

## **An Assessment of the Parallel National Action Model as a Possible Approach for the Integrated Management of the Okavango River Basin**

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### **Introduction**

Managing a natural ecosystem such as a river presents a range of compromises and challenges, seeking to balance the need for development with the desire to protect the long-term environmental integrity of the system. The situation is compounded when the river crosses political boundaries – necessitating coordination between people with different goals formed because of different pressures acting on them. In the case of the Okavango River the situation is exacerbated by the instability the region has experienced over the past 30 years (Porto & Clover, 2003; Turton, 2004a; Turton & Earle, forthcoming). The development of a common vision between different stakeholders within a country needs to be carried out in consultation with stakeholders in the other basin states. The problem is that there is not a common forum through which this collaborative management can take place. People frequently feel alienated by the concept of the “state” – in some cases finding it easier to identify with people living across the border, on the other side of the river (see Map 1), than with institutions based in the capital city. This is particularly relevant in the Okavango River Basin where parts of the basin have been a theatre for the Cold War for many decades (Ashton, 2000; Ashton, 2001; Ashton, 2003:168-169; Porto & Clover, 2003; Turton, 2004a; Turton & Earle, forthcoming) and where massive social upheaval has been the result. A supra-national body for the management of the Okavango River is therefore not considered suitable under these conditions, particularly when sovereignty has been paid for with a high blood price and is thus jealously guarded by newly independent states (Turton, 2002; Turton & Earle, 2003a).

Instead of supranationality as a possible approach, what is needed is a change in the behavioural codes between states as well as between non-state actors, because this does not challenge state sovereignty. The Parallel National Action (PNA) approach attempts to do this, not through the creation of one overarching organisation threatening the sovereignty of the state, but through the creation of a system of networks and fora for the sharing of ideas, knowledge, goals and concerns. This paper describes the concept of PNA as it evolved in the Nordic States prior to integration with the European Union (EU). It also reports on various developments of the core idea of PNA as it might be applied to integrated management of a transboundary resource in an African context, along with the outcome of a discussion about a possible model for PNA by various Okavango Basin stakeholders at a series of project workshops.

### **Challenges to Conventional Management and Supranational Organizations.**

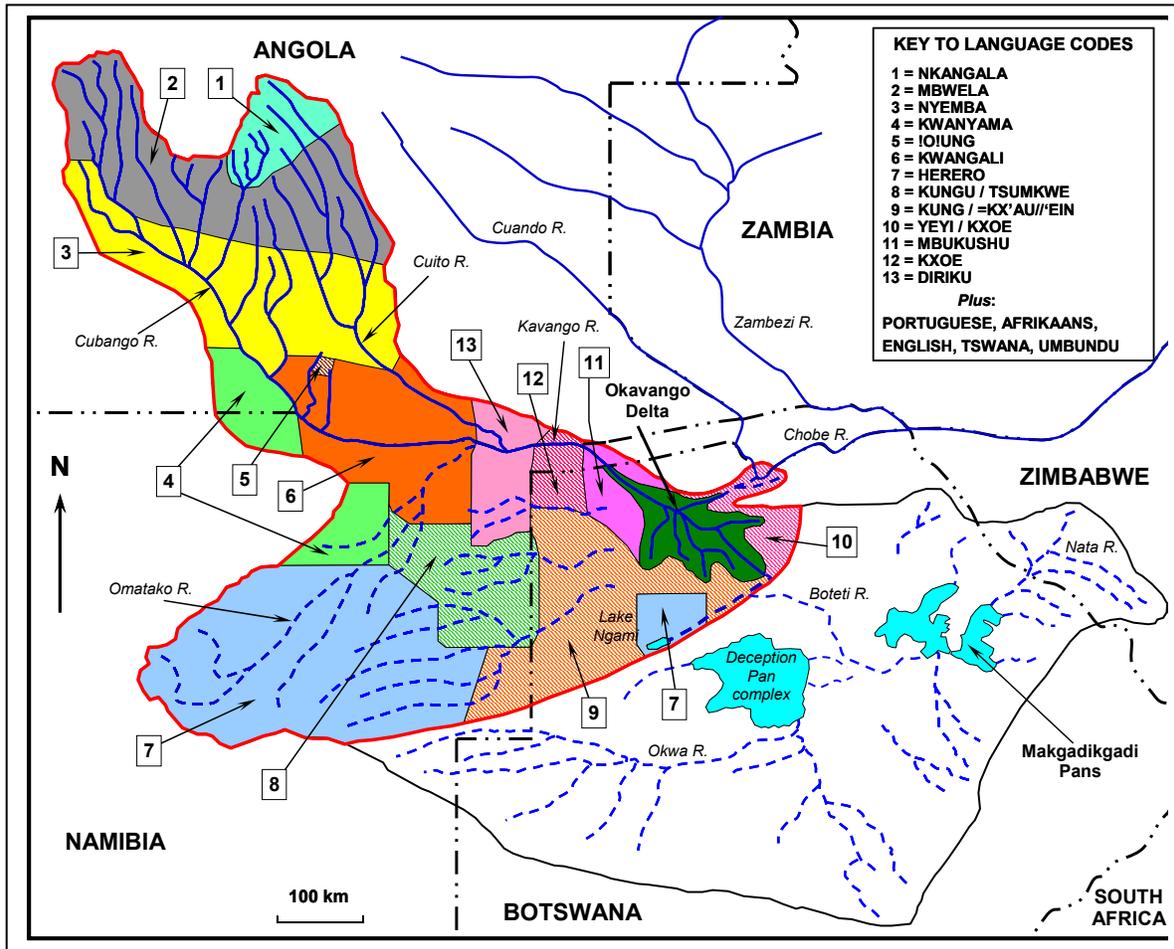
The “nation-state” is a rare entity. Defined by Connor (1978) as a “territorial-political unit ... whose borders coincide or nearly coincide with the territorial distribution of a national group”, the nation-state is more commonly a goal or aspiration of the largest population group within the political unit, rather than a homogenous social or cultural entity. Modern states are composed of a range of groups with different languages, cultural norms, religious beliefs and economic aspirations. These groups have been brought together in one state for a variety of historical, political or geographic forces.

