NOTIFICATION AND CONSULTATIONS OF DEVELOPMENTS IN THE SHASHE RIVER- DIKGATLHONG 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 are no longer adequate due to low recharge.

Spatial 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).

Dikgatlhong Dam to supply water to Greater Gaborone (400km away).
**Brief Facts On The Dikgatlhong Dam**

<table>
<thead>
<tr>
<th>Brief Facts</th>
<th>Details</th>
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<tbody>
<tr>
<td>Catchment Area</td>
<td>7810 km²</td>
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<tr>
<td>Surface Area</td>
<td>15.6 km² (fSL)</td>
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<tr>
<td>Impounds</td>
<td>Shashe &amp; Tati Rivers</td>
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<tr>
<td>Total Capacity</td>
<td>398 000 000 cubic meters</td>
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<tr>
<td>Height (m)</td>
<td>40</td>
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<tr>
<td>Dam type</td>
<td>Earth Fill dam with concrete ogee spillway</td>
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<td>Construction(years)</td>
<td>2010-2012.</td>
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<tr>
<td>Supply Area</td>
<td>Greater Gaborone</td>
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Existing Legal Framework

• 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

• 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

- 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
- 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

- 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
Thank you