

Technical Background Paper

## **The Organizational Structure of River Basin Organizations**

**Lessons Learned and Recommendations for the Mekong River  
Commission (MRC)**

Paper Prepared for the Mekong River Commission (MRC)

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## Abbreviations

ADB	Asian Development Bank
AIT	Asian Institute of Technology
AfDB	African Development Bank
ATCB	Associated Technical Cooperation Budget (at the MRC)
BMU	Beach Management Unit (at the LVFO)
BSC	Black Sea Commission
CAR	Central African Republic
CCAI	Climate Change and Adaptation Initiative (at the MRC)
CGIAR	Consultative Group on International Agriculture Research
CICOS	Commision Internationale du Bassin Congo-Oubangui-Sanga
CNMC	Cambodian National Mekong Committee
DCG	Donor Consultative Group (at the MRC)
DRC	Democratic Republic of Congo
DRP	Danube River Project
EAC	East African Community
EaFDB	East African Development Bank
EC	European Commission
ENSAP	Eastern Nile Subsidiary Action Program (of the NBI)
EPSMO	Environmental Protection and Sustainable Management of the Okavango
EU	European Union
EUWFD	European Union Water Framework Directive
FAO	Food and Agriculture Organization
GEF	Global Environment Facility
GMS	Greater Mekong Sub-Region
GWP	Global Water Partnership
ICPDR	International Commission for the Protection of the Danube River
ICPER	International Commission for the Protection of the Elbe River
ICPR	International Commission for the Protection of the Rhine
IMC	Interim Mekong Committee
ISH	Initiative on Sustainable Hydropower (at the MRC)
ISRBC	International Sava River Basin Commission
IUCN	International Union for the Conservation of Nature
LCBC	Lake Chad Basin Commission
LNMC	Lao National Mekong Committee
LTRIMP	Lake Tanganyika Regional Integrated Management Programme
LVBC	Lake Victoria Basin Commission
LVFO	Lake Victoria Fisheries Organization
MAF	Management and Administration Fee (at the MRC)
MC	Mekong Committee
MRC	Mekong River Commission
MRCS	Mekong River Commission Secretariat
NBA	Niger Basin Authority
NBI	Nile Basin Initiative
NBTF	Nile Basin Trust Fund
NDF	Nordic Development Fund
NELSAP	Nile Equatorial Lakes Subsidiary Action Program (of the NBI)
NIGER-HYCOS	Niger Hydrological Cycle Observing System
NMC	National Mekong Committee
NMCS	National Mekong Committee Secretariat

OBSC	Okavango Basin Steering Committee
OCTA	Organization of the Amazon Cooperation Treaty
OEB	Operational Expenses Budget (at the MRC)
OKASEC	OKACOM Secretariat
OMVS	Organisation pour la Mise en Valeur du Fleuve Sénégal
ORASECOM	Orange-Senqu River Commission
PMS	Performance Management System
RPCLCB	Regional Parliamentary Committee of the Lake Chad Basin
SADC	Southern African Development Community
SAP	Strategic Action Plan
TCB	Technical Cooperation Budget (at the MRC)
TDA	Transboundary Diagnostic Analysis
TF	Trust Fund
TNMC	Thai National Mekong Committee
ToR	Terms of Reference
UNDP	United Nations Development Program
UNEP	United Nations Environment Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
VBA	Volta Basin Authority
VNMC	Viet Nam National Mekong Committee
WAfDB	West African Development Bank
WMO	World Meteorological Organization
WMTF	Water Management Trust Fund
WWF	World Wide Fund for Nature
ZAMCOM	Zambezi Watercourse Commission
ZRA	Zambezi River Authority

## Executive Summary

The organizational structure of RBOs is of great importance for their performance in managing the river basin jointly. Three different domains can be identified: 1. The RBOs' institutional design, that is, the way its organizational bodies are designed and interact with one another, 2. The institutions' link to its member states and the distribution of tasks between the different governance levels, and 3. The financing of the institution.

The variances of each of the three characteristics of RBOs largely depend on what type of RBO member states (or other actors in the basin) have created and which functions they expect the RBO to perform. A general distinction can be made between implementation-oriented RBOs, responsible for the development, implementation and maintenance of joint projects, often having a development focus and going beyond pure water resources management, and coordination-oriented RBOs, in charge of coordinating water resources management tasks that are developed and implemented on the national level but coordinated and harmonized on the transboundary level.

Experiences from several RBOs around the world have been analyzed in order to derive recommendations for the MRC. The following lessons learned can be summarized with respect to the different dimensions of organizational-structural issues of RBOs as follows:

### 1. The organizational Structure of RBOs

- A clear definition of the RBO's role and responsibilities, that is, the functions member states expect the RBO to fulfill, is a necessary prerequisite for all other reform considerations. The MRC therefore needs to engage further in defining its role and responsibilities in greater detail. This is of particular importance with respect to whether MRC will be considered as an implementing or a coordinating RBO.
- A conference of Heads of State and Government can be a useful means for raising awareness for joint river basin management, increasing the visibility of the RBO and strengthening high-level political commitment. The process that started at the MRC Summit in April 2010 should therefore be continued.
- The ministerial-level decision-making body of an RBO is a core body of the RBO, that develops its general policies and strategies. In order to be more efficient, MRC should elaborate how the work of the MRC Council can be improved, especially regarding its decision-making procedures and the transparency of its work.
- Intermediate bodies translating high-level policy recommendations into strategies, programs and projects are of great importance for managing the river basin on the ground. MRC therefore needs to engage in increasing the effectiveness and efficiency of the Joint Committee, especially by defining its responsibilities and its contributions to the overall decision-making and river basin management chain clearly.
- Since the role of Secretariats can be seen as crucial for the long-term sustainability of institutionalized river basin management, ensuring their efficiency is decisive. MRC should therefore more clearly define MRCS' role and responsibilities (especially in the context of the core functions process and changing challenges in the river basin) and provide MRCS with the required financial, technical and human capacities to fulfill its tasks.
- Efficiency and effectiveness of an RBO also depend on the interactions among the different organizational bodies. Engaging in developing new and/or refining existing work descriptions should therefore rank high on MRC's institutional reform agenda.

## **2. Decentralization, relations to member states and ownership**

- The degree of decentralization of river basin management tasks within an RBO depends on what roles and responsibilities member states have assigned to the institution. Moving forward on the decentralization path requires, therefore, a clear agreement of MRC member states on which functions they consider important for the joint management of the basin at all and which of these functions they want to see performed by which governance level.
- National Committees have, in many RBOs, not proven to be the most appropriate means of linking the centralized RBO level to the member states. However, if member states agree upon the establishment or maintenance of such bodies, it is important that their roles and responsibilities are defined clearly and consistently and that they are equipped with the required human, technical and financial capacities to fulfill their tasks. This needs to be taken into account while reforming the NMCs.
- Working or Expert Groups provide promising means of decentralizing RBO work towards the member states while, at the same time, increasing ownership. MRC might therefore want to consider the establishment of Working Groups for various issues such as fisheries, hydropower, water quality or data management.
- When decentralizing river basin management functions, ensuring the capacity of member states to fulfill newly gained responsibilities is important. The MRC therefore needs to make sure that all member states possess sufficient human, technical and financial capacities to successfully perform the functions potentially assigned to them in the course of the core functions process.
- The embeddedness of an RBO in its broader regional context can provide important opportunities for issue-linkage. MRC should therefore further intensify its relations with regional organizations and bodies such as ASEAN and GMS, thus benefiting from economies of scale while avoiding inefficiencies related to overlaps and uncoordinated activities. Clearly delineating each organization's role and responsibilities is thereby particularly important.

## **3. The financing of RBOs**

- Sustainable and secured financing is a necessary condition for the efficient work of an RBO. MRC therefore needs to work towards ensuring its funding base of the next years, both in relations to development partners and with regard to ongoing financial riparianization.
- The definition of member contributions to the RBO is of great importance for ensuring sustainable financing. Cost-sharing mechanisms thereby need to reflect the specific situation in the river basin and among the RBO's members, taking into account their economic capacities.
- When reforming the financing structure of an RBO, new funding mechanisms such as TFs should thereby be taken into account.

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## I. Introduction

The MRC is currently facing various challenges: Firstly, changes in the Mekong River Basin such as climate change call for appropriate adaptation mechanisms; secondly, developments in the broader regional context (e.g. the increasing integration of Southeast Asian countries via ASEAN) require new modes of action from the MRC; in addition, changes within the institution's member states, namely the increasing socioeconomic development and changing economic structures, change member states perception's of the MRC. These developments have demonstrated the need for changes in the organizational structure of the MRC in recent times. This has been acknowledged by the MRC for several years already (especially the Independent Organizational, Financial and Institutional Review (MRC 2007a) and the Mid-Term Review of the Strategic Plan (MRC 2009c) have indicated that the MRC is suffering from a number of organizational shortcomings). Both the MRC and its member states have now recognized the need for reform and have made important steps towards increased institutional effectiveness, particularly through the implementation of the majority of recommendations made by the Independent Organizational Review (for achievements refer to MRC 2008a), the establishment of monitoring and performance management mechanisms on the organization and on the program-level, or the refinement of core functions the member states expect the MRC to perform. However, more needs to be done in the future.

The formulation of the Strategic Plan 2011-2015, together with the ongoing implementation of the Performance Management System (PMS) and the core functions process provides an excellent opportunity to take a closer look at MRC's organizational structure and develop scenarios for its future organizational development.

The ultimate aim of this paper is to contribute to the formulation of the Strategic Plan 2011-2015 and related reform processes within the MRC by investigating the impact of specific organizational characteristics on the performance of RBOs and exploring potential paths of development of the MRC. Lessons from other River Basin Organizations (RBOs) can thereby prove particularly helpful. The paper's ensuing objectives are to analyze the organizational structure of RBOs<sup>1</sup> and to derive recommendations for the MRC on how to achieve its goal of becoming a world-class organization. A particular emphasis is thereby put on the different organizational bodies of the RBOs, their relations to one another, the linkage of the RBO to its member states and the various financing means RBOs rely on. Although we are aware that the organizational structure of RBOs is closely linked to the historical, political, socioeconomic and cultural context in which the organization emerged and developed and there is no "ideal" model of RBOs, it is nevertheless suggested that the analysis of RBOs from around the world can provide important insights for the MRC.

The paper consists of three parts, each of them focusing on a particular aspect of the organizational structure of RBOs. The first part looks at the different organizational bodies of RBOs (with a particular focus on the Secretariat), the following part investigates the linkages of RBOs and the centralized river basin management level to the institution's member states, and the third part analyzes the different financing mechanism of RBOs. Each section thereby provides a general overview, in-depth case studies of particularly interesting RBOs and recommendations for the MRC.

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<sup>1</sup> The sample of RBOs chosen for closer analysis comprises ICPDR, ICPER, ICPR, ISRBC, LCBC, LTA, LVBC, LVFO, NBA, NBI, OCTA, OKACOM, OMVS, ORASECOM, VBA and ZAMCOM.



## II. The Organizational Bodies of RBOs – Lessons from around the World

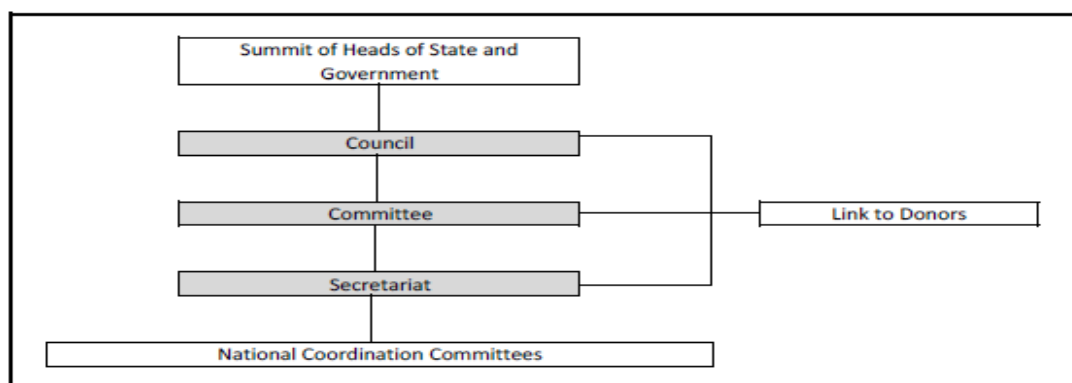
The structure of organizations, here defined as institutionalized bodies for cooperation between a certain set of actors that have agreed upon a set of principles, norms, rules, and decision-making procedures, possessing a certain degree of formality and a legal personality, is of great importance to their performance. This has been emphasized by research on management, which mainly focus on the internal set-up of firms or bureaucracies (e.g. Mintzberg 1979, Böhmelt/Pfister 2009, Rainey 2009) as well as by International Relations, which analyzes international organizations (e.g. Wettestad 1999, Koremenos et.al. 2001, Mitchell/Keilbach 2001, Underdal 2002, Breitmeier 2006, Mitchell 2006, Underdal 2008). Although research on RBOs has rarely investigated the internal structure of RBOs (only Marty 2001, Bernauer 2002, Hooper 2005, Dombrowsky 2007, Zawahri 2008), experiences from RBOs reinforce theoretical findings on the importance of internal organizational structures on the performance of RBOs. The following sections will focus on the most obvious organizational characteristics of RBOs, that is, the different organizational bodies of the institution and the links between them.

### 1. The Organizational Structure of RBOs – A General Perspective

#### 1.1. The Main Organizational Bodies of RBOs – Discovering the three-fold Structure of RBOs

Although RBOs have emerged from and developed in very different contexts and thus exhibit a large variety of design features, a certain basic structure similar in all RBOs can be identified. Most RBOs consist of three organizational bodies<sup>2</sup>, representing the different management levels of the organization and fulfilling different functions (see graph below):

- I) A high-level decision-making body at the ministerial level, such as a Council or a Ministerial Meeting (e.g. the Conference of Ministers of the ICPR, the Council of Ministers of the LVFO, the NBA and the NBI, or the Amazon Cooperation Council at the OCTA).
- II) An intermediary body, consisting of experts from the organization's member states and translating high-level policy decisions into operationalized strategies, often referred to as Committees (e.g. the Technical Committee of the NBA, the Steering Committee at the LCBC or the Committee of Experts at the VBA).
- III) A secretarial body, rendering administrative and other services to the organization (e.g. the Permanent Secretariats of the ICPDR and the LVFO, the NBI Secretariat or the Haute Commissaire of the OMVS).



Graph I: General Organizational Set-Up of RBOs (graph by author)

<sup>2</sup> An overview of the different organizational bodies of RBOs is provided in Annex I. Organigrams of these organizations can be found in Annex II.

These three types of organizational bodies can be considered as core bodies of RBOs, with most RBOs having at least two of them, but most often all three in place (see table below).

RBO	Conf. Heads of State/ Government	Ministerial Level Body/Council	Intermediary Body/ Committee	Secretariat	Working/ Expert Groups	National Coordination Committees	Donor Relations Body
ICPDR			*	*	*		
ICPER			*	*	*		
ICPR		*	*	*	*		
ISRBC		*	*	*	*		
LCBC	*		*	*			
LTA		*	*	*			
LVBC		*	*	*	*		
LVFO		*	*	*		*	
NBA	*	*	*	*			*
NBI		*	*	*			*
OCTA	*	*	*	*	*	*	
OKACOM		*	*	*	*		
OMVS	*	*	*	*		*	
ORASECOM			*	*	*		
VBA	*	*	*	*		*	
ZAMCOM		*	*	*			

Table I: The Distribution of Organizational Bodies across RBOs

Although all RBOs exhibit similar basic organizational structures, they differ to a great extent in their overall set-up. This becomes clear if the role and responsibilities of RBOs are taken into account: One can observe a clear difference in the organizational structure of RBOs that are oriented towards the implementation of projects and have a development-focus in their work, and RBOs that fulfill coordinating roles only. This is reflected in their organizational set-up as well, particularly in the number of organizational bodies and the size of and the connection between these different bodies. However, these two “ideal” types of RBOs cannot be perceived as mutually exclusive and entirely opposite. Instead, they represent two ends of a continuum on which RBOs are situated – some more on the implementation-type side (such as the NBI or the OMVS, which emphasize program and project development, financing and implementation in their work) and some more on the coordination-type side (such as the ICPER and the ICPR, which are concerned with the coordination of activities of its member states), yet others somewhere in between.

In addition to these main bodies, some RBOs have established organizational bodies that deal with specific issues member states have considered important for river basin management (see Table I)<sup>3</sup>: The most common additional bodies are high-level meetings of Heads of State and Government, bodies linking RBOs to their member states, and bodies coordinating the RBO’s work with development partners.

Meetings of Heads of State and Government constitute the highest possible decision-making level. They exist, for instance, in the NBA, where the Summit of Heads of State and Government of the Authority unites the highest political level of member states every two years for defining the general orientation of the development of the institution (Art. 6 NBA Convention), the OMVS, where the Conférence des Chefs d’Etat et de Gouvernement is responsible for the overall policy and strategy development for the management of the basin (Art. 3-6 OMVS Convention), or the VBA, where the Assembly of Heads of State and Government is in charge of high-level policy planning (Art. 4 Statutes of the VBA). Specific

<sup>3</sup> An overview of the different functions of the organizational bodies of RBOs is provided in Annex III.

coordination bodies for coordination with member states are included in some RBO. For instance, the LVFO Convention foresees the establishment of National Committees (Art. XI LVFO Convention), the OCTA has set up Permanent National Commissions (Art. XXIII OCTA Treaty), and the OMVS has established National Coordination Committees (which have been established in the course of the development of the organization). And in river basins in the developing world, where external financing is of great importance for the functioning of RBOs, some RBOs have established specific institutionalized mechanisms for the coordination with development partners (e.g. the NBA has established a Development Partner Group which is in charge of coordinating contributions from development partners under the auspices of the World Bank, and the Nile Basin Trust Fund Committee, consisting of member states and development partner representatives administers financing for the RBO channeled through the Trust Fund).

Especially RBOs focusing on coordination tasks have often established Working or Expert Groups on specific issues, consisting of representatives from member states considered as experts regarding a very specific issue: The ICPER, for instance, has set up three Working Groups, dealing with the three most important issues in the basin (the implementation of the EUWFD, flood protection and accidental water pollution). Similarly, the ISRBC has established various permanent and ad-hoc Expert Groups that deal with issues perceived as particularly important in the basin (currently navigation, river basin management, accident prevention and control, flood prevention, hydrological and meteorological issues and GIS/RIS). Although such Groups only provide advice on specific technical and scientific matters and their propositions are in no way binding to the RBO, decision-makers most often rely on the respective advice in order to come to technically optimal decisions. Regarding the organizational embeddedness of Working and Expert Groups into the overall RBO, it can be noted that experts from member states send as representatives to the respective Working or Expert Groups originate (most often) from the line agency responsible for a specific topic. For the RBOs named above, these are most often the Ministries of Environment and their respective departments responsible for water resources management. Participation in the meetings and related costs are accounted for by the respective member state – nevertheless, a contribution from the RBO could also be a possible option for member countries lacking the respective financial capacity.

The existence of Working or Expert Groups can thereby be considered as one of the main differences in the organizational set-up between implementation-focused RBOs as they are most often found in the developing world and coordination-oriented RBOs that can mainly be found in Europe. Such Working or Expert Groups enable the respective RBO to flexibly respond to challenges in the basin (by setting up such Groups if needed, but abrogating them once the issue has been solved) while keeping administrative and financial burdens low (since Working and Expert Groups most often consist at least partially of member states representatives, bringing it technical, human and financial capacity from those states). Establishing Working and Expert Groups can therefore be regarded as an efficient means for river basin management.

Besides the pure structure of the RBO, the roles and responsibilities of the different organizational bodies are of great importance for the management of the institution and the entire basin as well. Therefore, Conventions and Agreements on the establishment of RBOs need to clearly define the different organizational bodies and their responsibilities. In order to be even more specific, Rules of Procedure, Terms of Reference or Guidelines have been established by many RBOs in order to clearly define the responsibility and the tasks of each organizational body and their relations to one another. For instance, the Rules of Procedure of the ICPDR clearly define the composition, administration and the responsibilities of each

body of the organization; and a binding document on the Institutional Structure and Programs of the Organization (LVFO 2005b) clarifies the set-up and the tasks of each organizational body of the institution and provides additional detail on their interaction beyond what is already defined briefly in the LVFO Convention. The importance of defining mandates, responsibilities and tasks of the different organizational bodies can thereby not be overvalued, since only when these prerequisites are fulfilled, RBOs can be efficient and effective in managing the river basin at stake.

### 1.2. The Secretariat of RBOs – Providing Continuity in Cooperation

The Secretariat of RBOs is of particular importance for the effectiveness of river basin management, particularly in more implementation-oriented RBOs and in regions where capacity of member states is limited and/or the provision of knowledge and capacity needed. By fulfilling various important functions for the organization, Secretariats of international organizations ensure the institutionalization of cooperation and bring continuity in the governance of the issue at stake (although this has been only mentioned by International Relations theory so far (Von Moltke/Young 1995, Andresen/Skjaereth 1999, Wettstad 1999, Bauer et.al. 2007, Biermann/Siebenhüner 2009) but neglected by research on hydropolitics, experiences from RBOs confirm these findings).

