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Support to the Integrated Management of Water Resources of Lake Kivu and Rusizi River

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1 Background

In the Declaration of Kigali, signed in 2011, the authorities of the three countries of the Economic Community of the Great Lakes (Communauté des Pays des Grand Lacs, CEPGL), Burundi, DR Congo and Rwanda, have approved the International Convention for the Integrated Management of the Water Resources of the Basin of Lake Kivu and the Rusizi River. In this context, they also signed a trilateral agreement creating the Authority for the Lake Kivu and the Rusizi River Basin (Autorité du Bassin du Lac Kivu et de la Rivière Ruzizi, ABAKIR).

The mission of the transitional body of the ABAKIR consists of

- 1) facilitate the ratification of the above-mentioned convention,
- 2) prepare and implement a process for establishing a permanent structure of the ABAKIR and
- 3) initiate the studies necessary for the kick-off of ABAKIR's activities, taking into consideration existing projects that relate to the area of ABAKIR's mandate.

However, a significant delay of the process led to the establishment of the transitional body only in 2013. And the final documents relating to ABAKIR were only adopted by the relevant ministers in November 2014. End of 2017, the final texts of the Convention for the Integrated Management of the Water Resources of the Basin of Lake Kivu and the Rusizi River had still not been ratified by all three countries. Moreover, the transitional body of ABAKIR only consisted of three political representatives from the signatory states. The administrative personnel of the institution had ceased to perform its functions in 2015 due to a lack of financing by the signatory states (when Rwanda, the only state that had so far funded ABAKIR, decided to stop its financial contribution). Technical personnel have been entirely missing in the transitional body of ABAKIR, which led to its assigned mission not being realized. In contrast to previous recommendations, the staff included only administrative personnel. With the exception of a comparative analysis of the legal framework for water resources management in the three signatory states and a communication strategy proposal, the transitional body of ABAKIR has not produced any document of interest, let alone any strategic document or operational Action Plan that could serve as a basis for the management and development of transboundary water resources in the basin. In conclusion, until the end of 2017, the transitional body of ABAKIR, limited to sole representatives of the three signatory States (the Co-Directors), was not at all operational with regard to the specific tasks assigned to it.

An initiative launched by the Coordinating Director of the transitional body of ABAKIR at the beginning of 2018 indicated the willingness to regain control over the body with a project creating a "Centre d'étude, de contrôle et de suivi du lac Kivu et de la rivière Ruzizi". However, only the Congolese provincial authorities were approached for this purpose, which does not give the initiative the expected regional character. The initiative nevertheless has the merit of existing and being accompanied and integrated in a broader, more regional and better structured management of issues.

This is, however, insufficient for ensuring the long-term sustainable development of the natural resources and the populations in the Lake Kivu and Rusizi River Basin.

Failure to resume control of the integrated management of the basin would be detrimental to the socio-economic development of the Great Lakes region, the availability of water resources (as well as the various uses of water resources, particularly for agriculture and hydroelectric production), the protection of the environment and, more generally, the relative stability of this sub-region. The operationalization of integrated water resources management (IWRM) in the basin, hoped for in vain by the transitional body of ABAKIR's, now requires a structured, pragmatic and results-oriented approach. The approach that led to the establishment of the transitional body of ABAKIR has to be resumed from the ground up, to make it more efficient, to increase its performance, and give it an operational character.

Without anticipating proposals that will conclude this action, it seems essential to restart the process and rely on the legal and institutional bases and the transitional body of ABAKIR in doing so. Responding to the absence of technical skills in the issues to be addressed within the transitional body of ABAKIR, it is proposed to add specific technical and managerial expertise.

The aim of the expert mission is to carry out an organizational analysis of ABAKIR and to have a look at the Lake Kivu Monitoring Programme (LKMP) with the aim to recommend which role this programme could play in project implementation:

1. Description of the existing mandate, legal set up and organizational and technical capacities of ABAKIR and LKMP as well as the documented interest to participate in the project.
2. Elaborated proposals for their possible roles in the project.
3. Documentation of the SWOT analysis for both organizations and the results
4. Proposal of priority key interventions in the area of organizational development focussed on the main bottlenecks for the general development of the organization and more detailed and especially focussed for the successful implementation of the project: "Support to the integrated management of water resources of Lake Kivu and Rusizi River"
5. To recommend the most important OE measures to be implemented to enable ABAKIR to fulfil their role in transboundary IWRM

2 Summary

- The key **motive to create a regional Water Basin Authority remains to be valid**. The economic operators and the financing banks (e.g. ADB) of the hydro power stations and other projects in the pipeline (e.g. Rusizi 3 and the petrol exploration) demand the establishment of such an Authority.
- Since the last consultancy report commissioned by the EU in 2017 (see Appendix 2), **ABAKIR's situation has not substantially changed**. In the perception of the Consultants, the analysis of that report remains valid. A technical team, up to today, does not exist. Together with the fact that ABAKIR is currently only a transitional structure, the expectations towards the rudimentary team should take that into account.
- The only major change that should be noted, is the appointment of a new Executive Secretary (DRC) who is starting to bring **fresh dynamic into the transitional structure**. The EU's DoA states: "An initiative launched by the Coordinating Director of the transitional body of ABAKIR at the beginning of 2018 indicated the willingness to regain control over the body with a project creating a "Center for Studies, Control and Monitoring of the Lake Kivu and River Rusizi (CECSKR)".
- **Financial contributions have been mobilised by the member states, however at low levels and in an unreliable ad hoc approach**, which makes any planning restricted and extremely difficult.
- ABAKIR is trying to cope with the unsatisfactory financial situation by **starting cooperation relations with research institutions** (such as LKMP) and is seeking to formalise these with written agreements.
- LKMP is willing to be the technical branch of ABAKIR. Due to their limited mandate around the methane gas extraction and the geographical limitation on Lake Kivu, they can, however, cover only parts of the technical tasks demanded from the trilateral Water Basin Authority ABAKIR.
- **A continuous delay of the ratification in association with limited and unreliable financial and consequently human resources risks to lead to a loss of confidence in ABAKIR.**

3 Existing mandate, legal set up and organizational capacities of ABAKIR¹ and LKMP

3.1 ABAKIR

The three Governments have signed the Convention and the corresponding Statute of ABAKIR on 4th November 2014. According to Article 25 of the Convention, ABAKIR is established as a **transitional structure upon signature of the Convention until its ratification**. The transitional structure has the **limited mandate** to

- facilitate the ratification of this Convention,
- prepare and lead the process for setting up the permanent structure,
- and initiate the studies necessary for the proper start-up of the ABAKIR taking into account the on-going projects.

The signed Convention spells out in Article 25: Dispositions Transitoires:

« Une structure transitoire pour la gestion de la ressource en eau est établie par le Conseil des Ministres prévu dans le Statuts de L'autorité du Bassin, dès la signature de la présente convention. Elle fonctionne jusqu'à la mise en place effective de l'Autorité du Bassin qui intervient à la fin du processus de ratification par les États parties de la présente convention. »

In the joint declaration of Ministers signed the same day, it is stated that the current institutional architecture reflects the prefiguration of the one envisaged in the Statute of ABAKIR during the transitory period. In this respect, the position of the Coordinator is attributed to the Co-Director of DRC, the Deputy position in charge of administration and finance to the Co-Director of Rwanda, and the Deputy position in charge of operations to the Co-Director of Burundi.

The **objective** of the Authority revolves around the integrated and concerted management of the water resources of the Water Basin (Article 2 of the Convention):

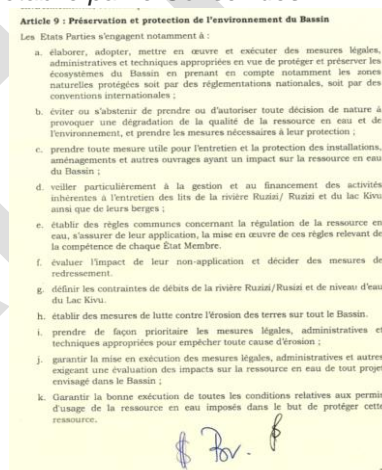
The objective of this Convention is to ensure the protection and conservation of the water resource of the Lake Kivu and Rusizi River Basin, hereinafter referred to as the "Basin", on the basis of integrated and sustainable management.

To achieve this objective, the High Contracting Parties shall:

- a. **Cooperate in developing a common strategic vision for the management of the Basin and the implementation of the arising action plans.**
- b. **Cooperate in the design and implementation of harmonized rules and standards being applied to the management of the water resource of the Basin.**
- c. **Pay a particular attention to the communities of the Basin, both current and future, so that they benefit from the sustainable use of the natural resources and developments of the Basin.**

The **missions of the permanent structure** are spelt out in Article 9 of the Convention.

Supplementary tasks can be found in various places of the Convention and the Statute of ABAKIR. The missions of ABAKIR need to be concretized into products destined to clearly determined clients. Then, ABAKIR can determine its concrete processes creating these products.



¹ The technical capacities are being explored in Chapter 4 SWOT-Analysis of ABAKIR. A SWOT-analysis of the LKMP has not been carried out due to the restrictions of time of the Consultancy Mission and the LKMP representatives.

ABAKIR–Missions Spelt Out in the Convention and the Statute (French version signed by the Ministers 04/11/2014)	
No. Missions/Processes (Convention: Article 9 of the French version signed by the Ministers 04/11/2014)	
a.	Develop, adopt, implement and enforce appropriate legal, administrative and technical measures to protect and preserve the Basin's ecosystems in particular the natural areas protected either by national regulations or by international conventions.
b.	Prevent or refrain from taking or authorizing any decision liable to cause damage to the quality of the water resource and the environment, and take all necessary measures to protect them.
c.	Take any useful measure to maintain and protect the installations, facilities and other structures that have an impact on the water resource of the Basin.
d.	Monitor in particular the activities related to the maintenance of the bed of the Rusizi River, of its banks and those of Lake Kivu as well as their financing.
e.	Establish common rules regarding the regulation of the water resource; ensure their enforcement, the implementation of these rules being left to the competence of the Member States.
f.	Assess the impact of their non-enforcement and decide on corrective measures.
g.	Define the restrictions on the flow of the Rusizi River and on the water level of Lake Kivu.
h.	Establish measures to control soil erosion in the entire Basin.
i.	Take as a priority all appropriate legal, administrative and technical measures to prevent any cause of erosion.
j.	Ensure enforcement of legal, administrative and other measures requiring an assessment of impacts on the water resource of any proposed project in the Basin.
k.	Ensure proper enforcement of all conditions pertaining to water usage licenses imposed to protect this resource.
No. Missions/Processes (Convention: Article 2 of the French version signed by the Ministers 04/11/2014)	
1.	Cooperate in developing a common strategic vision for the management of the Basin and the implementation of the arising action plans.
2.	Pay a particular attention to the communities of the Basin, both current and future, so that they benefit from the sustainable use of the natural resources and developments of the Basin.
No. Missions/Processes (Convention: Article 18 of the French version signed by the Ministers 04/11/2014)	
3.	Protocols shall be presented to the Council of Ministers (note: by the Executive Secretariat) for approval and to the Heads of State of the Member States for adoption.
Missions/Processes (Statute: Article 3 of the French version signed by the Ministers 04/11/2014)	
4.	Coordinate the implementation of the Convention
5.	Ensure and represent the common interests of the member states of the Basin with regard to IWRM in a concertation process with the institutions of each member state
No. Missions/Processes (Statute: Article 16 of the French version signed by the Ministers 04/11/2014)	
6.	The Executive Secretariat ensures the Secretariat of the organs of the Authority
7.	The Executive Secretariat prepares the strategic vision, revises it periodically and proposes new programs

8.	The Executive Secretariat prepares the action programs permitting to achieve the objectives of the strategic vision
9.	The Executive Secretariat ensures the implementation of the decisions of the Council of Ministers.
No. Missions/Processes (Statute: Article 17 of the French version signed by the Ministers 04/11/2014)	
10.	The Executive Secretary ensures the coordination and the monitoring of the implementation of all strategic action programs approved by the Council of Ministers.
11.	The Executive Secretary authorises (“ordonnateur”) the budget of the Authority.
12.	The Executive Secretary coordinates the activities of the Technical Committees and ensures their proper functioning.

