

Integrated Water Resource
Management Series

SUB-SERIES NO. MS 6.1

*Guidelines
on the
Establishment and
Management of
Catchment Forums*

**in support of
Integrated Water Resource
Management**



Department of Water Affairs and Forestry

First Edition
OCTOBER 2001

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FOREWORD

South Africa has good reason to be proud of its Constitution and National Water Act. Our Constitution provides the basis for defining the promotion of equity, equality and the advancement of the quality of life of all people of South Africa. Our National Water Act has been hailed internationally as providing a very promising legal framework within which to implement equitable and sustainable water management. This framework mandates a process of bringing together all stakeholders for the purpose of building partnerships and networks and promoting consensus on water management issues in an empowering, democratic and transparent manner.

It is believed that catchment forums offer a potentially effective and efficient approach to the structured promotion of stakeholder participation in water resource management. Participation provides a constructive vehicle for promoting understanding between different interest groups about their needs and problems, assists in communication between stakeholders and ensures that implementation and management of water resources is grounded in increased understanding and co-operation.

In particular, it is foreseen that activities aimed at the promotion of stakeholder participation within catchment forums will 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, many of whom reside in former homeland areas. For many small-scale water users, involvement in water related issues has been restricted to water supply and sanitation programmes and projects. The promotion of the equal involvement of previously disadvantaged groups and communities offer exciting opportunities for integrating water services and water resource activities to more closely reflect the integrated character of water use management within poor, especially rural communities.

The National Water Act emphasises the relationship between socio-economic development and integrated water resource management that incorporates a poverty eradication approach. In essence this approach is underpinned by the following values, amongst others:

- Promotion of an integrated approach to Water Resources Management.
- Satisfaction of basic human needs of all citizens.
- Promotion of participation and the involvement of communities in decisions that will affect their well-being.

However, for pro-poor initiatives to materialize within the context of water resources management, the initiation and promotion of catchment forums will need to be structured in a way that redresses past inequities, imbalances and discrimination. This will mean, in practice, that considerably more support would need to be provided to previously disadvantaged individuals and groups. Such support would need to build the capacity of small-scale users to facilitate and promote effective representation in the Catchment Management Agency development and establishment process, decision making regarding the equitable allocation of resources and the promotion of an "equal interest" agenda.

It is hoped that the critical dialogue between stakeholders that results from the participative development of catchment forums will serve to enhance the sustainable management of our country's water resources while, at the same time, promoting a deeper understanding of one another based on an ethos of cooperation between all parties.

RONNIE KASRILS, MP
MINISTER OF WATER AFFAIRS AND FORESTRY

October 2001

PREFACE

The National Water Act (Act No. 36 of 1998) (NWA) recognises “the need for the integrated management of all aspects of water resources and, where appropriate, the delegation of management functions to a regional or catchment level so as to enable everyone to participate”. The Act provides a firm commitment to the promotion of transparent and effective participation and the empowerment of stakeholders (in particular those from previously marginalized or disadvantaged communities). In addition, it emphasises the relationship between socio-economic development and integrated water resources management (IWRM), poses a challenge for the establishment, sustaining and coordination of institutions and structures to facilitate stakeholder participation in water resources management (WRM).

The NWA provides for the establishment of a number of statutory water management institutions (WMI) to facilitate local participation. These institutions must give effect to the principles outlined in Section 2 of the NWA, and in particular must ensure that they have “appropriate community, racial and gender representation”. The establishment and operation of catchment management agencies (CMAs), in particular, requires an extensive process of stakeholder consultation and public involvement to ensure local participation in water resources management and in the development of a catchment management strategy (CMS).

Catchment forums have been and are being used extensively by the Department of Water Affairs and Forestry (DWAf) to involve stakeholders in decisions about water resources management. These forums have now become important bodies representing stakeholders in the establishment of CMAs, and are envisaged to play an active role in assisting these CMAs after their establishment. Catchment forums are particularly important in the development of the CMS, to address local priority WRM issues, but also provide a vehicle to facilitate the coordination and/or integration of WRM with spatial planning and land use management.

In order to provide support to people involved with forming and maintaining catchment forums, and to develop a coherent approach, DWAf initiated a project with the objective of developing *guidelines for the establishment and management of catchment forums*. This guideline document represents the culmination of this process.

The guidelines were developed through a process of consultation with people that are involved with catchment forums, a review of past experience with forums and the formulation of discussion papers on various key topics concerning the establishment and management of forums. It therefore represents a synthesis of the best information currently available about catchment forums in South Africa.

However, this knowledge will improve with the further establishment and functioning of forums throughout the country, particularly in the context of the new water legislation. As such, this is published as a first edition, which will be updated once South African’s gain experience with these important participatory structures.

In this light, comments and inputs from all people involved in catchment forums are encouraged and will be considered in future editions of this document. Please forward comments to:

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DOCUMENT INDEX

Reports as part of this project

Report number	Report title
MS 6.1	Guidelines on the Establishment and Management of Catchment Forums: in support of integrated water resource management
MS 6.2	Discussion Papers on the Establishment and Management of Catchment Forums

Other relevant Department of Water Affairs and Forestry reports

Catchment forums are only one part of a broader environment of water resource management, and provide an institutional vehicle to facilitate public participation. The following Department of Water Affairs and Forestry documents provide information about this broader environment, as well as further detail on the tools that may be used to enable public participation. As such this document should be read with:

- Republic of South Africa, Department of Water Affairs and Forestry, 1997. *White Paper on a National Water Policy for South Africa*. Pretoria
- Republic of South Africa, Department of Water Affairs and Forestry, 2000. *Implementation of catchment management in South Africa – The national policy*. Pretoria
- Republic of South Africa, Department of Water Affairs and Forestry, 2000. *Guidelines on the establishment of catchment management agencies and water user associations*. Pretoria
- Republic of South Africa, Department of Water Affairs and Forestry, 2001. *Generic public participation guidelines*. Pretoria

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EXECUTIVE SUMMARY

Introduction

The recent changes in water policy and legislation require the implementation of integrated water resource management (WRM), based on the participation and involvement of the public, in particular previously disadvantaged individuals and groups. Participation processes can be extremely resource intensive when done on an *ad hoc* basis, as well as posing problems around ensuring adequate capacity to participate and managing conflict between stakeholders with different interests, levels of capacity and access to resources.

Catchment forums provide a potentially efficient and effective way to facilitate the coherent participation of stakeholders with diverse interests, thereby creating buy-in with the strategies to be implemented. This may include the formulation of a catchment vision, determination of resource directed measures and the development of a catchment management strategy (CMS).

Catchment management agencies (CMAs) should therefore make every effort (and may even have an obligation) to drive and/or support the creation and maintenance of catchment forums, in order to give effect to the purpose of the National Water Act (Act No. 36 of 1998) (NWA) in terms of public participation. In fact catchment forums should be seen as an integral component of the institutional environment of a CMA, and should play a key role in facilitating stakeholder participation in the process of establishing the CMA and in supporting the functioning of the CMA after its establishment.

These guidelines are intended to support people involved in the establishment and management of catchment forums, based on a synthesis of previous experience and an evaluation of the role of catchment forums in the evolving policy environment. The guidelines are not intended to be prescriptive, but rather to outline various options that may be used to address the issues that are presented by local conditions.

Institutions

There are a number of institutions in the water sector, each of which has a different purpose and is best suited to perform a specific set of functions:

- *Catchment management agency* (CMA) is responsible for planning and implementation of WRM within a water management area (WMA) in line with its CMS.
- *Catchment management committee* (CMC) may be established by a CMA, in order to perform specific delegated functions within a specified area.
- *Water user association* (WUA) may be established as a cooperative association of water users to undertake water-related activities on a local scale for their mutual benefit.
- *Advisory committee* (AC) is established by the Minister to provide him/her with advice or perform functions in a specified area.
- *Water services authority* (WSA) is responsible for ensuring the delivery of water services within its local authority jurisdiction (either district or metro municipality).
- *Water services provider* (WSP), including water boards, delivers bulk and/or reticulation water services to customers on behalf of a WSA.

Catchment forums are not formally established under the NWA, although the Minister may make regulations for consultative forums, in terms of Section 90(1)(b).

Role of a catchment forum

Catchment forums are most suited to those functions that enable stakeholders to participate in WRM, including the following generic roles:

- to facilitate stakeholder *consultation* and *participation* around the establishment and functioning of the CMA and to support the development and implementation of the CMS;
- to develop *institutional capacity* in the WMA during the period prior to CMA establishment, and possibly the consolidation period following CMA establishment;
- to promote *integrated planning* and cooperative resource management between the CMA and other organs of state and role players; and
- to support the *WRM operation* of the CMA, by performing activities and implementing projects under the auspices of the CMS.

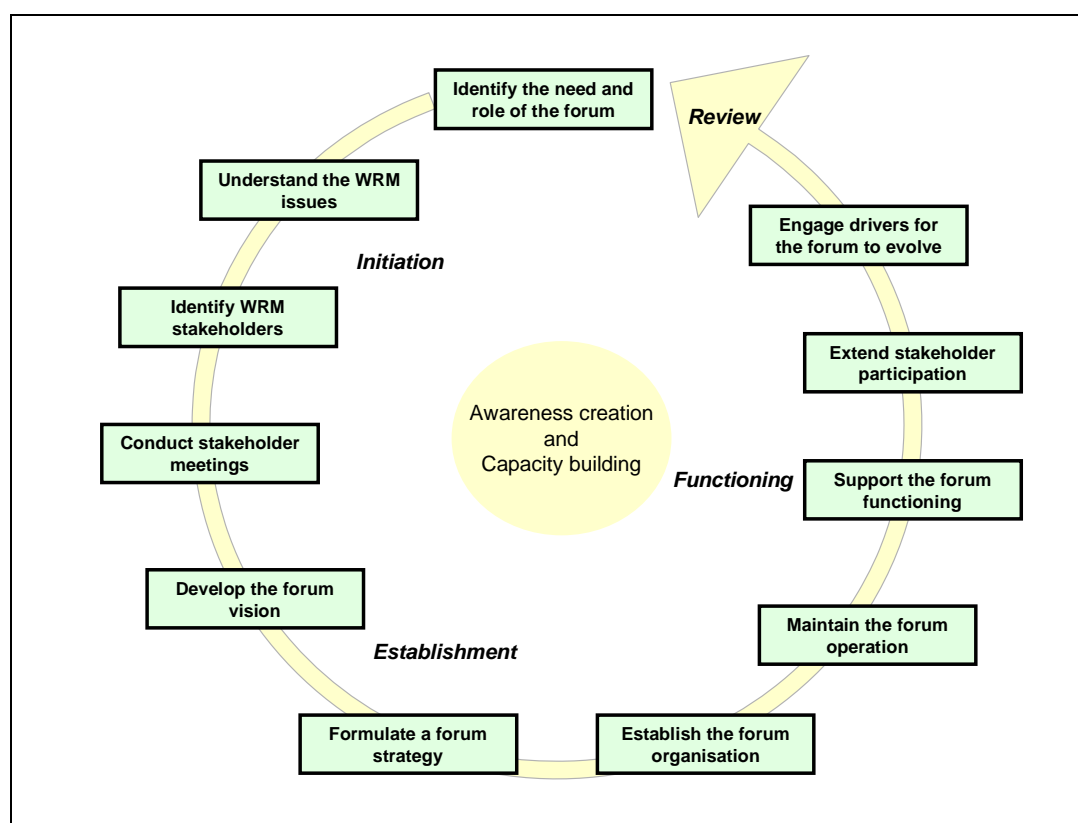
Character of a catchment forum

Facilitating stakeholder participation in WRM (particularly around the development of a CMS) is a catchment forum's core role. To this end, catchment forums should:

- be stakeholder consultative (participatory) bodies,
- representing multiple (multi-lateral) viewpoints,
- which are water-sector (particularly water resources management) interest-based,
- organised to operate in a participatory manner, and
- exist to enable stakeholders to participate to achieve agreed objectives.

Process of establishment and management

The initiation, establishment, functioning and review of a catchment forum generally follows the steps outlined in the following figure. More detail to these steps is provided in *Chapter 2* of the guidelines, which outlines the **process**.



The responsibilities and characteristics of different **role players** in this process are described in *Chapter 3*. Together with the introductory *Chapter 1*, these three chapters form Part I of the guidelines, which may be used as an introduction and overview to the process of establishment and management of catchment forums.

This is supported by Part II, which provides detailed technical guidelines on the following issues:

- *Chapter 4* describes the possible **roles** and responsibilities of a catchment forum, including the need for the forum under different conditions.
- *Chapter 5* develops the **institutional arrangements** around these roles and particularly the legal options for a catchment forum and its relationships with other institutions.
- *Chapter 6* outlines the process and considerations for **initiating and establishing** a catchment forum, through the development of partnerships to address the drivers.
- *Chapter 7* highlights the process of **evolution** of a catchment forum, including the drivers for change and the outcome of the process.
- *Chapter 8* presents various models and elements for the **structure** of a forum to achieve the possible roles that the forum may perform.
- *Chapter 9* provides guidance on the **operation** of a sustainable catchment forum, including issues involving strategy, membership, meetings and financing.
- *Chapter 10* addresses the **participation** of stakeholders as the fundamental support for a catchment forum.
- *Chapter 11* reviews issues around **capacity building** of key role players and the organisations represented by the forum.
- *Chapter 12* presents considerations for **managing conflict**, and indicates situations under which conflict should be allowed.
- *Appendix A* cross references frequently asked questions about forum establishment and operation with the relevant sections in the text, as a quick reference guide.

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ACRONYMS

AC	- advisory committee
CBO	- community based organisation
CMA	- catchment management agency
CMC	- catchment management committee
CMS	- catchment management strategy
DWAF	- Department of Water Affairs and Forestry
DWAF HO	- DWAF: Head Office
DWAF RO	- DWAF: Regional Office
IWRM	- integrated water resource management
NGO	- non-governmental organisation
NWA	- National Water Act (Act No. 36 of 1998)
NWRS	- national water resource strategy
RDM	- resource directed measures
RQO	- resource quality objectives
WMI	- water management institution
WSI	- water services institution
WRM	- water resources management
WS	- water services
WSA	- water services authority
WSP	- water services provider
WUA	- water user association

GLOSSARY

<i>capacity</i>	- human, financial, infrastructural and institutional resources available to undertake identified tasks
<i>catchment</i>	- geographic area contributing to the flow in surface and/or ground water resources
<i>contract</i>	- legally binding arrangement between parties
<i>cooperative governance</i>	- cooperation between spheres of government (and organs of state), the private sector and civil society addressing development objectives
<i>delegate</i>	- allocate legally designated responsibilities to an individual or organisation
<i>institution</i>	- organisation/s bound by common objectives, rules and practices
<i>organisation</i>	- structure bound by common objectives, rules and practices
<i>participation</i>	- ongoing, interactive process between role players to enable their involvement in the activities of institutions and organisations
<i>role players</i>	- all parties (organisations or individuals) involved in a process
<i>stakeholders</i>	- parties interested in or affected by the activities of institutions and organisations
<i>statutory</i>	- status conferred through legislation
<i>water users</i>	- parties whose activities affect the resource quality and availability of water resources

PART I: GUIDELINES TO THE PROCESS

1 INTRODUCTION

1.1 Context

In the preamble, the National Water Act (NWA, Act No. 36 of 1998) recognises “the need for the integrated management of all aspects of water resources and, where appropriate, the delegation of management functions to a regional or catchment level so as to enable everyone to participate”. This poses a challenge for the establishment, sustaining and coordination of institutions and structures to facilitate stakeholder participation in water resources management (WRM). The need for public participation is also incorporated into the sustainable development principles in the National Environmental Management Act (NEMA, Act No. 107 of 1998).

The NWA provides for the establishment of a number of statutory water management institutions (WMIs) to facilitate local participation. These institutions must give effect to the principles outlined in Section 2 of the NWA, and in particular must ensure that they have “appropriate community, racial and gender representation”. The establishment and operation of catchment management agencies (CMA), in particular, requires an extensive process of stakeholder consultation and public involvement to ensure local participation in water resources management.

The NWA also requires the establishment of a catchment management strategy (CMS) in each of the 19 water management areas (WMAs) throughout South Africa, that is consistent with the national water resources strategy (NWRS). The CMS must be developed in consultation with stakeholders in the WMA, while the CMS itself must “enable the public to participate in managing water resources within its water management area”, and “set out the institutions to be established”.

Catchment forums have been and are being used extensively by DWAF to involve stakeholders in decisions about water resources management. These forums have now become important bodies representing stakeholders in the establishment of CMAs, and are envisaged to play an active role in assisting these CMAs after their establishment. Catchment forums are particularly important in the development of the CMS, to address local priority WRM issues, but also provide a vehicle to facilitate the coordination and/or integration of WRM with spatial planning and land use management.

1.2 Background to the Project

In order to provide support to people involved with forming and maintaining catchment forums, and to develop a coherent approach, DWAF initiated a project with the objective of *Developing guidelines for the establishment and management of catchment forums*.

1.2.1 Target audience

The target audience and/or end users of these guidelines are people that are responsible for, or involved in, the establishment, management, support and/or coordination of catchment forums. Apart from staff in DWAF Directorates, Regional Offices or CMAs, these guidelines are also intended to support practitioners and consultants (involved in catchment studies where catchment forums are active) and members or representatives of catchment

forums (who need to be informed about the appropriate and efficient functioning of these forums). Finally, the guidelines should assist in capacity building among stakeholders and interested parties.

These guidelines are intended to provide process and technical support to those involved with catchment forums, and as such they provide detailed advice on particular issues. Nevertheless, an effort has been made to make the guidelines accessible and clear for non-technical readers.

1.2.2 *Project approach*

The diversity in focus and approach to the establishment and operation of catchment forums required a range of perspectives and experience. Therefore, the guidelines were informed by a series of discussions with people involved with catchment forums, together with a review of the experience in South Africa over the past decade. Furthermore, two workshops were held with a range of people having experience with catchment forums, to advise the development of the guidelines.

An important element of the project was the development of discussion papers, which were compiled to provide resource material to support the development of the guidelines. A preliminary review of the experience in South Africa resulted in the following topics being identified as position papers:

- *The Roles and Functional Models for Catchment Forums:* The possible roles of catchment forums and the development of appropriate models for forum functioning.
- *Institutional Arrangements around Catchment Forums:* The relationships between catchment forums and water management institutions, including the evolution of a forum.
- *Legal Considerations for the Establishment of Catchment Forums:* The legal constitution and associated requirements of catchment forums, considering the intent of the NWA.
- *Organisational Functioning of Catchment Forums:* Organisational considerations in the creation and functioning of catchment forums.
- *Establishment of Catchment Forums:* The process of initiation and establishment of catchment forums and their evolution from an informal grouping to a formal body.
- *Sustaining and Supporting Catchment Forums:* Considerations and indicators for the sustainable functioning and evolution of catchment forums.
- *Stakeholder Participation through Catchment Forums:* Requirements to promote stakeholder involvement in relevant forum activities, including issues of representation.
- *Building Capacity for Sustainable Forums:* Building stakeholder capacity to enable representative and effective participation in WRM through forums.

These discussion papers have been compiled into a supporting resources document for those interested in the detail behind these guidelines.

The guidelines are not intended to be prescriptive in any way, but rather to outline various options that may be used to address the issues that are presented by local conditions. An attempt has been made to make the guidelines accessible and brief, ensure flexibility for different conditions, provide practical guidance on key issues, and to capture previous experience.

1.3 Nature of a Catchment Forum

1.3.1 Need for a catchment forum

With the introduction of integrated water resource management (IWRM), the NWA requires a paradigm shift in the way water resources are managed. In particular, this requires:

- *Equity, sustainability and optimal use* in the protection, development and utilisation of water resources, as well as the institutions that are established for water resources management.
- *Decentralisation* of decision making through the establishment of catchment based institutions (particularly CMAs), based on a *participatory* approach to water resources management through the involvement of stakeholders.

This highlights the policy requirement for DWAF and CMAs to ensure participation in WRM. Participation processes can be extremely resource intensive when done on an *ad hoc* basis, as well as posing problems around ensuring adequate capacity to participate and managing conflict between stakeholders with different interests. Catchment forums provide a potentially efficient and effective way to facilitate the coherent participation of stakeholders with diverse interests, both before and after the establishment of a CMA. Catchment forums are particularly important in the participation process leading towards the establishment of a CMA.

As one of its initial functions, a CMA must develop a catchment management strategy (CMS), in consultation with stakeholders within the WMA. This involves the identification of the WRM needs and formulation of an appropriate vision for the WMA, as well as the local sub-catchments within the WMA. Catchment forums also provide a vehicle for stakeholders to contribute to the process of determining resource directed measures (RDM) to reflect the vision for the relevant water resource, including the water resources class and ecological Reserve.

Catchment forums provide the most suitable body to facilitate stakeholder participation in the formulation of a catchment vision, determination of the RDM and the development of a CMS, thereby creating buy-in with the strategies to be implemented. CMAs should therefore make every effort (and may even have an obligation) to drive and/or support the creation and maintenance of catchment forums, in order to give effect to the purpose of the NWA in terms of public participation. In fact catchment forums should be seen as an integral component of the institutional environment of a CMA, and should play a key role in facilitating stakeholder participation during the establishment of the CMA.

1.3.2 Role of a catchment forum

Although there are a wide range of functions that a catchment forum may perform, forums are most suited to those functions that enable stakeholders to participate in WRM. Given this, the catchment forums are most suited to play the following generic roles:

- to facilitate stakeholder *consultation* and *participation* around the establishment and functioning of the CMA and to support the development and implementation of the CMS;
- to develop *institutional capacity* in the WMA during the period prior to CMA establishment, and possibly the consolidation period following CMA establishment;
- to promote *integrated planning* and cooperative resource management between the CMA and other organs of state and role players; and
- to support the *WRM operation* of the CMA, by performing activities and implementing projects under the auspices of the CMS.

Facilitating stakeholder participation in WRM (particularly around the development of a CMS and the establishment of a CMA) is a catchment forum's core role and should be central to its reason for existing. On the other hand, the institutional development, integrated planning and WRM operation roles may be appropriate for a catchment forum under specific circumstances and at different times during a CMA and forum's evolution.

Catchment forums should support IWRM. Therefore, although they may be oriented to addressing particular priority WRM issues within a catchment area, this should be done in an holistic and integrated manner, rather than being sectorally and/or discipline based.

1.3.3 *Character of a catchment forum*

Catchment forums are primarily vehicles for stakeholder involvement in water resources management at a local level, in order to achieve the requirements of decentralisation, participation, equity, sustainability and optimal use, as mentioned above. To this end, catchment forums should:

- be stakeholder consultative (participatory) bodies,
- representing multiple (multi-lateral) viewpoints,
- which are water-sector (particularly water resources management) interest-based,
- organised to operate in a participatory manner, and
- exist to enable stakeholders to participate to achieve agreed objectives.

Hence catchment forums are organisations that are essentially *interactive* and *multi-stakeholder*, with a primary focus on matters pertaining to the protection, use and management of water resources in a catchment. They should enable the public (anyone) to participate meaningfully in water resources management.

1.3.4 *Developmental Role of a Catchment Forum*

The NWA emphasises the relationship between socio-economic development and integrated water resource management and provides a legal framework for water resource management aimed at promoting a developmental or poverty eradication approach. In essence this approach is underpinned by the following values, amongst others:

- Promotion of an integrated approach to water resources management
- Satisfaction of basic human needs of all citizens
- Promotion of participation and the involvement of communities in decisions that will affect their well-being
- Redressing past inequities, imbalances and discrimination.

