



WATER
CONVENTION

Transboundary Water Allocation Handbook

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***Thematic Group Discussion:
Institutional arrangements***

***Case study:
OMVS***



SLIDE 1: Key reactions on current content of this thematic element of transboundary water allocation

- It would be important to include, as good examples, in this manual, the fundamental and innovative texts of the creation of OMVS, namely: its institutional and legal Fundaments composed by the Conventions of March 11, 1972 (the Legal Statute of the River and the Creation of the OMVS), the Convention of December 21, 1978 (the legal status of structures in co-ownership), the Convention of May 12, 1982 (the methods of financing structures in co-ownership), the Charter of the waters of the Senegal River and the international code of navigation and transport on the river.
- I would have highlighted this thematic element in Chapters III and IV by highlighting the context in which the OMVS was created and by showing the courageous Avangardist decisions that our illustrious Heads of State and rulers took for the common management of the basin of the Senegal River (Cf. the Institutional and Legal Fundaments of OMVS).
- To avoid repetition and demonstrate the links, I would suggest highlighting: the different new elements (institutional and legal texts) of transboundary Waters Management, the decision-making mechanisms and the fact that it is important, necessary and essential to share transboundary waters between uses and not between countries and/or the populations.

SLIDE 2: Reaction / proposal on illustrative case study/s

- In my view, it is not easy to share transboundary water resources among all those who need it. At OMVS, as best we can, we partially resolved this question by deciding to share the common waters to the States between uses. In this way, each player in IWRM benefits from sharing the waters because the first objective is to meet needs for uses. We are also implementing an institutional and legal program of co-ownership of hydraulic and hydroelectric works developed and to be developed in the Senegal river basin. In the Senegal river basin, we are also implementing a development program common to the Member States, with support for the needs of each of the member countries (the Integrated Water Resources and Multipurpose Management Program).
- In the context of sharing transboundary waters, the main lesson to be learned is that waters must serve each of the protagonists, according to the uses they make of them and the needs they have to meet. The governments of the watershed countries must also agree to meet and discuss the watershed. An example not to be duplicated is that of the legendary Colorado River where almost all of the water is used by a single country, in defiance of the rights of others downstream to use it too.

SLIDE 2: Réaction / proposition sur des études de cas illustratives

- Selon moi, il n'est pas facile de partager les ressources en eau transfrontalières entre tous ceux qui en ont besoin. Chez nous à l'OMVS, tant bien que mal, nous avons en partie résolue cette question en décidant de partager les eaux communes aux États entre les usages. De cette façon, chaque acteur de la GIRE, tire profit du partage des eaux car le premier objectif est celui de satisfaire les besoins pour les usages. Nous mettons également en œuvre un programme institutionnel et juridique de copropriété des ouvrages hydrauliques et hydroélectriques aménagés et à aménager dans le bassin du fleuve Sénégal. Dans le bassin du fleuve Sénégal, nous mettons aussi en œuvre un programme de développement commun aux États membres, avec une prise en charge des besoins de chacun des pays membres (le Programme de Gestion Intégrée des Ressources en eau et des usages à buts multiples).
- Dans le contexte du partage des eaux transfrontalières, la principale leçon à retenir est que les eaux doivent servir à chacun des protagonistes, en fonction des usages qu'il en fait et des besoins qu'il a à satisfaire. Il faut aussi que les gouvernements des pays qui partagent les eaux acceptent de se retrouver et discuter du partage des eaux. Un exemple à ne pas dupliquer est celui l'histoire du mythique fleuve Colorado où la quasi-totalité des eaux sont utilisées par un seul pays, au mépris du droit des autres en aval à s'en servir aussi.