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Technical Annexes for the Nile Basin Sustainability Framework





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Abbreviations

EAPP	Eastern African Power Pool
ENCOM	Eastern Nile Council of Ministers of Water
ENTRO	Eastern Nile Technical Regional Office
IWRM	Integrated Water Resources Management
NBI	Nile Basin Initiative
NBSF	Nile Basin Sustainability Framework
NELCOM	Nile Equatorial Lakes Council of Ministers of Water
NELSAP-CU	Nile Equatorial Lakes Subsidiary Action Program Coordination Unit
Nile-COM	Nile Council of Ministers of Water
Nile-SEC	Nile Basin Initiative Secretariat
Nile-TAC	Nile Technical Advisory Committee
RATP	Regional Agricultural Trade and Productivity
RPT	Regional Power Trade Project
SAPs	Subsidiary Action Programs
SVP	Shared Vision Program
TWG	Thematic Working Group
WRPMP	Water Resources Planning and Management Project

Technical Annexes for the Nile Basin Sustainability Framework





1 Purpose and scope of the Technical Annexes

The Nile Basin Initiative (NBI) has embarked on a process to develop a suite of policies, strategies and guidelines needed to guide the efforts of the riparian countries towards attainment of sustainable development and management of the common Nile water resources. This suite of policies, strategies and guidelines is referred to as the '**Nile Basin Sustainability Framework (NBSF)**.' The concept of the Framework is introduced in the NBI document titled '*The Nile Basin Sustainability Framework: The Nile Basin Initiative's approach to basin sustainability*'.

These **Technical Annexes** supplement the information presented in the main NBSF document by providing detailed explanations on definitions and procedural matters. Specifically, the Technical Annexes:

- list concrete and planned policy interventions under the NBSF;
- specify roles and responsibilities for implementation of the NBSF;
- outline the processes and procedures to be followed in developing and approving NBSF products;
- provide indicative dates for completion of proposed NBSF tasks;
- describe approaches for stakeholder participation during the formulation process of policies, strategies and guidelines; and
- summarise the key sustainability issues within the basin.

The Technical Annexes are working documents that will be reviewed and updated regularly.



2 Policies, strategies and guidelines in the context of the NBSF

2.1 Definitions of policies, strategies and guidelines

In the context of the NBSF, policies, strategies and guidelines can be pictured as a hierarchy that becomes increasingly detailed moving downwards from policy to guidelines (Figure 1).



Figure 1: The hierarchy of guiding documents under the NBSF

Further to the illustration in Figure 1, policies, strategies and guidelines in the context of the NBSF will have the definitions in Table 1 below. Policies, strategies and guidelines of the NBI that have been in existence before approval of the NBSF will need to be adjusted to conform to the definitions in Table 1.

Table 1: Definition of the terms policy, strategy and guideline as used under the NBSF

Term	Definition	Approving Authority	Description
Policy	A formal statement of principles or values that establishes the parameters for decision making and action	Council of Ministers of water affairs of the riparian states (Nile-COM) upon the recommendation of the Nile Technical Advisory Committee (Nile-TAC)	<ul style="list-style-type: none"> ● Sets broad directions and goals for the NBI ● May indicate specific requirements, modifications or regulations ● May include a purpose statement ● May include an applicability and scope statement
Strategy	A prudent and sagacious plan or course of action, selected from among alternatives, to give effect to principles and reach goals	Council of Ministers of water affairs of the riparian states (Nile-COM) upon the recommendation of the Nile Technical Advisory Committee (Nile-TAC)	<ul style="list-style-type: none"> ● A plan for operationalising principles and achieving policy goals ● Describes approach and methodologies ● Assigns responsibilities and time frames ● May assign budgets ● Leaves finer details to implementation –level planning
Guideline	Detailed practices and procedures used in performing tasks related to implementation of the sustainability strategies	Eastern Nile Council of Ministers of Water (ENCOM); Nile Equatorial Lakes Council of Ministers of Water (NEL-COM) (*Nile-COM for basin-wide guidelines)	<ul style="list-style-type: none"> ● Describes step-by-step approach for taking actions and performing tasks ● Describes detailed tactics and responsibilities ● May be prepared for use at different levels –basin-wide, sub-basin, or project level.