Analysing the mandate and related missions, it becomes apparent that ABAKIR is the only Authority representing all three states in the Lake Kivu and Rusizi River Water Basin. ABAKIR has the widest mandate of all organizations intervening in the Basin as the Authority in charge of IWRM in the Basin. All other organizations, in contrast, have a limited mandate, e.g. the Lake Kivu Monitoring Programme has been created to ensure that methane gas extraction is done in a safe and sustainable way.

The governance structure of the Basin Authority is composed of:

1. The Summit of Heads of States (“The Summit”)
2. The Council of Ministers (“The Council”)
3. The Executive Secretariat (the three Co-Directors and their staff in Gisenyi)
4. The Consultative Technical Committee (“TAC”, currently assuming the role of the Budgetary Control Committee as well)
5. The Technical Committees (until June 2019, only the TAC has been created)
6. The Budgetary Control Committee

The Executive Secretary is in charge of the implementation of the politics of cooperation and the development of the Authority (see Articles 16 and 17 in the table above).

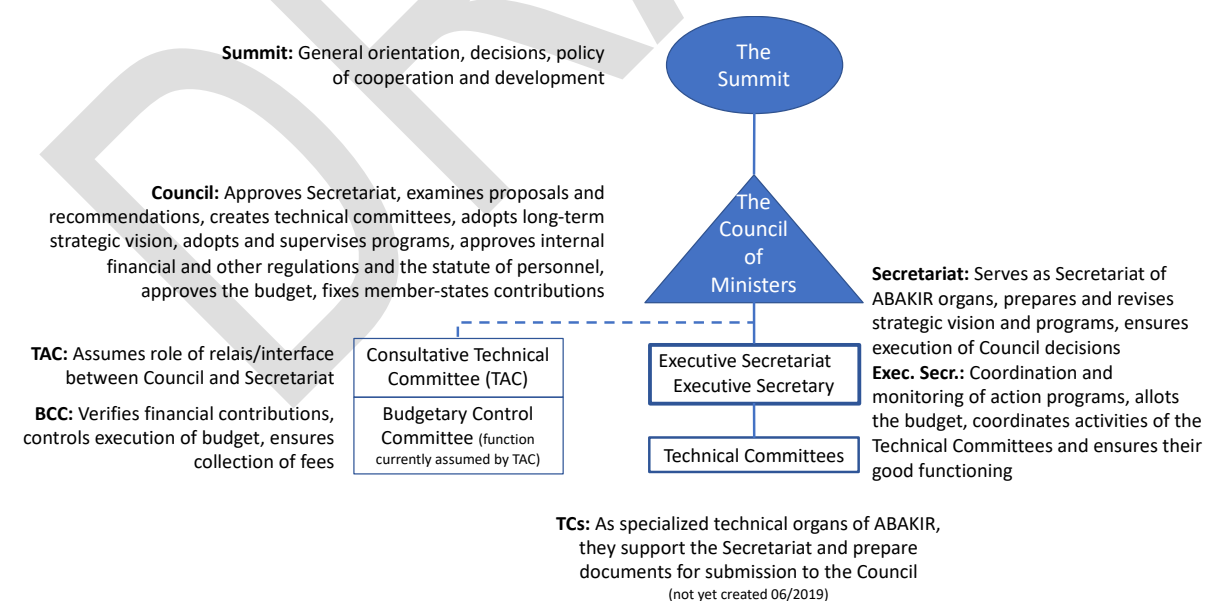


Figure 1: Organizational Chart of ABAKIR

3.2 Lake Kivu Monitoring Programme (LKMP)

Lake Kivu Monitoring Programme is a key partner for ABAKIR and vice versa.

In 2008, when the first pilot plant of methane gas extraction of KP1 started its operations, the Ministry of Infrastructure (MININFRA) created a unit in charge of monitoring the impacts of methane gas extraction on the Lake, known as Lake Kivu Monitoring Programme (LKMP). This unit has been operational since. From the beginning, it has been supported by the government of Rwanda and various donors, mainly the Kingdom of the Netherlands. In 2012, the unit moved from the Ministry to Energy and Water Sanitation Authority (EWSA). Since 2014 it is embedded in Energy Development Corporation Limited (EDCL), one of the subsidiaries of Rwanda Energy Group (REG), the successor of EWSA².

The **mandate of LKMP** is to ensure that methane gas extraction in the Lake Kivu is done in a safe and sustainable way.

The objectives that derive from that mandate are to:

- preserve the Lake's stability (safety of the lake + safety of GEF - Gas Extraction Facilities);
- protect the Lake's environment (preserve the integrity of its ecosystem and its environment in general);
- and ensure socio economical optimization (avoid waste of the resource especially through inadequate extraction technology).

Activities of the LKMP, therefore, revolve around the methane gas extraction in the lake only. Examples are the elaboration of rules and regulations for safe and sustainable extraction of methane (Management prescriptions for the development of Lake Kivu resources, corresponding Bidding Regulations) and Monitoring (near plant, whole lake and on plant monitoring).

LKMP covers part of the mandate attributed to the trilateral authority ABAKIR. LKMP products such as Management Prescriptions or Bidding Regulations can be incorporated into ABAKIR products. Data collected by LKMP is relevant to the operations of ABAKIR, as well. Both organizations deal with partially the same stakeholders. A good cooperation, whether by integration or cooperation will seek to avoid duplication of activities and harvest mutual benefits.

As the Programme is confined to the methane extraction in Lake Kivu, the Rusizi River and the Basin country Burundi do not form part of its mandate.

LKMP has been supported in project form by the Netherlands³, which constitutes an additional concertation line between LKMP and ABAKIR.

Currently LKMP has offices both in Kigali and in Gisenyi (on the same floor with ABAKIR in the CEPGL-building). For 2020, LKMP plans to move into an own office building in Gisenyi, which is currently under construction.

² LKMP Narrative Progress Report from July to December 2018, p.5

³ The Minister for International Trade and Development Cooperation of the Netherlands agreed to support the Project "Lake Kivu Monitoring Programme" (LKMP) with a substantial contribution, while MININFRA and EWSA accepted to implement the project, which is now embedded in Rwanda Energy Group (REG), the successor of EWSA.

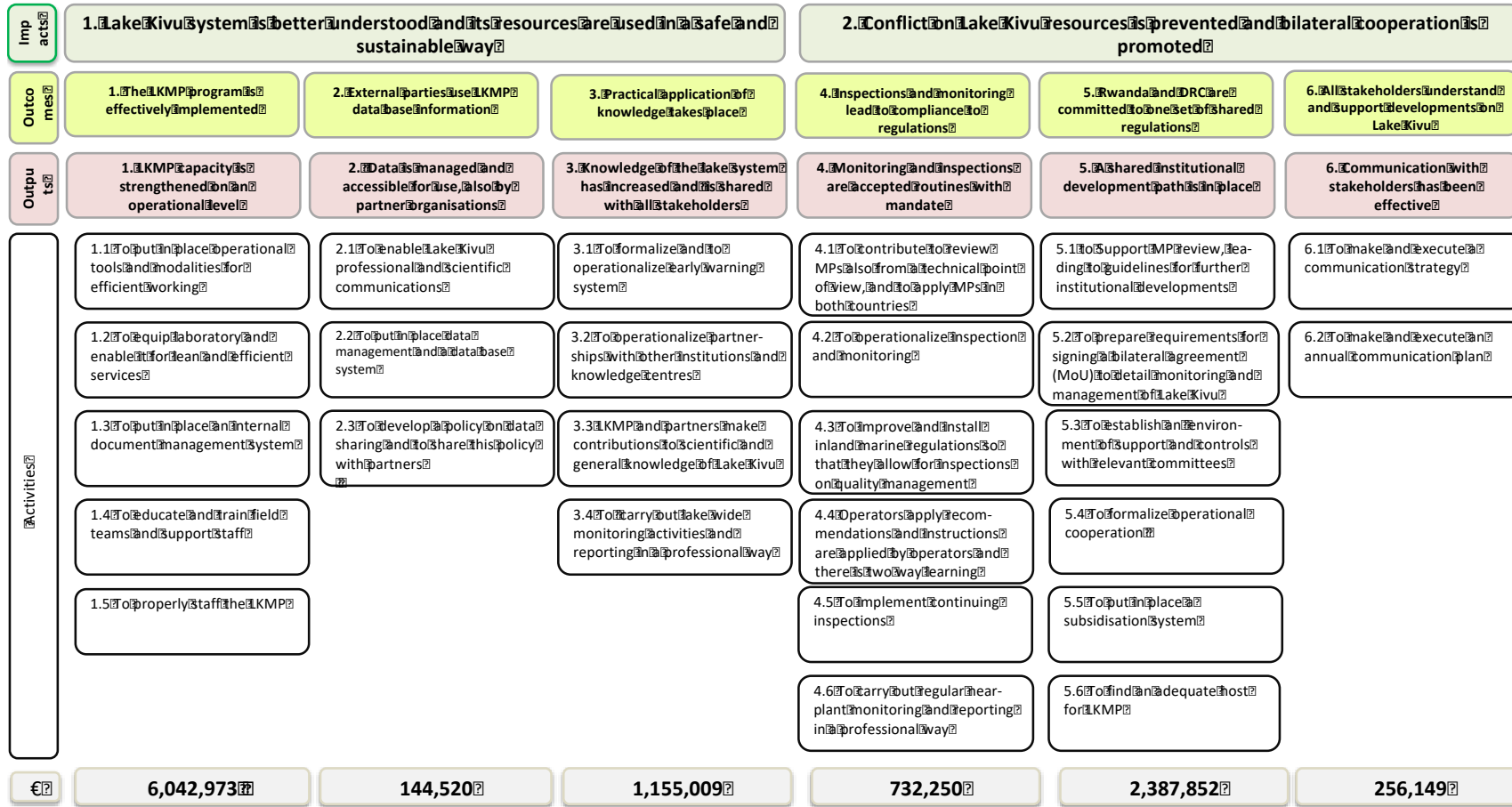


Figure 2: Result and Activity System of the LKMP project with the Netherlands (source: LKMP Presentation)

4 SWOT-Analysis of ABAKIR

Jointly with the two Co-directors, the mission conducted a SWOT analysis on ABAKIR.

The Analysis was structured along 5 organizational dimensions:

1. Institutional Setting and Organization
2. Mandate Mission Vision Strategy
3. Products / Services and Clients
4. Financial, Human and Physical Resources
5. Cooperation with Other Stakeholders (incl. external resources)

4.1 SWOT Institutional Setting and Organization

Strengths

Both the Convention and Statute of ABAKIR have been signed by the Ministers of the 3 member-countries. ABAKIR undertakes a **strong lobbying** towards the members of the Parliamentary Committees in charge of Environment and Natural Resources, who will be able to influence positively the other parliamentarians. There are plans to lobby the case at the level of the Governors of the Provinces in the Basin.

The Convention creates 6 organs of ABAKIR, the Executive Secretariat represents the actual Basin Authority based in the CEPGL office building at Gisenyi. The Council of Ministers meets annually at regular intervals, but at particular instances. The Council of Ministers is scheduled to meet, for instance, in July 2019 in Kinshasa to discuss the ratification process, to discuss and approve the Organizational Manual of ABAKIR and to discuss basin development plans. The final date depends on the formation of the Congolese government. However, ABAKIR waits for the final appointment of the DRC government to ensure that the new Minister of Environment is present at the meeting.

The Technical Advisory Committee (TAC) exists and assumes the role of the Budgetary Control Committee as well. The Technical Committee, for budgetary reasons, is a reduced Committee consisting of the three Focal Points of the three member-states. For specialized contributions, additional Focal Points from the competent Ministries are associated to this Technical Committee. The 3 Technical Advisor Committee members are scheduled to meet in June 2019⁴, which prepares the Council of Ministers meeting.

The Convention establishes ABAKIR as an international organization with **clearly spelled out mission and tasks** ("mandat et attributions"). The current Executive Secretary (Co-Director of DRC) is installed at Gisenyi since November 2017 and is supported by the Co-Director Programmes (Burundi) and an interim Co-Director in charge of F&A (Rwanda, new appointment with effect of 13th June 2019).

In addition to the three Co-Directors there are 2 support staff in charge of F&A and other logistic support staff. The recruitment of a new communication assistant and a lawyer is envisaged for June 2019. Candidates have already been identified after publication of the positions in 2018.

