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AWARD
Tech Report
Series

Catchment Management Forums

Report on the Forum of Forums

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Executive summary

This report emanates from a two-day workshop which brought together current participants in Catchment Management Forums (CMFs) and potential or future participants in CMFs, as well as officials and a limited number of researchers, in order to effect historical redress in the water sector. The aim of the workshop was:

- To share experiences and connect;
- To engage with current plans to revitalise CMFs;
- To comment on current research; and, most importantly,
- To co-create recommendations for the revitalisation of Forums.

Background

This project—WRC Project K5/2411—accompanies and supports the DWS project to revitalise Catchment Management Forums (CMFs). The DWS project flows from commitments within the National Water Resources Strategy (NWRS), namely:

“The Catchment Management Forums will be established and utilised to strengthen participation of communities and other stakeholders within a catchment management. This approach will influence strategies to be adopted in ensuring sustainable management of water resources. The National Development Plan (NDP) supports active citizenry and emphasises that the state cannot act on behalf of the people—it has to act with the people, working with other institutions to provide opportunities for the advancement of all communities. This is a critical approach; it underpins and is supported in the National Water Resources Strategy 2013: 15 (NWRS2).”

The revitalisation of CMFs is based on the new draft policy position within the Department of Water and Sanitation (DWS), 2014 which envisions the CMF role to in this way:

“From the perspective of DWA, the role of Catchment Forums (CFs) is to act as a communication channel between catchment residents and local government, municipality and other institutions. Catchment Forums can also be educational bodies, watchdogs, and initiate organisational structures for activities in various catchments within South Africa. It is proposed that CFs become appropriate vehicles to foster cooperative governance between the CMA, local government and other stakeholder interest groups, in the interests of integrated management to support Water Resource Management (WRM).”

Such activities could include monitoring, river clean-ups, catchment care and land care that could be voluntary or that could compensate participants within a public works format.



The first session consisted of people coming from organisations, who have already done the things that a model forum should do, as envisioned in the DWS revitalisation project:

- The Inkomati Usuthu Catchment Management Agency (IUCMA) to share with us how they already give support to Forums in their area, as part of their daily work and through a dedicated team;
- Rand Water which has supported CMFs in the Upper Vaal for many years, and have also done specific research into the logistical aspects of Forums, as well as agendas and topics, to share their insights;
- The Duzi Umgeni Catchment Trust (DUCT) to explain their approach to citizen science and the implementation of river care and other activities that already respond to current proposals.
- From the research team, a short overview of our findings (these are in documents circulated before this meeting);
- Also from the research team, Derek Weston (Pegasys) and Derick du Toit from AWARD to present their policy analysis of the DWS recommendations. These recommendations will be updated after the Forum of Forums, in a separate deliverable; and
- Matome Mahasha from the DWS to guide us through DWS positions and thinking.

After the presentations the meeting was facilitated into two Open Space Technology sessions. What is Open Space Technology? The idea of this facilitation approach is that participants themselves select priorities, create working groups and thereby establish their own agendas. How does it work? Like this: “Any one of you can propose a discussion and find out who else is interested in it, by “advertising” it in plenary. For example, some of you may want to form the organising committee of the next Forum of Forums. Or you may want to make sure that forums are welcoming place for participation by rural communities, or small scale farmers. You may find that someone else is very interested in your topic or that more than one of you have selected similar topics, so it would make sense to merge your groups.”

The next day, groups reported back from the first Open Space Technology session, which will be more explorative, and then we will do a second round with the focus on creating recommendations.

Issues to be followed up

Finally, the meeting agreed to follow up on the following issues:

- Cultural and spiritual issues
- New water bill and CMF issues
- Institutional arrangements, mandate and accountability
- Language and communication: Technical language and translation
- Language and communication: Technical language and translation
- Capacity issues and continuity
- Forum participation and representation
- Non-compliance and enforcement
- Transport support and CBO participation



- Logistics and admin
- Utilising human and scientific resources—citizen science
- Access to water by emerging farmers
 - Catchment Forum Indaba
- Responses to the Water and Sanitation Bill
- How will CMFs lobby the CMAs re development and the Bill process
- Model for CMFs
- Role of CMFs in the revitalisation of vandalised agricultural schemes
- Access to water (boreholes) under stressed catchments
- Traditional healers
- Consolidation of previous work
- Independence: institutional capture and identity
- IUCMA orientation to be adopted
- Statutory status
- Transparency and access to information
- Capacity building of members
- Forum activities and delivery: what is possible
- Access to rivers and physical resources
- Inputs to the Bill
- Models for CMF functions
 - Aligning with other WRM proivities and deects such as Adopt a River
- Aligning CMFs with the NWRS



List of Acronyms

AWARD	Association for Water and Rural Development
BOCMA	Breede-Overberg Catchment Management Agency
CF	Catchment Forum
CMA	Catchment Management Agency
CMF	Catchment Management Forum
DUCT	Duzi Umgeni Conservation Trust
DWS	Department of Water and Sanitation
FoF	Forum of Forums
IDP	Integrated Development Plan
IUCMA	Inkomati Usuthu Catchment Management Agency
IWRM	Integrated Water Resources Management
NDP	National Development Plan
NGO	Non-governmental organisation
NPO	Not for Profit Organisation
NWA	National Water Act
NWRS	National Water Resources Strategy
PAIA	Promotion of Access to Information Act
PAJA	Promotion of Administrative Justice Act
PFMA	Public Finance Management Act
SALGA	South African Local Government Association
SASS	Stream Assessment Scoring System
SAWC	South African Water Caucus
SLA	Service Level Agreement
USAID	United States Agency for International Development
WMA	Water Management Area
WRM	Water Resources Management
WSA	Water Services Authority
WSDP	Water Services Development Plan
WUA	Water Users Association
WRC	Water Research Commission
WWF	World Wide Fund for Nature
WWTW	Waste Water Treatment Works



1 Background and introduction

1.1 Supporting the revitalisation of CMFs in South Africa

This report emanates from a two-day workshop which brought together current participants in Catchment Management Forums (CMFs) and potential or future participants in CMFs, in order to effect historical redress, as well as officials and a limited number of researchers. The aim of the workshop was:

- To share experiences and connect;
- To engage with current plans to revitalise CMFs;
- To comment on current research; and, most importantly,
- To co-create recommendations for the revitalisation of Forums.

There are many views on CMFsⁱ. They are seen as places for enthusiastic participation, communities of practice in the making, and crucial to the devolution of water management to local stakeholders. They are also seen as exhausted, toothless talk shops, unrepresentative, undemocratic, haunts of the privileged, ignored by officials and a waste of time. Caught between reality and potential, theory and practice, they remain attractive to many people who are interested in participating in the governance of South Africa's water resources.

Forums come and go, and when people leave, they take these histories with them. The forums survey undertaken for this project shows that some Forums have waxed and waned—for example in the Berg and Olifants Doorn, which, following disappointment in official Catchment Management Agency (CMA) establishment processes ten years ago, have all but disappeared. Some Forums exist in unfamiliar forms, for example the Water User Associations (WUAs) which act as Forums in the **Breede-Overberg Catchment Management Agency (BOCMA)**. A range of Forums exist across provinces and Water Management Areas (WMAs). They also exist in contested spaces, where there may be reluctance to share information, as mandates, powers and budgets shift slowly from regional Department of Water and Sanitation (DWS) offices, known as 'proto-Catchment Management Agencies' (proto-CMAs), to new CMAs, as these are established. The fortunes of CMFs are closely bound up with those of CMAs, and are likely to become more so.