2.2 Structure of policy and strategy documents

As a way of ensuring consistency in the scope and content of key NBI policy products, all policy and strategy documents developed under the NBSF, and those existing before the NBSF, will adopt the generic structures described in Boxes 1 and 2 below.

Box 1: The structure of NBI policy documents

Policy documents of the NBI will have a standard structure comprising the following main sections:

Definitions – Provide clear and unambiguous definition of terms and concepts found in the policy document.

Background – Contains a concise synopsis of the current situation, a definition of the problems being addressed, and elucidation of the motivating factors and justification for the policy.

A purpose statement – outlines why the policy is being pursued, and what its desired outcomes will be.

Principles – are statements of either (a) fundamental doctrines, tenets, assumptions or laws from which others are derived; (b) normative rules or codes of conduct; or (c) things established as standards for measuring, regulating, or guiding practice.

Overarching policy directions – are broad statements of intent. Overarching policy directions may be preceded by one or more policy goals – description of specific changes over a given time expected to result from implementation of the policy.

Specific policy statements – articulate a clear policy position with respect to specific issues or thematic areas in the policy such as water supply, irrigation, participation, and transboundary water management. They indicate the main

thrust and specific regulations, requirements, or modification that the policy introduces.

Legislative implications – describe the new laws and regulations needed to put the policy into practice. It also describes necessary adjustments and modifications to existing policies and regulations to remain consistent with the policy.

Institutional arrangements – describe the institutional framework under which the policy will be implemented. It names new institutions and bodies that will be established and defines the roles and responsibilities of all the actors. Under this section, responsibility will be assigned to an institution or office to carry out monitoring and evaluation of the implementation of the policy, and initiate revisions as necessary.

Strategic action planning and implementation – set out the logic for phasing the implementation of the policy and describes the procedures for developing financing and implementing strategic actions plans with the full participation of sector stakeholders.

An applicability and scope statement – describes who, or what sector, the policy affects. The applicability and scope statement will be used to focus the policy on only the desired targets, and avoid unintended consequences where possible.

An effective date - indicates when the policy comes into force.

Box 2: The structure of NBI strategy documents

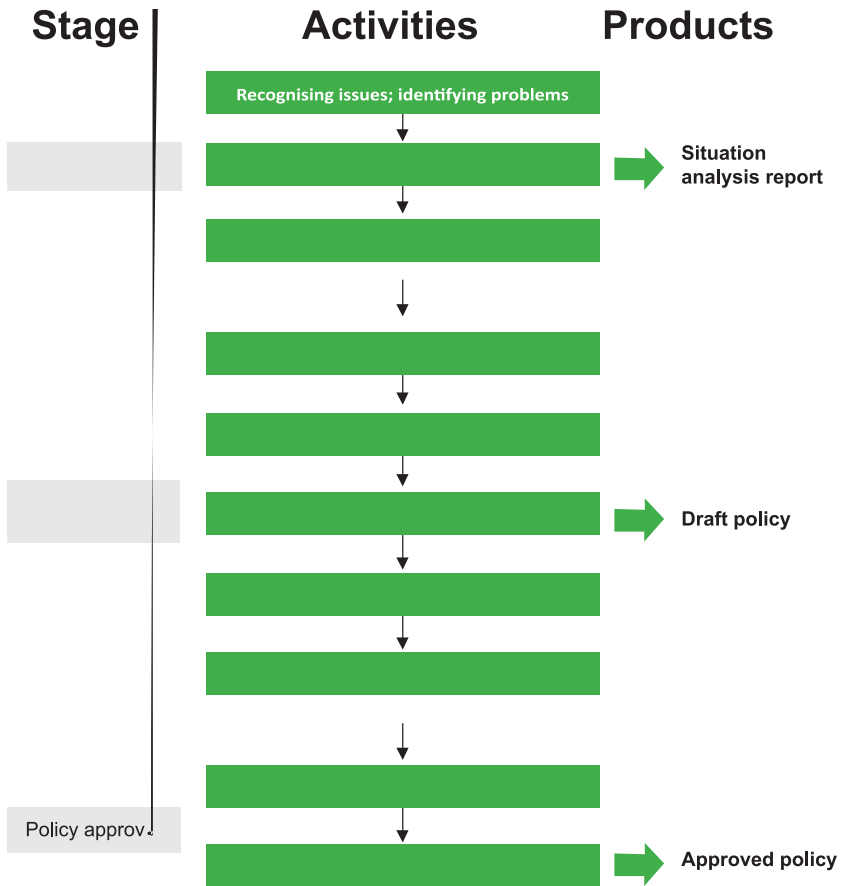
The proposed outline for NBI strategies is shown below. Strategies will typically contain more detail, and be more comprehensive, than policy documents.