Generally, RBO Secretariats provide a variety of functions and services to the institution, including the following ones (or any subset of those)<sup>4</sup>:

- I) Organizational function: The organization of meetings of the different bodies of the RBO, including the preparation of documents and reporting. For instance, the Secretariat of the ICPR prepares the meetings of the Plenary Assembly, the Coordination Group and the Working and Expert Groups (Art. 7 Rules of Procedure of the ICPR), and the Permanent Secretariat of the LVFO organizes the sessions of the institution's decision-making bodies (Art. X LVFO Convention).
- II) Preparatory function: The preparation of strategic documents to be approved by the decision-making bodies. For example, the LVFO Permanent Secretariat is in charge of drafting the work program of the organization to be approved by the Council (Art. X LVFO Convention) and the ZAMCOM Secretariat prepares and submits a Strategic Plan for the RBO to the Technical Committee and the Council (Art. 11 ZAMCOM Agreement).
- III) Harmonization function: The initiation of harmonization processes, aiming at aligning water resources policies and laws in the member countries. In this sense, the LVBC is in charge of initiating the coordination and harmonization of policies and strategies of member states regarding the use of the lake (Art. 42 Lake Victoria Protocol) and the ORASECOM Secretariat assists members in harmonizing their water resources policies under the SADC Protocol (based on Art. 7 ORASECOM Agreement).
- IV) Information and data management function: The management of knowledge, information and data within and beyond the organization. In this sense, the ICPDR Secretariat maintains a centralized database, the Danube River Basin Information System, DANUBIS (based on Art. 12 Danube Convention) and the LVBC coordinates the collection and exchange of data among lake riparians (Art. 42 Lake Victoria Protocol).
- V) Organizational monitoring function: The reporting on and monitoring of activities of the organization and its different bodies. For instance, the

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<sup>4</sup> An overview of the different Secretariat functions and their distribution across RBOs is provided in Annex IV.

Permanent Secretariat of the ICPDR prepares and circulates reports on the activities carried out by the organization (Art. 9 Rules of Procedure of the ICPDR) and the Permanent Secretariat of the LVFO submits regular reports on the work of the organization to the Council and the Steering Committee (Art. X LVFO Convention).

- VI) Member monitoring function: The reporting on and monitoring of activities of the member states towards the implementation of jointly agreed upon measures. For instance, the Secretariat of the ICPR monitors member states' activities in reducing river pollution and regularly publishes the results (Art. 4 ICPR Convention) and the ICPR Secretariat reports on member states' compliance with the jointly agreed upon measures (based on Art. 11 ICPR Convention)<sup>5</sup>.
- VII) External relations functions: The maintenance of relations with external actors with other international organizations or the civil society. For instance, the Executive Directorate of the VBA represents the RBO in its relations to other international organizations (Art. 9 VBA Convention) and the ICPR Secretariat is in charge of relations with NGOs and other civil society representatives through disseminating information to and meeting with the respective groups (Art. 8 Rules of Procedure of the ICPR).
- VIII) Information dissemination function: The distribution of information to the general public in the basin and beyond. For example, the Permanent Secretariat of the ICPDR makes information on the river available to the public and organizes awareness raising events such as the Danube Day (based on Art. 14 ICPDR Convention and Art. 12 Rules of Procedure of the ICPDR), and the LVBC Secretariat disseminates information to local communities and stakeholders in the basin (Art. 42 Lake Victoria Protocol).
- IX) Budgetary function: the drafting of the RBO's budget for approval by its decision-making bodies. For instance, the Secretariat of the ICPR is responsible for drafting the annual budget of the organization and managing income and expenditure (Art. 7 and Art. 10 Rules of Procedure of the ICPR) and the Permanent Secretariat of the LVFO is in charge of auditing the accounts of the organization (Art. X LVFO Convention).
- X) Advisory function: The provision of technical and scientific advice to other bodies and the member states regarding various issues of joint river basin management. This is, for instance, done by the LTA Secretariat, which provides technical and scientific services and advice to the institution and its member states (Art. 26 LTA Convention), and the ZAMCOM Secretariat, which advises member states on the planning, utilization, development, protection and conservation of the river basin (Art. 11 ZAMCOM Agreement).
- XI) Project management function: The management, maintenance and execution of joint projects and programs of the RBO. This is, for instance, the case for the CICOS, where the Secrétaire Générale is in charge of promoting the cooperation on and the coordination of joint projects, particularly regarding the navigability of the river (Art. 27 CICOS Treaty), and the High Commission of the OMVS is responsible for the execution of work relating to regional infrastructure such as

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<sup>5</sup> It needs to be acknowledged that RBOs rarely have enforcement capacities if monitoring reveals a lack of compliance among member states. Nevertheless, "naming and blaming" a specific member for non-compliance (within the organization's bodies or even beyond into the public sphere) has so far proven effective in the RBOs referred to here. If non-compliance is, however, due to a lack of capacity rather than willingness, targeted capacity building measures provided by the RBO can help to fix problems that have been monitored.

- the Diama and Manantali Dams member states have jointly established (Art. 13 OMVS Convention)
- XII) Financing function: The acquisition of funding from various sources within and beyond the basin (possibly including the acquisition of technical assistance from development partners). Under this function, the Secrétariat Générale of the CICOS is in charge of establishing financial and technical assistance programs and coordinating donor contributions (Art. 27 CICOS Treaty) and the NBA Executive Secretariat is responsible for receiving and managing loans on behalf of the RBO (Art. 9 NBA Convention). This function often includes the coordination with development partners. For example, the LVBC Secretariat organizes the institution's relations with its development partners based on partnership agreements (Art. 44 Lake Victoria Protocol).
  - XIII) Capacity building function: The establishment of capacity within the institution or in its member states through knowledge provision and training programs. The NBI, for instance, is responsible for human resources development and capacity in the basin (Art. 6 NBI Act) and the ZAMCOM Secretariat actively develops research and training programs on sustainable water resources management (Art. 11 ZAMCOM Agreement).

Thus, the distribution of Secretariat functions varies highly across RBOs. While functions I to IX can be fulfilled by all Secretariats independently from whether the organization is implementation- or coordination-oriented (although the degree of Secretariat engagement required for program and project implementation is much higher for these functions than if only coordination is performed), functions X to XIII are clearly related only to RBOs performing implementation tasks. Implementation-oriented RBOs have thus higher demands vis-à-vis their Secretariats, most often leading to larger Secretariats with more staff and high financing needs.

Although there is no consensus on what functions a Secretariat should fulfill, some functions, such as administrative support for joint decision-making processes, the coordination of the work of the other organizational bodies of the RBO and the management of data and information can undoubtedly be considered as particularly important independently from the specific problems in the basin, its development context and the precise role of the RBO. Beyond fundamental secretarial tasks, each RBO needs to define the role and responsibilities of its Secretariat based on the specific needs of the river basin and with a particular regard towards the degree of decentralization member states aim at (refer to part IV).

Another interesting aspect of Secretariats is their internal structure, which clearly reflects the differences between implementation-oriented and coordination-oriented RBOs: Some RBO Secretariats have very fragmented internal structures with a larger number of subsidiary bodies and programs. For instance, the LCBC Secretariat consists of different departments (Administration and Finance, Planning and Implementation, Documentation/Information/Technology, Water Resources) and employs various management people besides the Executive Secretary (an Assistant Executive Secretary and a Financial Controller, both with their own departments and staff). And the NBA Executive Secretariat is structured along two Directorates (a Technical Directorate and a Directorate for Administration and Finance), both consisting of various divisions (the former one of a Planning Division and an Operations Division) and the latter one of a Finance and Accounting Division and a Division of Human Resources). In addition, a Legal Advisor and an Internal Auditing Advisor assist the Executive Secretary. Another example for a highly fragmented Secretariat is the OMVS High Commission. It consists of various departments and directorates, e.g. for Administration and

Finance and for Technical Issues, both of them being further structured into various divisions. In addition, the organizations managing the two largest joint infrastructure projects of the organization, the Dama and the Manantali Dams, SOGED and SOGEM, are attached to the High Commission as well. Other RBOs, such as the ICPDR, the ICPR or the OKACOM, however, have very small Secretariats in place that are not further fragmented. Thus, it can be confirmed again that institutions with an implementation (or even investment) focus tend to be much larger in terms of organizational bodies and bureaucracy, since member states have assigned them with more tasks and responsibilities. RBOs that fulfill coordination functions, on the other hand, can live with much smaller bureaucracies.

Highly fragmented Secretariats fulfilling a large number of tasks beyond the coordination of member states water resources management do, however, often come with large number of staff: For instance, the NBA employs 45 staff and the OMVS more than 100 (with another 100 working at the Secretariat and being in charge of the management of the two main joint infrastructure projects), while smaller RBO Secretariats such as the ICPDR, the ICPR or the OKACOM operate with 17, 13 and 5 staff respectively.

Thus, Secretariats of RBOs do not need to be extremely large in order to be efficient and to contribute to the management of the river basin. Instead, it is important that member states clearly define the roles and responsibilities of the Secretariat and attribute exactly those organizational structures the Secretariat needs to fulfill the tasks assigned. As for organizational bodies in general, the assignment of clear roles and responsibilities, matching the needs in the river basin, is a prerequisite for efficient and effective operation of RBO Secretariats.

## **2. The Organizational Structure of RBOs – Learning from Case Studies**

The following sections will look with more details into the organizational structure of four RBOs: the ICPR, the ICPDR, the LVFO and the OKACOM. These RBOs have been chosen because they provide particularly interesting lessons for the MRC: The ICPR is often regarded as a role model for younger and less developed RBOs, mainly due to its small size, its efficiency and its degree of decentralization; the ICPDR, however, seems to be much more appropriate as a role model for the MRC, mainly due to comparability in terms of membership structure and regional environment; the LVFO is taken into consideration as an RBO from the developing world which is regarded as relatively successful; and the OKACOM can provide important insights on how to establish a very small and decentralized RBO from the very beginning and in a very complicated political and socioeconomic regional context.

### 2.1. The International Commission for the Protection of the Rhine (ICPR) – Small but Powerful<sup>6</sup>

Although formally existing since the 1950s, the ICPR was officially established in 1963 by the Treaty of Bern, signed by France, Germany, Luxemburg, the Netherlands and Switzerland (later joined by the EC). Cooperation mainly focused on the protection of the river from pollution, which was a severe issue at that time. In 1999, the Convention for the Protection of the Rhine was signed in order to renew cooperation. It assigned a new mandate and new goals and functions to the ICPR, which were further specified in the Rhine 2020 Strategy approved in 2001. Today, the goals of Rhine cooperation include the improvement of the basin's ecosystem, improved flood prevention and protection, improvement of water quality

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<sup>6</sup> Besides the official ICPR Documents indicated in the References, information on the ICPR have mainly been drawn from Bernauer/Moser 1996, Dieperink 2000, Verweij 2001, Frijters/Leentvar 2003, Myint 2007 as well as from the organization's website [www.iksr.org](http://www.iksr.org).

and the protection of groundwater resources in the basin. Thereby, ICPR's mandate only relates to the coordination of member states' activities in the aforementioned fields.

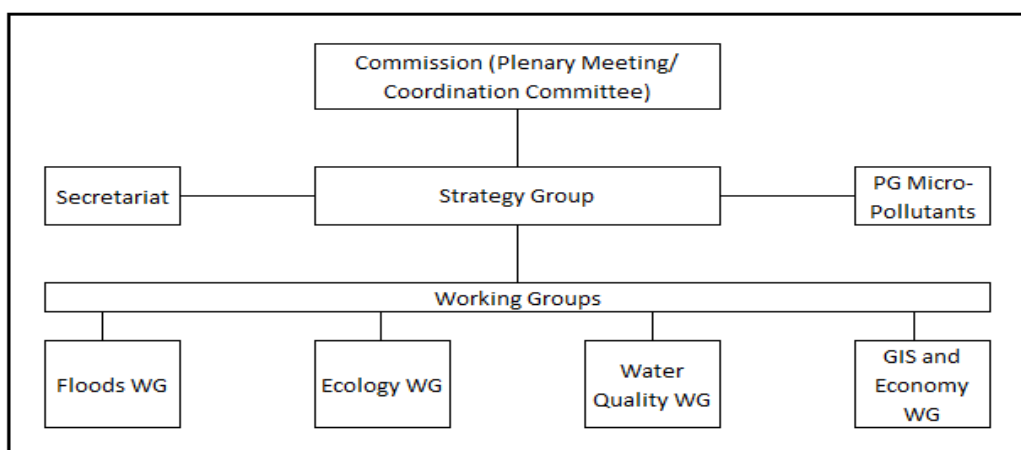
From the very beginning on, the ICPR was designed as a very small institution, consisting of a limited number of organizational bodies only (see graph below), grouped into three levels: 1. The strategic decision-making level, 2. The thematic Working Group level and 3. The Expert Group Level. The Conference of Ministers brings together ministers from member countries, but is not an official body of the organization, but rather a non-permanent coordination mechanisms. It meets every three to four years to decide on the general goals of the joint management of the institution. Between the Meetings of the Conference of Ministers, the Commission consists of the Plenary Meeting (consisting of delegations from ICPR member states, headed by the so-called "Water Directors", who are high-level servants in water resources management related ministries). It meets annually in order to decide upon the policies and strategies of the RBO, its work program and its funding (Art. 7 Rhine Convention and Art. 1 Rules of Procedure of the ICPR)<sup>7</sup>. In addition to the Commission, the Coordination Committee, including representatives from non-member Rhine riparians, meets in the context of the Commission and is closely linked to it. The decisions are operationalized by the Strategy Group, which is responsible for the actual planning and coordination of ICPR's work and the establishment of Working and Expert Groups (Art. 4 Rules of Procedure of the ICPR), and prepares, together with other subsidiary bodies, decisions to be taken on various issues and their implementation (through a bottom-up-approach). Their actual implementation is then steered and guided by the Commission (through a top-down-approach). Administrative and technical services required for the functioning of the institution are provided by the Secretariat (Art. 12 Rhine Convention and Art. 7 Rules of Procedure of the ICPR).

What is particularly interesting about the ICPR is its Working Group Structure. Working and Expert Groups can be established on any issue the Plenary Assembly considers as necessary (based on Art. 5 Rules of Procedure of the ICPR). Working Groups are of permanent character and cover certain issue-areas from a rather strategic perspective, while Expert or Project Groups are established for a limited time period only and focus on specifically defined tasks within the broader issue-areas the Working Groups deal with. Currently, there are Working Groups on Ecology (focusing on the biological state of the basin), Flood (supporting the implementation of the Action Plan on Floods), and water Quality and Emissions (focusing on monitoring programs, risk mitigation and the coordination of water quality measures). In addition, Expert Groups have been established on Data Management and GIS (coordinating the data collection among parties) and Economy (focusing on economic issues related to the EU-WFD). And a Project Group on micro pollutants has recently been established, in charge of developing a strategy against micro pollutants in the river basin. These different groups meet in average three times per year. Their work is coordinated and facilitated by the Secretariat, which ensures continuity in the work of the different bodies. Moreover, a Climate Change Group has been established. Its task is to prepare a report on the impact of climate change on the hydrology of the basin (e.g. water discharges, water temperature). This report will then be discussed by the different thematic groups with regard to the different issue-areas the ICPR deals with (ecology, fisheries, pollution, etc.) in order to develop an adaptation strategy.

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<sup>7</sup> Thereby, decisions cannot only be taken in Plenary Meetings, but also in extraordinary meetings or through written procedure, significantly increasing the efficiency of the decision-making process in the ICPR.





Graph II: The Organizational Structure of the ICPR (Graph by author)

Similarly, the ICPR Secretariat is of very limited size. Since it fulfills a very limited amount of functions only (all related to the transboundary coordination of river basin management and the provision of related administrative services such as the organization and documentation of the meetings of the organization's bodies, translations, technical advice and data management), it works with a very limited number of 13 staff, thus surviving on a small budget of only 1 million Euro/year, still being extraordinarily effective.

In addition, the ICPR has acknowledged the importance of keeping roles and responsibilities of its organizational bodies constantly up to date, adjusting them to changing circumstances in the basin. It is therefore currently reviewing its Rules of Procedure (ICPR 2010b) and the ToRs of its Working and Expert Groups. An important lesson learned from the ICPR is, therefore, that the organizational structure of the RBO needs to be kept constantly updated with the needs of the river basin and its riparians. Especially the Working and Expert Group structure thereby allows for a great degree of flexibility. Moreover, the organizational structure of the ICPR can be regarded as very specific and adapted to the needs of riparian states, which demand a transboundary coordination body that aligns their respective national policies on the river basin through coordinating specific measures and projects. With member states already being highly integrated and constantly harmonizing their water policies, ICPR member neither need a supranational decision-making nor an implementing agency.

However, despite the fact that the ICPR is often considered as a role model for other RBOs and has received a great deal of attention from the MRC, it does not necessarily offer immediately applicable lessons for MRC's short- and medium-term development. This is mainly due to vast differences in the basins' political and socioeconomic contexts, the degree of political integration of the RBOs' member states in other regional organization and, most importantly, the capacities of member states.

## 2.2. The International Commission for the Protection of the Danube River (ICPDR) – A Small Structure that Fits Many<sup>8</sup>

Until recently, the region and, in particular, the Lower Danube Basin have been characterized by a complex political situation of regime change, intra- and inter-state tensions as well as tremendous economic and social changes. Moreover, Danube riparian states exhibit a very broad array of socioeconomic development levels. Upstream states

<sup>8</sup> Besides official documents of the ICPDR indicated in the References, information on the organization is mainly drawn from Nachtnebel 2000, McCaffrey 2006, ICPDR 2008 and the ICPDR official website: [www.icpdr.org](http://www.icpdr.org).

(Germany and Austria) are highly developed, while downstream states have experienced fundamental economic changes, followed by both economic growth and serious economic crises. As a consequence, riparian states have very different interests in the use and the protection of the river. The situation is further complicated by the fact that the Danube is the most international river in the world with 19 riparian countries<sup>9</sup>. Therefore, experiences from Danube river basin management can provide important insights for the Mekong River Basin as well, being more comparable to the specific context in the Mekong Region that, for instance, the Rhine River Basin.

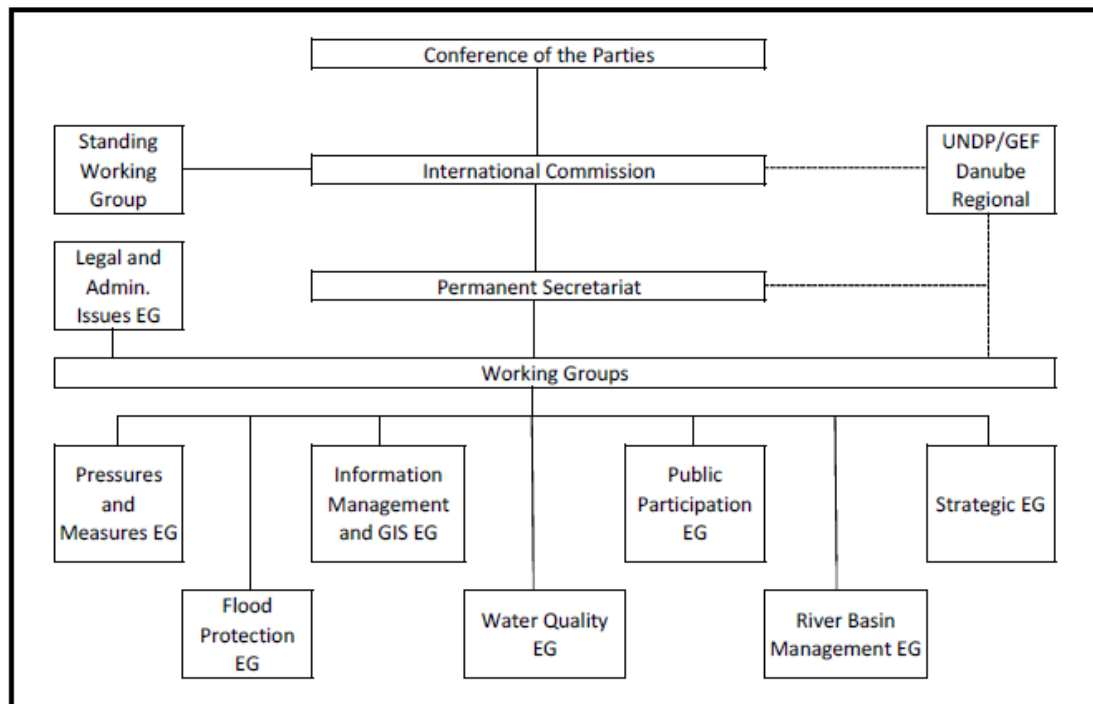
The IDPDR has been established in 1994 by the Convention on Cooperation for the Protection and the Sustainable Use of the Danube River. Although there have been various cooperation initiatives before (starting with the 1956 Treaty of Paris on the management of Danube navigation), the 1994 Convention can be seen as the first truly comprehensive agreement among Danube riparians. Its main goal is to ensure the sustainable and equitable use of waters and related resources in the river basin.