This project—WRC Project K5/2411—accompanies and supports the DWS project to revitalise Catchment Management Forums (CMFs). The DWS project flows from commitments within the National Water Resources Strategy (NWRS), namely:

“The Catchment Management Forums will be established and utilised to strengthen participation of communities and other stakeholders within a catchment management.

This approach will influence strategies to be adopted in ensuring sustainable management of water resources. The National Development Plan (NDP) supports active citizenry and emphasises that the state cannot act on behalf of the people—it has to act with the people, working with other institutions to provide opportunities for the advancement of all communities. This is a critical approach; it underpins and is supported in the National Water Resources Strategy 2013: 15 (NWRS2).”



The revitalisation of CMFs is based on the new draft policy position within the Department of Water and Sanitation (DWS), 2014 which envisions the CMF role to in this way:

“From the perspective of DWA, the role of Catchment Forums (CFs) is to act as a communication channel between catchment residents and local government, municipality and other institutions. Catchment Forums can also be educational bodies, watchdogs, and initiate organisational structures for activities in various catchments within South Africa. It is proposed that CFs become appropriate vehicles to foster cooperative governance between the CMA, local government and other stakeholder interest groups, in the interests of integrated management to support Water Resource Management (WRM).”

Such activities could include monitoring, river clean-ups, catchment care and land care that could be voluntary or that could compensate participants within a public works format. The draft new vision also sets out a route to accomplish this, namely:

“The Department of Water Affairs expects Catchment Forums to ensure that a balance is found between the strong, frequently well-organised and resourced ‘voice’ of large-scale water users and relatively under resourced, less represented and organised small-scale water users. To unlock the effectiveness of Catchment Forums, the following is recommended, in order of priority:

- a] Legislative review to re-translate the cooperative model of catchment Forums.
- b] Establish a regional steering committee in each DWA region to coordinate the revival and revitalisation of CFs in their respective catchments.
- c] One or two member/s from each DWA regional steering committee to form part of a national reference group to;
 - i] Formulate a strategy for revitalising the establishment and existence of CFs. The strategy should have a financial and non-financial support model for CFs,
 - ii] Advocate CFs establishment,
 - iii] Create incentives for C Fs establishment, and
 - iv] Foster interdepartmental relations to support CFs.
- d] If the cooperative model is adopted, there should a variety of government support.”

The Forum of Forums meeting responds to this agenda with its emphasis on co-operative governance, an active citizenry, and the imperatives of historical redress, building participation and voice for all groups, and the fair and sustainable use and protection of water resources.

1.2 Conversations

This project is based on the principle of dialogue, namely that “what you say can change my mind”. Our starting point is that people currently involved in the CMFs—as well as people who should be involved, but currently are not—need to enter into dialogue to support and help shape the revitalisation of CMFs.



There are a number of conversations that are ongoing, or beginning now:

- A long lasting conversation about participation in Integrated Water Resources Management (IWRM) in the specific arena of CFs, (the Synthesis Report focuses on this), which gives us the opportunity to explore the nature and dynamics of IWRM and its reception in South Africa since 1990. Here the conversation is at the level of meanings and the use of concepts, intellectual and political strategies, and an understanding of history.
- A conversation with current participants in CMFs, and the CMA officials, and the DWS (proto-CMAs in provinces or DWS regional offices). These conversations have been initiated through the regional research; they draw on the many conversations that have taken place within Forums and are still taking place—including how participants experience the current functioning of the Forums, the institutional architecture (underpinned by policy, legal and other rules or frameworks) within which they function—e.g. the responsiveness of DWS and others to issues raised in Forums.
- A conversation in which some people “who should be participating in Forums” but are absent, are drawn in. It is about understanding that absence, what the interests and agendas would be, how the Forums need to change to become inviting spaces, and how that absence was created and could be absented in turn.
- A conversation about how water resources governance articulates with other national priorities, especially those that depend on water, such as agriculture, industry, water services and livelihoods, particularly the interests on which local government is focused.
- There is also a conversation with a huge literature in the field (see the Synthesis Report, Munnik and Price 2015). A large number of consultants and researchers have worked in this area and have created much of the knowledge we are using here and with whom we want to engage. Our intention is to help create a discussion which can serve as a pragmatic but principled basis for action.

The Forum of Forums (FoF) was based on the intention to share these conversations, and encourage them to continue.

1.3 Eiman Karar: Introduction

The workshop started on the morning of 12 October with an official welcome by Eiman Karar, WRC manager in charge of this project:

“Thank you all for being here. Thanks to Victor and his partners, the Association for Water and Rural Development (AWARD), Rhodes University, and colleagues from the Water Research Commission (WRC)—Virginia and Zagry—and of course Joan, all of whom have been extremely helpful. I have only a few introductory words, a few thoughts that can guide and influence the way that your engagements happen during the course of today and tomorrow. In this context of localised management there is a broad research portfolio. We are now taking a participatory approach to research. The WRC has a portfolio of research that looks at the CMAs—the level where the WRM mandate is delegated. Within that portfolio we look at:

- Pricing as a policy instrument to influence behaviour;
- We are also looking at the legal provisions, the National Water Act (NWA) and the Water Services Authority (WSA) and other related legislation. There is a body of research that tries to understand the limiting and enabling aspects of legislation. Do we have enough legal people who are well enough versed in the legal aspects?;



- Another component is the transboundary issues. We need to understand water diplomacy at the highest level down to the most local level; and
- There is also a big role for advocacy and compliance with the different laws and the reforms. This is possibly our biggest weakness—enforcement and compliance of the good things that we have, be it laws or whatever. We look at the governance. It is critical. It involves changing mind-sets. We have a role together with government, which is responsible for implementation of laws. We need to internalise the importance of our role in this. It is critical.

We are trying to work out what is the best constellation of platforms to allow citizen participation. This is why this project is so important. The CMAs around the country are not well understood or articulated in our laws and we feel that the time is now right, together with the DWS, to articulate an evidence-based suggestion for the best way forward for the CMFs. What can we recommend to those revising the law? What is the best way forward?

There is currently a new White Paper on the way. We are trying to interface the research into the policy process. When we look at the discussions thus far, there are a couple of points that we need to be looked at: Who are the local participants? We need to challenge ourselves: do not just look at the institutional arrangements, but also at who has been missed out? Look at equity, for example gender equity, and the representation of different interest groups.

Another issue is the importance of seeing how CMFs evolve in space and over time. Perhaps they start on one small issue but grow bigger. The evolutionary path is also still an institutional gap that we have. When and under what conditions should we start seeing those emerging? If we decide that WUAs are not going to exist anymore, how do we then interface between the CMAs and the CMFs?

I would like to thank again all of the team. It has been a partnership throughout. Thanks especially to our shareholder, DWS, who is the main partner in this. So, I wish you all the best for the next two days.”

1.4 Dialogue means “I can change my mind because of what you say”

Dr Victor Munnik, the project leader, welcomed everybody:

“I hope your time and effort in the next two days will be worthwhile. I remember that around 2007, I had discussions with Marc de Fontane and Garth Barnes, about a Forum of Forums, and I am happy to see them both here today. Other participants like Thabang Ngcozela, Bryan Ashe and Samson Mokoena were together at a Citizens Assembly on Water Quality, in 2011 next to the Vaal River, which was also attended by DUCT. So it is my hope that a working group forms today to organise the next national Forum of Forums, and that it becomes a regular event. We have a huge task in front of us, because Forums will only survive if led by citizens.

Many thanks to all who made today's meeting possible: Eiman Karar and the WRC, Joan Cameron and Zagry Scholtz. Our Forums project research team Jane Burt, Leigh Price, Garth Barnes, Sysman Motloun, Derek Weston and Derick du Toit, and Lindie Botha. Thanks to Matome Mahasha for accompanying this project as an open-minded official. AWARD and USAID for supporting the work, and supporting participation from the Olifants, Limpopo and Inkomati catchments. Thanks to Rhodes University and Unilever for supporting Eastern Cape participation.