This means that all catchment forums should pay significant attention to the promotion of participation, awareness creation and capacity building of stakeholders (especially women) from previously disadvantaged or marginalized communities.

1.3.5 *Difference between a catchment forum and other statutory bodies*

A range of water sector institutions are enabled through the NWA, as well as the Water Services Act (Act 108 of 1997). Each of these has a different purpose and is best suited to perform a specific set of functions. Although it is stated that a catchment forum may perform WRM functions (where delegated), its principle motivation is to enable stakeholder participation in WRM (particularly around the development of a CMA and the establishment of a CMA). This differs from the purpose of the following institutions:

- *Catchment management agency* (CMA) is responsible for planning and implementation of WRM within a WMA in line with the CMS.

- *Catchment management committee* (CMC) may be established by a CMA, in order to perform specific delegated functions within a specified area.
- *Water user association* (WUA) may be established as a cooperative association of water users to undertake water-related activities on a local scale for their mutual benefit.
- *Advisory committee* (AC) is established by the Minister to provide him/her with advice or perform functions in a specified area.
- *Water services authority* (WSA) is responsible for ensuring the delivery of water services within its local authority jurisdiction (either district or metro municipality).
- *Water services provider* (WSP), including water boards, delivers bulk and/or reticulation water services to customers on behalf of a WSA.

Catchment forums are not formally established under the NWA, although the Minister may make regulations for consultative forums, in terms of Section 90(1)(b) of the NWA.

There is often confusion between the role and desirability of a catchment forum versus a multi-sectoral WUA. Water User Associations (WUAs) are statutory bodies established by the Minister of DWAf under **Section 92** of the NWA. They provide the opportunity for water users (authorised under the NWA) to pool their resources in order to perform collective activities, which are generally related to the management of water resources schemes. However, they must also fulfil the fairly comprehensive requirements for a Constitution, business plan and management arrangements specified in the NWA. A WUA is accountable to its members (the water users) and the Minister. This differs from a catchment forum, which is primarily accountable to all stakeholders (whether water users or not) that wish to participate in WRM.

2 PROCESS OF ESTABLISHMENT AND EVOLUTION

2.1 Roadmap for the Process

Every catchment forum will go through a process of initiation and establishment, followed by a functioning stage of maintenance or operation. In many cases, conditions may change promoting the review and evolution of the catchment forum.

The initiation, establishment, functioning and review of a catchment forum generally follows the steps outlined in Figure 2.1, each of which is described briefly below. It should be highlighted that although these are presented sequentially, in practice they would be implemented iteratively and possibly simultaneously. Furthermore, the time taken to move through this process will vary for different forums, ranging from months to years. The detailed technical information to support this process is provided in Part II of this guideline document.

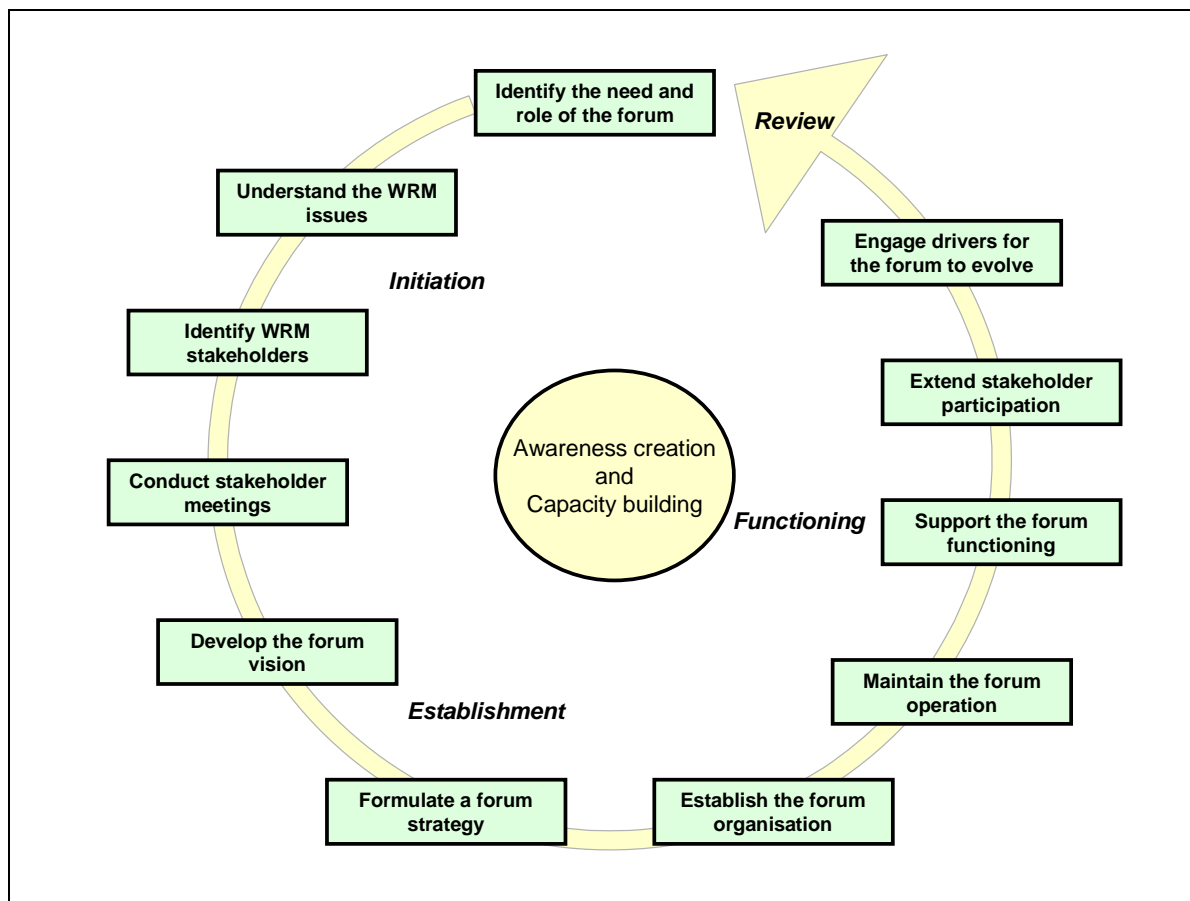


Figure 2.1. Process roadmap of forum establishment, management and evolution

2.2 Steps in the Process

2.2.1 Awareness creation and capacity building

The establishment and operation of a catchment forum is inherently an institutional development process, whereby stakeholders are empowered to participate in water resources management. Therefore, creating awareness and building capacity of all

stakeholders is fundamental to the entire process of initiation, establishment, functioning and review of the catchment forum, and should be incorporated into each of the other steps.

2.2.2 Identify the need for the forum

The first step is to identify the need for a catchment forum, particularly from the WRM or catchment management perspective of the organisation that is initially required to drive the process (generally the CMA or DWAF). Fundamentally, this is related to the need for the CMA/DWAF to involve stakeholders in formulating a vision and associated CMS for sub-catchments within the WMA, as well as the process of establishing the CMA.

2.2.3 Understand the WRM issues

Before embarking on the process of establishing a catchment forum, a scoping assessment should be made of the WRM issues in the catchment area, in order to understand the appropriate role and nature of the catchment forum, and the probable interest of the stakeholders to participate in the forum. This process relates the preliminary investigations that are required to formulate a catchment vision leading to the development of a CMS and/or establishment of a CMA.

2.2.4 Identify WRM stakeholders

The WRM scoping assessment should indicate the groups of WRM related stakeholders that must be included in the process, possibly distinguishing between those that will provide critical inputs to the process and those that are critical to ensure representivity of the process and forum. Although catchment forums should continually attempt to extend and mobilise participation, a core of key stakeholders must be identified to begin the process. It is extremely important to ensure that activities aimed at stakeholder identification and involvement are not limited to existing water user associations or user groups. A key area of focus is the need to ensure the involvement of previously disadvantaged groups in the entire process.

2.2.5 Conduct stakeholder meetings

Stakeholder groups generally have differing interest and capacity to participate in a catchment forum. It may be most effective to initially hold a series of single-interest stakeholder group meetings, at which the need for and possible role of a forum can be presented in a relatively unthreatening environment, based on the WRM scoping assessment. These meetings should be accompanied by focused capacity building, and where possible matching the capacity of different groups. This should culminate in the first catchment forum meeting attended by all the identified stakeholder groups.

2.2.6 Develop the forum vision

Once a representative group of stakeholders have begun meeting, their first task should be to develop the vision, goals, values and objectives of the forum. This should describe the role of the forum and its relationships with other organisations (i.e. its reason for being), which should provide the core of the forum's terms of reference or statement of intent (which ever the forum feels is most appropriate).

At this point the forum may be seen to have been established.

2.2.7 Formulate a forum strategy

A vision requires a strategy (i.e. plan of action) that outlines how the forum will achieve the stated objectives, as captured in its roles and responsibilities. This would address both the immediate proposals and future plans, particularly around the functions and activities that the forum intends to perform, as well as the way in which it intends to develop partnerships with other organisations. The strategy should reflect the role/s the forum wishes to perform, but may range from a simple plan of action through to a detailed business plan.

2.2.8 Establish the forum organisation

The forum vision and strategy must be given effect through an organisational structure and associated procedures (or systems) for forum functioning/operation. The intended formal or legal entity for the forum must be created, together with clear rules about the structure and relationships between various committees within the organisation. The vision, strategy and organisational functioning provide the core of a charter or constitution for the forum.

2.2.9 Maintain the forum operation

This relates to the ongoing management of the forum, and includes issues around convening and reporting on forum (and committee) meetings, as well as the procedural and structural requirements for performing the forum activities. A critical requirement is the access and management of finances and resources necessary for forum to perform its specified role.

2.2.10 Support the forum functioning

Most catchment forums require support from other organisations, in order to perform their intended role. This may range from resources (financial, human and/or infrastructure) to capacity building of forum (and committee) members. These issues should be addressed in the forum strategy, but must be continually sourced as a prerequisite for a sustainable forum.

2.2.11 Extend stakeholder participation

Catchment forums should represent diverse WRM interests, thereby enabling them to participate in WRM. This implies that the stakeholder base should be continually and actively expanded, to reflect the focus of the forum's activities, taking account of issues around stakeholder representivity, inclusivity and interest.

2.2.12 Engage drivers for forum evolution

At some stage in a forum's life, the institutional environment may change, the drivers for the forum's initial establishment may have been revisited and/or new issues arise. This may require the forum to review its achievements and failures, to reevaluate its role, and possibly to evolve to achieve a new role. Once new drivers have been identified, the process (steps) outlined above should be revisited, starting with an understanding of the new WRM issues and the forum's role, which should lead into a review of stakeholder representation, vision, strategy and organisation reflect this new role.

2.3 Reference to the Supporting Technical Guidelines

The supporting technical guidelines provide detailed information to support the various steps in the process of forum establishment, functioning and evolution. They are presented according to topic, rather than the above process. Although each topic is more or less relevant at different stages in the forum development, there is not a one-to-one relationship, but rather a number of topics may be relevant for a particular step in the process. This is represented in Figure 2.2, which refers to the relevant chapters in Part II.

- *Chapter 4* describes the possible **roles** and responsibilities of a catchment forum, including the need for the forum under different conditions.
- *Chapter 5* develops the **institutional arrangements** around these roles and particularly the legal options for a catchment forum and its relationships with other institutions.
- *Chapter 6* outlines the process and considerations for **initiating and establishing** a catchment forum, through the development of partnerships to address the drivers.
- *Chapter 7* highlights the process of **evolution** of a catchment forum, including the drivers for change and the outcome of the process.

- *Chapter 8* presents various models and elements for the **structure** of a forum to achieve the possible roles that the forum may perform.
- *Chapter 9* provides guidance on the **operation** of a sustainable catchment forum, including issues involving strategy, membership, meetings and financing.
- *Chapter 10* addresses the **participation** of stakeholders as the fundamental support for a catchment forum.
- *Chapter 11* reviews issues around **capacity building** of key role players and the organisations represented by the forum.
- *Chapter 12* presents considerations for **managing conflict**, and indicates situations under which conflict should be allowed.
- *Appendix A* cross-references frequently asked questions about forum establishment and operation with the relevant sections in the text, as a quick reference guide.

In addition to these technical guidelines, the responsibilities and characteristics of different **role players** in the entire process are described in *Chapter 3*.

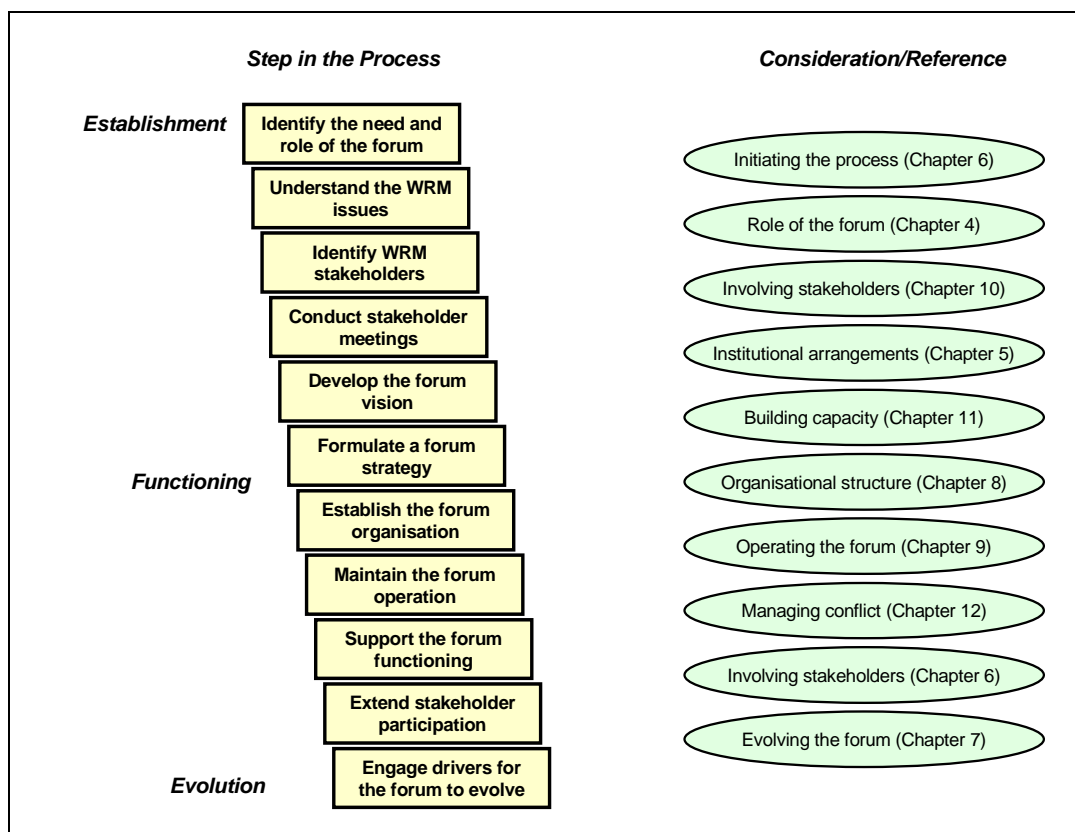
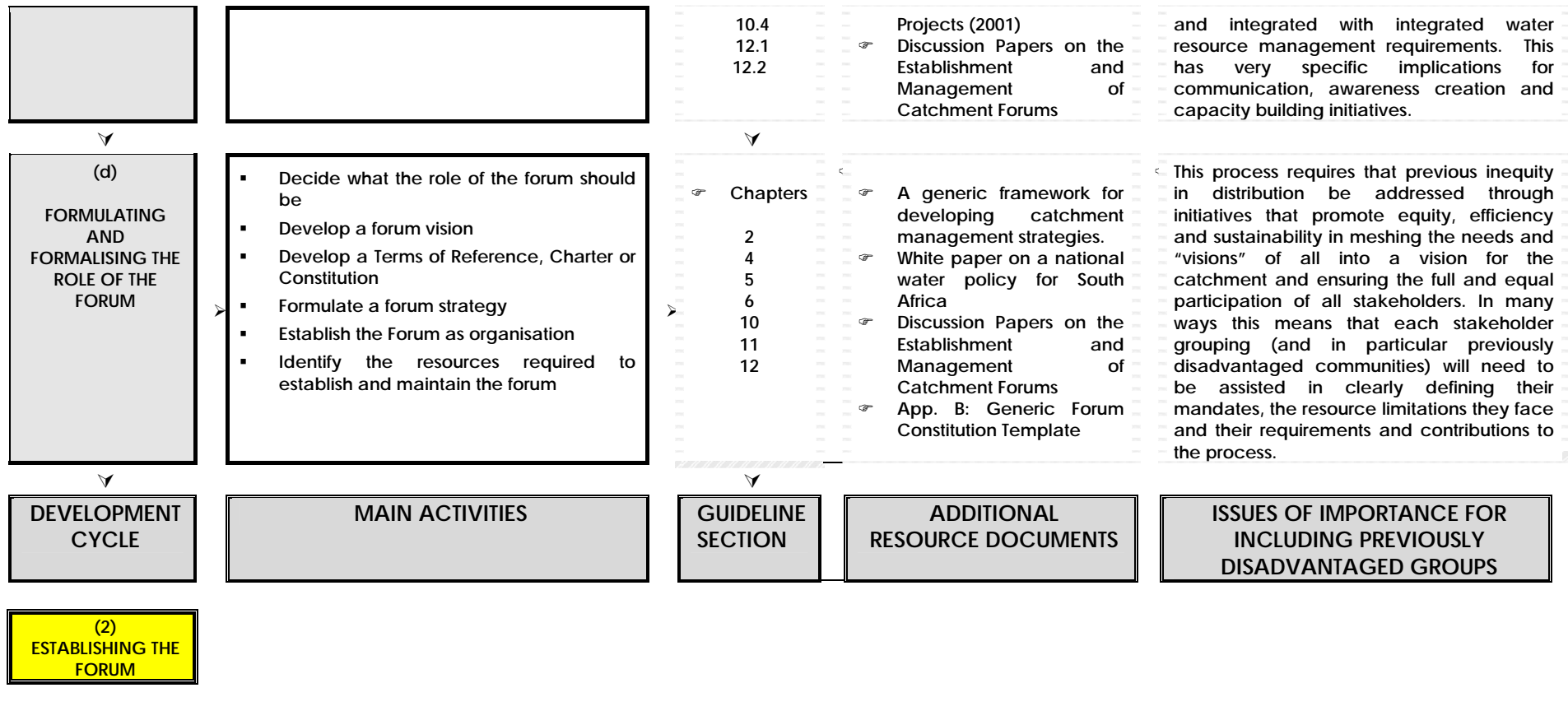


Figure 2.2. Relationship between technical topics and steps in the process.

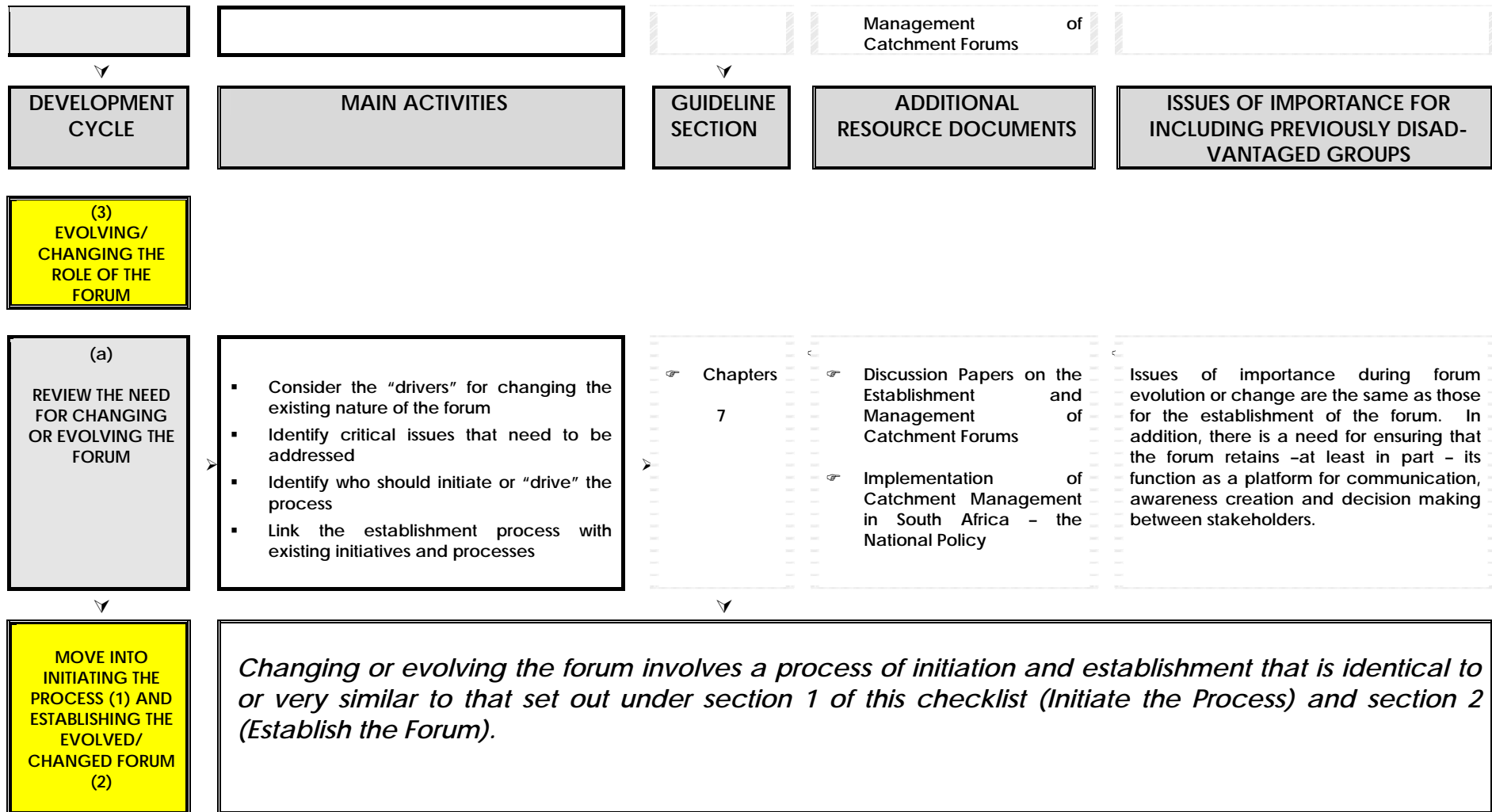
2.4 Checklist for the suggested establishment and evolutionary process

The following diagrams provide a useful checklist of activities and supporting information that should assist in the process of establishing and operating a catchment forum.

