

Catchment Management Forums

A guideline for developing Charters of Agreement

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USAID: RESILIENCE IN THE LIMPOPO BASIN PROGRAM (RESILIM) – OLIFANTS





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Introduction to the guideline

What is this guideline?

This is a guide to help catchment management forums structure meaningful participation from stakeholders in a way that is meaningful, open and democratic. You will see that the guideline is not specific for a particular geographic area but general enough for inputs to be made relevant and appropriate. The guideline also has a template at the end where charter working groups can fill in details as they develop. It is important that this guideline should be done in consultation with stakeholder and that all members of the forum are aware of its contents.

Who should use the guideline?

The guideline should be used by working groups when charters are being drafted, it should also be consulted by water management officials interested in assisting a forum management establishment.

What will it help you achieve

It will provide that basis for a charter which is a document that guides stakeholder involvement in water resource management processes. It will also help you establish a forum with clear functions and a purpose.

How is the guideline structured?

The guideline contains a section which explains all of the required details that should be in a charter. At the end of the guideline is a template that can be used to develop a charter for a specific geographical region. You will also find examples of maps and recommendations for the establishment process. In some cases a number of options are provided and the drafting committee will need to consult with forum members as to what option is most suitable.

What is the CMF?

Catchment Management Forums and sub forums will inform and support the catchment management agency for a water region. Catchment management forums are public institutions that may be established at a sub catchment level.



*Figures 1& 2: Forums may take different forms depending on what is being discussed.
Not all forum meetings need to have presentations*



“Recognising that the ultimate aim of water resource management is to achieve the sustainable use of water for the benefit of all users”

Extract from Preamble to National Water Act

What is a Water Management Area?

The National Water Act (Act 36 of 1998) requires that water will be managed at regional or catchment level within defined **Water Management Areas (WMAs)**. A WMA is an area established as a management unit in the National Water Resource Strategy within which a catchment management agency will conduct the protection, use, development, conservation, management and control of the country’s water resources. The boundaries of WMAs are broadly based on different levels of drainage region boundaries, but also include some administrative demarcations.

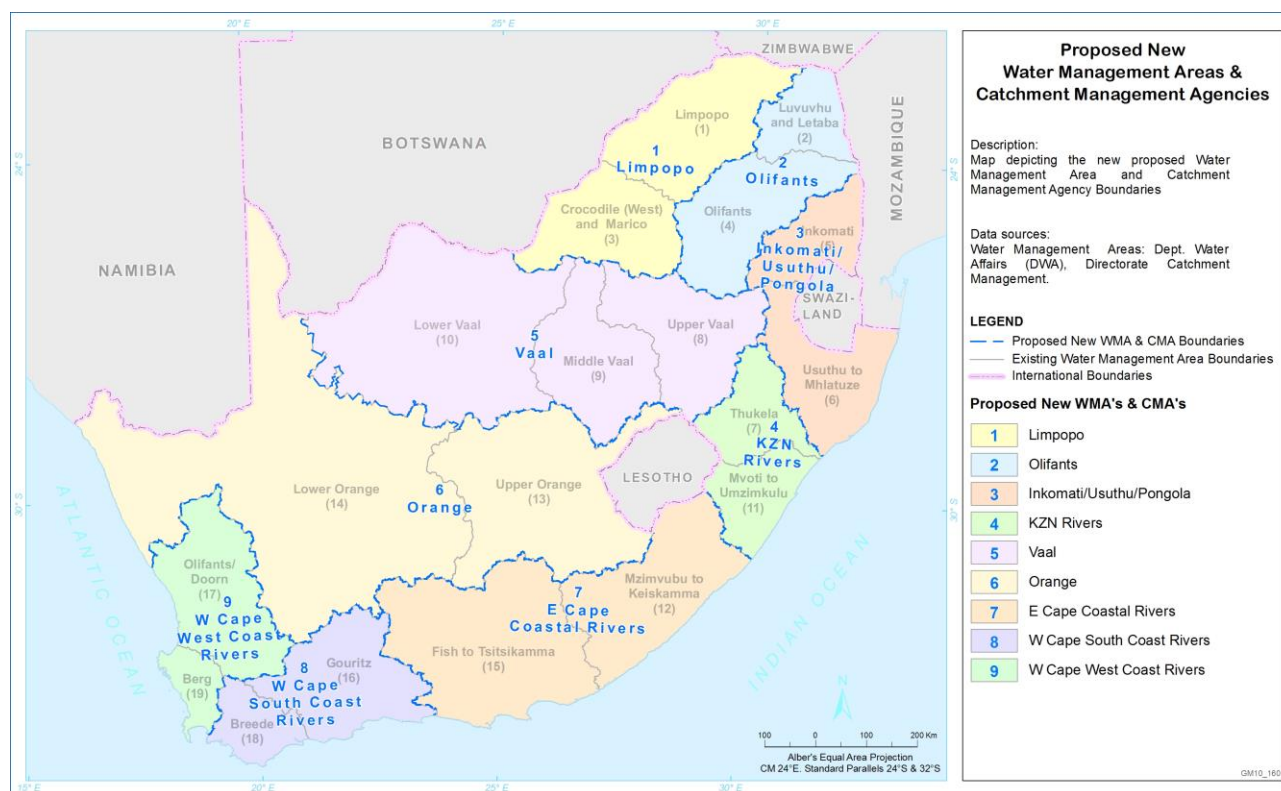


Figure 3: Water management areas of South Africa



Figure 4: Map showing Olifants Catchment [dark green] in relation to the Limpopo basin [light green]