In Africa the predominant state formation vehicle was the process of colonization by the European powers of various parts of the continent. Territories were delineated, either in the capitals of Europe, or on the battlefield in Africa. The states resulting from this process were formally recognized by the inaugural meeting of the Organisation of African Unity (OAU) in 1964, where a decision was taken not to change any of the existing borders. The net result is that countries in Africa are, to a greater degree than other parts of the world, an amalgamation of various disparate population groups with little pre-colonial history of cooperative governance. Similarly, several population groups have been split up and found themselves separated by a border, even though they share a common heritage and language. This situation has caused some authors to develop the concept of a “state-nation” or a “part nation-state) instead (Buzan, 1991:73-78). In this regard a state-nation refers to the condition that exists when the state plays an instrumental role in creating the nation, rather than *vice versa* as in the case with the nation-state.

One of the issues prevalent in southern Africa is that rivers were often arbitrarily chosen by colonial governments to serve as borders between their respective territories. Due to the predominantly arid climate and low rainfall to runoff ratios of the region (O’Keeffe *et al.*, 1992:281), most rivers have relatively small average annual flows. Where a river may present an obstacle to movement in many parts of the world and thus form a natural barrier, the rivers of southern Africa tend to unite people instead. Large rivers are well suited to navigational uses, but small rivers allow the movement of people and goods across them, with the aim of accessing resources in another part of the region. Over time various groups of people settle on either bank of the river and start interacting with groups on the opposite bank. Integration slowly takes place with a sharing of customs, beliefs and language over time. The coexistence of the groups on opposing banks of a river is characterised by frequent interaction, either in the form of trade, access to resources, religious ceremonies or social events such as weddings. Today’s legacy of this cross-border interaction is that communities will often feel that they have more in common with the people on the opposing bank of the river, albeit in another country, than with their fellow-citizens in the capital city.

This situation has been observed by the authors of this paper on field visits to the Okavango, Zambezi and the Chobe river basins. While accompanying a traditional leader from the Kwando/Cubango province of Angola on a visit to Rundu in the Kavango region of Namibia, it was noted that he spoke the same language as the community he met with. This occurred notwithstanding the fact that the Angolan traditional leader comes from the town of Menongue, about 300km north of Rundu, deep inside Angolan territory. However both towns are in the Okavango basin. In Botswana the villages in the Chobe enclave have

a Kgosi (Chief) related to the Hompa (Chief) across the Chobe River in Namibia, with the two sharing the surname of *Sim(n)vula* (pers comm. Masule, 2004).



Map 1. Language distribution in the Okavango River Basin showing the many shared languages and cultures that exist across the international border, when that border is defined by the river (Ashton & Neal, 2005).

People in the southern African region frequently feel alienated by the concept of the state – identifying little with the values and aspirations espoused by politicians and government officials. In fact, nation-building is a core strategic need for many of the Southern African states. Allegiance, bonds and responsibility tend to be strongest at the local level, with management based on networks of trust operating within and between communities. Without these networks of trust, people are often socially paralysed and consequently unable to act effectively (Goldin, 2004). It is therefore important to incorporate these local networks into the management of natural resources, instead of adopting a purely “top-down” approach driven by the central government. This approach is consistent with the Every River Has Its People Project (ERHIP) in the Okavango River Basin.

