



**Summary of Presentations:
ISS/AHSI International Conference: Water Related Conflicts-Whither Africa?
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Five key issues came up from all the presentations and these were on:

- a. policy reforms
- b. the harmonization of water management laws
- c. capacity building
- d. civil society/private sector/public participation in water management
- e. variation in the nature of water related conflicts

The presenters all identified the many issues that are interrelated with water conflicts: dwindling water supplies, environmental decay, pollution of water, destruction of the aesthetic quality of water, the urbanization rate, land, borders {location conflicts: upstream/downstream} and sovereignty.

The continent is witnessing regression in development in some cases due to the failure to manage water resources. Socio-economic pressures exacerbate the conflicts- Wetlands are increasingly threatened by the drainage for agriculture, human settlements, and increased siltation. Then there is the over exploitation of vegetation/ timber, fuel wood with negative consequences on the ecosystems, loss of water storage capacity, desertification, increased incidence of disease, hunger and poverty, reduction in fish productivity and reduced tourism. Forest encroachment, illegal drilling and water diversions are thus all contentious areas of conflict.

There is increased erosion of traditional values, increased population shifts and contestation of state authority. There is thus the likelihood of a variation in the intensity of water related conflicts and these can manifest themselves in different forms such as land or forest disputes or plain water disputes including deliberate floodwater damage-determined by the users (micro which we can locate at the (national level (according to user patterns)), macro level- or regional conflicts). Eg- the SAHEL region's reliance on one major river does not augur well for stability and development : Eg, Mali and Niger's plans to build a dam on the Niger river without Nigeria's compelled Nigeria to scuttle the plans. Many other potentially explosive issues are currently lying dormant and we are likely to see problems if the status quo is maintained. Climactic changes make prediction of conflicts difficult and this increases uncertainty.

- Investments in water resources are difficult because there are many competing demands hence governments need to balance their priorities with regard to where water is in the life sustenance equation. Large investments such as hydro-electric power generation are likely to continue to trigger conflicts. New infrastructural developments can and will affect water supply and destroy freshwater lakes. And unfortunately, for Africa, global threats exacerbate the problem of managing and investing in the water sector.
- There are many overlapping responsibilities amongst the many basin management authorities- too many rules and institutions are as good as none. When new ones come into being, they do not take into account ways of feeding into the existing institutions and neither do they always complement what already exists- a challenge in harmonizing laws. No backward and forward linkages in the law making processes eg environ laws/unrelated to water laws or duplication at times.
- On the water resources management framework, the institutional frameworks that structure socially accepted access and entitlements to water take diverse forms that are sometimes made explicit in local agreements, rules, and customs; sometimes informal, implicit and embedded in local practices; and in other cases spelled out in legislation and formal permits. Hence harmonizing is essential.
- We thus echo the ICGLR's initiative in calling for the harmonisation of legislation and national policies and procedures on illegal exploitation of natural resources. In some cases, contradictions exist in water law reform.
- Institutional mechanisms must be at the basin management level as well as the national. Sub-regional political mechanisms are useful but they just lessen conflict and yet nationally based approaches are unlikely to solve these tensions. Water related disputes change and shift with time hence some are better resolved at the bi-lateral level.
- There is a need for consultation at all times since inter-basin transfers can be quite complicated. Common vision management approaches are difficult in controversial areas such as the Nile basin. Agreements can only be short-lived as there are too many drivers of conflict
- There is a need to revisit the minefield of water management laws and agreements on the continent. The archaic colonial treaties do not have equity considerations. There is thus a need for renegotiation of many of the **treaties** in the light of new independent governments -eg the 1929 Nile Treaty and the Congo Basin Authority that was only set up recently for the first time since 1885
- A major problem seems to be that the countries with the bulk of the water (eg. Angola, DRC, Uganda,) are relatively less developed than the beneficiary states downstream (South Africa, Egypt, Mozambique). This is an area that calls for further research to unravel these disturbing trends-Is the problem with state capacity or with agreements?
- There is a disconnection between the executive and legislative branch in terms of natural resources management and this affects translation of blueprints into action and this affects implementation.
- In the management of water resources, attention must be paid to the issue of public goods vs. common-pool resources. This would ensure the minimizing of common-pool resources problems such as free riding, over harvesting and crowding.

Questions meriting further scrutiny:

What can and should inhibit a country from using water that originates in its territory?

Who sets up these institutions at the basin level? eg Congo basin authority is still trying to develop a framework- a lot of issues seem to be hanging in the air

Is there a universal law on the equal decision of water?

How can governments build trust in the management of water resources?

How do we achieve equity in resource management?

How do we balance conventional approaches and Community based approaches in water management?

How effective are the regional instruments on the management of water resources?

There is a need to build capacity in the Water basin management authorities-

Water governance has to be tied to the broader discourse on good governance.