

# ***Showcasing progress on transboundary legal and institutional cooperation arrangements in Africa:***

***“Developing a river basin agreement and institution for cooperation: the Sio-Malaba-Malakasi Basin example***

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# Background

- SMM River Basin shared by Kenya and Uganda
- Previous SMM project implemented by NBI/NELSAP developed:
  - > 2008 SMM Basin Development and Investment Strategy
  - > 2015 MoU Kenya/Uganda/NELSAP for Integrated Management and Development of Transboundary Water Resources in SMM Basin
- Changing conditions, need update cooperation framework

# Basin issues

## Pollution and poor solid waste management:

- breeding grounds for flies and other vectors that cause disease.
- surface water and groundwater pollution by leachate, impairment of soil permeability, and blockage of drainage

## Flooding: affects both people and property

## High population growth (2% to 5% rate):

- land fragmentation and farming in marginal areas causing soil erosion and nutrient loss.

## Weak enforcement of environmental management regulations

## Weak law enforcement institutions

## Increase in water- and land-related conflicts



## Multi-stakeholder process to support cooperation strengthening in SMM

- Project jointly implemented by IGAD, IUCN, UNECE Water Convention and OES, in cooperation with Kenya and Uganda
- 3 multi-stakeholder consultations in the basin (2017-2020)
- Focus on benefits of cooperation, using the *Policy Guidance Note on the Benefits of Transboundary Water Cooperation*

# Joint identification of past and prospective benefits of cooperation

## From improved water management in the basin

### Economic benefits

- Increased activity, productivity and long-term sustainability in economic sectors (aquaculture, irrigated agriculture, mining, energy generation, industrial production, nature-based tourism)
- Enhanced livelihoods and increased household incomes
- Reduced cost of carrying out productive activities
- Reduced economic impacts of water-related hazards (floods, droughts)
- Increased value of property

### Social benefits

- Positive health impacts from improved water quality and reduced risk of water-related disasters.
- Improved access to basic services (such as electricity and water supply)
- Social welfare from increased employment and reduced poverty
- Improved satisfaction due to preservation of cultural resources or access to recreational opportunities.

### Ecosystem benefits

- Preservation of aquatic and terrestrial habitats and biodiversity
- Preservation of key bio-physical processes, e.g. e-flows
- Better carbon management
- Inter-generational sustainability of ecosystems and natural infrastructure

## From enhanced trust in and beyond the basin

### Regional economic cooperation benefits

- Development of regional markets for goods, services and labour
- Increase in cross-border investments
- Development of transnational infrastructure networks (transport, energy)

### Peace and security benefits

- Shared basin identity
- Reduced risk and avoided cost of conflicts between water users and between countries
- Strengthening of international law
- Increased geopolitical stability and strengthened diplomatic relations

# From benefits identification to strengthening cooperation for SMM basin development

Participative process to:

- (1) Support the identification of projects with transboundary implications:  
mapping of 67 SMM relevant projects
- (2) Support the prioritization and sequencing of projects in the basin: long list of 12 prioritized through Multi Criteria Analysis, and analysis of benefit enhancing projects (BOAT) → 4 bundle of prioritized projects
- (3) Facilitate the mobilization of funding to implement projects in the basin:  
planned consultations with donors
- (4) Propose possible institutional structure to ensure sustainable cooperation

# Outcomes of the SMM participative benefit assessment

- **SMM Basin Investment Framework** to promote and guide investment of transboundary significance in the SMM Basin, ready for possible endorsement
- Roadmap for the development of a fully-fledged SMM Basin Investment Strategy (including projects portfolio)
- **4 prioritized** clusters of **investment projects**
- **Revised MoU** for joint management of SMM transboundary basin finalized and to be signed soon
- **Joint Working Group** nominated, entrusted to finalize SMM Investment Framework and support further development of SMM revised MoU for endorsement
- **Future institutional framework** proposed and agreed through a negotiated process



# Institutional Arrangements



SMM Ministerial Committee

SMM Permanent Secretaries Committee

SMM Technical Advisory Committee

SMM Joint Working Group

SMM Secretariat

Role of IGAD Secretariat

Role of NELSAP-CU

Role of development partners

# THANK YOU