1. Background/strategic context
2. Principles (directly derived from parent policy)
3. Policy statements (directly derived from parent policy)
4. Long-term/short-term goals and objectives
5. Duration (period covered by the strategy)
6. Strategies and strategic actions (there may be several chapters, each dealing with a specific strategy)
7. Budget and broad work plan
8. Implementation arrangements/responsibilities
9. Monitoring and evaluation
10. Log frame matrix
11. Risk assessment

2.3 Responsibilities for development of policies, strategies and guidelines

The secretariats of the Subsidiary Action Programs (SAPs) will lead the formulation process for policies and strategies under Key Strategic Direction 1, and in other Key Strategic Directions where there is a clear sub-basin focus. For policies, strategies and guidelines with a basin-wide scope, the Nile Basin Initiative Secretariat (Nile-SEC) will lead the formulation process while working closely with ongoing regional projects (i.e. Regional Power Trade Project, Water Resources Planning and Management Project, and Regional Agricultural Trade and Productivity Project). SAPs may choose to prepare tailored, sub-basin-specific strategies and guidelines from basin-wide strategies and guidelines.

In both SAP and Nile-SEC-led formulation processes, Nile-SEC will play a coordinating role to ensure the active participation of all relevant stakeholders. Nile-SEC will also ensure that products conform to the standard layout and content described above; and it will be responsible for printing and disseminating the approved products.



Situation analysis stage

Under the NBSF, policy is viewed as a process informed, constrained and contingent on a number of interdependent elements (e.g. economic situation, technology, legislation) and cultural factors operating in a dynamic state of flux. Therefore, the first stage in the policy formulation process will be a methodical assessment of the prevailing conditions within the basin. This stage, also known as the problem identification and issue recognition stage, will be characterised by extensive literature review, wide-ranging consultations and in-depth analyses to establish the rationale, necessity, advantages, drawbacks, and potential impacts of the proposed policy on the basin. Such an approach will ensure that each NBSF policy is formulated on a basis of pertinent valid information that takes into account all facets of the key issues surrounding the problem.

The main output of the situation analysis will be a statement of issues that will form the basis for the formulation of goals and objectives to address the problems identified, and exploit the opportunities that present themselves. The situation analysis will end with the evaluation and ranking of issues and objectives.

Policy analysis and drafting stage

The second stage of the policy formulation process will commence with the preparation of statements of principle, formulation of goals and objectives, and outlining of the structure of the policy (i.e. thematic areas or key components of the policy). This will be followed by the identification and detailed analysis of options that can be applied to achieve the prioritised goals and objectives. This is the essence of policy analysis, which is the process of determining those policies from a set of alternatives, that will best achieve the given set of goals and have the least unintended impacts. Policy analysis also involves the analysis of costs and benefits, and assessment of risks. As many areas as possible of potential policy impact will be evaluated to lessen the chances that a given policy will have unexpected or unintended consequences. Policy analysis will allow the NBI to develop an approach that best fits local circumstances within the basin whilst incorporating good practices from other parts of the world.

Broad policy statements will be drafted corresponding to the selected options, and the text making up the body of the policy will be gradually written. The draft policy will then be subject to cross-disciplinary and multi-stakeholder peer review through a series of regional workshops and working sessions of the Thematic Working Group (TWG). While depicted in Figure 2 as a linear process, policy development and consultation will, in fact, be an iterative processes that will result in several, incrementally improved, revisions of the draft policy.

Approval stage

Recognising that policy always forms within a political context, the policy formulation process will conclude with formal endorsement by the supreme policy and decision-making body of the NBI – the Nile Council of Water Ministers (Nile-COM). Before submission to the Council of Ministers, the draft policy will first undergo scrutiny by the Nile Technical Advisory Committee (Nile-TAC), which will check its completeness, technical soundness and suitability for use in the Basin.