Our speakers and all our participants. And anyone I have maybe left out. In the next two days, you are invited to share experiences and connect. To engage with current plans to revitalise CMFs. To comment on current research, and, most importantly, to co-create recommendations for the revitalisation of Forums.

This meeting is a dialogue. Dialogue means “What you say can change my mind” (M.M. Bakhtin). Or, I’m listening with the possibility that you will change my mind and that I will act differently. To do this you need to listen in a very quiet manner.” Constructive criticism has the intention to fix things, not to make the person feel terrible or start a fight. We are asking for constructive criticism: what do we learn from past difficulties, and what can we do to make the future different. Under the Chatham House rules, contributions to this meeting are not tied to people’s names, so that all of us are safe to talk openly. This will also be the case for discussions reported from this meeting. Please also don’t quote by name what participants have said in this meeting.

The flow of the programme is that we will play a game or two to relax and connect, and then do serious work. Our first session will consist of people coming from organisations, who have already done the things that a model forum should do, as envisioned in the DWS revitalisation project.

So we have asked

- a] The Inkomati Usuthu Catchment Management Agency (IUCMA) to share with us how they already give support to Forums in their area, as part of their daily work and through a dedicated team;
- b] We have asked for input from Rand Water which has supported CMFs in the Upper Vaal for many years, and have also done specific research into the logistical aspects of Forums, as well as agendas and topics, to share their insights;
- c] The Duzi Umgeni Catchment Trust (DUCT) is here to explain their approach to citizen science and the implementation of river care and other activities that already respond to current proposals;
- d] From our team, I will give a short overview of our findings (these are in documents circulated to you before this meeting);
- e] Also from our team, we have Derek Weston (Pegasys) and Derick du Toit from AWARD to present their policy analysis of the DWS recommendations (also circulated to you). These recommendations will be updated after the Forum of Forums; and
- f] And we welcome Matome Mahasha from the DWS who is here to guide us through DWS positions and thinking.

After the presentations we will have time for questions and to understand where the policy debate is currently, regarding CMFs. And then after lunch we will use Open Space Technology, in two 90 minute slots.

What is Open Space Technology? In your invitations, we provided links to websites that explain it in more detail, so please look it up. The idea of this facilitation approach is that participants themselves select priorities, create working groups and thereby establish their own agendas.

How does it work? Like this: Any one of you can propose a discussion and find out who else is interested in it, by “advertising” it in plenary. For example, some of you may want to form the organising committee of the next Forum of Forums. Or you may want to make sure that forums are welcoming place for participation by rural communities, or small scale farmers. You may find that someone else is very interested in your topic or that more than one of you have selected similar topics, so it would make sense to merge your groups.



I'm mentioning it now so that when a topic comes up and it grabs you, you can make a note of it and think of how you will formulate it. Tomorrow morning groups will report back from the first Open Space Technology session, which will be more explorative, and then we will do a second round with the focus on creating recommendations.

Participants then undertook two exercises: identifying the roles that each of them usually play in a team (using Belbin roles), and sharing all sorts of confidences in duos.

2 Building blocks for CMFs: Sharing experiences of supporting Forums

2.1 Victor Munnik: Insights from our research into Forums Revitalisation

We have distributed the results of our research to you before this meeting, but here is a summary of salient points:

In our survey, we counted 81 Forums, with very different histories and regional characteristics. Please comment on our survey where we misunderstood what we saw. There is definitely an absence of some sectors of society, and their agendas.

In our overview of the literature on this topic, we have argued for a principled pragmatism—be practical, be principled, hold on to democratic ideals of people's governance of water. Leigh will talk about this next.

We found that there are specific requirements for the functionality of Forums. Based on our regional research and analysis, we propose five levels, which are:

1. Logistical functionality:

Being able to meet physically, and exist as an ongoing institution, which includes issues like transport, logistics, invitations, (and may include stakeholder scoping and support).

2. Communicative functionality (or voice):

Being able to participate in terms of voicing local concerns and issues, local agenda and drawing on local knowledge to articulate issues.

3. Functionality as a Community of Practice:

Being able to function in the manner of a Community of Practice, with proper facilitation and discussion of issues, and which functions as a learning organisation.

4. Power to Act:

A functionality which means being able to act in terms of the IWRM and South African Water Act agendas. This includes decentralisation, transformation and sustainable management of water resources, such as actions to regulate water use, acting against abusers and effecting water reallocation.

5. Institutional resilience:

A functionality which means the CMF occupies its place—sustains and defends its role and mandate—within a dynamic constellation of organisations in an institutional field which has broad, multi-scaled legitimacy, because of both broad representativeness and relevant action, including against the pressure of other strong players such as big water users and provinces.



2.2 Leigh Price: Report back on literature analysis

As part of the project we did an overview of the literature on Forums and IWRM.ⁱⁱ It is very clear that there are changes over time in how the government perceives IWRM. It is clear in the changes in terminology; for example, that they initially talked about IWRM, but now they now talk about WRM. The aspect of integration has been lost and that represents a shift in attitude towards the whole process.

It is also very clear that a ‘market-isation’ language is coming through. So the latest NWRS calls Forums a place for community to “buy in” to government plans. What this implies is that government already has an agenda, and they just want Forums to buy into it. The early language was clear on participation. This has been eroded over time so that now there is much less participation.

This language is also coming through in the academic writing on this topic. There is also a call for more centralisation. There is a language which says we need to be pragmatic, that we have been too idealistic up to now. But in the confusion of what that means—what does it mean to be pragmatic?—there is a tendency to argue for more centralisation. The argument for that is coming from within the Forums themselves. When participatory Forums were set up they were co-opted by dominant white groups and also people representing the interests of power. The government also feels let down by this process, so this has been an argument for them to re-centralise. Academics are, as we speak, calling for greater centralisation because Forums are not representative and Forums are being side-lined. This is a real threat to Forums.

In conclusion, we need to be more pragmatic but this needs to be a principled pragmatism. We need not give up on the ideals of a participatory democracy.

2.3 Hasani Makhubele, IUCMA: institutional development and stakeholder engagement

I am working for the Inkomati- Usuthu CMA. It is the oldest CMA in the country. I'm happy to have some members of the governing board and members from CMFs from the Sabie and the Croc, here today. So whatever we are trying to say here, on how we support CMFs, it can be backed up by those I work with. We are one of only two existing CMAs in the country and we have been engaging with citizens and affected communities. My presentation will look at how we are geographically set up, the current state of CMFs and the IUCMA's role in supporting CMFs, and how as an institution we perceive our role.

Look at the map, where we you can see the Inkomati-Usuthu WMA area. After the reduction of CMAs down to 9 (from 19), the area of Usuthu was amalgamated into Inkomati and a new board was put in place by the minister. One of our characteristics is that we are not only managing within the geographical boundaries of South Africa. We have some rivers that flow into other countries, that is, Swaziland and Mozambique, so we are a transboundary organisation. We are required by international law to interact with other states.

The NWA says that all water management institutions should enable citizens to participate. We are creating platforms so that everyone who is affected knows what the CMA strategy is. Its key strategic objectives are, how best can we sustain the water resources in our WMA?



We need to ensure equity and for promoting equity you have to have everyone sitting around the table. Achieving equity is a key principle.

On the current status of CMFs: We have six Forums that have been established in our WMA. Look at the map: there is the Sabie, Sand, Croc, Lower Komati, Upper Komati and Usuthu. These six sub catchments have full working committees. The Croc Forum was established in 2006, as the first one. So we have done a lot of benchmarking. When we further established others we were looking at best practice from the Croc Forum. It is still taking the lead by being innovative. On the Croc Forum committee we have scientists and engineers who have a passion for water, so we encourage other Forums to follow their lead.