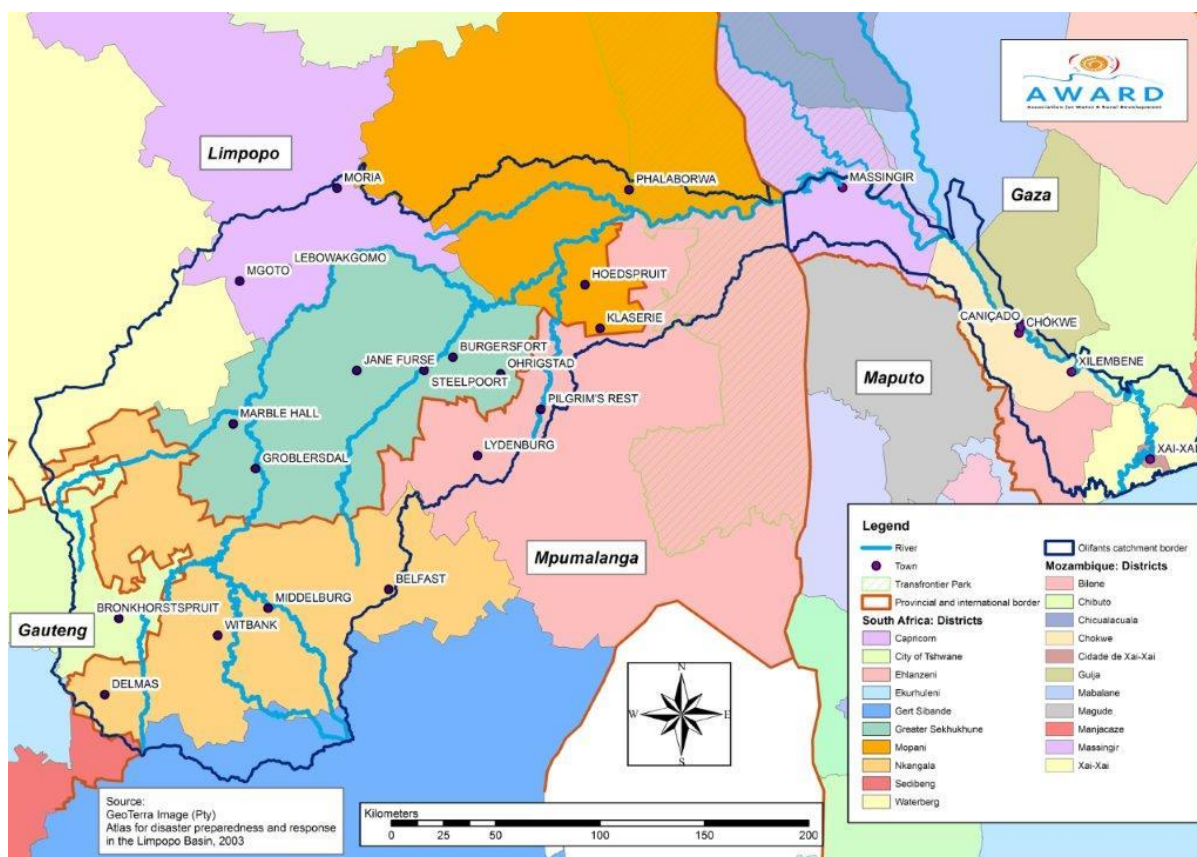


Figure 5: District Municipalities in relation to the Olifants catchment



Introduction to the charter

What is the purpose of the Charter?

The charter is a document that is reached by agreement between different people participating in achieving a particular vision or goal the charter provides that basis for the smooth operations and functions of an organization that may not be legally constituted. However by agreeing on the contents of a charter, people have a guideline for what it is they will be involved in.

We should not under estimate the value of a charter in a multiple stakeholder environment where this not always agreement on priorities or where decisions may be based on different opinions.

Who should be involved in the development?

This depends on where the charter will be used. Essentially all stakeholders who have an interest in a particular part of a catchment should be welcome to participate in the development of the charter. It is therefore important that the charter be reviewed and updated on a regular basis to get new inputs from new stakeholders coming into the region.

Implementation and Monitoring

It is important to set time lines or time frames for the development and operationalisation of key aspects mentioned in the charter. Also equally important is the fact that there is accountability and monitoring of performance of the forums in relation to the vision and mission statements captured in the charter.



Guideline for charter development

This is a guide to filling in the template for the development of Catchment Management Forums (CMFs). It should act as a guideline, leaving each forum in a position to develop its own content and terms and conditions for functioning.

1 Name of forum

Choose a name for the forum that best describes the area of operations as well as the level at which it is to function. In other words is it to be an umbrella organisation or is it a sub-forum under a greater body.

Sub-forums under the forum

Any part of a river that is within the defined area of a forums operation, this includes all villages, towns and parts of municipalities that are part of the area of sub forum functioning. For example the upper Olifants CMF includes the Wilge and Klein Olifants sub forums.

