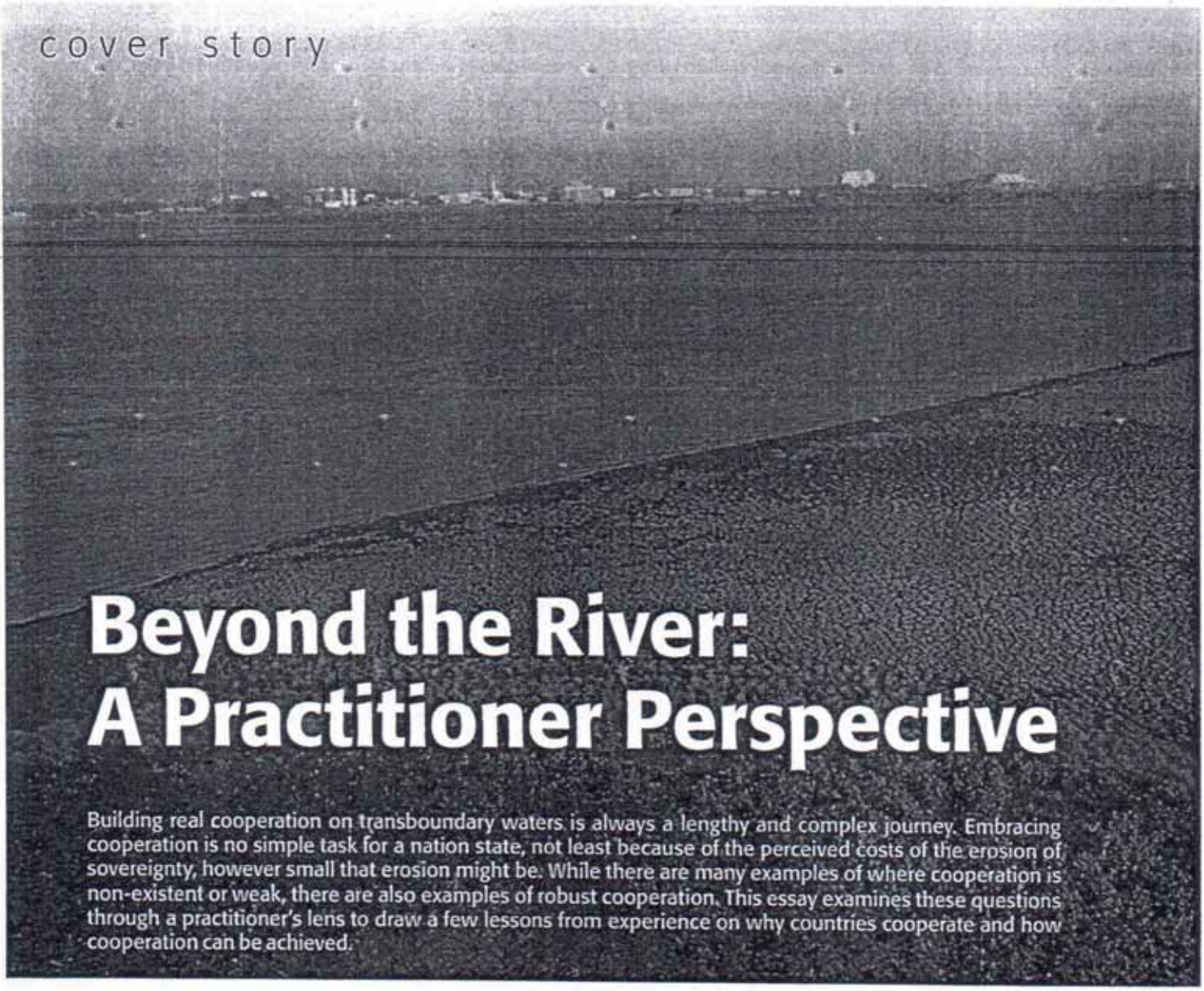

Beyond the River: A Practitioner Perspective

Building real cooperation on transboundary waters is always a lengthy and complex journey. Embracing cooperation is no simple task for a nation state, not least because of the perceived costs of the erosion of sovereignty, however small that erosion might be. While there are many examples of where cooperation is non-existent or weak, there are also examples of robust cooperation. This essay examines these questions through a practitioner's lens to draw a few lessons from experience on why countries cooperate and how cooperation can be achieved.

The world's longest river, the Nile, is shared by 10 countries and is characterised by a unique diversity of landscapes, ecosystems, cultures and histories. Yet the flow of the river is relatively small (6 percent of the annual flow of the Congo River, 26 percent of the Zambezi), populations and demand for water are growing, and the literature is replete with references to tensions in the Nile Basin. Recently, Egypt's Investment Minister wrote to the World Bank, on behalf of Egypt, Ethiopia and Sudan, to seek financing for a first cooperative regional investment on the "Eastern" Nile. Ethiopia's Finance Minister then wrote endorsing his Egyptian colleague's request. The Finance Ministers of Burundi, Rwanda and Tanzania, in the headwaters of the Nile, have also each written to seek joint financing for a cooperative regional investment. So why have the Nile riparians announced that they are ready to cooperate?

At first glance, the obvious answer is that cooperation is by definition good and the right course of action; this is asserted as a principle in many international meetings and proclamations. Yet the reality is different. The UN Convention on the Law of the Non-navigational Uses of International Watercourses was 27 years in preparation prior its adoption by the UN General Assembly in 1997. Yet, 12 years later, only 16 states have ratified the Convention and it has not entered into force. As a consequence, despite the irreplaceable role of water in lives, livelihoods and production, there is no universal treaty in force to regulate the use and protection of shared waters. Clearly most states are not ready to commit themselves; in some parts of the world transboundary cooperation in water management is the exception and not the rule.