Taking this core argument a step further, regional (inter-state) integration is often based on the notion of a “supra-state” (EU, SADC etc), often referred to as “supranationality”. When the region concerned is populated by state-nations rather than nation-states, as in the case with most of the Southern African Development Community (SADC) region, it is unlikely that people will feel allegiance to such a structure above the state. In fact, some evidence

exists that states might actively resist what they perceive to be a creeping erosion of their sovereignty (Turton, 2002). It is for this reason that there are no true River Basin Organizations (RBOs) in the SADC Region, despite the fact that the *SADC Protocol on Shared Watercourse Systems* (and its' amendment), call for the creation of such institutions (Ramoeli, 2002). This is consistent with the recent finding that within the context of SADC, sovereignty matters (Halcro-Johnston *et al.*, 2004:67). What exists instead are a series of River Basin Commissions (RBCs), each with limited focus, none of which have supranational aspirations or responsibilities. This is at odds with the fact that much of the regional integration and cooperative management of transboundary resource approaches have been based on some sort of supranational structure being developed.

This lack of popular support for supranational structures coincides with great importance placed on sovereignty by the newly formed states in the region. In many instances independence from colonial domination has been attained through a struggle for liberation, a memory indelibly etched on the world-view of those involved in governing such states. Sovereignty is seen as being important and is defended for fear of the consequences of giving it up. The popular resistance towards power being shifted away from the local level, in combination with the desire for sovereignty of the governing elites, precludes any meaningful absorption of individual states into a supranational structure. Thus what is required is not the replacement of the state by a larger supranational structure, but rather changes in the way actors within the state (at all levels from community to government) interact with their counterparts in neighbouring states.



*A Russian T54/55 battle tank lost in a minefield in the Okavango River Basin in Angola as evidence of the Cold War. The blood price paid for independence means that many African states jealously guard their sovereignty and resist supranationality.*

The Okavango River basin is no exception. All of the basin states - Angola, Namibia and Botswana - have been involved in the political instability that characterised the region in the final three decades of the 20<sup>th</sup> century (Turner, 1998; Turton, 2004a). Angola, having recently emerged from a 28-year civil war, faces great internal challenges to integrating people as part of the modern state (Porto & Clover, 2003). Due to the prevalence of landmines in southern Angola, the headwaters of the Okavango River, communities are more or less isolated from the outside world. Residents of the town of Calai in Angola on the banks of the Okavango River cross the river to do their shopping in Rundu in Namibia. They are not connected by a road or rail network to the rest of Angola. The oral histories of tribes living along the banks of the Okavango River in Namibia focus on their movements towards and then along the river, following various tracks to arrive at their current location. Little is mentioned about becoming part of the country of Namibia, which gained its independence 14 years ago in 1990.

### **The Parallel National Action Approach as a Policy Vehicle<sup>1</sup>**

Originally described by Nielsson (1990) as it applied to Scandinavia prior to the inclusion of the respective Nordic countries into the EU, PNA has been applied to an analysis of the Southern African water sector by Turton (2002), to an analysis of the Okavango River Basin by Turton & Earle (2003b), and to the environmental sector in Central Africa by Braid (2003a; 2003b) and Braid & Turton (2004). In essence PNA as an approach seeks to develop and apply policy that is appropriate and sustainable in a multi-country setting. As such it is a way that states can structure the anarchy in which they find themselves when it comes to dealing with neighbouring (co-riparian) states. It aims to strengthen bonds between states, leading to the pooling of skills and resources and the harmonization of policies between states to mutual benefit. It achieves this without trying to replace the state with a larger regional structure and is not embodied in treaty form. It does not try to fuse the constitutions of individual states into one, so it recognizes sovereignty and does not challenge it at any point in time.

According to Nielsson (1990:102) there is a need to redirect the focus within regional integration studies away from the concentration on political structural transformation leading to the replacement of several states by a larger regional state, to a focus on the change in behavioural codes of conduct among existing states. This is highly relevant to the study of hydropolitics at a national and regional level, particularly where inter-state interaction is characterised by the lack of trust and a high conflict potential, as in the case of the Okavango River basin. The trend in regional co-operation and integration suggests that Parallel National Action (PNA) might be highly relevant as a model by which to capture the expanding scope of social, economic and political integrative behaviour that is unaccounted for by Neo-Functionalist theories, which tend rather to focus on structural transformation instead (Nielsson, 1990:104).

