NILE BASIN INITIATIVE

Transboundary Governance for Resilience and Development Workshop

Speech by Hon. Jemma Nunu Kumba, Nile-COM Chair

***Observe Protocol***

Excellencies,

Ladies and Gentlemen,

It gives me great pleasure and honor to join you in discussing this very important topic of Transboundary governance for resilience and development. I wish to thank you for dedicating your time to participate in this session.

I would liketo underscore our noble role in stewardship of Mother Nature. We are custodians of the world’snatural resources. We hold in Trust the Finite Water Resources for future generations and are therefore duty bound to devise means of sustaining these resources in a manner that does not compromise the resource availability for our descendants.

Management of river and lake basins as single hydrological units is indeed a best practice but is often constrained by administrative and political boundaries that do not necessarily coincide with the basins’ boundaries. Most of the world’s water resources traverse national boundaries, and use in one place may affect others elsewhere; and as such cooperation and joint management of water resources is essential not only to avoid harming the interests of other riparians; but is necessary for efficient utilization of water resources to meet social and economic requirements; supporting disaster risk reduction and resilience to adverse climate impacts that now threaten to reverse years of development and sustainable management of environment and natural resources.

The fate of the Earth’s climate and the vulnerability of human society to climate change are intrinsically linked, thereforethe earlier we adapt, the more we can cost-effectively protect people and infrastructure from dangerous impacts of the inevitable climate change (IPCC, 2007a). Climate change is a problem that can only be adequately addressed if action is taken at all levels of government: international, national, regional, and local. In Transboundary Rivers such as the Nile, effective adaptation options for a particular country might require interventions upstream in another country. Therefore, climate change provides real opportunity for cooperation.

Adaptation is not a new phenomenon. Throughout human history, societies have adapted to climate variability alternating settlements, agricultural patterns, and other sectors of their economies and lifestyles. Nevertheless, not all societies have been successful in surviving in face of climate and environmental changes and change their patterns of life in a timely manner. Therefore building resilience for all societies is not only essential but is also contingent upon a good understanding of societies, their environments, capacity to adapt and vulnerabilities depending on the exposure to climate variability and change.

The complexity of resilience requires the integration of strategies into a variety of existing activities and institutions. It is difficult to imagine a network of specialized institutions that could direct and manage the extent of complex changes required for climate change resilience without the involvement of existing institutions. Indeed, climate change resilience must be a part of the plans, infrastructure, and day-to-day operations of existing institutions and systems.Yet, activities that address different aspects of resilience building are currently fragmented, without adequate coordination mechanisms at all levels, which limits the wider benefits.

A new and progressively evolving approach towards a more consistent and systematic building of resilience is steadily emerging in the world. This multi-levelapproach not only reflects the changing relationships between different actors situated at international, regional, national and sub national levels but also allows for formulating home grown and place-based policies and tools that integrate territorial specificities and concerns in responding to shared challenges.

Advancing multilevel governance for resilience to climate change across all levels of government and relevant stakeholders is crucial to avoid policy gaps between local action plans and national policy frameworks (vertical integration) and to encourage cross-scale learning between relevant departments or institutions in local and regional governments (horizontal dimension). Vertical and horizontal integration allows two-way benefits: locally-led or bottom-up where local initiatives influence national, regional and international action and nationally-led or top-down where enabling frameworks empower local players. The regional institutions further providemulti stakeholder platforms for sharing information, joint planning and management of water resources as well as financial and technical resources mobilization.Horizontally, institutions collaborate and learn from each other through loose networks, study tours and information sharing.

This multilevel governance makes the processes not only complex, but lengthy too. Often development partners are not keen in engaging with such initiatives, hence the current scenario in which transgovernance is underfinanced.With improved coordination, governments, humanitarian agencies, non- state actors, development partners and other stakeholders might be able to work towards a better, more consistent and more predictable funding for disaster resilience that could have both a global dimension (for example, pooled funds) and an operational dimension (to ensure effective resilience leadership in different disasters).

