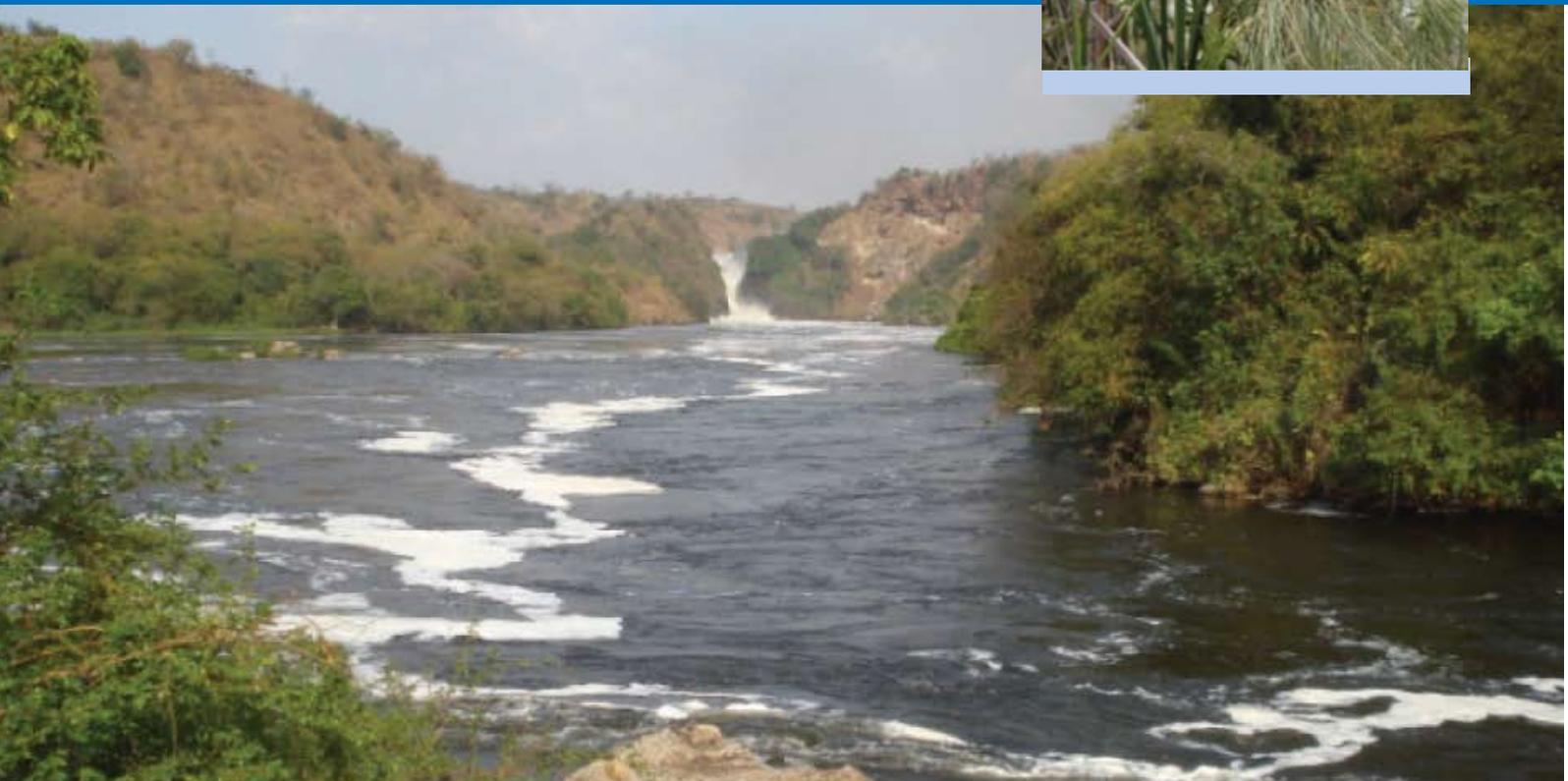




# NILE BASIN INITIATIVE

## ENVIRONMENTAL AND SOCIAL POLICY June 2013



Burundi



DR Congo



Egypt



Ethiopia



Kenya



Rwanda



S. Sudan



Sudan



Tanzania



Uganda



# NBI Environmental and Social Policy

## Preamble

This Environmental and Social Policy (hereinafter ESP) is premised on the following facts and observations pertaining to Nile Basin countries' efforts to sustain the Nile and its associated resource base for future generations, while also striving to judiciously utilize them to address the development needs of the present generation, particularly to tackle endemic and persistent poverty that characterizes most of the basin countries. The observations are summarized below:

1. Today's economic growth and development put growing demands on the river system and the basin's resources. Driven by population and economic growth across many riparian countries, the Nile Basin resources are currently bearing growing pressure. Once the carrying capacity is surpassed, the Nile Basin could sustain irreversible damage.
2. The Nile harbors valuable natural resources. Though it is difficult to assert their continued survival into the future, the Nile Basin, at present, boasts unique environmental and cultural assets.
3. The Nile Basin is highly vulnerable to the impacts of global warming owing to a multiplicity of factors. Basin communities have limited ability to cope with the negative impacts of climate variability. There is scientific consensus that the region can expect an increasing frequency and severity of extreme events like floods, droughts, and heat waves, and an intensification of natural variability. The socio-economic consequences of climate change in the basin will be severe and will exacerbate the impacts of existing challenges. These include, among others, negative impacts on agriculture, fisheries and livestock, with strong implications for food security and future economic growth.
4. Wetlands are key natural environmental assets providing crucial ecosystem services that support livelihoods and the socio-economic development in the basin. Their role in mitigating climate change and supporting climate resilience as well as safeguarding water, food and energy security is currently threatened through their insufficient protection and management.
5. Recognizing the above challenges and threats, Nile riparian governments are putting in place plans, policies, strategies and other measures to respond.
6. National-level measures, while playing critical roles in their own right, cannot sufficiently address basin-wide and transboundary full-scale impacts and threats.

The Nile Basin Initiative (NBI), being the only forum that brings together the Nile riparian states, has been mandated to initiate and implement measures that complement national efforts to address these transboundary challenges.

## Context

### About the Nile Basin Initiative

The Nile Basin Initiative (NBI) is an intergovernmental partnership of riparian states of the Nile River: Burundi, the Democratic Republic of Congo (DRC), Egypt, Ethiopia, Kenya, Rwanda, South Sudan, The Sudan, Tanzania, and Uganda. The NBI seeks to develop the River Nile in a cooperative manner, managing jointly its transboundary water resources and sharing the socio-economic benefits that arise from their development. The NBI is led by the Nile Council of Ministers (Nile-COM) assisted by a Technical Advisory Committee (Nile-TAC) and a Secretariat (Nile-SEC) based in Entebbe. The NBI is committed to its shared vision of “achieving sustainable socio-economic development through the equitable utilization of, and benefit from the common Nile Basin water resources.”

### About this policy

This policy was developed as stipulated by NBI’s Nile Basin Sustainability Framework under its Key Strategic Direction 3 (KSD 3): “Environmental and water-related natural resources management”. The ESP forms an integral part of the existing landscape of NBI policies, strategies and guidelines, complements national efforts of NBI member states and is in line with international standards. The scope of this policy covers strategies and guidelines under KSD 3 and provides overall guidance for the other three KSDs (Water-related socio-economic development; water resources planning and management; and climate change adaptation and mitigation). The NBI is the addressee of this policy.

### Process of policy development

The ESP aims to complement existing national efforts by covering the transboundary dimension of environmental and social management in the Nile Basin. To this end, the ESP builds upon a process conducted by NBI to systematically assess the needs of countries related to environmental and social management. These national assessments carried out for the Eastern Nile Subsidiary Action Program (ENSAP) and the Nile Equatorial Lakes Subsidiary Action Program (NELSAP) reviewed the state of existing policies related to environmental and social management in NBI countries, with the purpose of building upon existing national efforts. In addition, the finalization of the strategy has been complemented by a screening of relevant legal and policy documents of riparian countries in order to ensure complementarity and consistency of provisions. Furthermore, key international conventions and agreements signed by Nile countries, as well as international best practice were taken into consideration to assure compatibility. The policy is based upon the work already implemented by the NBI Secretariat and the Subsidiary Action Programs (SAPs) in the area of environmental and social management. It finds a strong foundation in the NELSAP Environmental and Social Management Guidelines of December 2012, the ENSAP Environmental Management Guidance of October 2011 and the Environmental and Social Management Framework (ESMF) of June 2012. On the basis of a Consolidated Regional Report and an Issues Discussion Paper, the policy was further developed in three consultative regional workshops between 2012 and 2013. In consultation with and under orientation of the participants (members of the Nile-TAC, as well as a task team of technical experts from the Nile-SEC, NELSAP and ENSAP), the policy was revised and finalized. International experts supported the NBI in order to integrate international standards along the process.

