



IV INTERNATIONAL SYMPOSIUM ON TRANSBOUNDARY WATERS MANAGEMENT

THESSALONIKI, GREECE 15-18 October 2008

A CASE STUDY:

THE DEVELOPMENT OF COMPREHENSIVE
INCOMAPUTO AGREEMENT BY MOÇAMBIQUE,
SWAZILAND AND SOUTH AFRICA

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SOUTH AFRICA

MOZAMBIQUE

Lydenburg

NELSPRUIT

Middelburg

Witbank

Barberton

MAPUTO

Ermelo

MBABANE

SWAZILAND

Volksrust





INCOMATI AND MAPUTO WATERCOURSES



FIGURE 1 : PROJECT AREA : INCOMATI AND MAPUTO WATERCOURSES



EARLY HISTORY


PHASE 1

- 1950 – Enough water for all needs
- All countries develop with little or no consultation



EARLY HISTORY

PHASE 2

- 
- 1954 - Swaziland increases abstraction from the Komati River to 9,71m³/s
 - 1962 - RSA completes Nooitgedacht Dam on the Komati River
 - 1966 – Swaziland completes Sand River Dam off channel of the Komati River
 - 1971 – RSA completes Vygeboom Dam on the Komati River
 - 1983 – Moçambique completes Corumana Dam on the Sabie River



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EARLY HISTORY Phase 3

Agreements during the period 1964–1999.

- Agreement between the Governments of South Africa and Portugal in regard to Rivers of Mutual Interest and the Cunene River Scheme
- Agreement between the Governments of South Africa, Swaziland and Moçambique to Establish a Tripartite Permanent Technical Committee
- Agreement reached at the Tripartite Ministerial Meeting of February 15 1991 (Piggs Peak Agreement)





EARLY HISTORY Phase 3(Continued)

Agreements during the period 1964–1999.

- Treaty on the Development and Utilization of the Water Resources of the Komati River Basin and Treaty on the Establishment and Functioning of the Joint Water Commission
- Joint Water Commission Between Moçambique and South Africa
- Joint Water Commission Between Swaziland and Moçambique



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Relevant Transboundary Conventions


Phase 4

- 
- Helsinki Rules (1966)
 - UN Convention on the Law of the Non-Navigational Uses of International Watercourses (1997)
 - The SADC Protocol on Shared Watercourses (2000)



STARTING UP IIMA

Phase 5

- 
- 1998 - Mozambique expressed the need at high political level for an urgent water sharing agreement
 - Swaziland supported the request as it would boost investor confidence for its planned LUSIP project on the Usutu River
 - RSA wanted to utilise a big additional block of water out of its Pongolapoort Dam for the Lebombo Spatial Development



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KEY FACTORS THAT MOTIVATED IIMA

- INCOMATI SYSTEM HIGHLY STRESSED
- ONLY TWO PARTIES INVOLVED IN THE KOMATI RIVER DEVELOPMENT
- IMPROVED POLITICAL CLIMATE
- INDIVIDUAL DEVELOPMENT NEEDS
- REVISED SADC PROTOCOL
- NEW RSA WATER ACT NEIGHBOUR FRIENDLY
- NEXT STEP IN IWRM
- RSA NEED TO IMPROVE PROFILE



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INSTITUTIONAL HIERARCHY

- HEADS OF STATE
- WATER MINISTERS
- TRIPARTITE PERMANENT TECHNICAL COMMITTEE
- TASK TEAM



MAKE UP OF DELEGATIONS

- Mozambique: Leader – Legal
External legal and technical support
- Swaziland: Leader – Technical
Internal resources only
- RSA: Leader – Technical
External technical support
- Secretariat – Internal resources



TIME AND EFFORT REQUIRED

- 3 YEARS
- 30 WORKSHOPS OF UP TO 3 DAY DURATION



INTERIM INCOMAPUTO AGREEMENT

**For co-operation on the protection and sustainable
utilization of the water resources of the INCOMATI and
MAPUTO watercourses**

**SIGNED AT THE WORLD SUMMIT
ON SUSTAINABLE
DEVELOPMENT IN
JOHANNESBURG**



The Twelve Projects identified for implementation

- 1 Shared watercourse institutions
- 2 Review of national water policies and legislation
- 3 Integrated water resource management.
- 4 Augmentation of water supply to the City of Maputo and its Metropolitan Area.
- 5 Disaster management.
- 6 Transboundary impacts.