Weaknesses

The current ABAKIR structure is a transitional one as described under Article 25 of the Convention and Article 31 of the Statute. It is endowed with a **limited mandate until the creation of the permanent structure** following the ratification of the Convention. The DoA refers to the transitional mandate of ABAKIR. However, ABAKIR has already started some work within the extended mandate of the permanent structure. The position of a data base specialist for the centralisation and management of data is vacant. The web-site yet needs to be created. Until today, there is **no permanent technical staff** assigned to ABAKIR. Limited financial contributions currently allow only the recruitment of the 3 Co-Directors and few support staff. The Convention being ratified, the

⁴ The date has been shifted to 22nd-24th July 2019 due to the appointment of ne Rwandan personnel with effect of 13th June 2019.

member-states would be obliged to contribute more substantially. Until today, ABAKIR has no other external resources and is not yet able to create own revenue by e.g. collecting fees (this power depends on the ratification of the Convention).

Opportunities

The **ratification process is under way** in the three member-countries and is already under examination of the 3 Parliaments. The Senate of the DRC Parliament has already approved the Convention. It is likely that the DRC will be the first country to ratify. It is assumed that Rwanda will follow, once one of the other two countries has accomplished the ratification process. There are letters of the Burundi Ministry of Foreign Affaires, which affirm that the ratification process is on its way.

There is continuous **strong support by the CEPGL**, who originally initiated the Convention and the corresponding creation of ABAKIR. CEPGL perceives the creation of ABAKIR as a reinforcement of its own relevance. It envisages ABAKIR as a 5th specialised institution of the CEPGL.

From a hydrological point of view, the catchment area of Lake Kivu and the Rusizi river belongs to the Lake Tanganyika Basin, which in turn is part of the Congo Basin. Both the Tanganyika Basin Authority and the International Commission of Congo-Oubangui-Sangha (**CICOS**), recognize the mandate of ABAKIR to manage the water resources in the catchment of Lake Kivu and Rusizi.

Threats

The **parliamentary ratification of the Convention is delayed**, the signature of the competent Ministries dating from 2014. The parliamentarians (and Governments) change (e.g. DRC, Rwanda) and need to be lobbied towards the ratification. Whereas the text has been formulated by the 3 Governments, it is up to the Parliaments to ratify the Convention.

4.2 SWOT Mandate Mission Vision Strategy

Strengths

The three Governments have signed the Convention and the corresponding Statute of ABAKIR. According to Article 25 of the Convention, **ABAKIR is established as a transitional structure** upon signature of the Convention until its ratification. The transitional structure has the mandate to facilitate the ratification of this Convention, to prepare and lead the process for setting up the permanent structure and to initiate the studies necessary for the proper start-up of the ABAKIR taking into account the on-going projects. The signed Convention spells out in Article 25: Dispositions Transitoires:

« Une structure transitoire pour la gestion de la ressource en eau est établie par le Conseil des Ministres prévu dans le Statuts de L'autorité du Bassin, dès la signature de la présente convention. Elle fonctionne jusqu'à la mise en place effective de l'Autorité du Bassin qui intervient à la fin du processus de ratification par les Etats parties de la présente convention. »

The project commissioned by the EU will support ABAKIR in translating its mandate into a clear mission with concrete activities by the points SO1 1.09 and 1.10.

A 2-years Action Plan translating the tasks of the transitional structure into concrete activities has been formulated and approved by the Council of Ministers in March 2018. This Action Plan constitutes a base for the support in the scope of the project commissioned to GIZ (Annexe). A number of activities of the Action Plan have already been completed or are currently under way.

Based on concertation with local governments in the Basin and the civil society and the TAC, three **priority areas of work of ABAKIR have been identified**:

1. To build/compile the data base with regard to quantity and quality of the Basin's water resource.
2. Stabilisation of the water basin (erosion, sedimentation and terrestrial pollution).
3. Fight against pollution and waste management.

Even though ABAKIR is still at the level of a transitional structure, **a number of content-related activities have been initiated and accomplished**. There are, for instance, quarterly reports to the Council of Ministers, workshops have been conducted with stakeholders (water users) as well as with Parliamentarians. Experts in waste and pollution management of the water resource have been

identified, who have provided draft projects in their field of expertise. Meetings have been held with the managers of various research institutions related to IWRM of the Basin as well as with the management of the Rusizi hydro-power stations and the provincial Governments.

ABAKIR has started contacts with international organisations such as the MONUSCO in DRC, UNEP, ADB, CICOS, LTA Tanganyika, CEAC, African Council of Ministers in charge of Water. ABAKIR is a member of Steering Committee of African Water Basin Network.

Weaknesses

Due to the delay in the ratification process, ABAKIR is still at the level of moving towards a permanent structure. Therefore, **the content-related activities of its mandate are still rather sporadic and not structured/oriented by the corresponding Action Plan**. Necessarily, the stagnating situation leads to frustration of both ABAKIR and its partners, which could turn out to be a threat as well.

Opportunities

The **support of the member-states is unbroken** and proven by a number of letters (annex). There are **research centres that want to become technical branches of ABAKIR** (see Cooperations below). LKMP has expressed the idea of an integration of the two organizations, in which LKMP could take care of all technical issues around the methane gas production and possibly even other water quality related monitoring processes.

Threats

The Rwandan **local** authorities wait for the ratification of the Convention. **Before that ratification they find it difficult to adhere to an ABAKIR strategy**.

The continuing stagnant situation is not encouraging and there is a potential threat that the **member-states reduced or stopped their financial contributions**, if this situation is not resolved.

4.3 Products / Services and Clients

ABAKIR, once operational, has numerous clients:

- the water users;
- political clients such as local government institutions and national bodies (Summit, Council of Ministers and their respective ministries, Heads of States, CEPGL);
- potential investors;
- other interested local, regional or international organizations;
- universities;
- research centres;
- other adjacent water basin organizations (e.g. Lake Tanganyika Authority (LTA), International Commission of Congo - Oubangui - Sangha (CICOS)).

Both the Convention and the Statute define not only the mandate and missions, but indirectly also the products of the Basin Authority.

Strengths

ABAKIR **started to collect the different regulations / regulation mechanisms in the Basin** in 2014 (« Inventaire et analyse des textes légaux sur la gestion intégrée des ressources en eau : Bassin du Lac Kivu et de la rivière Rusizi/Ruzizi »). DRC (2015) and Rwanda (2016) have since passed a new Water Law and drafted a proposal for a harmonized regulation. The draft of the harmonized regulation has to be revised accordingly. Furthermore, new exploitations like oil exploration are in preparation, which would have to be **taken into account in the draft**.

ABAKIR collected some historic data from cooperating research centres, for which cooperation agreements are currently being prepared. Examples are hydrological data (Centre de recherche hydrologique UVIRA), data on vulcanology (Observatoire volcanologique de Goma), data on the fishery industry (Fishery Ministries of the three countries), etc. This is in line with the 3rd mandate of the transitional structure (“initiate studies for the kick-off of ABAKIR activities”).

In 2017, a draft version of a **Basin Inventory** was prepared, which outlines the different the institutional setting of WRM, the legal base as well as the current water uses and planning documents in the basin. However, due to the political situation in Burundi, no information from Burundi were included.

Weaknesses

In its current situation without any technical staff, **the possibilities of the Authority to carry out studies and install an operational water resources monitoring network are strongly limited**. It can commission studies from the contributions only after having payed its Co-Directors and support staff. Further activities can only be carried out with the help of external actors such as the research centres mentioned above.

Opportunities

The opportunities lie mainly in the fact that the **research centres are willing to cooperate with ABAKIR and to provide relevant data** to the transitional structure. With the continued commitment of the member states, ratification may become a reality soon, which would pave the way for more substantial and reliable contributions. Local government institutions take part in ABAKIR-meetings and willingly provide e.g. data on request of ABAKIR.

Threats

The non-adherence of local government institutions as long as the Conventions awaits its ratification. **A non-ratification constitutes a risk also in this organizational aspect.**

4.4 Financial, Human and Physical Resources

Strengths

ABAKIR has three Co-Directors, one from each member state. All three of them constitute the Executive Secretariat of ABAKIR. The Congolese Co-Director, Jean Paul Mwamba Nyembo, assumes the role of Coordinator since he joined in November 2017. The Burundi Co-Director, Charles Hakizimana, is in charge of technical operations since 2013. The Rwandan Co-Director assumes the position as an interim in charge of F&A and continues to work mainly with its mother Ministry. She was not present in Kigali and Gisenyi during the time of the consultancy mission. The F&A dimension was presented by the Assistant F&A, Mr. Khalisa. Furthermore, there is a driver and other support staff. As the organization has no technical staff, the expectations towards technical products have to be very limited. **The Co-Directors rather assume a political role, do lobby work, and initiate relationships and cooperations.**

It is planned to recruit a **legal advisor and a communication specialist** by June 2019, the latter with view to lobbying and building up the database.

The **Technical Advisory Committee is formed** as well with one Technical Advisor (“TAC”) from each member state. The Council of Ministers is meeting on certain decisions. In July 2019, the Council of Ministers plans to meet in Kinshasa to decide on the organizational manual of ABAKIR.

On 12th June 2019, new personnel have been appointed by the Rwandan Minister of Environment to ABAKIR (see Appendix 4):

- Mr. François Xavier Tetero, Head of Water Resources Department in Rwanda Water and Forestry Authority is appointed as Rwanda-TAC member to replace Mr. Remy Mugunga in ABAKIR with effect of 13th June 2019.
- Mrs. Denise Umurerwa, Division Manager of Corporate Services in Rwanda Water and Forestry Authority is **provisionally** appointed as Rwandan Representative in ABAKIR Coordination Unit to replave Mrs. Jacqueline Nyirakamana with effect from 13th June 2019.

Seven **office rooms** of about 18 m² each are taken by ABAKIR. CEPGL offers (as stated in the interview with the Secrétaire Exécutif Adjoint Chargé de l'Intégration Économique of 21st May 2019) to release even more office space to ABAKIR. This **contribution includes the side costs** (electricity, water, telecommunication, internet). The currently occupied offices are fully equipped with recently acquired furniture.

The Lake Kivu Monitoring Program (LKMP), a key cooperation partner of ABAKIR, is currently having offices on the same floor making direct communication easy.

Since the suspension of financial contributions by the EU in 2015, annual contributions came from the member states as follows:



BUDGET CONTRIBUTIONS OF MEMBER STATES (source: Assistant F&A through Executive Secretary)

COUNTRY	AMOUNT	FISCAL YEAR	CURRENCY	Amount € (rate of 24/07/2019)
RWANDA	224.187.831	2013/2014	RWF	216.489
EUROPEAN UNION	291.681.930	2013/2014	RWF	281.665
EUROPEAN UNION	433.182.831	2015/2016	RWF	418.306
RWANDA	290.000.000	2016/2017	RWF	280.041
RWANDA	99.354.692	2017/2018	RWF	95,942
DRC	257.567.512	2017/2018	RWF	248.722
BURUNDI	4.924.601	2018/2019	RWF	4.755
DRC	126.000	2018/2019	EUR/IN PROCESS	126.000

A contribution by the EU in 2015-2016 had been managed by the Rwandan TAC, the Rwandan Minister of Economy and Finances and the EU itself.

Weaknesses

As mentioned already above, ABAKIR has **no technical personnel** as at now. Its financial situation just allows paying for the rudimentary staff of the transitional body.

The operational plan always has to be aligned to actual **contributions, which are unreliable in time and magnitude** and, therefore, difficult to assess beforehand. A mid- or even long-term planning becomes rather impossible.

The computers currently in use start to become out-dated.

When the only car is travelling, no other travel is possible.

Opportunities

CEPGL is offering more office space, when ABAKIR grows into a permanent body with more staff.

Threats

The **non-ratification of the Convention linked with unreliable contributions, no own revenues as a transitional body and only a politically positioned Secretariat** constitutes the main threats. Actually, this configuration is at the key threat to all aspects of the organization.

4.5 Cooperation With Other Stakeholders (incl. external resources)

Strengths

The cooperation relations are being initiated and maintained. As mentioned above, historic hydrological data is coming from the Centre de recherche hydrologique UVIRA, data on vulcanology from the Observatoire volcanologique de Goma, data on the fishery industry from the Fishery Ministries of the three countries. This is in line with the 3rd mandate of the transitional structure ("initiate studies for the kick-off of ABAKIR activities"), for which, however, ABAKIR is in need of external sources and support.

Draft cooperation agreements have been elaborated.