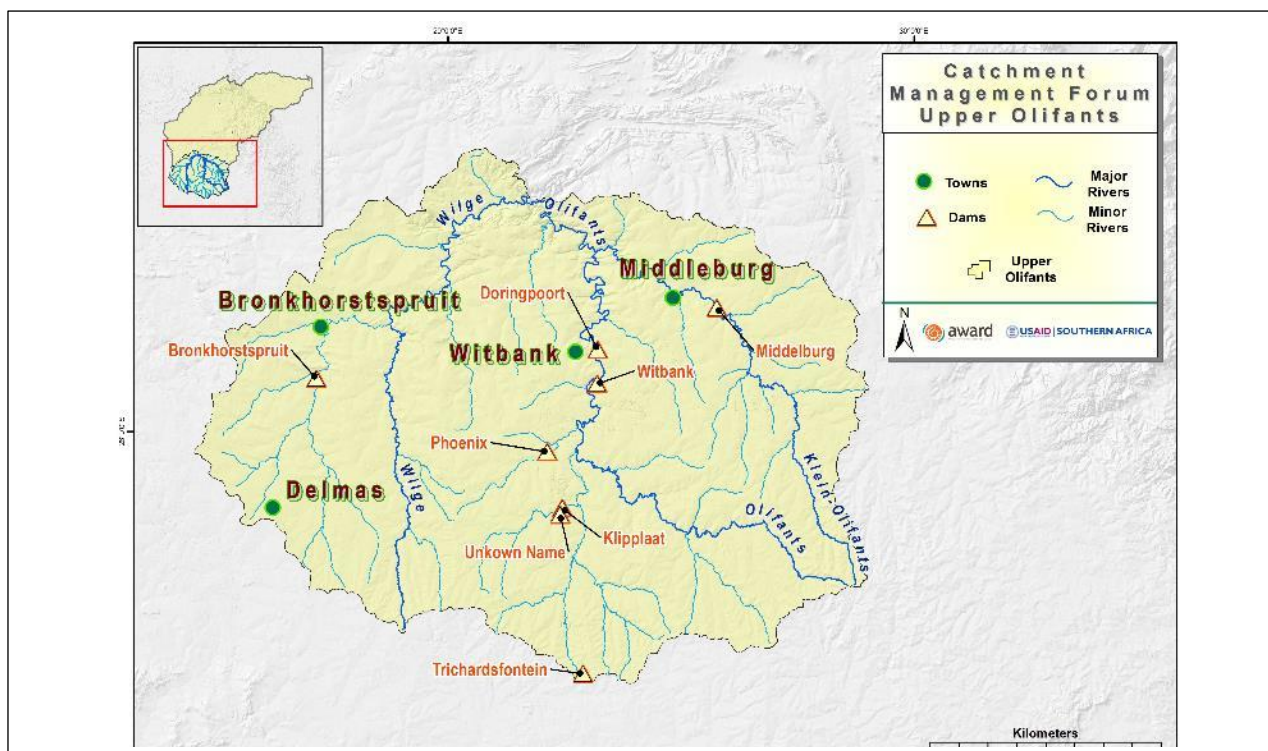


Figure 6 Shows the UPPER portion of the Olifants and the rivers within it

Your charter drafting task team needs to decide the number of sub forums you need to have under a particular CMF. This is open to discussion with stakeholders and water users as you will want to include people in a sub forum who frequently work together or have a common interest in the water resource e.g. water user associations, municipality and farmers.

Handy hint:

- Don't have too many sub forums as it is difficult to manage.
- Do try to include all town and villages that use the same part of the river in the same sub forum.
- Do pay attention to municipal boundaries and sub forum boundaries.



2 Contents of the charter

The Charter, for a particular CMF is a working document that must contain the basis of how the CMF and its sub forums are structured and how they will be funded and how they will function. It should describe the areas of operation and the stakeholders to be included in the forum. It is an important document in that it can help minimise conflict and disputes and can assist facilitated discussions and important decisions that need to be taken. Typically the charter should include a vision and mission and outline the functions of the forum, the area of operation, the management structures as well as maps and any other useful information.

A typical charter will have the following contents :

1. Name and Identity of the Forum
2. Mission and Objectives of the Forum
3. Functions of the Forum
4. Area of Jurisdiction / Operation
5. Structure of the Forum
6. Membership of the Forum
7. Rights and Responsibilities of Members
8. Office Bearers and their Roles and Responsibilities
9. Composition and Reporting Lines of Management Structures
10. Operating Procedures
11. Sources of Funding
12. Reporting and Accountability
13. Relationships with Other Structures



3 Vision and Mission of the Forum

When we have many different types of stakeholders working together it is important that we have a common purpose and goal to which we agree to work. Commonly we use a vision and a mission statement to guide our actions, but it also helps us to evaluate our performance on a regular basis. In other words, to see how we are progressing to our agreed goal.

Handy Hint:

A vision and mission statement help the forum evaluate performance over the long term.

Vision

The vision gives us a short summarised statement of where we would like to be and how we would like our catchment area to look in the future. It should not be too broad or vague that it does not provide us with a clear enough picture. It should also not be so specific that it will need to include too many details.

Handy hint:

A vision is not a slogan, such as “water is life”

Here is an example of a Vision statement for the Olifants Catchment:

‘People participate in sustainable water resources management within the Olifants River Catchment so that they can provide adequate water for people and nature.’

Mission

A mission states clearly how and what processes will be used to achieve the vision. Here is an example the mission statement that matches with the vision above.

‘To create a platform for dialogue and implementation amongst diverse water users that support the Olifants Catchment Management Agency (OCMA) in carrying out in water resource management functions.’

Handy hint:

Catchment Management Agencies or CMA’s are the stakeholders in resource management created under the national water act NWA to manage water resources at a catchment level



4 Purpose

It is important that everyone participating in the CMF and sub forums are very clear on what it is they are participating in. Forums are more than just for the exchange of information and opportunities for government department to consult with stakeholder. They are there to generate dialogue so that important decisions can be reached. The purpose of the CMF is to play a significant role in some or all of the following:

■ Informative

An important role of the forums is to provide participants with relevant and up to date information regarding the natural water resource in their area. This can include anything from who is using the water and what the water quality is like and where there are problems that need to be addressed. In forum meetings it is usual for officials to provide us with presentations and feedback on what is happening in the catchment area. It is important too that participants can contribute to the information from what they see and know on a daily basis.

Handy hint:

Be careful not to provide information that is too technical and that people do not understand

■ Advisory

Another important function of the forum is to provide advice and inputs into the water resource management processes. This means that people have to have enough information and be prepared to provide such advice when they attend forum meetings. Information should therefore be sent through to participants well in advance so that they can read the documentation, discuss issues and give their opinion on particular topics.

Handy hint:

Be aware that not all stakeholders will have the same opinion!

■ Operational

The operational functions of a forum or sub forum refers to water resource management activities that require direct involvement, either independently or as partners. These include implementing decisions and outlining courses of action, providing technical assistance and acting as a watchdog. Important operational functions where money is involved such as infrastructure management (dams, canals, and pipelines) will require special legal status. This issue will be dealt with later.