DEVELOPMENT CYCLE	MAIN ACTIVITIES	GUIDELINE SECTION	ADDITIONAL RESOURCE DOCUMENTS	ISSUES OF IMPORTANCE FOR INCLUDING PREVIOUSLY DISADVANTAGED GROUPS
(1) INITIATING THE PROCESS				
(a) IDENTIFY THE NEED FOR ESTABLISHING A FORUM	<ul style="list-style-type: none"> ▪ Consider the “drivers” for establishing the forum ▪ Identify who should initiate or “drive” the process ▪ Link the establishment process with existing initiatives and processes 	<ul style="list-style-type: none"> ☞ Sections 1.3 2.2 3.2 3.3 4.2 6.2 6.4 	<ul style="list-style-type: none"> ☞ Discussion Papers on the Establishment and Management of Catchment Forums ☞ The National Policy for Implementation of Catchment Management in South Africa 	<ul style="list-style-type: none"> ☞ The focus for initiating a forum is most often driven by a Water Resource Management agenda. However, a significant number of previously disadvantaged groups & individuals are still grappling with the need for adequate water supply and sanitation services. Existing initiatives and processes based on Community Water Supply and Sanitation should be taken into consideration in the establishment process.
(b) INVOLVE STAKEHOLDERS	<ul style="list-style-type: none"> ▪ Identify WRM stakeholders ▪ Involve stakeholders in the participation process ▪ Conduct stakeholder meetings ▪ Encourage broad-based stakeholder participation. 	<ul style="list-style-type: none"> ☞ Sections 2.2 3.3 10.1 10.2 10.3 10.4 12.1 12.2 	<ul style="list-style-type: none"> ☞ Generic Public Participation Guidelines for DWAF (2001) ☞ Public Participation for CMAs and WUAs (Guide 4 of the CMA/WUA Guide Series) ☞ Discussion Papers on the Establishment and Management of Catchment Forums 	<ul style="list-style-type: none"> ☞ The initiation and establishment process should pay significant attention to the promotion of participation, communication, awareness creation and capacity building to ensure that previously disadvantaged stakeholders are in a position to participate equally and effectively. Participative processes should focus on building on existing inclusive community processes to ensure representation at forum level.
(c) UNDERSTAND THE WATER RESOURCES MANAGEMENT ISSUES	<ul style="list-style-type: none"> ▪ Undertake or consider Scoping Assessments of the catchment area ▪ Promote the integration of the WRM priorities with stakeholder needs ▪ Decide what the geographic area of functioning should be for the forum 	<ul style="list-style-type: none"> ☞ Sections 2.2 3.3 10.1 10.2 10.3 	<ul style="list-style-type: none"> ☞ A generic framework for developing catchment management strategies. ☞ Generic Public Participation Guidelines for Department of Water Affairs and Forestry 	<ul style="list-style-type: none"> ☞ All stakeholder groups do not necessarily view the National Water Act positively. There is a need to ensure that activities during this phase are carefully considered before implementation because of the potential for tension amongst stakeholders. In addition, this phase requires that water supply and sanitation issues and agendas are aligned



<p>(a)</p> <p>Maintain the Forum Operation</p>	<ul style="list-style-type: none"> ▪ Access resources ▪ Manage meetings ▪ Manage Conflict ▪ Promote communication and awareness creation ▪ Promote capacity building 	<p>☞ Chapters</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p>	<p>☞ Discussion Papers on the Establishment and Management of Catchment Forums</p> <p>☞ Establishing a Catchment Management Agency (Guide 1 in the CMA/WUA Guide Series)</p> <p>☞ DWAF / /DANCED Integrated Water Resource Management project Communication Strategy</p>	<p>☞ Members of marginalized communities have, especially over the last number of years, participated in development at community level. Established communities are frequently well organised and have existing communication systems and conduits. Participative, communication and capacity building processes should be developed within the context that previously disadvantaged communities are not "blank slates" where processes need to be started from scratch. Rather, there is a need to build on existing capacity, resources and processes in the community in a manner that promotes integration between the needs at this level with the broader catchment management objectives. Key areas of focus relate to the fact that it is necessary to incorporate the main principles of Integrated Water Resource Management into Water Supply and Sanitation programmes and processes at community level. This includes the need to ensure that community representatives have the necessary skills to make decisions and negotiate on equal footing with larger and better organised and resourced user groups.</p>
<p>(b)</p> <p>Support the Forum Functioning</p>	<ul style="list-style-type: none"> ▪ Manage the finances of the forum ▪ Manage the activities of the forum ▪ Support CMA establishment ▪ Promote cooperation and collaboration for promoting IWRM 	<p>☞ Chapters</p> <p>3</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p>	<p>☞ Discussion Papers on the Establishment and Management of Catchment Forums</p> <p>☞ Establishing a Catchment Management Agency (Guide 1 in the CMA/WUA Guide Series)</p>	<p>☞ While the need to extend stakeholder participation requires the identification of additional stakeholder groupings for incorporation, this is only one component of what is required. Participative processes (that include capacity building, communication and awareness creation) are required that will ensure "delivery" of IWRM messages and catchment-related institutional information to a wide audience at community level.</p>
<p>(c)</p> <p>Extend Stakeholder Participation.</p>	<ul style="list-style-type: none"> ▪ Create linkages with stakeholders ▪ Promote communication and information dissemination ▪ Ensure a needs based approach ▪ Promote effective management ▪ Build capacity 	<p>☞ Sections</p> <p>3</p> <p>10</p> <p>11</p> <p>12</p>	<p>☞ Guidelines for Stakeholder Participation in Integrated Water Resources Management in Water Management Areas in South Africa (Carl Bro, 2001)</p> <p>☞ Public Participation for CMAs and WUAs (Guide 4 of the CMA/WUA Guide Series)</p> <p>☞ Discussion Papers on the Establishment and</p>	<p>☞ While the need to extend stakeholder participation requires the identification of additional stakeholder groupings for incorporation, this is only one component of what is required. Participative processes (that include capacity building, communication and awareness creation) are required that will ensure "delivery" of IWRM messages and catchment-related institutional information to a wide audience at community level.</p>



3 ROLE PLAYERS

3.1 Introduction

Catchment forums are critically dependent upon the people and organisations that participate and contribute to the forum. Firstly, there are a number of important roles that individuals with particular skills need to play at different times in a forum's establishment, functioning and evolution. Secondly, various organisations and stakeholders need to play specific roles.

3.2 Individual Role Players in the Process

3.2.1 *Initiators/Drivers*

The initiators start the first steps in forming a catchment forum. They act in response to one of the drivers described in Section 6.2. They may be from a CMA, DWAF, another government department, a service provider, an NGO, CBO or other WMI. An initiator:

- should have access to resources, people, funds, skills, scientific facts and general information that will be used for the operation and building capacity of the forum;
- does not need to be from the local area but should have a thorough knowledge and interest in the area in terms of its social, physical and economic environment;
- is invariably well acquainted with the water legislation and policy, and the role that a catchment forum can play;
- has an interest in managing water resources at a local catchment scale;
- has the will and wherewithal to contribute resources to establish the structure; and
- should be transparent and able to put forward a clear declaration of intent for involvement.

Management Skills of the Initiator:

- Should have project management skills to be able to lead, coordinate and facilitate the process until the structure acquires catchment forum characteristics.
- Is good at networking and lobbying stakeholders to support catchment management in its totality.
- Should be able to communicate freely with all races, age groups and technical backgrounds.
- Should be a lateral thinker able to see the ultimate goal of the forum, which is coordination, integration and collaboration between all parties responsible for water (or environmental) resources.

3.2.2 *Champions/Leaders*

The role of the champion is to ensure that energy is being put into the process and progress is being made toward the establishment of a forum. The leader would drive the forum establishment process through the following activities:

- Ensuring that all stakeholders in the area have been identified,
- Lobbying key stakeholders to get their buy in,
- Calling for an inaugural meeting,
- Organising information intensive agendas motivating for the need for a forum.
- Brainstorming the roles of the different stakeholders,
- Defining the role that the forum aims to play,
- Accommodating input from all stakeholders and ensure documentation in minutes,
- Requesting stakeholders to nominate effective representatives by sector/interest,
- Identifying a facilitator,

- Planning for a catchment assessment workshop with clear identification of roles and responsibilities (this can take place in the first meeting or subsequent meetings depending on how readily people relate to the concept).

The initiator would also have a major input to these activities in the form of technical and legal inputs, particularly around WRM issues and elaborating on the possible role and structure of the forum. Successful structures don't just happen, but rather depend on the energy of leaders who emerge from the process. Catchment forums need leaders who do not assume the same amount of control or responsibility as do leaders of formal structures.

Effective leaders generally coordinate activities and keep the structure moving forwards. They handle or delegate administrative details such as calling and conducting meetings and preparing reports. An effective leader can have a wide range of backgrounds, and may be anyone with interest and commitment.

Leadership qualities:

- Interested in group's concerns while sensitive to individual needs
- Aware of current social and political situations
- Good communication and group interaction skills
- Respected as knowledgeable and fair
- Able to share responsibility and credit with others
- Promotes consensus, compromise and trade-offs
- Integrates a variety of different perspectives
- Patient, creative and flexible.

A skilful leader will:

- Keep the purpose, goals and approach relevant and meaningful
- Build commitment and confidence
- Strengthen the mix, level of skills
- Manage relationships with outsiders, including removing obstacles
- Create opportunities for others
- Do real work
- Communication; the key to leadership

In situations where a champion cannot be identified, the initiator and/or facilitator would play this role.

3.2.3 Facilitators

Facilitators have a crucial role in the later stages of forum establishment and in its functioning. They should gain input from all stakeholders, encourage all members to participate and ensure that individuals carry out their designated responsibilities. The facilitator makes sure that forum members' needs are met by acknowledging and acting in their best interests. The facilitator is there to ensure a productive group process and has the following role within the group:

- *Focus:* Provide a focus for the group when the leader fails to fulfil that role.
- *Stimulate:* Encourage debate between group members.
- *Support:* Bring out information from introverted members of the group and to allow new ideas to be submitted.
- *Participate:* When the group is interacting poorly or in the wrong direction the facilitator must be willing to promote new discussion.
- *Team Building:* Form a cohesive, interactive and productive team.
- *Regulation:* To maintain order of the group discussion, discouraging participants from talking at the same time, or dominating the floor.
- *Protect Members:* To ensure that all contributions to the discussion are treated equally and that no-one is rebuffed for their input.
- *Deal with problems:* To control problem people within the group allowing everyone to participate freely.
- *Timekeeper:* To adhere to the timetable thus ensuring completion of the agenda.
- *Pragmatic:* To take a detached look at the discussion viewing each point on its merits.
- *Encourage feedback:* To promote discussion of any point raised by the group.
- *Unbiased:* The facilitator must be neutral to the discussion, concentrating on the group rather than the content of the discussion and asking pertinent and stimulating questions.

Management skills and qualities of a facilitator

To be effective in the role of a facilitator the person needs to be effective as a manager, requiring several skills and qualities to be able to guide a meeting smoothly.

- *Communication:* The ability to put over points using all the techniques available both verbal and non-verbal, receptive listening is also an important tool.
- *Planning:* To arrange the venue for the meeting and to set it up in such a way that barriers are removed between facilitator and participants. The time allocation to the meeting has to include time for discussions and feedback.
- *Leadership:* To forge a team from a group of individuals through motivation and empowerment of the individuals. Delegation of tasks is essential to being a good leader also knowing when to stand back and let the team drive the process and when to take the initiative.
- *Training:* Based upon knowing what the team needs to ensure that it becomes an efficient and effective unit. This is achieved through evaluation of the strengths and weaknesses of the individual members.
- *Problem Identification:* Knowing that there is a problem is not enough, you have to be able to get to its root cause be it human or systemic. Both can be assessed via brain storming and analysis sessions with the team or on an individual basis. This will lead to decision-making based upon past experiences.
- *Consulting:* The facilitator can not just stand up and give a formal lecture to the audience. They need to involve the audience and let them know what is going to be on the agenda. To get the audience to participate they need to be a catalyst for discussion and where necessary reword points made and feed it back to the participants

3.2.4 Sponsors

Sponsors provide the resources and finances to support the forum establishment and/or operation. Formal catchment forums can clearly indicate to the sponsors what they plan to achieve and will generally be accountable to their sponsors and constituents. They remain dependant on external support for their functioning. Forums rely heavily on other stakeholder support to attain representivity and inclusiveness, hold and facilitate workshops, conduct catchment assessments, build capacity, develop and share catchment information. Sponsors are hence critical to the success of these structures in enhancing capacity and sustainability, before and even after the establishment of a CMA. Sponsors support should be acknowledged, but the sponsor should only have the same forum membership privileges as any of the other stakeholders.

The financial requirements of a forum are related to its role and level of activity. Active forums have powerful balanced stakeholder composition with a common vision. They invariably have a strong consultation component, particularly in the development of the CMS, but this does not require significant resources. Additional management functions may be delegated to them, but this generally requires access to greater capacity, resources and funds. Catchment forums may attract funding from participating or donor bodies to implement WRM related projects. Additional funding can be accessed from other sources where a dedicated fund raising portfolio is part of the structure of the forum.

Sponsors should not be allowed to dictate to the forum. They are facilitators or enablers in their own right by virtue of their interest in the water resource, as well as the sustainable functioning of a multi-interest catchment forum to ensure broad participation. The CMA (or DWAF¹) has an interest and responsibility in the sustainability of the forum and should therefore support the forum's fund raising activities. Industry and local government have interests in a functioning forum and should contribute to its establishment and operation.

¹ The Minister is the CMA until a CMA is established and is functional, which means that the DWAF regional office acts as the CMA in the interim.

3.2.5 Blessors

Another group of role players that may have an important impact on the legitimacy and sustainability of a catchment forum may be referred to as “blessors”. They may not be directly involved in the forum activities, but their implied support can facilitate others involvement and sponsorship. Blessors are generally credible leaders from another sphere, influential local role players and political figures (including traditional leaders) with leverage. They are essential to the process, particularly where their rejection of the forum can be seriously detrimental to its support by other stakeholders.

Blessors should support the aims of IWRM and be willing to endorse the formation and the work of the forum. However, political representatives should not be directly involved in the management of the forum, otherwise the forum may become politicised, which may impair its legitimacy.

3.2.6 Mediators

Conflicts can potentially arise in situations where there are contentious WRM issues, during forum establishment, functioning or evolution. Mediators play a very sensitive role in realigning personal interests to the vision of the forum and/or catchment drawn up by all stakeholders. They are familiar with the different role players, the legislation and have the credibility and authority to diffuse conflicts.

The CMA (or DWAF) is best suited to play this role, as long as it is seen to be independent and not aligned with any particular interests. Other stakeholders acceptable by all forum interests can also play this role. Invariably, they have to be neutral and have no vested interest in the dispute at hand.

3.3 Organisational Roles in the Process

3.3.1 CMA/DWAF's role in establishment

The CMA (or DWAF) can play the roles of initiator, facilitator and/or mediator. It is preferable that the leaders or champions are other members of the forum. Care should also be taken to prevent the forum from being dominated by line function officials from government, resulting in reduced involvement from stakeholder groups.

Where bodies other than the CMA or DWAF have initiated the establishment of forum, the CMA would nonetheless have a major advisory and auditing role throughout the different stages of establishment and functioning.

The CMA and DWAF should ensure that the forum:

- Is provided with advice on and complies with WRM policy, legislation and guidelines.
- Is representative of all stakeholders and that enough effort has been exerted to include diverse interest groups.
- Is not dominated by any one stakeholder (including itself), allowing the forum to operate freely within the set framework.
- Is operating in an appropriate catchment area without compromising and/or marginalising any interest group.
- Has an effective leader, facilitator, sponsor and mediator.
- Operates within a cooperative governance framework.

3.3.2 Stakeholders and interest groups

Interest groups are at the heart of the forum's existence, and should be promoted to participate actively and play the roles of leader, champion, sponsor, and facilitator. In particular, representation from communities, local government, industry, agriculture and non-governmental organisations should be targeted, depending upon the focus of the forum (see Chapter 10 for further detail on stakeholder representation).

Tribal authorities have largely been excluded from participation in WRM to date. The empowerment and involvement of this group should receive attention where appropriate for rural forums.

Although various interest groups may be perceived to be catchment forums, they are generally narrowly focused on specific issues and have limited representivity. As such, they are not catchment forums, but rather would be important stakeholders for catchment forums, to which they can bring their issues.

3.3.3 Individuals

Catchment forums serve as the basis for participation of numerous stakeholder groupings, so it would be unusual for an individual to seek active participation on the forum outside such organised stakeholder groupings. However, any person who seeks membership as an individual is clearly motivated to participate and is entitled to do so. If possible, efforts should be made to assist the individual to become part of an existing stakeholder group, where it is believed that that group's involvement is important.

PART II: TECHNICAL GUIDELINES

4 POSSIBLE ROLES OF A CATCHMENT FORUM

4.1 Introduction

The NWA was intentionally written as a framework Act, which allows considerable flexibility in its implementation. This is particularly apparent in terms of the potential roles, relationships and functioning of the various organisations involved in water resources management (WRM). This is not only true of those statutory bodies established under the NWA, but also other structures (such as catchment forums) that may support WRM.

This Chapter provides guidance on the possible roles that a catchment forum may play in relation to other organisations in a WMA, when these roles are most appropriate and the way that this may change over time. These guidelines largely address those forums that play a role in WRM and are written from the perspective of water resources managers and practitioners that may be responsible for establishing and managing catchment forums.

4.2 Potential Roles of Catchment Forums

4.2.1 Roles in support of water resources management

Catchment forums as addressed in these guidelines are assumed to be established to support a CMA (or DWAF) involve the public in WRM. The primary roles of a catchment forum are related to the way in which the forum may support the CMA, namely:

- *Consultation for WRM:* Catchment forums are most commonly established as vehicles for consultation around WRM issues and are the primary interface between the CMA and stakeholders. This consultation and advisory role might be initiated prior to the full establishment of the CMA, but should be a permanent feature of the CMA institutional environment. It particularly involves participation in the development of the CMS and the establishment of the CMA in a WMA, but would also include consultation around a range of WRM functions of the CMA (or other institutions). All catchment forums (including those with the roles described below) should have this consultative-advisory role.
- *Institutional development:* Catchment forums may assist with the development of WRM institutional capacity in a WMA. These forums are likely to be a common feature of various CMA establishment processes over the next few years. Here the forums may build awareness, secure stakeholder participation, promote capacity building in water management institutions and identify local water management challenges. The institutional development role may be terminated when the CMA is formally established, but it might be continued as the CMA becomes fully functional. This role is likely to be temporary, WRM and CMA focused, advisory in nature and involved in some CMA establishment functions.
- *Institutional coordination:* Catchment forums involve stakeholders from a variety of sectoral backgrounds and may be required to engage issues that are outside the mandate of WRM. However, catchment forums can play an integrating role, or promote integrated planning and management (in support of IWRM), by addressing other issues,

such as water services, waste management, integrated environmental management and land development. In some circumstances, the integration may include the coordination of regulatory activities among agencies with overlapping resource management responsibilities, particularly between local authorities and water sector institutions. This role is likely to be permanent and have a broad resources management focus (with a WRM point of departure within a catchment area), as well as involving CMA activities, and possibly associated activities of other sectors.

- *Support to WRM activities:* Catchment forums may also get involved in the operations of the CMAs once established, ranging from broad cooperation with CMAs and associated WMIs to the management (via delegation) of specific CMA functions. The most likely types of activities may include making recommendations on water use authorisation, monitoring water resources and water use, implementing local WRM projects and mobilising people and resources for WRM. This requires some formalisation of the forum, to ensure accountability for performing these functions. This role is likely to be permanent (unless tied to specific time-bound functions), focused on WRM and linked to the CMA.

In practice, a catchment forum will play more than one of these roles (at any one time), particularly as it becomes more established, gains legitimacy and builds capacity.

4.2.2 Responsibilities

A catchment forum may have one or more of the following responsibilities in performing these roles, namely to:

- *Disseminate information* about WRM in the WMA to the public;
- *Consult* stakeholders on the formulation of a vision for the water management area (WMA), the development of a CMS or the evolving nature and functions of a CMA;
- *Advocate* on behalf of stakeholders with DWAF, the CMA and other organisations;
- *Build capacity* of stakeholders and groups around WRM (institutional development), focusing on previously disadvantaged groups;
- *Facilitate* the participation of stakeholders in the development of a CMS and other WRM activities;
- *Foster* cooperative governance, particularly between WMIs and local government;
- *Coordinate* the strategies and activities of various bodies, to foster cooperation;
- *Monitor* water resources and/or users to identify problems;
- *Advise* on WRM decisions, by making recommendations to the relevant WMI; and
- *Perform* WRM activities (although a forum is not necessarily the most appropriate body for this type of function).

The order in which these responsibilities are presented place increasing organisational and resource demands on the catchment forum and require closer coordination between the forum and other organisations. In all cases, the catchment forum should represent the stakeholders' interests and should avoid becoming a tool for implementing another organisation's agenda. This implies a general resistance to taking on routine technical WRM functions, rather than coordinating and facilitating type functions.

4.2.3 The need for delegated powers

It is frequently argued that catchment forums should be empowered through the delegation of CMA functions. While such functions may well support the functioning of a forum, forums actually derive their strength (and in fact their power) from the stakeholders that they represent. In order to develop and maintain this strength, the primary focus of a forum should be on extending its stakeholder representation and building the capacity of these stakeholders to participate meaningfully, rather than attempting to gain "power" through

statutory means (i.e. becoming formally established and receiving delegated functions). In attempting to gain delegated powers, the forum may begin to act as an agency of government and not the stakeholders.

The character of catchment forums imply that they are likely to be particularly effective in taking on roles that require multi-lateral inputs and broad stakeholder participation. They are probably not as suited (depending on the manner in which they are organised) to the implementation of routine technical tasks. There are a number of other bodies that are more appropriate for performing routine WRM functions (as discussed in Chapter 5).

The priority for a catchment forum should be in developing and demonstrating its legitimacy, credibility, relationships and capacity, so that it is recognised by other established organisations. This recognition will more than likely result in the forum being requested to perform appropriate WRM activities, but this has implications in terms of accountability and resources.

4.2.4 Possible Non-WRM Roles

Stakeholders tend to use catchment forums as a vehicle to present general grievances and interests. Managing these diversions is critical to the focus and sustainability of the organisation. It is important, where possible to ensure the issue is addressed, either through the forum or through associated organisations. Other WRM-related issues (such as water services, integrated planning and waste management), should be addressed by catchment forums, even though they may be outside the mandate of the CMA.

- *Water services*: refers to the provision of potable water and disposal of wastewater and sewerage, and is governed by the Water Services Act (Act 108 of 1997). A range of water services institutions (WSI) are established to ensure access to water services by all South Africans. The unequal access to water services by disadvantaged communities in many parts of the country, results in water services being raised as a priority issue by many communities at forum meetings. It is difficult to get these communities involved in WRM issues if they do not have access to water services, but conversely water services and its relationship with WRM provides an effective means of building capacity in these communities to participate meaningfully.
- *Spatial planning*: is beyond the mandate of WRM, even though land use has a major impact on water resources. Local government through the Integrated Development Planning (IDP) process, is responsible for municipal spatial planning, and should be engaged by catchment forums (as should Provincial Government for regional planning), particularly where they are active and aware role-players in the forum. The need for these processes to consult stakeholders provides an opportunity for the forums to influence this process and also to foster cooperative governance, as discussed below.
- *Integrated Environmental Management (IEM)*: The consultation and decision making process around the environmental consequences of development, is overseen by National and Provincial Departments of Environment. It is possible that catchment forums may become involved in these processes, particularly where the development (including waste management) may have an impact on water resources. This leads towards the integration of natural resource management, but can only be done in the spirit of cooperative governance.

Where a catchment forum becomes involved in non-WRM activities, care should be taken to maintain the WRM related activities of the forum.

4.2.5 Cooperative governance and partnerships

A catchment forum gains its strength from the stakeholders it represents, rather than statutory powers. This characteristic is even more apparent where the forum becomes involved in water related activities that are outside the mandate of the CMA (or DWAF). Under these circumstances, a catchment forum may become an appropriate vehicle to foster cooperative governance between the CMA, local government and other stakeholder interest groups, in the interests of integrated management to support WRM. However, this implies that the organisations that are represented by the forum are both committed to the aims of the forum and support (and implement) the recommendations that the forum makes.