## Foreword



Dear Esteemed Reader,

I'm pleased to introduce you to the Nile Basin Initiative Environmental and Social Policy (ESP). This Policy is one of such policies and strategies the NBI has identified under its Nile Basin Sustainability Framework.

States within the Nile Basin are undergoing rapid population growth; by 2030 the population is projected to reach 650 million, 1.5 of 2010 figure. Though urban population growth is estimated to be 4-5 per cent a year to 2030, a large majority of Nile basin citizens will still be based in rural areas. Comparatively strong socio-economic development in the region (with GDP growth rates of up to 8<sup>0</sup>/<sub>o</sub>) has led to industrial development and a shift in lifestyles towards greater material consumption. Accordingly, this has caused a rise in demand for energy, food and natural resources, together with increased waste and pollution increasingly threatening the Basin's water security and burgeoning.

A significant percentage of the Basin's GDP is derived from environmental services, but these have come under significant pressure from high population and economic growth. Challenges include bacteriological contamination and eutrophication, localized high pollution from effluent discharges in urban areas, as well as from industries, oil fields and mining activities, high levels of dissolved minerals in groundwater in isolated locations. In addition, land use change and degradation has increased suspended loads and sedimentation of the river.

The ESP addresses key environmental and social issues and challenges; provides guiding principles; introduces policy interventions; specifies targets and priority outcomes; describes implementation arrangements, and therefore fosters cooperation as well as multiple-level partnership; ultimately increasing the benefits and value of the Nile water resources towards sustainable development.

It is my hope that this Policy will be fully operationalized basin-wide through anchoring strategies, clear guidelines, standard procedures, and collective action plans. It is my wish, furthermore, that the ESP provides a common vision for the entire basin community into coordinated measures effective at both national and regional levels to protect and preserve the common environmental resources and assert social inclusion and solidarity for the good, welfare and Aspirations of present and future generation.

I commend the Nile Secretariat for developing this Policy, and I thank the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ-Germany) for supporting the policy development process.

I invite all Nile Basin countries to positively contribute to and actively participate in the effectuation and implementation of this Environmental and Social Policy.

Sincerely,



Hon. Ms. Jemma Nunu Kumba  
Chairperson, Nile Council of Ministers (Nile COM) &  
Minister of Electricity, Water and Irrigation  
Republic of South Sudan

# NBI Environmental and Social Policy

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## Acronyms and Abbreviations

<b>EAC</b>	East African Community
<b>EIA</b>	Environmental Impact Assessment
<b>ENSAP</b>	Eastern Nile Subsidiary Action Program
<b>ENTRO</b>	Eastern Nile Technical Regional Office
<b>ESIA</b>	Environmental and Social Impact Assessments
<b>ESMF</b>	Environmental and Social Management Framework
<b>ESMP</b>	Environmental and Social Management Plan
<b>ESP</b>	Environmental and Social Policy (this policy)
<b>KSD</b>	Key Strategic Direction
<b>MDGs</b>	Millennium Development Goals
<b>NBI</b>	Nile Basin Initiative
<b>NBSF</b>	Nile Basin Sustainability Framework
<b>NELSAP</b>	Nile Equatorial Lakes Subsidiary Action Program
<b>NELSAP-CU</b>	Nile Equatorial Lakes Subsidiary Action Program Coordination Unit
<b>Nile-COM</b>	Nile Basin Council of Ministers of Water
<b>Nile-SEC</b>	Nile Basin Initiative Secretariat
<b>Nile-TAC</b>	Nile Technical Advisory Committee
<b>NLO</b>	National Liaison Officer
<b>SAP</b>	Subsidiary Action Program
<b>SSEA</b>	Strategic Social and Environmental Assessments
<b>WRD</b>	Water Resources Development
<b>WRM</b>	Water Resources Management

# NBI Environmental and Social Policy

## 1. Introduction

### 1.1 The importance of the environmental and social resources of the Nile Basin

The Nile Basin encompasses an extraordinary range of ecosystems with key environmental assets of national, regional and global significance. These assets include rivers and lakes, unique aquatic and terrestrial ecosystems, thousands of plant and animal species endemic to the basin, and world heritage biospheres. To name but a few, the basin is home to the Sudd Wetlands, Machar Marshes, the Dinder-Alitash Biosphere, the Rwenzori Mountains –home to the Silverback Gorilla– the Maasai Mara-Serengeti and Boma-Gambella ecosystems –famous for their annual wildebeest migration–, the Kagera Wetland System, and the Rusumo and Tana Falls.

The basin's environmental and social assets spread over eleven countries and are held together, nourished and sustained by the Nile River that runs across them. The critical ecosystems that sustain these resources are shared across borders. Thus, transboundary cooperation to conserve and manage them is required. The Nile Basin's water and water-dependent environmental resources provide a wide range of societal economic goods and livelihood for millions of basin inhabitants. A significant percentage of the basin's GDP is derived from environmental services. The Nile Basin's environmental resources also provide critical ecosystem services such as natural reservoirs and water buffering and filtering systems, regulating flows and mitigating adverse impacts of extreme events. Water is a vital development component of nearly every sector in the Nile Basin, including urban services and industry, energy, land management, agriculture, fisheries, and environmental services. Lack of reliable water supply of adequate quality undermines public health, restricts industrial growth, limits energy production from hydropower, and constrains agricultural productivity and food production.

The citizens and communities that live in and from the basin's ecosystems have a rich heritage and diverse social assets. These include social networks, structures, norms, values, institutions and physical cultural assets that link people to their biophysical environment and determine how they use and sustain their environmental resources. In order to sustain today's needs and ensure their continued availability for future generations, these resources need careful management.

### 1.2 Key environmental and social concerns in the basin

Increasingly, however, the vital Nile resources have been under significant pressures that emanate from an increasing demand by the high population and economic growth, resulting in a series of concerns in the basin. Potential social and environmental consequences of severe environmental damage once the basin's ecosystems can no longer sustain this growth and endure these pressures can be dire. The main environmental concerns in the Nile Region include land degradation, sedimentation, loss of biodiversity, pollution, invasive species, the impacts of climate change and threatened water security. Their characteristics and environmental and social consequences are further elaborated below.

Land degradation in the form of devegetation, soil erosion –for example in the upper streams–, overgrazing and exhaustion of soils, deforestation, degradation of rangelands, desertification and sand encroachment is one of the most common environmental threats in the Nile Basin countries. Ongoing land degradation and associated loss of agricultural productivity are a major factor in perpetuating rural poverty. Over-draining, sedimentation and expansion of agriculture have also led to wetland degradation, which threatens the important ecological functions of these ecosystems as habitats for a large number of species and the ecosystem's function of regulating water flow and water storage. Some of the basin's critical wetlands are threatened by these changes, such as the Sudd and the Machar Marshes.

Moreover, several spots in the Nile Basin are affected by loss of biodiversity; these spots include mountain ecosystems in upper streams, and the Dinder and Boma ecosystems. The diversity of plant, animal and fish species deriving from the variety and range of habitats in the basin are of considerable importance to the livelihood of peoples living around wetlands. The most important drivers of loss of biodiversity include habitat destruction, overgrazing, deforestation, pollution, unsustainable harvesting of natural resources, biopiracy and introduction of invasive alien species. Invasive species, such as the water hyacinth in Lake Victoria, threaten indigenous species through the effects of predation, alteration of habitat or disruption of ecosystem processes. They may also impede fishing, thereby threatening local livelihoods.

Sedimentation causes considerable negative impacts in the basin. Soil erosion from cropland leads to increased sediment loads of streams, and rivers, dams, reservoirs and canals in irrigation schemes, for example in the Gezira canals. Sedimentation leads to reservoir storage loss, increased costs for the removal of sediment in domestic water supply systems and for water purification, damage to hydro-electric turbines and irrigation pumps, higher irrigation-system operation and maintenance costs, increased dredging in front of turbine intakes, and losses in agricultural production and river bed aggradation. In addition, sedimentation threatens new dams and severely affects storage capacity of large reservoirs such as the High Aswan Dam.

Another significant concern in Nile Basin countries is pollution of effluent discharges from urban centers and industries, oil fields and mining, pesticides and other agricultural and domestic wastes. The introduction of pollutants into air, water and land, intentionally or accidentally, negatively affects people's health and wellbeing as well as the environment.

Disasters such as those due to floods, earth quakes, and landslides are not infrequent in the Nile Basin and they pose threats to the society and the Nile Basin environment. Occurrences of such disasters often cause considerable loss of life, property and also environmental damages. In addition, conflicts lead to migration and displacement of people thereby disrupting people's livelihoods and can cause environmental damage.

Climate change and general climate variability are crosscutting concerns that pose significant environmental threats to the Nile Basin. Rising temperatures and changing rainfall patterns are expected to increase variability and both the number and intensity of extreme weather events such as heat waves, droughts, storms and floods, resulting in water contamination, vector-borne diseases and food shortages, constituting significant threats in the basin. Furthermore, higher water temperatures in the Equatorial Lakes are expected to strengthen thermal stratification, increase algal productivity and reduce oxygen dissolution. Climate change impacts have the potential to undermine and even undo progress made in reducing poverty, attaining MDGs, and in improving the socio-economic wellbeing of broad parts of the population.

