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Programme for Water Resources Governance – West Africa Component
(PFWG-WAC)

**Summary report of the Programme for
Water Gouvernance in 4 countries in West
Africa : Benin, Burkina Faso, Ghana and
Niger**

Warning

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Preface

Water is a very important issue in West African countries and particularly in Sahelian countries. It is true that the problem is not posed in the same way in all countries and the forecast effects of climate change combined with the increasing population growth, the phenomenon of urbanization and the bulimia of industrial development on resources are but aggravating the difficulties. However, everybody agrees that bad governance is the main reasons for drifts on water resources and nature.

Though the world community admits that sustainable management of natural resources including water, can be achieved by a better planning according to the IWRM approach through the setting up of an enabling environment, of appropriate management frameworks and adequate management tools , it should be noticed that in practice things are not moving so smoothly.

The existence of organizational and legal frameworks, the level of coherence between various actors, the knowledge by stakeholders of the texts in force and their attributions, roles, duty and right, etc. are essential things to assess a good water management. This program on governance initiated in 2006 by GWP and funded by the European Union in four West African countries (Benin, Burkina, Ghana and Niger) goes in this framework. Very important lessons were drawn and are given to you in this series of documents capitalizing the experience, mostly the regional synthesis document.

The mobilization of stakeholders and their keen interest for this study on water governance were real. The tool used for the synthesis (scorecard) has permitted to synthetically grasp complicated issues. The close collaboration between directorates in charge of water and the organs of the focused Country Water Partnerships has shown that CWP are useful and helpful.

Global Water Partnership West Africa (GWP-WA) is very proud for the coordination of this work.

We hope that the experiences shown in these documents will benefit to all those who have some interest for water governance issues in West Africa.

Hama Arba Diallo

Chair GWP-WA

I. Debriefing of the Situation Report of Water Governance in 4 countries in West Africa : Benin, Burkina Faso, Ghana and Niger

The current conditions of water usage constitute serious threats against its protection and its conservation ; and consequently for the survival of future generations. Thus, because of the increasingly growing and competitive demand, and of the pluralism of actors, in water resources management, it is becoming necessary to improve the mechanisms needed for an effective governance of water. This will mean covering harmoniously the various types of demand, while ensuring a rational resource management, in order to ensure equity in access, in maintenance of environmental functions and effectiveness in the resource development.

Accordingly, several countries in West Africa engaged significant political, structural and institutional reforms. To this end, the new directions of water management policies aim at a partnering management involving the users with their broad diversity while recognizing the various levels of management. They imply new legal institutional constructions for distributions of new roles and responsibilities among Government, Local Authorities and farmers, distributors, fishermen and aquacultors, users - industrialists, large regional developers, drinking water committees and protection associations at various levels of management.

The importance of governance in rational water resources management and its sustainability is further stigmatized by the declaration of the GWP : "Water crisis is often a crisis of effective governance : incapacity to integrate water resources management related policies and practices ".

The Programme of Water Governance (PFWG) aims at giving an overview of the main problems of governance in the water sector in the countries (Benin, Niger, Ghana, and Burkina Faso) and at the regional level in West Africa. The objective is to get political and strategic proposals for an improvement of water resource sustainable management.

The process aims at assessing the roles and responsibilities of the various public and private sectors involved at various levels of promotion of the resource and development of adequate water and sanitation services.

The objective of this evaluation is to assist the countries to identify the weaknesses and gaps in their water resources management. The action plans will allow to have taken the necessary steps likely to enable face the constraints of a better water management.

In its current phase and under its conditions for commencement, the process of improvement of governance in West Africa focused firstly on two stages :

- The first one consisted in assembling the various stakeholders for a discussion on the current situation ;
- The second stage allowed for the use of this situation analysis to define and formulate a priority action framework for the countries

1.1. Legal environment

Allocation of rights of water among various types of uses

All the countries have laws for a better water resources management and water related public services. Implementing decrees to allow the operationalisation and application of this legal framework are not always in place in all the countries. In Benin, a new legal framework has been prepared and its being under studied for passage by the Parliament, (Code of water, document of country water policy). In the other countries, the laws although recently promulgated are already in force. Provisions are made in the new laws to weigh water allocation according to uses. In general, we will distinguish three elements in the operation of this principle.

The first one relates to right to water in sufficient quantities and qualities for the various uses and users.

Secondly, all the countries should envisage under exceptional circumstances of water shortage situation a priority for water usage. Thus in Ghana, it is specified that water can be used without restriction to fight fire in the event of outbreaks. In Benin, priority is given to satisfy the vital needs of the people, both for drinking water and water for production activities. In Burkina Faso, priority is given only in a situation of shortage as in time of drought and the prerogative for action lies with the line Minister to ensure resource allocation.