The focus becomes the behavioural manifestation of an identical and possibly co-ordinated set of actions, performed by national actors, without the use of supranational decision-making bodies (Nielsson, 1990:78) as occurs under conditions of structural anarchy. The *Amended SADC Protocol on Shared Watercourse Systems* is conducive to this type of approach as it has no supranational capability, while devolving the authority and

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<sup>1</sup> This section is largely sourced from Turton & Earle (2004).

responsibility for initiating policy-related actions down to the relevant state actors. Significantly, the type of behavioural code that is embodied within the concept of PNA, is not ratified in a treaty form. This acts to allay the fears that national sovereignty is being eroded (Nielsson, 1990:87). In fact, within such a model, there is no room for a trans-national organization to promote an ideology based on the notion of political unification (Nielsson, 1990:82). The focus instead, is on the acceptance of the existing state structures. Efforts remain concentrated on the least politically controversial issue-areas, such as shared water resources and the common problem of regional water scarcity. In the Okavango Basin, countries have been engaging in cross-border cooperative efforts to ensure a joint approach to river management and monitoring. This arose from a need to understand river systems as a whole and to assess what would comprise a “reasonable and equitable share” for each state (Taylor & Bethune, 1999). This has been made possible through the outbreak of regional peace at the end of the Cold War, accompanied as it was by a transformation of the Southern African Development Coordination Conference (SADCC) as an anti-apartheid structure, into the Southern African Development Community (SADC) as an integrating structure instead (Baynham, 1989:88; Conley & Van Niekerk, 1998:145; Geldenhuys, 1984:41; Pallett, 1997:70; Turton, 2004a:259-260 & 281).

The essence of a PNA model is the maintenance of autonomous state authority as a fundamental point of departure (Nielsson, 1990:78). There are consequently no expectations of a subsequent regional political unification. What could happen, however, is a political integration in the behavioural sense when states adopt common or similar Foreign and Domestic Policies, as the result of continuous consultation, joint investigation and common deliberation, which becomes a constant factor in the national decision-making process.

There are three fundamental principles of PNA as a model that makes it worthy of further evaluation as a potential hydropolitical decision-making model for OKACOM, and possibly even for other River Basin Commissions (RBCs) within the Southern African Hydropolitical Complex<sup>2</sup>. These principles are (Nielsson, 1990:79):

- The rejection or avoidance of any attempts at constitutional fusion between the participating states.
- The sanctity of maintaining autonomous state structures as the unalterable basis of regional integration in areas of low politics (such as water).
- Deliberate exclusion of high politics from regional processes, with a normative pattern based on consensus and pragmatism.

The emphasis is placed on the common will and the ultimate benefit of joint effort to the advantage of the region as a whole. This entails a paradigm shift away from a state-centric model based on national self-sufficiency, towards a form of cooperative approach based on holistic thinking, but without the underlying desire to replace the sovereign integrity of the state with an overriding supranational sovereignty. The dominant value is that the whole is bigger than the sum of the constituent parts. A regional effort in policy-making on issues of common concern is likely to be more effective and successful than action taken by smaller

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<sup>2</sup> Refer to Turton (2003a:155), Turton (2003b) and Turton & Ashton (2004) for more details of this concept.

entities in problem solving. This provides for the limited capacity of certain states by addressing social resource scarcities that hamper the development of RBCs in southern Africa. It is also a given that issues such as migration, famine and economic development, can only be effectively solved through collective efforts in arid regions. (Turton *et al.*, 2002).

Within the Scandinavian context, the process of PNA has led to the pooling of resources, skills and scientific research, contributing to collaboration on a range of issues in the region, including legal codes, trade regulations, patent & copyright laws and the functioning of trades union (Nielsson, 1990:102). This is significant in the Southern African context, as it is precisely these elements that are needed in the hydropolitical arena. Because such a process is based on consensus and unanimity in all substantive decisions, it implies that a lot of consultation needs to take place prior to the final decision being taken. The PNA process is flexible in this regard. Typically, the type of meeting or decision-making forum needed is based on the matter at hand (Nielsson, 1990:89). This results in either a formal or informal discussion being held. To facilitate the process, and in keeping with the fundamental principles, there is a rather unique mechanism known as the Contact Person System (Nielsson, 1990:84-5). This consists of the following components that are relevant to OKACOM:

- A senior civil servant is appointed as the Contact Person (CP) in each relevant ministry.
- This results in a form of elite consensus-building in technical areas of relevance.
- An effort is made to harmonize the laws in each state, only after a period of considerable consultation and consensus-building.
- The reason why the PNA model is considered to be relevant is because it has many elements that are compatible with the creation of OKACOM, as the organisation was not created to manage the river independent of political input, but rather to advise the governments of the member states on possible actions and associated consequences.
- The existence of a number of international treaties, all of which have been signed and ratified by the various states riparian to the Okavango, and all of which impose existing obligations and duties other than those traditionally specified by the OKACOM Agreement (1994) and the *Revised Protocol on Shared Watercourse Systems in the SADC Region*. These include the *RAMSAR Convention on Wetlands of International Importance*, the *United Nations Convention on Biological Diversity (UNCBD)*, the *United Nations Convention on the Law of Non-Navigational Uses of International Watercourses (UNCSW)* and the *United Nations Framework Convention on Climate Change (UNFCCC)* (Ashton & Neal, 2003:41-48).