More than 250 million people live in the Nile Basin ecosystems and many of them sustain their livelihoods through the vital Nile environmental resources. A series of social burdens, some of which are directly associated with the environmental state described above, concern the Nile Basin countries. These include poverty and vulnerability, human health and safety, migration, displacement and resource-based conflict, potential impacts to cultural and historical heritage, gender inequity, social inequality and marginalization of social groups.

Many people living in areas of the basin are poor and vulnerable to shocks produced by health problems, economic downturns and natural catastrophes. Poverty is a major cause and consequence of environmental depletion because of lack of livelihood alternatives. The challenge remains the protection of vital resources from environmental risks, while harnessing their potential to improve the conditions for the people living in the Nile Basin countries.

### 1.3 Existing national frameworks and NBI complementarity and compatibility

The Nile Basin Initiative (NBI) has been established in recognition that coordinated and cooperative basin-wide efforts are required to address the aforementioned environmental concerns at the basin-level, to equitably utilize the shared Nile environmental and ecosystem resources, while sustaining them for the benefit of future generations. An integrated approach that takes account of economic, ecological and social objectives contributes to raising the overall socio-economic benefit of water resources management and development on a long-term basis.

Toward this end, the NBI provides a unique platform for joint action and a transboundary perspective to build upon and complement activities that aim to ensure social and environmental sustainability of national water resources management (WRM) and water resources development (WRD). Undoubtedly, the NBI countries have undertaken significant efforts in environmental and social management. Each country has a policy and legal framework in place that responds to their respective national context and needs. Owing to the unique cooperative stance of the NBI, this ESP sets out to bring together these efforts and address possible gaps in national frameworks for the successful implementation of a transboundary approach.

At the same time, the NBI aims to bring in a basin-wide dimension to WRM and WRD informed by and compatible with key relevant regional and international agreements, such as the African Convention on the Conservation of Nature and Natural Resources, the Convention on Biological Diversity, the Ramsar Convention on Wetlands of International Importance, the Beijing Declaration and Platform for Action on Gender, the key agreements under the United National Framework Convention on Climate Change (UNFCCC), the EAC Climate Change Policy, the EAC Master Plan and agreed Food Security Action Plan, the EAC Protocol on Environment and Natural Resources Management and the EAC Protocol for Sustainable Development of the Lake Victoria Basin.

One of the outputs of the NBI is this Environmental and Social Policy (ESP). It brings together and builds upon country experiences and the state of the art in environmental and social policy making. The ESP strives to provide a transboundary vantage and orientation for both NBI and national water resources management and development interventions in order to make sure that they do not adversely impact but instead provide for the continued existence of our most important Stakeholder –the Nile– for the posterity.

This document sets out the goal, objectives, principles and policy areas for a joint transboundary river basin-level environmental and social policy.

## 2. Policy goal and objectives

### 2.1 Purpose and goal

The NBI is committed to its shared vision of “achieving sustainable socio-economic development through the equitable utilization of, and benefit from the common Nile Basin water resources”. Through this shared vision, the NBI aims to harness the resources of the Nile to create better conditions for the millions of people who depend on it. This includes the sound management and development of the river’s resources in a manner that respects the needs of the Nile system so that it can continue to nurture generations to come.

The ESP intends to provide coherence for the NBI’s activities by covering the environmental and social dimensions of sustainable development in line with international best practice. Its overarching goal is to ensure social and environmental sustainability of NBI program outcomes.

### 2.2 Policy objectives

The ESP was devised with the following four objectives in mind, which are based on NBI’s recognized mandate:

**Objective 1:** To provide a set of principles and fields of action for the integration of environmental and social concerns in NBI programs.

**Objective 2:** To provide guidance for managing transboundary environmental and social impacts of national activities.

**Objective 3:** To provide support to Nile Basin countries for the protection and conservation of critical Nile Basin environmental resources.

**Objective 4:** To demonstrate commitment of the NBI and Nile countries to international best practices with regard to environmental and social management of development activities.

These objectives give rise to the policy areas established in Section 4. The policy areas are key fields of action for the NBI and its partners in the pursuit of these objectives.

### 3. Guiding principles

The ESP is guided by the following principles. The NBI will strive to adhere to them in the course of its activities.

#### 3.1 Sustainable socio-economic development

This principle is directly derived from the NBI's shared vision adopted by the member countries in February 1999. It is underpinned by the concept of sustainability as applied to river basin management. Essentially, it places on the current generation the responsibility to handover to future generations a Nile Basin and basin resources that are, at a minimum, as socially and environmentally sound as they are today.

#### 3.2 Basin-wide cooperation

The sustainability of the Nile cannot be guaranteed by one country alone. Since the Nile connects the riparian countries, their economies and their ecosystems as one integrated unit, it is ultimately only through inclusive basin-wide cooperation that sustainability can be achieved. This principle, therefore, implies the need for countries to coordinate and jointly formulate and adopt common policies, approaches and strategies that guide the management and development of the shared resources of the Nile.

#### 3.3 Subsidiarity

The subsidiarity principle is directly derived from NBI's founding principles. It underscores the importance of implementing sustainable water resources management and development at the lowest possible spatial unit. This principle allows two or more countries to come together to address shared threats or exploit shared potentials specific to a spatial unit in the basin.

#### 3.4 Compatibility and complementarity

These principles assist the NBI in its role of bringing together the Nile riparian states at the basin-level, while providing for compatibility with international standards. The Nile countries have significant and diverse policies in place governing their national spheres. However, in recognition that the sustainability of the Nile Basin cannot be ensured solely through national measures, the NBI is mandated to build upon and complement national efforts by integrating a transboundary dimension, while providing for compatibility with norms and best practice at the international level.

#### 3.5 Precautionary principle

The precautionary principle puts forward the necessity to take preventive measures regarding uncertain future developments to avoid possible harm to the public or the environment. This principle requires member countries not to carry out activities that risk causing possible harm, even in the face of lacking full scientific certainty regarding the nature and extent of the risk.

In view of uncertainties regarding future availability and quality of natural resources and the complex dynamics in the Nile Basin, the precautionary principle points to the need for protecting common environmental and social resources based on the fullest currently available evidence. Towards this end, rigorous environmental and social impact assessments shall be adopted as requirements both at the strategic and the operational level.

#### 3.6 Public participation and consultation

This principle is informed by NBI's public participation strategy, which requires NBI to undertake public consultations on its water resources management and development activities. The provision

of adequate space for a range of stakeholders to take part in decision-making processes promotes a culture of ownership and joint responsibility at varying spatial and societal scales and contributes toward legitimate outcomes.

### 3.7 Accountability and transparency

Accountability refers to NBI's responsibility and ability to be held to account. NBI will be credited for the positive impacts it brings about to sustain the Nile river system and conversely for any harm its activities may cause. Transparency refers to availing timely information to facilitate stakeholders' knowledge-based and informed participation.

### 3.8 Social equality

This principle emphasizes providing equal opportunity to citizens of the basin to access and benefit from the shared Nile resources and emphasizing the role of those vulnerable groups in society. NBI's water resources management and development measures should not result in harming communities and social groups that have been dependent on the Nile water resources for their livelihoods. The principle puts special emphasis on the assessment of the implications of any planned action for disadvantaged and marginalized social groups and minorities, including the aged, children, women, and the disabled. For this purpose, targeted efforts for the inclusion of such groups and their participation and consultation shall be undertaken. Making the concerns and experiences of these groups an integral dimension of the design, implementation, monitoring and evaluation of policies and programs in all political, economic and societal spheres contributes to ensuring that inequality is not perpetuated.

### 3.9 Gender equity

In addition to the social equality issues that affect women, there are also economic consequences at the micro and macro levels that arise as a result of the lack of equal rights and empowerment of women. Women in Africa are key economic actors and agents of sustainable development. The existing gender gap manifested in a deficit of economic, educational and political empowerment and reduced choices for women has detrimental consequences on society-wide outcomes. Promoting gender equity as a principle underpinning Nile Basin activities contributes to fair representation, participation and benefits among the different genders in the management and development of shared water resources.

## 4. Policy areas

The NBI is committed to the environmental and social sustainability of its program outcomes. In order to put this commitment into practice and to translate the objectives of this ESP into successful results, the NBI identifies the following five policy areas. These are key fields of action for the engagement of NBI in the pursuit of social and environmental sustainability of NBI's programs and provide orientation for national WRM and WRD interventions.

### Policy area 1: Information and knowledge

Basin management and development are guided by basin-wide up-to-date and accessible information and reporting of the environmental and socio-economic state and trends.