The third approach established by all the 4 countries, relates to systems prior to authorization and declaration. Water use for certain activities is regulated in Ghana by holding of a licence. Also envisaged in Niger, is a mode of free use of water. Specific conditions and procedures support these

provisions on water modes in the cases of Ghana, Niger, and Burkina. Benin will settle this point by regulation.

In general, the resource allocation associates the various actors involved in resource using and management. Bodies and agencies are united in the implementation of laws with specific roles in the 4 countries. It is also observed that the various independent actors using the resource at local levels are taken into consideration. The principle of subsidiary is thus respected. The law in Benin provides that even in exception regime the allocation of water must include the various groups of users at the most relevant level closer to the resource. In Ghana also, the involvement of actors such as the Environmental Protection Agency, Local and Traditional Authorities ; and other significant agencies and governmental institutions is envisaged. The law provides for the compliance to law, monitoring and application by the Water Resources Commission of Niger while in Burkina it behoves on the Water public administration to appreciate water allocation in period of difficulties.

Gaps in the existing documents vary from one country to another. The same applies to actions suggested for a better regulation. They relate to difficulties of application and monitoring of legal texts and the special provisions on the resource allocation according to uses. The authorities involved have an insufficient knowledge of the resource and even of the demand related to the various uses. In these conditions, it is in relation with the environmental functions that imbalances are most significant. Specific and functional mechanisms to guarantee allocations according to "requirements of the ecosystems" are missing.

Conflict resolution mechanism among various groups of users

In general, it should be specified that water provisions related to the water resource allocation according to the various uses are conflict prevention mechanisms. Within this framework, all the four countries made clear options for legal documents to prevent and manage conflicts. Thus in Niger, a conflict resolution mechanism is provided for in the law. The actors involved are therein specified as well as steps to undertake . Thus, in the event of conflict situation, the first prescribed step is an amicable settlement between stakeholders. In the event of failure, support of the board of guardians or the various reconciliatory authorities namely (customary authorities, legal and administrative authorities) is sought. In Ghana, the law specifies the Water Resources Commission (WRC) as the resolution

authority for water use related conflicts. In this process, local traditional authorities are effectively involved. The conflict resolution authority of Burkina Faso is subject to the State of abundance or reduction of the resource. In the absence of drought, basin committees and Local Water Committees (CLE) are called upon ; but, when the country faces drought, it falls rather on the Minister in charge of water who manages conflicts.

In Benin, it is rather a collaborative approach, which is envisaged. A society is arranged around water from the local level to the national level represented by the Country Water Partnership. The law in Benin does not provide conflict resolution mechanisms for different groups of users. However, it recognises customary and traditional procedures of conflict resolution at the local level that is to say close to the resource. The law thus offers the opportunity for local conventions, which are arrangements between the various parts to prevent and manage conflicts related to resource allocation. As for conflicts between States around Transborder Rivers, basin organisations not being operational, international organs are often called upon. This is the case of the recent conflict on the Island of Ete between Niger and Benin, the International Court of Justice of The Hague, which rendered ruling of justice accepted by the parties in conflicts.

Regulation of water quality

The legal framework of countries covered by the project deals with the regulation of water quality from two different perspectives. On the one hand, with respect to the area of "protection of water taking intended for human consumption and the quality of distributed water, and on the other hand concerning discharges and wastewater direct discharges into rivers or other water basins. The question of water quality regulation is touched on by several laws and a large number of regulatory texts complete the legal provisions to the three aspects of water quality regulation.

Provisions are quite similar in the four countries. In Ghana water quality related question is considered globally in the register of pollution. In this country, the law assigns the WRC the central role in the monitoring and control of water pollution in general. In Benin just as in Niger, there is a regulation only for potable drinking water. The standards of potability are always preset. In Niger, Benin and Burkina Faso, the WHO standards are used as national standards of potability for drinking water. Nevertheless, the new law of Benin envisaged a consequent step to make qualitative progress compared to a very unfavourable starting situation. Rules and

regulations must define the progress and their paces as regards water quality standards. Annual reports oblige the co-ordinating Minister of Water resources to account publicly on the progress made.

For activities like agriculture and husbandry for example, the law does not envisage standards of quality or regulation of the quality for water used. In the countries, the roles of control of water pollution with wastewater of industrial origin coming from health and scientific facilities are under the responsibility of the minister for Environment.