*Handy hint:
Not all CMF's will need to take on operational functions.*

5 Responsibilities

The list of responsibilities of a forum or sub forum chooses to put in its charter will need to be decided with the stakeholders. Also important here is to note the capacity of the stakeholders to carry out these responsibilities.

Here is a list of some suggested responsibilities you might want to include in your charter:

- The formulation of a vision and mission for your forum or sub forum.
- Disseminate information about water resource management in the WMA to the public.
- Communicate and co-ordinate activities of various bodies, to foster cooperation.
- Encourage and facilitate users to identify water management problems.
- Monitor water resources including river flows and quality.
- Perform water resource management activities through task teams and special groups.
- Advise on water resource management decisions, by making recommendations to the relevant WMI.
- Present concerns and issues on behalf of all affected stakeholders matters related to water resources management to the CMA (or DWS) and other relevant departments.
- Build capacity of stakeholders around Water Resources Management, with specific attention to previously disadvantaged groups.
- Foster cooperative governance, particularly between Water Management Institutions (WMIs) and local government.
- Facilitate the participation of stakeholders in the development of a catchment management strategy and other water resource management activities as a partner to the CMA.

*Handy hint:
Only choose things you are able to achieve*



6 Scope of functions of the forum

The scope of functions of the forum (all the things that the forum can do) is determined by the nature and (legal) identity of the particular forum or sub forum. For example a volunteer forum is not able to collect and spend money, whilst a forum registered as a legal entity is regulated under a specific law when funds are involved e.g. the companies act or the NPO act.

In the following section we present various areas of activity that will become the functions of the forum or sub forum once it is constituted. Please note that some of these functions can be conducted as a volunteer organisation while other will require attention to legal status.

a) Institutional establishment and development

The forum may assist with the establishment of the CMA by nominating members assisting in the development of the catchment management strategies and other water resource management tasks. This function might have a limited life span when the CMA is formally established.

Functions:

- Identification and location of stakeholders
- Securing and extending participation
- Consulting on the CMA establishment process
- Building stakeholder awareness
- Supporting WMI capacity building
- Testing water resource management, institutional options
- Identification of local water resource management, challenges

b) Water Resource Management Consultation

In most instances forums are established as vehicles for consultation around a broad suite of water resource management issues and will act as the key interface between the CMA and its stakeholders.

These functions may evolve from the initial institutional development focus and involve participation in the development of the CMS and would also include consultation around a range of water resource management functions of the CMA (or other institutions).

Functions:

- Commenting on licence applications and other CMA functions
- Ensuring stakeholder participation
- Assisting with conflict resolution
- Promoting communication
- Informing stakeholders



c) Support to Water Resource Management Activities

With the operationalisation of the CMA, forums may also get involved in the more detailed operational aspects of water resource managements of the CMAs once established, ranging from broad cooperation with CMAs and associated WMIs to the management of specific CMA functions.

The most likely types of activities may include making recommendations on water use authorisations, monitoring water resources and water use (with a stronger focus on compliance than routine monitoring), implementing local water resource management projects and mobilising people and resources for water resource management.

Functions:

- Promoting a local development vision
- Contributing to SMA strategy
- Contributing to local use reconciliation
- Promoting registration and payment
- Commenting on licence applications
- Promoting cross-sectional regulation
- Promoting voluntary water resource management
- Supporting WMI capacity building
- Coordinating WMI activities
- Ensuring participation
- Local problem solving and conflict resolution
- Promoting communication
- Monitoring quality, use, infrastructure status, compliance, incidents, payment
- Supporting demand management interventions and emergency response
- Inform stakeholders

d) Supporting Integrated Planning and Development

Catchment forums involve stakeholders from a variety of sectoral backgrounds and can therefore provide useful cross-sectoral inputs into planning processes, they can promote integrated planning and management (in support of water resource management), by addressing other issues, such as water services, waste management, integrated environmental management and land development.

The engagement of the private sector in the forums supports engagement between public and private sector actors and can foster improved planning towards collective action.

Functions:

- Promoting cross-sectoral discussion and debate



- Promoting the principles of integrated water resource management
- Undertaking specific coordination and integrative functions
- Promoting planning coordination
- Business planning for forum functions
- Supporting co-regulation agreements
- Interacting with water services and other sectoral institutions
- Coordinating with other sectors

Reflection

The Forum needs to reflect annually its performance against its **vision and mission**, as well as these key areas of operations listed below.

Water Resource Management

These forums are a platform for collective action for Water Resources Management (water resource management) in their respective geographic areas (Tertiary catchments of the Olifants-Letaba Water Management Area, Figure 4). They also have the role of providing direct communication between the OCMA and its stakeholders and will form a permanent feature of the OCMA institutional environment.

Key water resource management consultations activities include:

- Presentations and discussions on any water related matters as suggested by the chairperson and/or forum members.
- The Forum may make recommendations on water use authorization, monitoring water resources and water use, implementing local water resource management projects and mobilizing people and resources for water resource management.
- Members of the forums, such as the Chairperson will actively contribute to the development of a Catchment Management Strategy (CMS) for the OCMA, every 5 years.
- Regular feedback from the OCMA on water resource management and operational matters from the OCMA and Catchment Management Committees (CMC) will be expected at each quarterly meeting of the sub-forum*
- In order to fulfil the above the Chairperson will nominate Task Teams within the sub-forum, as and when required to:
 - Address certain water resource management issues e.g. Pollution events through information gathering or resolve disputes. Information report back will be expected at the subsequent sitting of the forum
 - Tackle certain water resource management functions e.g. Information dissemination and seeking new forum members to ensure adequate representation in the forum.
- Develop specific project based task teams e.g. to provide input to the OCMA on drafting the CMS, support validation & verification, or compliance monitoring

* Whilst the LOCMFs are not involved in water resource management and CMA operations feedback to forum level of key issues is expected. The sub-forum Chairperson will represent the sub-forum at the Catchment



Management Committee, this allows the sub-forum Chairperson to represent the sub-forums in OCMA operations.

