



Final presentation

GIZ - Support to Policy Harmonisation in Integrated Catchment Management

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Support to Policy Harmonisation Lesotho

Virtual presentation and discussion: Objectives, process and methodology

8 March 2022

Chris Serjak

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Schedule

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9:00	Welcome and introduction	10	ICU
9:10	Overview of objectives, process and methodology	10	Chris Serjak
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9:40	Key results from WS4: Decentralisation	10	Bore Motsamai
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11:25	Wrap-up and closure	5	GIZ

Presentation on objectives, process and methodology

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ReNoka Objectives and Indicators

- **Objective 1:** Update and harmonise the ICM policy framework based on human rights, gender equality and climate resilience principles
- **Indicators:**
 - Selected and reviewed ICM national level legislation is ready for submission to Parliament.
 - Selected ICM national level policies and strategies are ready for submission to Cabinet.
 - At the local level, a selected number of relevant ICM bylaws are ready for submission to the Minister of Local Government.
- **Objective 2:** Establish a financial mechanism to disburse funds from government, international donors, and private sector institutions for local ICM plans.
- **Indicator:** disbursement of at least EUR 2 million in funds for implementation of local ICM plans

Presentation on objectives, process and methodology

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Policy Harmonisation External Review Objectives

- **“Establishing an Effective and Efficient Gender Sensitive and Climate Resilient Policy framework for Integrated Catchment Management”**
 1. Address the “wicked problem” of ICM policy fragmentation by
 - a. Identify priority legislation and policies for harmonisation
 - b. Provide a road map for policy harmonisation
 2. Analyse options for financing mechanism to implement local level ICM plans by studying options for a local ICM grant facility

Presentation on objectives, process and methodology

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Our Approach

1. National & Regional Policy Harmonisation & Updates
2. Promote Gender Sensitive Policies and a Rights-based Approach to Policy Making
3. Promote Climate Sensitive Policies
4. Develop Local Level Regulatory Framework and ICM Financing
5. Support Community Councils to pass relevant bylaws (next phase)

Presentation on objectives, process and methodology

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Process



Presentation on objectives, process and methodology

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Analytical Framework

Key Assessment Criteria

Effectiveness:

- ✓ Appropriate re key elements and objectives of ICM
- ✓ Practicable, implementable

Holistic, cross-sectoral:

- ✓ Links land & water use; development & ecosystems; integrated management framework; national policy; global, regional commitments; vertical integration/ fragmentation

Proportionality:

- ✓ Likelihood to achieve its aims; necessary; cost-effective; equitable distribution of costs/benefits

Currency:

- ✓ Outdated or obsolete
- ✓ Requires updating or consolidation/codification

Consistency:

- ✓ Promotes / runs counter to key elements and objectives of ICM
- ✓ Conflicts with national measures; coheres with international and regional commitments

Equitable participation:

- ✓ Awareness; transparency; participation; reviewability

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Stakeholders Consulted

Ministry	Department	Organization	Department
Ministry of Water	Department of Water Affairs	ORASECOM	Office of the Secretariat
	Commissioner of Water		
Ministry of Public Works	Commissioner of Lands	Lesotho Highlands Development Agency	Social Services Compliance Monitoring Unit
	Land Survey & Physical Planning		
Ministry of Forestry, Rangelands, and Soil Conservation	Department of Range Resources Management	World Bank	
	Department of Soil and Water Conservation	FAO	
Ministry of Local Governance and Chieftainship	Department of Decentralization	IFAD	
	National Environment Secretariat	UNDP	GEF/SGP Coordinator
Ministry of Tourism, Environment, and Culture	NES Projects Financing Division & Resources Mobilization	Catholic Relief Services	Energy and Environment Unit
	Lesotho Meteorological Services	Lesotho Council of Non-Governmental Organizations	Agriculture, Environment and Natural Resources Commission (AENRC)
Climate Change Coordination Committee			
Ministry of Agriculture and Food Security	Department of Crops		Women and Children's Commission
	Department of Planning & Policy Analysis	UNCDF	LoCAL Program
	Department of Agricultural Research		
	Disaster Management Authority		
Office of the Prime Minister	Lesotho Millennium Development Authority		
	Department of Gender		
Ministry of Gender, Youth, Sports and Recreation	Department of Youth		
Ministry of Finance			

