



***PROS AND CONS OF MANAGING SHARED
RIVER BASINS USING LEGISLATIONS
FROM DIFFERENT COUNTRIES: A LIMPOPO
RIVER BASIN CASE STUDY***

by:

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Outline

1. Introduction
2. Water use in LRB
3. Signed Agreements
4. Purpose of the legislation
5. Current Management of the LRB
6. Impacts of political tensions
7. Conclusion and recommendations





INTRODUCTION





Limpopo River Basin Map



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Riparian States

The Limpopo River basin is shared by four states, namely:

- South Africa (44.25%),
- Mozambique (21.08)
- Botswana (19.65%) and
- Zimbabwe (15.08%),





Major Tributaries of Limpopo River Basin

- ✓ LRB has a relatively dense network of more than 20 tributaries. Crocodile River (29600km²), Notwane River(18053km²) Bonwapitse River, Mahalapsv Rive. Matlabas, Mokolo, and Lepalala Rivers are the three main right bank tributaries in downstream sequence (361800km²). Nzhelele, Sand, Nwanedi, Olifants, Luvuvhu. Letaba, Mogalakwena rivers
- ✓ The major sub-catchments of LRB include Shashe, Thuli Rivers from Botswana and Zimbabwe, respectively.
- ✓ The total area drained by the basin is estimated at 415000 km²





Other Attributes of the LRB Basin

- The average rain fall in LRB is 530 mm/a
- Rainfall ranges from 200 to 1200 mm/a
- LRB has the average evaporation of 1970 mm/a, and ranges from 800 to 2400mm/a, which means higher evaporation than rainfall
- LRB supports the population of about 14 million people
- Poverty is estimated at 52% and water availability is between 5 to 10 m³ per person. It is one of the most populated basin in Africa
- The biodiversity of LRB is characterized by world renowned national parks, nature reserves, botanical gardens and heritage sites.





WATER USE IN LRB



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Water Uses in LRB

- Agricultural water use
- Industrial water use
- Domestic water Use
- Environment water use



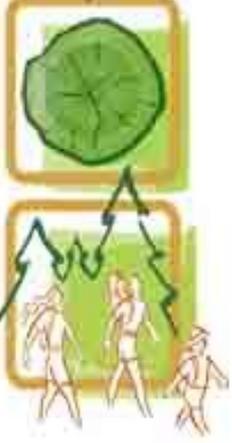


SIGNED AGREEMENTS





Signed agreements by the riparian states



| Year | Full Name | Type of agreement |
|------|--|-------------------|
| 1971 | Agreement between the government of RSA and the government of Republic of Portugal in regard to rivers Mutual interest 1964 - Massingirdam | Bilateral |
| 1973 | Boundary Treaty between RSA and Republic of Botswana | Bilateral |
| 1986 | Agreement between RSA, Mozambique, Republic of Botswana and the Republic of Zimbabwe. Relative to the establishment of the Limpopo Basin Permanent Technical Committee | Multilateral |
| 1988 | Agreement relating to the water supply from Molatidi Dam in Marico River between Department of Water Affairs in Botutatswana, water utilities cooperation of the Republic of Botswana and the Department of Water affairs in RSA | Multilateral |
| 1997 | Agreement between RSA and the Republic of Botswana for the establishment of the Joint Permanent Commission of cooperation | Bilateral |





Rationale of the agreements and Protocol

- To ensure coordinated development
- Management of trans-boundary water resources in a drought prone areas
- To coordinate support to other states as required (Financial resources, skills, capacity, ideas, data and information sharing or otherwise.)
- To regulate the undersigned states





PURPOSE OF THE LEGISLATION



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Purpose of the water legislations

- 
- To ensure that water resources are managed in a sustainable manner
 - To ensure fair allocation of water to respective water use sectors
 - To ensure Integrated Water Resource Management (IWRM)
 - To protect the ecological Ecosystem
 - Beneficial use of water in the public interest





Current Management of the Basin

There are few tools which are used to manage the LRB:

- The SADC Revised Protocol on Shared Watercourses of 2000
- The bilateral and multilateral agreements
- The Limpopo Water commission (LIMCOM)
- The legislation of the member states?





