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NOTIFICATION AND CONSULTATIONS OF DEVELOPMENTS IN THE SHASHE RIVER- DIKGATLHONG DAM

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ENTEBBE, UGANDA

Background On Dikgathong Dam

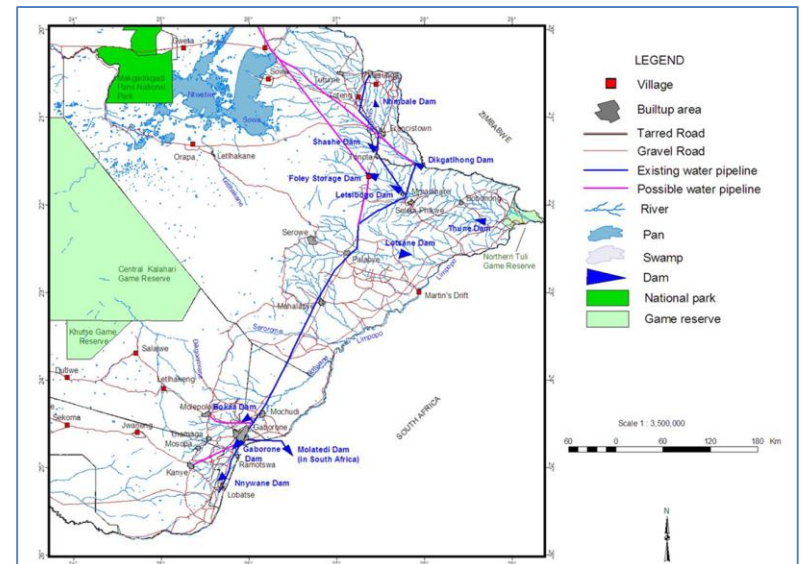
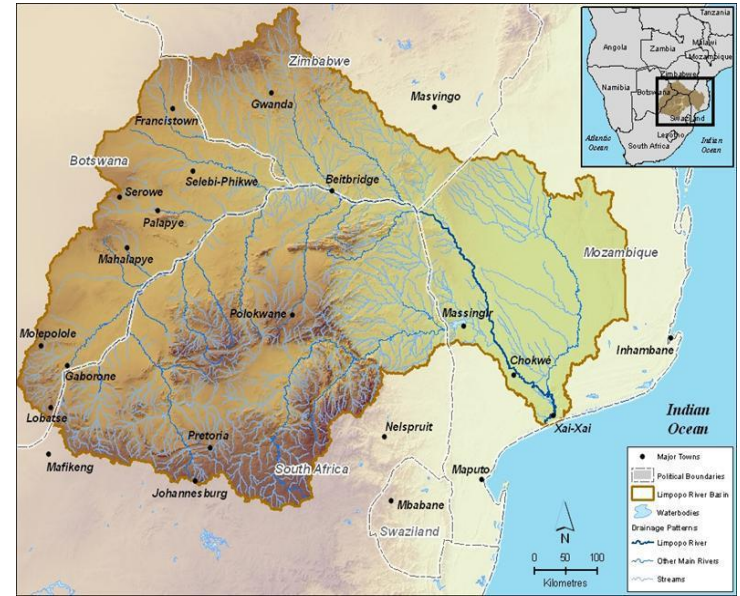
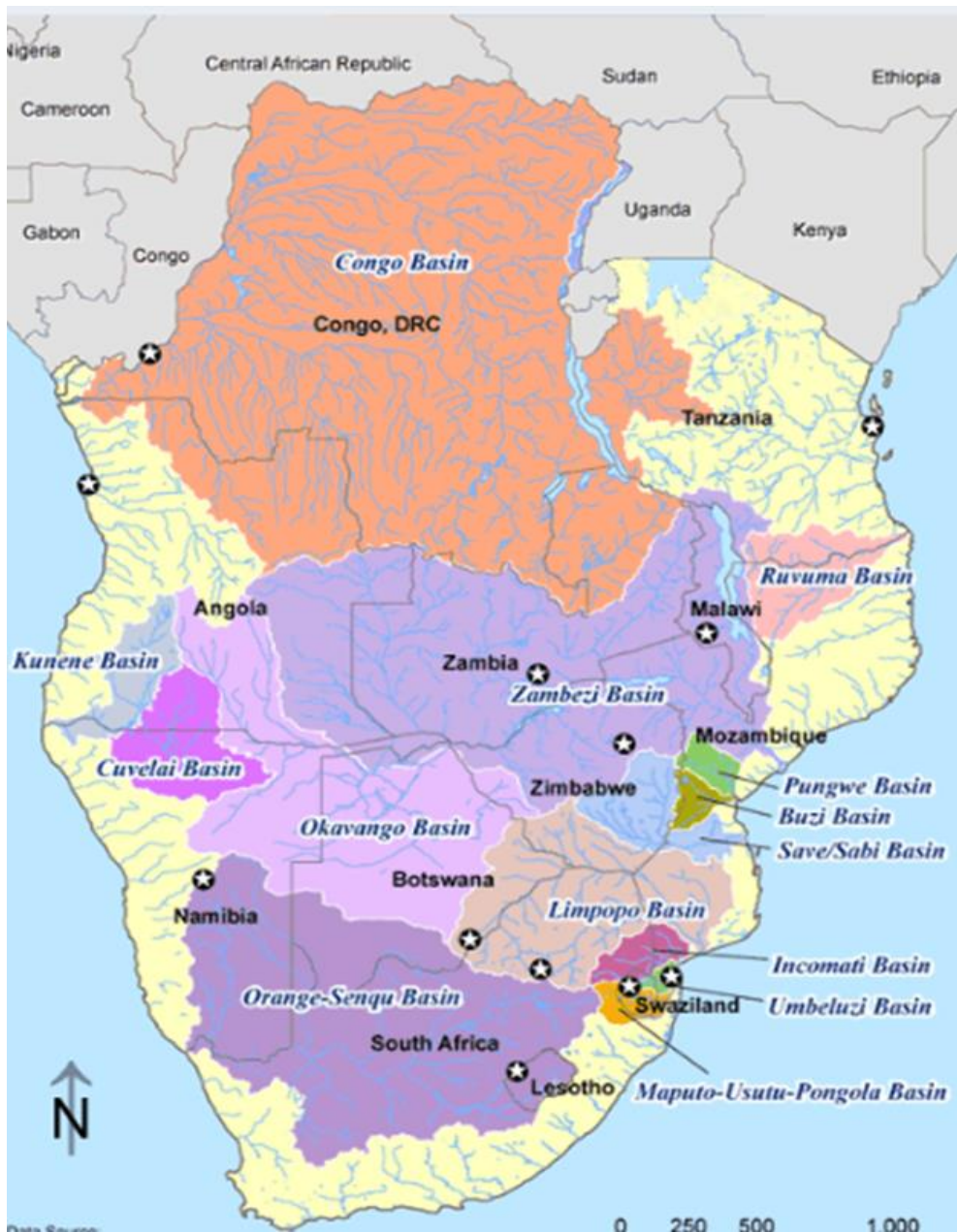