All committees are comprised of a chairperson, deputy chair and coordinator. They are nominated from different sectors. As the IUCMA we keep the secretariat function, because the other positions are not filled by full time people. Our full time involvement as IUCMA ensures communication. The (IUCMA) coordinator ensures that stakeholders are coordinated and disseminates information. She or he coordinates agenda items. If you look at the six Forums, the issues that form part of the agenda might not be the same, as the agendas are influenced by what is happening in the area. For example, the Upper Komati has coal, so these things receive priority. There is an annual schedule according to which meetings happen bi-monthly, for all six CMFs.

One of the five divisions within the IUCMA is Institutions and Participation (I&P), whose main role is to coordinate activities of CMFs. Every two months all the divisions - not just the I&P - report back to the Forums about what has happened in the last two months. They will be affected by the DWS policy review.

We assist Forums in establishing task teams. The first task team is in the Upper Komati and looks at acid mine drainage. We are going to establish similar task teams in all areas.

Stakeholders that participate come from a wide range of backgrounds, and we also have international organisations. How do we perceive the CMFs? This is a platform where everyone can raise a voice and have issues heard, especially at a time of policy changes, and where information can be shared.

Some of the successes: We have ensured that all municipalities within the boundaries are participating. Some were reluctant to come. The SA Local Government Association (SALGA) are currently developing a framework on local government in CMFs.

In the Forums, people are able to give us information, including whistle blowing, on issues like illegal sand mining and illegal abstraction of water.

Victor: There is an opportunity now for follow-up questions, but please keep the big questions for the Open Space.

Q: According to section 19 of the NWA, if a polluter does not remedy pollution damage, DWS may remedy and ask the money back from the polluter. Has this ever been used by the IUCMA?

A: No, we have only been given full delegated powers in February.



Q: When the committee of a CMF is elected, how is the election conducted so as to ensure all the stakeholders are considered?

A: Representation is broad based. We advise that the committees reflect the different sectors. We have developed Charters for the Forums which give timeframes, so members step down and new members can be elected when there is time to elect new committees.

Q: Is there sufficient representation of all voices?

A: We keep a database of all stakeholders which is classified in terms of sector representatives. In some areas there are high numbers of Historically Disadvantaged Individuals (HDIs). Others are different, so it depends on the area.

Q: Who is monitoring the CMF? We find that some are chaired by government.

A: The IUCMA only does the secretariat function. In the Croc Forum it was decided that government was not allowed to be chair, it must be a private person.

Q: Can you say what different sectors are represented?

A: In the Croc Forum it is private engineers, others—farmers, mining houses.

Q: I am very aware of the Waste Water Treatment Works (WWTW) in Bushbuckridge which is leaking into the Inyaka Dam.

A: Yes, there are issues of non-compliance. Some municipalities have been taken to court.

2.4 Marc de Fontaine, Rand Water: Experiences of catchment Forums

The fact is, we need to account for the time that we are spending in CMFs. There is a difference between the volunteer participants and the paid participants. In the teamwork exercise earlier, I was a Shaper—which means that I can be insensitive. I might make harsh statements but I think we need to be realistic and discuss them. In 2010, we were sitting in a meeting and I spoke to my work colleagues and said that we need to get a handle on what people think about the CMFs. We hammered together a simple assessment at Rand Water about the feelings that people had at that time about catchment Forums. We collated the data from our survey. It was five years ago, and we have moved on from there.

We recorded three aspects of participants: your sector, your issues of concern and your solutions, that you expect to be done in the short term to the long term. We have a wide variety of people attending, a broad spectrum of people. This survey was done on the four catchment Forums of the Vaal Barrage Forums. It is interesting that the best representation was by the businesses, with economic agendas in terms of water use.

In terms of what are your issues of high concern were—the answer was that every issue was of high concern (laughter). People wanted their high issue of concern sorted out in the short -term. Many times people complain that nothing gets done. The response would be to give the CMFs respect and send people to them that can actually get things done.

The outlier issue was the Minutes. It is not a simple task. But the information must be recorded correctly as the Minutes are the basis of any way that you go forward. Another problem is that there is a high turn-over of staff, so people rely on the Minutes to account for the information and the decisions. The information is technical, flow rates, mapping, and capturing that information is vital.



Sometimes if you read Minutes you can have no idea what actually happened in the meeting. So little things can make a huge difference. I was very sad to see the low level of confidence in the meeting Minutes.

So the outcomes of the survey show that there are problems in terms of:

- **Administration:** It's a voluntary organisation.
- **Communication:** Disconnected stakeholders. It requires a lot of work and effort. That depends on who is on charge of the Forums—are they capable?
- **Institutions:** The CMA establishment—when is it going to happen? Although it is not the panacea for everything.
- **Minutes:** Need a technically aware secretary to take minutes.
- **Participation:** We need to have accountable participants—some just do not pitch up—if you can't come, send someone who can take your place.
- **We need committed stakeholders and leadership. Big problem:** stakeholders have no say in the allocation of water licences. For example, for three years Blesbok requested licensing documents from government. We were told to do an application through the Promotion of Access to Information Act (PAIA). When CMFs want to get involved in licence applications, we are told it's an issue between the Department and the water user. This needs to change.
- **Technical:** We are dealing with Forums that require specialist knowledge. Should we find ways to train people to understand the technical aspects of the meeting - to allow them to make valid inputs in the meetings? By the same token we should all recognise that the forum is there to discuss forum related issues.

What we heard from participants was “same old same old,” there were no new things and no new outcomes. We attend forum meetings because we want to get something out of it: reduce pollution, public participation for the EIA. Some come because they need a water licence. But the CMF is at the bottom of the food chain. We don't get the recognition from the top level for what is required to make a CMF to be sustainable. It is actually not what happens at the meeting that matters most, it is what happens in-between. A well organised group of people will be engaged and will return to the next meeting. So the chairperson should be able to engage the stakeholders, do internet research, keep the stakeholders informed.

It is important to understand, when looking for example at the new Vaal CMA, which is such a big area at the position of someone who lives in a shack in that catchment. How does that person get relief when you are dealing with the 9 huge proposed CMAs around the country? The scale seems unfathomable. The person may want to be involved to address their lack of water etc., but how? It is hard for them to get there. We should not turn that stakeholder away because of the scale of the CMAs. The capacity is lacking for civil society to be involved. The DWS has said there is no more funding available for transport.

Finally, the CMF should not be a bun fight. You should not fight with the structure, or you will never achieve your objective.



2.5 Mark Graham, DUCT/Groundtruth: Citizen science and river projects

This is the Mduzi catchment and what it looks like under natural conditions, but it has changed dramatically, what is left of natural area is small, most has been modified. It has lots of value, different values, including spiritual value.

How do we treat our scarce water resource? DUCT started with a bunch of canoeists who realised that they were not happy with what was happening to the river and asked “What can we do?”

We have got the constitutional framework which provides the background to what we do. If we unpack the NWA, we see that there are activities we should be doing but if we look to the NWRS2 there are a couple of statements that are key: civil society's watchdog role, citizens seek opportunities and raise concerns. What DUCT is looking to do, is to translate that into action.

Our rivers are part of highly regulated systems. There are lots of alien weeds—that is a big issue. Waste management is important, and we catch and remove solid litter. Surface runoff is full of rubbish. There are surcharging (leaking) sewers. There are many places in the rivers where e coli exceeds 10 000. Even with DUCT's best efforts these are still going up. It's a question of what would the situation be without DUCT's efforts? The Inanda dam suffers from eutrophication and water hyacinth. We see sand mining.