7 Practical & logistical issues

Convening stakeholder meetings

Convening stakeholder meetings is an important duty that often gets underestimated. In the proposed structure of the CMF (see below) the secretariat is the responsible party to organize and convene the stakeholder meetings. This means that they have to have a good database of all stakeholders that should attend as well as contact details for each organisation. Also it means that invites have to be sent out on time, agendas have to be drafted, venues have to be booked, catering arranged and presenters have to be informed.

It is important that the secretariat is aware of which meetings match to the various forums and sub forums. This can easily go wrong and cause confusion if communication is not clear.

Financial issues

Forums and sub forums do not require very large budgets to function, largely catering and communications are the biggest cost. The following items need to be considered when budgeting for forums and sub forums:

- Catering (could be lunch or teas)
- Printing of agendas
- Telephonic and email communication
- Transport (if there is a policy to support attendance)

Supporting stakeholder engagement and subsidization

In many cases where there are rural areas, participants do not have finances to attend meetings, in such cases the secretariat and management committees should consider ways of subsidising or supporting people to attend. This may include organizing transport or having meetings in accessible places.

Liaising with the media

The media is an important ally in the water resource management process. It is therefore useful to have a good relationship with local media houses. It is recommended that the media is invited to all forum meetings and that suitable stories are placed in the media on a regular basis.

Lobbying and advocacy



The forums and sub forums have a very important role as “watchdogs”. Through their activities they are able to take particular positions and communicate these directly with government, the CMA and the media.

Water quality and flow monitoring

One of the biggest concerns in any river system is the availability of water and its quality. It is therefore important that the forums and sub forums keep up to date with the quality and quantity of water in their local rivers. This might require accessing information from government web sites, but it could also mean that various stakeholders in the catchment are monitoring water themselves.

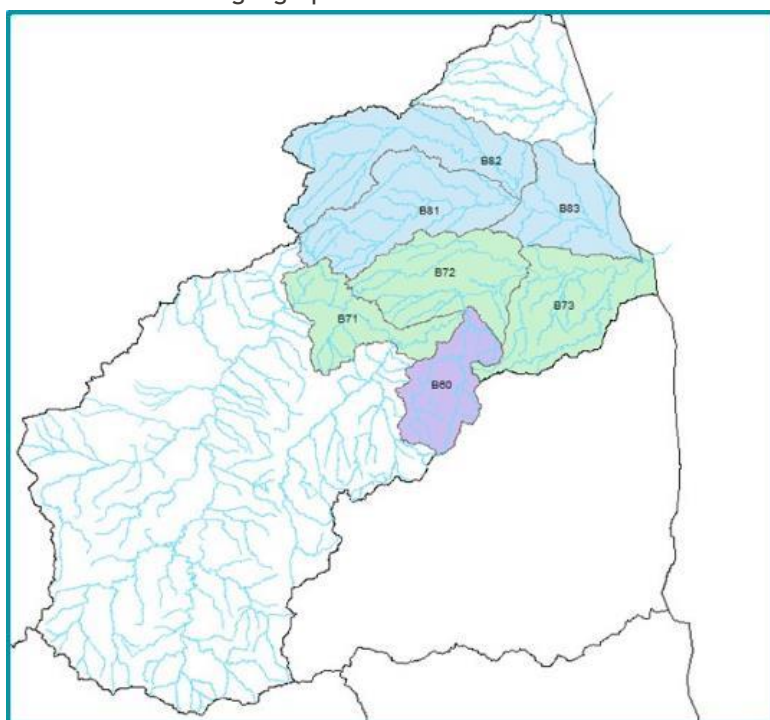
*Handy hint:
Tools such as a flow tracker and mine alert are useful.*

Operating shared infrastructure

It is very rare that forums and sub forums will be required to operate and manage infrastructure such as canals, pipelines and dams. If a forum or sub forum chooses to manage infrastructure on behalf of some of its stake holders it is important that they have appropriate legal status, because this might involve money and managing staff. It is recommended that if this is an option that the forum or sub forum assigns this duty to a special working group or task team.

8 Area of operations

This includes the geographic area over which the forum will preside and draw stakeholders. However it is not limited to the geographic area as stakeholders resident in the catchment might have a major stake in water issues i.e. multinational companies and investors.



It is important to work with the Dept. of Water Affairs in determining the areas of operation as these need to match some of the natural features of the catchment such as the hydrological zones. Once the main forums are established it is acceptable to have as many sub forums as is deemed necessary. The sub forum conveners/facilitators/chairperson will report their issues to the key forums approximately twice a year.

Figure 6: Tertiary Hydrological zones



9 Organisation structures

This section provides a guide to the organizational form. It also suggests the nature and pace of evolution from informal/voluntary to formal structure if there is an intention to do so.

