

Water, land and power

The Development of Water User Associations in South Africa

A Surplus People Project research paper

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Executive Summary

Introduction

The Department of Water Affairs and Forestry (DWAF) has set about to transform existing irrigation boards, subterranean water control boards, and water boards into Water User Associations (WUAs). The WUAs will recognize and encourage the active participation of the multiple users of water. Previously disadvantaged individuals and groups that are water users within the jurisdiction of a WUA should become part of the management of the WUA.

The focus of this study is on the transformation and establishment of these WUAs in the Northern Cape and Western Cape provinces. The main objective of the research is to seek ways to empower previously disadvantaged emerging farmers and other land reform beneficiaries to have access to those water resources denied to them through the past policies, and to empower them to participate fully in those institutional structures governing water.

This is done in view of the fact that demand for water is increasing while availability is not, which means that in some areas there is not enough water available to enlist new users.

Methodology

The methodology used in this study included face-to-face and telephonic interviews with key informants, as well as focus groups and other community meetings. Primary and secondary documents were also consulted.

Issues Raised and Recommendations

- 1. The sources of water in South Africa are diminishing and the result of this is that there is a limited amount of irrigation water available for previously disadvantaged groups. Although Section 27 of the National Water Act of 1998 requires the Department Of Water Affairs and Forestry (DWAF) to consider the needs of the previously disadvantaged when dealing with applications for water licenses, this is one of eleven criteria and competes with the rights of existing lawful water users.*

It is important that a guideline document is devised by DWAF where more points in favour of the previously disadvantaged are added to those of Section 27 of the National Water Act of 1998. Furthermore, it is proposed that the practice where DWAF encourages current landowners to exchange land for the water rights they apply for should be made part of national policy.

In areas, and in irrigation schemes where previously disadvantaged groups are applying for water rights, but all the water rights have been allocated and it is not be possible to make more available without damaging the environment and the reserve, it is recommended that the water rights of that irrigation scheme or source be re-assessed and re-allocated in a fair manner that will enable previously disadvantaged groups access to water rights. Chapter 3, Part 8 of the Act makes provision for this. It is recommended that a pilot research study be done in an area, such as the Kammanassie-Stompdrift Irrigation area in the Southern Cape, to clarify the issues and to inform a guideline or policy document.

- 2. The pace of the transformation of the irrigation boards is extremely slow.*

It is essential that DWAF fast-tracks the transformation of irrigation boards to WUAs to ensure the implementation of this section of the Water Act is completed. It is recommended that representatives of land reform beneficiaries and other previously disadvantaged groups in the jurisdiction of an irrigation board are included in the board governing the irrigation board in the interim period before WUA is created.

- 3. Most farmers and members of previously disadvantaged communities have a poor knowledge of the National Water Act of 1998.*

DWAF should pro-actively disseminate all relevant information to previously disadvantaged individuals and groups. This should be done in collaboration with non-governmental organisations (NGOs) and community-based organisations (CBOs). It is also essential that DWAF actively establishes whether all relevant groups have been consulted before a draft WUA constitution is approved. If need be, DWAF should return to those communities and actively inform and consult with them.

- 4. The number of votes per representative within WUA is based on the amount of water used for irrigation. Access to and the amount of water used for irrigation is in turn linked to ownership of land. Commercial farmers still own most of the agricultural land and in this way retain power at all levels of rural life.*

It is recommended that the Department of Land Affairs, and DWAF, where it can contribute, speeds up land redistribution to correct this imbalance..

- 5. The lack of capacity within the previously disadvantaged communities and their representatives on WUAs is a serious problem.*

It is important to introduce compulsory training for all WUA board members. A common perception among irrigation boards is that new members must learn the management of the system following the pattern of the irrigation boards in the past. This is not necessarily the correct approach as the old and the new members also need a broader knowledge of best water use practices, agricultural practices and other related matters. In South Africa, it is also important to introduce a different approach, a shift from the past, to new practices that should ensure equitable access to water for all water users and their representation on the water user associations.

It is recommended that DWAF produce a training manual that will be used by all WUAs. The manual will cover all issues such as conceptual issues, tasks and responsibilities and technical aspects around the functioning of a WUA.

- 7. Previously disadvantaged communities need technical assistance.*

It is recommended that DWAF implement some type of support service or extension service, similar to that offered by Department of Agriculture (DoA), to assist new WUAs. This support system will concentrate on the new entrants and will assist with training and mentoring on broader aspects such as good irrigation and water conservation practices.

Conclusion

Previously disadvantaged people have not had access to water or the authority structures that control water use and provision. This situation continues in most rural areas of South Africa and is aggravated by the fact that there is a limited amount of water available and the established white farmers retain most access to water and power to determine its use. Despite the introduction of a new system of Water User Associations through the Water Act of 1998, the old irrigation boards, which essentially only have established irrigation farmers as members, continue to control water use and the maintenance of water supply systems.

It is of the utmost importance that the institutionalisation of water management at the most localized and grass-root level be fast-tracked with provisions in place that will ensure the effective participation and benefit of the previously disadvantaged in these structures. An essential part of this must be the acceleration of land redistribution.

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