Most of the provisions in these texts are not operational for several reasons:

- Absence of implementation texts in certain cases,
- Ignorance of texts by the populations
- Low capacity of the public services in charge of development, publicity and monitoring of application of texts.
- Absence of reference laboratory as regards water quality control

Other significant laws related to water use

The right to water is characterized in the 4 countries by its diffuse character. It is found in a great number of legal documents and sub-sectoral regulation. Thus, the specific water related legal battle is completed with several other significant laws. It can be noticed that these complementary texts are old and not adapted to the new context marked by IWRM political options. It is significant to mention the existence of traditional system of local but non-official governance. This old system revealed in many cases its effectiveness as peace building mechanism at the local level by its regulation of water resources access and control. It is also a conflict prevention and management mechanism. It draws its benefit from the system of cultural and religious values of the covered small localities.

Underground water does not really have a specific regulation in the surveyed countries.

Regulation of water conveyance

For all the four countries, the sector of urban drinking water supply is far much better structured and organised. **In Ghana**, only urban drinking water service has a regulation. It concerns the regulation of water for users, diverse specifications and norms for the construction of wells and boreholes. **In Benin**, an official company supplies the cities under a precise regulation. In rural area, an old presidential decree lays down the methods

of management of infrastructures. It is still in application even though it is no longer adapted to the new political environment. In **Niger**, regulation concerns urban hydraulics only. Urban drinking water utility was recently reorganised. The following structures were also set up Niger Water Inheritance Company (SPEN) by Law n°2002-12 of 14 August 2000; the SEEN (Niger Water Development Company).

The State Company, the SPEN is in charge of managing the whole of State water inheritance in urban and semi urban zones. The second company, the SEEN a private sector has a leasing contract for the supplying of urban setting. In rural setting, the situation is less satisfactory. The main problems encountered have to do with weakness in the coverage rate, and poor management of works. To guarantee sustainability of water service in rural area, the option to promote delegated management by private operators has been in hand for a few years.

In **Burkina Faso**, there is a legal framework, which is to ensure the regulation of the water utility. However, for implementation, operational texts are still in preparation. They must integrate provisions to become consistent with competences reserved to regions with a measure of autonomy. One will also make note that women are not sufficiently involved in the management of water points. One another thing to note is the difficulty of application of the criteria for allocation of water points in rural area (more specifically as regards pastoral hydraulics mainly because of the absence of intervention strategy in this zone). As for sanitation, the situation is not satisfactory at all in rural area as families with appropriate improved sanitation are rare.

1.2- Institutional framework for water management

At the time of developing this situation analysis, countries involved in the PfWG are characterised by a large diversity and a significant number of players working at various degrees of involvement in the resource management and the development of water and sanitation services..

One can note mainly :

- The strategic role of Government administration with their central ministries of financial resources planning and management.
- The central role of the Ministries in charge of water in the countries, with competences at the national level and a strong representation at the decentralized level. In general, this ministerial

level ensures the supervision of the private contract holder companies for water conveyance in the large cities.

- the significant role of several other government departments with competences as regards water ;
- recent rise to power of local authorities (communes) as part of the decentralization process ;
- the growing role of the civil society (association of consumers, non-governmental organisations, consumers associations , country water Partnerships in Benin ...) ;
- the new role of mobilization of private capital and valorisation of technical knowledge carried by a fabric of national private operators in construction ;
- The essential role of multilateral and bilateral aid organisations in the funding of hydraulic infrastructures.

A priori this large diversity of players is inherent in the very nature of the water resource. In the development of the rules of game and the definition of interactions between players that lie the same issues of an effective water governance. In this connection and in theory the new legal frameworks confer legal competences on various bodies made up and involved in water governance. At the level of countries there are accordingly various organisational and institutional arrangements for better water resources management and for the promotion of a better access to water and sanitation services ; a certain distribution of roles and responsibilities among the various groups of actors : public and non public.

Organizational framework for water management

Ghana set up a Water Resources Commission (WRC) and Local Water Councils. The WRC has mandate to regulate and manage water resources, and coordinate government policies. Local Water Councils are responsible for managing structures in small cities, facilitating drinking water supply for communities and revenue collection for the operation of structures and maintenance of operations. In Benin, one can find at the level of villages, local Community structures mainly in charge of managing the structures; they are the AUE (Association of Water Users) and the Boards of Management of Water Point. In the other sub sectors of industry as agriculture there are at the level of villages, groups of villages, or Communes, various committees with purely sectoral mandates in the resource. They are in general organizations of representation and not of professionalisation. It is with the adoption of the new policy and the

promulgation of the new law on water that one will observe the promotion of true structures of collaborative management. In Niger, the situation is almost similar with Boards of management of water points, associations of irrigators, associations of stockbreeders, associations of fishermen, women's associations, and consumers associations. These various structures are known under the generic name of Associations of Water Users. In Burkina Faso, two structures are working at the national level since December 2003. The Country Water Partnership is the advisory body coordinating all the national players; the Water Technical Committee which is the interdepartmental advisory body. At the basin level, there are there are the basin agency, local water committees (CLE) and the basin management Committee. It is a new organisation framework of actors and users around the resource. Currently CLEs are in establishment in the country drainage basins.