3.2 Policy formulation process where there is an existing policy

The processes described above apply to situations where there is no form of policy in existence. In situations where there already exists a policy, for example from a Shared Vision Program (SVP) or SAP project, the process of policy formulation will be less intensive. Figure 3 is a flow chart depicting the policy formulation process in such situations.

The first task, which will be performed by Nile-SEC, will be to assess the existing policy. The scope of the assessment will include, but not be limited to, the extent to which it addresses key problems and issues, its conformity to the definitions for policy in the context of NBSF, its clear manifestation of a basin-wide or trans-boundary character, the level of consultation and participation that went into its formulation, and the technical soundness of the proposed interventions. If found to be suitable, Nile-SEC will only be required to perform minor formatting and restructuring before submitting the policy for final review by Nile-TAC and approval by Nile-COM.

If found to be unsuitable, the policy will be discarded, and a new one developed following the long procedure outlined above. Any policy that has deficits but holds some potential will undergo a shortened formulation process commencing with preparation of a new policy structure, and following the rest of the steps in stages 2 and 3 of the long procedure.

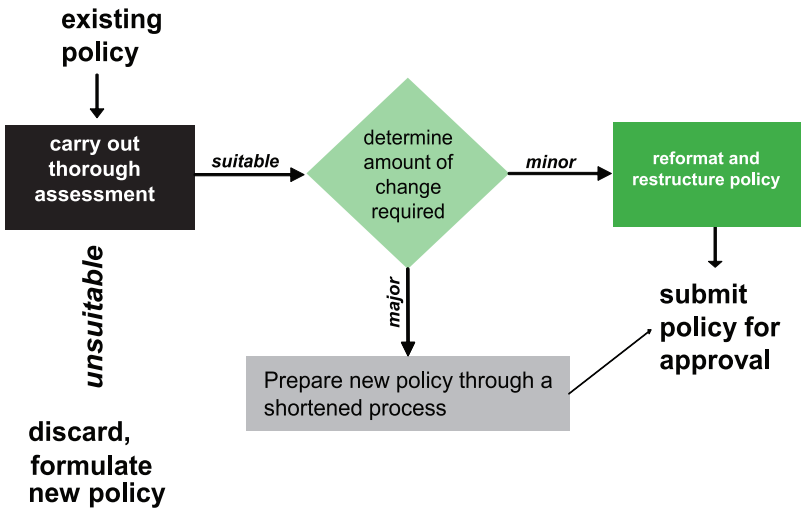


Figure 3: The policy formulation process where there is an existing policy

3.3 Formulation process for strategies and guidelines

Strategies will form the basis for formulation of detailed interventions under the NBSF. Strategies will be prepared by Nile-SEC (or by consultants engaged by Nile-SEC), peer-reviewed by the NBSF TWGs and submitted to Nile-TAC for scrutiny before submission to Nile-COM for approval. The development of strategies will take place concurrently with the development of policies, except where there are strong or unavoidable reasons to separate the two processes.

Guidelines, in the context of the NBSF, are detailed procedures, or step-by-step descriptions of practice. Guidelines will be prepared by staff from the three NBI centres (Eastern Nile Technical Regional Office ENTRO, Nile Equatorial Lakes Subsidiary Action Program Coordination Unit NELSAP-CU and Nile-SEC) or by consultants procured by the three centres, and approved by their respective governance bodies.





4 Stakeholder participation

The participatory approach to water development and management is the second of the Dublin Principles, and experience around the world demonstrates, beyond any doubt, that this approach yields better results in development work. However, stakeholder participation can be time-consuming and costly, and may not have clear outcomes. This situation demands that thoughtfully designed procedures for stakeholder involvement be put in place and correctly applied. As one of the complementary actions to the NBSF key strategic directions, the NBI will make water policy more transparent through the active participation of key stakeholders in the development of the policies and strategies of the NBSF. Of equal importance will be their participation in implementation of strategic interventions required under the Framework. In the development of a stakeholder participation strategy, emphasis will be placed on consultations that are as local as possible, complemented by a whole-of-basin view from regional consultations.

In selecting stakeholders for involvement, both those that are directly involved in decision-making within the basin, and those affected by the decisions, will be considered. Approaches to be employed in stakeholder identification and involvement will depend on several factors such as the number of times the stakeholders will need to be involved, the particular kind of society or community being targeted, the nature of information being sought, the type of representation that is appropriate, the political value of engaging pressure groups, and ease of access to decision-makers. Taking part in village meetings, paying courtesy calls on local government officials, carrying out basin stakeholders' opinion surveys, and engaging the civil society, are some of the possible ways stakeholders will be encouraged to participate in the NBSF process.

