



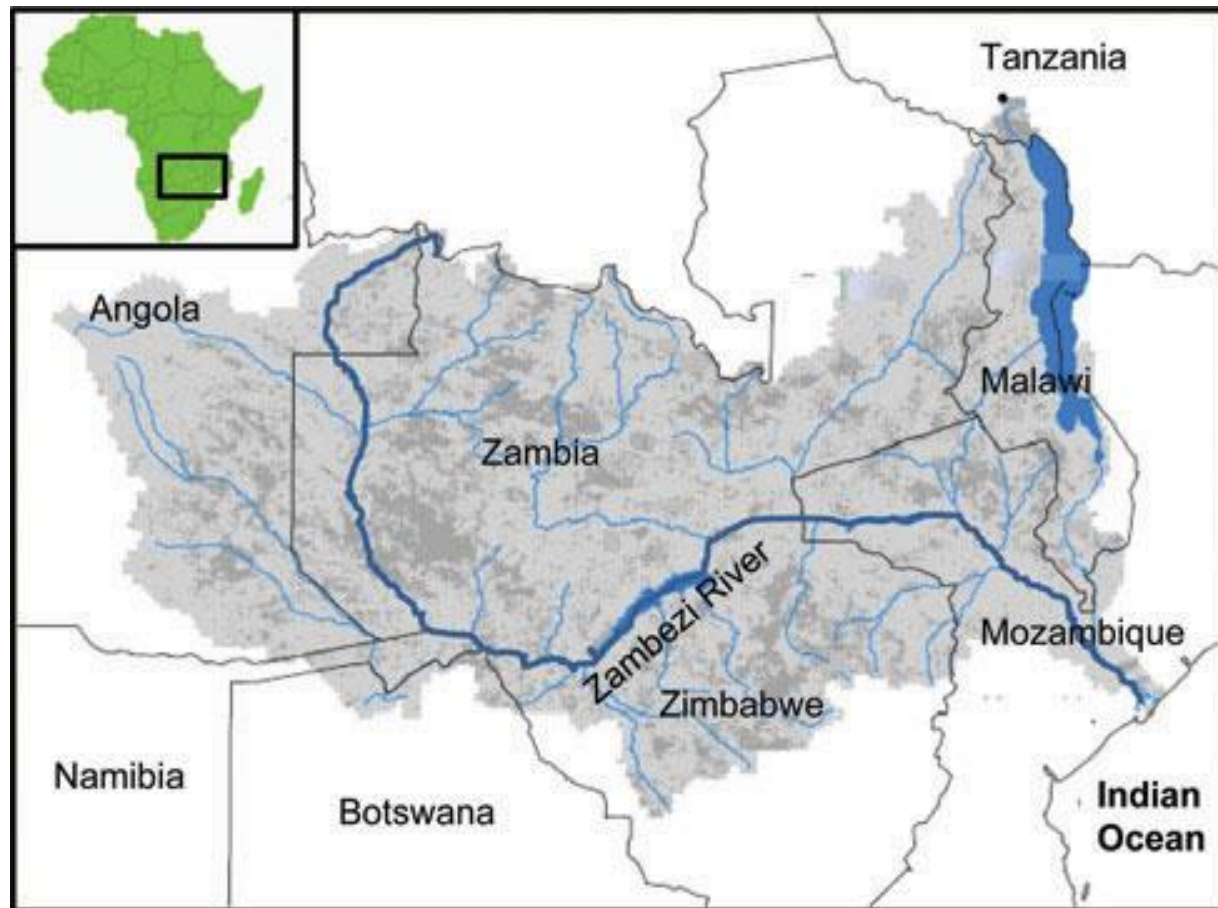
TRANSBOUNDARY IWRM

A presentation for CRIDF Save/Runde
Stakeholders Workshop at Chaka Lodges-Nyika
held from 18th to 20th November 2015:

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TYPICAL TRANSBOUNDARY WATERCOURSE –The Zambezi.