In addition to underfinancing, there is insufficient capacity at local levels (skilled manpower, regulatory institutions and equipment) to undertake monitoring climate variability, adaptation planning and implementation. This coupled with institutional and territorial fragmentation pose a huge challenge to building resilience in a basin wide context. Therefore, all stakeholders must come together in agenda setting and strategic planning, build the necessary capacity at all levels, promote information sharing and cross-scale learning and encourage political leader ship and stakeholders' support in building resilience.

That said, Ladies and Gentlemen, I wish to share the case of the Nile Basin to illustrate the challenges, opportunities and possible choices for the future

The River Nile, 6695 kilometers in total length, is by most accounts the longest river in the world. Its basin covers an area of approximately 3million square kilometers, which represents 10% of the African continent. The basin is shared by eleven African countries, 10 of which are members of the Nile Basin Initiative (NBI)\_ with Eritrea as an observer. The Basin has a high population, approximately 300 million, most of whom are dependent on the Basin’s natural resources for their livelihoods.Compared to other river basins of the world, the Nile basin is water scarce as river flow is generated in less than one third of the basin and a vast part of the basin is arid. The basin is prone to seasonaland inter-annual variability. The basin is already experiencing impacts of climate change; frequent and severe droughts and floods along with the associated disruption of livelihoods, damage to properties and loss of life. Since these impacts cut across borders, and affect everyone directly or indirectly, it is essential for Member States, governments, non- state actors, citizens of the basin and otherstakeholders to come together in the design and delivery of cost-effectiveadaptation policies and plans.

Water resources development is mostly needed at the upstream where nearly all river ﬂowis generated and water infrastructure development is at its infancy. The downstream part(comprising two riparian countries), is almost entirely dependent on upstream ﬂow and has relatively better developed water infrastructure and institutions.

The Nile Basin offers signiﬁcant potential for a win-win outcome from cooperative management and development. Among others, the basin harbors noteworthy potential for clean hydropower development and power trade; forexpanding agricultural production and increasing water use efﬁciency; for the preservation and ecotourism useof biospheres and designated hotspots of unique biologicaldiversity; for utilizing the Nile as an entry point forbroader economic-regional integration, promotion ofregional peace and security; and not least for jointlyensuring the continued existence of the Nile throughprudent and judicious utilization.

Recognizing the imminent threats of unilateral development of water resources on one hand, and, the potential for unlocking huge mutual benefits from a coordinated development of the water resources of the Nile Basin, the riparian states launched the Nile Basin Initiative in February 1999. The NBI remains the only regional platform that brings together all riparian states and strives to promote cooperationamong the basin states. The NBI provides the platform for promoting joint investments in water resources, develop and manage the water resources in optimal manner and provide the necessary policy instruments for sustainable transboundary water resources management.

Ladies and Gentlemen,

Allow me to say a few words about prevailing legal and policy frameworks that govern trasnboundary cooperation.

The UN convention on non-navigational waterwayslays down principles and international best practice in managing a shared resource such as the Nile. The convention hasn’t yet received the sufficient number of ratifications and hence is not yet in force. At continental level, the African Union through the African Ministerial Council of Water (AMCOW) and African Ministerial Council of Environment (AMCEN) has established structures through which dialogue on water and environment related matters takes place.

At basin level, there is no regional framework agreement for the Nile Basin yet. Member States negotiated a Cooperative Framework Agreement over 10 years. The agreement is well aligned to international water governance regimes and best practices in international water resources management. To date only six of the Member States have signed the Framework Agreement; the ratification processes in these countries are at the different stages. The fact that there is no one Transboundary legal regime binding on all riparian states is a big challenge; the CFA was expected to provide this regime but is still faced with challenges.