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- The National Water Master Plan (1991) showed that the Southern part of the Botswana will need additional water resources
- Groundwater resources no longer adequate due to low recharge
- Spatially mismatch between economic/population centers and water resources availability
- Unreliable rainfall (250-650mm)
- Drought prone country with recurrence of 1 in 5 to 7 years
- Need for storage development to mitigate against this
- Recourse- Limpopo basin- transboundary – use subject to negotiation (Zimbabwe, Botswana, RSA and Mozambique)
- Dikgathong Dam to supply water to Greater Gaborone (400km away).

Location

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Brief Facts On The Dikgathong Dam



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Catchment Area	-	7810 km ²
Surface Area	-	15.6 km ² (fSL)
Impounds	-	Shashe & Tati Rivers
Total Capacity	-	398 000 000 cubic meters
Height (m)	-	40
Dam type	-	Earth Fill dam with concrete ogee spillway
Construction(years)	-	2010-2012.
Supply Area	-	Greater Gaborone

Existing Legal Framework

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- Revised SADC Protocol on Shared Water Courses (2000)
- Joint Permanent Technical Committee between GOB and RSA (JPTC) 1994
- Limpopo Basin Technical Committee (1986)
- Limpopo River Basin Commission (LIMCOM 2002)
- Local Policies (National Water Policy)

Relevant Articles SADC Protocol

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- Provides the regional legal framework for the management of shared watercourses. It stresses:
 - Equitable and reasonable utilisation [Article 3(7)]
 - Obligation to prevent significant harm [Article 3(10)(a)]
 - **Notification of planned measures [Article 4(1)(b)]**
 - Ecosystems approach [Article 4 (2)(a)]

Notification & Consultations

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- Notification through JPTC in 1994
- Notification through LBPTC in 1995
- Disagreement on dam and its impacts
 - Hydrology of the basin
 - groundwater quality
 - Environmental water requirements
 - Adequacy of information
- Further consultation through LIMCOM (post 2003)
- Consent given in 2006 and Botswana given the green light to construct the dam

Challenges

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- Timely notification- when?
- Notification on measures with “significant adverse effects” .
Definition of significant
- Provision of EIAs to riparian's – no defined format on EIA and different
- No implementation without consent – this may prolong the project and even increase the cost of the project
- Information asymmetry between parties
- Perceived power asymmetry and geopolitical differences
- Varying capacities – both human financial
- The number of planned measures- one big measure attract attention as opposed to small ones which cumulatively may bring more harm .

Opportunities /Lessons Learnt On Notification



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- SADC protocol provides a guide on how to carry out notification but need to be improved
- Process may be long but at the end it encourages consent to avoid conflict.
- Need for harmonization of policies within the region
- Data sharing /information sharing
- Self interests inevitably creeps in but this can be managed if discussion are based on common understanding of the basin.
- Capacity building on broader transboundary water resources management and IWL
- The establishment of LIMCOM provide opportunity for joint management of the basin



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Thank you