5 Target dates for proposed interventions under the NBSF

Key Strategic Direction 1: Water-related Socio-economic Development

<i>Immediate Interventions</i>		Lead Centre	Target Date
NBI-S1.1	NBI strategy for hydropower development, power interconnections and power trade	RPT	Dec 2011
NBI-S1.2	NBI strategy for integrated agricultural irrigation	ENTRO	Mar 2012
NBI-S1.3	NBI strategy for benefit sharing	Nile-SEC	Jun 2012
NBI-G1.1	NBI sub-basin guidelines for environmental and social assessments	Nile-SEC	Dec 2011
NBI-G1.2	NBI guidelines for transboundary EIA	Nile-SEC	Jun 2012
NBI-G1.3	NBI guidelines for benefit sharing	NELSAP-CU	Jun 2012
NBI-O1.1	Develop regional optimised portfolio for power development options and investment plan for power development	RPT	Dec 2011
NBI-O1.2	Prepare and sign a Memorandum of Corporation between the NBI and the Eastern Africa Power Pool (EAPP)	RPT	Nov 2009

Key Strategic Direction 2: Water Resources Planning and Management

<i>Immediate Interventions</i>		Lead Centre	Target Date
NBI-S2.1	NBI strategy for strengthening transboundary water policy component of national water policy frameworks	Nile-SEC	Sep 2011
NBI-S2.2	NBI strategy for knowledge-based WRM (including long-term water resources monitoring)	WRPMP /Nile-SEC	Sep 2011
NBI-S2.3	NBI Strategy for monitoring of the Nile River basin	WRPMP/Nile-SEC	Sep 2011
NBI-S2.4	NBI strategy for sustainability of the DSS	WRPMP	Dec 2011
NBI-G2.1	NBI guidelines for preparation of state of basin reports	Nile-SEC	Sep 2011
NBI-O2.1	Completion and operationalisation of the DSS	WRPMP	Mar 2012
NBI-O2.2	Establishment of an NBI unit to operate the Nile Basin long-term monitoring network, databases and DSS	WRPMP/Nile-SEC	Dec 2011
NBI-O2.3	Develop suite of basin sustainability indicators	Nile-SEC	Sep 2011
NBI-O2.4	Prepare first State of Basin Report	Nile-SEC	Dec 2011

Key Strategic Direction 3: Environmental and Water-related Natural Resources Management

<i>Immediate Interventions</i>		Lead Centre	Target Date
NBI-P3.1	NBI Environmental and Social Policy	Nile-SEC	Feb 2012
NBI-S3.1	NBI strategy for wetlands management	Nile-SEC	Mar 2012
NBI-O3.2	Prepare and sign Memorandum of Cooperation between the NBI and the Secretariat of the Ramsar Convention.	Nile-SEC	Apr 2012

Key Strategic Direction 4: Climate Change Adaptation and Mitigation

<i>Immediate Interventions</i>		Lead Centre	Target Date
NBI-S4.1	NBI strategy for climate change adaptation and mitigation	Nile-SEC	Nov 2011
NBI-G4.1	NBI guidelines for climate change adaptation for water-related investment	NELSAP-CU	May 2012
NBI-O4.1	Creation of climate change unit in the NBI	Nile-SEC	Jun 2012
NBI-O4.2	Analysis of vulnerability of planned NBI water infrastructure to climate change variability and change.	ENTRO/NELSAP-CU	Starts July 2010
NBI-O4.3	Mainstreaming of climate change adaptation and mitigation measures in NBI investment programmes and projects.	ENTRO/NELSAP-CU	Starts July 2010

Cross-cutting complimentary actions

<i>Immediate Interventions</i>		Lead Centre	Target Date
NBI-PX.1	NBI policy for gender mainstreaming	Nile-SEC	Dec 2011
NBI-SX.1	NBI strategy for gender mainstreaming	Nile-SEC	Dec 2011
NBI-SX.2	NBI long-term strategy for capacity development	Nile-SEC	Dec 2011
NBI-SX.3	NBI strategy for resource mobilization	ENTRO	Dec 2011
NBI-SX.4	NBI strategy for stakeholders' participation	Nile-SEC	Mar 2012
NBI-OX.1	Population and operation of the Nile Information System	Nile-SEC	Jun 2011
NBI-OX.2	Training of NBI staff according to the capacity development strategy	Nile-SEC	Starts June 2012

¹ Refers to policies, strategies and guidelines to be developed; and other actions to be taken within 3 years.