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The Twelve Projects identified for implementation (continued)

- 7 Exchange of and access to information.
- 8 Capacity and confidence building.
- 9 Stakeholder participation and communication.
- 10 System operating rules for the Incomati and Maputo watercourses.
- 11 Preparation of the Comprehensive Agreements
- 12 Managing the implementation of the IIMA





FUNDING

- In 2007 with support of the Dutch Embassy in Maputo funds (4.350.000 Euros + 3.000.000 Euros) were secured to commence with the Progressive Realization of IncoMaputo Agreement – PRIMA Programme cover a period of 3 years



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CURRENT WORK

- PRIMA programme is currently implementing 3 out of 12 projects have been identified as priority projects and are as follows:
- Proj. 4 - Augmentation of water supply to the City of Maputo and its Metropolitan Area
- Proj. 5 - Disaster Management
- Proj. 7 - Exchange of & Access to Information



CURRENT WORK

- Proj. 9 - Stakeholder Part. & communication
- Proj. 3 - Integrated Water Resources Management (Phase one)
- Proj. 10 - System Operating Rules for the Incomati and Maputo Water Courses
(Phase one)



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Training and Capacity building component

- The training needs assessment exercise is ongoing with assistance of the Representatives of the Dutch Ministry of Transport and Water Resources Management



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Legal and Institutional Consultancy

- The PRIMA project has commissioned a consultancy on Legal and Institutional aspects
- Need to design and propose a river basin organization
- Need to explore how such an organisation will be staffed and how it will work




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PARTICULAR CHALLENGES

- 
- UPSTREAM VS DOWNSTREAM
 - STRONG VS WEAK
 - RIGHTS VS NEEDS
 - SOVEREIGNTY
 - LANGUAGE
 - UNCLEAR/DIFFERENT OBJECTIVES
 - LIMITED TECHNICAL KNOWLEDGE
 - LIMITED APPLICABLE EXPERIENCE
 - INFLEXIBILITY
 - EXTERNAL SUPPORT INFLUENCES





OVERCOMING CHALLENGES

- NEGOTIATION, NEGOTIATION, NEGOTIATION
- USE UMBRELLA AGREEMENTS AS GUIDANCE
- CONSIDER COMFORT OF WEAKER PARTIES
- ADD MANAGED EXTERNAL CAPACITY TO SUPPORT SHORTCOMINGS
- HAVE SIMULTANEOUS TRANSLATION AVAILABLE
- ALIGN OBJECTIVES
- GOOD TECHNICAL BACK UP
- CAPACITATE INSIDE AND OUTSIDE PROCESS
- GOOD SECRETARIAL SERVICES



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RESULT

- COMMITMENT FROM MEMBER STATES
- BASIS FOR CROSS BORDER COOPERATION
- A MILESTONE WATER AGREEMENT FOR SOUTHERN AFRICA
- ACCESS TO INVESTOR FUNDING
- NATIONAL LEVEL PLANNING WITH MORE CERTAINTY



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LESSONS LEARNT

- DEVELOP TIGHT ToR
- BEGIN WITH TECHNICAL SIDE – IT ALLOWS FOR BUILDING OF TRUST BEFORE POLITICAL ISSUES COMES TO THE TABLE
- SECRETARIAL FUNCTION VERY IMPORTANT
- CONSIDER: TRANSPARENCY, HONESTY, INTEGRITY



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LESSONS LEARNT (continued)

- PROCESS HAS TO BE SUPPORTED FROM HIGH MANAGERIAL AND POLITICAL LEVEL (INTERVENTION SOMETIMES REQUIRED)
- PARTICIPANTS SHOULD BE CAPACITATED BEFOREHAND
- PROCESS NEEDS TO BE MANAGED STRONGLY
- NEGOTIATING RULES UNSPECIFIED





ELEMENTS/DRIVERS FOR SUCCESS

- POLITICAL WILL
- COMMON NEEDS AND OBJECTIVES
- COMMUNICATION SKILLS
- ACCESS TO SPECIALIST KNOWLEDGE
- STRONG MANAGEMENT
- TECHNICAL/SUBJECT KNOWLEDGE
- ADMINISTRATIVE SUPPORT
- TRUST
- PATIENCE
- UNDERSTANDING



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THE END

Thank you for your interest