Weaknesses

The **cooperation framework is not yet formalized**. Lobbying and relationship-building depends on individual efforts of the Co-Directors and their networking capacity. There may be a **risk of a country-bias**.

Opportunities

There is a declared **enthusiasm of stakeholders** such as the a.m. research centres cooperate or even integrate as a technical branch.

Threats

An interruption of financial contributions and a continued non-ratification may lead to a loss of credibility.

5 Appraisal of the EU's Document of Action

Taken into consideration the strengths and weaknesses of ABAKIR and its current transitional status, the European Union set up a project to improve the hydrological and operational management of Lake Kivu and the Ruzizi River through an organizational development of ABAKIR. This project is jointly co-financed by the European Union and the German Federal Ministry for Economic Cooperation and Development (BMZ), and implemented by GIZ.

It arises from a regional programme "*Programme d'appui & la gouvernance des infrastructures régionales et nationales en Afrique centrale (PAGIRN)*". It represents Outcome 6 "Improved hydrological and operational management of Lake Kivu and the Ruzizi River" under Component 2 "Governance of energy infrastructure is strengthened". This Outcome 6 and the activities envisaged under the Regional Action will be considered respectively as global and specific objectives of this action.

The overall objective of the Action is "Improving the hydrological and operational management of Lake Kivu and the Ruzizi River". In addition to the use of the basin's water resources for hydropower production highlighted in the Regional Action Document, this overall objective will cover all uses of the resource, i.e. for tourism, lake transport, methane gas extraction, agricultural activities, etc.

The details of the project are described in the Annex 1 of the Delegation Agreement "*Description of Action Support (DoA) to the integrated management of water resources of Lake Kivu and Ruzizi River*".

In the light of the current transitional status of ABAKIR, the objectives and outputs of the DoA were analysed and discussed with ABAKIR to identify priority actions. Furthermore, the link between the existing activity plan and the mandate of ABAKIR and the respective outputs of the DoA were jointly clarified. The comments and regulations below are in line with the proposal of priority key interventions in chapter 6.

The **specific objectives** of the Action are:

- S01) Preparation of a strategic action plan for the basin, based on the basin's baseline study**

SO2) Operationalization of the permanent integrated water resources management mechanism of Lake Kivu and Ruzizi River

The following **outputs** shall be achieved as part of this action. Recommendations of the priority of the outputs for the cooperation project between ABAKIR and EU/GIZ are included. The recommendations focus on what should be done as a priority to support ABAKIR in its transition from the current transitional status to an operational river basin organisation. The prioritization should not call into question that all listed outputs are necessary steps for a functioning water resource management in the catchment area of Lake Kivu and Ruzizi. However, due to the scarcity of funds, the short implementation period of the project and the conditions presented in the SWOT analysis, prioritisation seems crucial to maximise the impact of the project.

SO1. Preparation of a strategic action plan for the basin, based on the basin's baseline study.

1.1 Inventory of the database and existing baseline studies linked to the basin management

Note: In 2016, ABAKIR commissioned the preparation of an inventory to ARTELIA and SHER. In February 2017, they delivered a preliminary report « *Assistance Technique/Consultance visant à l'élaboration d'un inventaire détaillé de l'état des ressources en eau sur les territoires congolais et rwandais du bassin du lac Kivu et de la rivière Ruzizi, des usages actuels et planifiés et des conséquences de ceux-ci, actuelles et potentielles* ». The report addresses already some key elements of a basin inventory. However, it is not very specific on the raw data behind the studies listed in the report (f.e. metadata on stations, which stations provide which historic data sets). In addition, information on Burundi and the Burundian part of the Ruzizi catchment have not yet been included.

Priority: High priority

1.2 Proposal to rationalise and coordinate the database

Note: Output 1.2, 1.3 and 1.4 are highly interlinked. Proposals to rationalise and coordinate the database would actually describe the interface between ABAKIR and institutions responsible for water resources monitoring in the member countries, as the current transitional status does not allow ABAKIR to run a water resources monitoring system. The support of MoU between the ABAKIR and its regional and national stakeholders with regard to data exchange should be one of the priority areas.

Priority: High priority of some aspects of the output

1.3 Proposal of an action plan for establishing a water resource monitoring system (on their usage, quantities and qualities)

Note: The action plan should be prepared in a pragmatic way, hence describing a monitoring system that is based on the data needs of the stakeholders and adapted to the capacities, investment and maintenance budgets of ABAKIR and the member states. It should clarify responsibilities in water resources monitoring between ABAKIR and relevant institutions in the member states (interlinkage to 1.2) and avoid duplications with existing monitoring networks. It should, if possible, integrate remote-sensing data (f.e. ETa, Prc, lake level)

Priority: medium priority

1.4 Proposal to create a "Water and Environment Observatory of the basin" and to strengthen the data acquisition

Note: ABAKIR recently developed a concept note to create a Basin Observatory « *Centre d'Etudes, de Contrôle, de Surveillance et protection du lac Kivu et de la Rivière Ruzizi/Rusizi (CEPKR)* » (see Appendix 5). According to the concept note, the Centre should be operational until the end of 2024. It should be a priority of the project of ABAKIR with the EU/GIZ to define processes, roles and responsibilities

and maintenance budgets in data acquisition, until the CEPKR becomes operational in 2025. The question of the interface with the member countries is so far not addressed in the concept note. Also, the mandate of the CEPKR described in the concept note seems to be a bit broad. In a participatory process with selected key stakeholders, it should be identified what their actual data needs are, so that scarce water resources monitoring resources could be on the data acquisition of the most important data sets (link to 1.6)

Priority: high priority

1.5 Detailed baseline study on the basin, the water resources and usage

Note: A preliminary step for the IWRMD plan (1.10). It could be started in parallel to 1.2 to 1.4. Please note that the picture on page 7 of the DoA highlights a different relation between the outputs.

Priority: medium priority

1.6 Identification of data needs and supplementary/ complementary analysis

Note: A data needs assessment is suggested to be a key priority of the project as it paves the way towards a definition of potential products of ABAKIR. If the data needs are identified, priorities in the WR monitoring network can be set and the action plan for the WR monitoring system be prepared. In addition, the priorities of the CEPKR become clearer. This output should be considered as a precondition for 1.3 and 1.4

Priority: high priority

1.7 Identification of consumer and polluter principals and database on the users and their activities

Note: While the biggest water users and polluters might be already known at ABAKIR and in the water resources monitoring institutions of the member countries, preparing a list of all relevant consumers and polluters could be a lengthy process. A complete data bases with a quantification of water abstractions and wastewater discharge might not be finalized within the frame of the project.

Priority: low priority

1.8 Collection of the different demands and needs of the basin's users and players

Note: Strong interrelation with 1.6, as the main products and outputs that an international River Basin Organization (RBO) could provide for the basin's water user and players are data products and related regulatory services.

Priority: high priority

1.9 Strategic Plan for an integrated and long-term basin management

Note: The ratification of the convention is should be regarded as a precondition for the development of a mid- and long-term strategy planning.

Priority: low priority

1.10 Master development and management plan for the basin

Note: Due to the given circumstances (no technical personnel to monitor the work of consultants, convention not ratified), it cannot be assumed that highly participatory process of preparing an IWRMD plan, including many coordination rounds with the stakeholders, could be completed by the end of the project.

Priority: low priority

1.11 Identification, analysis and coordination of existing projects having an impact on the Action

Note: While an identification and analysis of existing projects having an impact on the Action could rely on existing reports of ABAKIR and the EU, a coordination of these projects depends on appropriate coordination mechanisms and a legal basis for such coordination (Ratification of the convention). It is recommended to prioritize the development of such a coordination mechanism (link to 2.6)

Priority: Medium priority, high priority of the coordination mechanism

1.12 Identification of priority projects and activities (short/medium/long-term)

Note: A focus should be put on short-term, low-cost and no-regret projects that could be developed and implemented in parallel to the other activities under S01. The identification of medium and long-term project should follow, when the key planning documents are prepared

Priority: High priority

1.13 Action Plan for the development of pilot projects

Note: We recommend that the action plan should be realistic, cover a short timeframe and focus on low-cost and no-regret projects until the key planning documents (IWRMD plan, strategic plan), legal base (ratification of the convention), and the institutions (CEPKR) are in place

Priority: Medium priority

1.14 Project presentation to donors, sectors and others

Note: The presentation of fast-track is considered as an important activity. However, it can only start after 1.12 and 1.13 are finalized

Priority: Medium priority

SO2. Operationalization of the permanent integrated water resources management mechanism of Lake Kivu and Ruzizi

2.1 Analysis of national regulations regarding the use of water resources and rejects/pollution

Note: A chapter in the Artelia/SHER report already lists the relevant national regulations regarding the water use. However, regulations from Burundi are not included, the content on reject/pollution is insufficient and further in-depth analysis of the regulations is recommended (f.e. an analysis that identifies potential trade-offs and potential coordination problems).

Priority: Medium priority

2.2 Proposal to standardise regulations on the management of water resources and rejects/pollution

Note: As the experience from other River Basin Organisations demonstrates, the harmonization of national legislation is an extensive participatory process, as it includes potentially sensitive issues. Currently, it does not seem very probable, that this output can be finalized without having an operational ABAKIR

Priority: low priority

2.3 Proposal for texts regulating the rates and conditions of application of user charges and pollution charges

Note: It is rather unusual for an international river basin organisation to levy charges for the abstraction and discharge of water by water users in its member states. This is usually the responsibility of national authorities. However, in the case of Lake Kivu and Ruzizi, the hydropower projects Ruzizi II and future Ruzizi III are/will be operated by international organizations that are not subject to national regulation. Therefore, the priority in this output should be to focus on the issue of these two water users mentioned above, and otherwise to moderate the dialogue between the riparian states and coordinate activities, rather than to establish rules on levies themselves. In a second step, consideration should be given to how ABAKIR can benefit from levies from other major users (hydropower, methane, etc.) to finance its core tasks.

Priority: low priority

2.4 Proposal to regulate abstractions and discharges in the basin

Note: A realistic first step could be to negotiate principles, on how the regulation should be done. The output is of utmost importance; however, it has to be taken into consideration that the negotiation process following the preparation of the proposal can be lengthy

Priority: high priority, timeframe of the project might be too short to implement this activity

2.5 Proposal for the development of legal and technical bases (in relation to integrated basin management)

Note: This output should be described in greater detail in order to define what is included under "legal and technical bases" (staff knowledge and capacities, hardware, databases?)

Priority: medium priority

2.6 Proposal for a participative management structure, including space for dialogue between all relevant stakeholders

Note: Important output to plan and prepare demand-driven products and service

Priority: high priority

2.7 Definition of the integrated and long-term management mechanism of the water resources

Note: 2.7, 2.8, 2.9 are highly interrelated. The interface between the RBO and its liaison and focal structures (both on political and operational level) is crucial for sustainable management of the water resources.

Priority: medium priority

2.8 Descriptive documents on the functioning of the structure in charge of the basin's IWRM and on the necessary regulations for its effective operation

Note: see above

Priority: medium priority

2.9 Proposal for a legal, institutional and operational structure

Note: see above

Priority: medium priority

2.10 Business Plan, Roadmap and associated budget

Note: Depends on preconditions (legal, institutional) therefore low priority

Priority: currently low priority

2.11 Regulation addressing abstractions and discharges in the basin

Note: Given the transitional status of ABAKIR, it is unlikely that regulations can be negotiated and agreed on during the project implementation period.

Priority: low priority

2.12 Communication Plan and awareness-raising of the basin's stakeholders and users

Note: ABAKIR has prepared a communication plan in the past which can be used as a foundation to further prepared targeted awareness-raising and lobbying activities.

Priority: high priority

Activities are planned to be structured according to two phases, reflecting the different steps in Nexus-based integrated basin management:

- 1) Assessment of the state of the basin and analysis of the institutional framework
- 2) Development of the Strategic Action Plan and strengthening of the institutional framework

According to the DoA, the first phase will take place during the first 18 months of the implementation period, the second phase will follow from the 19th to the 24th month of the implementation period, building on the results and achievements of the first phase (for instance, the analysis of ABAKIR as the legal and institutional mechanism for cooperative and Nexus-based management of the basin's water and related resources will determine which measures have to be undertaken to strengthen this — or any other — cooperation mechanism). The first part should encompass output related to the basin analysis and planning process (Outputs 1.1 to 1.11) and outputs concerning the institutional framework for cooperation (from 2.1 to 2.9). The second part should include with regards to the basin analysis and planning process the outputs 1.12 to 1.14 and 2.10 to 2.12.