² WRPMP stands for the SVP-Water Resources Planning and Management Project based in Addis Ababa, Ethiopia.

6 Action and responsibility matrix for policy and strategy formulation

Step	Action	Responsibilities					
		Nile-SEC	SAPs	Cons/NBI Staff	TWG	Nile-TAC	Nile-COM
Getting ready							
1.	Propose policy or strategy for formulation (selected from the NBSF); propose formulation methodology	●	○				
2.	Consider and approve proposed area(s) and methodology for policy and strategy formulation					○	●
3.	Procure consultant or identify NBI staff to lead formulation	●	○				
4.	Appoint TWG to oversee formulation	●	○				
Situation analysis							
5.	Carry out situation analysis			●			
6.	Carry out national consultations in riparian countries as part of situation analysis; national consultations will be held under Nile-TAC leadership and attended by broad representation from relevant national sectors, including civil society	●	●	●	○	○	
7.	Prepare the Situation Analysis Report			●			
8.	Review the Situation Analysis Report				●		
Policy analysis and drafting							
9.	Carry out policy analysis			●			
10.	Prepare a draft policy			●			
11.	Review the draft policy				○		
12.	Carry out national consultations on the draft policy; national consultations will be held under Nile-TAC leadership and attended by broad representation from relevant national sectors, including civil society	●	●	●	○		
13.	Revise draft policy to incorporate comments from national consultations			●			
14.	Hold regional workshop on revised draft policy	●	○	●	○		
15.	Prepare a final draft policy that incorporates comments from regional workshops			●			
16.	Carry out preliminary review of the final draft policy				○		
17.	Incorporate comments from preliminary review into final draft policy			●			
Policy analysis and drafting							
18.	Critical review of final draft policy (by Technical Sub-committee of Nile-TAC)	○				●	
19.	Incorporate comments from critical review of draft final policy			●			
20.	Appraise draft final policy (by full Nile-TAC)	○				●	
21.	Approve and adopt policy for use in the NBI					○	●
22.	De-commission consultancy	●					
Application of the policy							
23.	Print and disseminate the policy	●	○				
24.	Apply the policy; develop guidelines, take other appropriate actions	●	●			○	

Key:

● = Primary role ○ = Secondary/supporting role

Cons. = Consultant contracted to develop policy or strategy

TWG = Thematic Working Group

³ For a simple or straightforward policy or strategy, only one round of national consultations may be necessary. In this case, the national consultations will combine the collection of supplementary information on the prevailing situation in the basin with the review of the draft policy. An additional round of national consultations (preceded by major re-writing of the draft policy being developed) may be considered where the general consensus is that the draft policy does not meet, or is far from meeting, the basic needs and expectations of riparian communities and NBI institutions.



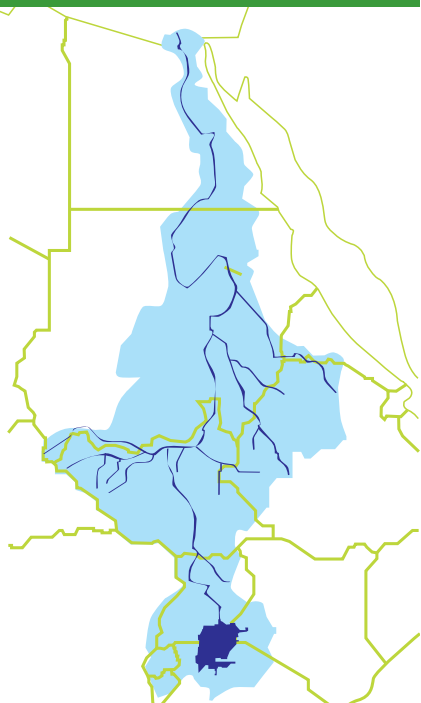
7 Key sustainability issues in the Nile Basin

The following key sustainability issues were compiled from views collected in the riparian countries during consultations on the NBSF, held between September and October 2009.