This type of buy-in and support is less likely if the forum is perceived to be an organ of another department or sphere of government. The forum should be formally constituted with clear relationships with the CMA and other organisations, but this does not imply that it should be a statutory body established under the NWA. It may then be an effective vehicle to foster cooperative governance around WRM, focusing on the alignment of CMA policies and strategies with those of other organisations in the WMA. It should also be noted that where the forum is recognised as a legitimate and representative role-player, it potentially has significant influence (or coercion) over other organisations through “peer pressure” and “management by shame”.

4.3 Need for a Catchment Forum

4.3.1 The need for a forum rather than other bodies

Catchment forums offer the opportunity to consult and interact with a spectrum of stakeholders. Where this role is unimportant, a forum is probably not needed. It is generally not necessary to establish a forum to support narrow and focused activities for single interest groups. Section 5.2 outlines the roles of other WMIs².

However, a forum is appropriate where specific activities need to be referred to multi-interest stakeholders or where cooperation between various stakeholder bodies is required. The existence of catchment forums means that other organisations do not have to set themselves up as consultative bodies, but rather should be represented in the forum and may exercise their participatory requirements under the NWA through the forum.

4.3.2 Geographic Area and Size

Stakeholders are drawn to participate in catchment forums around WRM issues within a local catchment area, and so forums should be defined according to catchment boundaries. However, this should not be used to exclude interested parties from outside this area.

In any water management area it may be necessary to consider the number of forums required. Where forums have a predominantly consultative function, linked to the CMA, it is desirable that they offer access to all relevant stakeholders and hence wall-to-wall coverage in a WMA is probably desirable. The number of forums should then be determined by areal distinctions in the mix of water management problems, and by ease of access by stakeholders.

² A water management institution (WMI) includes CMAs, WUAs, international bodies and “any person who fulfils the functions of a water management institution” in terms of the NWA - **Section 1(1)xxvi**, including “a natural person, a juristic person, an unincorporated body, an association, an organ of state and the Minister” - **Section 1(1)xiv**. This implies that any individual or structure that performs WRM functions on behalf of a CMA (including catchment forums) is a WMI.

On the other hand, where forums are playing a capacity building role or performing WRM functions, the size and location of the forum should be related to the capacity needs or focus of the activities to be performed.

In general, rural forums may be most appropriate at the quarternary catchment scale (between 100km² and 500km²), while urban forums will generally be more effective at a smaller sub-catchment scale (<100km²) due to the higher population and more localised WRM impacts. Where wall-to-wall forums are to be established in urban areas, it may be necessary to develop larger (quarternary) scale forums, but with relatively independent sub-catchment based committees focusing on local areas. Alternatively, a number of smaller catchment forums may be established, with a greater need for the CMA to ensure coordination between forums.

4.3.3 *Serving the catchment management agency's objectives*

A CMA has a requirement under the NWA to enable the public to participate, and therefore has specific "selfish" interests in the focus and activities of a catchment forum. However, the forum is only viable if it represents the interests of its stakeholder membership, so the CMA can only influence the forum. A similar situation may exist for the relationship between the forum and local government or industry, as these groups also have an interest in the activities of the forum.

Fundamentally, the issue relates to the resources provided for the forum establishment and functioning, with organisations that contribute significantly to the forum generally being able to exert greater influence. This can be a threat to the legitimacy of the forum, as it may be seen to be a vehicle for promoting partisan interests.

By its very nature, a catchment forum has a complex relationship with stakeholders, which is likely to evolve over time. On the one hand, a catchment forum represents diverse and possibly conflicting stakeholder interests, while on the other hand it is an appropriate vehicle for building capacity and extending participation in WRM to other (possibly marginalised) groups with further interests. Managing these conflicts and requirements requires the forum to foster a "culture" of participation and consensus, through sound and visionary leadership.

The CMA should support catchment forums and present its issues for discussion through agreed channels, but must not be seen to be driving the agenda of the forum. In this context, it is important that the WRM focus of the forum is reflected in the identification of stakeholders, in other words those with an interest in WRM.

5 INSTITUTIONAL ARRANGEMENTS

5.1 Introduction

The institutional arrangements within which a forum operates is the combination of legislation and regulations, policies and guidelines, administrative structures, economic and financial arrangements, political structures and processes, historical and traditional customs and values, and key stakeholders and role players in that catchment and WMA.

The institutional arrangements governing the functioning of a catchment forum, include the nature of the forum as a legal entity and the type/s of relationships it develops with other organisations. These may be represented as institutional models for catchment forums, which are dependent upon:

- the evolution of the CMA (as the primary WMI in a WMA);
- the role of the forum in WRM and/or supporting cooperative governance;
- the capacity and resources available to the forum (related to the stakeholders); and
- the interests and values of stakeholders and role players.

5.2 Roles of Other Bodies and Relationships with a Catchment Forum

The nature of the institutional relationships that the forum must develop with other organisations, depends upon the role/s of that specific forum. The following organisations and relationships are important from the perspective of a catchment forum.

5.2.1 Catchment management agency

Catchment forums are primarily established to support a CMA to involve the public in water resources management (WRM). This implies that the evolution of the CMA as an organisation is a key determinant of the institutional arrangements for a catchment forum.

CMAs are statutory bodies established by and accountable to the Minister, under **Chapter 7** of the NWA. A CMA may be established in each of the 19 WMAs. Each CMA is responsible for those water resources management functions that have been assigned or delegated to it within a WMA, as well as coordinating the management of other local WMIs, without promoting a proliferation of institutions.

The CMA must develop and give effect to a catchment management strategy (CMS), which provides the framework for management of water resources in a WMA and that is consistent with the NWRS. Water resources management activities performed by any WMI must also be in accordance with these strategies. Stakeholders must be involved in the formulation of the CMS, which implies an important role for catchment forums, both in terms of developing a common WMA vision and consulting on the details of the strategy. Having been central to the development of the CMS, the forums should also have a key role in implementing and monitoring the CMS.

Every CMA is governed by a board, representing the interests of water users, stakeholders and government, and ensuring that WRM within the WMA is performed within specified parameters. Catchment forums provide an appropriate and important mechanism for the CMA governing board to interact with stakeholders, thereby ensuring public involvement in WRM.

The close relationship between catchment forums and the CMA, imply that the roles of a catchment forum are likely to change as the CMA evolves.

- During the CMA establishment process, catchment forums are likely to have a predominantly institutional development role, as well as a consultative-advisory role to DWAF.
- After establishment, the catchment forum role may shift to a consultative-advisory, and possibly an institutional coordination role where other organisations are actively involved, supported by an institutional development role.
- Once the CMA and catchment forums are functioning effectively, the catchment forums may adopt a WRM support role, in performing certain activities on behalf of the CMA according to the framework set out in the CMS.

However, at any stage the stakeholders in more capacitated forums may introduce non-WRM issues and the forum may develop an integrated resource management complexion. This may weaken the relationship between the forum and the CMA, to the point where the forum is no longer a WRM focused stakeholder body, unless the CMA is providing the stakeholders with an effective mechanism to address their issues. This places the onus on the CMA to actively engage and work cooperatively with catchment forums.

5.2.2 Catchment management committee

Section 82(5) of the NWA provides for the formal establishment of committees by a CMA, in order to advise it or to perform any of its functions within a specified area. This committee provides a mechanism for the CMA to broaden its technical management capacity and/or stakeholder representation. Catchment management committees (CMCs) should have representation from the CMA governing board and/or CMA staff, but may include other specialists and/or stakeholders.

A CMC may be geographically (and/or functionally) based, focusing on a specified WRM problem in a sub-catchment area of the WMA. Stakeholder representatives from that area may be included on the committee, which may be advisory or executive in nature. This is particularly appropriate where there are critical local water resources issues that require management attention. CMCs provide a mechanism for communication, cooperation and decision making between stakeholders and the CMA governing board, while the CMA executive performs the associated functions or implements any required actions.

The intention of the NWA is not for the proliferation of CMCs, but rather to provide a formal mechanism where this is deemed necessary. A CMC provides one possible vehicle to facilitate the statutory involvement of stakeholders represented by a forum. However, clear advantages must be demonstrated before establishing a CMC, particularly where it is intended for functions to be delegated to the CMC.

Where this is deemed necessary, the Minister must approve the delegation of functions to a committee consisting of non-CMA board or staff members. In this circumstance, the statutory nature of the CMC requires that the catchment forum needs to clearly indicate the way in which membership of the CMC will be elected, appointed or nominated from the forum membership. It is important that the wider forum continues to exist as support to the CMC, as the two bodies play different roles and have different membership requirements.

There is a general view that area-based CMCs may provide a means of managing several forums in a catchment. However, this is not necessary, but rather the CMA itself may provide a coordinating function for these forums, depending upon the role of the forums.

5.2.3 *Water user association*

WUAs are statutory bodies established by the Minister under **Section 92** of the NWA. They are cooperative associations of water users who wish to undertake water-related activities on a local scale for their mutual benefit. WUAs allow members to pool their resources to address local needs and priorities. They are particularly tailored for the management of local water resources infrastructure, as well as certain local WRM functions, with an emphasis on agricultural and other rural users.

WUAs may be established for a single purpose, representing similar users, such as controlling recreational use or irrigation. However, WUAs may also be multi-sectoral, dealing with a number of water uses within a localised area, such as recreation, irrigation and effluent discharge.

It is important to highlight that although a WUA may seem to represent a logical mechanism to formalise a catchment forum, this is not the case. A catchment forum should be a flexible consultative structure that should represent diverse stakeholder interests (not only water users). On the other hand, a WUA is a local body that acts on behalf of its water user members under an approved constitution and is funded by the collection of charges from its members. In practice, a WUA should be represented and participate actively as a stakeholder in the activities of a catchment forum.

5.2.4 *Advisory committee*

Before appointing the CMA governing board, the Minister is required to establish an advisory committee (AC) to make recommendations on its composition, under **Section 81** of the NWA. This AC must also evaluate whether the public participation process leading to the proposal for establishment of the CMA was inclusive and representative of the interests in the WMA. Therefore, there is likely to be significant (albeit transitional during the CMA establishment process) interaction between this AC and the catchment forums in the relevant WMA, particularly where the latter have been actively involved in the participation process for CMA establishment. Members of the relevant catchment forums may be appointed to this AC, to ensure the involvement of local stakeholders.

Apart from the AC for the governing board, the Minister may establish advisory committees for different purposes and functions under **Section 99** of the NWA. Forums may nominate members of an AC, if requested, but these are appointed by and are accountable to the Minister, and so forums may lose their flexible nature if they aspire to become advisory committees. Catchment forums should cooperate and communicate with relevant advisory committees, and may even have membership on the AC, but the forum itself should not become an AC.

5.2.5 *Local government*

Local government is constitutionally responsible for ensuring access to water supply and sanitation services to people within its area of jurisdiction, and is therefore defined as the water services authority (WSA) under the Water Services Act. Catchment forums may have to interact with water services institutions (including local government and water boards) in an advocacy role, to promote the interests of the stakeholders it represents. This is most effective where the relevant organisation (particularly the WSA) participates in the forum. However, the forum should be careful about taking any management responsibility or performing any activities for water services, because as a consultative body, it is not well suited to this role.

Local government (whether local, metro or district municipality) is also constitutionally mandated with many responsibilities that may affect water resources, including municipal spatial planning, environmental management and service provision. Therefore local authorities' participation/involvement in a catchment forum (and acceptance of recommended management actions) is fundamental to the forum's ability to address water resources management issues in an integrated manner. On the other hand, the local authority should obtain some influence on the WRM strategies and activities of the CMA through its involvement in an effective catchment forum. The facilitation of this two-way cooperation, should be the goal that every mature and independent forum. However, this requires particular energy to be put into building awareness and support for the forum in the local government sphere, throughout the forum's establishment and evolution.

5.2.6 Provincial and national government

Similarly, the involvement of relevant provincial and national (probably through their regional or provincial offices) government departments should be sought, where this relates to an issue or interest of the forum, such as agriculture, mining or health. In some cases, these other departments may provide energy (and possibly resources) to support and maintain a catchment forum, where it supports their functions. The potential synergies between catchment management (and catchment forums) and land care are particularly relevant.

However, catchment forums should ultimately be focused on WRM issues, otherwise they are a stakeholder representative body not having a special relationship with the CMA. As a result, care should be taken to avoid the diversion of the forum interests too far from WRM issues. The challenge is to keep the balance and focus of the catchment forum, while reflecting the interests of stakeholders.

5.2.7 Civil society bodies

A catchment forum represents stakeholders with an interest in WRM. However, these same stakeholders may also be represented by other organisations, which may generally be separated into those representing (or supporting) civil society and those representing sectoral interests. Usually individuals are not interested in participating in forums, but rather prefer to participate through representative umbrella sector or interest groups.

Involvement of these other representative bodies is an appropriate and effective means of ensuring those interests are represented in the forum, and to extend participation in the forum to other stakeholders/interests. They also provide a possible source of capacity and resources to support the establishment and management of a catchment forum. However, special care must be taken to prevent these bodies from dominating a catchment forum, particularly those that are contributing capacity and resources to the forum.

Non governmental organisations (NGOs) and community based organisations (CBOs) are potentially major allies of a catchment forum, particularly in extending participation into previously disadvantaged communities. They may also represent community interests and priorities, understand local conditions and have capacity to support the forum (where their priorities are aligned). Given these possibilities, catchment forums should develop cooperative associations with relevant CBOs and NGOs as a matter of priority.

Similarly, agricultural, forestry, industrial and mining sector representative organisations should be encouraged to participate in catchment forums. This ensures representation of these interests, and may provide the forum with access to the capacity and resources that are generally available to these bodies. However, the threat of sectoral domination of the forum by these organisations must be recognised and mitigated.

Interest groups are often environmentally and/or recreationally based, and by definition have a specific focus and potentially limited membership. As such they are important forum stakeholders, but are not themselves catchment forums, as interpreted for these guidelines.

5.2.8 Department of Water Affairs and Forestry

The DWAF Regional Office (RO) acts as the CMA, until a CMA has been established. Therefore, a similar relationship may exist between DWAF RO and the catchment forums as for the CMA.

DWAF's WRM function is currently undergoing a significant restructuring process, in order to bring it in line with the requirements of the NWA and the establishment of CMAs. It is likely that the future role of DWAF will primarily be a strategic, oversight and coordinating role in WRM.

This restructuring implies a period (of between ten to fifteen years) of institutional transition as CMAs are established and become fully functional. This transition will be marked by a change in the relationship between the catchment forums and DWAF, with the major shift occurring immediately after the establishment of a CMA, when the CMA should take responsibility for supporting catchment forums.

In the long term, DWAF's primary role will be to provide support to the CMA and by implication associated catchment forums, as well as audit the CMA in its implementation of the purpose and requirements of the NWA. Thus, DWAF would likely audit the representivity and involvement of the catchment forums as an indicator of the degree to which the CMA is enabling public involvement in WRM.

5.3 Legal options for the establishment of forums

A catchment forum may potentially be established as one of three entities, namely:

- non-statutory structures (with or without a Charter);
- registered private organisations (such as a trust or company); and
- statutory bodies established under the NWA (such as a CMC or AC).

5.3.1 Catchment management committee or advisory committee

The establishment of a forum as catchment management committees would require that once formally appointed, **item 19 (2) of Schedule 4** in respect of the Management and Planning of Water Management Institutions would take effect, making the items of **Schedule 4** automatically applicable. Although a different section of the NWA would be used to set up forums acting as advisory bodies, there is no difference in the practical effect of the sections concerned.

If this option were exercised, the Minister and DWAF can fully control the functioning of the forums by giving effect to the requirement that the forum's manner of functioning must be determined. This could be inclusive of matters such as appointments to forums, including the nomination or election processes, the manner of execution of delegations, accounting and reporting issues. However, at this point in time, DWAF may not have the capacity to formally regulate the functioning of catchment forums.

It is recommended that a catchment forum itself should **not** become a CMC or an AC (as outlined above), but rather should develop relationships and/or nominate membership to these bodies.

5.3.2 Section 21 company or trust

Another possible route to formalising a forum is to establish it as a private entity, such as a Section 21 company (under the Companies Act 61 of 1973) or a Trust (under the Trust Property Control Act 57 of 1988). The advantage of this is the legal establishment of the forum, with the legitimacy this brings, particularly for funders. On the other hand, legal establishment is associated with requirements in terms of the management and auditing of the organisation, as well as the need for individuals to be appointed as directors or trustees. This potentially constrains the functioning of the forum and requires additional resources and funds to be dedicated to achieving the legal requirements.

Despite its legal status, the actual mandating of such a forum to exercise powers and functions in terms of the NWA has to be effected through a delegation process. In the absence of delegation, forums in this category have no legal right to enter or cross the land of other water users in order to carry out monitoring and control functions and will as such have no legal standing in relation to third parties in terms of the NWA.

5.3.3 Non-statutory forum

It is possible to assist stakeholders within a water management area to set up forums which are not public or private entities and which would therefore constitute non-statutory forums. If no delegations or financial assistance from DWAF are involved, the forum (and DWAF) will have to rely entirely on the goodwill of its members for their co-operation to operate within guidelines set by DWAF. Unless there are contraventions of law, no legal action can be taken against forums which do not conform to DWAF policy. It is possible to, on a selective basis, delegate limited powers and functions to non-statutory forums, subject to certain conditions. This could serve as an instrument to create some measure of control over the functioning of forums.

There is, however, a practical problem to the delegation of powers, which applies to both statutory and non-statutory forums. A delegation cannot be so wide that control over the execution thereof cannot be effected. It follows that a forum needs to be organised in functional groups, for example the Financial Committee or an Abstraction Control Committee of the forum, with specific positions within the committee, such as Treasurer in the case of the Financial Committee or Inspector in the case of the Abstraction Control Committee. The delegation is then to a specific committee, or the holder of office within the committee. It cannot be a simple delegation to just a forum without distinguishing between the broad layer of stakeholders and those vested with specific responsibilities through whatever mechanism is created for the purpose.

An instrument for a CMA to acquire control over the functions of non-statutory forums is conditional financial assistance through the application of Section 61 of the NWA. This is of course subject to the availability of funds. This can be broadened by a DWAF involvement in securing donations or foreign aid (a permissible form of financing in terms of Section 84 (2)(c) of the NWA), subject to whatever conditions are deemed appropriate to ensure proper financial control.

The preceding discussion highlights the potential drawbacks for stakeholders, particularly in terms of independence, associated with forums that have delegated functions. A CMA is unlikely to delegate functions, unless they are assured that the forum will perform these functions in the interests of the CMA.

5.4 Institutional Models

5.4.1 Types of relationships

Catchment forums implicitly have or may develop the following generic types of relationships with other organisations:

- *Representative* relationships exist between the forum and other organisations (and stakeholders) that participate in the forum.
- *Consultative or advisory* relationships exist where the catchment forum (representing stakeholders) makes input or recommendations to the CMA on WRM decisions.
- *Institutional support* (including capacity building) would generally be from a highly capacitated (and well-resourced) WMI, WSI, NGO or sectoral organisation to the forum.
- *Cooperative* relationships (or agreements) between organisations through the forum (particularly the CMA and local government) are the basis of integrated management.
- *Contractual* relationships may be developed where the CMA requests the forum to perform certain functions in an area on its behalf, usually in exchange for payment.
- *Delegation* of functions is most likely from a CMA to a formal component of a forum (rather than delegation to a forum itself), in order to ensure accountability.
- *Auditing* of a catchment forum by DWAF or the CMA, would evaluate the participation and representation of various interests (stakeholders) in the forum's operation.

The following issues should be considered, but are likely to differ for each of these relationships:

- *Accountability* of the forum to other organisations and/or stakeholders in terms of either stakeholder representation or contract/delegation of functions.
- *Resources* (including finance, people's time and infrastructure) made available to the forum by other organisations, particularly associated with functions performed.
- *Information sharing* according to informal or structured agreements between the forum and other organisations.

The primary relationships between a catchment forum and other organisations are highlighted in Figure 5.1. Relationships between the other organisations are not presented.

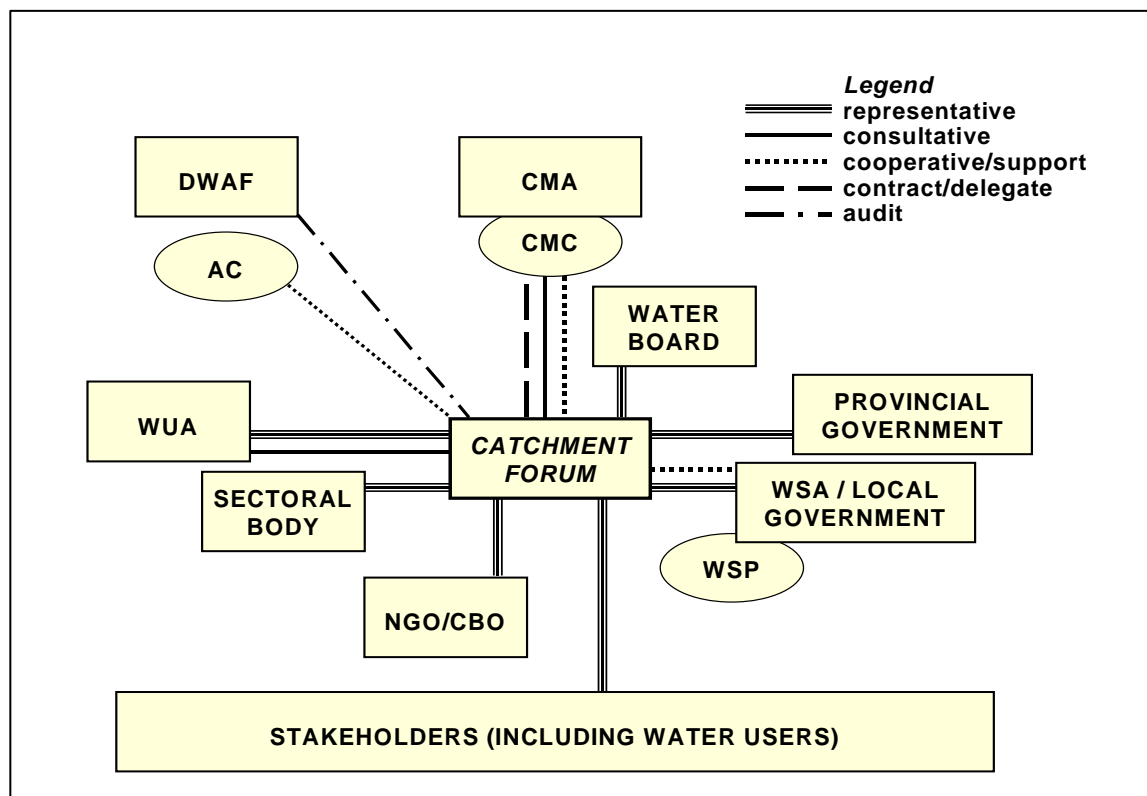


Figure 5.1. Possible institutional relationships between a forum and other bodies.

There are four basic institutional models for forum functioning, related to the four generic roles of a catchment forum (see Section 4.2). These models are illustrative, and in practice a particular forum may develop a hybrid of these.

5.4.2 Consultative Advisory Forum Model

The catchment forum provides a mechanism for the CMA to consult with stakeholders about WRM, either in terms of the institutional establishment and evolution of the CMA (and WMLs in the WMA) and/or the development and implementation of the CMS. The latter may range from the vision for the WMA, through water use authorisation, to development of water resources infrastructure.

There is no necessity to constitute the forum as a formal legal entity, although it may be appropriate to develop a charter as the forum matures. The key consultative, advocacy or advisory relationship is with the CMA (and any relevant CMC, where these have been established), which may need to be supported by capacity building (and possibly finance or resources). On the other hand, the forum would primarily develop representative relationships with stakeholders and other organisations that may have an interest in WRM in the WMA.

