

WATER & ECOSYSTEM MANAGEMENT IN THE NILE BASIN: LESSONS LEARNT CONFLICT RESOLUTION & COOPERATION FRAMEWORK DEVELOPMENT

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Introduction

The history of utilisation of the Nile River is a history of conflict and cooperation among the people that share its waters. As the demand for water increases and shortages worsen, the potential for dispute regarding the issue of shared rivers become apparent. The historic secured access to the natural flows of shared waters were being challenged and undermined by the actions of various states. It was generally acknowledged that there was no alternative to the basin wide cooperation in the face of the multiple challenges that the riparian countries were confronting. This cooperation would ensure the following:

- The avoidance of potential disputes;
- The satisfaction of the growing water demands and protection of the water rights of parties involved;
- The creation of new opportunities for broader socio-economic cooperation;
- The conservation of water and the reduction of adverse mutual impacts;
- The reduction of uncertainty regarding the planning of social-economic activities that depend on the shared waters;
- The improvement of the management of the resource and hence sustainability of the economic growth.

This cooperation was hindered by lack of political will, distrust among water course states, feelings of vulnerability and uncertainty on behalf of the downstream countries, the absence of political stability in certain water course states and the lack of adequate financial resources and technical expertise, especially in the upstream states. There was a need for the riparian countries to work out a cooperative framework that would iron out the above mentioned hindrances.

This paper looks at how cooperation in the Nile River basin has evolved over the last twenty years and the lessons that accrue.

Nile Basin Cooperation

Efforts to consolidate neighbourly discussions for all countries of the Nile and Lake Victoria started in 1967 with the agreement to implement Hydro-meteorological survey of Lakes Victoria, Kyoga and Albert. Hydromet was envisaged and subsequently setup following dramatic rises in lake levels in the period 1961-1964. Five of the Nile riparian countries requested the assistance UNDP in a “hydro-meteorological survey to study the water balance of Lake Victoria, Kyoga and Albert so as to provide a basis for future regulation of the Nile to the mutual advantages of the participating countries. The idea was that the countries in the catchments of these lakes would have enough hydro-meteorological information to conduct sensible discussions with Egypt and Sudan which had signed the 1959 bilateral agreement for the apportionment of the Nile waters. The project was not diffused within the national existing structures and this resulted in parallel structures collecting similar information within the area of study at times and use of the final outputs of the project was not picked up the relevant institutions.

Since then the development of the Nile basin cooperation has passed through the TECCONILE agreement of 1992. The TECCONILE initiative resulted into the Nile Basin River Action Plan (NRBAP) adopted in 1995. The NRBAP included sections on: (i) Integrated water resources planning and management, (ii) Capacity building, (iii) Training, (iv) Regional cooperation, (v) Environmental protection and enhancement. It became in effect the template for the Nile Basin Initiative.

Other programs in the Nile basin include: Sustainable Development of Lake Victoria Basin, Lake Victoria Environmental Management program (LVEMP), The Kagera Basin

Organisation (KBO) of 1977 and The Nile Basin Water Resources Management (NBWRM) among others.

The Nile Basin Water Resources Management (NBWRM) Project is an on-going regional project that started in 1996, funded by the Italian Government, and implemented by FAO. The project aims at creating a common knowledge base and equal technical capacity as a prerequisite for equitable and sustainable utilization of the shared water resources of the Nile.

The project has yielded successful results in building human resource capacity as necessary for use of databases, for establishing observational networks and in inception of decision support tools in key priority sectors such as water resources management for agriculture, for industry and for implementation of domestic water supply.

The success of this project was largely due to direct participation of national government staff and experts in design and implementation of the project components.

Another initiative was the Nile 2002 conferences whose design was technical in character, seeking contributions of ideas to promote better understanding of the issues that should concern neighbourly discussions towards long term and collaborative management of the hydrologic and environmental regime of the Nile River as an international watercourse. Originally launched to provide an informal mechanism for riparian dialogue and exchange of views between countries, as well as with the international community, the meetings also enabled informal contact between officials of riparian states and with external “facilitating “organisations. The informal process played an important role in changing the political climate along the Nile. For instance, they provided a forum for reflection upon the possibilities of sub regional organisation within the Nile basin.

The Nile Basin Initiative: The Nile Basin Initiative was launched in February 1999. The Initiative is developing an agreed basin-wide framework and is guided by the countries’ Shared Vision "*to achieve sustainable socio-economic development through the equitable utilization of, and benefit from, the common Nile Basin water resources.*"

The success to date of the NBI lies in its application of the principle of subsidiarity, or management of the basin at the lowest appropriate level. The basic rationale is that in reducing decision-making complexity the process of cooperation can be facilitated.

The NBI is now at a stage of moving from the development of cooperation and the institutionalisation of this process to the achievement of development through joint multilateral and bilateral projects. It is important to note that proof of success will not in the long run reside in cooperative frameworks or even in absence of international conflicts; rather it will lie in the capacity of processes and institutions to translate cooperation into development, and development that achieves poverty reduction from the local level upward.

External facilitation of the Nile Basin cooperation focused on issues including the need to “level the playing field” through building national capacity and identifying national priorities, as well as correcting what it saw as “information asymmetry”. A second focus was to move from dialog to actions, within which there was a need to develop dialog on different tracks (for instance, information, capacity, technology) as well as to “start with the achievable and avoid getting bogged down in formulae”. This also sought to recognize that “progress on complex water systems may be slow, but dialog needs to be sustained and trust needs to be established.” Finally there was the aim to seek opportunities for mutually beneficial programs or projects.” This latter concept of the “win-win” has come to dominate much of the thinking on the NBI, particularly in terms of win-wins in benefit sharing.

The setting of the NBI implies the nature and level of the national and basin wide institutional and process complexity within the basin. At national level the process will become particularly convoluted, with at least seven or eight NBI related institutional structures at least nominally being established in each state. This will add increased pressure – but admittedly bring in more resources- to existing national level institutions. As far as possible this needs to be mainstreamed within the existing processes in order to avoid the problem of duplication, overloading of the process and institutions, and perhaps increased rent-seeking behaviour.

True development requires not only commitment to national development but should address the question of economic and social equity and the inter- and intra-national

levels. Even developments generated within the basin (perhaps power trade or better environmental management) do not necessarily enable poverty reduction. It is important that development projects are mainstreamed within regional, national and local development processes, and not simply exist in parallel, labelled as “water resource-“ or river basin-“ focused. But this urgent challenge has yet to become effectively internalized within the process (Ref 1).

Conclusion on lessons learnt.

Lessons learnt from above can be summed up as follows:

- i) Start with technical cooperation, shared research, data collection
- ii) Crucial to support activities that increase communication and build confidence between riparians of a shared basin
- iii) Important to develop country leadership in ensuring effectiveness of arrangements negotiated.
- iv) Sound institutions and negotiated, mutually beneficial agreements are critical
- v) Design mechanisms for stakeholder involvement and public consultation – use civil society mechanisms.
- vi) Important to strengthen Ministries responsible for water generally
- vii) Strategic donor involvement can be of benefit and could help prevent conflict
- viii) Let riparian countries set pace for discussion
- ix) Reach out beyond decision makers within riparian states
- x) Effective cooperation management agreements take a long time to negotiate – more than 20 years for Nile – still not at allocation decisions but foundation has been laid.
- xi) Long term commitments essential. Get key transboundary issues reflected in key policy documents, budget, and departmental papers
- xii) Capacity building initiatives must be riparian driven, not supply driven
- xiii) Use existing mechanisms – don’t invent new

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