The ICPDR has a very specific organizational structure that suits the specific needs of the basin (see graph below): Its highest-level body is the Conference of Parties, uniting representatives of the Contracting Parties to the Danube Convention in order to discuss policy issues concerning the implementation of the Convention (Art. 22 Danube Convention). Cooperation through this Conference of Parties is institutionalized in the form of the Commission. It meets regularly once per year (with extraordinary meetings being possible if requested by at least three delegations; Art. 5 Rules of Procedure of the ICPDR) and translates general policy decisions into operationalized strategies. The operational work of the organization is coordinated by the Standing Working Group (Art. 5 Rules of Procedure of the ICPDR), in which delegates from various parties meet regularly and coordinate the work of the institution and the activities of the different technical bodies. This also includes financial and administrative management issues. Expert Groups can be established by the ICPDR for the management of specific issues (Art. 10 Danube Convention). Currently, there are seven Expert Groups: the River Basin Management EG, the Pressures and Measures EG, the Flood Protection EG, the Information Management and GIS EG, the Monitoring and Assessment/Water Quality EG, the Public Participation EG and the Strategic EG.

The Permanent Secretariat performs administrative functions. Based on Art. 9 Rules of Procedures of the ICPDR, these include, for instance, the preparation and distribution of reports on ICPDR activities, the preparation of the organization's budget, the coordination with external actors, or the management of data and information (particularly on the basis of the joint data management system DANUBIS). Its mandate and tasks are defined relatively narrowly, exactly matching the needs of the river basin and the expectations of member states, which see the ICPDR as a transboundary coordination mechanism fulfilling exactly those functions that should be fulfilled on the international level while delegating but still coordinating activities that can be carried out by member states. Based on such a clear subsidiary principle, the ICPDR Secretariat manages to fulfill its tasks with 14 permanent staff and a limited bureaucratic structure only.

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<sup>9</sup> Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Germany, Hungary, Moldova, Montenegro, Romania, Slovakia, Slovenia, Serbia, Ukraine.



Graph III: The Organizational Structure of the ICPDR (graph by author)

In order to allow for an efficient management of the institution, the ICPDR has established detailed work descriptions for all of its organizational bodies, including Working and Expert Groups. Each Expert Group, for instance, has its own ToRs which clearly define the composition of the group, its tasks, and its link to other bodies of the organization. For example, the ToRs for the Information Management and GIS EG clearly state that the group's tasks is to support activities related to the operation and the development of information systems, especially by organizing trainings workshops, assisting in data harmonization of national datasets based on EUWFD requirements, and assisting in the production of reports and maps. The ToRs further specify the EG's relations to other organizational bodies, such as providing geographic tools to the Secretariat, assisting the Secretariat in the production of reports. ICPDR's organizational structure and, in particular, the linkages between its different organizational bodies, can provide important insights for the MRC on how to efficiently coordinate the work within the RBO.

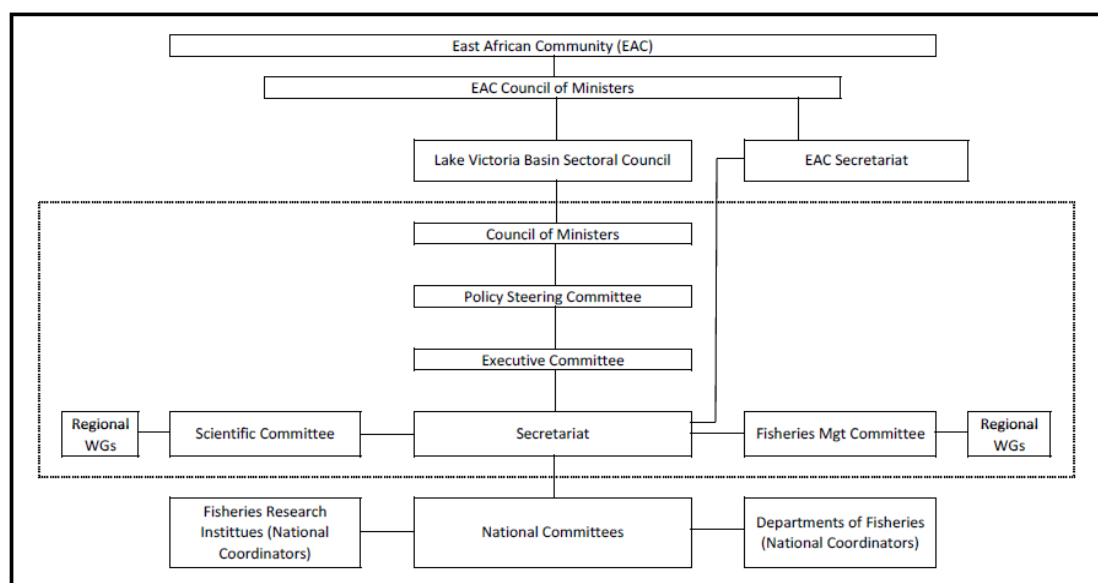
### 2.3. The Lake Victoria Fisheries Organization (LVFO) – A Highly Specialized Organization<sup>10</sup>

The LVFO is an RBO bringing together Kenya, Tanzania and Uganda for the joint management of the Lake Victoria and, in particular, its fish resources. The Lake Victoria is the largest lake in Africa and in the entire developing world, its fish resources being of great importance for riparian communities, which often heavily rely on fisheries and other natural resources provided by the lake. LVFO's mission is therefore to develop and adopt conservation and management measures to assure a healthy lake ecosystem and sustainability of living resources (Art. II LVFO Convention). This is mainly to be done through the harmonization of national measures for lake basin management. LVFO's mandate includes the promotion of proper management strategies, capacity building in the basin, the provision of a discussion forum on environmental and water quality issues, the provision of

<sup>10</sup> Besides the official documents indicated in the References, information on the LVFO is mainly drawn from Canter/Ndegwa 2002, Wirkus/Böge 2005, LVFO 1999, LVFO 2005a and LVFO 2005b, and from its official website ([www.lvfo.org](http://www.lvfo.org)).

research and technical advice, the analysis of the effects of man-made changes in the ecosystem or the acquisition of funding sources for lake management related projects.

The organizational structure of the LVFO is well-adapted to its mandate (see graph below<sup>11</sup>): The highest-level decision-making body is the Council of Ministers (Art. V LVFO Convention). It consists of the ministers responsible for fisheries from the different member countries. Their delegations include the heads of departments responsible for fisheries management, fisheries research, environment, industry and tourism. On the intermediary level, the LVFO has two bodies established (Art. VII and VIII LVFO Convention): the Policy Steering Committee and the Executive Committee. The former on consists of representatives from all ministries dealing with fisheries matters and is responsible for reviewing and recommending activities on the organization and developing guidelines for the management of the lake. The Executive Committee, consisting of six members from ministerial departments responsible for fisheries management and fisheries research, is in charge of specific measures for fisheries management and monitoring. Two additional committees are in charge of more specific issues of lake basin management (Art. IX LVFO Convention): The Fisheries Management Committee, consisting of the heads of ministerial departments dealing with fisheries management related issues, is in charge of fisheries related data and information and the development of the lake's fish resources. And the Scientific Committee, consisting of the heads of ministerial departments responsible for fisheries related research, deals with scientific and research activities related to the fish and other aquatic resources in the lake. The Permanent Secretariat provides administrative and technical services to the institution. Furthermore, the LVFO foresees the establishment of National Committees in each of the member states in order to better coordinate activities on the national level with the work of the RBO (Art. XI LVFO Convention).



Graph IV: The Organizational Structure of the LVFO (graph by author)

Based on Art. X of the LVFO Convention, the Secretariat's mandate remains unclear, since it shall "direct the work of the organization in accordance with the policy and decisions adopted by the Council of Ministers and under the guidance of the Policy Steering Committee". However, the tasks carried out by the Secretariat have been further specified in the course of the institution's development, mainly based on the actual demands of the

<sup>11</sup> The dashed line marks the LVFO as a proper institution, while organizational bodies outside the line are bodies of the EAC, to which the LVFO officially belongs as a subsidiary body.

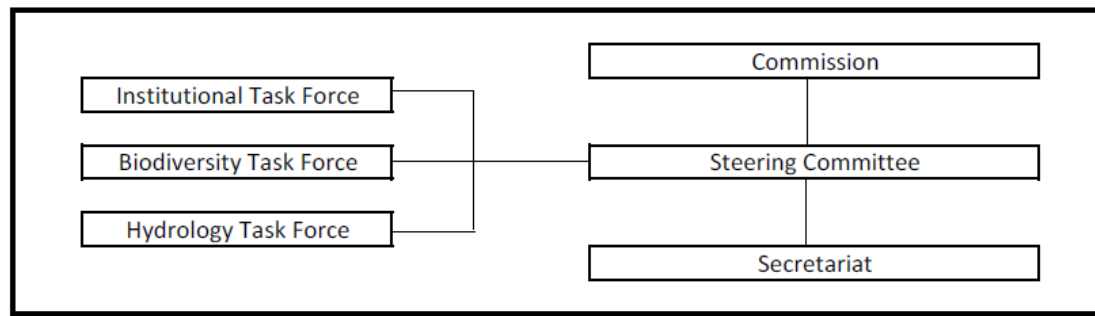
RBO as they occurred on a day-to-day work basis. This provides an interesting example on how to continuously refine Secretariat tasks according to the respective needs in the basin, leaving room for new developments in a Secretariat's work program and responsibilities. Today, tasks include the preparation and the submission of reports on the work of the organization to the Council, the organization of meetings of the governing bodies of the RBO, the drafting of the organization's budget and the auditing of accounts, and the management of a joint database. The number of LVFO Secretariat staff is relatively small, comprising an Executive Secretariat, a Deputy Executive Director, a Senior Scientist, a Senior Fisheries Management Officer, an Information and Database Officer and a Finance and Administration Officer. They are assisted by seven support staff (including three secretaries and three drivers; LVFO 2005b: 14). Additional temporary staff is hired for the duration of specific projects (with currently 9 additional staff working at the Secretariat).

#### 2.4. The Permanent Okavango River Basin Water Commission (OKACOM) – Getting it Right from the Start<sup>12</sup>

The OKACOM, although established officially with the OKACOM Agreement in 1994, was only truly institutionalized in 2007. In 2004, the member states Angola, Botswana and Namibia agreed to give the institution a permanent structure, mainly by establishing a Steering Committee and a Secretariat that would ensure the continuous management of the river basin. Intensified cooperation among Okavango riparians became possible after the end of the civil war in Angola, when member states increasingly recognized the need for joint and institutionalized river basin management. Moreover, further institutionalization of cooperation was required by the provisions of the SADC Protocol on Shared Watercourses. Therefore, OKACOM member states signed the Agreement on the Organizational structure of the Permanent Okavango River Basin Commission (in 2007), which reformed previously existing structures into the institution as it is today: The main policy-making body of the OKACOM is the Commission, consisting of representatives of each of the members. It is in charge of defining and guiding the development of the river basin from a very general perspective. Decisions of the Commission are transferred into concrete strategies by the Okavango Basin Steering Committee (OBSC), consisting of representatives from member states. Task Forces can be implemented on any issue regarded as important by the policy level of the organization. Currently, there are Task Forces on Hydrology (dealing with issues related to the collection, management and interpretation of water-related data in the basin and the development of plans for water management), on Biodiversity (looking into policies and practices related to the conservation of plant and animal life in the basin), and on Institutional Issues (responsible for policy and institutional matters related to the governance of the basin). OKASEC is responsible for providing administrative services to the OKACOM. Besides the formal structure of the OKACOM, the Basin Wide Forum (BWF) has been established. It is comprised of representatives from local communities of member states, meets once per year on the basin level and exchanges experience and knowledge aiming at providing a bird's eye perspective on socioeconomic as well as hydrological issues in the basin in order to formulate action plans for local communities.

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<sup>12</sup> Besides the official documents indicated in the References, information on the OKACOM is mainly drawn from Ashton 2003, Grossmann 2005, Heyns 2007, OKACOM 2009 and from its official website [www.okacom.org](http://www.okacom.org).



Graph V: The Organizational structure of the OKACOM (graph by author)

OKACOM's task is to coordinate the different activities that have been established in the river basin. With many different projects initiated by development partners and NGOs, OKACOM members felt the strong need to establish a body that would coordinate the different activities, bringing basin states back in the driving seat of river basin development<sup>13</sup>.

This coordination-focused mandate of the OKACOM is reflected in the OKASEC as well: Based on the provisions of the 2007 Agreement and the demands of the member states, OKASEC is kept very small in size, dealing with a very limited amount of tasks only. It thereby exclusively fulfills coordination functions. These include the provision of administrative services, financial control, and project and program coordination. Based on its limited mandate, OKASEC remains small, with currently only five staff (although OKASEC will probably grow slightly in the next years due to further institutionalization of OKACOM cooperation, a significant increase in staff is not envisaged). The operation of the OKASEC is specified in governance manuals that have been developed recently. In these manuals, it is acknowledged that OKASEC evolves constantly, requiring the continuous revisions of provisions made. Therefore, a mechanism will be established soon that allows for re-casting the manuals in the course of the development of the organization (OKACOM 2009: 16).

### 3. Lessons Learned for the MRC

The previous sections have shown that most RBOs are structured around an organizational skeleton consisting of a ministerial-level decision-making body, an intermediary body turning policy decisions into strategies, and a Secretariat. Additional organizational bodies are sometimes added according to the specific context of the river basin. On a general level, two types of RBOs can be distinguished on the basis of their roles and responsibilities, in turn determining their organizational set-up:

- I) RBO's with a development-facilitation and implementation role, focusing on the promotion of certain programs and projects in the basin through the management and implementation of water-resources related projects. The most prominent examples are the NBI and the OMVS.
- II) RBOs with a pure coordination role, responsible for coordinating tasks that are developed and implemented by the organization's member states. The most prominent examples are the ICPER and the ICPR.

These two prototypes constitute two polar cases, with other RBOs being situated somewhere in the middle of the continuum. Some have a focus on development and implementation issues. Prominent examples are, for instance, LCBC, NBA, NBI and OMVS. NBA's role is clearly implementation focused and activities that the institution has been

<sup>13</sup> This has been pointed out by a representative of the OKACOM on April 13<sup>th</sup>, 2010.

assigned (Art. 4 NBA Convention) include the centralization, standardization and dissemination, the development of a master plan for integrated management of the basin, the design, studying and construction of hydraulic projects of all types and sizes, the construction of works in the fields of transport and communication, the regulation of flow and drainage on the mainstream, the development and implementation of agricultural programs with rational water use or the construction and maintenance of dikes for flood and drought control. Others tend more towards coordination (such as ICPDR and OKACOM). Decisions on the roles and responsibilities of an RBO thus determine its organizational structure. Keeping the match between these two dimensions is of great importance for the long-term effectiveness of the RBO. Reformulating MRC's role, its organizational goals and its functions (particularly through the core functions process) therefore needs to be accompanied by a reconsideration of its current organizational structure.

What also becomes evident in the previous analysis is that the definition of each organizational body's tasks and its relations to other bodies of the RBO is of great importance. Therefore, clearly defined roles and responsibilities, ideally laid out in Rules of Procedures, Terms of Reference or Work Plans, are an important prerequisite for institutional effectiveness. In order to efficiently develop these documents further, a clear definition of MRC's overall goals and a potential reconsideration of existing goals are required. The process of the formulation of the Strategic Plan provides a window of opportunity for such reflections.

The analysis of the Secretariats of various RBOs has demonstrated that the number of responsibilities assigned to the Secretariat determines its size, with Secretariats with a large number of functions beyond the coordination of river basin management activities in the member states and the provision of administrative services, such as in the OMVS, usually being very large and thus expensive. It therefore needs to be questioned 1. whether all the functions attributed to a Secretariat do indeed need to be fulfilled by the Secretariat or could be transferred to other bodies (on the member states level), and 2. the internal structure of the Secretariat is appropriate for the respective tasks, ensuring efficient work on the various issues the Secretariat has been assigned to deal with.

### 3.1. MRC's Organizational Structure and other RBOs' Experiences

The organizational structure of the MRC largely follows the common set-up of RBOs as it has been described in section 1.1. In addition to the three general bodies (Council, Joint Committee, Secretariat), the MRC has two additional bodies in place that do not figure in the 1995 Agreement but are, nevertheless, of great importance to the institution: The National Mekong Committees (NMCs) and the Donor Consultative Group. MRC's structure indicates that it has been established as an RBO in charge of the implementation of specific, development-oriented projects, with tasks going far beyond the coordination of member states' policies. Recently, MRC member states have indicated that they want to move towards a coordination role for the RBO, with program and project implementation being carried out – at least to a certain extent – by member states. Such a shift inevitably needs to be accompanied by a reconsideration of the organization's structure. Studying other RBOs that have undergone similar reform processes or that have the desired organizational structure in place already can thereby make an important contribution.

In contrast to other RBOs, the MRC does not have a highest-level organizational body such as a Conference or a Summit of Heads of State and Government. Although such a body cannot be considered as a panacea of river basin management effectiveness, Conferences of Heads of State and Government can make an important contribution by raising awareness for joint river basin management, increasing the visibility of the RBO and its work, and

strengthening member states' commitment to cooperation. The MRC Summit, held for the first time in April 2010, was a first step in the direction of using Heads of State and Government's attention to raising attention and commitment to the joint management of the Mekong River Basin. This has been acknowledged by the MRC (MRC 2009h: 4), which should therefore consider institutionalizing the MRC Summit in a more regular manner.

While many RBOs have established specific Working or Expert Groups that deal with specific technical and scientific issues emerging in the basin on an ad-hoc basis, technical knowledge of the MRC is largely concentrated within MRCS. ICPDR, ICPR and ISRBC (and, although with less practical experience so far, OKACOM) provide particularly interesting insights in how Working and Expert Groups can contribute to river basin management. Working Groups that bring together experts from the member states could, for instance, be established on one or more of the river basin management core functions the MRC has agreed upon. Data Acquisition, Exchange and Monitoring or Forecasting, Warning and Emergency Response are thereby particularly suitable for establishing functionally defined Working Groups, while thematically defined Working Groups could be established for issues such as water quality, flood protection of fisheries. Based on the specific scientific and technical knowledge Working Group members contribute, the Groups then develop strategies and recommendations to the MRC and its member states on how to manage a particular issue within the basin. Such reform would also allow for a reduction of MRCS' tasks, thus decreasing administration and program/project costs. While MRC has started to acknowledge such structure as a future possibility (MRC 2010b: 7), no further steps have so far been undertaken towards further investigating and eventually realizing such reform.

### 3.2. MRC Secretariat

Experiences from other RBOs have shown that secretarial bodies are important for the overall management of the river basin and the RBO itself. However, various issues regarding the performance of MRCS have been raised recently. Criticism concerning the organizational set-up of the MRC, the fact that it is not as efficient as member states or development partners would like it to be, the lack of coordination among programs, the lack of stakeholder participation, the low degree of management transparency as well as the persistent lack of human capacity (MRC 2007a: 16 and 21).

MRCS' set-up is driven by political considerations of member states and development partner preferences (MRC 2007a: 21), both regarding the role of the institution and the political power play among member states. That is, the preference of member states and development partners for development programs and projects in the basin is reflected in the design of MRCS. The previous analysis has exemplified this pattern for other RBOs as well: RBOs which fulfill a very broad variety of tasks beyond the pure coordination of water resources management policies and strategies of their member states and that engage in investment and development projects (such as the LTA, the LVBC or the OMVS) have much larger bureaucratic structures in place than RBOs in charge of very limited tasks only. Moreover, political considerations such as an equal distribution of management posts are reflected in MRCS' structure, particularly in its fourfold divisional structure. Nevertheless, experiences from particularly successful RBOs show that there should not be country quotas for neither the departments nor the staff if the ultimate goal of the RBO is to ensure most efficient management of the river basin. Although the importance of country quota in the MRC is acknowledged on the short-term, long-term strategy development should push for purely skills-based assignment of positions, including high-level management positions. This is of particular importance in the context of the current riparianization process.



An alternative for MRCS would be a structuring of MRCS based on the role member states foresee for the Secretariat in the future. Clearly defining what member states expect from the Secretariat in the future is therefore a necessary condition for successful reform. This is of particular importance in the context of the core functions process, in which member states need to clearly decide which functions they want to be performed by the centralized RBO level and which functions they want to be carried out on the national level (with which type of coordination from the MRC). Should member states agree to move towards a more coordination-based role of MRC in general and thus MRCS in particular, MRCS should be restructured towards a set-up with one overarching integrated program or committee (similar to, for instance, the Strategy Group in the ICPR) and several issue-specific sub-programs (which could also be sourced out into Working or Expert Groups). During the transition phase, it is important that the different programs coordinate and cooperate closely in order to ensure integrated river basin management and to benefit from organizational economies of scale. In a next step, programs whose work overlaps or deals with interdependent issues can create joint working groups or projects and eventually merge.

Besides the core structure of the Secretariat, the coordination between the different departments or divisions is of great importance. Especially Secretariats with a large number of subsidiary bodies and a high number of employees often lack efficient mechanisms to ensure that the different initiatives, programs and projects are sufficiently coordinated. As experiences from similarly large Secretariats as well as the MRCS itself demonstrate, coordination within the Secretariat is a necessary condition for efficient management. One way to improve coordination is the establishment of cross-cutting initiatives (such as, for instance, the Climate Change Working Group in the ICPDR). Within the MRC, ISH or CCAI can provide test cases for a more functionally than organizationally determined structure that allows the different programs to work together on specific issues (such as hydropower or climate change) in order to comply with IWRM requirements. The post of the Technical Coordination Advisor (TCA) is thereby of particular importance for ensuring the coordination of programs. It should therefore be strengthened in its role, especially on the short-term, until additional coordination mechanisms within MRCS are established.