Up-to-date and accessible monitoring of the basin's and sub-basin's environmental and societal conditions in the form of data collection and assessment of potential environmental and social impacts, and studies on priority environmental and social issues and trends in the basin is a key step to build a knowledge base for NBI's work. The body of knowledge shall be accessible to inform decision making in the basin and transferred to countries and across the Nile Basin. NBI shall also provide support by reviewing national policies and providing relevant advice.

This knowledge base forms the necessary foundation for all the policy areas in this ESP, particularly for advocacy and awareness raising, for the assessment of environmental risks and impacts, and for capacity building.

### Policy area 2: Advocacy and awareness raising

Common understanding and consciousness of the fundamental role of the basin's environmental resources and the need for their cooperative protection and conservation are anchored at the national level.

The NBI shall disseminate and transfer the knowledge base on environmental and social conditions in the basin, and reach out to the national level, acting as a champion for coordinated and cooperative actions for the protection and conservation of shared environmental resources in the Nile Basin. It shall build consciousness in Nile Basin countries around the key identified environmental and social issues and provide recommendations upon review of relevant national policies in order to support the dialogue among riparian countries.

### Policy area 3: Assessment and management of environmental and social risks and impacts

Protection of the Nile Basin's citizens, social assets and environment in the context of NBI's WRD interventions is undertaken systematically.

In line with international standards, the NBI undertakes a systematic process of assessing environmental and social risks and impacts to avoid heightening existing environmental and social challenges and to avoid, minimize and mitigate adverse impacts to the environment or to the citizens of the Nile Basin in all the phases of the project cycle of WRD investment projects. This process shall take into account the cumulative impacts that may result from a WRD project. Screening, scoping, environmental and social impact assessment through Environmental and Social Impact Assessments (ESIA) and Strategic Social and Environmental Assessments (SSEA), review of studies, implementation of environmental and social management plans (ESMPs) and other necessary steps should be included in the process to ensure effectiveness along all the steps of the project cycle.

Existing environmental and social guidelines at the sub-basin level (the NELSAP Environmental and Social

Management Guidelines, the ENSAP Environmental Management Guidance, and the Environmental and Social Management Framework (ESMF) shall be applied systematically, revised regularly and updated as needs arise.

Within this policy area, the NBI shall focus on all substantive areas possibly facing risks and impacts in the project cycle, including the following dimensions:

### 3.1 Human health

The NBI will aim to protect the health of the people in the Nile Region by ensuring that its projects offer protection from, and do not lead to increased exposure to diseases and health hazards (including malaria, bilharzias, HIV, water pollution, emissions).

### 3.2 Water quality

The NBI shall strive to protect the Nile Basin water resources from pollution in accordance with international best standards in a manner that sustains the ecosystem services from the Nile Basin water resources.

### 3.3 Climate change

Climate change is expected to significantly affect the Nile Basin's ecosystems and livelihoods. A basin-wide evaluation of climate change risks, impacts and vulnerability shall be undertaken either as a stand-alone evaluation or as part of the environmental and social impact assessment. All investment projects shall undergo a climate proofing to ensure their adequacy regarding future climate variability and extreme events and to make sure that the adaptive capacities and resilience in the basin are not adversely affected by the intervention.

### 3.4 Biodiversity

Critical ecosystems of regional and global importance due to their significant biodiversity characterize the Nile Basin. NBI projects shall aim to avoid significant loss or degradation of these ecosystems. An evaluation of biodiversity as part of the environmental assessment shall be undertaken for WRD projects. Plans to deal with risks to natural habitats shall be included in the project cycle.

### 3.5 Wetland degradation

The wetlands of the Nile Basin perform crucial basin-wide functions, including improving water quality, providing resilience against drought and flooding, and sustaining biodiversity. Wetland degradation is already a concern in many areas of the basin and threatens the critical ecological functions of these ecosystems. NBI shall aim to avoid further harm to Nile Basin wetlands, evaluate any possible risk to them as part of the environmental and social assessment and include plans to deal with these risks.

### 3.6 Involuntary resettlement

NBI will strive to ensure that its activities, programs and projects avoid the involuntary resettlement of people. A thorough Resettlement Action Plan (RAP) shall be put in place and implemented in the context of NBI's WRD interventions. NBI will strive to ensure that when there are displaced persons, either due to land acquisition or restriction of access to resources, the affected persons are adequately resettled and compensated. Additionally, the activities should be designed to aim for restoration of their livelihoods when resettlement has taken place.

### 3.7 Public consultation, disclosure and awareness

In order to anticipate risks, NBI will be transparent in respect to public consultations, ensure disclosure

and create appropriate avenues for communication, participation in decision-making processes and for raising environmental and social awareness. Particular attention should be paid to the input of women and of members of marginalized social groups.

#### Policy area 4: Institutional strengthening

NBI structures and corresponding national institutions have appropriate institutional arrangements, capacities and funding.

##### 4.1 Institutional setups and capacities

NBI internal structures, capacities and functioning for the implementation of this policy shall be strengthened. A division of roles and responsibilities among internal structures (Nile-SEC and the SAPs) and the National Focal Points (NFPs) with regard to environmental and social management shall be further specified by the Nile-SEC. In particular, the Nile-SEC shall provide technical backstopping for the overall planning, implementation and revision of this policy, while the two SAPs shall assume primary responsibility for its implementation. With regard to the coordination with national agencies, substantive efforts shall be made to strengthen the coordinating role of the respective NFPs with relevant environmental and social institutions in each country. NBI shall build support and working linkages with institutions entrusted with addressing environmental and social issues in NBI countries. Particularly for the implementation of joint investment projects, NBI's project management units and corresponding national authorities shall develop joint working processes to facilitate implementation. The correspondence of NBI's structures with national institutions shall be analyzed and the necessary institutional linkages shall be established and improved to engage all the relevant line agencies and statistical offices. This will allow for close collaboration with and among them to facilitate the implementation of projects and activities that fall under these policy areas.

The capacities associated with ensuring environmental and social sustainability and with cooperation for the sustainability of shared resources shall be assessed and strengthened within NBI and NBI countries. Capacities to undertake transboundary environmental and social impact assessments, implement environmental and social monitoring systems and manage environmental and social risks and impacts shall be in place and strengthened.

##### 4.2 Financing

Appropriate funds shall be mobilized for necessary activities that contribute to ensuring environmental and social sustainability in the Nile Basin, including funds from development partners, the private sector, and national government sources.

#### Policy area 5: Partnerships, networking and linkages

Appropriate partnerships, networks and linkages between NBI and strategic regional and international organizations are established and sustained.

Wider partnerships and networks are important for coordinated and cooperative basin-wide efforts, sharing of knowledge, capacity building and development of new methodologies and tools. Appropriate partnerships with regional organizations, academic institutions and civil society organizations shall be established and maintained to create synergies, keeping in mind the need to avoid duplication of roles. Some of the relevant international and regional organizations include the East African Community (EAC), the Common Market for Eastern and Southern Africa (COMESA), the Intergovernmental Authority on Development (IGAD), the Southern African Development Community (SADC), the Lake Victoria Basin Commission (LVBC), and the United Nations Environment Programme (UNEP). Experiences and ideas shall be exchanged, for example, through joint forums and networks.

## 5. Implementation arrangements

This policy sets out the directions for decision-making and action to ensure social and environmental sustainability of NBI program outcomes. The addressee of this policy is the NBI, thus any respective guidelines and procedures emerging under this umbrella are solely to be abided by NBI projects and activities.

Building on the goal, objectives and policy areas outlined here, a roadmap of implementation of the policy shall be agreed upon to streamline activities within NBI's overall action planning. It shall define a timeline for short, medium and long-term activities for implementing the policy with the full participation of stakeholders.

### Strategies, guidelines and regulations under the scope of this policy

The environmental and social guidelines adopted by the NBI SAPs will be screened, revised, and adjusted accordingly to reinforce the operationalization of this ESP. Other pertinent procedures and regulations adopted for environmental and social management proofing shall be revisited to assure consistency with the goal and objectives established in this policy. In addition, relevant new guidelines and strategies under the scope of the ESP shall be developed, as envisaged by the NBSF.

### Monitoring and Evaluation (M&E)

An M&E mechanism or system for following-up on the operationalization of the policy will be in place. Progress in the operationalization of the ESP shall be reviewed, at least, once every two years and recommendations drawn for advancing its implementation and also for further review of the Policy to address emerging issues.

### Risk assessment

Assessment of potential obstacles and impediments will be undertaken within the course of action planning to assess the viability of planned measures; if necessary, appropriate risk mitigation measures shall be introduced.

## 6. Institutional arrangements

The scope of the ESP covers strategies and guidelines under NBI's Key Strategic Direction 3 and provides overall guidance for the other three KSDs. Therefore, the ESP shall permeate along the vertical and horizontal institutional arrangements of the NBI.

The following is the institutional framework and the division of roles and responsibilities under which the ESP shall be implemented:

### 6.1 NBI governance bodies

The Nile Basin Council of Ministers of Water (Nile-COM)

- Approve any future revisions of the policy on the advice of the Nile-TAC.
- Approve annual work plans of Nile-SEC, which include provisions to support activities related to the implementation of this policy.