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Challenges

COVID-19

- Travel bans interfered with planned field work
- Remote stakeholder engagement
- Large number of stakeholders
- Large research team
- Concurrent channels of investigation

Legislative & Policy Framework

- Framework constantly evolving (RRMA, Local Government Bill, decentralization)
- Fragmented Legislative & Policy Framework
- Uncoordinated Policy-Making Processes

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**Support to
Policy Harmonisation Lesotho**

Virtual presentation and discussion:

**Key results from the Policy
Assessment External Review**

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**Support to
Policy Harmonisation Lesotho**

Virtual presentation and discussion:

**Work Stream:
National Policy Harmonisation**

Work Stream Leader: Owen McIntyre

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Approach

- **Identification & Collation of Key Instruments for WS (1) Policy Harmonisation:**
 - Water Resources Management
 - Environmental Protection
 - Agriculture & Range Management
 - Land-Use & Development Control
- **Review & Analysis of Key Instruments:**
 - Desk-Study
- **Targeted Stakeholder Consultation:**
 - Stakeholder Interview Analysis Matrix (Annex V)
- **Assessment Criteria:**
 - Effectiveness; Cross-Sectoral; Proportionality; Currency; Consistency; Participatory
- **Recommendations for Legislative & Policy Reform:**
 - **Roadmap (Part 4) / Package Approach (Annex I):** Systemic Reforms; Legislative Framework; Policy Updates; Institutional Strengthening; Enabling Environment; Technical Guidance; Sustainable Financing; Decentralization

WS1: Policy Harmonisation

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Challenges (for WS 1: Policy Harmonisation)

- **Covid-19 Restrictions:**
 - Remote Interviewing
 - Structured Interviews
 - Multiple Stakeholders
 - Simultaneous Workstream Participation
- **Legislative & Policy Framework in Flux:**
 - Range Resources Management Bill
 - 19 Legal Instruments; 32 Policy Instruments (Annex II)
- **Fragmented & Disjointed Legislative & Policy Framework:**
 - Horizontal and Vertical Fragmentation:
 - Legislative Dissonance Table (Annex VI)
 - Uncoordinated Policy-Making & Regulatory Community

WS1: Policy Harmonisation

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Findings

- **Systemic:**
 - No System of Inter-Ministerial Coordination
 - No Clear Procedure for Elaboration & Approval of Policy
 - Legislative Instruments Lack Internal Flexibility
- **Substantive:**
 - **General:**
 - Insufficient Formal Legal Basis for ICM
 - **Water Resources Management:**
 - Incoherent Complex of Inconsistent Regulatory Arrangements for ICM Activities
 - **Environmental Protection:**
 - Lack of Detailed Standards & Methodologies for ICM Implementation
 - **Range Resources Management & Agriculture:**
 - Outdated and/or Uncoordinated Legislative & Policy Framework
 - **Land-Use & Infrastructure Planning:**
 - Legislative Framework Outdated, Uncoordinated and Poorly Implemented & Enforced

WS1: Policy Harmonisation

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Recommendations

- **Systemic:**
 - Structured Procedure for Legislative Development
 - Policy Development and approval Guidelines
 - Use of 'Enabling' Legislation Formats
- **Substantive:**
 - **General:**
 - Coordinating Legislative Instrument Providing Legal Basis for ICM
 - **Water Resources Management:**
 - Single Harmonised Permitting System for ICM-Related Activities & Projects
 - **Environmental Protection:**
 - Comprehensive (Rolling) Programme of ICM-Related Standards & Methodologies
 - **Range Resources Management & Agriculture:**
 - Updated, Consolidated, Integrated Range Resources Management Legislation
 - **Land-Use & Infrastructure Planning:**
 - Updated Town and Country Planning Act Coherent With ICM-Related Aspects of the 2010 Land Act & Range Resources Management Bill/Act

WS1: Policy Harmonisation

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WS1: Policy Harmonisation

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**Support to
Policy Harmonisation Lesotho**

Virtual presentation and discussion:

Work Stream: Decentralisation

Work Stream Leader: Bore Motsamai

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Approach and challenges

Objective: Development of a regulatory framework for the use of land and water resources: Study of local-level regulations of land and water use.