Although tasks carried out by RBO Secretariats vary highly across RBOs, two functions are fulfilled by nearly all RBOs, indicating the particular significance of these tasks and the need to organize them on a transboundary level: Data and information management and knowledge/information dissemination.

Data and information management is a central function of transboundary bodies, aiming at distributing information among participants in order to stabilize cooperation on the long term and contribute to better river basin management that would not have been able through unilateral action of each riparian state. Since Secretariats are the most transboundary part of an RBO, data and information management therefore ranks prominently on their agenda. Especially Secretariats that are often regarded as particularly successful play an important role in the management of data and information in the basin: For instance, within the ICPR cooperation framework, the joint and coordinated collection, analysis and dissemination of river-related data, organized by the Secretariat, has created a strong sense of joint ownership among riparians and allowed for the efficient management of the river based on timely and correct data available for all riparians at all times. MRCS already plays an important role in data and information management, acting as a hub for data and information in the basin and maintaining a great number of databases with a variety of information on the basin. Moreover, Procedures for Data and Information Exchange and Sharing have been defined (2001), assigning data and information related

tasks to the different organizational bodies of the organization. Nevertheless, MRCS can learn from other RBOs how to more efficiently collect and analyze data on the different levels of river basin management and how to connect existing data to the needs of riparian states. Data collection and analysis needs to play a particular prominent role in the core functions process and related riparianization efforts. MRC and its member states need to define at which governance level data is collected, analyzed and disseminated, who coordinates the various activities of data and information management and which capacities might still be needed in the member states.

Regarding the dissemination of information to other actors in the basin, MRC can learn from other RBOs, such as ICPDR, LVFO or OKACOM, which have innovative approaches for information dissemination in place. Thereby, the distribution of information to affected communities and the civil society in the river basin in general is of great importance. The new Communication Strategy and Disclosure Policy (MRC 2009b) already points out the most important issues of information dissemination in the basin and aims at making MRCS more proactive in this regard. Nevertheless, further activities should be envisaged, not only to better inform and integrate communities affected by river basin management into the planning process, but also increase the overall effectiveness of river basin management.

### **III. Linking RBOs to their Member States – Increasing Efficiency and Ownership**

#### **1. Linkages between Organizational and National Levels – The Trade-Off between Delegation and Decentralization**

Close ties between the centralized RBO level and the member states of the respective organization are important for successful river basin management. The following sections investigate how responsibilities are distributed between the different governance levels in various RBOs, looking both at (de-)centralization processes and specific organizational bodies that have been established by some RBOs (including the MRC) for coordination between the different governance levels.

##### 1.1. The Distribution of Tasks between RBOs and Member States – (De-)Centralization in RBOs

RBOs are established with the aim to transfer parts of the river basin management activities of riparian states to a transboundary level, aiming at overcoming problems related to the unilateral and uncoordinated development of a river and its resources by each of its member states. Establishing an international organization responsible for the management of the river basin is thereby perceived as the most efficient way for resolving collective action problems. While in some river basins the aim of creating an international RBO was solely to overcome problems of unilateral action and establish a joint coordination body, other river basins have seen the emergence of larger institutions responsible for a broader variety of tasks related to the overall development of the river basin, often seen from a socioeconomic rather than a purely water resources related perspective. As it has become clear in the previous chapter, these different starting points of RBO creation have led to different institutional designs as well.

The choice of whether and to what degree river basin management functions are transferred to the centralized RBO level and which functions remain on the national level and are only coordinated centrally by the RBO is therefore a consequence of the more general goal riparian states pursue when creating an RBO. Some RBOs have, therefore, from the very beginning relied on decentralized structures with implementation being done entirely at the national level (e.g. ICPER, ICPR). Others, however, have been and still are based on strongly centralized structures (e.g. NBA, OMVS), justified by their implementation-focused role and their engagement in all levels of river basin management – from the planning of projects to the acquisition of funding to the implementation and the monitoring.

However, since strategies of riparian states as well as general challenges in the river basin change, leading to different expectations towards the RBO and its role, decentralization processes have often been envisaged by RBOs previously aiming at a high degree of centralization. This is also driven by findings from public management theory (e.g. Pollitt 2005), suggesting that administrative decentralization leads to increased efficiency of the organization by accelerating decision-making processes, reducing information overloads, bringing decisions closer to the user affected, and taking into account specific local contexts (Pollitt 2005: 381). For the case of RBOs, decentralization refers to transferring river basin management tasks so far carried out by the centralized RBO level (to which states have delegated tasks in the first place) to lower levels of governance within the member states (line agencies, political actors in provinces, or local communities) or even beyond (to NGOs).

Since a trade-off between assigning responsibilities in a decentralized manner in order to benefit from decentralization-related efficiency gains and maintaining the transboundary element for which RBOs have been established in the first place, a balance needs to be found for each RBO in its specific river basin context. The principle of subsidiarity thereby provides important insights: Subsidiarity refers to assigning responsibilities for different tasks to the lowest possible level, that is, to dealing with issues at the most decentralized level as possible, however without moving too low to still benefit from the advantages of joint institutionalized management. Some responsibilities related to the general political maintenance of long-term cooperation need to be performed on the highest institutional level (e.g. decision-making, agenda setting, coordination, monitoring), while tasks related to the implementation of jointly agreed upon policies, strategies and measures can be transferred to lower governance levels (e.g. program and project implementation). This shows that a prerequisite for defining the level of (de-)centralization an RBO aims to achieve is a clear definition of the role and responsibilities member states aim to assign to the institution. RBOs that have been assigned a large number of tasks, including the implementation of projects on the ground, unavoidably require a larger degree of centralized management than RBOs in charge of coordination only.

One example for the different degrees of decentralization across RBOs is the management of data and information. Generally, data and information management can be done completely at the centralized RBO level, completely at the member states level or somewhere in between these two extremes. The OMVS, for instance, relies on a very centralized approach to data and information management. The institution itself has established and maintains the required infrastructure for data gathering (measuring stations and database), analyzes the data and disseminates it to member states and, more importantly, uses the data for its own programs and projects which rank very prominently in the river basin. However, the OMVS has received increasing criticism for its data policy, particularly for almost exclusively focusing on hydrological data needed for the maintenance of its infrastructure projects, neglecting environmental and human dimensions of water resources management in the Senegal River Basin.

ICPR, on the other hand, relies on very decentralized mechanisms: While the centralized RBO-level is responsible for the coordination of member states' activities only, member states already agree in the Rhine Convention to "implement in their territory the international measuring programs and the studies of the Rhine ecosystem agreed upon by the Commission and to inform the Commission of the results" (Art. 5 Rhine Convention). However, it needs to be acknowledged that such a high degree of national implementation requires sufficient capacity in the member states and is thus only a mid- to long-term option of the MRC. Capacity building, which figures high on MRC's agenda, should nevertheless focus already now on establishing exactly those capacities in the member countries that will later be needed for a more member-based implementation approach. This goes hand in hand with the core functions process, which will slowly transfer responsibilities to the member states and thus contribute to moving towards a coordination-focused organization.

Yet other RBOs have recently moved towards a more decentralized approach to data and information management. The NBA, for instance, has started out on a rather centralized data and information management level, with all data and information management activities (including the maintenance of a measurement station network, the geographic mapping of the basin, the analysis of data, the development of hydrological models, etc.) being assigned to the NBA and its Secretariat. However, the RBO has recently reformed its

data and information management systems in the form of NIGER-HYCOS<sup>14</sup>. NIGER-HYCOS is a project initiated in 2007, executed by the NBA and supported by France and the WMO. It aims to improve the effectiveness of data observation, collection and management on the different governance levels in the basin: On the national level, hydrological information systems are developed in each of the riparian countries. On the regional level, a joint system is set up that coordinates national efforts and develops joint systems for the use of nationally collected data, e.g. through forecasting systems. In addition, a capacity building component helps establishing the capacity required for the long-term efficient maintenance and management of the new system at all governance levels involved. NBA's move from centralized to more decentralized data and information management thereby provides an interesting case for the MRC for further study, especially since external actors such (development partners and international organizations) have made an important contribution to the success of the project (moreover, WMO's contribution to hydrological modeling has been extended to other river basins as well, possibly providing an opportunity for the MRC as well).

Another insightful example of decentralization of data and information management in the context of limited capacities in riparian states can be found in the Okavango River Basin: Here, two parallel processes of data and information management have been initiated. One by development partners in the context of the GEF-EPSMO project, carrying out a transboundary diagnostic analysis of issues relevant for the basin's development and the drafting of a Strategic Action Plan, and another one by NGOs through the Shared Okavango Database, which aims at providing data and knowledge for informed decision-making in the entire basin and through the integration of all stakeholders. With the further institutionalization of the OKACOM since 2007, the RBO aims at taking the driver's seat for data and information management, particularly through greater coordination of the different data systems. This process should be studied by the MRC in the future, since it will provide important insights into data and information management in general as well as into the coordination of development partner and NGO contributions to data and information management as well.

Overall, it needs to be acknowledged that the level of decentralization depends to a large extent on the political, socioeconomic and cultural context in the basin, the state of development of member states, as well as policy decisions regarding the roles and responsibilities member states assign to the RBO. Part 2 of this chapter will therefore look with more detail into (de-)centralized river basin management processes in three river basins.

## 1.2. Connecting to the Member States via Specific Organizational Bodies – The Role of National Committees

As it has become clear in the previous section, linking RBOs to their member states is of great importance for successful river basin management. While most RBOs have established some sort of internal mechanism for linking the centralized RBO level to the respective member states (e.g. through Working or Expert Groups, national implementation mechanisms that are coordinated on the central level), some RBOs have established specific organizational bodies: The LVFO foresees in its Convention the establishment of National Committees (Art. XI LVFO Convention) that serves as a forum for consultation, coordination and information on lake management related activities in riparian states; the OCTA has established Permanent National Commissions (PNCs) (based on Art. XIII Amazon Cooperation Treaty) that are in charge of applying the Amazon Cooperation Treaty's

<sup>14</sup> For more information on NIGER-HYCOS, refer to <http://www.wmo.int/pages/prog/tco/pdf/NIGERHYCOS.pdf>.

provisions in the member states and ensuring the implementation of the organization's programs and projects; the OMVS has set-up National Coordination Committees that link the supranational work of the RBO to its member states (these Committees are not mentioned in the OMVS Convention, but have been established later in the course of the development of the organization); and the VBA Statutes foresee the establishment of National Focal Bodies (Art. 10 VBA Statutes).

A closer look at the existing National Committees reveals that they do not play prominent roles in the RBOs that have established such bodies and that RBOs have move towards other mechanisms for linking the different governance levels of the RBO: The Convention of the OMVS does not provide details on the organization's National Coordination Committees and they also do not figure prominently in the organization's activities. Instead, the very powerful Secretariat is in charge of many of the implementation tasks, ensuring the successful implementation and maintenance of OMVS programs and projects. Although the Amazon Cooperation Treaty assigns the PNCs the role to apply the treaty provisions in the member countries, their actual reach into the countries and, in particular, into the line agencies and towards the actors actually concerned with river basin management is rather weak. PNCs consist of representatives of member states Ministries of Foreign Affairs and only fulfill diplomatic and administrative functions, with little impact on the management of the river. Instead, the Special Commissions that deal with different issues in the river basin and consist of representatives from the line agencies concerned with the respective issues ensure a functioning connection between the centralized RBO level and Amazon riparians. The VBA Statutes also foresee the establishment of National Focal Bodies (Art. 10 VBA Statutes), consisting of the Ministers in charge of water resources management in each of the six member countries. Their main responsibility should be the coordination of activities between the VBA and the member states. However, defining their specific functions and their composition as foreseen in Art. 10 VBA Statutes, has so far not been done, leaving the National Focal Bodies pure paper tigers within the already weak institutional framework of the VBA. This tendency of linking the centralized RBO level to member states via means other than specific Committees becomes even clearer with the LVFO: The LVFO, although foreseeing the establishment of National Committees in its Convention, so far refrained from realizing this provision and has, instead, established other links of linking to member states (refer to section 2.3.).

Less formalized mechanisms for linking the RBO to its member states have been established by some other RBOs, such as the LCBC. The LCBC has a Regional Parliamentary Committee of the Lake Chad Basin (RPCLCB) and Technical Inter Ministerial Committees at the national level that support the RBO in mobilizing support from the national level. The former one, consisting of representatives from national parliaments, assists the LCBC in raising public awareness for Lake Chad issues and in fund raising activities for project implementation, while the latter one is mainly engaged in information dissemination. The Technical Inter Ministerial Committees consist of different bodies depending on each of the LCBC's member states, but aim at integrating a broad variety of actors (e.g. in Cameroon, the Committee consists of the Prime Minister, various ministers from relevant line agencies, professional associations related to water resources management and NGOs, while in Nigeria the Federal Environmental Protection Agency together with the National Advisory Council, consisting of governmental organizations, private sector representatives, universities and NGOs, and the National Council of the Environment for the Committee). The actual impact of these bodies on water resources related decision-making in the Lake Chad Basin does, however, need to be questioned.

The fact that only very few RBOs actually foresee such National Committees in their formal organizational structure and that even less RBOs have established and are operating such bodies indicates that they might not be the most appropriate and efficient means to link RBOs to their member states and ensure efficient coordination between the different governance levels. From a comparative perspective, the importance of National Committees and bodies alike can therefore be questioned. However, if the political consensus among RBO member states is in favor of such bodies, it is important to ensure that their mandate is clearly defined and consistent across member states, that there is an actual need for their work which is, moreover, reflected in their responsibilities and their work program, and that they possess the human, financial and technical capacity to successfully perform the tasks they have been assigned. This is clearly not the case in all RBOs with such bodies.

### 1.3. The Embeddedness of RBOs in the Region

In addition to the linkages of RBOs to their member states and various line agencies, it is also important to link RBOs to the broader regional context in which they operate, particularly since regional political and economic developments have an important impact on the work of the RBO.

Generally, one can distinguish between RBOs that are themselves part of a larger regional institutionalized body, RBOs that are attached to regional organizations via their member states, nevertheless remaining legally independent, and RBOs that are entirely independent. RBOs that are part of larger regional organizations are often created by these regional organizations and integrated as subsidiary bodies, such as the LVBC and the LVFO as parts of the EAC. A far more common link of RBOs to their regional environment is via their member states, which have transferred parts of their national sovereignty to an international or even supranational political body. This is, for instance, the case with OKACOM, ORASECOM and ZAMCOM in the SADC: The SADC Protocol on Shared Watercourses<sup>15</sup>, signed in 1994 and revised in 2000, sets the framework for water resources management in Southern Africa and establishes various principles and norms. Moreover, it requires the establishment of watercourse institutions (Art. 5 Revised SADC Protocol). Therefore, already existing RBOs in the region (such as OKACOM) have been adapted to the new requirements and new institutions such as ORASECOM and ZAMCOM have been created. An even more legally binding mechanism is in place in Europe, where states have transferred large parts of their sovereignty to the EU which has developed binding water resources management principles on the basis of the EU-WFD and delegated the implementation of the Directive to specific subsidiary organizations such as the ICPDR, the ICPR or the ICPR, which are now owned by member states as well as the EU. These examples indicate the important role of regional cooperation mechanisms in fostering effective river basin governance by providing a legal and institutional framework in which water resources management is organized and by establishing links between water resources management and other issue-areas, allowing for issue-linkages, known to facilitate joint river basin management.

Besides the general regional environment, RBOs are also often linked to other organizations in the region dealing with related challenges. The ICPDR, for instance, has established a Danube Black Sea Joint Technical Working Group, coordinating ICPDR's work with the activities of the International Commission on the Protection of the Black Sea. Based on an MoU signed in 2001, defining common strategic goals for the protection of the Black Sea

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<sup>15</sup> The SADC Protocol has been signed by all SADC member states (Angola, Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia, and Zimbabwe) except for the DR Congo.

ecosystem, the two institutions successfully coordinate water resources management efforts in the region.

## **2. Linking RBOs to Member States – Lessons from Around the World**

### **2.1. The ICPR – Centralized Decision-Making and Coordination, Member State-Based Implementation**

As it has already become clear in previous sections, the ICPR is a very small organization. In order to nevertheless manage the basin efficiently, it relies on its member states, to which it is very closely linked by various mechanisms. In general, all implementation is done on the national level, based on national laws and policies (Art. 5 and 11 Rhine Convention). Coordination of each member state's activities is, however, done on a supranational ICPR level. This also concerns reporting on the state of the river, the development of policy solutions to a variety of challenges, the monitoring of implementation activities and the dissemination of information.

While activities are jointly developed and agreed upon on the central RBO level (through the Plenary Assembly), the implementation is undertaken by member states and the respective line agencies. Generally, the most important issues in the basin have already been identified and members have agreed jointly upon certain measures. For instance, the Rhine 2020 Strategy defines very specific targets (such as the reduction of flood damage risks by 25% until 2020 based in a 1995 baseline or the improvement of water quality up to a level at which fish, mussels and crustaceans are available for human consumption and swimming is possible on all stretches of the river). The implementation of measures to reach these targets is done by member states, with the ICPR constantly coordinating implementation across member states.

The management approach for new issues clearly demonstrates this approach: Particular problems in the river basin are identified at various governance levels, either by member states who bring a certain issue to the Commission or by the Commission itself (e.g. through the Secretariat). Members then jointly agreed upon handling this particular issue. Working Groups consisting of representatives from member states then develop recommendations on how to deal with a particular issue of concern in the basin. Implementation of measures and tasks is then, after approval by joint decision, done at the member state level. Thereby, a variety of line agencies as well as other institutions on the national level are involved: For instance, in Germany, the Federal Ministry for the Environment, Nature, Conservation and Nuclear Safety, the Federal Ministry of Transport, Building and Urban Development, the Federal Foreign Office and the various German states located in the Rhine River Basin (with their respective ministries) work together on the implementation of ICPR policies; in the Netherlands, the Ministry of Transport, Public Works and Water Management, the Ministry of Housing, Spatial Planning and the Environment and the Ministry of Foreign Affairs as well as cities such as the City of Rotterdam are involved.

The ICPR acts as a truly transboundary coordination body rather than a supranational implementation agency. It coordinates the activities of the different member states, integrates the various national and sub-national governance levels as well as stakeholders and provides information on the issues at stake and the progress in their solution to member states. Leaving the responsibility of river basin management in the hand of the member states while the RBO fulfills coordination and advisory functions only, creates an environment in which riparian states are constantly reminded of the importance of joint river basin management, which, in turn, strongly encourages their commitment to and their compliance with cooperation. However, it needs to be acknowledged that ICPR member



states possess sufficient financial, human and technical capacity to efficiently implement joint decision, which can be regarded as a necessary condition for such a high degree of decentralization.

Regarding the links of the ICPR to the broader regional context, it is important to note that the ICPR is closely linked to the EU, mainly via its member states, which have transferred a large share of their national sovereignty to the European level, including water resources management policies. The ICPR is mainly concerned with the implementation of the EUWFD. After the entering into force of the EUWFD, a large-scale inventory of the Rhine River Basin (including its groundwater) has been carried out by the ICPR in order to identify watersheds which require further measures in order to achieve a certain envisaged status by 2015 (as required by the EUWFD). In addition, member states coordinate their national implementation processes of the EUWFD by setting up joint coordination, surveillance and monitoring programs and drafting joint summary reports on their progress.

Another noteworthy aspect is ICPR's relations to other riparian states in the basin that are not member of the institution: For the ICPR and its work in the basins, coordination with non-member states in the basin (Austria, Liechtenstein, Belgium) is important. It has therefore been framed into various formal procedures and mechanisms. The most important one is the Coordination Committee (CC). Within this Committee, non-member states interact with the ICPR and its members on various issues of importance for the management of the basin. The work of the CC and the Plenary Assembly is coordinated closely, with non-members having not only an official observer status in the Plenary Assembly, but also an (informal) right to speak. One could even speak of one single body<sup>16</sup>. In order to further improve this two-fold management structure and to better integrate non-member states into the management of the basin (which is, not least, required by the EUWFD, since non-members are, nevertheless, members of the EU), Rules of Procedure for the cooperation between the ICPR and non-members (particularly via the CC) are currently designed. They clearly define the context, the mandate and the organization of bodies concerned and delineate the financial contributions each actor involved has to make (ICPR 2010a). This approach can provide interesting lessons for the MRC and its policy towards non-member upstream states as well and should be studied further.

## 2.2. The ICPR – Decentralized Implementation with RBO-based Coordination and Monitoring<sup>17</sup>

ICPER, founded in 1990 by the Czech Republic, Germany and the EC, provides an excellent example for decentralized river basin management, with coordination and monitoring functions regarding the water quality of the Elbe River being performed on the transboundary and implementation on the national level. The tasks of the ICPR are defined in very narrow terms (Art. 2 Elbe Convention), including the preparation of surveys on major point sources of pollution, the proposal of limit values for discharge, the compilation of standardized methods for the classification of water quality in the basin, the proposition of a uniform warning and alert system and the documentation of evidence regarding the ecology of the basin. ICPR can be perceived as a purely coordination-oriented RBO.

The management process within the ICPR, focusing on the reduction of pollutants in the river, works as follows: In a first step, the high-level decision-making body of the ICPR, the

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<sup>16</sup> As a representative of the ICPR referred to in an interview on April 15<sup>th</sup>, 2010.

<sup>17</sup> Besides the official documents indicated in the References, information on the ICPR is mainly drawn from Dombrowsky 2008, personal communication with a representative of the ICPR Secretariat and the institution's official website ([www.ikse-mkol.org](http://www.ikse-mkol.org)).