The Nile Technical Advisory Committee (Nile-TAC)

- Oversee and provide strategic guidance and advice for the implementation of the policy.
- Act as the technical and operational link between the countries and the Nile-SEC and SAPs and aim for accordance between the national level and the basin-wide policies in activities related to NBI projects.
- Approval, technical appraisal of sub-basin policies, guidelines and standards of the NELSAP Environmental and Social Management Guidelines and the ENSAP Environmental Management Guidance, respectively.

The NBI Secretariat (Nile-SEC)

- Manage the processes related to preparation of the roadmap, implementation, M&E, risk assessment, revision, updating, dissemination, and proper use of the policy.
- Oversight and technical backup to the SAPs in their application of the policy.
- Provision of reports on the implementation of the policy.

ENTRO and NELSAP-CU

- Primary responsibility for implementation and M&E of policies and guidelines.
- Joint responsibility with Nile-SEC for preparation of the roadmap and risk assessment.
- Application and regular revisions of the established respective SAP guidelines.
- Preparation of other detailed center-specific guidelines based on the policy, as needed.

SAP Secretariats and Project Management Units (PMUs)

- Identification, preparation and implementation of projects in accordance with the legal requirements of the riparian countries and funding agencies, in line with the policy.
- Carry out screening, scoping, ESIA or SSEAS and ESMP, with the input of independent specialists as appropriate.

### 6.2 National Agencies

- The entry point for NBI's work in the countries is the respective National Focal Point (NFP) in charge of coordination of the participation of national agencies and other stakeholders in environmental and social management activities of SAP projects.

## **7. Provision for Revisions**

In case new issues emerge that are relevant for the content of this policy, revisions shall be initiated by Nile-SEC as necessary, and consulted with active participation of all relevant stakeholders.

## **8. Effective Date**

The Environment and Social Policy comes into force upon adoption by Nile-COM, on 20.06.2013.

## 9. Annexes

### Annex 1: Glossary

#### Adaptive capacity

The ability or potential of a system to respond successfully to climate variability and change, and includes adjustments in both behavior and in resources and technologies. The presence of adaptive capacity has been shown to be a necessary condition for the design and implementation of effective adaptation strategies so as to reduce the likelihood and the magnitude of harmful outcomes resulting from climate change. (IPCC Fourth Assessment Report: Climate Change 2007, Annex II, p. 76)

#### Environmental and Social Impact Assessment (ESIA)

The systematic examination of consequences of a proposed project, aiming to prevent, reduce or mitigate negative impacts on the environment, natural resources, and health and social elements, as well as enhance positive impacts of a project. The ESIA process should span the full project cycle (from identification to post-implementation), evaluate alternatives, and design appropriate measures for mitigation, monitoring and both consultative and institutional strengthening measures. (Adapted from ENSAP Environmental Management Guidance 2011, p.16.)

#### Resettlement Action Plan (RAP)

A document or set of documents specifically developed to identify the actions that will be taken to address physical displacement arising from the development of a project. A RAP defines a strategy for avoiding, minimizing and mitigating impacts caused by land acquisition and resettlement and its scope and detail varies with the magnitude and complexity of the resettlement. It addresses the impacts of the project on individuals and communities, including economic displacement, impacts on incomes, livelihoods and living standards, and impacts on rights of access to resources, of those affected by the project. The intent is that livelihoods and living standards impacted by the project are restored or improved relative to pre-project conditions for project affected people and communities. (Adapted from NELSAP Environmental and Social Management Guidelines 2012, p.14.)

#### Resilience

The ability of a system and its component parts to anticipate, absorb, accommodate, or recover from the effects of a hazardous event in a timely and efficient manner, including through ensuring the preservation, restoration, or improvement of its essential basic structures and functions. (IPCC Fourth Assessment Report: Climate Change 2007, Annex II, p. 86)

#### Strategic social and environmental assessment (SSEA)

The systematic and comprehensive process of evaluating the effects of a plan or program and its reasonable alternatives. It is an analytical tool to link possible positive or negative environmental and social issues to higher level decision-making. SSEA should be carried out by the body which prepares and/or adopts a plan or program, and good practice emphasizes the value of integrating the assessment into the plan or program development process. (Adapted from ENSAP Environmental Management Guidance 2011, p.15.)

#### Vulnerability assessment

A vulnerability assessment typically seeks to achieve three main goals: to identify the degree of future risks induced by climate change and sea-level rise; to identify the key vulnerable sectors and areas within a country; and to provide a sound basis for designing adaptation strategies and their implementation. (Adapted from IPCC 2001: Climate Change 2001: Impacts, Adaptation, and Vulnerability, p.866.)

## Annex 2: List of consulted national policy and legal documents

This Environmental and Social Policy builds upon policies and legal frameworks in place in NBI countries. The following relevant national policies and pieces of legislation were consulted as part of the development process of this strategy. NBI complements diverse national efforts by strengthening the transboundary and cooperative dimension in the Nile Basin.

### BURUNDI

#### National policies, laws and regulations related to water

Mining Act (1978)

Law n°1-02 of 25 March 1985 defines the forest domain, and contains all provisions concerning forest reserves, protection forests

Land Act (1986)

Decree on Regulation of Urban Waste Water Removal (1992)

National Environmental Strategy (SNEB) (1997)

Master Plan of Swamps Management (1999)

Law on Liberalization and Regulation of Public Drinking Water Supply and Electrical Energy (2000)

National Strategy and Action Plan on Biological Diversity (NSAP-BD) (2000)

Environment Code of the Republic of Burundi, Law No.1/10 of 30/06/2000 (2000)

Environment Act (2000)

National Strategy and Action Plan in Capacities Reinforcement on Biological Diversity (2004)

National Action Plan to reduce Land Degradation (2005)

National Strategy and Action to the Climatic Changes (2006)

National Strategy for the Economic growth and Poverty Reduction (CSLP) (2006)

National Master Plan for Potable Water Supply (2007)

National Adaptation Plan of Action to Climate Change (NAPA) (2007)

National Water Policy (2009)

Plan of Action for the Integrated Management of Water Resources of Burundi (PAGIRE) (2009)

National Basic Hygiene and Sanitation Policy (2010)

Presidential decree on Environment Management (2010)

National Communication (2010)

Water Act / Bill (2011)

National Water Strategy 2011-2020 (2011)

Presidential Decree No.100/95 of 28/03/2011 Portant Missions Organisation et Fonctionnement du Ministère De L'Eau, De L'Environnement, De L'Amenagement Du Territoire et De L'Urbanisme (2011)

République du Burundi, 2011. Consultation sectorielles en vue de l'élaboration du cadre stratégique de croissance et de lutte contre la pauvreté de deuxième génération (CSLP II) - Secteur énergie et mines, note d'orientation et résultats des consultations proprement dites.

Water Code (2012)

National Climate Change Strategy and Action Plan (2012)

National Strategy and Action Plan on Biodiversity 2013-2020 (2013)

#### International and regional conventions/treaties/protocols on water to which country is a signatory

African convention on the conservation of nature and natural resources (1968)

Convention Concerning the Protection of the World Cultural and Natural Heritage (1982)

Convention on International Trade in endangered Species of wild Fauna and Flora (CITES) (1988)  
Convention on Biological Diversity (1992)  
United Nations Framework Convention on Climate Change (UNFCCC) (1997)  
United Nations Convention to Combat Desertification (UNCCD) (1997)  
Ramsar Convention 1971 and Protocol 1972 (2002): Rusizi Delta of the Réserve Naturelle de la Rusizi and the northern part of the Lake Tanganyika littoral area  
The Convention on the Sustainable Management of Lake Tanganyika (2003)  
African convention on the conservation of nature and natural resources (2003)  
EAC Protocol on sustainable development of the Lake Victoria basin (2003)  
UNFCCC Kyoto Protocol (2005)  
Treaty for the establishment of the East African Community (EAC) (2007)  
EAC protocol on environmental and natural resources management (2007)  
Cartagena Protocol on Biosafety (2008)  
UN resolution on the human right to water and sanitation (2010)  
EAC Climate Change Master Plan 2011-2031 (2011)  
Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) (2011)  
EAC Climate Change Policy (2011)

## D.R. CONGO

### National policies, laws and regulations related to water

Decree of 21 April, 1937 on fishing (1937)  
Water Law (Decree of 1952)  
Wild life Conservation Law (texts of 1969)  
The Law on the Protection of Cultural Assets (1975)  
The Land Code (1977)  
Law n° 82-002 of 28 May, 1982 on hunting (1982)  
The Mining Code (2002)  
Forest Law (2002)  
Mining Regulations, Presidential Decree No. 038/2003 of 26/03/2003  
The Constitution of the DRC (2006)  
National Adaptation Plan of Action to Climate Change (NAPA) (2006)  
Ministerial order on environmental and social impact assessment / Arrêté ministerial n°043/CAB/MIN/ECN-EF/2006 du 08 décembre 2006 portant dispositions relatives à l'obligation de l'évaluation environnementale et sociale des projets en RDC (2006)  
National Gender Policy (2009)  
Second National Communication (2009)  
Water Act (2010)  
Environment Code / Proposition de loi portant principes fondamentaux relatifs à la protection de l'environnement (2011)