Three phases

- **Phase 1** – Review and analysis
- **Phase 2** – Information collection and analysis
- **Phase 3** – Recommendations and proposed actions

Stakeholder Consultations

- **Central Government:** Dept of Range, Min. of Local Government, Min. of Agriculture and Food Security, Min. of Forestry, Range and Soil Conservation, Min. of Tourism, Environment and Culture; and UNDP (Small Grants).
- **District level:**
 - **Makhalaneng ICM Catchment (Maseru)** - 10 interviews of District Council Secretary, Community Council Secretary, PC of Ha Maama, Area Chief, Range, Conservation and Forestry Officers, 2 Councillors, WAMPP Officer.
 - **Khubelu ICM Catchment (Mokhotlong)** – District Council Secretary and Community Council Secretary.

Stakeholder Consultations Analysis

- All information was subjected to Stakeholder Matrix Interview Analysis – by thematic area giving analyst's overview and preliminary recommendations.

Challenges

- Restriction on travel to conduct physical meetings with the stakeholders. All discussions were on virtual platform and by phone.
- Some interviewees in rural areas could not be reached.

WS4: Decentralisation

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Findings

1. Local Government Bill is central to facilitate implementation of decentralisation.
2. The roles of the Catchment Management Joint Committees (CMJC) on ICM is deemed to have a key focus on co-ordination.
3. The Ministry of Forestry, Range and Soil Conservation has been ready to transfer resources to the districts. However, discussions with local authorities revealed that this has been put in abeyance. MFRSC explains this with the onset of the Covid-19 pandemic in 2020. It was uncertain when this move will be reactivated.
4. There are competing land uses between the Ministry of Agriculture and Food Security and the Ministry of Health 's cannabis programme on one hand, and Ministry of Forestry, Range and Soil Conservation's fruit tree (pomology) production and distribution on the other. As a result, local authorities and communities are subjected to negative impacts.
5. Enforcement of the Weeds Eradication Act of 1969 has been abandoned for many years, e.g. thistle plant on wool.

WS4: Decentralisation

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Findings (continued)

6. The current framework for integrated catchment management is fragmented.
7. Functions of Council have been upgraded from the Local government Act 1997 through the Local Government (Transfer of Functions Regulations of 2015).
8. Draft Council bylaws have not been passed because of conflicts encountered with the other principal laws of ministries that had not yet decentralised. The Local Government Bill 2016 currently in Parliament is meant to address this dilemma.
9. The Water Act does contain many ICM objectives and is of medium relevance to decentralisation. Decentralisation is not well addressed. Section 42 of the Water Act is the legal basis for implementing regulations and is too general and hence insufficient.
10. There is a constraint of lack of resources and training in terms of the relevant laws Councils are expected to enforce.
11. There are overlaps on the role of local chiefs and community councillors, especially on grazing issues around villages. Principal Chiefs' mandate is only on cattlepost areas.

WS4: Decentralisation

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Recommendations

1. Council bylaws can provide Catchment Management Joint Committees with legal context to implement ICM programmes.
2. Strengthen the governance on wetlands to create an enabling environment for their protection and sustainability.
 - The National Environment Council should be duly constituted as provided for in the Environment Act 2008 and activated.
3. MFRSC should, in line with the Local Government (Transfer of Functions) Regulation of 2015, proceed with its implementation.
 - The ICM inputs to the Draft Range Resources Management Bill be accorded due consideration for incorporation to improve its quality.
4. Conflicts between the Ministry of Agriculture and those of Forestry, Range and Soil Conservation and of Health on pomology (fruit tree production) and cannabis production must be resolved.
5. The Weeds Eradication Act of 1969 should be updated and new mechanisms for enforcement put in place –chiefs, police and agricultural extension personnel.