In terms of the PNA model, the Ministers co-ordinate the policies at the highest level (Nielsson, 1990:89) within each relevant ministry but across national borders, without attempting to fuse the ministries into a supranational structure. The Scandinavian model starts off without fixed long-range political goals by initiating investigations and

consultations from which it proceeds to deliberations and recommendations (Nielsson, 1990:79). To this end, the primary tasks of the Nordic Institutions are to initiate, investigate, deliberate and recommend proposals through a series of fora such as conferences etc. Co-operative agreements are then implemented through the process of PNA in the form of adopting identical laws and regulations in the agreed-upon issue-areas. This is compatible with both the *Amended SADC Protocol on Shared Watercourse Systems* and the current thrust of the OKACOM Agreement (1994). The PNA approach can be Africanized in such a way as to take the best aspects from the approach – the fact that it is designed to strengthen institutional capacity while seeking to harmonize policy and law in the respective countries – and to strengthen the core function of OKACOM – managing the Okavango River in a sustainable and equitable way.

It is noted that PNA needs an intensive and extensive institutional network that focuses primarily on objectives that are narrow in scope (Nielsson, 1990:81). This, of course, poses difficulties for a state such as Angola, emerging from a civil war where many of the social institutions necessary for interaction with peers in other states are either not functional or simply do not exist (Porto & Glover, 2003). In the final analysis it is the behavioural code of conduct that is adopted in these patterns of interaction that forms the normative basis of PNA (Nielsson, 1990:80) as a model for regional co-operation. To this end, one of the inherent assumptions held by the architects of SADC is that a strong supra-national body (along the lines of the European Union) might be the only alternative to achieve sound management of various international river basins due to the lack of financial resources and skilled manpower – a condition that still exists today (Halcro-Johnston *et al.*, 2004). The authors are of the opinion that the tacit fear of supranationalism that is evident within the majority of RBCs in the SADC Region will undermine these efforts. It is precisely the normative dimension of the PNA model that counters this supranationality, which is likely to create the trust needed to eventually create strong national-level institutional capacity.

In essence PNA strives to achieve four core objectives (Turton, 2004b; Turton & Ashton, 2004:63-64):

- Institutional strengthening is achieved through the commitment to understanding policy-making processes in order that support can be given by developing appropriate institutional arrangements. In many developing countries such as those found in Southern Africa, institutions are weak, with this aspect becoming a major stumbling block to the development of coherent and viable policy (Halcro-Johnston *et al.*, 2004).
- Encouragement of communication both vertically and horizontally within institutions. Vertical communication refers to the way that policy is developed within the national borders of the sovereign state concerned. As such it seeks to harmonize local grass-roots structures with provincial and national-level structures in an attempt to improve the coherence of the policy by marrying the bottom-up needs with what are often top-down technocratic solutions. Horizontal communication has two distinct sub-components to it. At the national and sub-national level, horizontal communication focuses on establishing linkages with other government departments, special interest groups and governance structures as appropriate to the integrated management of a fugitive resource like water. This seeks to link for example the Department of Agriculture to the Departments of the Environment, Water, Industry and Tourism in a way that makes the management of water more streamlined and effective. At the international level horizontal

communication focuses on establishing linkages with similar government departments in neighbouring co-riparian states.

- Harmonization of policy is the stated objective of these initiatives. The word harmonization is very important in this regard because it recognizes that each state has the right to make policy and legislation in response to the specific mandate given by the electorate within that country. Harmonization therefore seeks to make the policy as compatible as possible, without making it totally seamless or homogenous. This allows for differences where appropriate, while striving to reduce those differences as much as possible. PNA therefore tries to establish the lowest common denominator first and then roll this out progressively over time, by increasing the area of overlap and by reducing the area of incompatibility in an iterative but systematic manner.
- State sovereignty is recognized at all times and is never challenged. This is a core principle of the PNA approach, so there is never any stated attempt to fuse together national departments, or to promote regional integration to the point of merging two (or more) countries into one new sovereign entity. This is an important aspect for the newly-independent states of Southern Africa, many of which have paid for that independence with a high blood price and all of which jealously guard their newfound sovereignty (see Turton, 2002b; Turton & Earle, 2003).