### International and regional conventions/treaties/protocols on water to which country is a signatory

Treaty between UK and DRC (1906)  
African convention on the conservation of nature and natural resources (1968)  
Convention Concerning the Protection of the World Cultural and Natural Heritage (1974)  
Convention on International Trade in endangered Species of wild Fauna and Flora (CITES) (1983)  
Convention on Biological Diversity (1992)

United Nations Framework Convention on Climate Change (UNFCCC) (1995)  
United Nations Convention to Combat Desertification (UNCCD) (1997)  
SADC Protocol on shared watercourse systems (1995)  
Ramsar Convention 1971 and Protocol 1972 (1998)  
Agreement on the Conservation of African- Eurasian Migratory Waterbirds (1999)  
SADC Revised protocol on shared water courses (2000)  
Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) (2000)  
The Convention on the Sustainable Management of Lake Tanganyika (2003)  
African convention on the conservation of nature and natural resources (2003)  
Cartagena Protocol on Biosafety (2005)  
UNFCCC Kyoto Protocol (2005)  
Water Policy of the Economic Community of Central African States / Document De La Politique De L'Eau De La Communauté Economique Des Etats De L'Afrique Centrale (2009)  
UN resolution on the human right to water and sanitation (Draft) (2010)

## EGYPT

### National policies, laws and regulations related to water

Egyptian Civil Code (1949)  
Law No. 93/1962 on Wastewater and Drainage  
Law No. 53/1966 on Agriculture  
Law No. 66/1973 on Transport Air Pollution  
Water Policy (1975)  
Law No. 31/1976 on Public Cleanliness  
Law No. 27/1978 on Public Water Sources  
Law No. 137/1981 on Labor  
Water Master Plan (1982)  
Law 12: Concerning the Issue of the Law on Irrigation and Drainage (1982)  
Law 48: Concerning the Protection of the River Nile and Waterways from Pollution (1982)  
Law No. 117/1983 on Cultural Heritage  
Law No. 102/1983 on Natural Protectorates  
Law No. 124/1983 on Fisheries  
Water Policy and our Relations with the Nile Basin (1986)  
Law No. 10/1990 for the Expropriation of Ownership for Public Interest  
Prime Ministerial Decree No. 160/1991  
Water Security Project (1993)  
Law No. 3/1993 Physical Planning Law  
Prime Ministerial Decree No. 2166/1994  
Law No. 4/1994 for the Protection of the Environment, amended by Law No. 9/2009 (Environment Law)  
Water Policy (1999)  
National Environmental Action Plan (2001)  
National Environmental Action Plan (2002-2017)  
National Water Resources Plan (NWRP) (2002)  
National Water Resources Plan (Summary) (2005)  
IWRM Plan (2005)  
National Master Plan for Water and Wastewater (2009)  
Rural Sanitation Strategy (2009)

Guidelines of Principles and Procedures for Environmental Impact Assessment (2009)  
Water Sector Policy (Draft) (2010)  
Second National Communication (2010)

#### International and regional conventions/treaties/protocols on water to which country is a signatory

Treaty between UK and Egypt (Water quantity) (1929)  
Treaty between UK and Egypt (Water quantity) (1946)  
Treaty between UK and Egypt (Hydropower) (May, 1949)  
Treaty between UK and Egypt (Hydropower) (December, 1949)  
Treaty between UK and Egypt (Hydropower) (1950)  
Treaty between UK and Egypt (Hydropower) (1953)  
Treaty between Sudan and Egypt (Water quantity) (1959)  
African convention on the conservation of nature and natural resources (1968)  
Convention Concerning the Protection of the World Cultural and Natural Heritage (1974)  
Convention on International Trade in endangered Species of wild Fauna and Flora (CITES) (1978)  
Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) (1983)  
Ramsar Convention 1971 and Protocol 1972 (1988)  
Convention on Biological Diversity (1992)  
Framework for general co-operation between Egypt and Ethiopia (1993)  
United Nations Framework Convention on Climate Change (UNFCCC) (1995)  
United Nations Convention to Combat Desertification (UNCCD) (1996)  
Agreement on the Conservation of African- Eurasian Migratory Waterbirds (1999)  
Cartagena Protocol on Biosafety (2000)  
African convention on the conservation of nature and natural resources (2003)  
UNFCCC Kyoto Protocol (2005)  
UN resolution on the human right to water and sanitation (2010)

#### ETHIOPIA

##### National policies, laws and regulations related to water

Civil Code of Ethiopia (1960)  
Proclamation to provide for the utilization of water resources (1994)  
Environmental Policy (1997)  
Water Resources Management Policy (1999)  
Water Resources Management Proclamation (2000)  
EIA Guidelines (2000)  
Water Sector development Programme (2000)  
Water Sector Policy (2001)  
Water Sector Strategy (2001)  
First National Communication (2001)  
Sustainable Development and Poverty Reduction Program (2002)  
Water Resources Development Fund Establishment and its Administration Proclamation (2002)  
Environmental Pollution Control Proclamation (2002)  
Water Sector Development Programme 2002 - 2016 (2002)  
Water Resources Management Regulations (2005)  
Proclamation No. 455/2005 on Expropriation of Land Holdings for Public Purposes and Payment of Compensation (2005)

Proclamation No. 456/2005 on Rural Land Administration and Land Use (2005)  
Plan for Accelerated and Sustained Development to Eradicate Poverty (2006)  
Council of Ministers Regulation No. 135/2007 on Expropriation and Compensation (2007)  
The River Basin Councils and Authorities Proclamation (2007)  
Water Resources Development Fund Establishment and Administration (Amendment) Proclamation (2008)  
Climate Change National Adaptation Programme of Action (NAPA)  
Climate Change Adaptation Action Plan of Water and Energy Sector (2011)  
Ethiopia's Climate-Resilient Green Economy Green economy strategy (2011)

#### [International and regional conventions/treaties/protocols on water to which country is a signatory](#)

Treaty between UK and Ethiopia (Water Quantity) (1902)  
Treaty of peace with Italy (Hydropower) (1947)  
African convention on the conservation of nature and natural resources (1968)  
Convention Concerning the Protection of the World Cultural and Natural Heritage (1977)  
Convention on International Trade in endangered Species of wild Fauna and Flora (CITES) (1989)  
Convention on Biological Diversity (1992)  
Framework for general co-operation between the Arab Republic of Egypt and Ethiopia (1993)  
United Nations Framework Convention on Climate Change (UNFCCC) (1994)  
United Nations Convention to Combat Desertification (UNCCD) (1997)  
Cartagena Protocol on Biosafety (2003)  
African convention on the conservation of nature and natural resources (2003)  
UNFCCC Kyoto Protocol (2005)  
Agreement on the Conservation of African- Eurasian Migratory Waterbirds (2010)  
Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) (2010)  
NBI Cooperative Framework of Agreement (2010)

#### [KENYA](#)

##### [National policies, laws and regulations related to water](#)

Agriculture Act (1955)  
The Mining Act (1986)  
The National Water Master Plan (1992); updated in 1998 ('After Care of National Water Master Plan')  
Environmental (Management and Coordination) Act (1999)  
National Policy on Water Resources Management and Development (1999)  
National Policy on Gender and Development (2000)  
First National Communication (2001)  
Water Act (2002)  
Environment (Impact Assessment and Audit) Regulations 2003  
The Forests Act (2005)  
Environmental Management and Co-Ordination (Water Quality) Regulations (2006)  
The National Museums and Heritage Act (2006)  
HIV and AIDS Prevention and Control Act (2006)  
Kenya Maritime Authority Act (2006)  
National Land Policy (2007)  
National Water Resources Management Strategy (2007 - 2009) (2007)  
National Water Services Strategy (2005 - 2017) (2007)

Kenya Vision 2030 (2008)  
Sessional Paper on National Wetlands Conservation and Management (2008)  
Kenya National AIDS Strategic Plan III (2009)  
The Wildlife (Conservation and Management) Act (1985, revised 2009)  
Physical Planning Act (1996, revised 2009)  
Catchment Area Management Strategy (2009)  
The Environmental Management And Co-Ordination (Wetlands, River Banks, Lake Shores And Sea Shore Management) Regulations (2009)  
Transboundary Water Policy (Draft) (2010)  
National Transboundary Water Policy Implementation Strategy (Draft) (2010)  
National Climate Change Response Strategy (2010)  
Kenya's Climate Change Action Plan (2011)  
Fisheries Protection Act (1991, revised 2012)  
Kenya Wetlands Atlas (2012)  
National Environment Policy (2012)  
The National Land Commission Act (2012)  
The Land Registration Act (2012)  
The Land Act (2012)  
National Adaptation Plan (2012)  
National Water Policy (2012)