WS4: Decentralisation

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Recommendations (continued)

6. The existing legislation and policies for land and water use must be aligned by repealing inconsistent and outdated provisions and incorporating cooperative and coordination mechanisms or techniques into the applicable legislation to address overlaps and duplication.
7. The decentralisation pilot project through the Local Government (Transfer of Functions) Regulations be enforced by the relevant institutions stated therein.
8. Enactment of the Local Government Bill, now in Parliament, should be prioritised without delay.
9. Permits need to be dealt with by authorities with in-depth insights into local matters. On the other hand, charges such as fees, levies, tariffs are fundamental to fund decentralisation in general, and in decentralisation of ICM in particular.
10. The role of local chiefs and that of community councillors should be harmonised, especially on grazing issues, through review of the Chieftainship Act, 1968 and local government legislation.
11. Laws enforced by Councils should be translated into Sesotho and made readily accessible.

WS4: Decentralisation

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THANK YOU

WS4: Decentralisation

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Support to Policy Harmonisation Lesotho

Virtual presentation and discussion:

Work Stream: Financing options for implementation of local ICM plans

Work Stream Leader: Robert Seelig

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Approach and challenges

- Financing mechanisms for local ICM plans: Output 2 of the ICM programme, on effective and efficient institutions.
- Analyse policy and legal framework.
- Investigate status quo of available funds and flow of funds.
- Analytical framework.
- Consider and build on the draft ICM Strategic Vision (1.2., 1.3., and 1.4.), development of Draft Catchment Management Plans (2021-23), and regional advisor findings.
- Excursus on best practice and case studies.
- Analysing options for financing mechanism to implement local level ICM plans.
- Learn from best practice: LoCAL.
- Challenges: SHCs on the ground.
- Outputs:
 - proposals for financing mechanisms to allocate international donor funds to local level ICM plan implementation.
 - sustainable, long-term, financing, and investment mechanisms based on revenues (levies, tariffs, fees) collected from catchment services (main sources, inter alia: water, grazing).

W55: Financing Mechanisms

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Findings

- Sources: national budget, and international donors.
- Funding available in principle.
- Capacities to access funding in full lacks.
- Ministerial coordination.
- Counter financing.
- Stricter conditions.
- Legal certainty of allocated counter financing.
- Centralized approach on allocating funds / consolidated fund.
- LoCAL approach considered helpful.
- No sustainable, revenue-based funding.
- Lack of functioning permitting and charges regime.
- No allocation of collected revenues (best practice: RRM Bill on funds collection and allocation, Sec 23 - 25).
- Legal framework exists in principle.

WSS: Financing Mechanisms

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Approach and structure for Recommendations

- Analytical framework / the draft vision / draft catchment management plans (6 sub-catchments).
- **Options:**
Several (5 plus 1 sustainable revenue based) options prepared to chose from and explain the options, payees, funding, institutional and capacity needs, as well as legal implications.
- **Characteristics:**
The list of characteristics summarizes key considerations to be taken into account.
- **Actors:**
The tables on actors summarize the roles and tasks of the involved and affected stakeholders.
- **Actioning:**
The tables on actioning provide an overview of the leading questions and decisions to be made by stakeholders, the procedural issues, links to related issues, and risks and mitigation strategies.

WSS: Financing Mechanisms

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Recommendations

- Devolve revenue sources and expenditure functions to lower tiers of government.
- Sub-national governments need fiscal powers and enjoy a degree of fiscal autonomy.
- Establishing charges/payments for ecosystems (PES) and embed in law (legal, enabling basis).
- Practice friendly, detailed, implementing regulations.
- Allocation of funds to local level for ICM funding in law (best practice as in RRM Bill).
- Local level capacities to collect, distribute and use fees to be developed.
- Participation of government, science, NGOs, households, civil society.
- 5 options to chose for donor funded mechanism:
 - Permanent: local revenue (basin/eco system services) by Community Councils;
 - Permanent: Lesotho National Government ICM subsidy to Community Councils through District Fund (existing, to be adjusted);
 - Permanent: Future District Direct ICM Fund (successor to existing District Fund);
 - Permanent: Lesotho National Government subsidy to ICM related ministries (Water, Forestry and Range, Agriculture, Local Government, others);
 - Short term: International funding.