Commission, jointly sets desirable target values for specific substances agreed to be particularly important for the protection of the river basin. Besides the thresholds for pollutants, specific recommendations are given to contracting parties on which measures to employ to reach specific targets. This is mainly done on the basis of joint action programs, such as the First Action Program (1992-1995) and the long-term Elbe Action Program (1996-2010), which comprises a variety of measures regarding the improvement of municipal wastewater treatment, industrial wastewater treatment, the reduction of agricultural non-point pollution, the prevention of accidental pollution, the improvement of river continuity for fish migration, and the establishment of protected areas. Implementation of the measures is then done on the national and sub-national level by the respective water administration and financed through national funds.

Although the target values set by the ICPER are not legally binding and no formal commitment to reach these values is given by the member states, the level of goal achievement is very high. The ICPER monitors the progress in implementation and achievements and summarizes results as well as shortcomings in regularly published reports, available throughout the basin. This serves as an effective enforcement mechanism. Moreover, the ICPER supports its member states and the different implementing agencies in the acquisition of funds from the EU for specific water quality measures.

Although based on a very tight organizational structure, goal achievement of the ICPER is very high. The decentralized implementation structure does not only lead to very effective river basin management, but also enables the institution to work with a limited number of staff (currently eight permanent staff in the Secretariat) and live of a limited budget of only 0.725 million Euro/year (in 2010). It can thus be regarded as an example for a coordination-focused RBO that relies on the implementation capacities of its member states. On the long-term, it could become an interesting example for the MRC.

### 2.3. The LVFO – Coordinated Management but Decentralized Implementation

Similar to RBOs Europe, the LVFO relies on a relatively decentralized planning and management structure – despite the fact that capacities in member states are not yet fully developed and the organization is still in a development phase. It can thereby provide particularly interesting insights for the MRC.

The underlying management logic proceeds in a circular way (LVFO 2005b): Member states develop and propose national measures for the management of the lake basin and, in particular, its fish resources. These measures are brought to the LVFO level, where they are harmonized into regional measures and strategies, which are then jointly adopted by the decision-making bodies of the LVFO. Then, implementation of the agreed upon measures is done on the national level, with the LVFO continuously monitoring progress and collecting as well as disseminating data on achievements. Various organizational bodies have been established besides the National Committees (foreseen in Art. XI LVFO Convention), which have never been realized. Instead, LVFO Working Groups and Beach Management Units (BMUs) are in charge of linking the different governance levels of the RBO and ensuring effective management.

In order to implement its programs and projects, the LVFO has established Working Groups, comprising experts from fisheries management and research, training institutions, university and civil society groups. Working Groups are different from other RBOs, not structured along functional and issue-specific lines, but rather according to organizational levels: National Working Groups (NWGs) are thereby responsible for the preparation of national status reports on the state of fisheries, the development of recommendations for the management

and the preparation of implementation plans on the national level. Regional Working Groups (RWGs) then harmonize national standards into regional operating rules, produce Regional Synthesis Reports, develop regional recommendations, review technical reports, harmonize national work plans and budget proposal into regional implementation plans. Working Groups thereby meet as decided by the LVFO Secretariat, the Fisheries Management Committee or the Fisheries Scientific Committee. Their work is reported back to the respective institutions at the regional and national level. With this parallel process of national and regional planning, the LVFO ensures close collaboration between the regional level and national institutions, including sub-national and further decentralized governance levels (villages, local communities and NGOs) as well.

In addition the Working Groups, the LVFO is decentralized even further, down to the local level. Beach Management Units (BMUs) are – although not formally part of the LVFO from the very beginning – an important organizational body of the RBO and will therefore be integrated formally into the organization and its legal foundations in the near future (LVFO 2005a). In general, they can be described as community-based institutions (similar to Watershed Committees in other river basins) involved in the planning and coordination of fisheries management. Their structure and mandate is clearly defined in the Guidelines for BMUs (LVFO 2005a). They consist of an assembly formed by all members of the respective BMU and a committee, comprising representatives of the assembly, with at least three representatives being female. Several BMUs together form BMU Networks at the district or national level. In order to ensure sufficient capacity of the BMUs, the LVFO provides capacity building programs, thus ensuring that the participatory character of lake basin management is actually implemented in practice.

It needs to be acknowledged that decentralized lake basin management by the LVFO still shows room for improvement, mainly due to the fact that governments have not yet allocated sufficient financial, technical and human resources to the organization itself as well as to lake basin management bodies within their territories. Nevertheless, it can be summarized that the LVFO has managed to establish a governance structure that efficiently links the different levels of planning, decision-making and implementation in the basin, ensuring informed and coordinated water resources management that includes a variety of stakeholders. Although specifically adapted to the needs of the Lake Victoria and the management of the specific issue-area of fisheries, experiences from the LVFO can provide important lessons learned for the MRC as well, especially regarding the establishment of more decentralized structures and the related capacity building requirements.

Regarding the embeddedness into the regional cooperation structure, the LVFO is a particularly insightful example for how to connect an RBO to the broader regional environment: The LVFO is a specialized yet autonomous body of the EAC. Its work is in line with the Vision and Strategy Framework for the Management of the Lake Victoria Basin as it has been adopted by the EAC in 2003 and its operational work is guided by the Administrative Principles of the EAC Treaty. Such close interaction of a specialized water resources management institution with the general regional environment can provide valuable insights for the MRC on how to interact more closely with ASEAN and how to align its water resources management strategies with more general development efforts of ASEAN and its member states, possibly even beyond the Mekong River Basin.

### **3. Lessons Learned for the MRC**

Based on the previous sections, it can be concluded that the distribution of river basin management tasks between the different governance levels in a basin is very important, yet extremely dependent on the specific context in the basin and the demands of member

states. The degree of decentralization largely depends on the roles and responsibilities that have been assigned to the RBO, with implementation-oriented RBOs having less room for decentralization than coordination-oriented ones. Specialized organizational bodies within RBOs have been chosen by some RBOs as a means for ensuring the linkages between the RBO and the member states, but have not necessarily proven to be successful. Especially if their roles and responsibilities are not clearly defined and match the needs in the basin, or if their technical, human and financial capacity is limited, they can easily turn into an impediment to effective river basin management. Internal and less explicit mechanisms have therefore been established as an alternative by many RBOs and examples from various RBOs (developed ones such as the ICPER and the ICPR as well as developing ones such as the LVFO or OKACOM) have shown that such mechanisms can indeed effectively ensure the linkage of the centralized RBO-level to the respective member states.

Although the 1995 Agreement does not foresee NMCs as official bodies of the MRC, the historic development of Mekong cooperation has led to the continued existence of the NMCs. However, the fact that there is no joint and binding legal basis for how NMCs should be set up and what roles they should take on, existing NMCs vary highly across MRC member states (MRC 2007a). For instance, their functions in program and project implementation are very different, with CNMC proposing an entire work program for Cambodia to the MRC, but VNMC have no clearly defined responsibility in this field; similarly, their tasks in data and information management are not aligned, with CNMC having no specifically defined tasks in this issue-area at all, but LNMC, TNMC and VNMC being engaged – although to very different degrees. Similar findings hold true for other issues such as capacity building. The NMCs clearly lack harmonized roles, responsibilities, tasks and activities. In order to improve the effectiveness of their contributions to Mekong river basin management, MRC should engage in establishing clear, binding and formal rules for each NMC. Although this has been acknowledged by the MRC already (MRC 2007a), progress remains insufficient (MRC 2008a: 3). Further efforts are thus needed.

Besides the responsibilities and tasks of the NMCs, experiences from other RBOs show that their membership structure is another important factor. Defining the national line agencies consistently that should be part of or work together with the NMCs and identifying focal points within the ministries that are responsible and, even more important, accountable for Mekong-related cooperation is thereby of great importance. The LVBC, for instance, has identified specific ministries in each of its member states that act as focal points for transboundary water resources management and through which all transboundary water resources management related activities are channeled. An alternative to explicitly institutionalized National Committees such as the NMCs are, for instance, national steering committees, that consist of representatives from various line agencies concerned with water resources management, but do not have a permanent institutional structure and a bureaucracy. For instance, the LTA has established National Project Steering Committees (NPSCs) that consists of representatives from various line agencies as well as civil society and private sector delegates and oversee the implementation of specific LTA activities – without maintaining a formalized bureaucratic structure. Other management units exist for the specific UNDP/GEF Project of the LTA, which is coordinated on the national level by Project Management Units (PMUs), and for the specific AfDB/NDF Project, for which National Coordinating Units (NCUs) have been established. Both structures are informal, non-bureaucratic and ad-hoc, thus ensuring the link between the centralized RBO-level (and the related development projects) without creating additional institutions that might slow down decision-making processes and increase costs.

Moreover, it is important to integrate other actors in the basin. For instance, the LVFO foresees the integration of a variety of stakeholders in its National Committees and has already realized this vision through its BMUs, which ensure broad integration of basin stakeholders. NMCs at the MRC, however, have a very limited membership scope focused on national government officials only (with VNMC being the only NMC integrating other governance levels, e.g. from the provinces in the Central Highlands and the Mekong Delta, in its structure). Defining NMCs' membership scope should therefore be included in current efforts of reforming the NMCs as they have been started with the formulation of the Common Guidelines for the Roles and Responsibilities of the NMCs and NMCSs (MRC 2009i). The process of formulating the Strategic Plan provides a great opportunity for first reflections on this topic, which could later feed into a more detailed process of defining long-term goals and contributions of the NMCs.

Based on the 1995 Agreement, recommendation 18 of the Independent Organizational, Financial and Institutional Review (MRC 2007a) and decisions taken by the Council and the JC, the MRC is currently in a process of defining its core functions and determining which routine functions the member states expect the centralized RBO level to carry out. While core functions clusters have already identified and a process of further definition, implementation has been set up (MRC 2009f) and first input on the distribution of functions has been collected from the member states (MRC 2010c), it remains insufficiently clarified which function will be carried out by which organizational body and at which governance level. However, a clear definition of this distribution is of great importance, especially in the context of the riparianization process (refer to MRC 2007b and MRC 2010a). Further effort should be put into this task, since it the definition of functions of an RBO and the distribution of these functions between the different governance levels predetermines the organization's most appropriate organizational structure and should therefore be set before moving towards further institutional reform steps.

As it has become clear in the previous sections, the embeddedness of an RBO in the broader regional context is important. Lessons from other RBOs such as the ICPDR or the ICPR in the European context, OKACOM, ORASECOM and ZAMCOM in the Southern African region or LVBC and LVFO in East Africa suggest that MRC's current linkages to regional bodies still show room for improvement. This has been acknowledged by the MRC already (MRC 2007a: 45, MRC 2010a: 4) and MRC has become increasingly active in strengthening its relations to other regional organizations, in particular the ASEAN. So far, an MoU has been signed with ASEAN, which provides a promising step towards better coordination. Besides ASEAN, the MRC has also established a partnership with ADB's GMS. A joint report on how to strengthen relations has been published in 2004 (MRC/ADB 2004), focusing on identifying synergies, overlaps, gaps and new opportunities for the institutions' work and developing a framework for coordination (including a roadmap on how to implement recommendations made). However, substantial progress on this issue is still lacking. Moreover, a clear definition of roles and responsibilities of the different institutions is still lacking, leading to overlapping responsibilities, inconsistencies and ineffectiveness. Dialogue with both ASEAN and ADB/GMS therefore needs to be strengthened in the future. MRC should use its standing in the region to push for better coordination of water resources management among regional organizations and initiatives. Lessons on how to improve coordination can, for instance, be drawn from the SADC, where water resources management is integrated in the overall political agenda by the SADC Protocol on Shared Watercourses, providing a legal and institutional framework for joint action on the different governance levels.

Improved relations with regional organizations do not only allow for better water resources management in the region, but can also be a means for cooperation beyond water-related

issues. This can provide an incentive for non-member states of an RBO to participate in increased cooperation, possibly leading to better coordination with non-members on the river. This is of particular interest for the MRC, particularly regarding the development of means for better coordination and cooperation with the upstream riparians China and Myanmar. The ICPR provides a particularly appealing example on how to engage with non-member countries. Austria, Liechtenstein and Belgium are integrated into ICPR's river basin management on the basis of regular meetings and exchange and a formalized mechanisms has been established (refer to section II.2.2.). ICPR's strategy of managing a complex constellation of actors in the basin (with non-member states, member states that are part of the EU and thus fall under the EUWFD and member states that are not members of the EU and thus do not fall under binding European law on water resources management) should therefore be studied further by the MRC.

Besides formal relations with ASEAN, ADB/GMS and other partners in the region, MRC also needs to work towards fostering its relations with other regional initiatives that are engaged in water resources management and/or the development of the region in more general terms. This concerns, for instance, other regional initiatives promoting regional (economic) integration, such as the Forum for Comprehensive Economic Development of Indochina or the Development Triangle between Lao PDR, Thailand and Vietnam, but also international organizations active in the region (FAO, UNDP, UNEP, UN-ESCAP, UNESCO, World Bank) as well as non-state actors. The latter ones can need to be integrated more closely into MRC's work and should be encouraged to better coordinate and cooperate with the MRC. So far, MoUs have been signed with some institutions (AIT, CGIAR, IUCN, Oxfam, the World Fish Center and WWF). However, the signature of MoUs alone does not necessarily lead to better coordination. Instead, as experiences from other RBOs show, an active policy of the MRC is needed. For instance, ICPDR grants observer status to a variety of organizations, both NGOs (such as the WWF), business association and companies (e.g. the International Association of Water Supply Companies in the Danube River Catchment Area), or international knowledge brokers (such as the GWP). In addition, regular stakeholder meetings and conferences are held and decision-making mechanisms allow for the participation external actors. Similarly, ICPR grants observer status to various civil society organizations (e.g. Greenpeace, WWF, Association of German Fisherman or the European Union of National Associations of Water Suppliers and Waste Water Services). The ISRBC ensures the participation of various stakeholder groups in the development of river basin management strategies through the participation in sessions of the Commission, and integrates these groups in the monitoring of activities carried out in the context of institutionalized cooperation. Another example is OKACOM manages stakeholder participation via the Basin Wide Forum (BWF), which has established transboundary committees comprising local communities and develops action plans on very low governance levels which are then coordinated with OKACOM.

## **IV. Financing RBOs – Ensuring the Financial Means for River Basin Management**

The way an RBO is financed is of great significance for its success in managing the river basin at stake. However, RBO financing has so far not received much scholarly attention (refer, for some examples, to Aberthny 2005, Komakech 2005, Dombrowsky 2007) and policy practice has so far only agreed that sufficient funding is a necessary condition for effective river basin.

### **1. Financing RBOs – Insights from International Practice**

The first question concerning RBO financing is the question of what is actually funded by whom: While in RBOs with a large bureaucracy and a broad functional scope funding is required not only by the administrative secretarial structure, but programs and projects need to be funded as well, RBOs that play a coordinating role only need financing for their administrative structure, that is, the Secretariat (and, in some cases, support structures for Working and Expert Groups). The former ones therefore have much higher financing needs than the latter ones. The NBI with a high number of physical investment projects performed by the RBO and more than 300 staff employed permanently by the various bodies of the organization (especially the Secretariat as well as ENSAP and NELSAP), and the OMVS with the task of developing new and maintaining existing joint infrastructure projects, therefore employing 200 staff working at the High Commission are prominent examples. This is particularly problematic since implementation-oriented RBOs are most often found in developing regions, where the financial capacity of member states is often limited.

Although RBO financing varies highly across RBOs, several types of financing can be distinguished: RBOs can either be funded through member contributions or external funding (or any combination of those). While, for instance, the ICPR is entirely funded by its member states, the OKACOM depends largely on contributions from development partners. Member funding can be further distinguished into RBOs where member share the costs equally and RBOs which apply certain cost-sharing keys. Examples for the former type are ICPR, LTA and LVFO, where all members contribute the same share to the organization's funding. The latter mechanism is applied, for instance, by the ICPR, LCBC, NBA and OMVS. In these organizations a specific key is applied to determine the contributions of each member state – based, for instance, on the share of each member country of the basin (as in the ICPR, where according to the share of basin territory, Germany contributes 2/3 and the Czech Republic 1/3 to the institution's budget, or similarly in the NBA), member countries' level of economic development (as in the LCBC, where members contribute 1/1000 of their annual national budget to the organization), or on the benefits each state gains from joint projects the institution is in charge of managing (as it is the case in the OMVS). If socioeconomic differences among member countries are particularly high, cost-sharing keys can provide an appropriate means for taking into account different levels of capacity if cost-sharing is based on member states' GDP. However, in order to maintain the willingness of all member states to contribute financially to the RBO, additional indicators, such as benefits from cooperation and joint projects, might be taken into account, providing incentives for more developed states in the basin to engage in institutionalized cooperation. The MRC might be interested in studying such mechanisms in order to cope with the problem of development disparities between Thailand and Vietnam on the one hand and Cambodia and Laos on the other hand.

In RBOs in developing regions, external contributions are of particular importance. For instance, the NBI largely depends on contributions from development partners for its programs and projects as well as the general maintenance of the organizational structure of

the RBO. A similarly high degree of donor dependence can be observed in the Okavango River Basin, where cooperation in form of OKACOM is nearly exclusively maintained by development partners (especially on the basis of a GEF project). Development partner contributions often come with technical assistance as well. For instance, the EPSMO Project in the Okavango River Basin provides large amounts of funding and is accompanied by technical assistance for the execution of a transboundary diagnostic analysis of the different hydrological and environmental developments in the basin. Development partner contributions thus do not only provide financial means to the respective RBO, but also play an important role in the provision of technical and scientific knowledge and the building of capacity.

Despite the importance of development partner contributions to the development of RBOs and the management of river basins, the downside of strong development partner engagement can be a lack of donor harmonization and alignment, leading to inefficiencies and overlaps. Moreover, the end of programs funded entirely by development partners can lead to sudden financial stress. This did, for instance, lead to a crisis in the LVFO, when the end of a GEF fund in 2002 drove the institution into serious financial problems, since member contributions of only US-\$ 100,000 each were not sufficient to maintain the organization's functions (LVFO 2005b: 36). Various RBOs therefore aim at decreasing their dependence on external financial resources. OMVS, for example, intends to gradually reduce contributions from development partners and replace funding for its joint infrastructure projects by an increasing number of public-private partnership projects and the acquisition of funding from the private sector.

Some RBOs have, however, managed to ensure a certain degree of donor harmonization despite a high degree of dependence on external funding. For instance, in the Lake Tanganyika, the LTA largely depends on contributions from development partners, in particular from multilateral organizations such as AfDB, FAO, GEF, UNDP and UNEP. However, by channeling contributions through the Lake Tanganyika Regional Integrated Management Programme (LTRIMP), alignment of development partners to the organization's goals and strategies is ensured. Parallel to the establishment of the RBO, member states, together with the FAO, set up a joint management program for the lake's environment. UNDP and the GEF joined in by contributing to the specific sub-issue area of biodiversity and financing a TDA for the general environmental assessment of the basin. Other development partners contributed to the funding of various studies in the context of the LTRIMP and, in the next step of the program, contributed to the implementation of agreed upon measures, such as the establishment of Management and National Coordination Units (funded by UNDP and GEF). Although it needs to be acknowledged that harmonization is, in this case, mainly initiated by development partners themselves and thus depends on their willingness, it can be assumed that RBOs can actively work towards providing framework conditions for donor alignment and harmonization. Another example is the NBA: In 2007, it underwent a financial reform that aimed at channeling all its work into one program, the Sustainable Development Action Plan. Under this program, several investment projects with 4-5 periods operating time were identified. The central aim of the reform was to have development partners contributing to these specifically defined projects, keeping the NBA in the driving seat and ensuring greater donor alignment and harmonization. However, not all ambitious goals of this reform could be achieved so far.

A specific form of channeling development partner contributions are Trust Funds (TFs). TFs have been established since some decades already in various areas of development cooperation, but are not well known yet in the field of water resources management. TFs have the advantage of being extremely flexible. TFs can, furthermore, provide a particularly



helpful means in situations in which development partners reduce their contributions or other reasons for financing reforms occur. They enable the RBO to channel funding in a flexible manner to where it is needed most, responding to short-term financial needs of specific programs and projects as well as to gaps in the financial capacity of member states. Moreover, TFs can contribute to ownership within the institution, especially when they are executed by the recipient, that is, the RBO, itself (which is, however, rarely the case so far, with the WMTF of the MRC being one of very few examples in RBOs as well as in development cooperation in general).

## **2. The Financing of RBOs – Lessons from Case Studies**

### **2.1. The International Commission for the Protection of the Rhine (ICPR) – High Efficiency on a Small Budget**

Because of its limited size, the ICPR has only very limited financing needs, reflected in a small budget of about 1.0 million Euro/year. The main costs arising of river basin management are related to project and measure implementation, being done by member states on a decentralized level and thus not figuring in the institution's budget. Joint costs therefore only occur for the maintenance of the ICPR Secretariat, where most of the budget is spend for staffing (78%)<sup>18</sup>.

