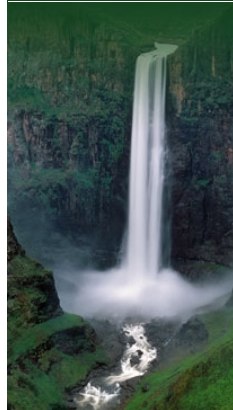


Orange-Senqu River Awareness Kit


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Governance

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Water Governance in the Orange-Senqu River Basin: National Water Laws:

National Water Laws in Botswana

The **Water Act of 1968** provides the legislative framework for water management in Botswana. The Act established the Water Apportionment Board as the licensing authority. The following principles are established within the Water Act (Kranz *et al.* 2005):

- The status of public water
- The inherent rights of individuals to the use of water
- The recording, granting, variation, and termination of formal rights to use or impound water or to discharge effluents into it
- The obligations of those taking water to use it properly
- Conditions controlling pollution of public water

The **Borehole Act of 1956** stipulates the records and samples which have to be kept and furnished to the Director of the Department of Geological Survey (DGS) by anyone sinking a borehole more than 15 m below the surface, or deepening an existing borehole (Kranz *et al.* 2005).

Water policy in Botswana is guided by the **Botswana National Water Master Plan (NWMP)** developed in 1991 and reform recommendations made in the 2006 review. The following activities are emphasised in the Master Plan (Kranz *et al.* 2005; Centre for Applied Research 2010):

- Monitoring of groundwater wellfields to avoid depletion
- Promoting alternative technologies for water management and conservation
- Management and development of water supplies by local communities
- Improving co-ordination amongst Government institutions in water management activities
- Completing Environmental Impact Assessments (EIA) during project feasibility studies
- Building interconnected water supply schemes to address drought-related issues

The **Water Utilities Corporation (WUC) Act** was enacted in 1970 and amended in 1978. It established the Water Utilities Corporation, a corporate body wholly owned by the Botswana government with a mandate of providing potable water and wastewater resources country wide and for developing the nation's water resources.

A **Draft Water Bill** is currently under review (Kranz *et al.* 2005).

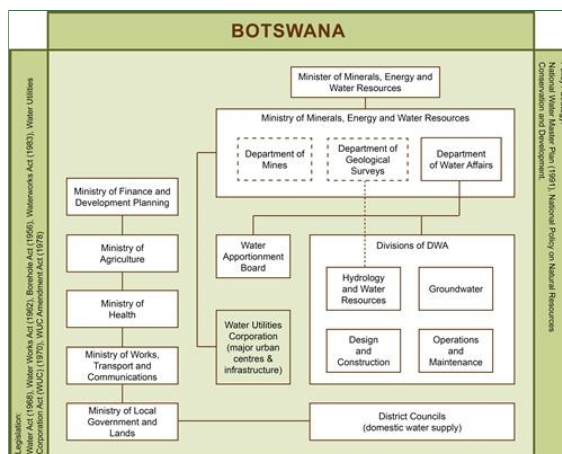
Institutional Responsibilities

The government of Botswana has launched the ambitious Water Sector Reforms Project (2008-2013). One of the objectives of this project has been to redefine and change the roles of institutions and major stakeholders. According to the new structure the principal institutions responsible for the management of water resources in Botswana are (adapted from: World Bank 2009):

- Water Utilities Corporation (WUC), responsible for the delivery of water and wastewater services country-wide
- The Regulator
- Department of Water Affairs, responsible for protecting and developing the country's water resources and ensuring the growth of the economy is not constrained due to inadequate availability of sustainable water sources
- Water Resources Council, an advisory body to the Minister of Minerals, Energy and Water Resources on water matters. It will have the responsibility to allocate water resources among users, monitor water resources, and to develop water resources management policy

At the local level, formal community structures are centered around the *kgotla*, a community meeting forum (ORASECOM 2007a). Water-related disputes at the local level are resolved through the *kgotla*.

National laws and institutions in water and environmental management are shown in the flow chart below.



National laws and institutions of Botswana.



Basin Map

Explore the sub-basins of the Orange-Senqu River

enter

Principles of IWRM

Explore the principles of Integrated Water Resource Management applied to the Orange-Senqu

enter

ORASECOM

Learn about water governance in the Orange-Senqu basin

enter

Video Tour

Tour video scenes along the Orange-Senqu River related to Governance

enter

Regulatory Framework for Transboundary Water Management

Botswana does not have a formal policy framework for transboundary natural resource management. However, the country has shown its commitment to promote equitable and beneficial use of international watercourses (SADC 2003). Botswana has ratified the Revised Protocol on Shared Watercourses in the Southern African Development Community and the international United Nations Convention on the Non-navigational Uses of International Watercourses (SADC 2003). Water Commissions have been established on many transboundary rivers. An International Water Office was established within the Department of Water Affairs to address issues related to transboundary rivers.