On the technical side, NBI has the Nile Basin Sustainability Framework; which is a set of policies, strategies and guidelines that provide an overall direction towards achieving cooperative management and development of the river basin until a permanent River Basin Organization (RBO) is established. The framework defines actions needed for NBI to meet international best practice in selected areas of transboundary water resources management and enables basin planning in a way that maximizes shared benefits, minimizes risk and improves confidence in basin development. As part of this framework, NBI has developed an Environment and Social Policy, Climate Change and Wetlands Strategies to promote sustainable management of the basin resources and help build resilience among basin citizens. These policies and strategies were developed through a consultative process with Member States and are complimentary to the national policies. Although these are primarily to guide NBI water resources management and development interventions, Member States are encouraged to use these documents for reference as they formulate their national policies. NBI has no mandate to enforce their implementation in Member States.

A review by NBI of the current legal, policy, institutional and practices in Member States indicated that they are at different development stages in responding to the climate change challenge. Some Member States are advanced; with clearly elaborated climate change policies, National Adaptation plans and designated institutions to take lead in operationalizing these plans and others are at very nascent stages.

NBI, through its climate service function, aims to strengthen Member States’ institutional and technical capacities and knowledge bases to support decision making and action at local levels. This includes generating basin wide science based information and making analytic tools and early warning systems available to Member States to enable them design and implement appropriate adaptation plans.

Institutional Framework

Ladies and Gentlemen,

Strong institutions are key factors in adaptation to the changing regional environments, support to international best practice in cooperation and response to challenges.The Nile Basin Initiative was established as a transitional institutional arrangement pending the conclusion of the negotiation of the Nile Cooperative Framework Agreement and the formation of a permanent river basin organization. It provides a uniquemulti stakeholder platform for sharing information, joint planning and management of water resources as well as financial and technical resources mobilization. The Initiative is guided by a shared vision which states “ ***to achieve sustainable social economic development through the equitable utilization of, and benefit from , the common Nile Basin Water resources***” .

NBI is headquartered in Entebbe,Uganda with two subsidiary action program ofﬁces inAddis Ababa, Ethiopia and Kigali, Rwanda. NBI has threecore functions, namely facilitating cooperation, waterresources development and water resources management. Despite the relatively complex institutional set up, the NBI has clarified and elaborated the roles and function of each of its Centres. The Nile Secretariatleads the Basin Cooperation and Water Resources Management core functions; while ENTRO and NELSAP-Cu facilitate of cooperative water resources development in their respective sub-basins.

The Nile Council of Ministers [Nile-COM] serves as the highest decision-making body of the NBI. The Nile-COM is supported by the NBI Technical Advisory Committee [Nile-TAC], which is composed of two senior officials from each member country.

NBI applies the subsidiarity principle through the Subsidiary Action Programs of ENSAP and NELSAP. The diversity in the geographical expanse and physical characteristics of the basin underscores the need for a multi-faceted approach to the basin management and development. Addressing the challenges which are sometimes varied require action to take place at the lowest appropriate level. The Subsidiary Action programs also have their respective Technical Advisory Committees and Council of Ministers to oversee their activities.

At national level, the Ministries in Charge of Water Affairs are the NBI focal point in each Member State. A national NBI office in each Member State is responsible for the overall coordination of NBI activities at national level and provides a bridge with the regional interventions. A multi sectoral platform for water related sectors is also in place to ensure coordination and articulation of national priorities into regional plans and vice versa. The national office is headed by a senior governmental official who is also the member of the Nile TAC.

Over the last eleven years, Member State contributions and the World Bank administered ***Nile Basin Trust Fund*** has been the main source of long term financing. It is a flexible funding mechanism that saves the NBI the administrative burden of conforming to funding procedures of several Donors at the same time benefit from the collective assessment and advice to the process. Over US$ 200 million has been channeled through the fund by Development Partners, however the fund comes to a close at the end of December 2014. Other Key bilateral financing arrangements were made with African Development Bank, SIDA and the Federal Republic of Germany through GIZ.