WSS: Financing Mechanisms

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Recommendations (continued)

Additional activity: sustainable, revenue funded mechanism and allocation

- Seen as highest priority in SHCs, great potential to steer resource use/set incentives for sustainable use.
- Key for fiscal decentralization in practice (Best practice: RBAs / catchment level).
- General legal framework exists in principle but needs improvement (Water Act, RRM Bill).
- No implementing regulations.
- No differentiation between fees and fines in Acts, discussions focus on fines – reverse order needed.
- Clear responsibilities for collection.
- Clear provision of procedure for allocation of collected revenue (RRM Bill, Sec 21 on allocation and Sec. 27 for enabling legal basis for regulations).
- Outline drafted (structure, chapters, Articles, needed contents) for a regulation (based on enabling provision in Water Act) on water use permitting and charging (adapt for other sectors, e.g., grazing).
- Levies (infrastructure development) / tariffs (O&M and permitting procedure) / abstraction and use fees.

WSS: Financing Mechanisms

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Recommendations (continued)

- Not all encompassing / exemptions for small scale to suit the Lesotho context.
- Consider best practice from region (South Africa, Eswatini, Botswana considered).
- **Start simple and eventually build a more sophisticated model once practical experience made and capacities grow.**

WSS: Financing Mechanisms

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WSS: Financing Mechanisms

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Support to Policy Harmonisation Lesotho

Virtual presentation and discussion:

Work Stream: Promoting Human Rights and Gender Sensitivity in ICM

Work Stream Leader: Fonda Lewis

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Approach and challenges

1. **Explored opportunities of promoting policy and legal frameworks that incorporate a rights- and gender-based approach**
 - Undertaken as cross cutting theme
 - Aligned with the overarching analytical framework
2. **Combination of two approaches:**
 - Technical review of relevant policy and legal frameworks
 - Stakeholder consultation with a range of national level stakeholders
3. **Three phases:**
 - Phase 1 – Review and analysis
 - Phase 2 – Information collection and analysis
 - Phase 3 – Recommendations and proposed actions
4. **Challenges**
 - Stakeholders very willing to participate and shared valuable insights
 - But Covid-19 pandemic required virtual engagement
 - National level stakeholder engagement only
 - Stakeholder availability dictated timeframes particularly to accommodate senior ranking officials and to ensure that no one was excluded

WS2: Gender

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Findings

1. Weak policy environment undermines the promotion of human rights and gender equity across key ICM sectors.
2. Institutional operations are fragmented and lack coordination resulting in ineffective promotion and protection of human rights (including gender equity) across sectors that are key to ICM.
3. There is inadequate resourcing for effective protection of human rights and promotion of gender equity across sectors that are key to ICM.
4. The dissonance between a number of traditional customs and statutory laws challenges effective promotion and protection human rights and gender equity across sectors that are key to ICM.
5. Lack of decentralization in Ministries that are central to promoting human rights and gender equity, which inhibits the empowerment and participation of women, youth and other vulnerable and marginalised groups in planning and implementation of ICM related interventions.
6. Lack of data and capacity constraints is negatively impacting of ability to fulfil international reporting requirements on human rights.

WS2: Gender

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Recommendations

1. Strengthen policy environment
 - Integrate the promotion of human rights and gender sensitivity into multi- and inter-sectoral policy and legal frameworks.
 - Embed the protection of human rights, gender equity and the rights of vulnerable and marginalized groups in the development and implementation of local level ICM plans.
2. Strengthen institutional operations
 - Develop an integrated ICM organizational framework that supports cross sectoral cooperation on the promotion of human rights and gender sensitivity (establish and resource focal points).
 - Strengthen the ICM Unit through the inclusion of expertise for the promotion and protection of human rights (including gender and youth) and reinforce its capacity to function as an authority across relevant sectors.