**International and regional conventions/treaties/protocols on water to which country is a signatory**

African convention on the conservation of nature and natural resources (1968)  
Convention on International Trade in endangered Species of wild Fauna and Flora (CITES) (1979)  
Ramsar Convention 1971 and Protocol 1972 (1990)  
Convention Concerning the Protection of the World Cultural and Natural Heritage (1991)  
Convention on Biological Diversity (1992)  
Agreement relating to the Establishment of the Lake Victoria Environment Management Project (LVEMP) (1994)  
Convention for the establishment of the Lake Victoria Fisheries Organization (1994)  
United Nations Framework Convention on Climate Change (UNFCCC) (1994)  
United Nations Convention to Combat Desertification (UNCCD) (1997)  
Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) (1999)  
Cartagena Protocol on Biosafety (2002)  
Treaty for the establishment of the East African Community (EAC) (2000)  
Agreement on the Conservation of African- Eurasian Migratory Waterbirds (2001)  
African convention on the conservation of nature and natural resources (2003)  
EAC Protocol on sustainable development of the Lake Victoria basin (2003)  
UNFCCC Kyoto Protocol (2005)  
EAC protocol on environmental and natural resources management (2006)  
EAC Climate Change Master Plan 2011-2031 (2011)  
EAC Climate Change Policy (2011)

## RWANDA

### National policies, laws and regulations related to water

Loi No. 47/1988 Portant organisation du régime forestier (1988)  
Law Establishing an Agency for the Regulation of Certain Utilities, Law No.39/2001 of 13/09/2001  
National Environmental Policy (2003)  
National Land Policy (2004)  
Sectorial Policy on Water and Sanitation (2004)  
Organic Law. Determining the Modalities of Protection, Conservation and Promotion of Environment in Rwanda (2005)  
Organic Law Determining the Use and Management of Land in Rwanda (2005)  
Law Determining the Organization, Functioning and Responsibilities of the National Forests Authority (NAFA) (2006)  
Law Establishing REMA, Law No. 16, 2006 of 03/04/2006  
National Adaptation Programmes of Action to CC (NAPA) (2006)  
The Law Relating to Expropriation in the Public Interest, Law No. 18/2007 of 19/04/2007 (2007)  
Ministerial Order relating to the Requirements and Procedures for EIA (2008)  
Law of Use, Conservation, Protection and Management of Water Resources (2008)  
Ministerial Order No. 003/2008 of 15/08/2008 (EIA Procedures) (2008)  
Ministerial Order N°007/2008 of 15/08/2008 Establishing the List of Protected Animal and Plant Species (2008)  
Policy on Cultural Heritage (2008)  
Organic Law No.53/2008 of 02/09/2008 Establishing Rwanda Development Board and Determining its Responsibilities, Organisation and Functioning (2008)  
Law No. 57/2008 of 10/09/2008 Law Relating to the Prohibition of Manufacturing, Importation, Use and Sale of Polythene Bags in Rwanda (2008)  
Cabinet Directive (Resolution of 25/03/2009, Minute 3) (2009)  
National Gender Policy (2010)  
Law No. 43/ 2010 of 07/12/2010 Establishing Rwanda EWSA (2010)  
National Policy and Strategy for Water Supply and Sanitation Services (NWSS) with Strategic Action Plan (part 2) (2010)  
Environment Sub-Sector Strategic Plan 2010-2015 (2010)  
Law Establishing and Organising the Real Property Valuation Profession in Rwanda, Law No.17/2010 of 12/05/2010  
Rwanda Biodiversity Policy (2011)  
Law of Establishing Rwanda Natural Resources Authority (RNRA) (2011)  
National Policy on Water Resources Management (NWRM)(Draft) (2011)  
Water Resources Management Sub-Sector Strategic Plan (2011-2017) (Draft) (2011)  
Green Growth and Climate Resilience National Strategy for Climate Change and Low Carbon Development (2011)  
Government of Rwanda, Ministry of Forestry and Mines Mining Policy (2010)  
Second National Communication (2012)

### International and regional conventions/treaties/protocols on water to which country is a signatory

African convention on the conservation of nature and natural resources (1968)  
Convention on International Trade in endangered Species of wild Fauna and Flora (CITES) (1981)  
Convention on Biological Diversity (1992) (ratified)  
United Nations Framework Convention on Climate Change (UNFCCC) (1998)

United Nations Convention to Combat Desertification (UNCCD) (1999)  
Convention Concerning the Protection of the World Cultural and Natural Heritage (2000)  
African convention on the conservation of nature and natural resources (2003)  
Ramsar Convention 1971 and Protocol 1972 (2002) (ratified)  
Cartagena Protocol on Biosafety (2004) (ratified)  
Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) (2005)  
UNFCCC Kyoto Protocol (2005)  
Treaty for the establishment of the East African Community (EAC) (2007)  
EAC protocol on sustainable development of the Lake Victoria basin (2007)  
EAC protocol on environmental and natural resources management (2007)  
EAC Climate Change Master Plan 2011-2031 (2011)  
EAC Climate Change Policy (2011)

## **SOUTH SUDAN**

### **National policies, laws and regulations related to water**

Timber Utilization and Management Act (2003)  
Forestry Commission Act (2004)  
Forestry Training Centre Act (2004)  
Investment Act (2004)  
Interim Constitution of South Sudan (2005)  
Official circular (2006)  
Ministerial Decree (2006)  
Water Policy (2007)  
Forest Policy (2007)  
Environmental Protection Bill (2010)  
South Sudan Development Plan 2011-2013 (2011)  
Water, Sanitation & Hygiene (WASH) Strategic Framework (2011)  
National Environmental Policy (2012)

### **International and regional conventions/treaties/protocols on water to which country is a signatory**

United Nations Framework Convention on Climate Change (UNFCCC) (Observatory State)

## **SUDAN**

### **National policies, laws and regulations related to water**

Land Settlement and Registration Ordinance (1925)  
Land Acquisition Act (1930)  
Central Forest Act (1932)  
Provincial Forest Act (1932)  
Nile pumps Control Act (1939)  
Freshwater Fisheries Act (1954)  
Water Hyacinth Control Act (1960)  
Unregistered Land Act (1970)  
Environmental Health Act (1975)  
Public Health Act (1975)  
The Civil Transactions Act (1984)

Wildlife Protection and National Parks Act (1986)  
Forestry Act (1989)  
Irrigation and Drainage Act (1990)  
Seeds Law (1990)  
Environmental and Natural Resources Act (1991)  
National Water Policy (1992)  
Water Resources Act (1995)  
National water corporation Act (1995)  
Environmental Health Act (1997)  
Ground Water Act (1997)  
Groundwater and Wadis Directorate Act (1998)  
Archeology Protection Act (1999)  
Antiquities Protection Act (1999)  
National Water Policy (2000)  
Sudan National Biodiversity Strategy and Action Plan (2000)  
Environmental Protection Act (2001)  
Electricity Act (2001)  
Forests and Renewable Natural Resources Act (2002)  
First National Communication (2003)  
National Plan for Environmental Management (2007)  
National Adaptation Programme of Action (NAPA) (2007)  
National Implementation Plan (NIP) for the Stockholm Convention on Persistent Organic Pollutants (POPs) (2007)  
Desertification Control Act (2009)  
Environmental Health Act (2009)

**International and regional conventions/treaties/protocols on water to which country is a signatory**

African Convention on the Conservation of Nature and Natural Resources (1968)  
Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat (1971)  
Convention Concerning the Protection of the World Cultural and Natural Heritage (1972)  
Convention of International Trade in Endangered Species Wild Fauna and Flora (CITES) (1973)  
Convention Concerning the Protection of the World Cultural and Natural Heritage (1974)  
UN Convention on the Law of the Sea (1982)  
Convention on International Trade in endangered Species of wild Fauna and Flora (CITES) (1983)  
Vienna Convention for the Protection of the Ozone Layer (1985)  
Montreal Protocol on Substances that Deplete the Ozone Layer (1987)  
Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (1989)  
United Nations Convention on Biological Diversity (UNCBD) (1992)  
United Nations Framework Convention on Climate Change (UNFCCC) (1994)  
United Nations Convention to Combat Desertification (UNCCD) (1994)  
Agreement on the Conservation of African-Eurasian Migratory Waterbirds (1999)  
UNFCC Kyoto Protocol (2005)