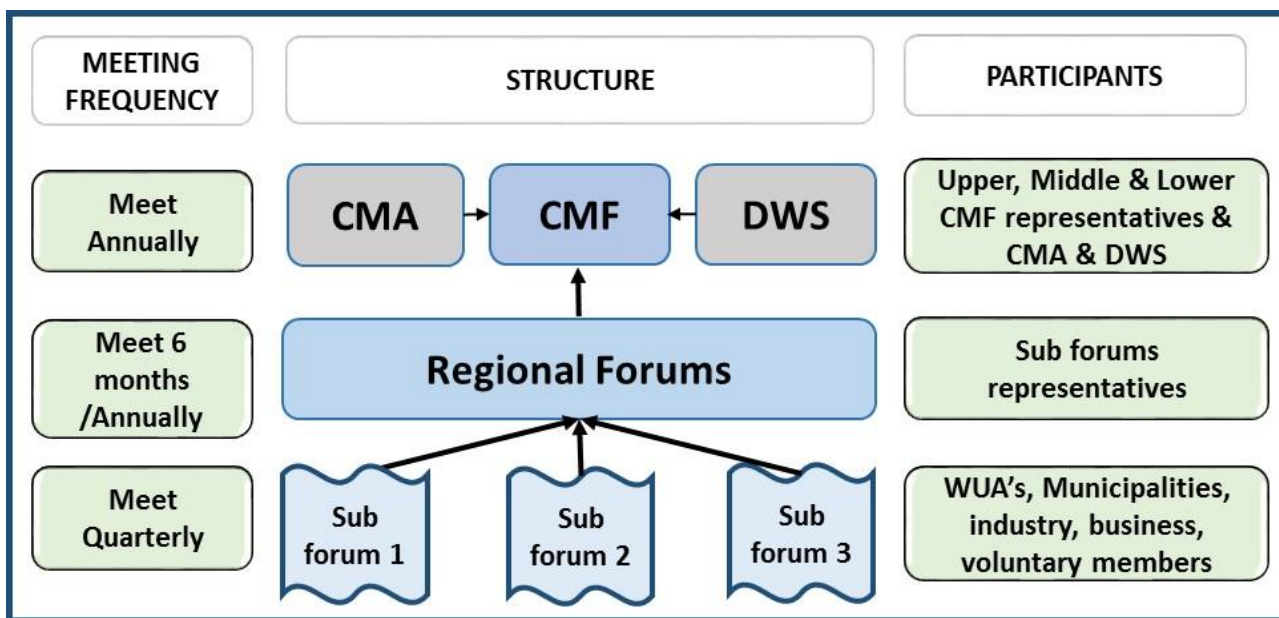


Figure 7: Organizational Structure of the Catchment management forums

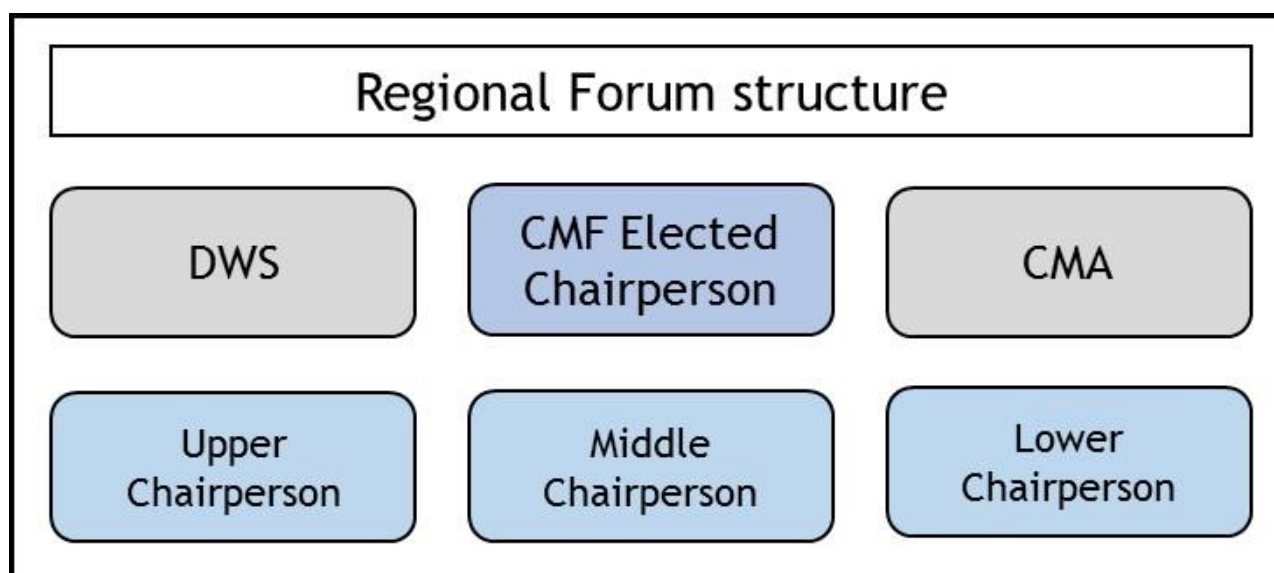


Figure 8: Regional Forum Structure



Sub Forum Structures

The Forum is the participatory and decision making structure. It is the most important platform for the engagement of stakeholders at the local level. It is recommended that these structures have a management committee as well as task teams or working groups that support the operational side of the management process. The Secretariat is part of the support structures that will assist with logistics arrangements and administration of the sub forums.

The sub forum meetings should be facilitated by a member of the forum not by the secretariat. This should not be a chairperson initially but a facilitator only once a charter has been developed and agreed terms are in place, should a chairperson be elected. Any decisions that should be taken should be taken in plenary by the sub forum members, minuted and reported to the regional forum. Decisions should not be taken by the regional forums unless mandated by the sub forums to do so.