### **The Development of PNA as a Possible Policy Vehicle in the Okavango Context**

With the above challenges to conventional management approaches in mind, and with a hypothesis that PNA could possibly provide an alternative model for collaborative management in the Okavango context, the concept was presented to a range of basin stakeholders at the Windhoek, Namibia Sharing Waters Project workshop in March 2004. Stakeholders included OKACOM Commissioners, basin-community representatives, traditional leaders, members of parliament (Namibia), representatives from the departments dealing with water affairs and environmental issues in each of the basin states and regional NGO and research organisations. After a presentation on the concept and components of PNA, these stakeholders held group discussions focussed around the following questions:

- Is PNA a system worth pursuing for Okavango development?
- What is the structure of the model – what does it look like?
- Who is involved – which ministries, which civil groups, which tier(s) of government?
- How do they interact – are there regular meetings?
- Where would CPs be located and how would they be appointed?
- What is the role of OKACOM?
- Should there be a formal treaty or agreements by the countries?

After workshopping these questions, some valuable elements emerged from the plenary session. It was felt that PNA, to some extent, already exists in the basin (see Figure 2), albeit in rudimentary form. This is exemplified through the Every River Has Its People Project (ERHIP), in which communities from all three basin states living next to the river have been involved in forming the Okavango Basin Wide Forum (BWF). This operates in parallel with OKACOM and has had interaction with the respective Commissioners at various events. There has also been collaboration between government technical

representatives managing and conserving shared watercourses in the region. These include joint river gauging exercises, biological control of the *Salvinia Molesta* aquatic weed in the eastern Caprivi region, collaboration on education programmes to reduce the spread of invasive alien plant species and the application of biological monitoring techniques (Taylor & Bethune, 1999). Other cooperation has been fostered *via* the SADC Strategic Regional Action Plan for IWRM (RSAP-IWRM) (Halcro-Johnston *et al.*, 2004). For example, fora such as the Southern African Regional Commission for the Conservation and Utilisation of the Soil (SARCCUS), allowed contacts to be established between the technical staff of the various departments of water affairs in the years preceding Namibian independence.

| PNA Element                                                                             | ERHIP & BWF | OKACOM | ODMP | Inter-Ministerial Commission in Angola | SADC |
|-----------------------------------------------------------------------------------------|-------------|--------|------|----------------------------------------|------|
| Sharing of data or information                                                          | ✓           | ✓      | ✓    | ✓                                      | ✓    |
| Pooling of skills and resources                                                         | ✓           | o      | o    | ✓                                      | o    |
| Harmonisation of national policies between states                                       | x           | ✓      | x    | x                                      | ✓    |
| Harmonisation of sectoral policies within states                                        | x           | o      | ✓    | ✓                                      | x    |
| Form of "contact person" system                                                         | ✓           | ✓      | ✓    | ✓                                      | o    |
| Consensus based decision-making                                                         | ✓           | ✓      | o    | ✓                                      | x    |
| State and non-state groups interact                                                     | ✓           | x      | ✓    | x                                      | o    |
| Promotion of several channels of communication – both within as well as between states. | ✓           | ✓      | ✓    | ✓                                      | ✓    |
| Promotion of institutional links between countries                                      | ✓           | o      | x    | x                                      | ✓    |
| Does NOT promote a "supranational" decision making structure                            | ✓           | ✓      | ✓    | ✓                                      | x    |
| Does NOT have long-term political (unification) goals                                   | ✓           | ✓      | ✓    | ✓                                      | x    |

✓ = element currently evident, o = element is an explicit goal, x = element absent

Figure 1: Elements of PNA amongst organisations and projects in the Okavango Basin

The recently-formed *Inter Ministerial Commission* in Angola brings together the ministries of Water & Energy, Fisheries & Environment, Agriculture and Rural Development to coordinate the management of water resources in the country. The aim is to promote data-sharing between the various ministries with an involvement in water affairs, as well as the harmonisation of national level policies and activities to prevent duplication and possible points of conflict. The *Inter Ministerial Commission* is supported by a Multi-sectoral Technical Group, comprised of technical staff from the relevant ministries and tasked with implementing joint programmes. The *Inter Ministerial Commission* reaches decision through consensus, with these decisions being binding on the parties involved.

The PNA approach provides a platform that could be built on for future cooperation. Although the model already exists in rudimentary form within the basin, it needs to be strengthened as it is not operating as effectively as possible. Development and management of resources is still taking place in a largely uncoordinated fashion, with the various water

users and stakeholders frequently unaware of actions and consequences upstream or downstream of them. For example, the Namibian Government has embarked on the Green Scheme to encourage small-scale farmers to enter the commercial farming market in a series of partnerships with established commercial farmers. Many of the farms involved in these schemes are located along the banks of the Okavango River in Namibia and draw water for irrigation from the river, as well as producing return flow that contains raised levels of phosphates, nitrates and chemicals typically associated with farming activities. These types of activities can have an impact on efforts to maintain the ecological health of the delta.