Based on the recommendations above and the results of the SWOT analysis, following prioritization should be undertaken:

	1.Phase: Priority Outputs Fast track activities (while ABAKIR is not yet fully operational)	2. Phase Outputs supporting the medium-term transition from a transitional status to an operational River Basin Management Cycle (Activities can be started earlier depending on the progress of activities under phase 1 and the progress of the ratification process.	Additional outputs (given the current status of ABAKIR and the delay in the ratification of the convention, there is a low probability, that these activities could be implemented within the time frame and/or with the budget of the project
SO1	<p>1.1 Revision of the existing basin inventory</p> <p>1.6 and 1.8 Identification of data needs and demands of key water users and institutions in order to develop products and services</p> <p>1.2, 1.3 and 1.4 Clarify roles and responsibilities in water resources monitoring to describe a monitoring mechanism/network adapted to the capacities and data needs</p> <p>1.11 and 1.12 Identify fast-track projects</p>	<p>1.5 Baseline study on water resources and usage</p> <p>1.13 Action plan to develop fast-track projects</p>	<p>1.7 Starting with a comprehensive water user and polluter database</p> <p>1.9 Development of a mid- and long-term strategy</p> <p>1.10 IWRMD plan development (support for the preparation of the ToR)</p>
SO2	<p>2.12 Communication Plan, particularly communication and lobbying activities that support the ratification</p> <p>2.1 Revision/in-depth analysis of national regulations</p> <p>2.6 Proposal of a participatory mgt. structure</p>	<p>2.7 to 2.9 Proposal for institutional structure (particularly focal structures and integration of national institutions)</p> <p>2.10 Business Plan, Roadmap and associated budget</p>	<p>2.2 and 2.3 Proposal to standardize regulations and user charges</p> <p>2.4 Proposal to regulate abstractions and discharge</p> <p>2.11 Regulation addressing abstractions and discharges in the basin</p> <p>2.5 Proposal for the development of legal and technical bases</p>

Footnote: It needs to be clarified between GIZ, the EU Delegation and ABAKIR, whether and how financing contracts can be concluded.

6 Proposal of Priority Key Interventions in Organizational Development and Role of ABAKIR

ABAKIR has the mandate and needs to evolve to a permanent and functional structure. They carry the responsibility to implement their missions. With GIZ, they have a strong partner with a lot of knowledge regarding the establishment and management of Transboundary and other Water Basins. ABAKIR is grateful for this support, which will accompany them in their evolution. In this cooperation, **ABAKIR naturally is in the driving seat**, while the **GIZ, commissioned by EU, is providing advisory services** to them. This role distribution requires horizontal communication between the parties.

The notion of capacity development (CD), with the aim of a sustainable evolution of the Authority, **respects the organization's autonomy. CD should be offered at all levels:**

- First of all, organisational development (ABAKIR organs' roles and communication mechanism, ABAKIR's products and processes, strategy and action programs, recruitment and HRD-processes, ...),
- Which goes hand in hand with competence development (best in an action-learning approach linked to the OD-measures).
- Simultaneously, the project should support also cooperation development (fostering and formalizing collaborative relationships and interaction with the stakeholders)
- and political level development (lobbying for the ratification and linking with the Summit and the Council of Ministers). An important aspect to the political dimension is the Authority's potential to contribute, via concrete trilateral collaboration and integrative projects, to the region's peace and stability.

The **LKMP** comes into play, when collaboration agreements need to be developed and formalized.

The Consultancy mission proposes the following **priorities to be taken into account by the project** commissioned by the EU to GIZ:

1. As a follow-up to the informative workshop in May, ABAKIR suggests a **kick-off workshop** with the representatives of the three member-states and relevant partners to jointly think about priorities from the perspective of the member states, which founded the Authority. This would help to harmonize the project approach with the expectations of the member-states. This workshop would lead to an agreement on the areas of intervention and the concrete activities (strategic and operational planning exercise) within the scope of the commissioned DoA. The kick-off workshop could take place in Kinshasa and the project (ABAKIR and GIZ, with support by the EU Delegation) should consider to either invite Parliamentarians or to have a back-to-back meeting with them.
2. In the beginning of the project, GIZ should **contact the Ministries of the member-states** to get first-hand information on their perspectives, needs and expectations with regard to transboundary integrated water resource management and the role, ABAKIR can play in that.
3. As the current structure is a transitory arrangement with a limited mandate, the project's first objective must be to support ABAKIR on its way to a permanent structure. Therefore, the project will have to **work within the confinements of the limited mandate**, which focuses on creating the permanent structure. However, the limited mandate includes initiating studies necessary for the proper start-up of the ABAKIR taking into account the on-going projects.
4. Support and carry out activities that **promote the process of ratification of the Convention**, which is the key to becoming a permanent structure. This involves both raising the credibility of the transitional structure and the confidence of the parties that a permanent organisation ABAKIR can effectively fulfil its mandate, which is unanimously seen as pertinent by the stakeholders involved. The investors would perceive the ratification as a guarantee of the member-states to respect their engagement.
5. Lobbying should be supported by **substance**. Substance can be created in ABAKIR by **having its potential products clear**. It is suggested to derive from the mandate and missions spelt out in the signed Convention and Statute products and their clients (**see table below**).

6. Furthermore, ABAKIR should systematically **shape the relationship with its stakeholders** by discussing the **quality** of these products to be able to meet the legitimate **needs and expectations** of these stakeholders, which can be seen as clients of their products.
7. In order to be able to satisfy the demands of its clients, the Authority should systematically **identify potential suppliers of input** into its work and get into stronger cooperation relations with these suppliers, e.g. research centers, government institutions at all levels (national, provincial, local), universities, projects and others. In a cooperative and respectful attitude and approach, ABAKIR can explore the options of having systematic and formalised cooperation with these suppliers or integrating, in certain cases, a supplier of input as (part of) its technical branch.
8. The **cooperation potential with LKMP** should be developed as a priority. A MoU with UVIRA is also in preparation and should be followed up in the scope of the Project. It is unclear, **how** the envisaged Center for Studies, Control and Monitoring of the Lake Kivu and River Rusizi (**CECSKR**) **would take into account the existence of e.g. LKMP**. LKMP is pondering about becoming the technical arm of ABAKIR. In that case, however, they would focus on technical work to stay independent and neutral and, therefore, stay out of the political field. This potential should be explored in detail in the scope of the project.
9. This identification of inputs, products, clients, requested quality and corresponding processes is the **foundation for a business plan** as proposed by the EU in its 2017 study. The Project can meaningfully support ABAKIR in drafting its business plan.
10. Additional cooperation lines exist with **other stakeholders** from government, universities and civil society (e.g. the “animateurs des cellules” who coordinate civil society). The **systematic exploration and development of cooperation potentials** is a key activity in preparation for a permanent ABAKIR structure and stated as **priority 2** (“finaliser les accords de collaboration avec tous les partenaires usagers de la ressource”). An important aspect of these collaboration agreements/protocols is the definition of a **data sharing policy**.
11. The selected GIZ expert **should be on site** as much as possible. Both EU and ABAKIR would prefer a long-term expert on site. An **intermittent presence** is seen as the minimum and should be aligned to the project’s operational planning e.g. around certain milestones.
12. Once ABAKIR is a permanent structure, a **twinning** with other transboundary water basin organizations is meaningful. Until then, an exchange on the process of becoming a fully-fledged organization can be helpful. This could be done with an adjacent organization such as of Lake Tanganyika or with basin organisations with a history such as the Niger Basin Agency.
13. While the Project has to tune to the fact that ABAKIR is still a transitory structure, the ratification could take place unpredictably at any moment. Therefore, the **Project should remain open** to accompany ABAKIR also as a permanent structure and, in that case, re-focus its activities in line with the changing situation.
14. The Co-Directors contacted stated **capacity development** as a **first priority**. This, however, should be done around concrete tasks at hand, such as the suggested definition of products, the business plan, identifying cooperation potentials and formalizing them. The CD can be done only partially by the GIZ expert. The GIZ expert, for instance, can support ABAKIR in **elaborating a CD-Strategy**. However, a number of activities, which would accompany ABAKIR on its way could be carried out by **national/regional consultants**. An additional **vehicle** can be an option, in case ABAKIR operations are accelerating. As soon as there is reliable finance (by fees collected in exchange of tangible services, focus on the big operators) and ABAKIR can afford **recruiting a small technical team**, the project should support ABAKIR in the recruitment and onboarding process. A small technical team could consist of a technical expert, a logistical and a legal expert, an expert able to build up and run a hydrological data bank and possibly an expert for dealing with stakeholder interaction formats.
15. As **third priority**, the contacted Co-Directors stated **concrete projects** to be put in place (e.g. on quantitative and qualitative data, waste control, sedimentation, land use planning “plan d’aménagement côtière”,...).
16. The fourth priority targets the water users, for who ABAKIR intends to **produce sensitization documents** taking into account the socio-cultural specificities of the Basin.

The following table refers to points 5, 6, 7, and 9. The table can be used as a template and suggests a systematic look at ABAKIR's mandates and missions (which would be translated into ABAKIR's processes), the products derived from there, the necessary inputs to create these products, the clients of these products and the quality required to satisfy both mandate and clients' needs and expectations. This identification of inputs, products, clients, requested quality and corresponding processes is the foundation for a business plan as proposed by the EU in its 2017 study. The Project can meaningfully support ABAKIR in drafting its business plan.

Working Tool: Template of Process Overview With Exemplary Products						
No.	Input required (own studies, external inputs HR, external cooperation, sources ...)	Missions/Processes (Convention: Article 9 of the French version signed by the Ministers 04/11/2014)	Output/Product/Service	Client	Quality required (to satisfy mandate and clients' needs and expectations)	Timeline in setting up the process
a.	<ul style="list-style-type: none"> ▪Data ▪Existing laws, regulations, ... ▪Technical proposals ▪Studies ▪Good practices from elsewhere 	Develop, adopt, implement and enforce appropriate legal, administrative and technical measures to protect and preserve the Basin's ecosystems in particular the natural areas protected either by national regulations or by international conventions.	<ul style="list-style-type: none"> ▪Legal measures ▪Administrative measures ▪Technical measures ▪Input into national regulations ▪Proposals for international conventions 	<ul style="list-style-type: none"> ▪Council ▪National, prov., local Governments ▪Big operators ▪Other water users ▪... 	<ul style="list-style-type: none"> ▪e.g. ▪Time, (timeliness and frequency) ▪Level of detail ▪Information configuration ▪System boundary ▪... ▪ 	
b.		Prevent or refrain from taking or authorizing any decision liable to cause damage to the quality of the water resource and the environment, and take all necessary measures to protect them.	<ul style="list-style-type: none"> ▪Decision appraisals ▪Measures 			
c.		Take any useful measure to maintain and protect the installations, facilities and other structures that have an impact on the water resource of the Basin.	<ul style="list-style-type: none"> ▪Measures 			
d.		Monitor in particular the activities related to the maintenance of the bed of the Rusizi River, of its banks and those of Lake Kivu as well as their financing.	<ul style="list-style-type: none"> ▪Monitoring reports 			

e.		Establish common rules regarding the regulation of the water resource; ensure their enforcement, the implementation of these rules being left to the competence of the Member States.	<ul style="list-style-type: none"> ▪ Rules (as input for regulations) ▪ Supervisory reports (as input for actors of national enforcement) 			
f.		Assess the impact of their non-enforcement and decide on corrective measures.	<ul style="list-style-type: none"> ▪ Impact assessment reports 			
g.		Define the restrictions on the flow of the Rusizi River and on the water level of Lake Kivu.	<ul style="list-style-type: none"> ▪ Restriction assessment report 			
h.		Establish measures to control soil erosion in the entire Basin.	<ul style="list-style-type: none"> ▪ Soil erosion control measures 			
i.		Take as a priority all appropriate legal, administrative and technical measures to prevent any cause of erosion.	<ul style="list-style-type: none"> ▪ Soil erosion preventive measures 			
j.		Ensure enforcement of legal, administrative and other measures requiring an assessment of impacts on the water resource of any proposed project in the Basin.	<ul style="list-style-type: none"> ▪ ? 			
k.		Ensure proper enforcement of all conditions pertaining to water usage licenses imposed to protect this resource.	<ul style="list-style-type: none"> ▪ ? 			
No.	Input required (own studies, external inputs HR, external cooperation, sources ...)	Missions/Processes (Convention: Article 2 of the French version signed by the Ministers 04/11/2014)	Output/Product/Service	Client	Quality required (to satisfy mandate and clients' needs and expectations)	Timeline in setting up the process
l.		Cooperate in developing a common strategic vision for the management of the Basin and the implementation of the arising action plans.	<ul style="list-style-type: none"> ▪ Draft strategic vision ▪ Action plans ▪ Actions 			