This model has advantages for the CMA, in that it provides a means of achieving the requirement for public involvement in WRM. However, there is a threat that the forum may be perceived by stakeholders to be a “talk-shop” with little concrete impact. Lack of credibility would generally lead to disintegration of the forum due to dwindling interest. Therefore this model requires active support by the CMA (in its own interest), as well as demonstration that recommendations that are made by these forums are considered and acted upon. The forum may evolve from a purely consultative forum to one with a more formal advisory nature, to reflect increased involvement of stakeholders in decision making.

5.4.3 Institutional Development Forum Model

The catchment forum provides a vehicle to bring people into WRM activities through developing capacity. This is closely linked to the process for establishment of a CMA, as well as the period immediately thereafter. These forums may be a combination of the forums associated with the consultative and coordination models. It is critical that these forums develop linkages with NGOs and CBOs, as well as other organisations that may be able to support the institutional development process at grass-roots level.

The forum will develop relationships with both the bodies driving the institutional development process (generally DWAF or the CMA) and the recipients of capacity building initiatives. It is important to note that institutional development should be targeted at stakeholder bodies, rather than individuals, as this creates a more sustainable institutional environment in which the forum may operate. However, the process should generate general public awareness of WRM issues, through the stakeholder bodies.

Once again, it is not necessary for the forum to be a legal entity, although these forums should be formally constituted with a clear strategic plan for implementing their role in WRM. Although they may be temporary, associated with the time frame for institutional development, they provide a sound basis to evolve into one of the other models, because the process of institutional development inherently results in increased legitimacy and acceptability for the forum.

5.4.4 Coordination Networking Forum Model

The catchment forum represents a “node” for cooperation between organisations that have an interest in or perform functions that may affect WRM in a WMA. In its simplest form, the

forum coordinates the activities (through sharing information) of different organisations. The forum therefore simultaneously has representative and cooperative relationships with certain organisations, but these would need to be supported by capacity building (institutional development) of the forum to ensure effective coordination.

The next level of cooperation implies that all the organisations represented on the forum have an implied responsibility to consider and where appropriate to implement recommendations from the forum. However, forum recommendations do not bind these organisations and they do not lose their accountability for their mandated functions. What it does strive to achieve is alignment in decision making that affects water resources in a local area. Local authorities, as well as the CMA, are particularly important players in this hybrid model.

At its most comprehensive, this model extends the notion of a CMA to include forums as the centre of a network of organisations, all of which are part of the CMA. Although this is attractive in theory, the logistics of such a model and the accountability of the CMA for its delegated functions are likely to prevent its realistic application. However, it should be noted that this model may be possible in terms of the initial functions of the CMA, which are largely around the coordination of institutions and participation of people in WRM.

5.4.5 Water Resources Management Support Model

The CMA may contract or delegate the forum to perform certain WRM functions on its behalf. Where a contractual relationship is to be formalised, the forum or committee to which the delegation is made, should be a formal (or legal) entity, and the contract would specify the functions to be performed and any resources (funds) that may be made available. On the other hand, if the functions are to be delegated, the forum should ensure adequate control by the CMA, possibly according to regulations for consultative forums that could be promulgated under Section 90(1)(b) of the NWA.

In either case, the issue of accountability becomes unclear. The forum should represent the stakeholders, but if it is performing functions on behalf of the CMA, it is accountable to the CMA, which reduces its ability to function effectively as a consultative forum. Furthermore, performing functions on behalf of the CMA, may require the forum to appoint people and manage resources (which introduces a different dimension to the functioning of a forum). The problems of this paradox should be carefully considered before a forum takes on WRM functions other than the consultative, institutional support and coordination roles underlying the other models.

6 ESTABLISHING A CATCHMENT FORUM

6.1 Introduction

The establishment process has a number of phases starting with the initiation of the process and ending up in a sustainable functioning structure, achieving agreed objectives. Initially these structures may not comply with all the requirements of a sustainable forum, but engaging possible shortcomings should be addressed by the forum during its establishment and evolution. The transition can vary greatly from one forum to another depending on the initial reason for establishment and associated process.

6.2 Drivers for Initiating the Establishment a Forum

The main driver for establishing a catchment forum is dictated by policies relating to the NWA. Although catchment forums are not explicitly required by the Act, there is repeated mention of consultation and participation by all stakeholders. Indeed, this represents a major point of departure between the previous water legislation and the NWA, where catchments are to be managed at a local level actively involving their inhabitants and stakeholders. Drivers for initiating the process may be to create structures that:

- Ensure consistency and representivity of **consultation** within a catchment area, ranging from issues around the development of a CMS to the establishment of a CMA. The catchment area covered by the forum should be based on types of WRM issues, the level of capacity and the availability of resources in the area. All relevant WRM stakeholders need to be represented on the forum, usually through umbrella representative bodies.
- Facilitate **institutional development**, particularly around the establishment of a CMA. The advantage of this structure is that it tends to be representative of all stakeholders (if the process is correctly conceived and executed) and should develop capacity around WRM (through the process). However, it needs to broaden its focus from institutional development to actually engaging WRM, thereby becoming an effective catchment forum.
- Address specific priority **WRM issues** that have been identified in an area, such as water quality deterioration. This is an effective driver for initiating a forum, particularly where various stakeholders have an interest in the issue. However, these forums tend to be narrowly focused on the particular issue in a relatively small area, with representation by only those stakeholders with an interest in that issue. The challenge to these forums is to expand participation and focus to other WRM issues over time (to become true consultative forums), particularly once the original issue is resolved.
- Support **project planning or implementation**, such as the development of water resources infrastructure (such as dams). These structures (often constituted as steering committees) have a definite start and end (linked to the project), with narrowly focused objectives and representation. However, they provide an opportunity to build capacity in the members as the seed of a catchment forum. This structure needs to expand its focus and membership to evolve into a representative catchment forum during or after the project cycle, or it can merge with other existing structures to create a forum.
- Perform particular **WRM functions**, such as monitoring groups, alien plants removal groups and permit advisory panels. Once again these structures are narrowly focused,

with specific defined membership, but do provide an opportunity around which to initiate a forum establishment process. The challenge is to continue performing the required functions, while expanding the focus and participation in the forum.

The consultation driver (described first) is the most inclusive in terms of focus and participation, but may be the most difficult and resource intensive to initiate as it can become quite diffuse in focus. The other drivers may better facilitate the establishment of a forum, but require attention to ensure the expansion of focus and participation, particularly as they represent possible operational sub-structures within a consultative forum structure (see Chapter 8 for a more detailed discussion on forum structure).

6.3 Initiating a Partnership Process

Catchment forums are essentially partnerships between stakeholders and organs of state. Successful partnerships take time to develop. There are four main stages in the development of this partnership, each of which is described below using an analogy to how we learn to swim. These stages evolve parallel with the forum establishment process of moving from conducting stakeholder meetings, to developing a vision, strategy and organisation. Each stage involves specific feelings and actions. Being aware and prepared for these different stages, will make it easier to move through the difficult stages to reach success at the end.

6.3.1 The forming stage

When a partnership is forming, people cautiously explore each other (which occurs during the *conduct stakeholder meetings* step). Members are like hesitant swimmers. They stand by the side of the pool and stick their toes in the water. Feelings at this stage include excitement and optimism mixed with scepticism and anxiety. Activities include;

- Defining the issue at hand and discussing how to address it,
- Deciding what information needs to be gathered,
- Discussing concepts and issues,
- Identifying all the barriers to getting the job done.

6.3.2 The storming stage

This is often the most difficult stage (usually around the *development of a shared vision* step for the forum). Partners become impatient and begin arguing. They are all like new swimmers. After they jump in the water, they are afraid they might drown and begin thrashing around. Feelings include resistance to change and negative attitudes about the success of the partnership. Signs include;

- Arguing about less important issues,
- Becoming defensive or competitive (choosing sides)
- Developing unrealistic goals,
- Increasing tension and jealousy.

6.3.3 The normalising stage

People accept their role in the team, as well as ground rules and norms (as the forum *formulates a strategy* step for achieving the vision). Conflicts are reduced and competitors become more cooperative. Like experienced swimmers, people realise they aren't going to drown and they help each other afloat. Feelings include acceptance of team membership and relief that things seem to be working out. Some activities are;

- Achieving harmony by avoiding conflict,
- More friendliness and sharing of problems,
- A sense of team cohesion and common goals.
- Developing an inter-dependency in achieving a desired state.

6.3.4 The performing stage

By this stage, the stakeholders have become an effective and close knit structure (related to the *establishment of the forum organisation* step and into *forum functioning*). People begin to really work together. Like a winning relay team, the partnership works together well. Feelings include new insights about the partnership and each member's roles as well as satisfaction with the partnership's progress. Some activities are;

- Constructive change,
- Ability to work through problems,
- Closer attachment to the partnership.

Central to the sustainability of the forums is maintained interest and commitment of the stakeholders. During and after the normalising stage, stakeholders would have identified the reason and level of their involvement in the structure. Here there is inter-dependency in all functions between the different role players. Consistent attendance should result and the performing stage should have clear achievements and benefits to the participating stakeholders. Sustained performance requires financial, technical and human resources that can be accessed from a variety of sources.

6.4 Establishing the Forum

6.4.1 Overview

Once the forum has moved through the initiation stages, it needs to establish itself as a body to perform the role that the stakeholders have identified. This requires some degree of clarification of the way in which the forum will function, captured in a statement of intent or terms of reference. This should state the vision and mission of the forum, as well as indicate the structure, operation and membership of the forum. Developing a terms of reference or statement of intent may explicitly reflect the possibility of change as the forum evolves. Appendix B provides a possible outline for the forum constitution, parts of which may be included in a charter or terms of reference.

Many forums remain informal bodies (particularly those that are initially issue based or project driven) with a terms of reference, while they extend their focus and mature in deliberating catchment issues. However, others may wish to become more formal, with a constitution or charter, particularly as their role/s become more complex.

Many sponsors require a business plan before they can support an undertaking, and so the forum may need to develop a business plan as part of its strategy. This requires some degree of formalisation of the forum. The main objectives of a business plan is to serve as a framework for decisions or for:

- securing support, approval and/or funds;
- explain the business to others in order to inform, motivate & involve;
- assist benchmarking & performance monitoring;
- stimulate change and coherent evolution; and
- become a building block for the next plan.

6.4.2 Strategy and Planning

Forums can choose to grow and function in a reactive and ad-hoc manner, or they elect to grow and operate in a purposeful and incremental way. Strategy and planning are a critical element of the establishment and evolutionary phases, but they should become a part of the normal functioning of the forum. In this context, strategy and planning are described in more detail in Section 9.1.

6.4.3 Linking with existing initiatives

The development of a catchment forum on the basis of a pre-existing organisation or committee has distinct advantages. Stakeholders have already been drawn into an interactive process; relationships have been established; some sort of shared vision may exist; and there will be an organisational structure. Furthermore, the interests and concerns of the various stakeholders would have already be known to all participants. An added benefit from the perspective of the CMA (or DWAF) is that this forum is being driven (and resourced) by another organisation.

Pre-existing forums are likely to be area based with an established framework of needs, but these may not necessarily coincide with the needs of water resources managers. This is most likely in the urban context, where local authorities may establish resource management (or catchment) forums, to enable residents to participate. However, land care and environmental management forums provide similar opportunities in the rural context. Resources will already be employed in ensuring participation, and working within such a structure may reduce stakeholder fatigue and cost. Capacity in the form of organisational ability and confidence would already have been built.

However, the major issue is whether the forum can and will serve the needs of water resources management, in what ever role is most appropriate in that area. Furthermore, an assessment must be made as to whether the existing structure and stakeholders have an interest in focusing on water resources issues, possibly at the expense of other usually environmental and resources management issues. As a rule of thumb, an average of at least 60% of the forum's regular agenda should be dedicated to WRM issues to make it a viable candidate to become a catchment forum. However, for obvious reasons, there is a real motivation to linking with existing initiatives for catchments in which there is limited capacity and/or resources.

6.4.4 Lessons from other establishment processes

The following guidelines represent a synthesis of lessons and experience with a range of forum establishment processes throughout South Africa:

- Learning is a life long process and stakeholders must take ultimate responsibility for their own learning.
- Participation occurs effectively in a relaxed, non-threatening, win-win environment that should be provided by the forum.
- Collaboration is a cooperative activity requiring input and active interaction from all stakeholders.
- People participate in different ways and this diversity must be respected and catered for.
- Designated and dedicated people should be responsible for playing each of the critical roles in the establishment process.
- People relate best to what is relevant to them and can be applied in their spheres.
- Assessment is important to provide feed back on progress, but should not become a judgement on the way the forum should function.
- The roles of local authorities in catchment management as local planning and water services institutions should be clearly communicated with them.
- Establishment mechanisms can differ from one location to the other - there is no generic approach suitable for all.
- DWAF and/or CMAs are critical role players in the establishment process.
- Support from large capacitated organisations can provide additional resources for a more effective and sustainable structure.
- Not having statutory powers does not mean weak structures.
- Catchment forums become formal structures after adoption of a charter.

- Existing initiatives or forums in the catchment should be investigated so as to build on existing capacity rather than duplicate.
- Adequate resources need to be allocated for the establishment of a forum to provide for an administrator, secretariat and the initial intensive capacity-building programme.
- A champion or leader should be found, whose energy and commitment would be a driving and sustaining force within the forum.
- To ensure flexibility, forums should be allowed to evolve at their own pace and according to their own needs and issues.

7 THE EVOLUTION OF A CATCHMENT FORUM

7.1 Introduction

It is likely that most catchment forums will change over time. If the change is to be evolutionary (purposeful, incremental) rather than random (reactive, ad-hoc) it is necessary to manage the process. Change management is often a difficult task, and many organisations tend to give it too little attention. The key elements of change management are planning, the setting of short and long term objectives, agreeing and entrenching these objectives, mobilization of carefully sequenced actions, and dealing with the human anxieties and frustrations that accompany change. Attention to these issues in an evolving forum is particularly important since most forums are based on the voluntary contributions of stakeholders. It is easy to lose participants who are discomforted by change, or who disagree with the direction of the change.

7.2 Drivers for Evolution of a Catchment Forum

The drivers for forum evolution may be internal, external, or a combination of both. The internal drivers reside in the forum itself, and may relate to its capacity, shifts in its membership, changes in resources (human and financial) or changes in vision and objectives. External drivers are found in the forum environment and may include the emergence of new water resource management issues (for example Cholera), the devolution of new tasks by the CMA (or DWAF in this role), or the availability of new resources (such as funding and skills). Of course the withdrawal of resources may also be a potent driver. Forums enjoying DWAF, donor or stakeholder support (especially money) should always be mindful of the possible consequences of the support being stopped.

Forum evolution is most likely to be driven by the following forces:

- A wider or **different role** demanded / expected by **DWAF or the CMA**. In some circumstances, DWAF or the CMA might ask the forums to undertake particular tasks. If these are short term (such as developing a stakeholder database), it may not be necessary for the forum to respond structurally or organisationally. However, if the new role takes the form of a formal delegation, and if its implementation is long term, the forum will have to consider significant organisational and operational redesign.
- A wider or **different role** demanded / expected by **regional and local stakeholders**. Forum experience to date has shown that some stakeholders become frustrated with forums that are simply consultative. In many cases there is considerable pressure for the forums to secure more “power” and to become more influential in the water resource management domain. Commonly, the route to “power” is seen to be that of legalisation, where the forum is structured to become a statutory committee under the NWA. As discussed below, this evolutionary step has consequences in terms of participation, and it brings with it formal accountability and reporting. Another route to power is effective cooperation, where influence derives from collective action rather than from legal status. Of course the two are not exclusive.
- A catchment forum wanting to move proactively to **another stage of structural or organisational evolution**. This might be done in anticipation of the drivers outlined above. A typical example may be a WRM consultative forum that wishes to become more active in the coordination of the activities of its stakeholders (ie moving into cooperative governance). Being proactive is of course desirable, but it carries some

risks, especially in the transitional period leading up to CMA establishment. The primary risk is that of not fitting into the institutional architecture of the CMA, as determined by the Governing Board and its advisors.

- A catchment forum needing to **respond** reactively as a result of **negative forces** such as the withdrawal of funding or the erosion of functions.

7.3 Review

It is important that a catchment forum reviews its activities, achievements and failures, as well as monitors and reviews its strategy, on a regular basis (probably every six to twelve months). This will assist in identifying areas that require attention in the operation of the forum, such as responsibilities and milestones for forum activities. This may highlight issues that require active management of conflict, capacity building or extension of stakeholder participation.

In certain situations, the review process may result in the identification of drivers for a changed role or strategy for the catchment forum, which implies a review of the forum strategy and evolution of the forum.

7.4 Considerations for Evolution

Forums involved in (or considering) a process of evolution should bear the following in mind:

- Changing (or extending) the role and structure of an organisation **requires planning**. It is important to be clear on why the change is being undertaken, and to have a strategy and progressive milestones leading to the desired state. Voluntary organisations like forums might find it difficult to develop a strategy and action plan of this kind, possibly because participants are too involved elsewhere, or because members do not see the necessity for a consultative and dynamic organisation to undertake such seemingly structured and bureaucratic activities. Where forums lack the capacity to plan change, it might be useful to interact with bodies that have done so.
- It is critical to **involve the stakeholders** in the process of change, and to secure their endorsement at key points in the process. It is risky (especially in voluntary and multi-interest organisations), to have management (or some powerful lobby) running ahead of the broader stakeholder body. In this context, forum participants may feel confused, uninvolved or alienated. The most damaging possibility is that they feel used for the purposes of an unrevealed agenda. In all of these cases forums may lose membership and representivity.
- Forums moving to another stage in an evolutionary process must be very aware of the **capacity implications** of the proposed changes. It is obvious that taking on more roles will require more human and financial resources, but the resource requirements might spiral in unexpected ways. For example, where multiple operational units are established within the forum structure, these might require a layer of management other than the orthodox chair, treasurer, secretary triad. Or where a forum undertakes functions that cannot be undertaken by voluntary workers, it might find itself having to consider salaries or honoraria that escalate budgets considerably. The inability to resource change might lead to disillusionment, especially if expectations have been allowed to develop unchecked.

- It is important that forums undertaking or contemplating change are sure that there is a **“demand” for their new roles** and activities. It is prudent to discuss plans with relevant partners, and especially with DWAF or the CMA. It is very tempting to be a pioneer, and forums should not avoid breaking new and innovative ground. However organisations that are too far ahead of their time or are perceived to be too unorthodox might fail to win sector support, with the real risk of a demoralizing failure.

7.5 Indicators of a poor change process

There are many symptoms of a change process going wrong. The following would be particular cause for concern:

- Loss of membership, or the withdrawal of specific sectoral interests.
- A lot of talk about change and some exciting future, without decisive implementation.
- Disinterest or resistance on the part of sector partners, and especially the CMA.
- Talk of power seeking, empire building, partisanship, etc. among stakeholders.
- Conflicting views on the need for change, and / or its direction.
- Increasing passivity among sections of the forum membership.
- Conflicts at leadership level, and contested leadership roles and responsibilities.

7.6 Outcome of the Evolution

From an institutional perspective, there are three generic phases through which a forum might evolve. The first is initiation, discussed above. The ensuing phases are formalisation and legalisation, discussed below.

7.6.1 Formalisation

Once the forum has been established and is developing a sense of its role, it is likely that some degree of formalisation will be necessary. This may be through the development of a Charter, an Agreement/Contract of Association or even a Constitution for the forum's role, functioning, operation and/or organisational structure. A formal forum is likely to perform more functions and to be more sustainable. It is an appropriate phase for forums that are involved in participatory and coordinating functions.

Formalisation does not require the forum to be legally established, but would legitimise the forum, both organisationally and financially. It would clarify the roles, responsibilities and accountability of forum participants and those in positions of responsibility (such as a chair, treasurer and secretary).

7.6.2 Legalisation

In some cases, it may be appropriate for a forum to establish itself (or a component) as a legal entity, either as a private body (such as a non-profit company or trust) or with a relationship to a statutory committee established under the NWA (such as a CMC or AC). This is most likely where the forum is requested by the CMA to perform certain functions that require delegated powers.

A drawback of legalisation is that the membership and management of the legal entity must be clear. This implies a closed model of forum functioning, except where the forum is formalised with a Charter and open participation, which elects or nominates people to membership of the private legal entity, according to clearly defined rules.

In the case of a statutory committee under the NWA, the CMA or Minister would appoint its membership, possibly based on nominations from the forum. However, this implies that the committee is not accountable to the forum, but rather to the CMA or Minister, which is necessary for functions that are performed under the NWA. This may inhibit the acceptance of the committee by other organisations, and should therefore be avoided if the forum is primarily involved in coordination.

It should be highlighted that there are certain statutory requirements of any legal entity, particularly in terms of financial reporting, whether this is private or established under the NWA. A forum should therefore be careful before embarking on a course of legalisation which will inherently require greater resources for its maintenance.

7.6.3 Hybrid status

In the pursuit of formal or legal status, there is a danger that some of the key characteristics of forums may be lost. For example, as discussed above, a statutory committee might find itself with divided loyalties, being responsible to the CMA and the stakeholders at the same time. In order to reap the benefits of formalisation and/or legalisation *and* to retain the consultative and interactive spirit of forums, it might be useful to consider a hybrid model. Some of the options are:

- Establish a statutory committee that coordinates forum activities and functions on behalf of the CMA. In this context, the forums might remain relatively informal, or they might adopt a level of formalisation that will allow them to work. The committee, in turn, could be responsible for delegated work undertaken with the help of the forums.
- Structure the forum so that specific operational units can function as legal entities within the CMA environment. It may well be beneficial to the CMA for certain functions to be embedded in the forums, where they can use the plenary element to collect or distribute information. Monitoring is an example of such a function.

The hybrid approach may be unnecessary where forums have a consultative, institutional development or coordinating role. The approach has merit, however, where a forum wishes to retain its consultative strengths whilst also undertaking WRM functions.

8 ORGANISATIONAL STRUCTURE

8.1 Introduction

Catchment Forums are organisations. It is tempting to see them as organic and loosely organised entities, but like all organisations they need purpose, functions, structure, management, resources, and an effective way of operating. The sections below address many of these matters.

8.2 Form and Function

Catchment forums can adopt a variety of roles and responsibilities. In pursuing these roles, forums have to be clear on their short and long term objectives, both internally and in the context of the objectives of the CMA and of other WMI and WSI. The objectives will determine which roles become the business of the forum, and when these will be taken up during the process of forum evolution. So, for example, forums may elect to pursue the following roles (described in more detail in Chapter 4):

Chapter 8: Structure

- To focus on providing vehicles for **stakeholder consultation** around WRM and the functioning of the CMAs. Responsibilities here will be those emphasizing participation, consultation, advisory functions and capacity building among stakeholders.
- To concentrate on **institutional development** during the period prior to CMA establishment, and possibly through the consolidation period following establishment. In this context, responsibilities will be those concerned with participation, capacity building and the establishment of sound organisational structures.
- To promote **integrated planning** and **cooperative resource management**. The key responsibility in this context is that of fostering cooperative governance, which in itself is a complex matter.
- To **support WRM** and the **operations of the CMA**. In this case, in addition to participatory responsibilities, the forums might elect also to seek to perform WRM activities, some of which might be delegated by the CMA. It is debatable whether catchment forums will have the capacity to accept WRM responsibilities beyond those concerned with participation, but in some cases such a course may be possible.

Each of these roles (and possible combinations thereof) will have implications for the structure, management and resourcing of the forums. In general, the more complex the range of roles and associated functions taken up by the forum, the more demanding will be management and the more consuming will be financial and human resource requirements. Forums should carefully consider such matters of capacity as they determine their objectives, roles and possible activities. In simple terms, be clear on what you want to do, and be sure that you can mobilize the capacity and resources to be successful in what you wish to achieve.