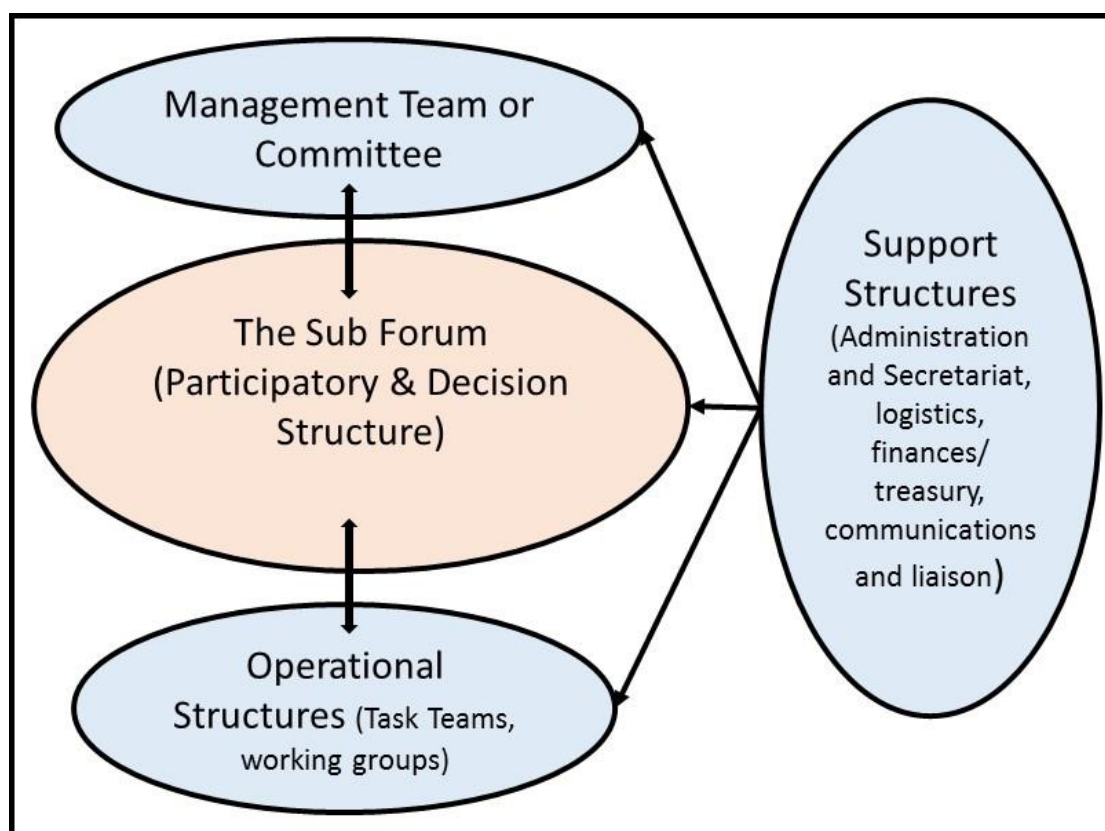


Figure 9: The Management Structure of Sub Forums



10 Sub forum strategic options

The sub forum has a number of important choices that need to be made early on so that the correct procedures can be followed. These are options and choices that are dependent on a number of things such as the capacity and resources of the sub forum, the geographical extent of the area covered, the nature of activities conducted in the area.

It is important when reading the information below that we recognise that these are options that the sub forum needs to confront. We recommend that the sub forums adopt the simplest possible strategy at the beginning with the view to evolve into more sophisticated structures over time.

*Handy hint:
Start simple*

■ Formal vs Informal

A sub forum may be legally constituted if it chooses to do so, however this is not essential in terms of the water act. Forums may remain informal, or they may elect to adopt a formal constitution as a step in their evolutionary development. Forums will need a formal constitution and legal status if they are intending to manage infrastructure and receive funds from various sources. It is however recommended that forums start off as informal volunteer entities until such time they have adequate capacity or there is a need for formal constitution (i.e. phased and progressive).

An important step in forum formalization may involve transformation into a statutory committee established under the NWA (Sections 82(5) or 99) or registration as a private body such as a trust or a non-profit company. An appropriate level of formal status will certainly be required if fora wish to undertake water resource management operational functions, and more particularly if they manage funds from the government or from non-government sources. All but temporary forums, and those performing basic functions, will have to consider the formal route.

■ Open vs Closed

Who attends forum meetings is important for determining how they will function. Therefore the membership of forums should be based on clear principles.

Among these is the option to open forum participation to all interested parties, or to restrict it to specific stakeholders. Too much restriction would undermine the spirit and purpose of forums totally, open and unrestricted membership might undermine another forum characteristic - that of meaningful stakeholder participation.

The open forum format is particularly suited to the establishment phase when participation is being built, and to consultative and advisory fora generally.

A closed format is likely to be controversial but it can simplify management decision making in cases where the forum is involved in specific water resource management operations. A closed forum specifies who can be a member on the basis of principals set out in the charter. For example it could be that members are specified as residents of the catchment or people who have a financial stake of some description i.e. they own a company or business in the catchment. The closed nature of membership is important when the forum intends to make decisions on the basis of voting.



■ Geographic Area vs Functions, Sectors or Technical

Forums may be area based (e.g. consultative forums), issue based (e.g. water quality management forums), function based (e.g. monitoring groups), sector based (e.g. agriculture), water services based (e.g. municipal forums, water committees), resource management based (environmental forums) or project based (e.g. project steering committees).

Many of these may not be forums in the strictest sense...but it may well be that we need to consider different structures for certain roles or that these forums are participant in the catchment management forum processes.

■ Formalised functioning of the Forum

Once the forum is constituted it is important that all documentation is filed, all meetings are minuted and records of decisions are kept for accountability purposes. This means that someone has to keep the records updated, we recommend that the secretariat provides this function.

■ Agenda, activities and ways of running the forum and Why

Essentially the forums are platforms for dialogue and should be structured as such, this means that the agenda and the way that the meeting is facilitated is suited to opportunities for optimizing discussion amongst stakeholders. We therefore recommend that the agenda is not overfilled with presentations and little room for discussion. Rather there should be a key issue presented and then ample opportunity for discussion at each forum meeting.

■ Agenda

We recommend that the agenda follows standard meeting procedures and that provision is made for follow up on actions from the previous meetings. Also there should be standing items that feature at every meeting, these might include water quality reporting, dam levels, water flow and pollution incidents etc. Since there are four agendas per year, we recommend that the topics focus on relevant issues in relation to the seasons.

■ Facilitator

Essentially the facilitator should come from the sub forum members. This person should have some experience in facilitating meeting and should be a good communicator, with an eye for encouraging discussion. He or she should also be capable of dealing with conflict and dissolving disputes should they arise.