Establishment of the committee & commissions

- Many commissions were established in LRB and some fail decimally. Most of the commission were established from the bilateral or multilateral agreements.
- Joint Permanent Technical Committee (JPTC) RB & RSA in 1967 and was upgraded to Join Permanent Technical Commission on the Limpopo River
- In 1997 a Joint Permanent Commission of Cooperation (JPCC)
- In 1983 Tripartite Permanent Technical committee (TPTC)-make recommendation on water shortage
- First multilateral was signed in Harare in 1986, establishment of Limpopo Basin Permanent Technical Committee (LBPTC)- advising on common use of water (did not function for decade because of the political reasons – reactivated in 1995 after political changes in RSA. In 2003 Limpopo Watercourse Commission was sign by all 4 states



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Commonalities and differences of the legislations

- Different states have different sets of water legislations with more or less similar or related objectives
- The legislations of the affected states in a shared watercourse basin must be harmonized.
- Harmonization will help other member states to comment/input effectively with regards to any development in the basin.
- Any water related developments of any country is governed by their national water legislations and It could be difficult for other countries to comments on other states' developments, if the legislation is not harmonized





IMPECTS OF POLITICAL TENSSIONS



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Political tensions

Post political unrest

- Fight against apartheid government in South Africa

Present political unrest

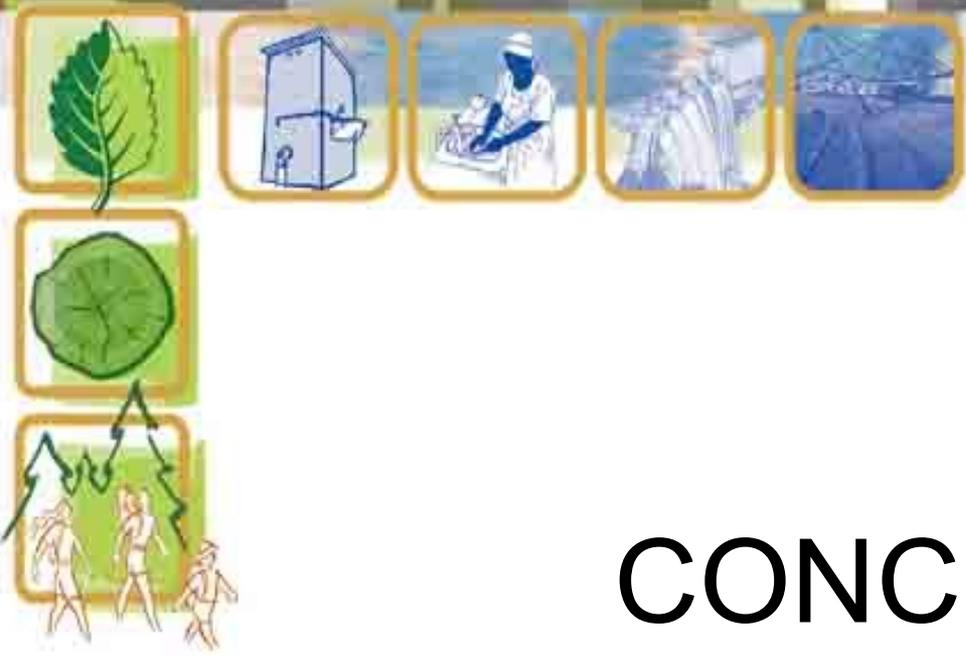
- Fights and economical melt down in Zimbabwe



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CONCLUSION





- Harmonization of legislations (policies and regulations)

- Establishment of IWMI

- Basin Water Tribunal?



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Acknowledgement



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More...

- Mr. Moloko MATLALA, core author of this paper
- My wife Ndifelani, MUROVHI



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