared to the world. Among them, India is a unique example of a country that shares waterways with more than one country.

#### ⑥ "A Comparative Study of Factors for Conflict-Prevention Mechanism on International Rivers in China"

A Chinese water resources policy has a decisive influence in Asia because China is located upstream in relation to international rivers that are the major available water resources. This paper considers the Chinese foreign policies regarding the international rivers and compares the relationship between China and Kazakhstan, Russia and India with its



relationship with the Mekong River basin countries from the point of view of "conflict-prevention mechanism."

The common point of these four countries and a region is permanent joint organization that has built confidence through regular meetings and exchanges of information and data. However, China has different mechanisms with Kazakhstan and Russia located in the north, and with India and the Mekong River basin countries located in the south.

Furthermore, China asserts its sovereignty over territory and it has different recognition over the conflict of international rivers. The relations between China and Kazakhstan, in particular, has been progressing because of other factors including border security and an oil resource problem. In any case, China takes a "bilateral approach," not a "multilateral approach" covering all the countries involved in the international river basin development. Therefore, the multilateral approach is the next research challenge.

#### ⑦ "Development of China's Multilateral Approach in the Use of International Water Resources"

China has recently exploited the international water resources that straddle its borders as the country suffers restrictions on domestic water demand and supply. Although this can cause conflict with the neighboring countries, with whom their water resources are shared, China has concluded agreements with these countries and has aimed at appropriate management of international water resources. China has a tendency to construct bilateral agreements for avoiding a multilateral approach. However, when the trend of the recent years is assessed, the possibility of development of a multilateral approach can be considered.

The present paper primarily analyzes the common characteristics of the conventional bilateral approach's contents. Secondly, three multilateral approaches are examined for the Irtysh, Brahmaputra, and Mekong rivers. Furthermore, changes in the policies of neighboring countries because of China's use of international water resources are also referred to. Finally, the significance of integrated water resources management is discussed.

## 謝辞

指導教官である東京大学大学院新領域創成科学研究科の中山幹康教授には、本論文全般にわたり御指導・御助言を頂きました。先生の御力添えなくしては本論文の完成に至りませんでした。ここに記して厚く御礼を申し上げます。また、副査を担当して頂きました堀田昌英教授、山路永司教授、鈴木綾准教授、大塚健司先生（日本貿易振興機構アジア経済研究所）におかれましても、深く感謝申し上げます。西井正弘・京都大学名誉教授（大阪女学院大学教授）には、国際法学の視点から御助言を頂きました。また本論文は、水文・水資源学会、日本国際政治学会、日本環境学会、アジア政経学会、中国研究所の各学術誌の投稿論文を基にしており、各査読者（匿名）から詳細にわたる大変有益な御指摘がありました。ここに記して感謝申し上げます。最後に、仕事と研究の両立を支えてくれた妻と、研究の道を応援してくれた両親にも感謝の意を込め、本論文を捧げます。

2017年1月吉日