11 Finances

Financial matters cannot be ignored, although they might not be substantial they need to be taken care of as a matter of preparation. This means that there needs to be enough money to cover catering or any other costs that are likely to be incurred. We recommend that the people explore options from contributions from members, which might include in kind contributions such as venue hire, lift schemes and donations. It might be that the DWS will provide start-up funding for forums, however this will be part of the early negotiations.



Appendix 1: Understanding public participation

IAP2 Spectrum of Public Participation



	Inform	Consult	Involve	Collaborate	Empower
Public participation goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the public	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Example techniques	<ul style="list-style-type: none"> ▪ Fact sheets ▪ Web sites ▪ Open houses 	<ul style="list-style-type: none"> ▪ Public comment ▪ Focus groups ▪ Surveys ▪ Public meetings 	<ul style="list-style-type: none"> ▪ Workshops ▪ Deliberative polling 	<ul style="list-style-type: none"> ▪ Citizen advisory committees ▪ Consensus-building ▪ Participatory decision-making 	<ul style="list-style-type: none"> ▪ Citizen juries ▪ Ballots ▪ Delegated decision



Appendix 2 : Geographic areas

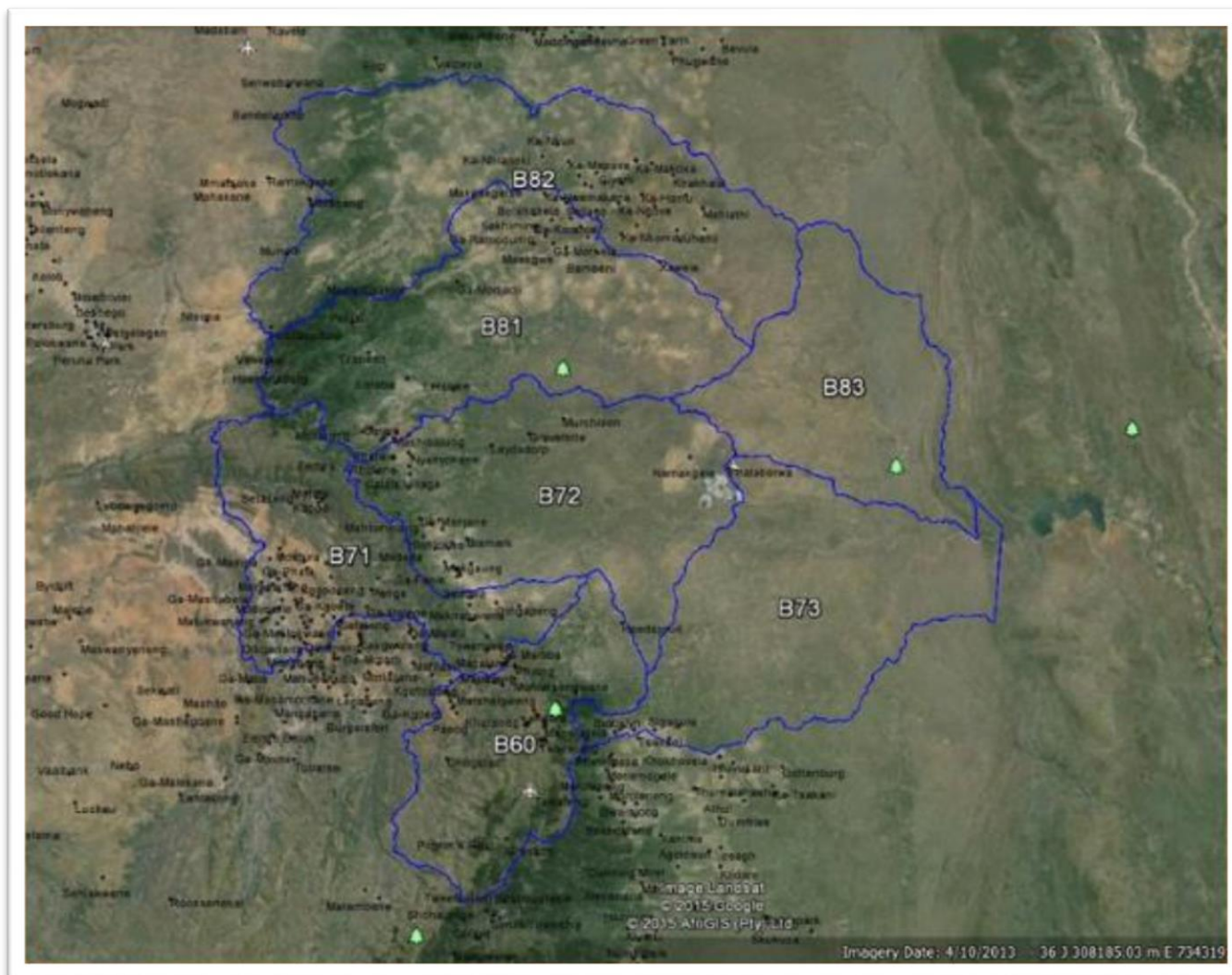


Figure 10: The Management Structure of Sub Forums showing details



Appendix 3: Charter template

1. Name of forum

[Title of charter]

1.1.1. Sub-forums under the forum

[This to include the names of sub forums in the catchment]

2. Contents of the Charter

[As per the table of contents]

3. Vision and Mission of the Forum

3.1.1. Vision

[As per guide]

3.1.2. Mission

[As per guide]

4. Purpose

[As outlined in the guide].

5. Responsibilities

[As outlined in the guide].

6. Functions of the Forum

[As outlined in the guide]

7. Practical and Logistical Issues

[As outlined in the guide]

8. Area of Operations

[As outlined in the guide]

9. Organisation Structure

[As outlined in the guide]

10. Forum Strategic Options

[As outlined in the guide]

11. Finances

[As outlined in the guide]

12. Appendix: Geographic Areas

[Insert map of applicable geographic area]