The budget is funded entirely by member contributions (Art. 13 Rhine Convention and Art. 9 and 10 Rules of Procedure and Financial Regulations of the ICPR). Member contributions are thereby defined in the Rules of Procedure and Financial Regulations of the ICPR, with the EU contributing 2.5% and Switzerland 12% of the costs, and Germany, France, the Netherlands and Luxemburg sharing the rest (Germany, France and the Netherlands with 32.5% each, Luxemburg paying the remaining 2.5%). Out of the budget, 10% are allocated to the implementation of the EUWFD. Since not all ICPR members are EU members, this part of the overall budget is split differently, excluding Switzerland and the EU but including contributions from non-ICPR-members that are part of the EU. This does not only ensure the financial sustainability of EUWFD implementation, but also attaches non-ICPR-but-EU-members closer to the ICPR and Rhine cooperation.

After member states had agreed on the distribution of funding contributions, no discussion has ever emerged on how much each state should contribute and member states agree upon the importance of funding the ICPR. While there have been and still are occasionally debates on the amount of the overall budget and its use for different projects, the principle of member state funding of the RBO as well as the principle of cost-sharing and the related key have never been contested<sup>19</sup>. In order to bridge potentially arising financing gaps (related to delays in the transfer of member contributions, which are due every year on February 15<sup>th</sup>, not necessarily in line with national spending policies in each of the member states), a reserve fund has recently been established (ICPR 2010b: 10). This fund is pledged by member states and contains 10% of the overall budget of the ICPR.

The case of the ICPR shows that a clear definition of tasks and responsibilities of an RBO and a clear distribution of tasks across the different governance levels helps to keep costs low in the first place. This, in turn, contributes to the already very high commitment of member states to joint river basin management and thus to the willingness to fund the RBO. Defining the RBOs tasks based on member states' needs, reducing costs, strengthening ownerships and ensuring commitment thus have to go hand in hand.

<sup>18</sup> Information from an interview with an ICPR representative, 15 April 2010.

<sup>19</sup> Information from an interview with an ICPR representative, 15 April 2010.

## 2.2. The International Commission for the Protection of the Danube River (ICPDR) – Combining External and Riparian Funding to Cope with Development Differences

Due to its limited number of tasks, the budget of the ICPDR is relatively low, with 0.993 million Euro in 2008 (ICPDR 2008: 32). The highest share is spent on staff (0.54 million Euro), followed by expenses for offices, services, meetings and travel as well as publications.

The ICPDR is of particular interest when analyzing the different funding modalities of RBOs, because it is financed both by constantly increasing member contributions and external sources. This is due to the fact that the RBO's members exhibit very different degrees of socioeconomic development, with upstream riparians having a very high GDP (of, for instance, US-Dollar 46.260 for Austria) but downstream riparians having only recently experienced economic growth and development, often accompanied by various economic crises (leading to a GDP per capita of only US-Dollar 7.930 in Romania or US-Dollar 1.470 in Moldova; World Bank 2008).

Contributions from member states are generally shared equally among all members (with 9,72% for each member (which equaled 96,547 Euro in 2008) and 2.5% for the EU). However, the RBO has acknowledged that some of its member states face economic problems, making it difficult for them to fulfill their obligations towards the RBO. Therefore, exceptions have been granted to some member states, especially Bosnia, Moldova, Montenegro and the Ukraine

Due to the different level of socioeconomic development, some ICPDR members are eligible to funding from development organizations. The ICPDR has therefore benefited heavily from external funding. Currently, several special funds are provided by external actors for specific projects, such as the EU Project WATERDRB-2009, contributing to the development of the Danube River Basin Management Plan, the EU Project PLATINA, supporting the implementation of a Joint Statement on Inland Navigation and Environmental Sustainability, and a UNDP/GEF Project in the Tisza Subbasin, focusing on strengthening coordination and information exchange.

The largest contributions from external actors came in form of the UNDP/GEF Danube Regional Project (which ended in 2007). It was the largest GEF project on water resources in the world, with a budget of US-\$ 95 million (including a component on the Black Sea<sup>20</sup>). This project aims at supporting the development of national policies and legislations on water resources management and at reinforcing regional cooperation among Danube riparians in order to ensure a common approach to the protection of natural resources in the Danube River Basin. Set-up in two phases, the project consists of various project components focusing on the creation of sustainable ecological conditions for land use and water management, capacity building on water quality improvement, strengthening of public involvement in environmental decision-making and the reinforcement of monitoring and evaluation mechanisms).

Nevertheless, it needs to be acknowledged that the UNDP-GEF Project, although closely aligned to ICPDR, focused on various specific development challenges in downstream member states. The fact that ICPDR, in general, focuses on coordination rather than implementation and has thus very low institutional financing needs, can therefore be maintained.

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<sup>20</sup> Refer to <http://www.undp-drp.org>.

Overall, ICPDR thus provides an attractive example on how to finance an RBO with very different socioeconomic development stages of member states and integrated development partner contributions into river basin management entirely executed by the RBO and its member states. Moreover, it demonstrates how to combine the relatively low financing needs of a coordination-oriented RBO with a limited bureaucracy with eventually arising financing needs of some of the RBO's member states, related to specific development challenges such as capacity building requirements. The MRC should therefore consider further studying of ICPDR's financing mechanisms.

### 2.3. The Nile Basin Initiative (NBI) and the Nile Basin Trust Fund – Multi-Donor Trust Funds as a Means for Ensuring Donor Alignment and Sustainable Funding<sup>21</sup>

The NBI, established in 1999 with the aim to manage various water resources related challenges in the Nile River Basin, is financed both through member contributions and external sources. While member contributions are relatively low (covering only 5% of the total budget, plus non-financial contributions such as the provision of office space, accommodation for meetings, etc.), contributions from development partners are of great importance, not only for the financial sustainability of the organization, but also for the overall institutional development of the RBO, which is largely driven by development partners. Funding needs of the NBI are relatively high, mainly due to the fact that the RBO defines itself as a development promoting and investment-oriented RBO, maintaining a large number of programs and projects that are planned and implemented by the NBI.

Contributions are channeled through the Nile Basin Trust Fund (NBTF)<sup>22</sup>. It is a multi-donor TF, executed by the World Bank on behalf of NBI member states and pledged by partners such as the AfDB, Canada, Denmark, the EC, Finland, France, Germany, the GEF, Italy, Japan, the Netherlands, Norway, Sweden, Switzerland, the UK, UNDP, the US and the World Bank. It is administered by the NBTF Committee, consisting of representatives from contributing agencies, the NBI and the World Bank. This Committee meets once a year and defines the general direction of development partner contributions and the use of financial resources. For the future, it is planned to hand over the administration of the NBTF to NBI members, once they have established the necessary legally binding framework turning the NBI into a formal RBO (planned for 2012, but currently facing various challenges). Once this is realized, the NBTF will be a fully recipient-executed TF, allowing the RBO to flexibly use development partner funding where and when it is needed most, ensuring an efficient and timely use of financial resources.

Contributions to the NBTF work as follows: Development partners enter into an Administration Agreement with the World Bank, which is based on universal standards and provisions applicable for all World Bank administered TFs, but discussed with and approved by NBI members. Development partners then propose the total amount of their contribution and clarify the disbursement schedule and the programs and projects they might have particular interest in supporting (although earmarking is not possible). Based on these agreements, the World Bank then disburses the financial resources to the NBI and the organizational bodies in charge of the respective program or project. This standardized procedure ensures that all contributions follow the same procedure, ensuring alignment to the RBO's administrative and financing principles.

<sup>21</sup> Details on the NBI are drawn from Elhance 1999, Tafesse 2001, Whittington et.al. 2005 and the NBIs website <http://www.nilebasin.org>.

<sup>22</sup> For additional information on NBI's TF can be found with the executing institution, the World Bank, refer to <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/EXTREGINI/EXTAFRNILEBASINI/0,,contentMDK:21076144~menuPK:2993455~pagePK:64168445~piPK:64168309~theSitePK:2959951,00.html>.

Resources made available through the NBTF are used for the preparation and implementation of nearly all NBI programs and projects, including the Shared Visions Program, the sub-basin investment programs ENSAP and NELSAP, as well as various initiatives aiming at strengthening NBI's institutional capacity and building capacity among member states. This reliance on program and project funding through the NBTF has contributed to greater alignment and harmonization of development partner contributions and provided the NBI with a flexible means to respond to needs of the river basin and its riparian states.

The NBTF thus provides an excellent example for how TFs (or other forms of aligned development partner funding) can contribute to aligned and harmonized development partner contributions, which can then, in turn, be used to respond to the different and constantly changing financing needs in the basin.

### **3. Lessons Learned for the MRC**

Sustainable funding is decisive for the functioning of RBOs. Experiences from other RBOs have demonstrated the first of all, it is important to clearly define the responsibility and the tasks and RBO is expected to fulfill, in order to then determine its funding needs, and, secondly, to establish funding mechanisms that allow for the availability of funding sources even if the situation in the river basin changes (e.g. through increasing socioeconomic development of member states, new challenges emerging in the basin or the reduction of contributions from development partners). While there are various different mechanisms of how an RBO can be funded, some seem to be more appropriate to ensure financial sustainability and/or donor alignment and harmonization. Flexible mechanisms such as TFs provide interesting means for funding especially in developing river basins.

MRC's current financing structure is characterized by a differentiation into different types of budget (Work Programme Budget consisting of Regular Budget and Technical Cooperation Budget, Associated Technical Cooperation Budget). This comes with different financing modes for different MRC activities, with funding being supplied by different sources and support types (refer to MRC 2008b: 13).

Contributions from development partners are of great importance for MRC's financing. However, serious concerns about donor alignment and harmonization have been raised recently (MRC 2009a), particularly regarding inefficiencies, overlaps and lacks of alignment. External financial contributions come through very different channels: Currently, 18 development partners provide funding support to the MRC, through contributions to the MRC as a whole, the financing of specific MRC program components, contributions to the WMTF, the financing of staff positions or staff secondment (MRC 2009a). This has led to high administrative burdens in terms of reporting and procurement requirements and has increased inflexibility of MRC's programs and project, especially regarding the allocation of resources to programs and projects with acute funding needs.

On the long-term, MRC is pursuing a financial riparianization strategy. With increasing socioeconomic development of its member states, their eligibility to development funding will decrease and thus contributions to the MRC as well, requiring an increase in member contributions to the organization. However, it is questionable whether member states are capable and willing to entirely replace funding from development partners by national contributions of the same amount. In order to avoid financing problems (for which the LVFO provides a remarkable example on how the (sudden) phasing out of external funding can plunge an RBO into severe financing problems), the MRC needs to engage in a financial reform process that goes beyond the idea of replacing development partner contributions

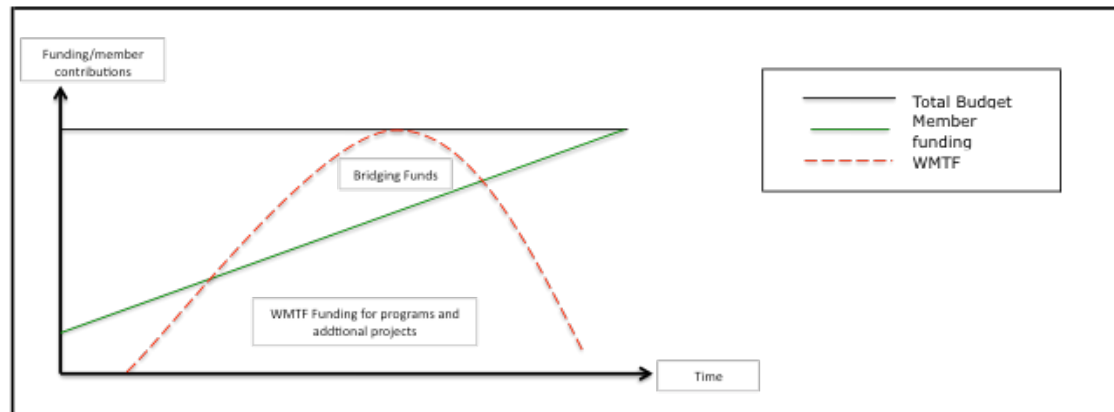
by member states funding. A first step in this direction has been taken (MRC 2009g: 53): MRC has defined its core functions and agreed that some of them will be carried out (and thus funded) by member states, significantly reducing the financial burden for the centralized RBO level. Secretariat Administration and Management Functions, which will remain on the centralized level, will be funded through the Regular Budget, on the medium-term funded by member states. Other functions, such as some of the River Basin Management Functions and capacity building will, at least on the medium-term, continuously be funded by development partner contributions.

However, further efforts are needed: First of all, it is important to clearly define the organization's responsibilities and tasks, including the distribution of activities between the different governance levels – in the context of the core functions process as well as in the course of developing the Strategic Plan. This is a prerequisite for determining funding requirements for the future. Moreover, the MRC needs to ensure that its work is valued by its member states, mainly by fulfilling those functions and services that member states demand, thus ensuring their commitment to the institution. The core functions process and the related changes in MRC's organizational structure are thus decisive steps in the institution's financing reform as well.

In this context, the way member contributions are determined might require reconsideration. As experiences from other RBOs have shown, a range of cost-sharing mechanisms are possible and various ways of cost-sharing keys having been applied. Although there is no perfect and ideal cost-sharing mechanism that would be applicable to all RBOs, it is important to investigate the different possibilities and develop a cost-sharing mechanism that is particularly suitable for the Mekong River Basin and the MRC. Input from member states on this issue is needed, for instance in the context of the formulation of the Strategic Plan and other, more long-term strategy development efforts.

In addition, MRC should look for more flexible funding mechanisms that help to overcome potentially occurring funding gaps – related to decreasing contributions from development partners, lacking funding capacities of member states, newly arising challenges in the basin that require immediate action or any combination of those. Although the MRC is well aware of potentially reducing development partner contributions and the related need of funding reform (MRC 2007a: 32, MRC 2009f: 1), there is still more work to be done.

One promising funding option on the short- and medium-term is the establishment of a TF. TFs can provide financing mechanisms of particular flexibility, with great chances for donor alignment. The existing Water Management Trust Fund (WMTF) provides an interesting basis for TF-based financing of the MRC. Its mandate is wide enough to include various river basin management related tasks, even beyond projects currently funded through the WMTF. Moreover, it is managed and executed by the MRC and thus one of the rare examples of recipient-executed TF in international water resources cooperation, increasing ownership while ensuring donor harmonization and alignment. Under this (or a broadened) mandate and with increased availability of resources, the WMTF could also be used to bridge funding gaps occurring during the riparianization process (see graph below). While parts of the WMTF could, as it has been done so far, be continuously used for funding specific activities within the MRC (part below green line), another part could be attributed in a flexible manner to those programs and projects in urgent financing needs (part above green line). On the long-term, when the MRC has moved towards entire member funding and a more decentralized implementation mechanism that reduces the institution's financial needs, the WMTF could be slowly phased out until the institution achieves its goal of complete riparian funding of a coordination-oriented RBO.



Graph VI: Funding options via the WMTF

However, it needs to be recognized that development partners are not always willing or capable of contributing to a TF (or other forms of flexible funding). Significant progress in MRC's management structure and, in particular, the establishment of a well-functioning Performance Management System are therefore important prerequisites to move forward in the process of funding reform. The development of new funding mechanisms thus goes hand in hand with the precise definition of the organization's role and responsibilities, the establishment of an appropriate organizational structure, the decentralization of certain river basin management and thus the move towards a coordination-oriented rather than implementing organization.

## V. Conclusion

The analysis of various RBOs that provide valuable insights for the MRC and its current reform and transition process, has shown that three main points matter for the performance of RBOs in managing the river basin: 1. The RBO's institutional design, that is, the way its organizational bodies are designed and interact with one another, 2. The institution's link to its member states and the distribution of tasks between the different governance levels, and 3. The financing of the institution.

Overall, findings can be summarized as follows, demonstrating once again the differences between implementation- and coordination-oriented RBOs and the respective impacts on the organizational structure, the degree of (de-)centralization and the financing of the institution<sup>23</sup>.

	Implementation-oriented RBO	Coordination-oriented RBO
<b>Role and Responsibilities</b>	- Focus on the implementation of programs and projects in the basin, often beyond pure water resources management (development focus)	- Focus on coordination of member states' activities in water resources management (independent from development needs of members)
<b>Organizational Structure</b>	- Rather large, with different organizational bodies in charge of the different tasks and activities - High degree of centralization	- Rather small, with limited number of subsidiary bodies - Strongly decentralized
<b>Secretariat</b>	- Rather large with various subsidiary departments - Fulfills large number of tasks (beyond administrative services) - Maintains large amount of centralized data and information	- Rather small, with limited number of departments and small number of staff - Provides administrative and technical services and facilitates work of member states
<b>Links to Member States</b>	- Needs to be maintained through specific links - Complexity of operation makes ownership difficult - If managed efficiently, strong links can develop due to implementation	- Ensured through decentralized Working and Expert Groups and national implementation - Links are based on personnel exchange and interaction on all governance levels
<b>Financial Requirements</b>	- High financial needs due to complex structure and many tasks (including implementation) - Program/project structure allows for acquisition of external funding	- Relatively low financial needs due to limited number of tasks carried out on the transboundary level
<b>Advantages</b>	- High level of engagement in river basin development - Centralization of knowledge on the basin	- Short decision-making channels - High efficiency in management
<b>Disadvantages</b>	- Long decision-making channels with many intermediary bodies - High financial needs for programs and projects	- Focus on water resources management only (i.e. no development focus) - Requires high human, financial and technical capacities in member states
<b>Examples</b>	LCBC, NBA, NBI, OMVS, ZRA	ICPDR, ICPR, ICPR, OKACOM

Table II: Comparison between implementation- and coordination-oriented RBOs.

<sup>23</sup> It needs to be emphasized once again that the table represents 'ideal' types of RBOs with some typical examples. However, there is a broad continuum between the two prototypes and an RBO can rank anywhere between them, depending on the specific challenges in the river basin and the preferences of riparian states.

Besides these general paths of potential RBO development, the lessons learned from the analysis of various RBOs and the application of findings to the MRC can be summarized according to the three main fields of interest (organizational structure, link to member states, financing) as follows:

### **1. The organizational Structure of RBOs**

- A clear definition of the RBO's role and responsibilities, that is, the functions member states expect the RBO to fulfill, is a necessary prerequisite for all other reform considerations. The MRC therefore needs to engage further in defining its role and responsibilities in greater detail. This is of particular importance with respect to whether MRC will be considered as an implementing or a coordinating RBO.
- A conference of Heads of State and Government can be a useful means for raising awareness for joint river basin management, increasing the visibility of the RBO and strengthening high-level political commitment. The process that started at the MRC Summit in April 2010 should therefore be continued.
- The ministerial-level decision-making body of an RBO is a core body of the RBO, that develops its general policies and strategies. In order to be more efficient, MRC should elaborate how the work of the MRC Council can be improved, especially regarding its decision-making procedures and the transparency of its work.
- Intermediate bodies translating high-level policy recommendations into strategies, programs and projects are of great importance for managing the river basin on the ground. MRC therefore needs to engage in increasing the effectiveness and efficiency of the Joint Committee, especially by defining its responsibilities and its contributions to the overall decision-making and river basin management chain clearly.
- Since the role of Secretariats can be seen as crucial for the long-term sustainability of institutionalized river basin management, ensuring their efficiency is decisive. MRC should therefore more clearly define MRCS' role and responsibilities (especially in the context of the core functions process and changing challenges in the river basin) and provide MRCS with the required financial, technical and human capacities to fulfill its tasks.
- Efficiency and effectiveness of an RBO also depend on the interactions among the different organizational bodies. Engaging in developing new and/or refining existing work descriptions should therefore rank high on MRC's institutional reform agenda.

### **2. Decentralization, relations to member states and ownership**

- The degree of decentralization of river basin management tasks within an RBO depends on what roles and responsibilities member states have assigned to the institution. Moving forward on the decentralization path requires, therefore, a clear agreement of MRC member states on which functions they consider important for the joint management of the basin at all and which of these functions they want to see performed by which governance level.
- National Committees have, in many RBOs, not proven to be the most appropriate means of linking the centralized RBO level to the member states. However, if member states agree upon the establishment or maintenance of such bodies, it is important that their roles and responsibilities are defined clearly and consistently and that they are equipped with the required human, technical and financial capacities to fulfill their tasks. This needs to be taken into account while reforming the NMCs.



- Working or Expert Groups provide promising means of decentralizing RBO work towards the member states while, at the same time, increasing ownership. MRC might therefore want to consider the establishment of Working Groups for various issues such as fisheries, hydropower, water quality or data management.
- When decentralizing river basin management functions, ensuring the capacity of member states to fulfill newly gained responsibilities is important. The MRC therefore needs to make sure that all member states possess sufficient human, technical and financial capacities to successfully perform the functions potentially assigned to them in the course of the core functions process.
- The embeddedness of an RBO in its broader regional context can provide important opportunities for issue-linkage. MRC should therefore further intensify its relations with regional organizations and bodies such as ASEAN and GMS, thus benefiting from economies of scale while avoiding inefficiencies related to overlaps and uncoordinated activities. Clearly delineating each organization's role and responsibilities is thereby particularly important.

### **3. The financing of RBOs**

- Sustainable and secured financing is a necessary condition for the efficient work of an RBO. MRC therefore needs to work towards ensuring its funding base of the next years, both in relations to development partners and with regard to ongoing financial riparianization.
- The definition of member contributions to the RBO is of great importance for ensuring sustainable financing. Cost-sharing mechanisms thereby need to reflect the specific situation in the river basin and among the RBO's members, taking into account their economic capacities.
- When reforming the financing structure of an RBO, new funding mechanisms such as TFs should thereby be taken into account.

