

Department needs to do more than tread water

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THE water affairs and forestry department recently entered the fray over poor water quality in SA, promising to step up regulation and name and shame underperforming municipalities.

But why the focus only on water quality? Why isn't the department also taking such an active role on behalf of those who are still waiting to be connected to water and sanitation in the first place? What about those who can't afford water due to high prices and punitive methods of credit control in some municipalities? These are all aspects of the right to water as recognised in the constitution.

While municipalities have direct authority for water and sanitation, the national and provincial governments are meant to ensure "effective performance" under section 155 (7) of the constitution and section 62 (1) of the Water Services Act.

Today, we release a report with the

Centre on Housing Rights and Evictions analysing interviews with 15 municipalities across the country on water and sanitation services, and identifying a range of "fault lines" in policy and implementation.

Some of the fault lies with national government over the question of capacity. The department's website shows that, at current rates of implementation, backlogs in water will be eliminated only in 2011 and sanitation in 2031. Even the figure on water seems optimistic given current levels of funding. One municipality, reporting a backlog of 20 000 farm dwellers without water, received only R1m a year to address the problem. It is not surprising that in this environment many municipalities place a strong focus on cost recovery.

At the same time, the discrepancies in policies between municipalities suggest a complete absence of national monitoring.

For instance, the department's national standards provide that tariffs should gradually rise for higher consumption blocks. But we found in some municipalities that the price for the second block escalates

rapidly after the free basic water (FBW) amount. Some municipalities, remarkably, charge four times as much as others. Yet this second block for the average household is in fact less than the international standard (of providing at least 50l per person).

The application of the FBW policy was equally fraught with inconsistencies and the absence of a national free basic sanitation policy is glaring. One consistent problem is the use of the indigence register to determine who receives FBW. The poor are heavily underrepresented on the register — most vulnerable societal groupings are often not aware of the indigent policy or register and/or do not register for fear of attracting adverse official attention. The process for qualifying is typically quite onerous.

FBW is thus in need of a substantial rethink. The department needs to assist municipalities with new approaches, such as the universal provision of FBW, while recouping lost revenue through higher prices for nonessential consumption.

In the face of insufficient funds, many

municipalities are resorting to harsh means of credit control, including prepaid meters and flow restrictors. More research is needed, but there appears to be a worrying trend towards imposing harsh credit control measures on low-income residents. Higher-income residents, businesses and government departments are afforded far more leniency. We found just one municipality that bucked the trend and threatened only large users with disconnection.

There is some hope emerging that the department can take on an active and consistent role in national regulation. In April, a draft National Water Services Regulation Strategy was released, proposing shifting the department's role from provider and player to that of regulator or "referee".

A referee role is long overdue in the context of decentralisation. It will help the national government identify where it needs to improve support and where municipalities need their feet held to the fire. Thus the department needs urgently to

speed up its regulation role — people are suffering as it debates institutional form.

And given the outcry this week over the possible suppression of water quality information by the Council for Scientific and Industrial Research, the regulatory process needs to be transparent and participatory.

It cannot be just once-off threats. In 2005, then water affairs minister Ronnie Kasrils threatened to name and shame municipalities that didn't implement FBW. Yet we found municipalities in which FBW was more faith-based than a reality.

We hope to see the water affairs and forestry department soon playing an active role in collecting and analysing data, naming and shaming municipalities who disregard guidelines and using the regulatory process to assist municipalities improve the affordability and accessibility of water as well as its quality.

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