The mission of DUCT is to champion the health of the uMsunduzi and uMngeni rivers. DUCT is a non-governmental organisation (NGO), there are directors who volunteer their time. Focus areas are solid waste, faecal waste, industrial pollution, invasive aliens, waterborne disease, soil erosion, regulation of sand mining, minimum flows, and facilitation.

We are organising people to remove car wrecks from the river, put in trash booms, do river clean-ups. We engage with schools, publicise the work and the issues, raise awareness of top soil erosion, train community members on how to build structures. We undertake alien weed control, and coordinate water hyacinth control

We have undertaken a case study of a WWTW: DUCT is paying a local person to monitor the outflow after the WWTW three times a day. She has a calibrated tube to see if the clarity (also called turbidity) of the water is meeting DWS standards. It is often non-compliant so it has allowed us to build scientific data to add to pressure in advocacy work.

Citizen science work is done using the Stream Assessment Scoring System (SASS), the results of which are then posted on a public access website. We have undertaken river walks to build up a picture of what the issues are. It is like a cardiograph of the river and its health. We promote people's involvement. The big picture is that there are 26 000 schools and they are close to rivers. If we linked them to a local river you would cover around 50% of all our rivers. We have developed a smartphone app to capture mini SASS data in the field.

Together with the World Wide Fund for Nature (WWF) we are facilitating a project called ‘the journey of water’. The project produces stories of hope: of environmental champions—people in local communities and township areas—who organise and give structure to such activities. We provide mapping facilities and try to get to the source of problems, we encourage enviro champs to get things changed. So we are focusing on information as an agent of change.



Q: How do you regulate the sand mining?

A: This is difficult. We engage with the Department of Mineral Resources to force them to do their job. It is a challenge.

Q: Which equipment do you use for monitoring and what do you monitor?

A: We use the biological picture (identifying which sensitive species are present in the river), to determine river health, we are also using suspended solids but in citizen science we look at other parameters.

Q: Is DWS included in Forums?

A: Very much so. National and provincial. They are a critical presence in the room. The organisation should be praised for doing such a great job. The Forums should actually start getting more active. A concern is that a lot of people are leaving and that people only go to Forums to make political statements and not do anything. Delegating duties is a great idea and people should get out of their offices and do the work themselves, so as to encourage people. As we say: "Take the high heels off and do the work."

Q: When we look at wetlands, in my understanding there is a spiritual world, a natural world and a social world. How do you deal with this when people are supposed to be included?

A: The enviro champs, the model in the township areas, are paying attention to local knowledge, which includes awareness of spiritual aspects.

Q: An example is the Klip River that comes from Soweto, where people used to be taken in, and the children disappear because of the spiritual world; and elders should have been taken to the area.

A: The SA Water Caucus is discussing similar issues about spiritual aspects and those relationships and it may be possible that you form a discussion group.

3 Progress & policy positions in the revitalisation of Forums

3.1 Matome Mahasha, DWS: leading the revitalisation project

I will do my best to respond to the questions from earlier. The DWS used to be called DWA. So now it also looks at sanitation issues. So please do not look only at issues of water, we also need to marry issues of sanitation with the whole picture.

Since we now have an NWRS2, the DWS has been trying to ensure that the regional offices implement the NWRS2. The NWRS2 has a "verse" that indicates the strategy advocated for the establishment of Forums. What is important is that since 1998, when the Department became what it is, it has always taken a keen interest in supporting broad-based participatory processes. In the early example, such as the Crocodile Forum, the DWS realised there is a lot of potential in these Forums. Two years ago the DWS decided that they wanted the Forums to have a clearer role and to work very closely with all the water sector stakeholders. Even if the Forums are non-statutory, they are recognised by the Department to ensure that we really improve our IWRM. One of the important aspects of the Forums is that they allow for broad-based participation. So we want to bring on board other structures, such as NGOs, to work with the Forums. We believe that such collaborations will strengthen the Forums. We also want to see the redress of past inequities through multiple stakeholder participation.



The Department will marry Water Services with Water Resources Management, so that there is no longer a disjuncture between the two functions. This will ensure the Department will also be there with the Water Boards and others, to ensure that wherever there is information from the Forums, the issues can be escalated to the relevant institution within the water sector.

Another aspect is that we want these nine CMAs to be a key to ensure the sustainability and the relevance of the Forums. We are now going to mandate that the Forums play this role. These Forums will work very closely with the CMAs. Where it is appropriate, CMAs can even delegate certain of their powers to the CMFS. These CMFs will now have to work in a different, more accountable way.

We are also trying to ensure the legalisation of the CMFs. DWS has already started to ensure that a new guide is going to be developed that will give a picture of how to establish a CMF and to ensure that these Forums understand the roles and how they can best serve the water sector. Also, the CMFs can be dissolved if they feel they no longer have relevance. Currently the legislative review is taking place. The draft NWS bill, in its last paragraph, states that the integrated management of all aspects of water resources will be strengthened and that this will be at regional and national levels. Chapter 9 of the bill talks about the CMAs and how they must support the CMFs and the legal participation of the CMFs. It is this draft, if it is adopted, that will have a sub-chapter which will mean that the CMFs are recognised by the law. Even though they are not statutory. But a lot of capacity building will be needed. We also want to engage other relevant NGOs, e.g. DUCT and AWARD, who may have the funding who could help with capacity building.

The last point is that within this Bill there is also “economic and social regulation”. Through social and economic regulation, we can use the concept of the citizens’ voice, addressing complaints, which is a role for CMFs. We also want to see more involvement of CMFs in ground water issues. We also want to bring on board other Departments. We are hoping that when we bring them on board they might bring resources to give more support to the Forums. The department also currently has provincial water sector Forums. These water sector Forums are attended by premiers or mayors. Any problems not addressed in the CMFs can be escalated to these Forums. So in this way the CMFs are given support. In case we do not have the political power to help, then those high level forms can help.

Water and environmental management is everyone’s responsibility. I believe all the stakeholders can work together, not as enemies, but as partners, social partners. If we work together we can address the challenges that the government and the country are currently facing.

3.2 Derick du Toit, AWARD: Policy specialist on the team

This Forum of Forums is a national opportunity to strategise: how are we going to respond to the many questions we face? This talk is an attempt to surface many of these questions and provoke discussion around them.

What do policies mean for those of us who are trying to self-organise? We are not under any particular umbrella, we are a group of people. What am I doing here in this forum, no one takes our inputs seriously, why all these presentations? It is a bit annoying always to be spoken at. The standing items on the agenda should not be the main things on the agenda.

What kind of tensions are we likely to introduce when we are looking at a forum that is looking at water services AND water infrastructure?



The heart of the whole process is the CMA. It poses a question, can CMFs be statutory? You have advisory committees and WUAs, which may be exterminated. WUA members often operate in a big infrastructure. So who is going to take over their responsibilities? These are big questions that Forums need to be ready for.

What do task teams mean for CMFs to function? There are some experiences from Forums.

Some Forums have existed for some years, but now there are new Forums emerging. In terms of members per sector attending Forums, we see that government departments are the majority attending, community members are literally crawling in and are not well represented. Forums are largely dominated by the Department and the agricultural sector, municipalities, the CMA. You expect to see them there but do they dominate around these issues? What about the spiritual issues? Forums are largely dominated by big users.

Attendance registers from 2008–2012 show that attendance is very low when rivers are flowing very high, and when rivers are low that is when people participate. We are looking at continuity and getting people involved in water management with continuity.

What is the legal status of a Forum going to look like? They don't have statutory status, but what stops a Forum registering as a Not for Profit Organisation (NPO). Why not? Why are they looking to the Minister of the DWS to sanction their status?