Under the proposed PNA approach OKACOM could serve as a platform through which the various policies and development plans can be harmonised, both between countries and within countries, so that one government department works in harmony with another government department. Delegates proposed that the role of OKACOM could be to:

- Define policy.
- Promote stakeholder interaction.
- Scrutinise & harmonise programmes of the various government departments.
- Develop and implement a basin management plan.
- Develop a common vision and management strategies which guide member states.

| Management Level | Focus Area                                             | Institution                                             | Individual members                                                                                       | Links |
|------------------|--------------------------------------------------------|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-------|
| Interstate       | Sovereign issues – focal point for common basin vision | OKACOM                                                  | Commissioners (appointed by national parliaments)                                                        |       |
|                  | Planning and management of basin activities            | Technical Committee (OBSC) – Angola, Namibia & Botswana | Technical staff from the various water departments of each country                                       |       |
|                  | Coordination between government departments            | Policy Harmonisation Unit - CP system                   | Representatives from departments of Energy, Environment, Health, Agriculture & Tourism etc.              |       |
| Sub-basin        | Sub-sovereign district issues                          | Council of Provincial Governors                         | Provincial or district government representatives (from each country) and civil society representatives. |       |
| Villages         | Local development needs                                | Basin-wide Forum                                        | Community representatives, such as traditional leaders, from each of the basin states.                   |       |

Denotes formalised relationship     
 Denotes a less formal interaction

Figure 2: Possible Structure for a PNA Approach in the Okavango Basin Based on Current Institutions and Activities.

OKACOM operates at the inter-state level, dealing with sovereign issues between member states (see Figure 2). In this regard state interests are protected because OKACOM is not vested with powers to make unilateral decisions, and is forced to take back any substantive

decision impacting on sovereignty to the respective national government concerned. This means that the respective governments always retain full control, which suggests that they are more likely to be positively disposed towards a cooperative spirit. Development and planning that affects the whole basin would be discussed at this level, institutionalising any potential disputes between states, which is a core function for conflict mitigation to occur (Turton, 2003c). It serves as an advisory body to the governments of the member states and would only embark on a particular course of action with consensus from the parliaments of the member states, as is the case at present. The Commissioners (three from each basin state) each hold the rank of Director or higher in their respective water or environment sectors and are appointed by their national governments (Taylor & Bethune, 1999).

The Technical Committee from Figure 2 could be based on the existing Okavango Basin Steering Committee (OBSC), dealing with the hydrology, water quality and environmental functioning of the Okavango River. The OBSC is comprised of technical experts from each of the basin states, nominated by the OKACOM Commissioners. It is at this level that the day to day management of the basin takes place, with OBSC members responsible for developing and implementing projects and liaising with donor partners.

Working closely with the OBSC is the Policy Harmonisation Unit (PHU) - the embodiment of the Contact Person (CP) system of PNA. Representatives of the various other government departments involved in, or impacted by activities on the Okavango River, such as the agriculture, health, tourism, environment, energy and housing, interact with the OBSC members through formal meetings as well as by informal contact - either face to face or electronically. These contacts build on those already established between the technical representatives of the various countries through various regional and international fora such as SARCCUS and the Global Water Partnership (GWP). The idea is to open up as many channels of communication as possible, building redundancy into the system, so that if one channel is blocked for any reason, there are several other options left open. For example, if a person in the Department of Water of Botswana needs information about agricultural activities in Namibia, they can approach the member of the OBSC in their Department of Water Affairs to get into contact with the OBSC person in Namibia. Alternatively, they could choose to approach the CP in the Botswana Department of Agriculture to approach their counterpart CP in Namibia's Department of Agriculture.

The OBSC and the PHU will aim to harmonise the various activities planned on the river, avoiding duplication as well as minimising malign impacts from one activity on the overall basin vision. The goal is not to have one overarching legal system controlling the management of the river, but rather to ensure that the legal and planning systems of the various states operate in harmony and become similar over time. This is possible once the efforts to harmonize water policy already initiated by the SADC Secretariat Division of Infrastructure and Services (DIS) reach a point where they can be rolled out (Halcro-Johnston *et al.*, 2004:4).