8.3 Possible Elements of a Catchment Forum as an Organisation

However limited (or inclusive) the roles selected by catchment forums, all forums will have to structure themselves to:

- Organise and manage the activities and functions of the forum;
- Promote and organise the interaction of participating stakeholders;
- Undertake, sustain and monitor the specific functions either adopted by the forum or delegated to the forum;
- Support and sustain the activities and functions of the forum.

Consequently, most forums will have the “rocket-like” organisational elements illustrated in Figure 8.2:

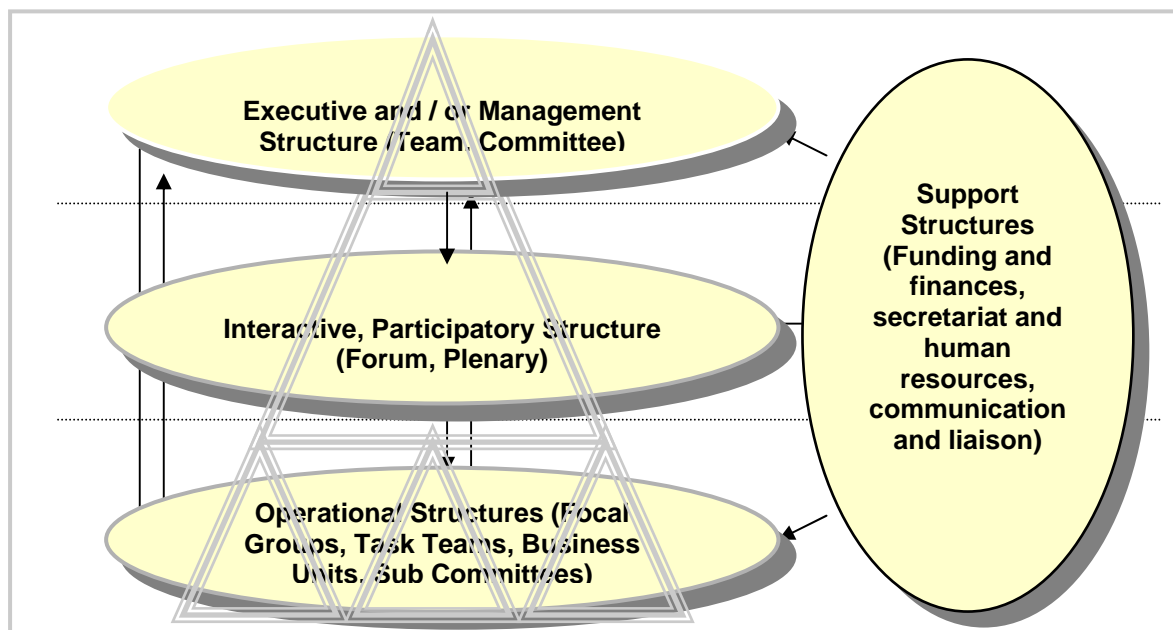


Figure 8.1. Generic organisational elements of a catchment forum structure.

8.3.1 Interactive structures

By definition, all forums will require a plenary (or participatory) component. This is the part of the forum organisational structure where stakeholders participate and contribute as a group. The plenary is the essence of the forum. It is the organisational element that sets catchment forums apart from other water management institutions. However, depending on the objectives of the forum, and the roles and functions it adopts, there are different requirements for the central interactive and participatory structure:

- If the forum objective is largely centred around WRM consultation, it is essential that the plenary element is as representative as possible. In this role, the forums should not be partisan or selective with reference to membership. Achieving full (or sufficient) representivity is a challenge. One way of meeting the challenge is to structure the forum as an open body, at least during the early stages of its formation. Such openness will present management challenges, and stricter rules for forum membership might be introduced once an acceptable representivity threshold has been secured.
- The plenary has to be broadly representative for the pursuit of other forum objectives, including institutional development, WRM support and cooperative governance. In fact, there is no case where representivity is not a central objective for the plenary of a forum. For WRM and cooperative governance, the plenary has to be organised both as a consultative and advisory organ and as a body able to oversee and contribute to specific tasks. The most common way to do this is to form task specific sub-committees drawn

from the plenary, and to structure plenary agendas and discussions to incorporate reporting from these committees.

- If catchment forums wish to take on cooperative governance roles (integration of planning; cooperative resource management and regulation), the plenary element has to have meaningful representation from the sectors covered (potentially local government, environment, public works, tourism, health). Sectoral representivity is important to ensure that all relevant viewpoints are heard, and that sectors take up forum recommendations. One of the key potential strengths of cross-sectoral cooperative forums is that they can bring errant stakeholders back into line through group pressure and in extreme cases “shame management”. This strength will not be realized if sector representation is either incomplete, or if the representatives are not empowered to influence the activities of the sector for which they speak.
- Local government cuts across sectors. Where local government participation is required in terms of the objectives of a forum, it is important to be clear on the line functions that should be represented. A single representative from, say, the sewage and wastewater department is unlikely to be able to speak on or to influence land development or the construction of roads and storm water infrastructure. Forums working with local government should engage the relevant politicians and officials to ensure that the body of local government representatives on the forum is optimal for the purposes of ensuring feedback to all relevant municipal departments.

8.3.2 Management structures

The interactive component of forums (the plenary) will under all circumstances require a degree of management. Where sub-committees are in place, these will also need management. Forums with limited or simple objectives and roles may need nothing more than a committee-style management group comprising Chairperson, Treasurer and Secretary. More complex forums will warrant bigger and possibly more layered management structures (for example an Executive Committee and a Management Committee). The objectives and roles of forums will have other management implications, including the following:

- Forums with a strong consultative bias will have to ensure that their management is representative of the broader plenary. In this type of forum, it is appropriate that management is nominated by the plenary, and elected by them according to clear and agreed rules. In socio-political environments where there is an undercurrent of sectoral tension or conflict, it may be necessary to consider a specific management function which monitors the quality and inclusivity of participation.
- Representative management is desirable in all forum circumstances, but where forums have WRM roles and responsibilities, continuity is also an issue. In this context forums may have to consider an elected (and possibly rotating) executive and a permanent administrator or manager. The performance of WRM roles will also require structured and systematic management capable of directing and concluding specific delegated and/or non-delegated tasks. This means that management will have to be closely connected to the operational units undertaking the tasks. One model is to have operational unit managers represented in a management committee, with oversight from an executive committee. In general a management committee is needed when a forum has a plenary structure and a number of function-related sub structures.
- It is important for all forums to have management objectives and some form of strategic or business plan. In an institutional development forum linked to CMA establishment, it is likely that a sequence of developmental milestones will form the core of the business plan, whilst a consultative forum might set objective less time bound but more related to

coverage and inclusivity. A forum supporting WRM activities (especially where these have been delegated) will have to establish performance measures related to the requirements of the delegating body, and a cooperative governance role will require management objectives relating to maximizing inter-sectoral synergies.

- Apart from a strategic / business plan, most forums will benefit from a charter or a formal constitution. A simple charter defining forum objectives, management procedures and membership might be all that is required for a simple consultative structure. However, when a forum begins to formalize its activities, and especially when it seeks a legal or statutory identity, it will need a constitution. A constitution for a formal forum should encompass at least the following elements:
 - Name and Identity of the Forum
 - Mission and Objectives of the Forum
 - Functions of the Forum
 - Area of Jurisdiction / Operation
 - Structure of the Forum
 - Membership of the Forum
 - Rights and Responsibilities of Members
 - Office Bearers and their Roles and Responsibilities
 - Composition and Reporting Lines of Management Structures
 - Operating Procedures
 - Sources of Funding
 - Reporting and Accountability
 - Relationships with Other Structures
- Several forums have developed constitutions. New or developing forums should study examples from forums that have adopted similar roles and functions.

8.3.3 Operational structures

The simplest consultative forums need no more than a management group and a plenary. However, when a forum commits itself to tasks that require focused and continuous input between plenary gatherings, it is likely that operational structures will be needed. The form of these structures will depend to a large degree on the tasks they are assigned. For example, a “task team” might be the appropriate body to tackle a short-term input. An elected sub-committee might be the right response where an activity is sensitive (such as monitoring and reporting compliance). Where permanent or semi-permanent functions are undertaken on behalf of the CMA, dedicated business units might be the correct structural arrangement.

Other characteristics of operational structures might include the following:

- In forums supporting WRM functions, operational structures might be structured around tasks (for example monitoring).
- Operational structures in WRM consulting forums might be sectorally focused (for example dealing with specific user groups such as domestic, agriculture, mining etc) or theme focused (for example around extending membership, information and liaison, capacity building, monitoring etc).
- In some circumstances, some operational structures might have a geographical base. This form of sub-committee is particularly useful where the forum area of jurisdiction includes a diversity of area-specific WRM circumstances, and where specific actions are planned for each area.

- In all cases, the operational structures must have objectives and some form of work or business plan. Accountability must also be very clear. In a simple forum, the operational structures may be accountable to the chairperson. In more complex circumstances, they may report to a management committee.

8.3.4 Support structures

Support structures are needed when forums require resources beyond those that can be provided by the management group and the members of the plenary. Most forums rely on voluntary action, and the donation of time by members. Loosely organised voluntary work becomes dysfunctional when forums become large and complex, and when they adopt roles and functions requiring formal operational structures and the mobilization of appropriate human and financial resources. Typically, support structures might be organised around the following functions:

- Funding and fundraising. This function is needed when the forum incurs expenses that cannot be met through internal sources. The fundraising function might be linked with communication and liaison activities. External fundraising will probably be necessary mostly in the formalisation phase of forum development. It is during this time that the forums adopt more functions and seek to entrench their sustainability. The fundraising function may remain a permanent feature of forum operation, but it might become less necessary if and when forums become a part of CMA operation and can seek support from CMA funding sources.
- Secretariat and administration support. A permanent secretariat (possibly led by an administrator) becomes necessary when forum activities include the business of several operational units over and above the regular meetings of the plenary. The secretariat function need not be full-time in most forum circumstances, but the forum management does have to know that it can rely on process and logistical support when it is needed. The same is true of the operational units, especially where these expect substantial contributions of voluntary time. The volunteers could easily become disenchanted if they are not appropriately supported.
- Different kinds of support will be required by forums taking on different roles. In temporary institutional development forums, the support is likely to be mostly logistical. WRM consultation forums may need logistical support, but they might also require help with communication and information management, and with fundraising. Forums supporting WRM activities and promoting cooperative governance may seek all of the above, together with specialist inputs such as legal support.

8.3.5 Summary

Table 8.1 summarises what is required of forum structures under various role scenarios. This is intended to be illustrative of what is involved for various forum roles. As such they are not exclusive, but rather a hybrid would be adopted in practice, as most forums perform more than one of these roles at any given time.

Table 8.1. Requirements of the forum structure for different roles.

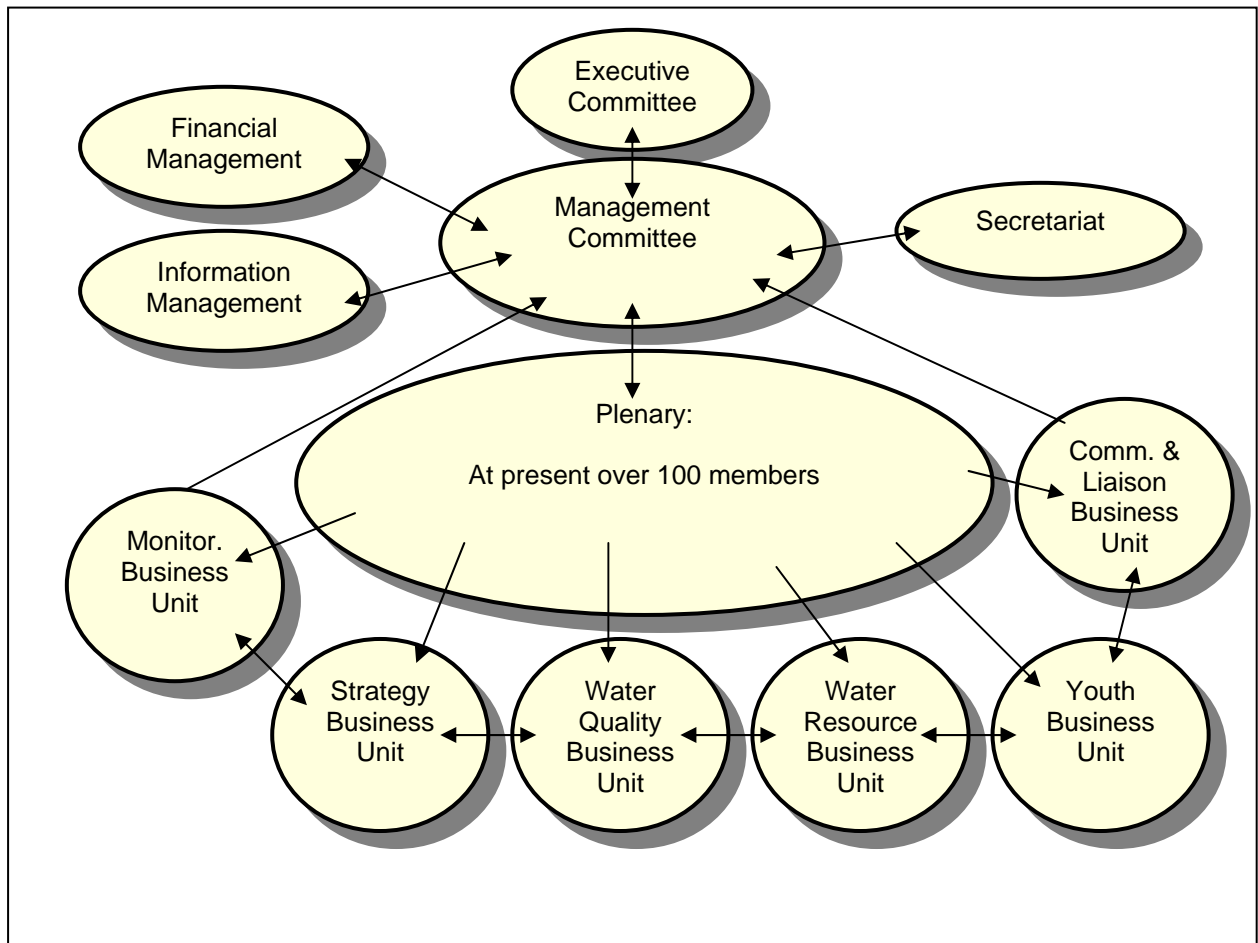
Forum Structure	Forum Roles			
	<i>Institutional Development</i>	<i>WRM Consultation</i>	<i>Support to WRM Activities</i>	<i>Cooperative Governance</i>
Management	Strong links with the CMA establishment process. Management is process and milestone driven.	Representative management structure necessary. A strategic focus on relationships. Management with a close connection to “forum” element.	Structured and systematic management capable of directing specific tasks. Management has a close connection to operational units.	Management structure acceptable to sector stakeholders. Strategic capacity and inter-sector insight required. Systematic management of complex tasks.
Interaction and Participation (Plenary)	Forum element largely advisory.	Forum element as open and as representative as possible.	Forum element both consultative and advisory. Forum structured to comment on and contribute to specific tasks	Forum element sectorally representative. Forum structured to facilitate intersectoral debate and action.
Operations	Operational activities strongly focused on capacity building	Operational units either sectorally or theme focused. Emphasis on interaction with stakeholders	Operational units formally structured around tasks.	Operational units theme or sectorally focused (or both). Some units formally structured around tasks.
Support	Support largely logistical.	Support with funding necessary. Other support largely logistical and information based.	Funding, logistical, management, legal and information support required.	Funding, logistical, management, legal and information support required.

Chapter 8: Structure

8.3.6 Illustration

The Jukskei / Upper Crocodile Water Management Forum is a mature catchment forum operating in the Crocodile Marico Water Management Area. The forum has set itself ambitious objectives (and overlapping roles), including institutional development, WRM consultation, the performance of WRM functions and cooperative governance and co-regulation. With its extensive mission in mind, the forum has structured itself as illustrated in Figure 8.2. The key features of this structure are:

- The Executive Committee comprises a Chair and two Deputy Chairs.
- The Management Committee comprises the Executive, the heads of the Support Units, and the Business Unit Convenors. Support and Business Units are responsible to the Management Committee. The Management Committee coordinates the relationship between the support and operational structures and the Plenary. The Plenary contributes the membership of these units (with some co-opted exceptions), and interacts with them in forum plenary sessions. The Management Committee ensures that the units do their work so that there is substance to take to plenary.
- The Support Units are under development at present. In a further phase of its consolidation, the forum may consider part-time funded positions for the heads of the Support Units.



Chapter 8: Structure

Figure 8.3. Example of a catchment forum structure.

9 OPERATION OF A FORUM

9.1 Running the Forum

9.1.1 Structure as a foundation for operations

It is essential for any forum to have clear objectives, with related roles and functions. Further, the structure and organisation of the forum must be appropriate to the job it is undertaking. These issues were discussed above. However, objectives and structure do not of themselves ensure success. There is a dynamic side to forum business that has to do with motivation, relationships, an appropriate and accepted way of doing things (rules and procedures), and an organisational culture and spirit that wins and inspires voluntary participation. These are matters relating to the *running* of the forum, and not simply its organisation. Guidelines in this context are presented below.

9.1.2 Strategy and planning

Strategy and planning are important during the forum establishment and evolution. In other words, when change is taking place. However, strategy and planning should become part of the routine operation of a forum, with periodic review and redirection. Strategy and planning may be seen as complex and specialized activities, but in fact the process can be implemented with limited training and in small and relatively informal organisations. Figure 9.1 illustrates the steps in a strategic planning process.

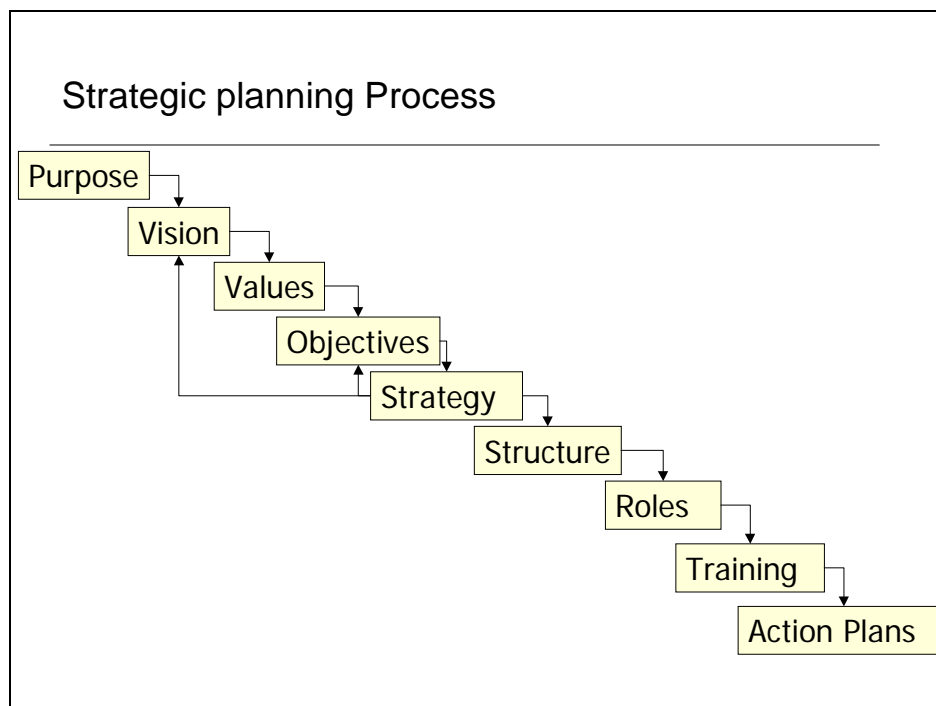


Figure 9.1. Steps in a strategic planning process.

The relevance of the steps to forums is described below:

- **Purpose** relates to the role. What role (Chapter 4) does the forum envisage for itself? How will the role change over time?

- A **vision** is a view of what the forum might become over a defined period of time. It should be demanding (a challenge to achieve); directive (sets the direction for change, growth or consolidation); and descriptive (use simple words and large concepts).
- **Values** define how the forum wishes to operate. Here it might clarify where it stands on the openness of the forum, on the formality of its structure and operations, and on the balance between consultation and decision-making.
- **Objectives** are simply statements of expected achievements leading to the vision. Objectives are typically set and reviewed annually.
- The **strategy** describes the manner in which objectives will be realized. For example, the forum vision might be one of becoming a vehicle for cooperative governance and cross-sectoral cooperation. An objective might be to establish a network of local government officials involved in water quality management. The strategy might be to establish informal contact first, and to seek council resolutions thereafter.
- **Structure** is discussed in Chapter 8. This is the organisational vehicle the forum needs to follow its strategy and to move toward its vision.
- **Roles, training and action plans** transform planning and strategy into action. Roles in this context ask who does what. Training deals with the capacity needed to pursue objectives, and action plans are simple roadmaps with timing and milestones. All too often planning fails to spend time on these important steps. Planning and strategy that do not become action are a waste of time.

Forums will have to consider how and how often they wish to go through strategic planning. Once a year is typical for most organisations. Stable forums may consider a bi-annual cycle. With reference to the process, it is advisable that the forum nominates a small group to lead the process. This group may be the management group, or a special purpose sub-committee. Interactions between the planning group and the plenary are essential. There should be at least two such interactions: the first to debate purpose, vision, values and objectives; the second to test and refine proposals for strategy, structure, roles, training and action.

9.1.3 Name and identity

All forums must have an identity. This should be made clear in the founding documentation of the forum (Charter or Constitution – see Appendix B for a possible outline of a forum constitution), clarifying the legal status of the body, its name, its major goals and objectives, its logo, and its area of operation. Often the area of operation is not clear to members, so it is useful to have a map defining the forum boundary precisely.

9.1.4 Membership

At first glance, the matter of membership appears simple. However there are several considerations to be borne in mind:

- In the early phases of forum evolution, it is advisable that the forum remains as open as possible. This allows the forum to attract and extend membership, and to become as representative as possible.
- However, all forums will require a voting process at various times, for example to elect new officebearers, or to adopt a new structure or function. In this context membership has to be clear, in order to determine who has the right to vote.

Against this background, it is advisable to define forum membership, and to agree on the rights and responsibilities that accompany it. Some of the options are listed below:

- Mature forums or forums with clearly defined WRM or cooperative governance functions might structure membership around representation. So, for example, they might specify that membership will be extended to defined stakeholder groups and organisations. The principle defining membership in this context is stakeholder status.
- New forums or forums that seek to promote broad participation might pursue representation, but allow all interested organisations and individuals to become members. In this case, membership might be endowed on anyone prepared to endorse the principles and the objectives of the forum. Some forums simply require commitment to a simple code of practice from members. The principle defining membership here is acceptance of the business of the forum.

Of course it is possible to allow different kinds of membership. A common hybrid allows “corporate” membership for important stakeholder bodies, and “individual” membership for interested parties.

It is also important to maintain a register of membership over time, in order to establish continuity as a fundamental principle.