"Cooperation in basin management could become the single most important risk management strategy."

Why do countries cooperate?

Experience suggests, quite simply, that countries cooperate in the management of transboundary waters not when compelled by principles or an "ethics of cooperation", but when the net benefits of cooperation are perceived to be greater than the net benefits of non-cooperation, and the distribution of these net benefits is perceived to be fair.

Benefits themselves go beyond the obvious but feature four basic types: environmental *benefits to the 'river'* (e.g. improved water quality, conserved biodiversity); economic *benefits from the 'river'* (e.g. increased food and energy production); reduction of costs *because of the 'river'* (e.g. reduced geo-political tensions, enhanced flood management); and *benefits beyond the 'river'* (catalysing wider cooperation and economic integration).

The uncertainties of climate change, taken together with other changing 'climates' – the changes to demographic, financial, economic and political climates that are emerging as major issues – make the future challenges in managing the world's water

Photo: Arne Hoel/World Bank

resources look daunting and the risks appear great. In transboundary river basins, existing risks are likely to be intensified. Cooperation in basin management could become the single most important risk management strategy.

If benefits are to be generated, they must be shared. And their distribution must be perceived to be fair if countries are to cooperate. This can mean the separation of the physical location of river development where benefits are generated from the physical location of where benefits are distributed. In the Senegal River Basin, Mali, Mauritania and Senegal – through the OMVS (the Senegal River Basin Development Authority) – they developed a clear methodology and framework to first quantify and then allocate benefits and costs of multi-purpose investments across the entire basin. The Manantali Dam (located inside western Mali), for example, was constructed for hydropower, irrigation and navigation benefits to be distributed across all three countries. The scale of benefits derived, as well as the perceived fairness of the benefit sharing arrangement and of the solidarity between countries, has sustained substantive cooperation and a strong river basin organisation on the Senegal River.

How is cooperation achieved?

Getting to cooperation typically requires a conscious, multi-year effort by the parties. But there is no blueprint for what good cooperation is: different modes of cooperation are a response to different circumstances and will depend on many factors. Building the enabling environment – and in particular trust and confidence among co-riparian states – is the first step in building effective transboundary institutions.

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Although the ownership of the cooperation agenda must be entirely with concerned riparian countries, experience suggests that invited third-party facilitation can be useful in ensuring commitment, especially on large international river basins with tense pasts and complex futures. This facilitation must be patient, respectful and reliable over a long period of time, possibly a decade or more. It also must almost invariably be low-profile – leave 'no-footprint' is a useful rule, unless a footprint has a specific and strategic value.

Process is almost as important as product, at least in the early days, and can be costly. Time spent building effective communications, working relationships and a level playing field of knowledge and skill is an essential investment for reaching sound negotiation outcomes. The process can be as diverse as necessary; shared experience,

In focus: The Ganges – Brahmaputra-Meghna basin

The Ganges-Brahmaputra-Meghna (GBM) Basin, shared by Bangladesh, Bhutan, China, India, and Nepal, features the world's highest mountains (including Everest), greatest floodplains and largest basin population (540 million – many among the world's poorest). Added to these superlatives are: a unique monsoonal climate, with 50 percent of precipitation in 15 days and 90 percent of runoff in 4 months; very little hydraulic infrastructure, with only 30 days of flow in artificial storage (compared to the 900 days of storage in the Colorado and Murray Darling basins); intense pollution (with consequent ecosystem damage and biodiversity loss); and very limited transboundary cooperation. Models suggest that monsoon intensity could increase and glaciers disappear, while populations, cities, industries and economies will grow. The risks faced by GBM populations today are already high; 70 million people in India and Bangladesh were seriously affected by the 2007 monsoon, 4,500 were killed, and 75,000 km² of cropland were destroyed; there are probably many climate migrants leaving the basin today to mitigate risks. Future risks are undoubtedly high and could potentially be mitigated through cooperation, with joint institutions ensuring information sharing (e.g. flood early warning), infrastructure financing (e.g. river regulation, power generation and irrigation), and environmental regulation (e.g. water quality management), all improving regional relationships 'beyond the river'. The potential for generating all four types of benefits is therefore considerable.

Photo: Arne Hoel/World Bank

Countries cooperate in the management of transboundary waters when the net benefits of cooperation are perceived to be greater than the net benefits of non-cooperation, and the distribution of these net benefits is perceived to be fair.

joint learning, round tables and cooperative assessments are all part of the process tool box. Starting from a low base might mean negotiating a shared vision, which sets a goal of a better future, and then building shared knowledge to provide the evidence to change the perceptions of benefits and thus catalyse cooperation.

There are many stories of "how" the path to real cooperation has been or is being explored and only room to tell one here. Among the countries that share the Rivers of the Greater Himalayas, where cooperation today is limited, the current "Abu Dhabi Dialogue (ADD)" is an informal, consultative process that brings together senior political, government, and non-government participants from seven countries. The ADD Knowledge Forum brings key knowledge institutions in the region together to share ideas and promote collaborative research. Through non-representative, non-formal, and non-attributable dialogue, participants build relationships and trust and rally around common problems seeking common solutions and an informal shared vision to create "a knowledge-based partnership of states fairly managing and developing the Rivers of the Greater Himalayas from the summits to the seas".

So why are the Nile riparian states ready to cooperate?

They, like other riparian states cooperating on international rivers, have worked long and hard together to build trust, knowledge and institutions. Their analysis has so far demonstrated that the benefits of cooperation are greater than the benefits of non-cooperation, so the choices they are making are rational. They have much work still to do to ensure that these benefits can be derived and then shared fairly. But they have the courage to change history, moving from a past of non-cooperation to a new future of cooperation.

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Further Reading

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