

Title: Transboundary Water Cooperation in the Nile, SADC/Zambezi Basin and the Mekong
Tuesday 18 August 2009, 14:00-17:30 in Room T5

Conveners: Danish Water Forum, DANIDA, Sida, Mekong River Commission, DHI

Key messages:

The seminar discussed lessons learned from the Nile Basin, The Mekong river commission and the SADC cooperation and the Zambezi basin. Among Common findings from the 3 basins and the UNDP-GEF project were:

- National political commitment is necessary for transboundary cooperation
- A solid legal framework is important, but it must be followed by tangible results. A common weakness is limited implementation capacity
- Technical cooperation and sharing of information increases consensus among partners
- Participation and multi-stakeholder dialogue promotes consensus among partners
- Sharing benefits from the transboundary water resources is an important topic for further discussion

It was agreed that there has been value added by sharing lessons learned among the three basins and this discussion will continue with “Benefit sharing” as a topic for the next workshop. Participants proposed that the topic of benefit sharing is linked to cost sharing, gender issues and the importance of international legislation.

Minutes:

Programme

14:00 Welcome and introduction by session chairs

14:15 Key challenges and lessons learnt in transboundary water cooperation:

- The Mekong River Basin: Mr. Jeremy Bird, CEO
- Mekong River Commission Secretariat
- The Nile Basin: Mr. Gordon Mumbo
- SADC/Zambezi: Mr. Michael Mutale, Zambia, (on behalf of SADC)

15:00 Common challenges and issues in the basins and themes for the next TWC workshop (facilitated discussion)

16:00 Lessons learnt from UNDP GEF activities on transboundary water cooperation: Dr. Andrew Hudson, UNDP-GEF

16:15 Learning based review on results from transboundary water cooperation: Dr. Jens Berggren, Sida

16:30 Panel discussion on how sharing of lessons learnt could be further strengthened among basins

Chairs: Dr. Kurt Mørch Jensen, Danida and Dr. Palle Lindgaard-Jørgensen, Danish Water Forum

Co-chairs: Mr. Jeremy Bird, CEO, Mekong River Commission Secretariat and Dr. Jens Berggren, SIDA

Welcome and introduction by session chairs

Palle Lindgaard Jørgensen introduced the speakers.

Kurt Mørch Jensen gave an overview of the history of TWC workshops and the Danish tradition of 10-15 years of collaboration with three basins. As an emerging aspect of TB was different aspects of governance it was decided in 2006 to bring the three river basins together and share lessons. The first seminar in Copenhagen in 2007 has the topic of stakeholder participation and

securing national commitment to TB waters management and demonstrated the interests in sharing lessons among the basins. The second workshop was therefore held in 2008 on climate change and transboundary water management and now a third is planned to be held in one of the basins. The topic for this is depending on the outcome of this seminar.

Key challenges and lessons learnt in transboundary water cooperation¹

Mr. Jeremy Bird, CEO Mekong River Commission Secretariat:

Presented main issues in the Mekong basin among which hydropower is an important issue and the conflict between this and other productive uses such as fishery which supports the livelihood of millions in the region.

Countries in basin Thailand, Cambodia, Laos, Vietnam and the structure comprises of a basin secretariat, national committees and dialogue committees. The two upstream countries China and Myanmar are not members, but cooperation with them is increasing on dialogue and technical level.

Key issues for regional cooperation are:

- trust, confidence and political commitment
- mutual benefits of cooperating
- frameworks for regional cooperation
- knowledge base and independent analytic capability
- space and mechanisms for meaningful dialogue

Mr. Gordon Mumbo, Regional Project Manager, The Nile Basin:

Informed about the driver for the creation of the NBI both in terms of changes in water quality and quantity, and population growth and climate change, which increases the stress on the river. It was realized that a common institution for sharing information and experiences would be useful. The cooperation has increased trust between the countries, and sharing technical knowledge has resulted in a shift from national self-sufficiency to win-win investments through regional cooperation. A key issue is political commitment to TB as well as legal instruments to guide cooperation and joint development.

The presentation sparked a discussion about agreements on the Nile from 1929 and 1959 that have not been fully replaced by a new agreement. Mr. Mumbo these instruments are now being discussed and a period of 6 months given to conclude on this. There are two tracks in cooperation: legal instruments and development cooperation? Each are informing and improving each other.

Mr. Michael Mutale, Zambia, (on behalf of SADC) :

Gave a brief on the history of SADC, which was formed in 1980 with a common regional integration agenda as a starting point that later led to cooperation on water resources and the SADC Protocol on Shared Watercourse systems in 2001, same year as a decision was reached on the establishment of ZAMCOM (Zambezi Commission).

Some key lessons learnt from this process :

- Establishing political commitment is a precondition for cooperation
- Guidelines for state sovereignty vs transboundary cooperation is important
- Creation of a legal framework must be followed by tangible programmes
- Sharing information increases power of cooperation
- Regular multi-stakeholder dialogue builds the cooperation spirit.

¹ All presentations are available on www.danishwaterforum.dk

- Hydropower must address upstream/downstream issues

The chair presented two topics for discussion

- sharing of benefits
- role and lessons learned of river basin organizations in terms of water development, hydropower i.e.

All three presenters agreed that these topics are very relevant: to look at benefits for communities and livelihoods from sharing waters and the discussion of taking this perspective into the regional cooperation. Energy as a benefit from the water resource is very important, there are many aspects to this discussion and for instance in SADC development of guidelines for this has begun, which other basins may learn from and which could benefit from input from other basins.

In the following discussion participants in the seminar agreed that benefit sharing is important, but has to be linked to cost sharing and to other sectors.

It was also stressed that gender aspects of this must be included along with capacity building. Benefit sharing was seen by others as a useful and powerful concept, but it has to be seen together with international law, the two concepts should go hand in hand. And it was added that sharing benefits is more complicated than sharing the resource itself. It is important to make sure that benefits reach all.

After this discussion the seminar continued with a presentation on:

Lessons learnt from UNDP-GEF activities on transboundary water cooperation:

Dr. Andrew Hudson, UNDP-GEF:

Key messages from this learning based review on results from transboundary water cooperation:

- Sharing water is the norm, not the exception.
- There are many legal instruments, but 158 of the world's 263 TB basins lack any regional cooperation framework.
- Common weaknesses of legal instruments are weak capacity to implement and enforce, inadequate integration of environment, limited sectoral scope, non-inclusion of important riparians.
- Information exchange, joint monitoring and assessment is important.
- Integrated approaches are important.
- Participation is the key to building consensus.
- Benefit sharing is an interesting approach, which could also be linked to the Payment for Ecosystem Services approach.
- Dr. Hudson emphasized the possibility still to give inputs to this study to UNDP-GEF

Learning based review on results from transboundary water cooperation:

Dr. Jens Berggren, Sida:

Dr. Berggren was asking for input to the Terms of Reference for a review of results from IWRM in transboundary basins and specifically in relation to climate change. This is going to be a desk study with preliminary results from selected river basins in early December. A challenge related to IWRM is that it is prevention oriented and it is difficult to see results when nothing happens due to good prevention.

The following discussion touches upon IWRM as an approach making it difficult to monitor results as well as the timespan before one can expect results from IWRM, 10-15 years may not be enough to see tangible results.

Wrap up

The Chair concluded by stating that we had seen presentation of challenges both shared and different along with different developments and histories. The lessons from these three basins are echoed by findings from UNDP/GEF. There has been value added by sharing experiences previously and we will continue to do so in an open discussion with the topic of benefit sharing for the next workshop.