9.1.5 Electing office bearers

Forums are in essence participatory and consultative bodies that might adopt other WRM functions. In this context it is essential that all management positions are filled in a democratic, transparent and accessible manner. The rules underpinning the election of officebearers must be clear and understood by all. The following principles should guide the election process:

- A process for identifying candidates must be defined. Commonly nominations are requested, but the forum must specify who can be nominated, who can nominate, and how nominations will be received and processed. In the case of who can be nominated, the forum might take the view that all members are eligible for all posts. However, special rules might be applied, especially to senior positions. So, for example, a forum might decide that nominees for the chair have to have been members for a specified period.
- The voting process must be unambiguous and fully accepted. The voting rules must specify who can vote, how many votes are allocated to each voter, how voting will be done, what will happen if there is a tie, and who will process the votes. The options for voting are a show of hands at a special meeting, or a secret ballot. The latter might be advisable if there is potential for conflict, or if the forum is large and complex.
- Terms of office must be clear, together with conditions under which officebearers might resign or be asked to leave.
- Rigid voting procedures might be relaxed somewhat in the case of support and operational units. One approach might be to nominate and elect leaders for these units, and request the leaders to coopt members. Another option is to call for volunteers for the units, and to allow them to determine their leadership in a manner appropriate to them. In the case of operational and support units particularly, there should be provision for the cooptation of special members. Highly specialized units might even have to coopt (or employ) their managers. For example the financial support unit might have to secure the services of an accountant or a bookkeeper.

9.1.6 Meetings

All of the structural elements of a forum will hold meetings from time to time. In the case of support and operational units, these meetings will be as required, and might be relatively informal. Management and plenary meetings should be more formally organised, with the following in mind:

- It is a good idea to publish a year plan with management and plenary meeting dates. This allows participants to diarise the meetings, and for venues and logistical arrangements to be secured.
- Meeting procedures must be defined in the forum's founding documentation. The definition of procedures should include the number and type of meetings (for example an annual general meeting), the purpose of various meetings, what constitutes a quorum, and the manner and timing of document circulation (when must agendas go out, when can minutes be expected?).
- The forum can also encourage and promote a meeting "culture" according its own needs. Aspects of the culture might include timekeeping, participation and flexibility around agendas.

Meeting agendas are the business of the forums themselves (Appendix C presents a pro forma agenda). However, the following options might be considered in structuring plenary agendas:

- Allow time for members to raise their issues and to share their news. Some forums have a "news of the day" item.
- Do not set agendas that rush discussion to the point that stakeholders feel frustrated.
- Try to include interesting presentations in the agenda, to stimulate interest.
- Where possible, let forum structures (such as operational units) do their own reporting to the plenary. This promotes accountability and broadens participation.

9.2 Financing and Resources

9.2.1 What resources are required for a forum?

Resource requirements are directly linked to the size and especially the complexity of a forum (see Section 4.3). They are also associated with the location of the forum in the evolutionary process. The table below illustrates the items that might be included in a forum budget. Some forums may not need all items. The budget includes an item costing the voluntary time of management and members. Calculating this is a reminder of the enormous contribution in kind that sustains forums. This in-kind valuation is also useful for fundraising, in the sense that it shows donors the resources that forums have already mobilized.

Table 9.1. Cost items that should be considered for forum functioning.

Cost Centre	Items
Management Costs	<ul style="list-style-type: none"> • Financial manager • Secretariat • Management office (office costs)
Communication, Liaison and Marketing Costs	<ul style="list-style-type: none"> • Communication materials (eg brochures) • Information sessions • Communication advisor • Conferences and workshops • Office costs
Information Management Costs	<ul style="list-style-type: none"> • Data base management • Software • Computer hire / purchase • Information processing • Reports and materials • Office costs
Business Unit Support	<ul style="list-style-type: none"> • Meeting costs • Research and advice • Travel • Office costs
Plenary Support	<ul style="list-style-type: none"> • Meeting costs (venue, catering) • Travel (especially rural delegates) • Site visits / excursions • Outside presenters • Meeting materials • Office costs
In Kind Contributions	<ul style="list-style-type: none"> • Management • Plenary • Co-opted members • Occasional contributors

Based on the table, three budgetary scenarios are outlined below.

9.2.2 Scenario 1: Youthful forum, taking steps toward establishment

In this scenario, the forum has mobilized participation and stakeholder enthusiasm. In this sense it can rely on the in-kind contribution of its stakeholders. However, there are still costs to be considered. The table illustrates some of these. The values are indicative. Many might be covered through donations or in-kind contributions from forum benefactors.

Cost Centre	Items	Indicative 2001 Cost (per month)
Management Costs	<ul style="list-style-type: none"> • Management office (office costs) 	<ul style="list-style-type: none"> • R300
Communication, Liaison and Marketing Costs	<ul style="list-style-type: none"> • Communication materials (brochures, etc.) • Information sessions • Workshops 	<ul style="list-style-type: none"> • R200 • R200 • R300
Information Management Costs	<ul style="list-style-type: none"> • Gathering and copying source materials • Accessing relevant data bases 	<ul style="list-style-type: none"> • R300 • R100
Plenary Support	<ul style="list-style-type: none"> • Meeting costs (venue, catering) • Travel (especially rural delegates) • Site visits / excursions • Meeting materials 	<ul style="list-style-type: none"> • 300 • R200 • R100 • R200

The scenario averages costs of non-monthly activities (for example plenary meetings).

9.2.3 Scenario 2: Mature forum, consultative role

Here a mature forum limited to consultative functions is envisaged. It is assumed that office bearers and other process leaders contribute voluntarily.

Cost Centre	Items	Indicative 2001 Cost (per month)
Management Costs	<ul style="list-style-type: none"> Financial manager Management office (office costs) 	<ul style="list-style-type: none"> R500 (honorarium) R300
Communication, Liaison and Marketing Costs	<ul style="list-style-type: none"> Communication materials Information sessions Communication advisor Conferences and workshops Office costs 	<ul style="list-style-type: none"> R300 R200 R500 R300 R100
Information Management Costs	<ul style="list-style-type: none"> Data base management Software Computer hire / purchase Information processing Reports and materials 	<ul style="list-style-type: none"> R200 R200 R200 R200 R100
Task team Support	<ul style="list-style-type: none"> Meeting costs Travel 	<ul style="list-style-type: none"> R100 R300
Plenary Support	<ul style="list-style-type: none"> Meeting costs (venue, catering) Travel (especially rural delegates) Site visits / excursions Meeting materials 	<ul style="list-style-type: none"> R400 R200 R100 R200

As before, the scenario averages the costs of non-monthly activities. To many forums the figures might appear to be high. However all forums should consider in-kind contributions they might take for granted (eg office materials, photocopying, use of computers etc).

9.2.4 Scenario 3: Mature, complex multi-role forum (with delegated responsibilities)

In this scenario, the forum is a sophisticated operation with a number of delegated functions, and hence formal responsibility to deliver. In this context the forum can no longer rely fully on voluntary inputs.

Cost Centre	Items	Indicative 2001 Cost (per month)
Management Costs	<ul style="list-style-type: none"> Financial manager Secretariat Management office (office costs) 	<ul style="list-style-type: none"> R1000 R2000 R500
Communication, Liaison and Marketing Costs	<ul style="list-style-type: none"> Communication materials Information sessions Communication advisor Conferences and workshops 	<ul style="list-style-type: none"> R500 R300 R1000 R500
Information Management Costs	<ul style="list-style-type: none"> Data base management Software Computer hire / purchase Information processing Reports and materials 	<ul style="list-style-type: none"> R800 R200 R200 R400 R500
Business Unit Support	<ul style="list-style-type: none"> Meeting costs Research and advice Travel 	<ul style="list-style-type: none"> R200 R1000 R500
Plenary Support	<ul style="list-style-type: none"> Meeting costs (venue, catering) Travel (especially rural delegates) Site visits / excursions Meeting materials 	<ul style="list-style-type: none"> R500 R500 R300 R500

In this case, the precise nature of the assumed delegated responsibilities is not detailed. However it is assumed that the forum has to have management, communication, information management and “business unit” capacity to undertake delegated activities. The costs of the delegations themselves are likely to be covered by the delegating body (i.e. the CMA).

9.2.5 Should the catchment management agency contribute?

In principle, all forums supporting DWAF and the CMAs in some way (institution building, consultation, WRM functions) should be entitled to request funding from these sources. Where functions have been delegated, the forums should expect appropriate funding, but there is presently no guarantee of support in other circumstances. Where a financial contribution is not possible, forums might request DWAF or the CMA to contribute in kind (for example secretariat services, counterpart personnel, venues). On the DWAF / CMA side it is necessary to formulate clear guidelines for forum support.

9.2.6 Other sources

Other sources of funding (or contributions in-kind) include:

- Local government
- Companies impacting the water resource in the forum area
- Members (in the form of a fee)
- Parastatals (eg Eskom, CSIR, HSRC), especially for venues
- Private sector development funds

It is not possible to list all sources, because there are opportunities specific to particular areas. However, forums seeking support should bear the following in mind:

- Donors are often under pressure. Present a clear case, with role, objectives, expected impacts, benefits to the donor and a sound budget.
- Work on securing long-term relationships, mainly through tangible delivery.
- Understand the budgetary cycles of potential donors and be sure that requests are appropriately timed.
- Where possible, coordinate funding requests. Do not allow several organisations in the same Water Management Area to approach the same donor.
- Communicate regularly with donors, even if this is not required.

9.2.7 Remuneration

The issue of remuneration is a difficult one for many forums. Each forum should formulate its own rules in this regard. The following guidelines may be useful:

- Presenters, advisors and other occasional service providers may need remuneration. Payments should be made according to an agreement. The forum will need rules clarifying the responsibility for approving and making payments, and the line of reporting. It might be advisable to set limits agreed by the plenary.
- Forums involving participants from rural or poor communities might be requested to assist with travel costs. As a general rule, it is advisable that forums do not support the costs of members. However, it might be necessary to make exceptions under clearly

defined conditions. In these circumstances, an agreed rate is advisable, with payment made against approved documentation.

- Remuneration to office bearers is a matter of policy. In principle, voluntary action should be encouraged in all circumstances. However, large and complex forums might find that they need to acquire specific expertise (for example bookkeeping, information management, liaison). If remuneration is considered under these circumstances, it must be done according to clear and agreed rules, with appropriate checks and balances. In negotiation with service providers, the non-profit and voluntary nature of the organisation should be emphasized, and an appropriate fee agreed.

9.2.8 Financial management

There are two approaches to managing finances associated with a forum. On the one hand, all finances may be channeled through a forum account, under the responsibility of the forum treasurer. This provides the forum with control and flexibility in the use of funds, but increases the responsibility of the Treasurer, particularly where the forum is controlling more significant project funds. There is also a need to have these accounts audited to ensure accountability to the sponsors of the forum, which in turn requires resources. Only mature established forums with significant capacity should become involved in directly managing funds for projects or activities (this does not include the smaller amounts of money required to maintain the forum operation).

On the other hand, project finances may be managed by the sponsors under the direction of the forum. This reduces the financial management responsibilities of the forum, but also potentially reduces the forum's control over the funds. Many sponsors are also unwilling to become involved in the management of small funds. An alternative is for the CMA to perform financial management on behalf of the forum, particularly where there is a close relationship between the two. This would particularly make sense where the CMA is also directly providing human resources to support the forum operation. This approach is particularly suited to less formal forums, as there is no requirement to perform financial audits, and therefore the forum management can concentrate on its core participatory function.

9.3 Conditions for Sustainability

9.3.1 Lessons from previous initiatives

While the majority of existing forums that have been initiated to serve as platform for the promotion of consultation, participation and involvement of stakeholders have succeeded in providing a platform for communication, very few have succeeded in establishing efficient water management. Where the aim for efficiency has been met it has been as a result of initiatives (by one or more particularly dedicated individuals, specific sub-committees or task groups) that have functioned in tandem with the forum.

An added problem is the belief, commonly held amongst members of statutory organisations and/or the promoters of forums, that stakeholder involvement and participation should be a natural outcome of the existence of any forum. The reality of the situation is different as is frequently reflected in minutes of participative initiatives where disappointment or concern is expressed about the lack of participation and involvement of stakeholders.

The ideal that is set for ongoing involvement and participation of stakeholders is, unfortunately, removed from the realities. Participation in forums is, most frequently, motivated by issue-related concerns and the fact that stakeholders seek initiatives that will address their specific needs and are appropriate to their problems and circumstances.

Forums are most often process-related in that they promote the idea of broad-based co-operative management of water resources in a wider context. Because of this forums are frequently unable to address the needs of all stakeholders or, alternatively, serve to satisfy a particular set of needs or concerns of a section of stakeholders to the total or partial exclusion of others. Initiatives to ensure the continuation of forums should take the need of specific stakeholder groups into consideration and provide mechanisms for their involvement on a needs base.

9.3.2 Monitoring and Auditing the Forum

DWAF has a responsibility to ensure that CMAs fulfil the purpose of the NWA, including the participation of stakeholders. Where this is done through forums, DWAF therefore has a responsibility to audit the functioning of the forum, particularly in terms of representivity and inclusivity.

On the other hand, where functions have been contracted or delegated to a forum, the delegating authority (most likely the CMA) would be responsible for monitoring and auditing the performance of those functions, against the CMS, the conditions of contract or delegation, and the forums own strategy or constitution.

9.3.3 Indicators of sustainability

The following are key sustainability indicators:

- Does the forum always (or most times) achieve its stated objectives?
- Is membership stable or growing?
- Can / does the forum survive without support (money or in-kind) from DWAF or one-off donors?
- Is the forum a clearing-house for water resource management issues, or are stakeholders setting up rival forums?

9.3.4 Dissolution of a Forum

The dissolution or disintegration of a forum should only be contemplated when sustainability is out of reach, or when stakeholders agree that there is no further work to be done.

10 ENSURING PARTICIPATION

10.1 Introduction

The National Water Act (No. 36 of 1998) defines the need for stakeholder participation as central to integrated water resource management. While this provides a regulatory imperative for promoting participation, there are a number of practical reasons for promoting stakeholder participation in the establishment of catchment management agencies, the development of a CMS and in the implementation of mechanisms for integrated water resource management.

WHAT IS PARTICIPATION?

There are numerous definitions of participation. Some underscore the aim of informing stakeholders of decisions that have been made, others include mechanisms for ensuring that cognisance is taken of the views of all stakeholders and, ultimately, there are those that promote the incorporation of the views and needs of stakeholders in planning, implementation and management.

Within the context of integrated water resource management, stakeholder participation is regarded as an ongoing initiative aimed at allowing the constructive participation of stakeholders through a systematic process that provides an opportunity for people (in whatever capacity) to share their experience, knowledge, needs and goals and to combine their energy to create catchment management strategies and to participate in managing water resources within a water management area. A catchment forum becomes the vehicle for organised participation for a specific area.

Participation provides a constructive vehicle for promoting understanding between different interest groups about their needs and problems, assists in communication between stakeholders and ensures that implementation and management of water resources is grounded in increased understanding and co-operation of all relevant issues. Such participation also serves as an essential basis for promoting opportunities for ensuring that water resources planning and management may be linked and integrated with wider planning and management initiatives.

WHAT ABOUT PARTICIPATION OF PREVIOUSLY DISADVANTAGED AND/OR SMALL-SCALE USERS?

Activities aimed at the promotion of stakeholder participation need 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, many of whom reside in the former homeland areas. For many small-scale water users, involvement in water related issues has been restricted to water supply and sanitation programmes and projects. The promotion of equal participation of all in water resource management and catchment related activities would, in practice, mean that considerably more support would need to be provided to previously disadvantaged individuals and groups. Such support would need to facilitate and promote effective representation of small-scale users in the CMA development and establishment process and the promotion of an “equal interest” agenda.

Stakeholder participation within the context of integrated water resource management and catchment management agency development is a relatively new concept. This section attempts to provide a brief overview of some of the most important issues that need to be noted.

While no “minimum standards or requirements” exist for participation, there are a number of additional publications that may usefully be referred to in this process. These include the discussion papers that are referred to in Section 1.2 of this document as well as the newly developed “Generic Public Participation Guidelines” aimed at providing a comprehensive overview of the requirements for promoting and ensuring stakeholder participation within the context of Department of Water Affairs and Forestry projects.

10.2 Identifying Stakeholders

10.2.1 *Who should be represented on the forum?*

Forums should have a wide but functional representation. Functional representation means representation by those organisations that have a stake in, are affected by, or could contribute towards the functioning of the forum within its mandate and its area of operation.

Forums should be as representative and inclusive as is appropriate to its function. Balanced representation is deemed important. No single stakeholder grouping should be able to dominate the proceedings of a forum.

Ideally, the composition of a forum should be a balance between inclusivity and effectiveness. This implies that interest groups need to nominate representatives that can be instrumental to the process of co-operative management.

10.2.2 *Categories of stakeholders to be involved*

The following stakeholder categories could typically be involved:

- ❖ Local and district government, as appropriate
- ❖ Relevant sectors of provincial government
- ❖ Representatives from the traditional authority (if appropriate)
- ❖ The water and sanitation services providers for the area
- ❖ Representation from government departments responsible for issues identified by the forum
- ❖ Representation from relevant Non-Governmental Organisations (NGOs), including environmental groups
- ❖ User groups such as industry, agriculture (formal and informal), mining, etc.
- ❖ Chamber of commerce/business
- ❖ Representation from the local Community Based Organisations (CBOs). This should include women and youth groups. In particular, water, food security and development committees should receive attention, etc.
- ❖ Representation from the education sector.
- ❖ Others as deemed necessary

While this has already received some mention above, it is important to ensure that mechanisms are developed whereby the active participation of women, the youth and the very poor are represented on the forum.

10.3 Encouraging Participation

10.3.1 What will encourage stakeholders to become involved in a catchment forum?

People organise and participate best around issues of importance to them. Initiatives aimed at ensuring stakeholder participation will need to promote an understanding amongst the different stakeholder groupings of the way in which the promotion of integrated water resource management will address issues that are of specific importance to them. This will mean that there will be a diversity of reasons why stakeholders will participate in a catchment forum, ranging from the need for involvement in permitting processes to needs for improvements in health and/or food security.

Motivating Factors

Cognizance should be taken that every situation holds satisfiers that promote and enhance motivation. These include:

- **A sense of achievement:** People participating in an activity or belonging to a group need to feel that they are achieving something. Stakeholders who believe that their participation and action results in progress being made will be motivated to continue with their efforts.
- **A sense of purpose:** People need to believe that their efforts will lead to something better for themselves. The effort and hard work attached to participation must prove worthwhile to them.
- **Being recognised for achievements:** People naturally want to be recognised for what they achieve. It provides them with a sense of worth and of dignity. Two of the most important motivators come into play, namely the sense of achievement and the sense of dignity.

Each of these groups will require different strategies, approaches and techniques to inform and involve them effectively. Each must be identified and understood before suitable programmes can be developed. It is important to realise that each stakeholder group differs significantly in terms of their ability to participate. Factors that impact this ability include the degree of organisation, capacity and resource base of each group. Stakeholder groups that are strong, organised and have a sound resource base (human and financial) are relatively easy to mobilize if they perceive that they have a role to play in integrated water resource management.

Groups that see no particular benefit in participating or that do not have adequate resources will require a systematic, sustained (and potentially costly) public information and consultation programme. It is important that obstacles to participation need to be clearly identified for each stakeholder group and addressed accordingly. Community-Based Organisations, as an example, frequently have insufficient resources (financial or logistical) to participate in forum activities.

While there is ongoing debate (and little agreement) about whether or not funding should be made available for specific interest groups to attend forum meetings, the decision to do so (or not) should be based on a realistic evaluation at local level of the merits of extending support to specific stakeholder groups as well as the impact that non-support to a particular group will have on the representivity and functioning of the forum. Where a decision is made to extend support to such a stakeholder group, then ideally, the forum and its members should facilitate appropriate assistance.

Effective communication is a critical component to enable stakeholders to participate. The dissemination of information needs to be done in a user friendly and understandable

manner. Policy and principles for the management of water resources need to be understandable and focused. Terminology should be kept simple and easily understandable.

Demotivating Factors

Situations may also produce dissatisfiers that will lead to demotivation. These are:

- **Adverse policies:** These policies need not be formal statements, but can be the way an institution sees its task and its goals. Demotivation results from policies that impede the achievement of goals.
- **Poor operational conditions:** When the amount of effort required to achieve something is seen to significantly outweigh the potential benefits, people become disheartened and lose interest.
- **Poor guidance:** Participation, ownership, empowerment, and self-help are hollow notions if information, advice, guidance and support do not accompany them. In fact, the one without the other leads to immense frustration that demotivates people.
- **Lack of status:** People want, at the very least, to be co-responsible for decisions made and deeds done. Initiatives aimed at involving stakeholders to obtain “rubber stamping” for processes, plans and actions are doomed to failure, frequently in the short term but inevitably in the medium to long term.
- **Deficient interpersonal relations:** Good interpersonal relations within the forum acts as binding factor that promotes co-operative and concerted effort from a group of people. Without specific mechanisms to foster and promote good communication and interpersonal relations, efforts become haphazard and individualised and result in activities grinding to a halt or becoming counter productive.

Reasonable effort needs to be invested to facilitate every sector's involvement. The following steps have proven to be effective in this regard:

- ❖ Preparing an exhaustive list of stakeholders
- ❖ Networking with stakeholders to identify other potential stakeholders
- ❖ Inviting the stakeholders to meetings formally
- ❖ Ensuring that all stakeholders receive minutes of previous meetings
- ❖ Sharing of local published materials such as brochures, posters, newsletters
- ❖ Personal one-on-one lobbying
- ❖ Organising for presentations.
- ❖ Ensuring proactive communication and information arrangements.

There have been incidences noted where there has been an external (most often political or bureaucratic decision) that a specific stakeholder group should be involved in the Forum. This may be despite the fact that such a group does not see any need to be involved. The essence of participation is that it is a voluntary rather than forced process. It is important that forum members add value to the management of water resources and that their participation is not perceived as tokenism. However, if a particular group would derive or provide benefit as a result of their involvement and refuse to do so, it is necessary to evaluate the causes for such refusal. Reasons may include a perceived lack of capacity, the fact that the group does not yet have a full grasp of the benefits of participation or the existence of prior unresolved conflict. If this is the case, every effort should be made to address and resolve the issue and obtain a commitment to participate.

10.3.2 *Appropriate level of participation*

Different stakeholders may wish to participate at different levels. The following levels of participation could be appropriate:

- ❖ Attend all meetings and be responsible for some action items
- ❖ Attend selective meetings and receive minutes
- ❖ No capacity to attend meetings but interested in receiving minutes
- ❖ Attend meeting but take no responsibility for actions
- ❖ Attend selected task team issue-based meetings
- ❖ Invite forum members to periodically report on their progress
- ❖ Attend meetings as observers
- ❖ Be informed of progress
- ❖ Selective issue based participation.

It is normal within any participation process that there will be a fall in attendance of specific stakeholder groups over time. This may, on the one hand, be as a result of a real lack of human resource capacity (this is true for many CBOs where a relatively small number of people are expected to participate extensively in development committees, forums and other structures). Some stakeholder groups may, on the other hand, find that they do not have the need to engage in all forum activities on a regular basis. The forum structure should ensure that differing levels of participation can be accommodated.

10.4 Promoting Stakeholder Interest in a Catchment Forum

10.4.1 *Integrating an IWRM agenda with a Water Supply and Sanitation agenda*

Currently activities at promoting equitable water supply and sanitation at community level focus on water supply related issues and take place within the local context. Systems and processes have not yet evolved that have promoted the participation of previously disadvantaged communities and groups as equal members in a water user group context. There is the need to promote an integration of the IWRM and WSS agendas for the purpose of ensuring informed, participative water management. This does not imply that the forum will seek to implement water supply and sanitation interventions. It does mean that local stakeholders will need to be made aware of the relationship between the management of water as resource and local needs and objectives, including health, income generation, food security, etc.

