
WATER GOVERNANCE IN SA

Background

The flow of water binds all the elements of the environment (atmosphere, marine, aquatic, terrestrial, and underground) in its various phases (the **hydrological cycle**). Natural disturbances and human activities (including the use of water) in any part of the environment therefore have an impact on surface, groundwater and/or marine water resources.

It is important then that governance related to the environment be matched and aligned with the biophysical and ecological processes occurring within the ecological system that supports a society or community. Recognising these linkages, WRC initiated a project to review and evaluate present and emerging governance systems related to water in the environment in South Africa.

Water governance

The complete system of governance for water is a three-dimensional system of:

- *Elements* (including principles and mandate, policies and legislation, regulatory framework, institutional arrangements and practice);
- *Levels* from international, national, regional, local to neighbourhood levels; and
- *Responsibilities* of government, non-government organizations and civil society.

There are a number of political (policy) and legal instruments at the **international level** with an impact on national water governance. The most relevant of these are related to climate change, management of transboundary water resources and environmental management.

South African water governance is driven mainly by the Constitution, and water-related legislation, such as the National Water Act and Water Services Act, administered by DWAF at its core.

Evaluation of governance systems

The WRC project focused specifically on the regulatory environment and practice, specifically from the perspective of water governance. Governance of air, land and water as it relates to water was investigated.

Air governance

Two specific issues were identified namely:

- There are opportunities and institutional arrangements for joint planning, management and regulation of air and water quality (linked to land quality) at a catchment basin scale, through the catchment management strategy process; and
- The technical, procedural and institutional considerations for addressing water resource impacts as part of the air emissions licensing process.

Land governance

Several priority issues with regards to land governance were identified, including:

- The **opportunities for effective coordination** of land use governance through catchment management processes, and appropriate mechanisms to institutionalise the required cooperative governance; and
- The **institutional capacity of local government** to effectively perform its functions related to management of the water cycle, particularly around integrated development planning, municipal service delivery, waste

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management and land use authorisation.

Water governance

The policy and framework for water governance and its interactions with other elements of the hydrological cycle is broadly developed. **However, delays in the development of key regulatory instruments have meant that the institutional and practical implementation of this framework is not well developed.**

Specific governance issues related to the water environment include (as examples):

- Governance of catchment management agencies at all levels, within a paradigm of cooperative, integrated, developmental and participatory management; and
- Governance considerations and mechanisms for the development of catchment management strategies through a consultative process and their alignment with local development planning (IDPs, WSDPs, and provincial planning processes).

Challenges

Identified challenges to good water governance include:

- Change and maturity in the governance systems
- Institutional change and decentralisation
- Participation and democratisation
- Changing management paradigm
- Transformation
- Institutional memory
- Complexity and integration
- Information, communication and uncertainty
- Technical and management capacity

- Financial resources

Despite these challenges, there are relatively effective governance systems in the water and related sectors in South Africa.

Recommendations

From this synthesis and evaluation, it is apparent that an **institutional champion** is required to promote coherent and harmonised implementation of water governance related to the water cycle.

While DWAF must continue to play this role at a national policy level, it is proposed that **catchment management agencies** provide a focus point for improving governance in the hydrological cycle at a catchment level.

The critical requirements to ensure improved governance of water in the hydrological cycle are:

- Establishment of an effective regulatory framework (and implementation plan) for water resources management, linked to other sectors' activities and taking consideration of the available institutional capacity;
- Establishment of coherent institutional arrangements at a catchment level to promote the alignment of water with air, land and marine management;
- Promotion and institutionalisation of appropriate of appropriate stakeholder involvement in catchment and land management processes, taking account of the role of local government in democratic representation.