There is a problem with the consistency of approach. If Forums are so disparate—some are legal and some not—how do other institutions fund them? How do they support them? Specifically, if you want to support poorer participants ... no one is going to give money to a volunteer organisation for transport.

The Forums do not know what they want to do. They talk about problems but they don't do forward planning and think about what they want to achieve. They are largely issue driven, mainly by water quality and river flows.

Who is the lead agency of Forums? Should we have not only chairpersons but also have facilitators? We have to decide, because Forums are currently not facilitated according to guidelines. How do we ensure balance? What is balance? Have we got a balance? Do we have to come with our masses?

Who is going to do the dirty work? If you don't do the admin around a Forum it is not going to flourish. What is the role of the DWS? Do they come to these things as specific function? Do we say you can come, but your role is this—or do they tell us what to do? Do we have agency?

Funding concerns show in the transport issue. We can't keep having meetings in big towns and forgetting people in rural areas.

AWARD has a programme looking at Forums in the whole Limpopo basin. If you don't think of the system then you will complain about small issues, when the problem is somewhere else. What does your system look like?

We've looked at the idea of having a Charter, or Terms of Reference, for ourselves. This would include “this is what we can reasonably tackle”—a long term vision which is not just about small issues. People will bear out that these issues will come closer together and there will be a crunch—can a Forum manage this?



We are looking at a big Forum, the Lower Olifants and then sub-Forums that are volunteer based and collaborative. We are piloting a Charter for ourselves with a Vision and a Mission, looking at how we can help develop institutions like the CMA, how we respond to Water User licences and objectives. How do we support actual management activities? How do we support Integrated Development Plans (IDPs)?

We have scoped responsibilities. Disseminating information is the current hot favourite activity. Geographic presentation is important. It is critical to include all villages in hydrological areas.

We looked at the structure of Forums, and the functions of Forums: at the full water management area coverage vs various Forums, informal vs formal status, open or closed membership, geographic vs technical focus. And the need to have a structure that ensures robust decision making.

Who do Forums report to?

Who do we look to for accountability?

Who do we link up with?

Do we report to business Forums?

We need to find a niche for where we send our messages. We report to the CMA but is that the only place we want to report to? We want to recommend a legal status to strengthen representation. What kind of legal status are we seeking to get legal recognition? Forums need to be more consistent and have a proper Secretariat to maintain administrative stuff. Are we talking of consistency at the Forum of Forums level, or Forums on the ground?

4 Prioritising and exploring CMF issues using Open Space Technology- Day Two (13 October)

During the last session of Day One, the group used Open Space Technology to prioritise and explore issues concerning CMFs. This technology gives participants the space to self-organise and self-prioritise the issues of most concern. Day Two started with a report back on the results of the explorations the previous afternoon. Participants were invited also to mention any new thoughts or questions that had emerged since Day One.

4.1 Issues emerging from group discussions

4.1.1 Language

Not being able to speak the language leads to people being marginalised. Forums need to stipulate that multi-lingualism and accessible technical language are two critical issues to take forward. Technical language needs to be translated into language that people can work with. It is not just an issue of different languages, but the way in which technical language locks you out. Also important are capacity issues, how we build the Forums and how we operate.



4.1.2 Transport support for community based organisations

How do we deal with logistics and administration, to make sure that we get everyone to a Forum? Suggestions: Have a support secretariat within the DWS. We need key people who are good at this job. We need to up our game.

4.1.3 New Water Bill position on CMFs

The new Water Bill and how it treats CMF issues is a key question. Are things we are raising at Forums being addressed by the new legislation? Are we seen by the bill as Consultative Forums, or are we being recognised for the sort of things that we want to do? Do we want to be wall flowers that just okay things that the Minister brings to us?

4.1.4 Citizen science and culture

How do we include culture as well as science? Science is also a culture, so how do we bring these different cultures together? We have retired scientists and lawyers who would like to be involved.

4.1.5 Focus on cultural and spiritual issues

Cultural and spiritual issues are key to the success of the Forums.

4.1.6 Emerging farmers

Emerging farmers are one of the groups being neglected in water planning. Forums need to remind others—like the Water and Agriculture Departments—to take this issue forward. We cannot just watch the big players corner resources. Emerging farmers are not the only ones that are being ignored.

4.1.7 What happens between Forums is important

Forums should be more about what happens away from the Forum, and when we have Forum Meetings we are regrouping.

4.2 SA Water Caucus (SAWC) presents eight discussion points

Members of the SAWC met the previous night and concluded the following. The Caucus sees these as demands, more than resolutions.

- 1] Capacity building for communities, with a clear budget from DWS. CMAs and NGOs in CMF processes should provide support for capacity building so that people can protect their water rights.
- 2] To be sustainable, there should be a bottom up approach, so that previously disadvantaged groups can participate and use African languages.
- 3] Every CMA business case and business plan should have a clear plan to support stakeholder participation.
- 4] Encourage the model of the IUCMA (specific support to CMFs within CMA) to be adopted by other CMA's in the country. CMFs must be statutory bodies.



- 5] There should be clarity of policy processes and transparency in policy roll-out. In terms of the CMA roll-out process in the Vaal catchment, we are receiving reports that processes are stopped or stalled and no communication as to why these processes have been stalled.
- 6] There should be clarity on institutional realignment processes, for example, the role of Water Boards.
- 7] There should be clarity around the new Water Bill. How is civil society going to engage in that process? We are in a period where government might let civil society slip.
- 8] The recommendations of this group should not be just recommendations—they must be regulations, so that they regulate CMFs, and become law so that the Department is forced to implement them. If they are not law then the DWS can ignore them.

Explanations were given for the above points, including that members of the SAWC have been participating for years in different DWS processes, such as institutional arrangements and other policy processes. And then, all of a sudden, there is silence and you don't know what is happening. An example is the CMA process in the Upper Vaal. We are not told what the status of the process is. This applies to all policy processes. We don't want policy processes that exclude us. Government needs to release timeframes of the policy review so we can prepare ourselves. We do not want a release over Christmas time when people are not mobilised to respond. We are in a very unclear information space. We are asking for clarity about the CMA roll-out process. What are the proposed changes to the structure? We are hearing strong rumours that there are movements in place from nine to one only.

4.3 Plenary discussion on emerging points

4.3.1 CMFs need to be made accessible

The word accessible means a lot of things and we need to come closer to what we want to say. We need popular booklets so that people can relate easily to issues. We need a whole new point of departure focused on people's concerns—Forums should be people friendly and everything needs to move from there.

4.3.2 Forums need to deal with water use licences

Forums need to be able to make inputs into Water User licences. We need to follow the entire process and have access to that. It is time consuming. We don't necessarily have the capacity—we will develop it—but we should have automatic access to all documents around water licences to Forums.

4.3.3 Capacity building

We need to unpack what capacity building means. In government capacity means getting skilled at things, but in the community it is about being able to understand the information that is available.

4.3.4 Spiritual groups

Spiritual groups in particular need riparian access. Almost all the banks along the Vaal river are private property.



4.3.5 Funds and partners

There are things that Forums can't do because of the lack of funds, like bringing people to meetings and also translating documentation for easy access. Do we have the means to fulfil our vision? It may be that we need partners. We need a discussion about what Forums can deliver, and on the financing model of Forums and projects like Adopt-a-River.

4.3.6 Formalisation and institutional capture

When we talk about formalising Forums and legal status, what we have not thought about is institutional capture (once you are in the fold you tend to follow the fold). The beauty of Forums is that they have the independence to hold people accountable. If you are part of the system it is hard to challenge the system ... where does the CMF fit in the landscape? Is it a civil society organ? What is its identity? Form must follow function. If we become government structures we will unlock some things, but it will restrict us.