The Majestic Kariba Dam & Power Station





The Mighty Victoria Falls



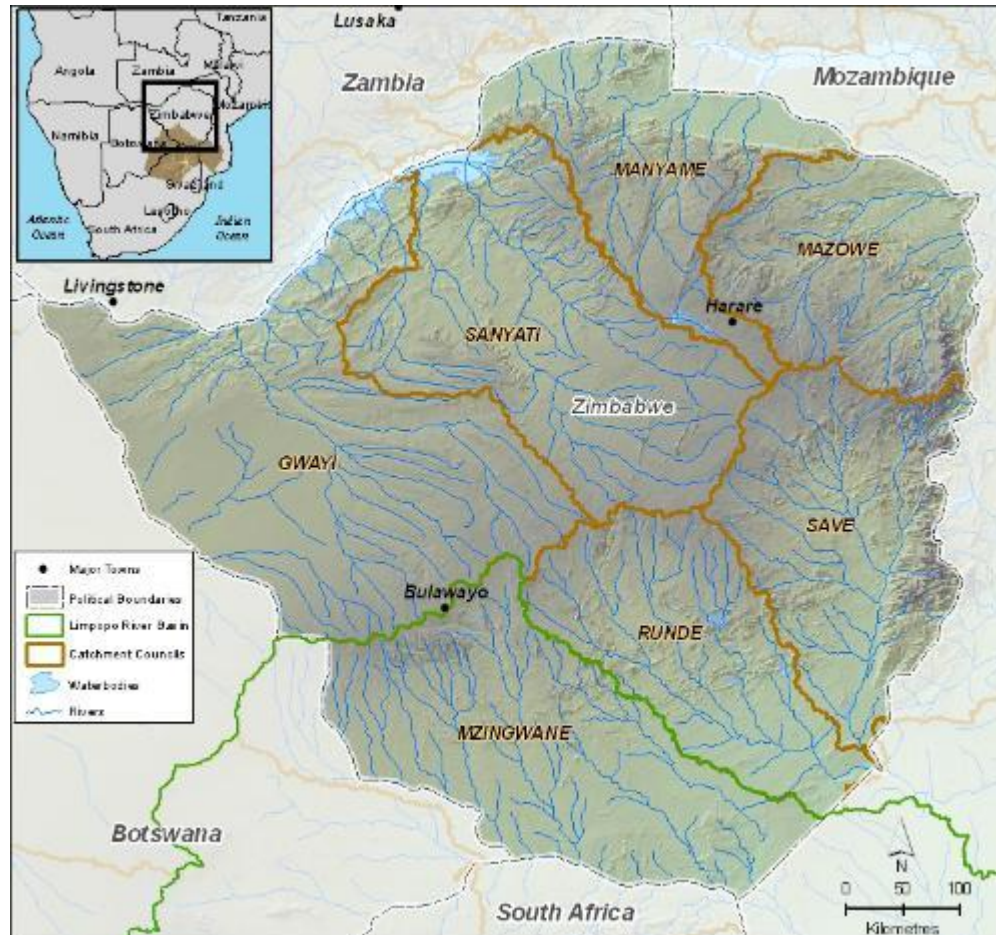


The Giant Cahora Bassa





Shared Watercourses





Some Interesting Statistics

- 276 transboundary watercourses in the world – 64 in Africa;
- From 1947 – 300 International Water Agreements, 90 in Africa and 37 Conflicts;
- 148 countries share at least one watercourse – Danube is shared by 18 and our Zambezi by 6;
- By 2025, two-thirds of world population will be living under water stress conditions;
- 30% of world's freshwater is groundwater.



International Water Conventions & Protocols.

- Helsinki Rules (1966);- Uses of the Waters of International Rivers – adopted by the International Law Association – binding at International Law.
- Dublin Principles- January 1992 – International Conference on Water & the Environment – came up with the famous FOUR PRINCIPLES – the foundation for IWRM.
- Chapter 18 of Agenda 21 of UN Conference on Environment & Development June 1992 – adopted Dublin Principles
- UN Watercourses Convention (1997);- Convention on the Law of the Non-navigational Uses of International Watercourses.
 - adopted by UN General Assembly in May 1997;
 - came into force August 2014.
- SADC Revised Protocol on Shared Watercourse Systems (2000);



Six Principles of Transboundary IWRM

- (i) Principle of Limited Territorial Sovereignty;
 - (ii) Principle of Equitable and reasonable Utilization;
 - (iii) Principle of Obligation Not to Cause Significant Harm;
 - (iv) Principle of Notification, Consultation & Negotiation;
 - (v) Principle of Co-operation & Information Exchange;
 - (vi) Principle of Peaceful Settlement of Disputes.
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- Basis for 1997 United Nations Convention on Non-Navigational Uses of International Water Courses as well as most International Treaties on Watercourses Sharing.



Principle of Limited Territorial Sovereignty

- This principle is also known as “Theory of sovereign equality and territorial integrity”.
- Every State is free to use shared rivers flowing through its territory as long as such utilization does not prejudice the rights and interests of co-riparians.
- Theory simultaneously recognizes the rights of both upstream & downstream countries in a framework of EQUITY.
- Theory adopted in most International Treaties on Shared Watercourses including 1995 SADC Protocol on Shared Watercourses. (Article 2



Principle of Equitable and Reasonable Utilization.

- The principle entitles each Basin State to a reasonable and equitable share of the shared water resources for beneficial uses within its territory.
- Equity influenced by factors like population dependent on the watercourse in each riparian, economic & social needs, geography & hydrology of basin etc.
- It entails a balance of interests that accommodates the needs of each riparian state.



Obligation Not To Cause Significant Harm

- No states in an international drainage basin are allowed to use the watercourses in their territory in a manner that would cause significant harm to other basin states.
- Harm in its various forms: the environment, human health & safety or anything that would prevent beneficial use of the water.
- “significant harm” is subjective hence bone of contention when interpreted in international law.



Principle of Notification, Consultation & Negotiation.

- Every riparian state in an international watercourse is entitled to prior notice, consultation and negotiation in cases where the proposed use by another riparian state of a shared watercourse may cause serious harm to its rights and interests.
- Some upstream riparian states are against this principle e.g. Ethiopia and Rwanda opposed it in respect of the Nile basin during the negotiation process of the 1997 UN Watercourses Convention.



Principle of Co-operation & Information Exchange.

- It is the responsibility of each riparian state of an international watercourse to co-operate and exchange data and information regarding the state of the watercourse as well as current and future planned uses along the watercourse.
- Article 8 & 9 of the UN Watercourses Convention makes this principle an OBLIGATION.
- Good example is information exchange in respect of flooding in the Save and Pungwe basins especially in Mozambique.



Principle of Peaceful Settlement of Disputes

- The principle advocates that all states in an international watercourse should seek a settlement of disputes by peaceful means in case states concerned can not reach agreement by negotiation.
- Has been endorsed by most modern international conventions and treaties – wars should not be used to solve water resources disputes.



Practical IWRM Components.

- Management of Water at Basin Level in integrated fashion;
- Optimizing Water Supply including recycling;
- Managing Demand – cost recovery, pricing etc;
- Providing Equitable Access – involve everybody incl. the poor, women etc;
- Establishing Policy e.g. polluter pays etc;
- Intersectoral Approach – in planning & decision making etc.



CONCLUSION

- Zimbabwe is a signatory to the 1997 United Nations Watercourses Convention AND Revised Protocol on Shared Watercourses in the SADC.
- ARE YOU PRACTISING TIWRM IN YOUR SUBCATCHMENT?