





# ANBO PRESENTATION

KOPANONG HOTEL MARCH 2007

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## Progress with Cross Border IWRM in the IncoMaputo Basins

Niel van Wyk

Chief Engineer: National Water Resource Planning (East)  
Department of Water Affairs and Forestry,  
Republic of South Africa.

# STRUCTURE OF PRESENTATION

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- Early history
  - Interim IncoMaputo Agreement
  - Subsequent activity
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# INCOMATI AND MAPUTO WATERCOURSES



FIGURE 1 : PROJECT AREA : INCOMATI AND MAPUTO WATERCOURSES

# EARLY HISTORY

Phase 1

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Before 1954:

- Enough water for all needs
  - All countries develop with little or no consultation
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# EARLY HISTORY

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Phase 2

1954 to 1983

- All three countries develop considerable infrastructure with little or no consultation
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# EARLY HISTORY

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Phase 3

## BILATERAL NEGOTIATION STARTS

- 1980 – Competition for water forces Swaziland and RSA to enter into intensive consultation
  - Komati River Development Treaty between Swaziland and RSA signed in 1992
  - Mozambique not directly involved
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# EARLY HISTORY

Phase 4

## TRILATERAL NEGOTIATION MATURES

- 1991 - Piggs Peak Agreement start of meaningful trilateral interaction
- Joint Incomati Basin Study results from Piggs Peak Agreement
- Political situation in both Mozambique and RSA not conducive to interaction

# INTERIM INCOMAPUTO AGREEMENT (IIMA)

Phase 5

## TRILATERAL COOPERATION

1998 – All three parties express the  
desire to develop a water use  
agreement

# INSTITUTIONAL HIERARCHY

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- Heads of State
  - Water Ministers
  - Tripartite Permanent  
Technical Committee
  - Task Team
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# DEVELOPMENT OF AGREEMENT

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## BROAD PROCESS:

- Appoint Task Team
  - Terms of Reference
  - Development/negotiation process
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# RESULT

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TRIPARTITE INTERIM AGREEMENT BETWEEN  
THE REPUBLIC OF MOZAMBIQUE  
AND  
THE REPUBLIC OF SOUTH AFRICA  
AND  
THE KINGDOM OF SWAZILAND  
FOR CO-OPERATION ON THE PROTECTION AND  
SUSTAINABLE UTILISATION OF THE WATER  
RESOURCES OF THE INCOMATI AND  
MAPUTO WATERCOURSES

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Signed at the World Summit on  
Sustainable Development in  
Johannesburg on 29 August 2002

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# Obligations

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- Manage water use
  - Pollution prevention
  - Information exchange
  - Communication
  - Capacity building
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# RESPONSIBILITIES OF THE PARTIES

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- Water quality management
  - Transboundary impact
  - Establishment of monitoring systems
  - Mitigation of the effects of floods and droughts
  - Partnership in effective and efficient water use
  - Security of infrastructure
  - Reference projects
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# OUTCOME

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- 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

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- 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)

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- 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
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# ELEMENTS/DRIVERS FOR SUCCESS

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- 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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# FURTHER WORK

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Phase 6

- Convert into “CUSTOMARY INTERNATIONAL LAW” by parties taking action to interpret and apply the IIMA
  - Implementation of the IIMA
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# PROCESS

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- Analyse IIMA for work to be done
  - Develop implementation and activity plan
  - Develop Scopes of Work and ToR's
  - Implement
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# WORK PACKAGES

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- WP1-Shared watercourse institutions
  - WP2-Review national water policies and legislation
  - WP3-Integrated water resource management
  - WP4-Augmentation of water supply to Maputo
  - WP5-Disaster management
  - WP6-Transboundary impacts
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# WORK PACKAGES (CONTINUED)

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- WP7-Exchange and access to information
  - WP8-Capacity and confidence building
  - WP9-Stakeholder participation
  - WP10-System operating rules
  - WP11-Preparation for comprehensive agreement
  - WP12-Managing the implementation of the IIMA
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# FIRST IMPLEMENTATION BATCH

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- TPTC strengthening
  - Project manager and coordinator
  - Information exchange
  - Maputo water supply study
  - Disaster management
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# POINT TO PONDER

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- On Orange-Senqu and Limpopo the strategy was to institute an RBO before a water use agreement
  - On the IncoMaputo the strategy was to do a water use agreement before an RBO
  - When reviewing the relative progress of the two approaches, are any conclusions to be reached?
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# CONTACT DETAILS

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N.J. (Niel) van Wyk

Chief Engineer: National Water Resource Planning (East)

Department of Water Affairs and Forestry,

Private Bag X313

Pretoria 0001

Republic of South Africa.

Landline (work) +27 123368327

Fax +27 123368295

Mobile +27 828085651

E-mail [vanwykn@dwaf.gov.za](mailto:vanwykn@dwaf.gov.za)

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