m.		Pay a particular attention to the communities of the Basin, both current and future, so that they benefit from the sustainable use of the natural resources and developments of the Basin.	<ul style="list-style-type: none"> ▪Benefit sharing schemes 			
No.	Input required (own studies, external inputs HR, external cooperation, sources ...)	Missions/Processes (Convention: Article 18 of the French version signed by the Ministers 04/11/2014)	Output/Product/Service	Client	Quality required (to satisfy mandate and clients' needs and expectations)	Timeline in setting up the process
n.		Protocols shall be presented to the Council of Ministers (note: by the Executive Secretariat) for approval and to the Heads of State of the Member States for adoption.	<ul style="list-style-type: none"> ▪Draft protocols 			
		Missions/Processes (Statute: Article 3 of the French version signed by the Ministers 04/11/2014)	Output/Product/Service	Client	Quality required (to satisfy mandate and clients' needs and expectations)	Timeline in setting up the process
o.		Coordinate the implementation of the Convention	<ul style="list-style-type: none"> ▪Annual reports 			
p.		Ensure and represent the common interests of the member states of the Basin with regard to IWRM in a concertation process with the institutions of each member state	<ul style="list-style-type: none"> ▪Interest analysis reports ▪Position papers ▪Concertation workshops/ meetings ▪ 			
No.	Input required (own studies, external inputs HR, external cooperation, sources ...)	Missions/Processes (Statute: Article 16 of the French version signed by the Ministers 04/11/2014)	Output/Product/Service	Client	Quality required (to satisfy mandate and clients' needs and expectations)	Timeline in setting up the process
q.		The Executive Secretariat ensures the Secretariat of the organs of the Authority	<ul style="list-style-type: none"> ▪Meeting calendar ▪Invitations ▪Meeting reports 			

r.		The Executive Secretariat prepares the strategic vision, revises it periodically and proposes new programs	<ul style="list-style-type: none"> ▪Draft Strategic vision ▪Review proposal reports ▪Draft programs 			
s.		The Executive Secretariat prepares the action programs permitting to achieve the objectives of the strategic vision	<ul style="list-style-type: none"> ▪Action programs 			
t.		The Executive Secretariat ensures the implementation of the decisions of the Council of Ministers.	<ul style="list-style-type: none"> ▪? 			
	Input required (own studies, external inputs HR, external cooperation, sources ...)	Missions/Processes (Statute: Article 17 of the French version signed by the Ministers 04/11/2014)	Output/Product/Service	Client	Quality required (to satisfy mandate and clients' needs and expectations)	Timeline in setting up the process
u.		The Executive Secretary ensures the coordination and the monitoring of the implementation of all strategic action programs approved by the Council of Ministers.	<ul style="list-style-type: none"> ▪Monitoring reports 			
v.		The Executive Secretary authorises ("ordonnateur") the budget of the Authority.	<ul style="list-style-type: none"> ▪Authorised budget 			
w.		The Executive Secretary coordinates the activities of the Technical Committees and ensures their proper functioning.	<ul style="list-style-type: none"> ▪Letters, invitations, proposals, meetings, ... 			
	Input required (own studies, external inputs HR, external cooperation, sources ...)	Missions/Processes (other demands)	Output/Product/Service	Client	Quality required (to satisfy mandate and clients' needs and expectations)	Timeline in setting up the process
x.						
y.						
z.						

Appendix 1: Mission schedule

18 th May 2019	➤ Arrival of Consultant Thomas Holtkamp and GIZ expert Daniel Daeschle
19 th May 2019	➤ Travel from Kigali to Gisenyi; document reading and internal discussions
20 th May 2019	<ul style="list-style-type: none"> ➤ Meeting with ABAKIR team in Gisenyi ➤ Meeting with CEPGL Deputy Executive Secretary (Joseph LITITIYO AFATA)
21 st May 2019	<ul style="list-style-type: none"> ➤ Meeting with ABAKIR team in Gisenyi ➤ Meeting with one LKMP representative (Ange MUSHIGA, Chemistry Specialist) ➤ Departure Consultant Daniel Daeschle
22 nd May 2019	➤ Meeting with ABAKIR team
23 rd May 2019	<ul style="list-style-type: none"> ➤ Meeting with ABAKIR team ➤ Departure Consultant Thomas Holtkamp to Kigali
24 th May 2019	<ul style="list-style-type: none"> ➤ Meeting with Lake Kivu Monitoring Program (Head of Program Augusta UMUTONI) ➤ Meeting with EU Cooperation Officer (Alain VAN DEN BRANDE) ➤ Meeting with GIZ Portfolio Manager (David Boerner) ➤ Departure of Consultant Thomas Holtkamp

Appendix 2: Findings of the EU Study 2017

5. CONSTAT SUR LE FONCTIONNEMENT DE LA STRUCTURE TRANSITOIRE DE L'ABAKIR (pages 14-16)

Suite aux différentes consultations et interviews, un constat peut être mené sur la mise en place, le fonctionnement et les activités de la Structure Provisoire de l'ABAKIR. Dans le document élaboré en 2011 « Dispositions transitoires pour la mise en place effective de l'Autorité de Bassin du Lac Kivu et de la Rivière Ruzizi », les missions de la Structure Provisoire ont été définies comme suit :

- Faciliter la ratification de la Convention ;
- Préparer et conduire le processus de mise en place de l'ABAKIR ; et
- Lancer les études nécessaires au bon démarrage des activités de l'ABAKIR en prenant en compte les projets en cours.

Un retard important est intervenu, notamment en raison de modifications juridiques engagées, et rien n'a été mis en place avant le début 2013. La situation actuelle est la suivante :

- Seuls restent en place les représentants politiques des 3 Etats (co-Directeurs) de la Structure Provisoire, mise en place en avril 2013, pour le démarrage des activités de l'ABAKIR.
- Le personnel administratif a été suspendu faute de financement, depuis avril 2015.
- La compétence des personnes mises en place ne semble pas adaptée au bon fonctionnement de l'ABAKIR.⁵
- Seul le Rwanda a apporté sa contribution financière (prévue dans la phase transitoire) et ce jusqu'en 2015 (aucun des deux autres Etats n'a contribué).⁶
- Lors du recrutement, en dehors des trois co-directeurs, aucun personnel technique n'a été recruté (seulement un juriste, un comptable et une assistante). A la vue des tâches qui attendaient les activités de la Structure Provisoire, l'absence d'unité technique et de personnel spécialisé ne permettait certainement pas un fonctionnement efficace de celle-ci.
- À l'exception d'une revue comparative du cadre légal de la gestion de la ressource en eau des trois Etats membres et d'une proposition de stratégie de communication (non mise en œuvre), aucun document stratégique, ni de Plan d'Action opérationnel n'a été établi par la Structure Transitoire de l'ABAKIR.
- Actuellement, la Structure Transitoire n'est pas opérationnelle.
- La convention portant création de l'ABAKIR ainsi que ses statuts, a été signée par les Ministres en charge de la ressource en eau des trois Etats membres en novembre 2014. Après une campagne de sensibilisation auprès des parlementaires de chacun des Etats membres, le processus de ratification de la convention et des statuts est amorcé dans au moins 2 des Etats membres (les plus importants – directement concernés par l'ABAKIR) :
 - En RDC : en cours de ratification (adoptés par l'Assemblée Nationale, en cours de revue par le Sénat).
 - Au Rwanda : en cours.
 - Au Burundi : à l'arrêt compte tenu du contexte politique.
- Peu de contacts et aucune coopération n'a été réellement engagée avec les acteurs locaux et les usagers de l'eau. Un espace formel de dialogue avec les acteurs du bassin n'existe pas, limitant les possibilités de coopération et de concertation.⁷

⁵ There is not sufficient evidence to confirm that statement; the 3 Co-Directors cannot possibly compensate for the absence of technical staff.

⁶ This has changed, see SWOT analysis 4. Financial, Human and Physical Resources.

⁷ There are several informal cooperations with research institutions.

- De nombreuses initiatives et de nombreux projets sont en cours sur le bassin versant avec des incidences sur la gestion de l'eau, mais aucune coordination ni concertation réelle n'existe entre les projets et ils n'ont pas été pris en compte par la Structure Transitoire.
- Le lancement du projet de gestion intégrée du sous bassin de la Sebeya (affluent du Lac Kivu) n'a pas été pris en compte par la Structure Provisoire, or cette approche par sous bassins peut avoir une grande importance sur la manière de gérer le bassin versant du Lac Kivu et de la Rivière Ruzizi.⁸
- Il est nécessaire de disposer d'un « Business Plan » au plus vite ainsi que d'une feuille de route actualisée pour une opérationnalisation effective de l'ABAKIR.
- Il faut identifier le plus rapidement possible des priorités d'actions et des projets à mettre en œuvre sur le bassin.
- Le manque de document stratégique est un handicap et son établissement (même à titre provisoire) est un impératif pour mobiliser les Etats et les acteurs.
- Il est important de bien clarifier le rôle de la Structure Provisoire, de préciser qui fait quoi et de se doter d'un budget pour les trois années à venir en identifiant l'origine des fonds et leur utilisation.
- Il faut souligner que le contexte politique régional ne facilite pas les conditions de travail de la Structure Provisoire.
- Il semble que la RDC et le Burundi aient considéré que les financements de l'Union Européenne gérés par le Rwanda ne les concernaient pas malgré le mandat qui avait été donné à ce dernier. Ceci peut être à l'origine d'un certain désengagement (financier notamment) de ces deux pays.
- Une direction tricéphale présentait le risque de rivalités entre les responsables à la tête de la Structure Transitoire.

Le constat sur le positionnement des différents acteurs impliqués est le suivant⁹ :

- Tous les organismes qui, a priori, peuvent intervenir dans la gestion intégrée du bassin versant et qui ont été rencontrés, sont unanimes sur la nécessité de l'existence et de l'opérationnalisation de l'ABAKIR pour la gestion intégrée des ressources du bassin versant.
- Le rôle de régulation et de coordination que peut jouer l'ABAKIR leur semble primordial. Des actions concertées sur l'ensemble du lac Kivu et du bassin versant, étant donné son statut international, ne peuvent être engagées en dehors d'une structure internationale.
- La majorité de ces organismes se disent prêts à coopérer avec l'ABAKIR, mais il est évident que la démarche doit être initiée par l'ABAKIR.
- Plusieurs bailleurs de fond (BAD, JIKA, NL) se disent prêts à examiner des projets à financer dans le cadre de l'ABAKIR.

⁸ The mission cannot judge on that statement.

⁹ The mission can confirm this statement for the organisations met and the organisations present at the planning workshop the week before.

Appendix 3: Appointment of New Rwandan Representatives in ABAKIR Management

REPUBLIC OF RWANDA



MINISTRY OF ENVIRONMENT
P.O BOX: 3502 KIGALI

Mr. Mwamba NYEMBO Jean Paul
Co-Director Coordinator/ABAKIR
Kigali

Kigali, on 12 Juin 2019
Ref. 0756/16.01

RE: Appointment of new Rwandan representatives in Lake Kivu and Rusizi River Basin Authority (ABAKIR) management

Dear Sir,

The Government of Rwanda through the Ministry of Environment is pleased to inform you that:

- Mr. François Xavier Tetero (francois.tetero@rwfa.rw or +250788466012), Head of Water Resources Department in Rwanda Water and Forestry Authority is appointed as Rwanda-TAC member to replace Mr. Remy Mugunga in ABAKIR with effect from 13th June 2019.
- Mrs. Denise Umurerwa (denyse.umurerwa@rwfa.rw or +250788675999), Division Manager of Corporate Services in Rwanda Water and Forestry Authority is provisionally appointed as Rwandan Representative in ABAKIR Coordination Unit to replace Mrs. Jacqueline Nyirakamana with effect from 13th June 2019.