WS2: Gender

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Recommendations (continued)

3. Adequately resource Ministries and Departments.
 - Prepare a motivation demonstrating the need for additional resourcing for key Ministries relevant to ICM, in order for them to meet the requirements in the policy and legal framework relating to protection of human rights including gender sensitivity.
4. Incorporate criteria and targets that reflect legal requirements for protecting and promoting human rights (including gender) as a pre-requisite for the evaluation of all nationally funded ICM interventions.
 - Present the criteria and targets to Ministry of Finance to raise awareness of the need for their incorporation into nationally funded programmes.
5. Develop a strategic action plan with adequate resourcing for decentralization of the MSD and the MoGYSR to enhance the participation of women, youth and other marginalized and vulnerable groups in ICM related planning and implementation interventions.
 - Add Ministry of Gender to the list of pilot ministries for decentralization and meet with MoLG for guidance.

WS2: Gender

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THANK YOU

WS2: Gender

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Support to Policy Harmonisation Lesotho

Virtual presentation and discussion:

Work Stream: Mainstreaming Climate Change Adaptation into the ICM Framework

Work Stream Leader: Fonda Lewis

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Approach and challenges

1. **Explored opportunities mainstreaming climate change adaptation into ICM**
 - Undertaken as cross cutting theme
 - Aligned with the overarching analytical framework
 - Integrated with other work streams
2. **Combination of two approaches:**
 - Technical review of relevant policy and legal frameworks
 - Stakeholder consultation with a range of national level stakeholders
3. **Three phases:**
 - Phase 1 – Review and analysis
 - Phase 2 – Information collection and analysis
 - Phase 3 – Recommendations and proposed actions
4. **Challenges**
 - Stakeholders very willing to participate and shared valuable insights
 - But Covid-19 pandemic required virtual engagement
 - Stakeholder availability dictated timeframes particularly to accommodate senior ranking officials and to ensure that no one was excluded
 - Stakeholder engagement process was undertaken in close consultation with other workstreams

WS3: Climate Change

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Findings

1. Best practices for incorporating climate change adaptation into ICM is fundamentally based on an ecosystems-based adaptation (EbA) approach that incorporates:
 - Focus on ecosystems and land use management
 - Apply a cross-sectoral approach
 - Participatory and inter-disciplinary
 - A relevant and up to date national policy and legislative framework
 - Adaptive management
 - Institutional and capacity development to create an enabling environment
2. The weak policy environment undermines mainstreaming and consistency in climate change adaptation across key ICM sectors.
3. Institutional operations are fragmented and lack capacity resulting in conditions that are un conducive for the mainstreaming of climate change adaptation across sectors that are key to ICM.

WS3: Climate Change

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Findings (continued)

4. Lack of adequate financing for planning and implementation of climate change adaptation at a meaningful scale for effective ICM.
5. Limited decentralization inhibits the identification and incorporation of locally appropriate adaptation interventions into ICM and development plans at district and community levels.
6. There is dissonance between a number of traditional customs and statutory laws which makes it challenging to the control of some traditional practices that contribute to environmental degradation, which has negative implications for the capacity for ecosystem-based adaptation.
7. There is a lack of science-based information to integrate climate change adaptation into ICM strategies and plans at all levels, and to support international climate change reporting obligations.

WS3: Climate Change

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Recommendations

1. Strengthen policy environment.
 - Expedite the finalisation of the Draft Climate Change Bill.
 - Mainstream climate change adaptation into multi- and inter-sectoral ICM policy and legal framework.
 - Embed climate change adaptation in the development and implementation of local level ICM plans.
2. Strengthen institutional operations.
 - Expand and strengthen the ICM Coordination Unit to address the mainstreaming of climate change adaptation.
 - Incorporate regulations in the drafting of the Climate Change Act to strengthen capacity / authority of NCCC.
 - Develop a programme with adequate resources to enhance capacity at all levels of government for the mainstreaming of climate change adaptation in a cross-sectoral ICM Framework.

