The U.S. and Mexico and the Colorado River System, from this day forward:

For richer, for poorer
...in surplus and in shortage

Carlos A. de la Parra
Outline of Presentation

• The U.S.-Mexico Relation: Historical Context
• The 1944 Treaty for the Use of the International Waters of the United States of America and the United Mexican States
• The U.S.-Mexico Relation and the Dissimilarities: Paralell Universes across the Border
• The U.S.-Mexico Relation: An evolution in building mutual trust
• The U.S.-Mexico Relation: from this day forward...
• Minutes 319, 323: A policy perspective
The U.S.-Mexico Relation: Historical Context

- “¡Pobre México, tan lejos de dios y tan cerca de los Estados Unidos!” - (Porfírio Díaz, Mexican dictator, 1900s)

- “If China had the privilege of one kilometer of border with the U.S.”

- How long before scars of war can heal?
  - Mexico excluded from the Colorado River Compact (1922)
  - Colorado River Land Company and Mexicali’s’ El Asalto a las Tierras / The Assault on the Land
    - (Mexican President Lázaro Cárdenas, 1937)

The U.S.-Mexican War, 1846 - 1848
The 1944 Treaty, Constitutional: S. Mumme

- Its complexity
- Its water-allocation function,
- Its establishment of an implementing agency
- Its allowance for interpretation and amendment,
- Its provisions for fact finding and dispute resolution,
- Its longevity,
- Its general acceptance by stakeholders in both countries
The evolution of building mutual trust:

- 1944: Treaty’s historical context, subtext
- 1961 – 1973: Growing apart (the salinity crisis)
- 1974 – 1999: Years of Surplus
- 2000 – 2006: A looming shortage
- 2007 – 2008: The All-American Canal Issue
- 2010 – 2020: Growing close (a partnership defined in 5 Minutes)
## Parallel Universes:

<table>
<thead>
<tr>
<th>Government</th>
<th>Agriculture</th>
<th>Environmental Advocacy (NGOs)</th>
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<tbody>
<tr>
<td><strong>Mexico</strong></td>
<td></td>
<td></td>
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<tr>
<td>- Centralized federation</td>
<td>- Agrarian Reform</td>
<td>- Global in origin</td>
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<td>- Water, Property of the Nation</td>
<td>- Political Control</td>
<td>- Lobby to Government</td>
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<td><strong>USA</strong></td>
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<tr>
<td>- Collegial discussion</td>
<td>- Ag as industry</td>
<td>- Domestic</td>
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<tr>
<td>- States’ Allocation</td>
<td>- Water markets</td>
<td>- Resource management</td>
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<td></td>
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<td>- Political, philanthropy</td>
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Parallel Universes coming to bear

- **2005 – 2007. The All-American Canal: Anathema or Blessing**
  - The role of water markets in the conflict
  - Sole unilateral decision in 100+ years of water sharing

- **2007. Kempthorne-Sarukhán Letter**
  - Outside normal U.S.-Mexico diplomacy protocols (Sarukhán confession)
  - The Shortage Guidelines discussions, Mexico notified

  - U.S. questions MX’s environment card (Ciénega de Sta Clara, who’s allocation)
  - MX questions legitimacy of shortage triggers (Lake Mead elevation)

- **2012. Minute 319: against all odds**

- **2017. Minute 323: gaining momentum**
BINATIONAL PROCESS DIAGRAM

**Basin conditions**
- Beginnings of drought/shortage
- Decreasing levels in Mead
- Sarukhán-Kempthorne Joint Communiqué

**Conflict**
- AAC. Discussions, binational tension 1980-2004
- Breach in binational conversation
- Lining of the AAC completed
- Mexicali Earthquake

**Cooperation**
- Joint Cooperative Process. Workgroups, Consultations
- Joint Cooperative Actions. Binational Co-Management
- Minutes 316, 317, 318, 319, 323

**Results**
- Shortage conditions persist
- Drought contingency
- Agricultural community not engaged in process

**Source:** Roberto Salmón, former CILA Commissioner
Mexico’s Perspective
(from 1944 – 2012)

Colorado River

= 1.5 MAF
A peek behind the wall
How did we get a Sea-change in Policy?

- Overlapping crises: an *environmental* crisis (“hot drought”) added to a *diplomatic* crisis (AAC)

- An outdated, inadequate framework exposed
  - Water conservation cannot happen without storage
  - A revamping of infrastructure and outlook on water in Mexico

- Formalization of a new governance
  - Cross-border environmental advocacy meets citizens’ diplomacy = Advocacy Coalition

- Increased knowledge and capacity
  - NGOs as policy analysts (CBS initiative, transfer of knowledge, crossborder funding)
  - Policy and applied science
U.S.-Mexico Agreements Now

- Sudden drop of water elevations in Lake Mead
  - Numbing in the U.S.
  - Interpretation required for stakeholders in Mexico

- U.S. Basin States dialogue: bleeding into U.S.-Mexico partnership
  - Access to funding
  - Policy savvy

- Mexico seated at the table has been productive
  - Minutes 319 & 323
  - Potential now for productive partnership
  - When to look to 2026

Source: latimes.com
From this day forward: Conclusions
Three Transcendent Transformations

- **Pulse Flow, 2014**
  - *1st. International agreement in history* to dedicate water for environmental restoration

- **Participatory Diplomacy, including states and NGOs:**
  - “…non-governmental diplomacy: a component of participatory diplomacy” (Henri Rouillé D’Orfeuill in *Non-Governmental Diplomacy*, 2006)

- **Is U.S.-Mexico water policy bilateral or regional?**
  - Interdependent?
  - *Colorado River* *vis a vis* Rio Grande/Bravo

- **U.S.-Mexico: new challenges**
  - Domestic? - International?
  - Science? - Economic? - Political?
Thank you!

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