Regulatory Framework for Disaster Management

Within Botswana, disaster management is coordinated by the National Disaster Management Office within the President's Office. At the district and village levels, disaster committees report to the National Disaster Management Office (UN-HABITAT/UNEP 2007).

Currently, there is no legal instrument on disaster management in Botswana; however, in 1996, a National Policy on Disaster Management was approved. The policy has four main components:

- Mitigation
- Preparedness
- Response and recovery
- Development

The Office of the President has overall responsibility for disaster management liaising with national to village level committees that play significant roles in the disaster management in the country. These committees include decision makers, those that play an informed advisory role as well as those that supervise and encourage communities to implement disaster risk management and reduction activities. The office with support from the UNited nations Development Fund is in the process of drafting a national disaster strategy that will further guide Disaster risk reduction and management initiatives in the country.

Water Affairs and Meteorological Services maintain an early warning system issue bulletins on flow levels and rainfalls (UN-HABITAT/UNEP 2007).

Botswana National Disaster Risk Management Plan(NDRMP)

In 2009, the National Disaster Management Office in Botswana produced their National Disaster Risk Management Plan(NDRMP), guided by the National Disaster Policy(1996) and Hygo Framework for Action(2005-2015). The aim of this plan is to provide a guiding framework for all disaster management stakeholders and practitioners to develop their own disaster related plans.

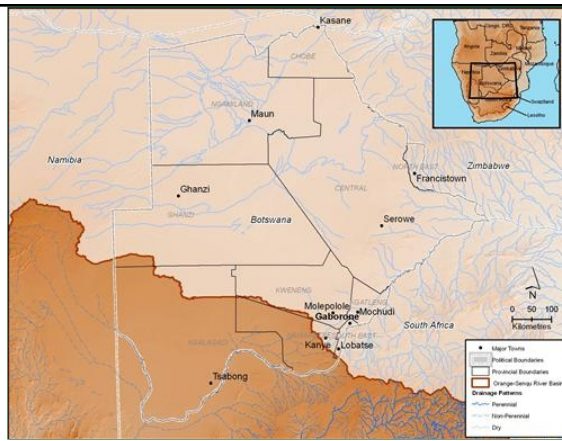
The plan has been developed under the following guiding principles:

1. **Building Resilience:** While the occurrence of natural calamities cannot be stopped, national and community resilience can be built to withstand the impact.
2. **Safe and Secure Development Planning:** Natural disaster risks are intimately related and connected to the economic development of the society (e.g. technological processes, urbanisation, etc) hence disaster risks can be managed and reduced through appropriate and precautionary development planning.
3. **Multi hazard approach** can enhance the effectiveness of Disaster Risk Management Planning in Botswana. Substantial disaster risk reduction cannot be achieved if actors of this plan only focus on few selected hazards.
4. **Decentralised Approach:** Disaster risk management activities such as Disaster Risk Reduction and Emergency Management planning will be premised on a high level of decentralisation based on local initiatives, with the active participation of district and community levels as well as other actors.

The role of the relevant committees is clearly defined within the plan, which has also identified the key stakeholders in disaster management in Botswana. The cascading of this plan has already begun through a **District Disaster Management Committee Guidebook (DDMC)** that gives further information to disaster practitioners at district level on disasters, their nature and preparedness.

Challenges

The legislative, policy and institutional environment for water management in Botswana are over 19 years old and as such, require updating (ORASECOM 2007a). There are overlapping responsibilities between various agencies and institutional arrangements are not aligned with the catchment as a management unit. According to the SADC Water Sector review of national policies, the policies and regulatory framework proposed within the 1991 National Water Master Plan have not yet been enacted (SADC 2003a). The National Water Master Plan is currently under review there is a pressing need to align this with integrated water resource management and coordinate the structures at the international level, given the role of transboundary river basins within the country (ORASECOM 2007a).



Botswana in relation to the Orange-Senqu River basin.

Source: Hatfield 2009

(click to enlarge)

Documents related to the national water laws in [Botswana](#) can be found in the Document Library.

[Next: National Water Laws in Lesotho](#) ►