WS3: Climate Change

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Recommendations (continued)

3. Integrate climate change adaptation mandates and responsibilities into decentralisation of key ICM Ministries.
 - Supported by adequate budgets and provision of much needed capacity for district and local authorities.
 - Develop targeted, practically relevant, training on integrating climate change adaptation into ICM implementation at a local level as part of a broader ICM capacity building programme.
4. Harmonise the roles and mandates of Chiefs (natural resources management) and Councilors (development responsibilities).
 - To strengthen land and resource tenure systems and to incorporate climate change adaptation considerations into these systems in support of ICM.

WS3: Climate Change

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THANK YOU

WS3: Climate Change

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**Support to
Policy Harmonisation Lesotho**

**Virtual presentation and discussion:
Synthesis of main findings and
recommendations**

Chris Serjak

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ICM Legislative and Policy Framework

- Water Act of 2008
- Land Act of 2010
- Range Resources Management Bill
- Environment Act of 2008
- Local Government Act of 1997
- Public Financial Management & Accountability Act of 2011
- Town and Country Planning Act 1980
- Local Government Bill

Findings:

1. ICM is partially codified in the Water Act 2008 and the Long-Term Water and Sanitation Strategy 2014 but does not have sufficient legal basis.
2. Conflicting regulations lead to uncertainty and lack of accountability for ICM implementation.

Presentation on synthesis of main findings and recommendations

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Recommendation: ICM Anchoring Mandate

Option 1: Overarching ICM Act

- Adoption of a unifying, overarching Act for certain prescribed ICM-related projects and activities, covering all legal and regulatory aspects.
- Governance roles would be taken out of the hands of the existing Ministries, who would continue to enjoy responsibility for non-ICM-related projects.
- Lead ICM Agency would issue a single license/permit for stipulated ICM projects incorporating all relevant requirements.

Option 2: Amend Primary Legislative Instruments

- Involves a program of carefully sequenced and coordinated amendments to (at least) the eight primary legislative instruments.
- Requires the identification of a 'lead' regime for ICM-related projects and activities (most likely the Environment Act 2008).
- Estimated to require at least 5 years to implement and would place considerable demand on the law-making capacity of the affected Ministries and Parliament.
- Also requires improved procedures for inter-ministry communication and cooperation.

Presentation on synthesis of main findings and recommendations

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Recommendation: Establish Lead ICM Agency

- Need to establish a permanent coordination function for the development, implementation and monitoring of catchment management plans.
- Establish a strong inter-sectoral coordinating body for ICM which enjoys adequate resources, capacity and a cross-cutting mandate.
- Ideally located outside the Ministry of Water (perhaps within the Office of the Deputy / Prime Minister) and should report at the very highest levels of government.

Presentation on synthesis of main findings and recommendations

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Land Use and Infrastructure Planning

- **Key Finding:** Land use and infrastructure planning legal regime (esp. 1980 Town & Country Planning Act) allows for unabated encroachment of residential uses onto arable land and other sensitive resource areas.
- **Recommendation:** Develop new updated Town & Country Planning Act, which corresponds with the ICM-related aspects of the 2010 Land Act and the new Range Resources Management Bill and international best practice in land use planning.

Presentation on synthesis of main findings and recommendations

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Water Resources Management

Key Findings

1. Several different regulatory requirements and procedures may apply to a single water-related activity or project.
2. Lack of relevant detailed technical and methodological standards for water resources management.
3. Overlapping regulatory requirements also cause widespread confusion regarding enforcement of the relevant rules.
4. Lack of clarity on responsibility for WRM disincentivizes collaborative development of the infrastructure and facilities necessary for effective ICM implementation.

Recommendations

1. Establish a strong inter-sectoral coordinating body for ICM which enjoys adequate resources, capacity and a cross-cutting mandate.
2. Establish a single harmonised permitting system for ICM-related activities and projects.
3. Provide guidance regarding technical and methodological standards.
4. Develop a comprehensive suite of detailed technical and methodological standards for water and land management.
5. Allocate legal responsibility for maintenance of water-related infrastructure and facilities amongst the appropriate governmental agencies.