Excellencies, Ladies and Gentlemen,

NBI has advanced a cooperative process building trust and confidence among riparian countries; providing the only basin-wide platform for regional dialogue in transboundary water issues. While disagreements still exist today, it is evident that the basin today is a great improvement on both the degree and quality of cooperation thereby creating an enabling environment for investments. To date, investment projects worth over US$1 billion have been prepared in the power, agriculture, water supply, watershed management and ﬁshery sectors.

NBI has created a strong technical foundation for water resources management and development, including a comprehensive knowledge base on the water and related resources of the Nileand tools to enable countries to understand the implications of their actions on neighbors and opportunities for managing risks and as well as realizing tangible benefits and joint opportunities. NBI developed and operationalized a number of water resources planning and management tools including the Nile Equatorial Lakes and Eastern Nile planning models, and the Nile Basin Decision Support System (DSS) to provide the necessary analysis to inform decision-making in water resources planning and management. A system of portals have been launched to enhance public access to NBI knowledge resources.

 NBI has taken a number of measures to address the threats posed to these assets, ranging from high level policy formulation to community level,awareness raising and implementation of community managed environmental restoration projects. The NBI Environment and Social Policy and Wetland Strategy have been endorsed by the Nile Council of Ministers. These documents shall guide transboundary water resource development and management including investment planning and implementation.

Despite the enormous progress in cooperative management and development of the Nile Basin, the cooperation process hitherto has not been devoid of challenges. As the implementation of the development track kept on course, the political track which focused on the preparation of the cooperative framework agreement experienced challenges of reaching consensus on some of the issues. To date the framework agreement is not yet signed by all the Member States.

In the context of the Nile Basin, where majority of upstream countries have embarked on rapid economic growth, delays in implementing water resources investments mean delays in meeting demands of their growing economies and populations. This, in turn, can lead to increasing number of major water resources investment projects (e.g. dams, power plants) planned and implemented unilaterally by individual riparian states. There is an urgent task to expedite implementation of investment programs prepared by NBI through participation of the riparian states which will contribute to coordinated management and ultimately sustainability of the Nile itself.

Most of the NBI programs to date are financed through grants from the international community. With the Nile Basin Trust Fund coming to an end in 2014, long term financing for its programs remains a challenge. There is an urgent need for mobilizing funding to keep the momentum and sustain the gains made.

In conclusion, it is noteworthy that albeit the challenges in the Nile Basin, achievements have been registered in many areas under the NBI. Key lessons from the NBI experience include

* Transboundary Governance is a complex process, is context specific and requires both the cooperation among States, non- state actors and must involve relevant stakeholders at the various levels.
* Effective cooperation requires good relationships between a range of actors: national governments, civil society, communities, the private sector, academia, research and scientists. International actors such as United Nations, World Bank and international Organizations. For Cross scale learning, pooling funds and expertise and informing best practices at national , regional and international level
* Commitment and ownership of the cooperative process and achievements by the riparian States and Citizens of the Basin is a key factor to the strength of the regional institution.
* Separation of political and development tracks; development work continued even when the political track stalled
* Strong Institutions at all levels are vital to push forward the cooperation agenda
* This multilevel governance makes the processes not only complex, but lengthy and challenging process and requires consistent, predictable and flexible funding.
* **Knowledge base and Analytical tools to i**mprove understanding of the processes that help to strengthen resilience at different levels and inform methodologies for monitoring and evaluating impact and effectiveness. Knowledge, Research and evidence products such as studies that analyze the cost benefits of resilience, the value for money of different types of interventions are a needed, particularly at institutional, national and international levels.

As aforementioned, transboundary cooperation is indeed a complex process, the all-inclusive

Nile cooperation is still in its nascent stage; gains made so far should not be taken as irreversible. There is a need, therefore, for continuednurturing and deepening the cooperation process inorder to consolidate the achievements of the Nile’sbasin-wide cooperation

The cooperative approach remains the only choice to addressing the region’s transboundary water resources management and development challenges.

I thank you for your attention.