## TANZANIA

### National policies, laws and regulations related to water

Water Utilization Act (1974)  
Urban Water Supply Act (1981)  
Community Development Policy (1996)  
Water Utilization Act (1997)  
The Land Act (1999)  
The Water Act (1999)  
Land (Assessment of Value of Land for Compensation) Regulations (2001)  
National Water Policy (NAWAP0) (2002)  
Forest Act (2002)  
First National Communication (2003)  
Environmental Management Act (EMA) (2004)  
National Strategy for Gender Development (2005)  
The Environmental Impact Assessment and Audit Regulations (2005)  
Water Sector Development Programme 2006-2025 (WSDP) (2006)  
The Urban Planning Act, 2007 (Act 8/2007)  
National Adaptation Programme of Action (NAPA) (2007)  
The Wildlife Policy of Tanzania (2007)  
National Water Sector Development Strategy 2006-2015 (NWSD) (2008)  
The Second National Multi-Sectoral Strategic Framework on HIV and AIDS (2008-2012)  
Water Supply and Sanitation Act (2009)  
Water Resources Management Act (2009)  
Wildlife Conservation Act, 2009 (Act 5/2009)  
National strategy for Growth and Reduction of Poverty II (MKUKUTA II) (2010)  
The Wetlands and Wildlife Policy (2010)

### International and regional conventions/treaties/protocols on water to which country is a signatory

African convention on the conservation of nature and natural resources (1968)  
Convention Concerning the Protection of the World Cultural and Natural Heritage (1977)  
Convention on International Trade in endangered Species of wild Fauna and Flora (CITES) (1980)  
Agreement on the action plan for the environmentally sound management of the common Zambezi River System (1987)  
Agreement relating to the Establishment of the Lake Victoria Environment Management Project (LVEMP) (1994)  
Convention for the establishment of the Lake Victoria Fisheries Organization (1994)  
SADC Protocol on shared watercourse systems (1995)  
United Nations Framework Convention on Climate Change (UNFCCC) (1996)  
United Nations Convention to Combat Desertification (UNCCD) (1997)  
Agreement on the Conservation of African- Eurasian Migratory Waterbirds (1999)  
Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) (1999)  
SADC Revised protocol on shared water courses (2000)  
Treaty for the establishment of the East African Community(EAC) (2000)  
Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat (2000)  
UNFCCC Kyoto Protocol (2002) (accession)

The Convention on the Sustainable Management of Lake Tanganyika (2003)  
African convention on the conservation of nature and natural resources (2003)  
EAC Protocol on sustainable development of the Lake Victoria basin (2003)  
ZAMCOM agreement on the Zambezi River for establishing a Zambezi River Commission (2004)  
EAC protocol on environmental and natural resources management (2006)  
EAC Climate Change Master Plan 2011-2031 (2011)  
EAC Climate Change Policy (2011)

## UGANDA

### National policies, laws and regulations related to water

The Land Acquisition Act Cap 226 (1965)  
National Policy for the Conservation and Management of Wetland Resources (1995)  
National Environmental Act (1995)  
Uganda Water Action Plan (1995) (Part 6: Water Action Plan for Water Resources Development and Management)  
Uganda Wildlife Policy (1996)  
Water Act Cap 152 (1997)  
The Land Act, Cap 227 (1998)  
Water Resources Regulations (1998)  
Water Supply Regulations (1998)  
Water Waste Discharge Regulations (1998)  
Environmental Impact Assessment Regulations (1998)  
Sewerage Regulations (1999)  
National Environment Standards for Discharge of Effluent into Water or on Land Regulations (1999)  
The National Water Policy (1999)  
National Water & Sewerage Corporation Act (2000)  
National Environment Regulations Wetlands, Riverbanks and Lakeshores Management (2000)  
National Environment (Hilly and Mountainous Areas Management) Regulations (2000)  
Uganda Wildlife Act, Cap (2000)  
Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) (2000)  
Wetland Sector Strategic Plan (WSSP) 2001-2010 (2001) (hard copy only)  
First National Communication (2002)  
Water Sector Gender Strategy (DWD) (2003)  
The National Forestry and Tree Planting Act (2003)  
The Mining Act (2003)  
Mineral Policy of Uganda (2004)  
The Access to Information Act (Act 6/2005) (2005)  
Community Mobilisation and Empowerment Strategy (2006)  
Pro- Poor Strategy for the Water and Sanitation Sector (2006)  
The Uganda Gender Policy (2007)  
Water Resources Sub-Sector Strategy (2007)  
National Land Use Policy (2007)  
National Adaptation Programme of Action (NAPA) (2007)  
Uganda National Development Plan (2010)  
The Uganda National Land Policy (2011)  
The National Priority Action Plan, 2011/12-2013/14 (2011)

National HIV and AIDS Strategic Plan 2011/12-2014/15 (2011)  
National HIV and AIDS Monitoring and Evaluation Plan 2011/12-2014/15 (2011)  
Uganda National HIV and AIDS Policy (2011)  
Draft National Museums and Monuments Policy (2011)  
Regulating Use Of Water Resources In Uganda (no date specified)

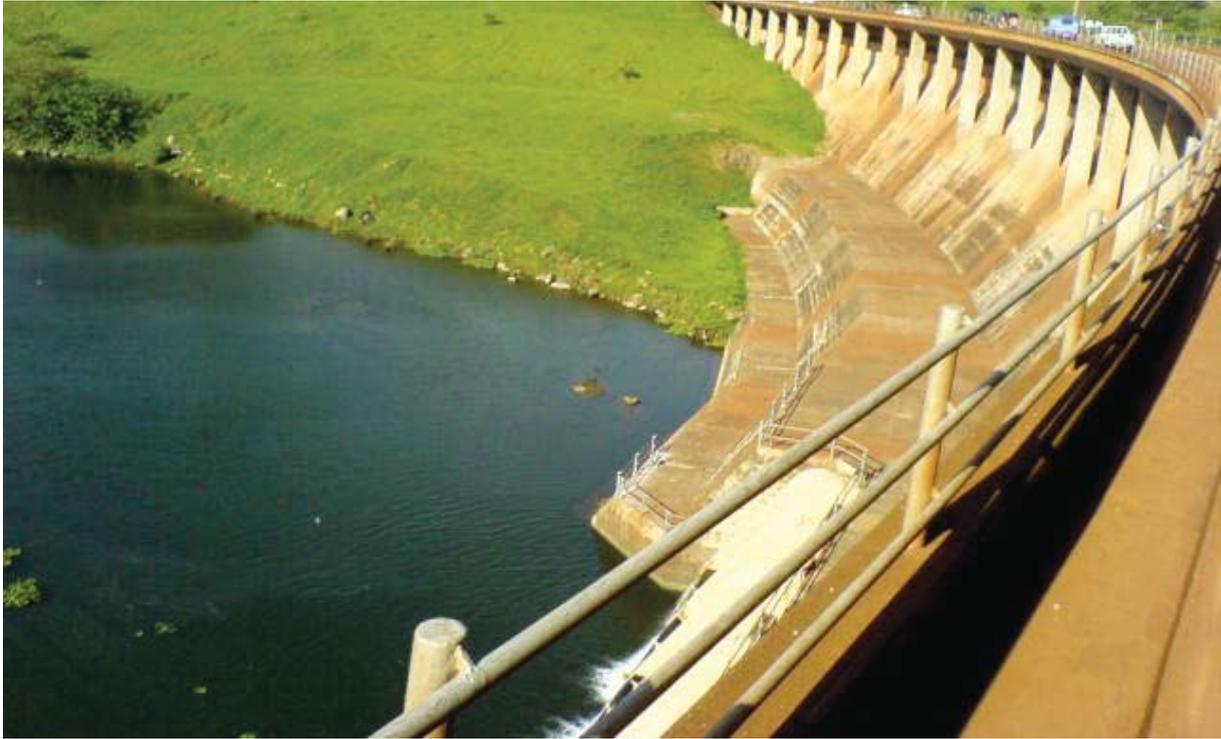
**International and regional conventions/treaties/protocols on water to which country is a signatory**

African convention on the conservation of nature and natural resources (1968)  
Convention Concerning the Protection of the World Cultural and Natural Heritage (1987)  
Ramsar Convention 1971 and Protocol 1972 (1988)  
Convention on International Trade in endangered Species of wild Fauna and Flora (CITES) (1991)  
Convention on Biological Diversity (1992)  
Agreement relating to the Establishment of the Lake Victoria Environment Management Project (LVEMP) (1994)  
Convention for the establishment of the Lake Victoria Fisheries Organization (1994)  
United Nations Framework Convention on Climate Change (UNFCCC) (1994)  
United Nations Convention to Combat Desertification (UNCCD) (1997)  
Treaty for the establishment of the East African Community (EAC) (2000)  
Agreement on the Conservation of African- Eurasian Migratory Waterbirds (2000)  
Cartagena Protocol on Biosafety (2001)  
UNFCCC Kyoto Protocol (2002)  
African convention on the conservation of nature and natural resources (2003)  
EAC Protocol on sustainable development of the Lake Victoria basin (2003)  
EAC protocol on environmental and natural resources management (2006)/(2009)  
EAC Climate Change Master Plan 2011-2031 (2011)  
EAC Climate Change Policy (2011)









## NILE BASIN INITIATIVE

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