Presentation on synthesis of main findings and recommendations

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Range Resources Management & Agriculture

Key Findings

1. Badly fragmented, incoherent and out-of-date legislative framework.
2. No effective enforcement of the existing relevant rules, especially in relation to illegal grazing in protected / conservation areas.

Recommendations

1. Enact new legal regime under the Range Resources Management Bill.
2. Establish sub-legislative technical guidance for range management including Measures for enforcement of livestock grazing restrictions; Protected area, rangeland and wetland restoration standards; Guidance on best practices for 'leboella' practices'.
3. Clarify roles and responsibility of CCs and Chiefs and building capacity/awareness.

Presentation on synthesis of main findings and recommendations

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Wetland Management

Key Findings

1. General recognition by relevant Ministries regarding the importance of wetlands.
2. However, there are overlaps and grey areas that contribute to poor wetlands management in the country.
3. Without very high levels of cooperation and coordination, it could result in management being poorly implemented and managed.

Recommendations

1. Corporate governance instruments for wetlands management by key stakeholders.
2. Update the 2013/14 – 2018/19 National Wetlands Conservation Strategy.
3. Review and refine roles, responsibilities, budgets, and feasible organizational arrangements for capacity building of stakeholders at all levels.

Presentation on synthesis of main findings and recommendations

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Environmental Protection

Key Findings

- Ineffective protection of key environmental elements related to ICM implementation.
- Different governmental agencies tend to pursue their own work plans and policy priorities.

Recommendations

- Amend 2008 Environment Act to recognize primacy of consolidating legislation for ICM to prioritise the environmental protection requirements ancillary to ICM implementation.
- Single harmonized ICM permitting system.
- Establish lead central agency for ICM.
- Clear policy and strategy for environmental enforcement.

Presentation on synthesis of main findings and recommendations

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Local Governance

Key Findings

1. Decentralisation requires review of role of chiefs to continue to allow them to contribute to governance and service delivery while avoiding conflict with democratic institutions.
2. Conflict over responsibility for land allocation remains an issue.

Recommendations

1. Ensure that village chiefs are protected from partisan political activities and such other activities as are likely to compromise their neutral and inherited authority.
2. Review the status, functioning and welfare of chiefs and identify appropriate functions and platforms for chiefs and the chieftainship institution in the democratic decentralisation process.
3. Review legislation and institutional structures to ensure appropriate placement and functioning of chiefs while maintaining their dignity, respect and authority.
4. Ensure that chiefs at all levels are adequately empowered, facilitated and equipped to play their new roles actively and effectively, such as conflict mediation.

Presentation on synthesis of main findings and recommendations

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Financing & Budgeting

Key Findings

1. Legal framework on fiscal decentralization and the allocation of funds to local level ICM funding is underdeveloped.
2. Lesotho lacks functioning permitting and charging legislation for sustainable, revenue based ICM financing.

Recommendations

1. Implement well capacitated local level ICM grant facilities to administer donor funds directed at the local ICM sector.
2. Enact a legal framework and capacities for practicable and implementable sustainable, revenue-based generation of ICM funding.

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Climate Change Adaptation

Key Findings

1. Relatively strong policy and legal framework at national level.
2. Inconsistent application of CCA and ICM principles.
3. Disconnect between national strategies and international donor programs.
4. ICM does not effectively coordinate with NCCC.
5. Traditional and customary practices conflict with CCA and ICM.

Recommendations

1. Mainstream climate change adaptation into multi- and inter-sectoral ICM policy and legal framework.
2. Embed climate change adaptation in the development and implementation of local level ICM plans.
3. Develop capacity among authorities at all levels to understand climate change adaptation and to integrate it into ICM planning and decision making at all levels.
4. Establish a consolidated national climate change fund and enhance capacity to increase access to funding and improving donor and investor confidence.

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THANK YOU

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