Sustainability Pillar	Key Issue
Social	<ul style="list-style-type: none"> ● Internal political instability, prolonged disputes and civil wars between ethnic groups; large numbers of internally displaced persons in the riparian countries ● Suspicion, mistrust, tensions and conflicts between riparian countries ● Rising corruption and mismanagement of public funds ● Low political will for environmental management measures ● Limited freedoms, human rights abuses ● Low participation of civil society and other stakeholder groups in transboundary water management ● Women excluded from active and equitable participation in water governance ● High levels of unemployment; unsustainable livelihoods ● Large gaps in income; social and economic inequalities ● Youth, who are largely unemployed and lacking skills, make up a large proportion of the adult population ● High levels of illiteracy ● Inadequate consideration of social impacts during planning and implementation of development projects ● Poor communication and sharing of information on NBI programmes and projects
Economic	<ul style="list-style-type: none"> ● Low levels of socio-economic development; some of the riparian countries are classified among the least developed in the world ● Low regional economic and cultural integration ● Large and rapidly rising human populations in the riparian countries ● High levels of poverty ● Low food security; frequent food shortages and famine ● Low levels of industrialisation ● High incidence of diseases such as malaria and HIV/AIDS ● Sub-optimal development of water resources to support socio-economic development ● Low access to safe drinking water and improved sanitation ● Low development of hydropower potential, low consumption of electricity; low power interconnection and power trade ● Low development of waterways and water transport systems; poor systems for ensuring marine safety ● Inadequate infrastructure for flood and drought management; low per-capita water storage capacity ● Low efficiency of water use in agricultural irrigation; low development of agricultural irrigation potential; lack of modern technology for large-scale irrigation ● Low productivity agriculture; mostly at subsistence level; heavily dependent on unreliable rainfall; little modernisation ● Low agro-processing and value addition ● Low trade in agricultural produce ● Limited development of basin's eco-tourism potential ● Limited role of private sector in NBI activities ● Poor rangeland management; overstocking and over-grazing; poor breeds/ quality of livestock; high incidence of livestock diseases ● Poor rural feeder road systems; low access to markets for rural farmers ● Inadequate disaster preparedness in riparian countries ● Heavy reliance on donor funds for transboundary water resources management; low contribution of riparian countries to transboundary initiatives; lack of clear financing mechanisms to support preparation and implementation of transboundary investment projects within the SAPs ● Low access to micro-credit needed to support rural development

Sustainability Pillar	Key Issue
Environmental	<ul style="list-style-type: none"> ● Increased manifestation of climate variability and change through increasing frequency of catastrophic floods and droughts with devastating impacts across the basin ● Cultivation on mountain slopes, steep hillsides, river banks and lakeshores; poor land-use planning ● Widespread soil erosion and siltation of rivers ● Poor management of solid and liquid wastes ● Deteriorating water quality; increased water and environmental pollution from anthropogenic activities ● Eutrophication of surface water systems ● High incidence of water-borne diseases ● Infestation of open water bodies and waterways with aquatic weeds ● Siltation of dams and reservoirs, silt deposition along water ways and irrigation canals ● Drainage and destruction of wetlands ● Destruction of important ecosystems, rapid decline of biological diversity ● Uncontrolled spread of alien species ● Absence/poorly developed environmental monitoring and reporting systems ● Rapid decline of tree/forest cover; limited reforestation and afforestation programmes in the basin ● Inadequate consideration of environmental impacts during planning and implementation of development projects ● Over-exploitation of fisheries resources; rampant use of illegal fishing gears ● Weak or lacking transboundary elements in national water policies ● Low awareness on Integrated Water Resource Management(IWRM) concepts and good natural resources management practices, especially amongst grassroots communities, thus contributing to unsustainable practices ● Weak policy, legal and institutional framework for transboundary water management ● Weak cross-sectoral coordination and collaboration within countries on transboundary water resources management ● Weak capacity of national-level regulatory authorities; low enforcement of water and environmental regulations ● Low water education and applied water resources research ● Small pool of water professionals; limited interaction between water professionals of the region ● Limited documentation and use of indigenous knowledge in management of water and environmental resources ● Weak/broken down water resources monitoring systems; poor quality water resources data; large data gaps – discontinued measurements ● Poorly developed regional databases and decision support systems ● Weakly developed systems for data and information sharing among riparian countries





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