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### Annex I: Organizational Bodies of RBOs – An Overview

RBO	Meeting of Heads of State/ Government	Ministerial Level Body/Council	Intermediary Body/ Committee	Add. intermediary bodies	Secretariat	Working/ Expert Groups	Additional Bodies	National Coordination Committees	Donor Relations Body
ICPDR	–	–	Conference of Parties	–	Permanent Secretariat	Standing WG, Ad-Hoc EG, Pressures and Measures EG, Flood Protection EG, Information Mgt and GIS EG, Monitoring and Assessment EG, Public Participation EG, River Basin Mgt EG, Strategic EG	–	–	–
ICPER	–	–	Commission	Coordination Group	Secretariat	Water Framework Directive WG, Flood Protection WG, Accidental Water Pollution WG; Expert Groups when necessary (currently on Surface Water, Ground Water, Economic Analysis, Data Management)	–	–	–
ICPR	–	Ministerial Conference	Commission	–	Secretariat	Ecology, Flood, Water Quality and Emissions, Data Mgt and GIS, Integrated Economical Approach	–	–	–
ISRBC	–	–	Commission	–	Secretariat	Navigation, River Basin Management, Accident Prevention and Control, Flood Prevention, Legal, Hydrological and Meteorological Issues, GIS, RIS, Financial	–	–	–

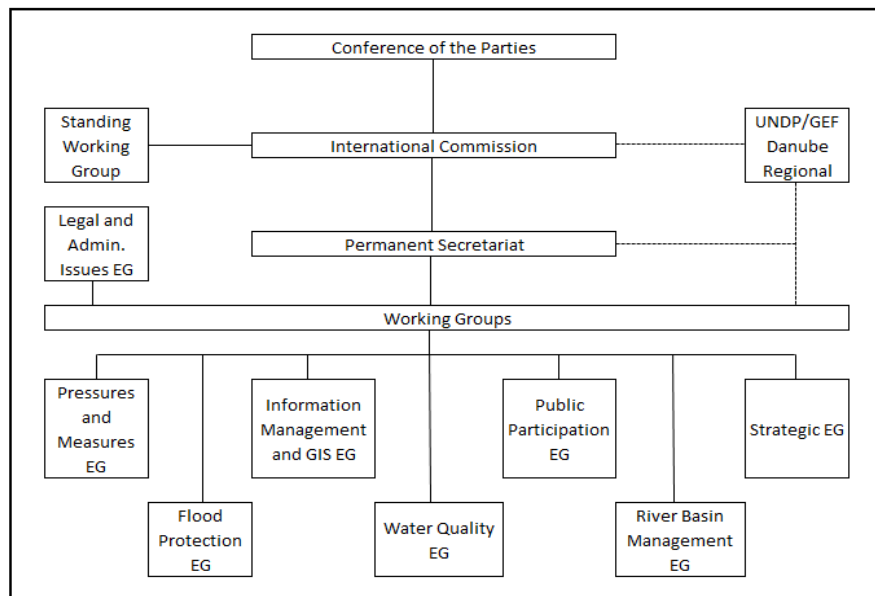
<b>LCBC</b>	Summit of Heads of State and Government	Commission	Steering Committee	–	Executive Secretariat	–	Basin Committee for Strategic Planning	–	–
<b>LTA</b>	–	Conference of Ministers	Management Committee	Technical Committees	Secretariat	–	–	–	–
<b>LVBC</b>	–	Sectoral Council	Coordination Committee	–	Secretariat	Sectoral Committees	–	–	–
<b>LVFO</b>	–	Council of Ministers	Policy Steering Committee	Executive Committee, Fisheries Management Committee, Scientific Committee	Permanent Secretariat	–	–	National Committees	–
<b>NBA</b>	Summit of Heads of State and Government	Council of Ministers	Technical Expert Committee	–	Executive Secretariat	–	–	–	Development Partner Group
<b>NBI</b>	–	Council of Ministers	Technical Advisory Committee	–	Secretariat	–	ENSAP, NELSAP, SVP	–	NBTF Committee
<b>OCTA</b>	Meeting of the Presidents	Meeting of the Ministers of Foreign Affairs, Amazon Cooperation Council	CCA Coordination Committee	–	Secretariat	Special Commission on Health, Indigenous Affairs, Environment, Transport/ Infrastructure/Communication, Tourism, Education, Science and Technology	–	Permanent National Commission	–



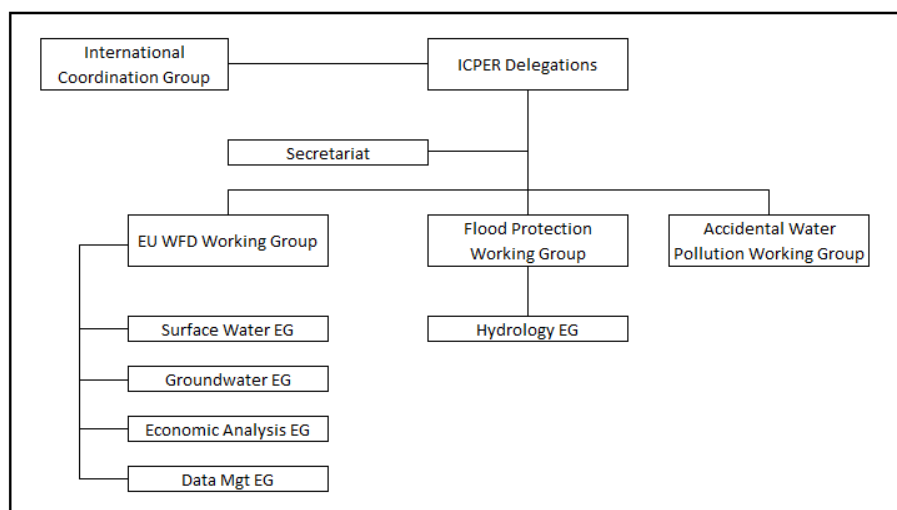
<b>OKACOM</b>	–	Council	Steering Committee	–	Secretariat	Institutional TF, Hydrological TF, Biodiversity TF	–	–	–
<b>OMVS</b>	Conference of Heads of State and Government	Council of Ministers	–	–	High Commission	–	Permanent Water Commission, Consultative Committee, Regional Planning Committee	National Coordination Committees	–
<b>ORASECOM</b>	–	Council	–	–	Secretariat	Task Teams	–	–	–
<b>VBA</b>	Assembly of Heads of State and Government	Council	Committee of Experts	–	Executive Directorate	–	–	National Focal Bodies	–
<b>ZAMCOM</b>	–	Council of Ministers	Technical Committee	–	Secretariat	–	–	–	–

## Annex II – Organizational Charts of RBOs<sup>24</sup>

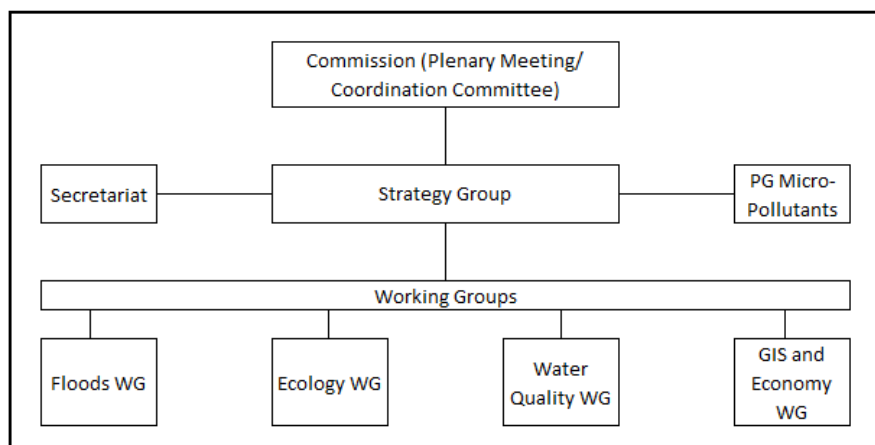
### 1. The International Commission for the Protection of the Danube River (ICPDR)



### 2. The International Commission for the Protection of the Elbe River (ICPER)

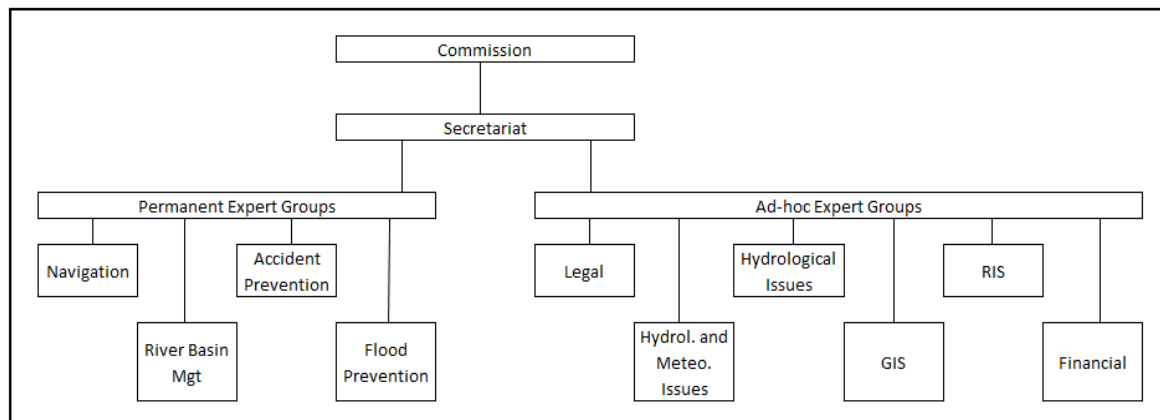


### 3. The International Commission for the Protection of the Rhine (ICPR)

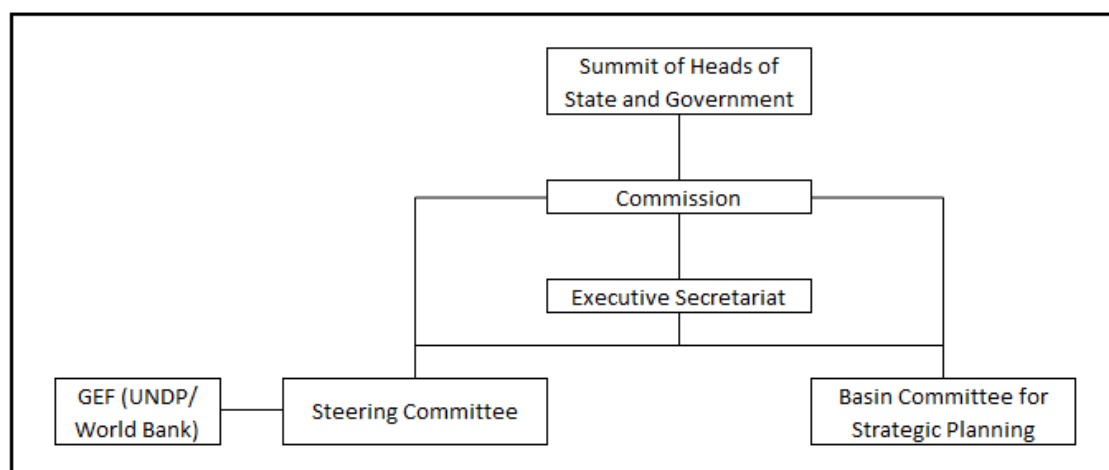


<sup>24</sup> All graphs by the author, based on information of the respective RBOs

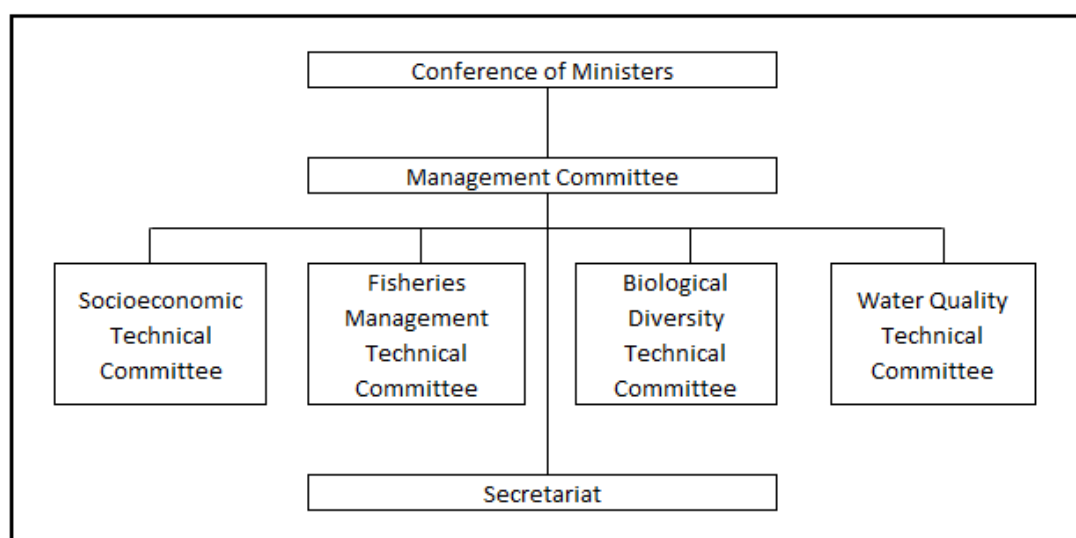
#### 4. International Sava River Basin Commission (ISRBC)



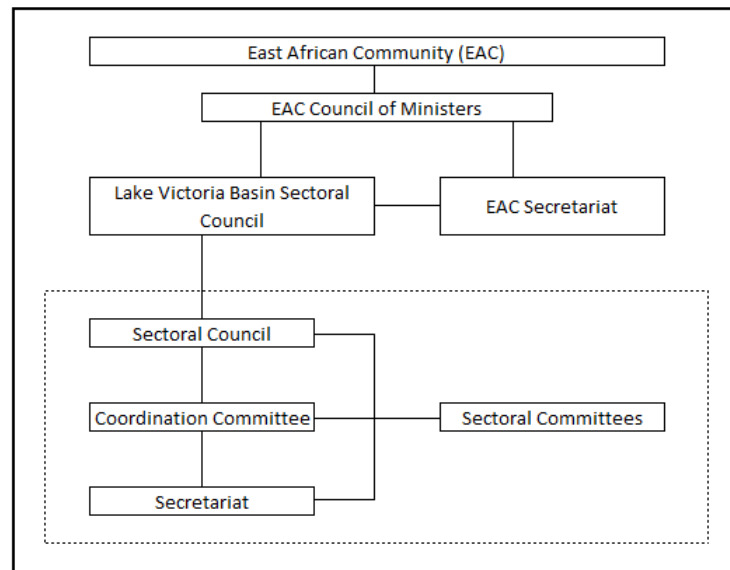
#### 5. Lake Chad Basin Commission (LCBC)



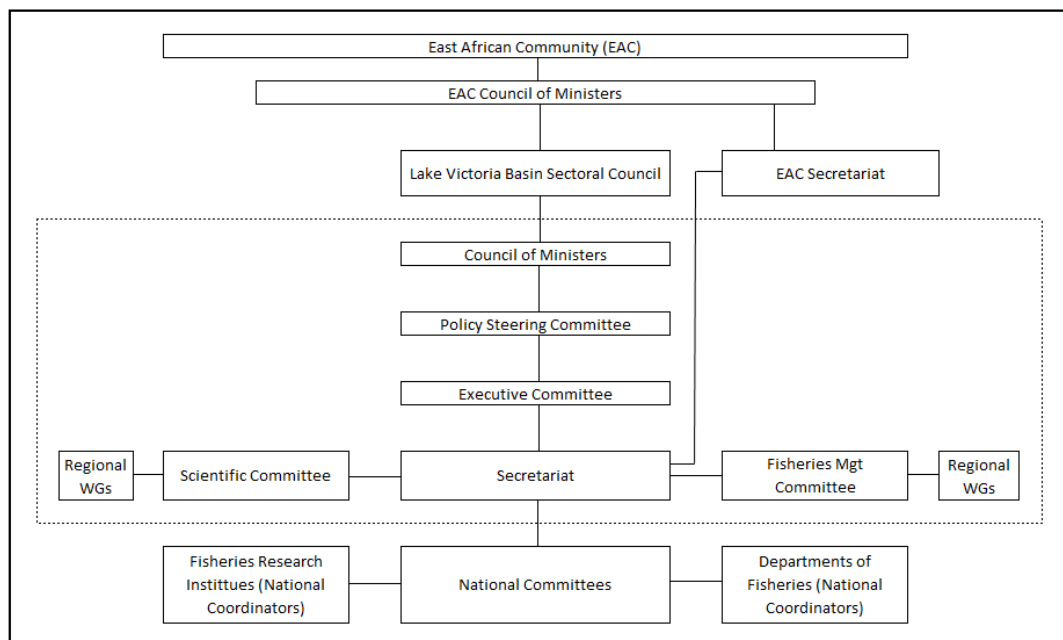
#### 6. Lake Tanganyika Authority (LTA)



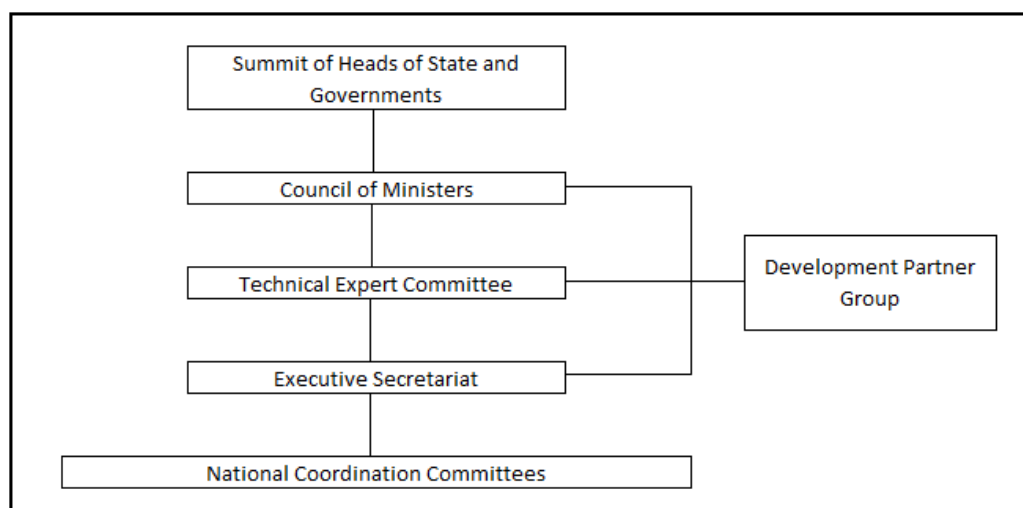
## 7. Lake Victoria Basin Commission (LVBC)



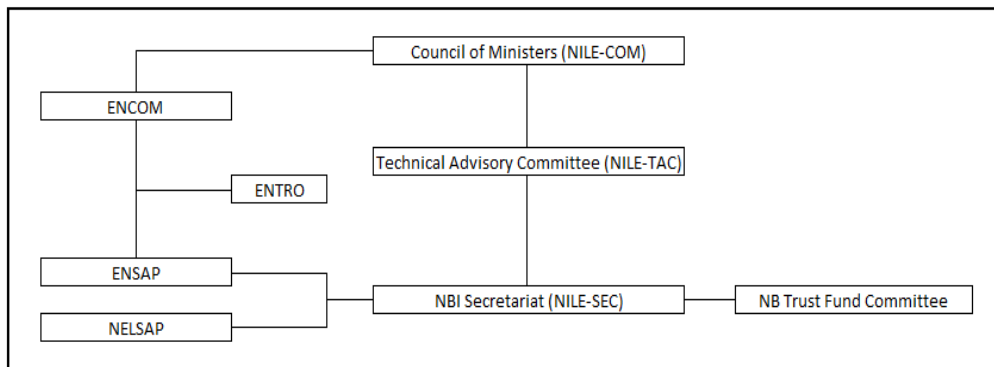
## 8. Lake Victoria Fisheries Organization (LVFO)