Mrs. Denise Umurerwa will continue to assume her responsibilities at Rwanda Water and Forestry Authority as well as represent Rwanda in ABAKIR management. She is expected to be facilitated only when she will be carrying out ABAKIR related activities.

Sincerely,

Vincent BIRUTA
Minister of Environment

Cc:

- His Excellency the President of the Republic of Rwanda
- Right Honourable Prime Minister
- Honourable Minister of Foreign Affairs and International Cooperation
- Director General/RWFA
- Mr. François Xavier Tetero
- Mrs. Denise Umurerwa

Kigali



Appendix 4: ABAKIR Plan of Activities 2018-2019

AUTHORITE DU BASSIN DU LAC KIVU ET DE LA RIVIERE RUSIZI/RUZIZI- ABAKIR							
PLAN D'ACTIVITES 2018-2019							
Résultats	Activités	Sous-activités	Responsable	Période	Appui humain	Budget estimé en Euros	
R1. La structure de l'ABAKIR est opérationnelle	Gestion administrative	1-Reprise du personnel nécessaire et	Direction ABAKIR	Dés Mars 2018	Staff ABAKIR	204.000	
		2-Liquidation des salaires et des arriérés pour le personnel et paiement des congés annuels et des indemnités des fins des contrats	Staff ABAKIR +TACs ABAKIR	Janvier à Décembre 2018		17.000	
		3-Paiement des services et fonctionnement	Staff ABAKIR	Dés Février 2018		12.518	
		4-Suivi du versement des contributions		Février 2018	TACs	3.300	
		5. Réunion des TACs					
	Développer les instruments de gestion administrative et financière de l'ABAKIR	1-Elaborer et faire valider le Règlement d'Ordre Intérieur et le Manuel de Procédures administratives et financières de l'Autorité de Bassin		Staff de l'ABAKIR	Février 2018		
		2-Suivi du processus avec les Ministères concernés relatif à la signature du Memorandum d'entente visant la facilitation du fonctionnement de l'ABAKIR		Staff de l'ABAKIR	Dés Février 2018	Ministère de l'Environnement, Ministère et des Affaires Etrangères et de la Coopération et de l'EAC du Rwanda	
	Suivre et encourager les ratifications nationales de la Convention en vue d'accélérer le passage de la structure transitoire vers l'Autorité	1-Organiser 3 Voyages de sensibilisation de la Direction de l'ABAKIR de 3 Co-directeurs, et dans les 3 pays en vue de ratifications nationales		EXEC ABAKIR + TACs	Avril 2018- Mars 2019	Ministères concernés	30.000
		2-Organisation de 3 séminaires de sensibilisation pour la ratification de la Convention dans les trois pays		EXEC ABAKIR + TACs	Avril 2018- Mars 2019	Ministères de Tutelle	
		3-Suivi le processus de ratification.			Avril 2018- Mars 2019	Institutions concernées	
Organisation du Conseil des Ministres de l'ABAKIR	1-Préparer le rapport d'activités		Staff ABAKIR	Mai 2018	Staff ABAKIR et Ministères concernés		
	Intérieur et de Manuel de procédures administratives et financières de l'ABAKIR pour adoption du Conseil		Staff ABAKIR	Dés Mai 2018		9.000	
3- Préparer techniquement la réunion des TACs et le CoM du mois de Juin 2018			Staff ABAKIR et TACs	Mai-Juin 2018			
	Collationner les rapports existants et relever les éléments manquants à être analysés dans l'étude de l'état des lieux de la ressource en eau dans le bassin à réaliser.		Staff ABAKIR	De mars 2018 à Septembre 2018	TACs + personnes ressources	22.000	
R2. L'état de la ressource en eau du Bassin est étudié et les projets concernant sa connaissance sont préparés.	-Affiner les termes de références existants pour la réalisation de l'étude sur l'état des lieux du bassin				TAC + Experts des Ministères concernés des 3 pays		
	-Elaborer le plan stratégique et les plans d'action opérationnels et de financement de l'ABAKIR	-Concevoir le plan stratégique et les plans d'actions opérationnels et de financement de l'ABAKIR	Consultant Staff ABAKIR	De Mars 2018 à Septembre 2018		10.000	
	-Atelier de validation des plans stratégiques, opérationnels et de fonctionnement						
	-Connaissance de l'état de la pollution dans le bassin	1-Collaborer avec l'Autorité du Bassin du lac Tanganyika dans la finalisation du projet commun de réduction de la pollution dans le bassin du lac Tanganyika pour la partie amont du lac Kivu soumis à l'Union Européenne		Staff de l'ABAKIR	Avril 2018 à Décembre 2019	Direction ALT	
	2. Stabilisation du bassin versant du lac Kivu et de la rivière Rusizi/Ruzizi et contrôle de la pollution, projet à soumettre au PNUE			Staff ABAKIR et personnel concerné du PNUE	De mai 2018 à Décembre 2019		
	-Etude de l'impact du changement climatique dans le Bassin de l'ABAKIR	-Reprendre les contacts avec le PNUD et le Fonds Mondial de l'environnement pour préparer des projets de lutte contre la pollution dans le bassin et de mitigation de l'impact du changement climatique		Staff ABAKIR+ Institutions ciblées	Mars - Août 2018	Personnes ressources	6.000
	-Suivi d'une rapide mise en œuvre du projet UE-CEEAC-GIZ-ABAKIR pour appui à l'ABAKIR	-Réunions de travail avec les partenaires du projet		Staff ABAKIR et personnels concernés dans les institutions partenaires	Avril 2018 -décembre 2019	Personnes ressources	10.000
Collaborer avec la CEPGL sur l'étude de l'Aménagement de la plaine de la Ruzizi	-Réunion avec la CEPGL		Staff ABAKIR+ CEPGL	Mars - juillet 2018	Staff ABAKIR + CEPGL	2.000	
R3. Les relations avec les partenaires clés sont établies et fructueuses	- Poursuite de l'identification et prise de contact des partenaires stratégiques de l'ABAKIR	1-Elaboration des accords de partenariats visant l'échange d'expérience et de collaboration)	Staff ABAKIR	Avril 2018 - Décembre 2019	Staff des Institutions concernées	18.000	
		2. Participation aux réunions et forums sur la GIRE (6 voyages) et réunions organisées par des institutions des Bassins et par les partenaires (CICOS, ALT, CBLT, NBI, CEEAC, AMCOW, UNECE, OMVS, RAOB et EU)					
R4. Le mandat de l'ABAKIR est bien connu par tous les acteurs à travers une communication efficace.	-Informer /Sensibiliser toutes les parties prenantes sur les règles communes concernant la régulation des utilisations de la ressource en eau du Bassin versant	1-Harmonisation des règles communes concernant l'utilisation de la ressource en eau du Bassin versant (atelier)		Mai 2018		31.182	
		2-Développer les outils de communication y compris des documentaires, les messages écrits, visuels.	Staff ABAKIR avec Départements et partenaires concernés	Mars à déc 2019	Médias	3.000	
Total						378.000	

Appendix 5: Note Conceptuelle relative au projet de creation du Centre d'Etudes, de Controle, de Surveillance et Protection du Lac Kivu et de la Riviere Ruzizi/Rusizi (CEPKR)

Présentation de la structure requérante

Nom de l'Organisation : **Autorité du Bassin du lac Kivu et de la rivière Ruzizi**
« ABAKIR »

1. Sujet du projet :

Projet de création du Centre d'Etudes, de Contrôle, de Surveillance et Protection du lac Kivu et de la rivière Ruzizi/Rusizi (CEPKR)

2. Institution officielle de supervision et encadrement technique:

- Dénomination : **Autorité du Bassin du lac Kivu et de la rivière Ruzizi, ABAKIR**
- Adresse domiciliaire : Immeuble CEPGL, Rubavu-GISENYI, République du Rwanda
- Adresse postale : P.B. 555, RUBAVU
- Adresse électronique : abakir2011@yahoo.fr

3. Institution officielle d'exécution du projet:

- Dénomination : **Autorité du Bassin du lac Kivu et de la rivière Ruzizi, ABAKIR**
- Adresse domiciliaire : Immeuble CEPGL, Rubavu-GISENYI, République du Rwanda
- Adresse électronique : abakir2011@yahoo.fr
-

4. Durée estimative du projet : 5 ans

5. Début prévu du projet : **Janvier 2019**

6. Fin probable du projet : **Décembre 2024**

Contexte et justification

Le lac Kivu est situé à une altitude de 1.463 m, à l'Ouest du Rwanda et à l'Est de la République démocratique du Congo, formant une frontière naturelle d'environ 100 km entre les deux pays, et s'étendant entre 1°34' de latitude Sud et entre 28°50' et 29°23' de longitude Est (DAMAS, 1937; VERBEKE, 1954). Il est bordé par les villes de Goma et Bukavu de la RDC et Gisenyi, Kibuye et Cyangugu du Rwanda dont le développement est tributaire des ressources du lac. De nombreuses îles émergent d'une crête médiane importante; au total elles sont au nombre de 150, occupant une superficie de 315 km². La plus grande, l'île Ijwi, en territoire congolais, occupe une superficie de 200 km². Le volume total du lac est de 583 km³ (DAMAS, 1937; DEGENS et al. 1971, 1972; VERBEKE, 1954).

A son extrémité méridionale le lac a son exutoire: la Ruzizi ayant un débit de 70 m³/sec, soit 3,2 km³/an, qui après un parcours de 160 km, se jette dans le lac Tanganyika. L'apport hydrologique des rivières qui se déversent dans le lac est de 2,7 km³/an, celui des précipitations est de 2,6 km³/an (BEADLE, 1974; VAN DER BEN, 1959). Les sources hydrothermales sublacustres fournissent 0,5 km³/an (DEGENS et al. 1971, 1972). Il est l'un des trois lacs méromictiques d'Afrique.

La petite partie des fonds aux sédiments vaseux ou sableux, localisés près des embouchures des rivières, dans les creux naturels et dans les baies peu profondes constituent des réservoirs d'animaux benthiques. Ces biotopes sont importants comme frayères des poissons. La pauvreté et l'immaturité écologique de la faune piscicole sont caractéristiques du lac Kivu.

Il y a quatre espèces de Barbus qui se font rares; on les trouve surtout près des embouchures des rivières. Le *Barilius moorii*, un poisson semi-pélagique, est répandu dans tout le lac mais à des faibles densités. Les deux espèces de *Clarias*, dont *Clarias gariepinus* qui est le seul grand prédateur du lac, sont également peu abondantes. On les trouve surtout au Sud sur des fonds vaseux.

Trois espèces de *Tilapia* sont connues, dont seul *Tilapia nilotica regani* est endémique. *Tilapia rendalli* et *Tilapia macrochir* ont été introduits par accident à partir des étangs piscicoles aux alentours du lac.

En plus de cette principale caractéristique, le lac Kivu se distingue par d'autres particularités physico-chimiques notamment la teneur élevée en sels dissous (1,115g/l), se manifestant par une conductivité élevée, la stratification thermique verticale des eaux et la présence d'importantes quantités de gaz dissous dans les eaux profondes spécialement le gaz méthane, le gaz carbonique et l'anhydride sulfureux. Le lac Kivu est le plus grand réservoir naturel connu du gaz méthane.

Toutefois, la masse de ces eaux, sous la cote-275, soit 130 km³, contiendrait approximativement (les volumes de gaz étant calculés aux conditions définies par la surface du lac ; 25° et 640 mm Hg) : 270 milliards de m³ d'anhydride carbonique (CO₂), 61 milliards de m³ de méthane (CH₄), 1 milliard de m³ d'hydrogène sulfuré (H₂S) correspondant à 1,4 million de tonnes de soufre, 10 milliards de m³ d'azote (N₂), 10 millions de tonnes de phosphates et 455 millions de tonnes de sels divers : de soude, de potasse, de magnésie et de chaux.

Ramenées à la surface du lac, ces eaux de profondeur dégageraient naturellement environ (aux conditions locales) : 190 milliards de m³ de CO₂, 57 milliards de m³ de CH₄ et milliards de m³ de N₂. Et, probablement, des traces de H₂S et de gaz divers ; elles retiendraient en solution le solde des gaz et les différents sels. Rapportée aux conditions normales (0° et 760 mm), la quantité de méthane libéré naturellement se chiffrerait à 44 milliards de m³ N, représentant 376 milliards de thermies. Compte tenu d'un rendement à l'exploitation estimé à

0,8, le méthane récupérable constitue un potentiel énergétique de plus de 300 milliards de thermies, soit l'équivalent d'une trentaine de millions de tonnes de produits pétroliers. (G. BORGNEZ, 1960).