At the sub-basin level there could be a Council of Provincial Governors (CPG), formed from the various provinces or regions represented in the basin (one in both Botswana and Namibia and 5 in the case of Angola). This could build on the existing work being done by ERHIP, specifically with the establishment of the Basin-wide Forum. The CPG would articulate local needs and formulate ways to integrate these with the overall basin development vision. There could be a formal linkage to OKACOM, with representatives of

the CPG becoming members of OKACOM at some point. In addition to the Governors or Councillors of the respective provinces or districts, the CPG could have representatives from the Basin-wide Forum and other civil society, private sector, church groups and NGO groups from the region as a formal part of it. Interaction between the various members of the CPG would be through occasional formal meetings and also through informal discussion groups, electronic communications and members meeting in a variety of other local, regional and international events.

The Scandinavian PNA process includes five main steps (Nielsson, 1990):

- **Initiating:** participating groups table issues in a meeting.
- **Investigation:** *ad hoc* committees are chosen to investigate an issue.
- **Deliberation:** by standing committees representing the various groups.
- **Recommendations:** to high-level civil servants or ministers of the involved states, after which it is debated in the national parliaments.
- **Implementation:** bringing national laws within and between countries in line with each other.

In the Okavango context a similar process could be followed. Issues could be tabled and debated, with people being encouraged to voice their concerns and desires. The CPG can make a decision to further investigate issues through the appointment of an *ad-hoc* committee (comprised of members of the relevant parties) to make recommendations. If these recommendations are deemed sufficiently important and are supported through consensus by the group, representatives of the CPG will present them to the OKACOM Commissioners. A similar process of investigation and deliberations within OKACOM - involving the OBSC and the PHU - would commence at this time. Use would be made of the CP system to gain an understanding of an issue and to garner support for a cause within a specific country. Once a consensual decision has been made the OKACOM Commissioners would present it to their respective national governments in parliament. There it will be deliberated and debated further and either rejected or accepted for enactment and implementation. The important aspect is that total control would be retained over sovereignty at all times, and higher levels of cooperation would be possible without eroding this sovereignty in any way.

Overall, the system would be *extensive*, in that a large range of actors are involved (thereby increasing the level of consensus across various issues), as well as being *intensive*, as there would be many steps to go through. This has implications for time and costs, but does make an outcome inherently more stable and sustainable as a greater range of stakeholders have had the opportunity to give input. Activities of the CPG would be funded on the local level, with the bulk of costs incurred attending meetings would be borne by the organisations and individuals involved.

Additionally, states would not feel that their sovereignty is being threatened, as they hold the final veto over all decisions. Issues affecting their sovereignty would be decided on by the states, but lower level sub-sovereign issues would be managed by OKACOM through the OBSC with input from the PHU. The long-term objective would be to cascade management issues down to the CPG for management at the sub-basin level, generating more interest and support on a local level. Findings in the Rhine Basin suggest that there is

an inverse relationship between the level of cooperation and the degree of sovereignty involved, with sub-sovereign issues receiving the highest level of cooperation in the shortest space of time (Barraqué, 2004).

The Basin-wide Forum would occur at the village level, representatives of which would be members of the CPG. This BWF has already been initiated under the ERHIP, bringing people living along the river together in order for them to share ideas, goals, and aspirations and form some type of common vision between them. These are the people generally most vulnerable to any changes, anthropogenic or natural, within the basin, and they stand the most to lose should the sustainability of the river be threatened in any way. Consequently this would bring a high level of legitimacy to the process and would improve decision-making in general by reducing the likelihood of contested policies being adopted. Communities would be represented on the forum by their traditional or elected leaders, who would seek to incorporate the grass-roots issues in their recommendations to the CPG. Additionally, there would be a less formal mechanism of participation directly with OKACOM, where representatives of the Basin-wide Forum might observe meetings or make petitions to Commissioners. In this way there is a meaningful degree of involvement by the local population in the management of the river – both on a national level as well as the international level.

## **Conclusion**

This paper has presented policy-related aspects that have taken some years to formulate, and which have been refined through the direct involvement of stakeholders in the Okavango River Basin. It is significant that three core elements are already in place. Firstly, there is a rudimentary form of PNA being practiced in the Okavango River Basin at present. Secondly, the existence of a variety of international agreements to which the riparian states are already signatory other than those directly applicable to the establishment of OKACOM, means that there is the need to harmonize policy if the rights, duties and obligations arising from those agreements are to be met. Finally, a high level of support has been found for the PNA approach as a possible model for the integrated management of the Okavango River Basin in a sustainable way. It is felt by the authors that a PNA approach will go a long way in supporting the policy-related needs arising from the WERRD Project, as well as those likely to arise from the soon-to-be-launched Integrated River Basin Management in the Okavango (Okavango IRBM) Project, which is being funded by USAID. It is therefore hopeful that this research work will be continued from one project to the next in a way that improves the likelihood of a viable policy-making and implementation architecture within OKACOM.

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