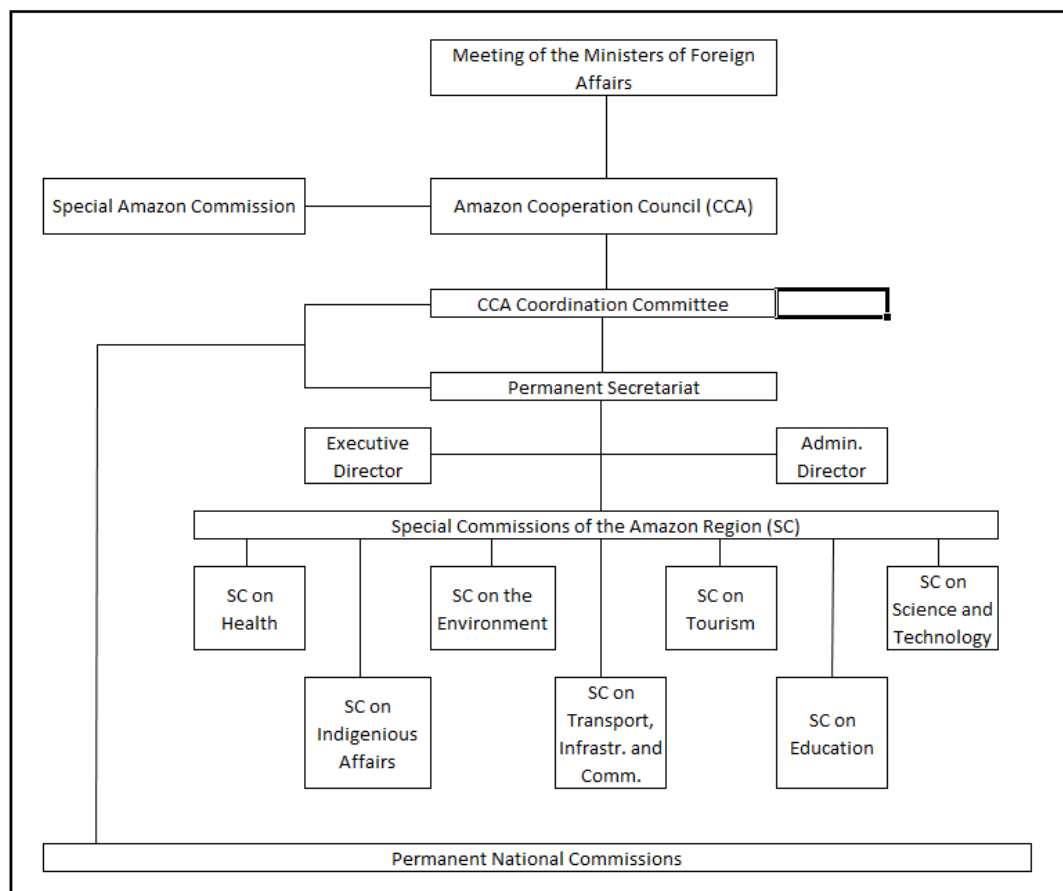
## 9. Niger Basin Authority (NBA)



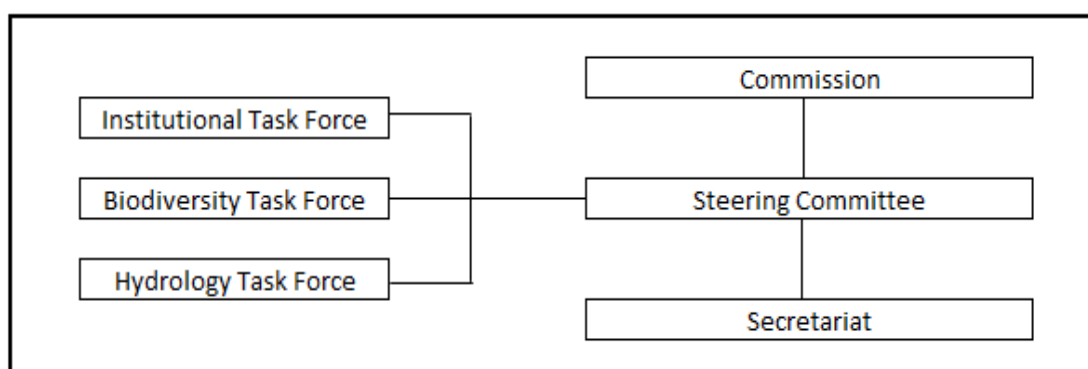
## 10. Nile Basin Initiative (NBI)



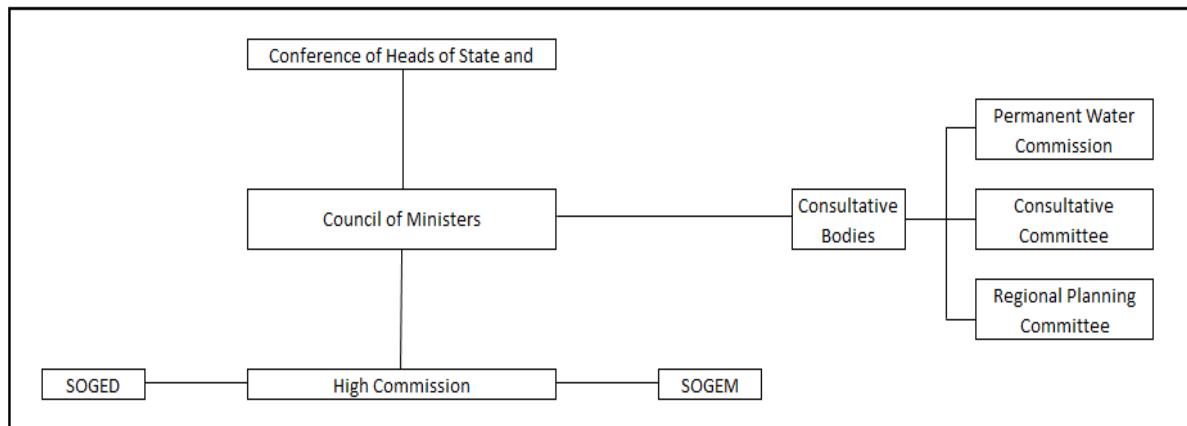
## 11. Organization of the Amazon Cooperation Treaty (OCTA)



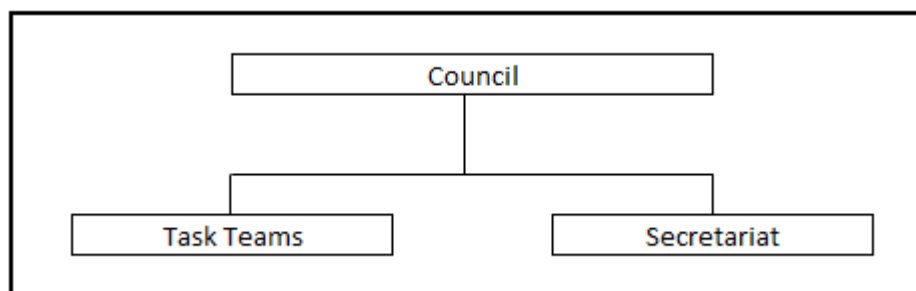
## 12. Permanent Water Commission on the Okavango River Basin (OKACOM)



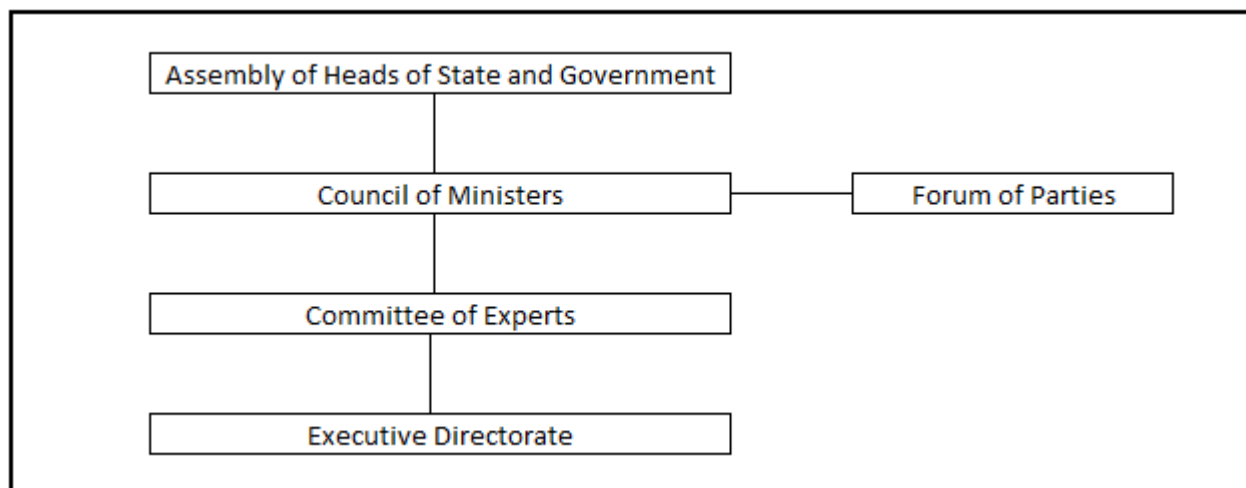
### 13. Organisation pour la Mise en Valeur du Fleuve Sénégal (OMVS)



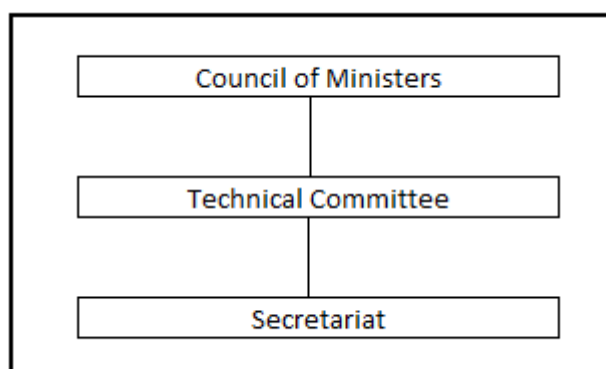
### 14. Orange-Senqu Commission (ORASECOM)



### 15. Volta Basin Authority



### 15. Zambezi Watercourse Commission (ZAMCOM)



### Annex III: Functions of RBOs' Organizational Bodies

RBO	Meeting of Heads of State/ Government		Ministerial Level Body/Council		Intermediary Body/ Committee		Secretariat		National Coordination Committees		Donor Relations Body	
ICPDR	–	n/a	Conference of Parties	passes recommendation s or decisions on river basin management	–	n/a	Permanent Secretariat	prepares and circulates reports on activities; prepares budget, calculates income and expenditures; distribues reports of meetings; maintains DANUBIS; platform for int cooperation; platform for EUWFD implementation	–	n/a	–	n/a
ICPER	–	n/a	–	n/a	International Coordination Group	policy making and decision-making, guidance on development of the organization and joint management of basin	Secretariat	prepares meetings of bodies; responsible for correspondence between delegations; provides administrative services; coordinates monitoring network	–	n/a	–	n/a

ICPR	–	n/a	Conference of Ministers	decides on tasks of RBO; provides general guidance on development of coordinated management of the basin	–	n/a	Secretariat	provides administrative, technical advice and services; coordinates and disseminates information on water quality from measuring stations as provided by members; prepares and organizes meetings of organizational bodies; supports WGs/EGs and national organizations in research	–	n/a	–	n/a
ISRBC	–	n/a	Commission	Decides on general development of the basin (navigation, financing of projects) and makes recommendation on implementation of Agreement	–	n/a	Secretariat	Provides administrative and technical services, provides advice on navigation, water and ecosystem protection	–	n/a	–	n/a
LCBC	Summit of Heads of State and Government	provides general policy guidance to organization	Commission		Steering Committee	implementation of Strategic Action Program in context of GEF Project	Executive Secretariat	administration and finance functions; program and project planning and execution; information and data management	Basin Committee for Strategic Planning	link LCBC work to local activities in the basin, especially via line agencies in environment, agriculture and finance	–	n/a



LTA	–	n/a	Meeting of Ministers	evaluate implementation of Convention, consider and adopt protocols and amendments, establish subsidiary bodies if necessary	Management Committee	support, coordinate and monitor implementation of Convention; implement decisions of Conference of Ministers; provide scientific and technical advice to Conference of Ministers; prepare and coordinate implementation of SAP; negotiate with donors; supervise activities of Secretariat	Secretariat	oversee implementation of programs and projects; provide technical and scientific; prepare plans and projects; disseminate information on implementation to members; maintain information database; arrange meetings; provide financial and administrative services; formulate annual work plan; formulate budget	–	n/a	–	n/a
LVBC	–	n/a	Sectoral Council	provide overall policy directions, guide implementation of development programs, make regulations and directives, consider and approve budget, formulate financial rules and regulations	Coordination Committee	submit reports to Council, implement decisions of Council, assign Sectoral Committees	Secretariat	facilitate, coordinate and promote development initiatives, establishment of regional database; promotion of info and data sharing, coordination of harmonization of policies, coordination with stakeholders, donor relations, mobilization of resources, accounting, financial management	–	n/a	–	n/a

<b>LVFO</b>	–	n/a	Council of Ministers	reviews reports and recommendations on fisheries; determines policy, work program and budget and contributions from members; appoints Executive Secretary; adopts mgt. and conservation measures; sets-up committees and subsidiary bodies	Policy Steering Committee	reviews reports and recommendations ; prepares Council sessions; reviews activities of organization; submits recommendations to Council on fisheries; reviews proposals for measures from states; establishes standards and guidelines; concludes agreements with other actors	Permanent Secretariat	reports on work of organization; drafts work program; drafts budget; organizes sessions of other bodies; organizes information exchange; collects and disseminates data and information; provides capacity building	National Committees	forum for consultation, coordination and information in member states; reports to Council on activities	–	n/a
<b>NBA</b>	Summit of Heads of State and Government	defines general political orientation of institution, control execution and implementation	Council of Ministers	reports to Summit and prepares sessions; examines problems and develops solutions	Technical Expert Committee	prepares sessions of Council; prepares reports;	Executive Secretariat	proposes strategies for funding acquisition; maintains relations with sub-regional, regional and international organizations; maintains relations with national level; develops civil society participation	–	n/a	Development Partner Group	coordinates work of development partners

<b>NBI</b>	–	n/a	Council of Ministers	provides policy guidance; makes decisions on river basin management	Technical Advisory Committee	renders technical advice and assistance to Council	Secretariat	facilitation of Committee meetings; ensures financial management and logistical support; coordinates SVP, ENSAP and NELSAP; mobilizes funds; provides financial mgt support; mgt of NBI Resource Center; information dissemination	–	n/a	NBTF Committee	administers TF; works on donor harmonization ; administers projects and programs funded by TF
<b>OCTA</b>	Meeting of the Presidents	responsible for dialogue, exchange and consensus reaching over Amazon management	Meeting of Ministers of Foreign Affairs	establishes basic guidelines for meetings; assesses general development of Amazon cooperation process; adopts decisions and defines goals	Amazon Cooperation Council	ensures compliance with treaty's objectives and with decisions made by higher levels; analyzes initiatives and projects submitted by countries and adopts decisions; assesses progress in projects; adopts working rules	Secretariat	supervises compliance with ACT; coordinates meeting of organizational bodies; prepare, compile and store correspondence; informs PNCs on work and progress in implementation; acquires technical, scientific and financial aid; evaluates programs and projects; disseminates info; prepares annual work plan; coordinates activities of SCs	Permanent National Commissions	in charge of applying treaty's provision in national context; execute decisions made by Meetings of ministers and foreign affairs and Council;	–	n/a

<b>OKACOM</b>	–	n/a	Commission	decision-making on water resources management, water allocation; planning and evaluation of water resources development projects	Steering Committee	technical advice; determines working procedures and meetings; monitors projects	Secretariat	provides administrative, financial and general services; responsible for information sharing; responsible for communication on behalf of organization; coordination of development partner activities; coordination of NGO engagement; capacity building	–	n/a	–	n/a
<b>OMVS</b>	Conference of Heads of State and Government	lays down policy of cooperation and development of organization; makes decisions concerning general economic policy of organization; adopts binding decisions for member states	Council of Ministers	decides on political line of cooperation and river basin dev; works out policy of installations on river, development of resources and cooperation; defines priorities of operations; fixes contributions from member states	–	n/a	High Commission	technical mgt; project planning, implementation, execution; monitoring; gathers data on basin; develops work program for basin; responsible for execution of studies and work related to regional infrastructure	National Coordination Committees	coordinate and in particular implement work of OMVS on national level	–	n/a

<b>ORASE-COM</b>	–	n/a	Council of Ministers	Recommendations on measures to determine yield of resources; equitable and sustainable use of resources; investigations and studies; suggestions on standardizing collection, processing and dissemination of data on pollution prevention, emergency situations measures	–	n/a	Secretariat	program and project coordination and management; repository for information related to basin; focal point to external parties; information management; resource mobilization	–	n/a	–	n/a
<b>VBA</b>	Assembly of Heads of State and Government	supreme decision-making body; defines general framework of cooperation and development policies	Council of Ministers	defines objectives and rules on operation of institution; formulation and control of programs and policies; approves budget and financial regulations of Secretariat; examines projects submitted to VBA and authorizes their execution	Committee of Experts	prepares meetings of Council; supports Executive Directorate in execution of functions	Executive Directorate	provides secretarial support; represents VBA towards bilateral and multilateral institutions; holds budget; manages assets of authority; reports to Council on activities	National Focal Bodies	responsible for coordinating activities of VBA on national level	–	n/a

<b>ZAMCOM</b>	–	n/a	Council of Ministers	adopts policies and decisions; provides guidance and coordination in water resources development; approves plans, programs and projects; appoints Executive Secretary; determines annual budget contribution of members; approves Strategic Plan for Zambezi	Technical Committee	implements policies and decisions of Council; develops rules; establishes hydrometric stations; captures data; develops early warning systems; monitors mechanisms for water abstraction and intra-watercourse transfers; formulates recommendations to Council; appoints Secretariat staff	Secretariat	prepares and submits annual budget; prepares and submits Strategic Plan; reports to external actors; provides technical services; facilitates studies; collects and evaluates data; disseminates information; develops research and training programs; advises states on development of watercourse; cooperates with SADC institutions; obtains financial and technical support	–	n/a	–	n/a
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## Annex IV: Functions of RBO Secretariats

RBO	Secretariat	Org of meetings	Strategic planning	Provision of tech. advice	Progr/proj dev	Progr/proj coord	Progr/proj impl/maint	Monit, reporting	Budget prep/fin mgt	Resource mobilization	External relations	Info and data mgt (internal)	Info dissemination (external)	Capacity building
ICPDR	Permanent Secretariat	*						*	*		*	*	*	
ICPER	Secretariat			*		*					*	*	*	
ICPR	Secretariat	*							*		*	*	*	
ISRBC	Secretariat											*	*	
LCBC	Executive Secretariat					*	*		*			*		
LTA	Secretariat	*	*	*	*			*	*	*		*		
LVBC	Secretariat	*				*		*	*	*	*	*	*	
LVFO	Permanent Secretariat	*	*					*	*	*	*	*	*	*
NBA	Executive Secretariat		*		*					*			*	
NBI	Secretariat	*				*				*	*	*		*
OCTA	Secretariat	*	*		*	*	*	*				*	*	
OKACOM	Secretariat								*		*	*	*	*
OMVS	High Commission		*	*	*	*	*	*			*	*		
ORASECOM	Secretariat					*	*			*	*	*		
VBA	Executive Directorate		*						*		*			
ZAMCOM	Secretariat	*	*	*	*			*	*	*	*	*	*	*

## Annex V – Funding Mechanisms of RBOs

RBO	Funding mechanisms	Share of riparian funding	Development Partner Contributions	Main development partner
ICPDR	Members bear costs for RBO activities, equal distribution of costs, with exceptions for financially weak members (Bosnia, Montenegro, Moldova, Ukraine)	High	yes	GEF, UNDP (until 2007)
ICPER	Members bear costs for measures in their territory, costs of Secretariat are shared (key for Secretariat with Germany 2/3, Czech Republic 1/3, based on territory in the basin)	Entirely	no	n/a
ICPR	Member funding only (with individual costs for representation and shared costs for ICPR structure), costs for ICPR structure shared with 2.5% EU, 12% Switzerland, rest shared with 32.5% for Germany, France and Netherland each	Entirely	no	n/a
ISRBC	Members bear costs for activities in their countries by themselves, costs for joint activities/Secretariat are shared equally	High	yes	EBRD, EU, USAid, World Bank
LCBC	Cost-sharing among members plus development partner contributions, cost-sharing with each state contributing 1/1000 of its annual national budget to LCBC Development Fund (currently Cameroon 26%, Chad 11%, CAR 4%, Niger 7%, Nigeria 52%)	Medium	yes	EU, France, Germany, UNDP, World Bank
LTA	Costs are covered by member contributions (with equal share among members) and external funds from donors	Low	yes	AfDB, Nordic Development Fund, FAO, UNDP, GEF, IUCN, UNEP
LVBC	Funds from EAC, stakeholder contributions, development partners	Medium	yes	EaFDB, France, Norway, Sweden, World Bank
LVFO	Contributions from members and development partner funding	Medium	yes	Canada, EU, FAO, GEF, Norway, Sweden, World Bank
NBA	Member contributions (cost-sharing key based on relative size of portion of basin which falls into each country's territory - 5% Benin, 4% Burkina Faso, 7% Cameroon, 1% Chad, 5% Ivory Coast, 10% Guinea, 20% Mali, 18% Niger, 30% Nigeria), development partner funding	Low	yes	AfDB, African Water Facility, Canada, ECOWAS, EU, Germany, WafDB, World Bank,
NBI	Member contributions, development partner funding, organized through Trust Fund	Low	yes	Canada, Denmark, Germany, Netherlands, Norway, Sweden, UK, World Bank
OCTA	No information provided	n/a	yes	n/a
OKACOM	Nearly exclusively funded by external contributions, no independent financing mechanism and thus dependent on contributions from member countries (which are shared equally)	Very Low	yes	GEF, Sweden, USA
OMVS	Member contributions (cost-sharing key with 22.6% Mauritania, 42.1% Senegal, 35.3% Mali), loans contracted via member states, grants/TA directly to institution	Medium	yes	Canada, EU, France, Germany, Islamic Development Bank, Netherlands, USA, World Bank
ORASECOM	Contributions from member states (directly from Ministries in charge of water resources)	Low	yes	EU, France, Germany, UK, UNDP
VBA	Contributions and other financial allocations from members as well as grants, loans and other allocations from external actors; member contributions determined by Council	Low	yes	AfDB, EU, France, Sweden, World Bank
ZAMCOM	Contributions from member states, amount/time defined by Council	Low	yes	Canada, Denmark, France, Netherlands, Norway, Sweden, US, World Bank