Les sels minéraux proviennent surtout des solutions hydrothermales qui émanent du fond du lac et les teneurs des gaz dissous dans l'eau du lac Kivu restent inférieures à la saturation (salinité voisine de 4%). On estime que l'apport annuel de ces sources est de l'ordre de 0,5km² soit 1/1000 du volume total du lac. Le méthane par contre a une double origine, une partie est formée par la décomposition bactérienne du plancton en conditions anaérobies, l'autre partie est le résultat de la transformation dia génétique (méthane thermo catalytique dont la chaleur nécessaire à la thermo catalyse est fournie au sédiment par les volcans actifs des environs). La température des eaux en surface varie très peu au cours de l'année. Elle oscille entre 23,1°C et 24,5°C (moyenne 23°C). Le profil thermique est uniforme dans les différentes couches d'eau. La température décroît de la surface jusqu'à 50m et puis s'élève à nouveau dans l'hypolimnion limnologique pour atteindre 25°C à 400m.

Toutefois, la région du Kivu connaît un faible taux d'accès à l'eau potable. L'agriculture pratiquée est essentiellement pluviale, bien que quelques sites potentiels d'irrigation soient à signaler.

La région tente de se positionner comme une destination privilégiée pour le tourisme de nature où il est possible de passer d'un écosystème à un autre. Elle présente un paysage atypique, riche (volcans, forêts, lacs, savanes), une diversité biologique diversifiée (faune et flore). Au-delà des clichés, l'évocation du Kivu ne peut se démarquer des images de conflits armés, d'instabilité politique, de luttes ethniques et d'activités extractives incontrôlées. Ces éléments entachent grandement l'image « touristique » de la destination. Un grand potentiel d'hydroélectrique est également signalé dans la région. Une dense activité de navigation est pratiquée entre les villes de Goma et Bukavu mais aussi du côté du Rwanda dans la ville de Gisenyi.

La pression sur l'occupation des berges du lac augmente de plus en plus si bien que les bassins versant connaissent une urbanisation non contrôlée. En plus, plusieurs déchets des grandes villes de Bukavu, Gisenyi et Goma échouent dans le lac KIVU et se ruent vers la rivière RUZIZI qui les achemine vers le lac Tanganyika.

Les quantités importantes de ces déchets constituent un obstacle majeur au fonctionnement normal des barrages hydroélectrique des Ruzizi 1, 2 et très prochainement les barrages de Ruzizi 3 et 4 connaîtront le même problème si l'on ne prend pas en charge le management de lutte contre la pollution du lac Kivu et de la rivière.

Les conséquences sont telles que :

- La dégradation des écosystèmes du lac et de la rivière est en constante accélération ;
- La diminution du stock halieutique ;
- L'apparition des maladies hydriques ;
- Perte des ressources biologiques du lac et de rivières ;
- Disfonctionnement des barrages hydroélectriques suite aux déchets solides ;
- Mauvaise qualité de l'eau du lac et de la rivière etc.

Eu égard à ce qui précède, l'Autorité du Bassin du lac Kivu et de la rivière Ruzizi « ABAKIR » a reçu mandat des Etats membres, d'assurer la gestion du bassin du lac Kivu et de la Rivière Ruzizi par les études, de prévention et de conservation pour maintenir saines et garder l'équilibre des eaux du lac et de la rivière Ruzizi.

Chaque Etat membre a eu l'obligation d'appuyer l'ABAKIR dans ses efforts de gestion de la ressource en eau du lac et de la rivière dont le challenge actuelle reste la lutte contre la pollution du lac et la stabilisation des bassins versants.

Cet effort va se traduire concrètement par la création et la mise en place de commun accord avec toutes les parties prenantes concernées du « **Centre d'Etudes, de Contrôle et de Surveillance et de Protection du lac Kivu et de la rivière Ruzizi** » en sigle **CEPKR**.

Objectif général

Créer un « Centre d'Etudes, de Contrôle, de Surveillance et de protection du lac Kivu et de la rivière Ruzizi » en sigle CEPKR en vue de mettre en œuvre la convention de l'ABAKIR.

Le Centre d'études est une structure opérationnelle de l'ABAKIR ayant des missions très spécifiques pour la gestion intégrée de la ressource en eau du lac Kivu et de la rivière Ruzizi.

Les objectifs spécifiques

- Mettre en place et appuyer le Centre d'Etudes, de Contrôle, de Surveillance et de protection du lac Kivu et de la rivière Ruzizi ;
- Assurer le contrôle et la surveillance de la ressource en eau du lac Kivu et de la rivière Ruzizi ;
- Protéger la ressource en eau du lac Kivu et de la rivière Ruzizi et lutter contre toute pollution pouvant menacer les ressources du lac et de la rivière Ruzizi;
- Valoriser la ressource en eau du lac Kivu et de la rivière Ruzizi ;
- Stabiliser les bassins versants du lac Kivu et de la rivière ;

Les résultats attendus

Les résultats suivant sont attendus à la fin du projet :

- le Centre d'Etudes, de Contrôle, de Surveillance et de protection du lac Kivu et de la rivière Ruzizi est mis en place et est opérationnelle;
- le contrôle et la surveillance de la ressource en eau et la lutte contre la pollution du lac Kivu et de la rivière Ruzizi sont assurés ;
- la ressource en eau du lac Kivu et de la rivière Ruzizi est protégée et suivie;
- la ressource en eau du lac Kivu et de la rivière Ruzizi est valorisée.
- Les bassins versants sont stabilisés et suivis

Les missions du Centre

Le Centre a pour mission de mettre en œuvre la Convention de l'ABAKIR notamment par les activités suivantes :

- Mener des études et des opérations sur le lac et sur la rivière Ruzizi aux fins de maîtriser les données climatiques et hydrologiques, les connaissances sur les mouvements et l'équilibre du lac et, en constituer une banque des données pour la bonne gestion du Bassin ;
- Réaliser des activités de protection et de stabilisation des bassins versants du lac et de la rivière Ruzizi ;
- Participer à des missions scientifiques de recherche pour l'équilibre du lac et de la rivière Ruzizi et la mise en valeur de leurs ressources biologiques ;

- Contrôler, surveiller et lutter contre la pollution du lac et de la rivière Ruzizi ;
- Inspecter régulièrement des infrastructures de rejet des eaux résiduaires et usées provenant des installations humaines riveraines et, appliquer les lois, règlements et édits y relatifs ;
- Inspecter les navires et plateformes sur le lac, en rapport avec leurs éventuelles pollutions et en assurer l'évacuation de leurs déchets ;
- De surveiller et d'empêcher les décharges des déchets solides dans le lac et dans la rivière Ruzizi ;
- Délivrer après inspection et contrôle des certificats de contrôle et d'inspections de la pollution aux bateaux, plateformes et établissements classés riverains ayant emprise sur le lac et la rivière;
- Assister les navires, plateformes et établissements humains riverains en cas de sinistre ;
- Contrôler et facturer les prises d'eau du lac et faire respecter la réglementation y relative ;
- Mettre en œuvre des plans d'intervention d'urgence sur les pollutions dues au gaz, pétrole et/ ou autres substances nocives pouvant surgir d'une installation dans le bassin du lac KIVU ;
- Conclure des contrats de sous-traitances après agrément par l'Autorité du Bassin avec des organismes de recherche et, avec des maisons ou ONGs des services d'évacuation et de traitement des déchets provenant de navires, plateformes et des établissements humains se trouvant sur le lac ou ayant emprise sur le lac ;
- D'appliquer rigoureusement la réglementation y relatives sur la pollution de l'eau, du sol et de l'air riverain au lac ;
- D'appliquer sur le lac la réglementation relative à la pêche ;
- De verbaliser pour tout constat de la pollution, les auteurs présumés sous la conduite du personnel assermenté de la police judiciaire ;
- De requérir la police, le cas échéant pour l'accomplissement de ses missions ;
- De facturer à l'endroit des auteurs de la pollution, toute intervention du Centre de nature à prévenir, contenir, lutter et évacuer la pollution dans le périmètre du bassin ;
- D'échanger des données scientifiques et statistiques sur le lac et la rivière avec les institutions du gouvernement, de recherche académique et des partenaires extérieurs intéressés ;
- De requérir le service d'experts indépendants en cas de nécessité ;
- De sensibiliser continuellement la population riveraine sur la nécessité de leur participation active au maintien et à l'équilibre du lac et de la rivière.

Localisation géographique du projet

**Le projet sera mis en œuvre dans la région du bassin du lac Kivu et de la rivière Ruzizi.
Les bureaux du Centre seront installés à CIBITOKÉ au BURUNDI qui est l'exutoire**

Ressources et capacités

La mise en œuvre de ce projet nécessite des moyens tant humains que financiers.

- S'agissant des moyens humains, ils seront assurés par les Experts de l'ABAKIR en général et principalement par ceux des administrations provinciales concernées d'une part (les Ministères Provinciaux de l'Environnement, des Transports et de la Régie de Voies Fluviales du Nord et Sud Kivu de la République Démocratique du Congo) et de toutes les autres parties prenantes impliquées dans le processus d'autre part.
- Les moyens techniques seront pris en charge par les Experts du PNUE, l'Union européenne et tout autre partenaire intéressé.
- Pour les moyens financiers, ils seront pris en charge par l'ABAKIR ainsi que tous les autres partenaires techniques et financiers impliqués dans ce processus.

Organisation et fonctionnement du CEPKR

Le Centre fonctionne au sein du Département des Opérations de l'ABAKIR et bénéficie des apports techniques, matériels et intellectuels des partenaires publics et privés notamment, les Ministères Provinciaux de l'Environnement, des Transports et de la Régie de Voies Fluviales du Nord et Sud Kivu de la République Démocratique du Congo qui sont de ce fait avec l'Exécutif de l'ABAKIR, membres du Conseil d'Administration du Centre.

Il est constitué de trois organes à savoir :

- le Conseil d'Administration ;
- la Cellule Scientifique ; et
- le Comité de Gestion.

Le Conseil d'Administration est l'organe suprême du Centre. Il a pour missions de définir la politique générale du centre, valider le plan d'action du Centre que lui soumet la Comité de gestion, valider les prévisions budgétaires du Centre, nommer et le cas échéant, révoquer les membres de la Comité de gestion ainsi que contrôler la conformité des actions du Comité de gestion.

La composition et les modalités d'organisation et fonctionnement du Conseil d'Administration seront définies par le comité de pilotage du projet une fois installé.

La Cellule Scientifique du Centre est un organe technique d'appui au Conseil d'Administration en vue d'émettre des avis techniques sur toutes les questions liées à la gestion des ressources du lac Kivu et de la rivière Ruzizi.

La composition, les modalités d'organisation et fonctionnement ainsi que les rapports avec le Conseil d'Administration seront définis par le comité de pilotage une fois installée.

Le Comité de gestion est l'organe de gestion au quotidien du Centre. Il a pour missions de représenter le Centre vis-à-vis des tiers, mettre en œuvre la politique générale du centre, élaborer le plan d'action du centre, préparer les prévisions budgétaires annuelles, mobiliser les ressources nécessaires à l'atteinte des objectifs du Centre, ester en justice et exécuter toute autre activité lui assignée par le Conseil.

La composition, les modalités d'organisation et fonctionnement ainsi que les rapports avec le Conseil d'Administration seront définis par le Comité de pilotage une fois installée.

La gestion des revenus du Centre

Les revenus générés par les activités du centre dans la juridiction des eaux du lac de la RDC sont ainsi répartis :

- 20 % : pour le fonctionnement du Centre
- 10 % : pour l'ABAKIR
- 10 % : Pour le Ministère provincial de l'Environnement du Nord-Kivu
- 10 % : Pour le Ministère provincial des Transports du Nord-Kivu
- 10 % : Pour le Ministère provincial de l'Environnement du Sud-Kivu
- 10 % : Pour le Ministère provincial des Transports du Sud-Kivu
- 10 % : Pour la Direction Provinciale de la Régie des Voies fluviales
- 05 % : Pour la Division de Transports Nord-Kivu;
- 05 % : Pour la Division de Transports Sud-Kivu;
- 05 % : Pour la Division de l'Environnement Nord-Kivu;
- 05 % : Pour la Division de l'Environnement Sud-Kivu.

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