4.3.7 How to make Forums representative

We are not getting a handle on how to attract full representivity. How can we work out a service offering to get true representation? What are the things we need to offer? There must also be consistency.

4.3.8 Role that a Forum of Forums can play

We are not sure whether the Forum of Forums can support Forums on the ground. So we are thinking of wetlands and the Wetlands Indaba—is there something we can learn from this? At the moment this Forum of Forums is just this single meeting. But it is possible that this meeting could be repeated, and that it could become a support for CMFs, where CMFs could meet and strengthen each other.

4.3.9 Concerns around the New Water Bill, the process and the place of CMFs in it

A participant announced that she had a copy of the new Water Bill. There are two relevant aspects:

1. I don't think Forums are getting the recognition that we are looking for. They want to stay as much within the Act as possible. In section 81 it says "the board may establish consultative Forums as prescribed". I suppose these are CMFs.
2. Committees of the Board (section 85) may establish one or more committees as it sees fit. This seems to be the only two sections where CMFs also come in.

A participating official expressed the view that however this particular document may have been handed out, it is information that was not updated. It does not include information about the CMFs that had been submitted. It is not clear whether this is not the most updated version, or whether what has been submitted on CMFs has been taken out.



Another participant commented that he was now nervous since the Bill is now in the public domain without the expected detail on the CMFs. If that is what is in the Bill now, the work we have done for the last 20 years is just being thrown down the drain. We believe the political manoeuvres from the top are to make sure we don't have control of the Forums. This allows us to be proactive. Let us come up with a way of saying this is how we want the CMF to function so that when the Bill comes out we are ready.

4.3.10 Other remarks

There is an upcoming review of the Adopt-a-River programme on the 18th and 19th of October. This is an important process because it may provide a potential model around which the Forums could operate.

We need to look at what the specific references to Forums are in the NWRs2, so that we can take this into our discussions.

The Forum must not be appointed by the CMA Board because the Board also is being fiddled with. The Forum must remain independent so it can deal with the government. Who are we aligning ourselves with? There are other projects in civil society efforts that we can align ourselves with. We can use the motivations in the NWRs2, but that strategy is only valid for five years. The effects of the Bill will be long lasting. In five years the Strategy could eradicate Forums. Once you have decided on your function and form, then you can define who should participate. This will define the representivity of participation.

5 CMFs: The way forward, Round 2 of Open Space Technology

5.1 Inputs on the way forward

The second session of Open Space Technology followed. The session kicked off with inputs by Matome Mahasha and Tally Palmer, to stimulate discussions in Open Space Technology. Derick du Toit took responsibility to structure discussions in this session.

5.1.1 Matome Mahasha

What I would like to share now is the vision behind the revitalisation project, that of initiating this whole drive that we wanted nationally for CMFs to be revived and revitalised. We decided to look at those Forums that are already existing, to see the **good things** and the **gaps**. From the inception of this project we decided to develop a more common approach, a common framework for the best way for them to operate.

We realised that it was important to find some synergies between the role that CMFs can play in the process of establishing the next seven CMAs. We had to be fast in ensuring that the CMFs that are existing can be active in the establishment. So once CMA's have been established they will recognise the CMFs as having a role to play.



The DWS is going through an internal transformation, becoming more of a regulator and not a player. Things the DWS will look at are challenges of infrastructure—the Department put efforts into fixing these for the up and coming CMA's issues of policy, including the implementation of current and future National Water Resources Strategies (NWRS). For example, when the Eastern Cape CMA develops its Catchment Management Strategy (CMS) then CMFs will be engaged. The Department will be there, working with CMAs to provide support. Other work that the Department will be doing in terms of regulation, is oversight to ensure that we meet our international obligations.

The CMF Vision is for all CMFs to enhance stakeholder mobilisation and have a broad base of stakeholders on board. To be in a position to provide support for CMAs to play an active role in catchment oversight and monitoring and reporting. CMAs will not be everywhere, so they need local watchdogs.

CMFs should focus not just on issues of water, but also on other water related issues. There are a small handful of CMFs that are involved in local governments' Integrated Development Processes (IDPs) and other activities. Some CMFs have very good databases. They ensure that they know who their relevant stakeholders are, and that they build an understanding of the role each stakeholder is playing, so forum meetings are not just about people coming together but know why they are coming together.

The Forums should not be politicised. We want CMFs to improve governance and issues of accountability. They can be there to ensure departments and CMAs are governing properly.

5.1.2 Tally Palmer: Make CMFs a normal practice

Learnings jump into practice if you can make what you want to have happen part of the general everyday practice that is accepted by society in which you work. You will effect what you want more easily. It becomes an everyday practice, like brushing your teeth in the morning. For example, to get schools involved in water quality, it will be better to integrate citizen science into school lesson plans.

There is a tension between CMFs having a governance role and a statutory role. It affects the role of CMFs in the protection of the marginalised in advocacy. In social and environmental justice we go towards a better society. This tension needs to be navigated quite carefully, so the institutional space does not close off individuals' capacity to exercise their advocacy and protective roles. To make CMFs business as usual may be a valuable step.

We need to see the concerns expressed earlier in this meeting against the history of the water sector. If someone said today that South Africa is going to move towards an autocracy there would be revolution. The suggestion of moving away from CMAs and CMFs is that serious. We fought hard for the hydrological cycle to be the unit of water resources management and for the representative process today, through CMAs and CMFs.

Add to the idea of principled pragmatism the idea of principled practice. We need to point to our achievements. In the IUCMA we have evidence of principled practice. It is possible to take it forward and alert government to the seriousness of messing with these.



5.1.3 Derick du Toit's framework

Participants proposed discussion points, these were projected and reorganised in plenary before breaking into discussion groups. Derick du Toit's feedback was incorporated into the next session, as the framework against which the final section (5.2) was developed, together. The framework was projected onto a screen for all to see, and as participants reported back, the slots were filled in, as below.

5.2 Feedback from Open Space Technology 2

5.2.1 Catchment Forum Indaba (continue to meet as Forum of Forums)

- Forum of Forums work to continue
- What entity to keep the momentum?
- Space for drawing in the CMFs, to support and capacitate
- Too early for a formal entity
- Form a working group to focus on the Catchment Management Indaba
- Look to the experience from the Wetlands Community
- Provincial Forums to meet with the Wetlands Indaba on an annual basis
- The Indaba to share solutions, stories, and their experiences of conflict
- Bring recurring issues to be workshopped: showcase lessons and experiences. Different perspectives and specialists
- Resolutions to take explanations forward
- Strengthen relationships
- Conduit for information
- Acknowledge persons to incentivise people in CMFs
- Funding: business plan to drive funding, DWS, business
- Representivity: national, logistics issues, inclusivity, grow organically
- Lesson sharing, exchange programme
- Invite Wetlands Indaba people to participate

Volunteers with a mandate from Forum of Forums to organise the Catchment Management Indaba:

Garth Barnes, Mduduzi Tshabalala, Matome Mahasha, Tally Palmer (Rhodes Institute for Water Research, to support the process), Aaron Ranayeke (Eastern Cape), Derick du Toit (support for Limpopo involvement).