10.4.2 *Creating linkages with stakeholders*

Once stakeholders have been identified, a process of regular ongoing communication is required to ensure that effective linkages can be created for their involvement. Both the mechanisms for communicating (how and when communication will take place) as well as the content of communication (what will be communicated) will need to be based on the needs of each stakeholder group as well as the particular stage (establishment, management or evolution) the process is.

10.4.3 *Promoting information dissemination and communication*

Stakeholders will participate in a forum if they believe that the forum will meet important components of their needs. The most efficient mechanism or tool for promoting interest in a forum is the dissemination of information relative to the needs and requirements of people and ongoing communication. When you work within the civic milieu the importance of communication as motivational tool comes to the fore in particular. Information needs to be communicated in the language understandable to the majority of the population residing in an area. Newsletters, posters, teaching material (brochures) need to be available in the local languages and/or visual presentations that target children and the illiterate. Effective and appropriate information sharing often leads to higher levels of participation. Information sharing should focus on decision-making, feedback and motivational processes.

In the provision of information, be it for facilitating decision-making or for motivation, the leadership of a forum would play a vital role. The best way to explain this interdependency between leadership and communicating information is to begin by saying that communication can only be successful in an open situation and its leadership determines the openness of a group or organisation. If the leadership is so task oriented that it makes decisions and takes action without involving and even informing the rest of the group or forum, and if the rest of the group does not know what the leadership is doing, a closed situation exists in which healthy, dynamic communication cannot take place. The result of this is an ever-widening gap between the leadership and the rest of the forum and a loss of motivation among the ordinary members who do not feel themselves part of the action anymore.

When leadership is group oriented, when it is as much concerned with the well being of the group as with the task at hand, an open situation is maintained where communication is healthy and vibrant. This leads to a dynamic cyclical situation of information exchange, discussion and decision-making where the whole group becomes part of the decision-making process. A situation that combines sympathetic leadership with participatory management serves as a strong motivator for ongoing stakeholder interest, participation and involvement.

The seven Cs of Effective Communication

Credibility: Communication starts with a climate of belief. The receiver must have confidence in the sender and a high regard for the sender's competence on the subject.

Context: The context must provide for participation and feedback. It must confirm, not contradict, the message.

Content: The message must have meaning for the receiver, must be compatible with the person's value system and have relevance to the receiver's situation.

Clarity: The message must be put in simple terms.

Consistency: Communication is an ongoing process. It requires repetition, because it contributes to both factual and attitudinal learning.

Channels: The verbal and non-verbal communication message should be clear and the two should supplement (and not contradict) each other.

Capability of the audience: Communication must take into account the capability of the audience. Communication is most effective when it requires the least effort to understand on the part of the recipient.

10.4.4 Management style

In addition, a management style that provides a balance between task orientation and relationship or group orientation promotes maturity among management and stakeholders and enhances motivation. Maturity is seen as:

- ❖ The ability to set high, but achievable goals.
- ❖ The willingness to accept responsibility.
- ❖ Education and experience applicable to a specific task.
- ❖ The ability to undertake the specific tasks that need to be done and the will and confidence to do it.

10.4.5 Needs-based approach

It should be reiterated that people participate on issues they feel strongly about. The forum should therefore ensure that it has a good understanding of relevant local needs and perceptions and act accordingly. A needs-based approach also means that the facilitator should ensure that he/she has an understanding of the cultural meaning attached to water

and its use by different stakeholder groups. An example of this is the fact that the riverine environment serves as a potentially rich source of medicinal plants that are harvested by traditional healers (Sangomas and Nyangas). Another example is that some communities or members of a community may attribute water washed and water borne diseases (as well as water related accidents such as drowning) to the presence of 'water spirits'. It is essential that this cultural context is understood and incorporated into water resource management initiatives, to promote success.

11 CAPACITY BUILDING

11.1 Capacity Building and the Forum

Capacity building is frequently regarded as an activity that is undertaken over a discreet period of time such as a 10-day training course. This understanding of capacity building is a limited one, and has limited results. Capacity building must be understood as an integral part of an ongoing process to improve the ability of the individual to enter into a range of meaningful interactions and to actively engage in seeking agreements and solutions that address his or her needs. This process should include aspects of appropriate base skills transfer and creating an awareness of the purposes and objectives of the forum. The process nature of the capacity building process ensures that new participants can enter at different levels into the process.

WHAT IS CAPACITY BUILDING?

Capacity building is seen as an on-going process that seeks to acquire, transfer and match skills and competence of people to equip and enable them to enter into a range of situations with stable abilities, independence and self-confidence, allowing them to actively engage in seeking agreements and solutions that work for them.

Within the context of integrated water resource management and participation in forum activities, this would mean that they would acquire sufficient knowledge, competencies and skills to allow an understanding of the core principles involved, the needs, interests and concerns of other stakeholders and to actively engage in working towards shared goals.

Areas of skills transfer could range from effective communication and conflict facilitation skills to community health, office management and planning skills and others, as might be relevant to the effective functioning of the particular forum and its members. Suitably and well-capacitated people form the basis of sustainable structures.

11.2 Approach to capacity building

The need for capacity building is directly related not only to the existing skills levels of the participant and the desired level of appropriate skills, but also to the relevance of his skills to the organisational (in this case the forum) requirements.

Different levels of capacity building would be needed for different stakeholders and categories of stakeholders. The level and focus of the capacity building process would depend on the skills level of the participating stakeholder, the expected role of the incumbent and the needs of the forum.

Furthermore, capacity building must be contextually appropriate. The capacity building process should also take cognisance of and accommodate the variety of societal, economical and cultural differences found in the typical South African Society.

Capacity building initiatives need to be grounded in the contextual realities of the forum. This includes the phase of development that has been reached, the specific process that is being followed as well as the context in which forum functioning is taking place. Avoid initiatives that attempt to undertake too much capacity building too soon. Typically, an appropriate

capacity building process would initially focus on providing an understanding of key components of relevant water resource management, catchments and catchment related institutions, the role, function and focus of the forum, as well as providing the relevant participant with the skills to interact effectively and on an informed basis within that context. Taking note of the wide contextual diversity (mentioned above), the level, focus and even the approach towards capacity building must be structured accordingly. A provisional analysis of the generic skills that will be required by the different catchment institutions, including catchment forums, has already been undertaken. This analysis serves as a point of departure rather than a final list of skills that will be required. It will be necessary that stakeholders analyse the role of the forum, the specific functions it will need to fulfill and the skills base required by stakeholder groupings.

CAPACITY BUILDING AND EMPOWERMENT

Capacity building initiatives to promote genuine participation and empowerment of all stakeholder groups will require that attention is paid to the following factors in addition to functional forum related skills:

- Strengthening decision-making and negotiation skills of community and small-user groups
- Strengthening institutions who are required to play a regulatory and facilitating role in water resources management
- Ensuring that decision-making processes are transparent through mechanisms that include the integration of knowledge from different sources into a decision support system. This potentially includes integrating community monitoring systems into more “sophisticated” system of information management
- Building platforms and mechanisms that promote the capacity of role players from unequal backgrounds to arrive at meaningful decisions.

Appropriate awareness creation and information transfer should form part of the capacity building process. This ensures that stakeholders can make informed decisions. Information must be readily available in an understandable (to the target participants) format.

It is critical that any capacity building process be developed in consultation with the participants involved in the process. This will ensure high levels of relevancy and stakeholder buy-in.

11.3 Who requires capacity building?

All the stakeholders in the forum should undergo some or other form of capacity building. This could vary from basic communication skills up to managing structured meetings and processes.

It must be recognised that the level and focus of the capacity building process will differ from group to group, and even on an individual basis. The functioning of the forum must be structured and guided in a manner that facilitates the involvement and capacitation of the different stakeholders.

The specific role, function and responsibilities of individuals or groups (e.g. champion, leader, management, chairperson, forum member) combined with existing levels of skill, knowledge and awareness will serve as the basis to determine the type of capacity building that will be required. As well, in many cases, the officials and associated participants need to undergo capacity building in order to understand the circumstance, priorities and needs of other participants.

12 MANAGING CONFLICT

12.1 What situations are likely to cause conflict in a forum?

The following situations have been found to give rise to conflict in a forum.

- **Unclear boundaries.** There is a need to ensure that stakeholders participate in the forum on the basis of clear mandates with a specific role and place (also called role definitions). Overlapping or unclear role definitions tend to cause distrust and may lead to misunderstanding, friction and eventually conflict.
- **Clashing interests.** Within the context of a catchment forum, it is virtually guaranteed that there will be a pre-existing perception amongst groups of stakeholders that their interests clash directly with interests of one or more other groups. This may be exacerbated by the fact that all interests of all parties cannot be served at the same time. In addition, a stakeholder group may perceive that their interests are not deemed as important or that mechanisms to promote integrated water resource management places a significantly higher burden on them when compared to other stakeholder groups. However, if the potential for conflict in this situation is identified timeously, good communication can go a long way in preventing conflict.
- **Clashing personalities.** Members of the forum can have conflicting personalities and values. Each may in addition, potentially have a support base within the forum. Where such persons are dominant, dogmatic or even aggressive conflict may develop that can spread far beyond the confines of two conflicting persons.
- **Dependency situation.** If one role player is dependent on another in order to play its role, it is obvious that the potential for conflict exists. This is especially true of horizontal dependency. Dependency on a vertical scale is far less likely to cause conflict, possibly because we are so used to a boss-underling situation. This does not only go for persons, but also for institutions. If, for example, one committee cannot do its work before another committee has voted money for it, the potential for conflict is present.
- **Need for consensus.** In a situation where consensus must be obtained before action can be taken, there is marked potential for stalemates, power plays and conflict especially if forum process management is weak and/or if communication is poor.
- **Misunderstanding.** Misunderstanding is a direct result of poor communication. Misunderstanding leads to a situation where each regards the other's motives as suspect. It is natural for distrust to grow between the parties and for episodes of confrontation to surface from time to time. Each new confrontation makes communication more difficult.
- **Unresolved prior conflicts.** The potential exists that one or more groups of stakeholders that are drawn into the process have experienced prior conflict that is unresolved. As there is a natural tendency amongst people to want to minimize conflict, it is very tempting to try and pretend that the conflict does not exist, in the hope that matters will resolve themselves over time. Unfortunately this seldom happens and it will be necessary to either facilitate a solution. Unresolved conflict has a tendency to resurface at inopportune times (e.g. when one needs to obtain a consensus decision) leading to escalating frustration and anger between most if not all stakeholders. Conflict resolution becomes extremely difficult in such a situation as a result of its historic base

as well as the fact that the parties involved either do not see a solution or do not want a solution. Attempts to resolve such conflict may need to be taken back to the organisations being represented by stakeholders with the request that the issue is addressed or that different representatives are appointed.

EIGHT BASIC PRINCIPLES OF POWER

Power is not dependent on statutory status. Legal status does not necessarily serve as a basis for power.

Power is always relative. It hardly ever belongs totally to one party.

Power can be real or false. If a party is in a strong position of power and it is not recognised or realised, the power is of no consequence.

Power can be exercised without action. If the other party believes that action could or would be taken against him, the action is not necessary.

Power is always limited. The extent depends on the situation, laws, ethical standards, and current and future competition.

Power exists to the degree that it is accepted. The end goal of power cannot be distinguished from the means. The other party will not negotiate again, if he feels that he has been exploited.

The exertion of power always involves costs and risks. Victories based on exerting power always result in losses for all parties.

Power relations change eventually. The balance of power changes as the balance of the parties' advantages and contributions change.

12.2 Preempting or avoiding conflict situations

These situations can most effectively be pre-empted or avoided by:

- **Setting clear “Rules of Order”** – It is advisable to have a standard set of agreed upon rules of conduct for meetings and discussions. These may include rules of “good manners” (e.g. do not interrupt, all persons will be provided an equal opportunity to speak, etc.) and rules of “conflict avoidance” (e.g. stick to issues and facts, do not become personal, focus on the problem not the person, etc.). While a goal-directed facilitative approach is most productive within a forum context, it is essential that stakeholders agree and adhere to very clear rules and boundaries.
- **Identifying potential high conflict situations in advance** – One very seldom experiences sudden and unexpected conflict. Knowledge of the stakeholders as well as the situation allows the ability to identify in advance and to avoid or manage such situations. Make sure that everything is clear and the possibility for misunderstanding is minimal.
- **Identifying potential clashing interests** within a forum – Based on an evaluation of mandates, areas of activities, interest and need of all stakeholders, it is possible and desirable to identify stakeholders who will have clashing interests and to manage such clash.
- **Identifying potential clashing personalities** in a forum – Clashing personality types can make the management of a forum particularly difficult and can impact severely on reaching consensus decisions. Destructive conflict can often be avoided by depersonalising points of disagreement

12.3 When should conflict be allowed?

Conflict is only healthy when it is non-abusive and comes in the form of healthy competition, sanctioning by the group of the individual, a keen upholding of fair play, and an honest debate towards agreement. Conflict is not bad in and of itself and to be eradicated or suppressed at all costs. Avoidance of conflict may lead to "group think" that develops as a result of a feeling among members of a group that they do not want to upset the harmony and oneness in a group. "Group think" unfortunately also stifles healthy debate and individual contribution to group knowledge in the short term and ironically precipitates conflict in the medium to long term.

12.4 Conflict management / resolution approaches

Conflict should be managed through a process of honest and open leadership. Open leadership means that all role-players are allowed to engage in a continuous communication process regarding their needs, the needs of the forum and decisions (policy, strategic and implementation) made within the forum or by management.

Conflict resolution is best done through negotiation where a win/win resolution is sought. To achieve this, conflict resolution must:

- ❖ Aim for a specific result (target) agreed to by both (or all) parties
- ❖ Be positive and honest
- ❖ Concentrate on an exchange of information to overcome existing barriers to communication and to promote healthy communication
- ❖ Entertain long and short term objectives
- ❖ Find mechanisms to promote rapport as soon as possible
- ❖ Identify and keep external influences in mind
- ❖ Leave space for all parties to move
- ❖ Be flexible as to sequence and options
- ❖ Zero in on the problem from the beginning.

PROBLEM SOLVING

Problem solving involves an effort to find a mutually acceptable agreement - a win-win solution. There are many problem solving tactics - some involve joint problem solving, in which the two parties work together to try to find a mutually acceptable alternative. Others involve individual problem solving, in which one or both parties act on their own. Research has confirmed that joint problem solving is a useful way to achieve win-win agreements; it encourages longer-lasting agreements and is the best approach in catchment-based initiatives.

Highly politicised issues should be addressed with the full knowledge of the inherent potential for conflict. It is often helpful to identify the realities, concerns and beliefs underlying highly politicised issues. Typically, these aspects would then be addressed using the above mentioned mechanisms to minimise destructive conflict.

APPENDIX A: FREQUENTLY ASKED QUESTIONS

Most catchment forums follow a lifecycle, beginning with the initiation and establishment of the forum, to ongoing management and operation, and at some stage evolving to a new role. Frequently asked questions have been grouped into these three stages, with cross-referencing to relevant parts of the guidelines.

Managing the establishment of a catchment forum

The issues faced by people involved in the establishment of a catchment forum are related to decisions around the process of initiation and establishment. These may be grouped according to:

- Identifying the need for a forum (drivers, need and roles)
- Initiating the process (probable steps)
- Involving stakeholders (representivity and participation)
- Formulating a terms of reference (responsibilities, functions and partnerships)
- Formalising the forum (structure, procedures and constitution)
- Accessing resources (financial, human and infrastructure)

Key Issue	Considerations	Reference
Identifying the need for a forum	Why is a forum needed (what are the drivers)?	Section 1.3/4.3/6.2
	What is the role of the forum?	Section 4.2
	What area should it cover?	Section 4.3
	What is the difference between a forum and other bodies?	Section 5.2
Initiating the process	What process is required to initiate a forum?	Section 2.1/6.3
	What roles are needed during this process?	Section 3.2/3.3
	Should an existing forum or initiative be used?	Section 6.4
Involving stakeholders	Which stakeholders should be involved?	Section 10.2/10.4
	How should stakeholder capacity be built?	Section 11.1/11.2
	How can conflict be avoided?	Section 12.2
Formulating a terms of reference	What responsibilities should a forum have?	Section 4.2
	Which organisations should a forum partner with?	Section 5.2/5.4
Formalising the forum	What should be in a forum constitution?	Appendix B
	What should a forum strategy contain?	Section 9.1
	When should a forum be a legal entity?	Section 5.3
	Should a forum become a statutory body under the NWA?	Section 5.3
Accessing resources	What resources are needed to establish a forum?	Section 9.2
	Who can/should provide these resources?	Section 9.2

Managing the functioning of an existing catchment forum

Once a catchment forum is established, the important questions for its management relate to problems of ensuring a sustainable and effective forum, which may be captured in the following groups of issues:

- Refining the forum structure (to better give effect to its role in WRM)
- Developing (or consolidating) relationships and partnerships (with other bodies)
- Extending participation (to become more representative in terms of its role)
- Accessing resources (to perform its functions)
- Managing conflict (arising within the forum)

Key Issue	Considerations	Reference
Refining the forum structure	What are the key objectives of a forum?	Section 1.3/4.2
	What are the forum organisational elements?	Section 8.3
	How does management work?	Section 8.3
	Who is a member of the forum?	Section 9.1
Developing relationships and partnerships	What partnerships are required to achieve a forum's role?	Section 5.2
	How does the forum develop these partnerships?	Section 6.3
	How does a forum contribute to cooperative governance?	Section 4.2
	What is the role of the plenary?	Section 9.1
Extending participation	How should stakeholder representation be extended?	Section 10.3
	What will encourage stakeholders to participate?	Section 10.3
	How can interest in a forum be promoted?	Section 10.4
	How can stakeholder capacity be built?	Section 11.2
Accessing resources	How are forums supported?	Section 9.2
	Who has responsibility to look for funding?	Section 9.2
	What resources are needed?	Section 9.2
	What are the funding options?	Section 9.2
Managing conflict	What situations are likely to cause conflict?	Section 12.1
	How can conflict be pre-empted or avoided?	Section 12.2
	When should conflict be allowed?	Section 12.2
	What approaches can be used for conflict management?	Section 12.3
	How should highly politicized issues be addressed?	Section 12.3

Managing the evolution/change of a catchment forum

As the interests and capacity of the forum develops and the CMA evolves, so too may the roles and organisation of the forum evolve. The key questions related to the requirements and process of this evolution, to ensure the continued sustainable functioning of the forum, may be grouped into:

- Identifying reasons for the change
- Formulating a new vision (in terms of roles and relationships)
- Involving relevant stakeholders (in the process)
- Developing a change strategy (to achieve the vision)
- Implementing the change (in a transparent and coherent way)

Key Issue	Considerations	Reference
Identifying reasons for the change	What is driving the change?	Section 7.2/7.3
	What is the new role of the forum?	Section 4.2
Formulating a new vision	What "power" does the forum want?	Section 4.3
	What type of formal or legal entity does the forum want?	Section 5.3/7.5
Involving relevant stakeholders	Who should be represented on the forum?	Section 10.2
	Why should other stakeholders be included?	Section 10.3
Developing a change strategy	Why is an action plan needed?	Section 9.1
	What capacity is needed?	Section 9.1
Implementing the change	What should be considered in implementing the change?	Section 7.4
	What indicates that the process may be going wrong?	Section 7.4

APPENDIX B: GENERIC FORUM CONSTITUTION TEMPLATE

PREAMBLE

It is recognised that it is desirable and in the public interest that the catchment forum described as _____ (hereinafter referred to as 'the forum') is representative of interested and affected parties, and that its activities are promoted according to this representation. There is accordingly hereby established :

In this document, a reference to 'forum' shall include all of the ancillary activities associated with the operation of the forum.

1. ACCEPTANCE OF THE NATURE AND PURPOSE OF THE FORUM

- 1.1. By their participation on the Forum, members agree that the purpose and function of the Forum is to
 - 1.1.1. ...
 - 1.1.2. ...
- 1.2. Members agree that the meetings of the Forum are to deal only with matters relevant to the specific functioning of the Forum and that their contribution at meetings will be restricted to the business of the meetings.
- 1.3. Members agree that they will ensure that the Forum will serve as a channel of information between the Forum and the stakeholders i.e. the members are expected to bring issues requiring deliberation to the table.
- 1.4. Members are expected to reflect perspectives as prevalent amongst stakeholder groups, and to put the needs and requirements of the broader stakeholder community above personal 'agendas'.
- 1.5. The participation by a member on the Forum shall not be interpreted as a waiver of such person's rights.
- 1.6. Members should not delay the process on purpose.
- 1.7. Members should have a good understanding of the contents of any reports or documentation under discussion.

2. COMPOSITION OF THE FORUM AND VOTING POWERS

- 2.1. It is intended that the Forum should include representatives of all affected communities, interested non-government organisations, officials within whose administrative sphere the operation of the catchment falls.

- 2.2. **There shall be no limit on the number of representatives of any interested or affected groups, provided however that no single group shall be permitted to dominate proceedings and an equal opportunity to speak on any matter shall be afforded to each group.**
- 2.3. In the event that there is no quorum at a meeting the meeting shall stand adjourned for days and notice of the adjourned meeting shall be given by the secretary to all Forum members. In the event that no quorum is present at the adjourned meeting, those present shall constitute a quorum. Matters relating to a change in the Constitution or functioning of the Forum may only be dealt with at a meeting at which a full quorum is present.
- 2.4. In the event that a vote is necessary in respect of any matter, each group represented at the meeting shall have one vote.
- 2.5. Where possible, issues shall be debated until consensus is reached.
- 2.6. Representatives from government departments will serve on the Forum in an ex officio/advisory/full voting capacity

3. CHAIRPERSON

- 3.1. A chairperson shall be elected by the members of the Forum and shall hold office for a period of subject to the following :
 - 3.1.1. a chairperson may be requested to resign on a majority vote of 75% of the persons present and entitled to vote;
 - 3.1.2. a chairperson who absents himself or herself for three consecutive meetings without reasonable cause, shall be deemed to have resigned.
- 3.2. In the event of the resignation of the chairperson, an independent chairperson shall act as chairperson of the meeting for the purposes of the election of a new chairperson, whereafter the meeting shall proceed under the chair of the person so elected.
- 3.3. It shall be the duty of the chairperson to ensure the orderly conduct of meetings and to ensure that all persons present and wishing to speak, are given a reasonable opportunity to do so.
- 3.4. Any member who fails to comply with the reasonable requests of the chairperson to the extent that proceedings at meetings are disrupted, may be required to leave the meeting.

4. MEETINGS

- 4.1. The Forum shall meet or at such other intervals as a majority of members may agree but not less than per annum.
- 4.2. Ordinary meetings shall take place at or such other place as the Forum may decide from time to time and shall, where possible, be outside of normal business hours (?) so as to facilitate the attendance of stakeholders.

APPENDIX C: PRO FORMA AGENDA FOR FORUM MEETINGS

Date/Time: _____

Venue: _____

- 1 Welcome
 - 2 Introduction of Attendees
 - 3 Apologies
 - 4 Minutes of the Previous Meeting
 - 5 Matters Arising from the Minutes
 - 6 Additions to the Agenda
- _____
- _____
- _____
- _____
- 7 Forum Management Committee Report Back
 - 7.1 Sub-committee/Task Team 1
 - 7.2 Sub-committee/Task Team 2
 - 8 Items for Presentation
 - 8.1 _____
 - 8.2 _____
 - 9 Items for Report Back
 - 9.1 _____
 - 9.2 _____
 - 10 Pollution Incidents Reported
 - 11 Discussion of Additions to the Agenda
 - 12 Date and Venue for the Next Meeting
 - 13 Closure