- The details and exact involvement to be explored
- Tally to send out the first proposal



5.2.2 Responses to the Water and Sanitation Bill (to be lobbied for inclusion in the bill)

- If CMFs are to perform public functions, then they need to be recognised
- CMFs to be compliant with the Public Finance Management Act (PFMA)
- The Minister will have the power to intervene in the functions of the CMF
- CMAs to be able to sub-contract CMFs through Service Level Agreements (SLAs)
- CMFs can generate income
- Money to be provided to support the CMF
- Work with NGOs to assist in the development of processes and projects (educational and so on)
- Invest in strong sub-committees
- Outreach activities: river cleaning and other ventures, engage with stakeholders through the Summit

Additional opinions and questions:

- Taking money creates tensions
- Bring the CMFs under the PFMA
- How do we hold people accountable?
- Forums to be able to bring class actions if these are in the interests of the public

5.2.3 How CMFs will lobby CMA development & bill process

- Combine the NWA with the NWRS and sift for what we want to keep
- Draft a starter document and send it to the multi sectors BEFORE the Bill is distributed for comment. Starter document to clarify what is being lobbied for
- Document used to direct our meetings
- Invite sectors to give inputs: land reform, business, sectors, traditional authorities
- Document to represent the voice of many, not only the activists
- Ensure that important issues are not discarded
- Deepening democracy for social justice around water
- Messages from different places saying the same thing

Inputs:

The South African Water Caucus (SAWC) intends to take these issues forward.



5.2.4 Model for the CMFs

- Waste of time to continue with CMFs as information sharing entities—they need to have “bite”
- Build relations between the CMAs and CMFs
- Mechanisms for communication
- Need a Vision for CMFs
- Look at the Charter to see what is possible to do
- Capacity constraints in communities, government, sectors: to lead to the assistance and ways of assisting each other
- Need projects to work on collectively, between the CMF meetings
- Need to work as a family with the CMF but with open critique
- Need to be inclusive and broad
 - Need thorough analysis of stakeholder in each catchment
- Plan to involve communities
- Dealing with access to information: documentation types, compliance monitoring documents for example, without needing to use PAIA
- Watchdog role as communities
- CMFs to consider performance evaluations allowing revision of strategies and vision
- Need collectively to understand everyone’s role
- DWS and CMAs need to be equal partners

5.2.5 The role of CMFs in the revitalisation of vandalised agricultural schemes; access to water (boreholes) under stressed catchments; inclusion of traditional healers

- Some CMFs are not established
- We can learn a lot from those that are functioning
- Bring into the agenda: water stress, non-compliance
- Learning journeys—site visits, and allow report backs, and documentation
- Issue of droughts and responsiveness
- Revitalisation of the schemes: address these with NGOs, government departments
- Support for grant applications
- Interface with local governments on various projects
- Boreholes and access to ground water resources: WUAs, farmers
- Assist in information flow and links to other communication channels
- Information management and links to risk
- Resource poor farmers need to be supported; explore these avenues and communicate them at Forums



- Champions for dealing with various issues that the Forums face
 - Water Allocation Reform needs to Water Services Development Plans (be part of the Forums)
- Departmental updates on Water Allocation Reform and Water Use Licences
- Forum to assist to identify and follow up on various issues
- Research and specialist partnerships through the Forum.
- Refurbishment of irrigation schemes: what role for the Forums?
 - DWS to hold a stakeholder engagement with stakeholders
 - Translation of schedules into user friendly styles
- Efficiency and time frames for the implementation of objectives
 - Land and land ownership and future beneficiation
- Local municipalities, departments, elders, traditional councils
- Champions and traditional healers
- Strategic partnerships
- CMFs must go beyond advocacy: rather organise summits that bring strategic partners together to share and address problems
- Partnerships: be careful of power relations

5.2.6 Consolidation of previous work

- **Own establishment and self-organisation**
 - Framework and principles for CMFs
- Scope and vision for CMFs
- Overall (general)
- Forum of Forums
- CMFs: Water management areas
- Rivers: Catchments and hydrological boundaries
- Areas of functioning
- **Institutional development and support**
- Policy and legislation development
- Organisations and structures: design and development
- “Watch dog” identity development
- Support and capacity development (internal and external)
- **Water Resources Management consultations**
- Promotion of Administrative Justice Act (PAJA) functions leads to stakeholder consultations
- PAIA functions leads to access to information
- Accessibility of technical documents
- Appropriate representation and levels of expertise in various inputs



- Community of Practice leads to sharing of information
- Peer support and mentoring through the Wetlands Indaba, etc.
- Networks and exchange support
- Development of agency and authority through self-organisation
- **Support to Water Resource Management Activities**
- Regulation of use and users: licences, monitoring, compliance, water conservation and demand management, etc.
- Resource protection: setting quality standards, river flows
- Infrastructure management: dams and canals, pipelines, meters, revitalisation programmes, refurbishment
- Citizen science: data collection
- Communication of issues
- Education and awareness raising
- Translation and capacity development
- Clean ups?
- **Supporting integrated planning and development**
- Catchment management strategies
- Environmental Impact Assessments (EIAs)
- IDPs and Water Services Development Plans (WSDPs)
- Provincial Infrastructure plans
- Disaster management plans
- Risk reduction plans
- Climate change adaptation plans
- Sector plans
- Water demand management plans
- Integrated community development plans
- **Balancing Power**
- Case development with legal entities and NPOs
- Evidence building for court cases
- The development of “teeth”—the ability to take action
- Holding people accountable: how to do this by procedure and environmental protection principles
- Follow up and adaptive management
- Access power and the development of agency
- Advocacy
- Name and Shame Incentives
- Human rights framework



5.2.7 Synthesis of inputs

- Call a similar Forum of Forums for submissions to the Bill by early January
- Matome is the CMF champion at DWS and will consider: the possible outlook for Forums. Matome to use some of the practical inputs to feed into process and engage top management in some of the examples
- Issue of preparedness in order to make inputs at the right time
- Gazetting of the Bill for comment in the second week of November
- Research reports are a resource in themselves
- Research knowledge needs to be made into accessible products
- Report to be distributed to Forum members with the presentation

5.3 Summary of issues to be addressed by the forum of forums

- Cultural and spiritual issues
- New water bill and CMF issues
- Institutional arrangements, mandate and accountability
- Language and communication: Technical language and translation
- Language and communication: Technical language and translation
- Capacity issues and continuity
- Forum participation and representation
- Non-compliance and enforcement
- Transport support and CBO participation
- Logistics and admin
- Utilising human and scientific resources—citizen science
- Access to water by emerging farmers
 - Catchment Forum Indaba
- Responses to the Water and Sanitation Bill
- How will CMFs lobby the CMAs re development and the Bill process
- Model for CMFs
- Role of CMFs in the revitalisation of vandalised agricultural schemes
- Access to water (boreholes) under stressed catchments
- Traditional healers
- Consolidation of previous work
- Independence: institutional capture and identity
- IUCMA orientation to be adopted
- Statutory status



- Transparency and access to information
- Capacity building of members
- Forum activities and delivery: what is possible
- Access to rivers and physical resources
- Inputs to the Bill
- Models for CMF functions
 - Aligning with other WRM projects and deeds such as Adopt a River
- Aligning CMFs with the NWRS



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The Association for Water and Rural Development

AWARD is a non-profit organisation specialising in participatory, research-based project implementation. Their work addresses issues of sustainability, inequity and poverty by building natural-resource management competence and supporting sustainable livelihoods. One of their current projects, supported by USAID, focuses on the Olifants River and the way in which people living in South Africa and Mozambique depend on the Olifants and its contributing waterways. It aims to improve water security and resource management in support of the healthy ecosystems to sustain livelihoods and resilient economic development in the catchment.

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About USAID: RESILIM-O

USAID: RESILIM-O focuses on the Olifants River Basin and the way in which people living in South Africa and Mozambique depend on the Olifants and its contributing waterways. It aims to improve water security and resource management in support of the healthy ecosystems that support livelihoods and resilient economic development in the catchment. The 5-year programme, involving the South African and Mozambican portions of the Olifants catchment, is being implemented by the Association for Water and Rural Development (AWARD) and is funded by USAID Southern Africa.

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