Basin agency

Ghana has a bureau for each of the basins of Densu and the Upper Volta. Each basin agency is composed of a large diversity of representatives. Still, the insufficiency of office space is deplored. Representation in each bureau must be reconsidered to involve the civil society and representatives of traditional authorities further.

In **Benin**, the setting up of basin committees and agencies is envisaged in the draft bill on the Code of Water of the Republic of Benin. The basin committee coordinates representatives of regions with a measure of autonomy, representatives of the local authorities, representatives of professional associations, activities, interests or associations concerned with water management, appropriate personalities and civil servants. Benin is member of the Niger Basin Authority (NBA) and of Volta management board. **Niger** is also member of the NBA. The country is moreover Member of the Commission of Lake Chad Basin (LCBC) whose objectives are to design the general regulations with regard to use of basin resources ; to examine the projects prepared by Member States; to implement studies and joint projects ; to encourage relationships between Member States. The National Water and Sanitation Commission (CNEA), which has been just set up, is not yet operational not to mention the other divisions at the regional level. As regards the installation of the UGE, let us note that the implementation step is rather long and expensive.

In **Burkina-Faso**, five basin agencies and basin boards of management are envisaged, but on ground these are yet functional, because, the resources needed for their installation are not available and the process needs much thought sharing for its implementation. It is important to provide a significant financial support to deploy the installation of these structures in the whole country and to implement a capacity building of the structures envisaged.

Regulatory body

Ghana set up a Water Resources Commission (WRC), with an Environmental Protection Agency (EPA) and a Public Services Regulation Commission (PURC). The WRC regulates untreated water resources, while the EPA in addition to this function regulates all the environmental activities, and the PURC regulates the water service in urban centres.

In **Benin**, as in Niger regulation is directly ensured by the State, thus all the ministries involved in water management or exploitation have departments of regulation and legislation that work on the construction and implementation of regulations. At the **regional and sub-regional** level, the implementation of the sectoral policy is entrusted to water regional Directorates or local Departments. The other regulation bodies are the Ministry of agricultural development, the Ministry of public health and Endemic Control, the Ministry of animal resources, the Ministry of Equipment and transport, the National Water and Sanitation Commission, the National committee on the rural Code, the CNEDD, the ARM and the Communes. It should be noted that Niger government set up an Agency for Multi sectoral Regulation (ARM). The ARM (multisector regulation authority) created by the ordinance n°99-044 of October 26, 1999

Implementation body

The implementing bodies in **Ghana** are the WRC, the EPA, the Public Utilities Regulatory Commission (PURC) and the WATSAN Committees. Among these structures, the WRC does not have divisions of inspections contrary to the EPA and the PURC that do. It is necessary to underline the insufficiency of collaboration between these agencies.

In **Benin**, there are several application and control bodies : The sanitary police is charged with seeking and noting breaches of the hygiene legislation ; the environmental regulation, apart from the functions of

sanitary control, is responsible for preventing breaches of the environmental legislation and for cracking down on such breaches in collaboration with the proper authorities. The multiplicity of institutions and their insufficient collaboration with sometimes overlapping mandates, entail conflicts of attribution.

Niger envisaged several implementing bodies though they are not installed yet. These implementing bodies are : decentralized departments of the Ministries in charge of water related issues. The deliberative bodies are respectively the regional council, the departmental council and the communal council. The executive bodies are the President of the regional council, the President of the departmental council and the Mayor.

Burkina Faso has technical inspections, under the various ministries involved in water management. However, the low competences of these structures are deplored ; a weak financial resource allocation for the performance of their duty ; a weak knowledge of the missions assigned by the members and frequent Changes of structures.

Legal framework for community water resources management organizations

In **Ghana**, the local government law defines the following actors within the decentralization framework: the Councils of Regional Coordination, Metropolitans, Municipal and District Assemblies and their committees. By the law setting up the NDPC is to prepare plans on behalf of GoG in the medium and long term. It should be pointed out that although operating at the level of district assemblies, district level agencies are rather affiliated to coordination offices.

In **Benin** as in **Niger**, it is through a multitude of local structures that the Community approach is taken into account in the institutional mechanisms of water management. One will consider professional organizations and structures of representation of the communities concerned. They are involved in water resources management at the local level. They are :

- Associations of water users :
- Boards of management of water points (CGE)
- Associations of irrigator including co-operatives of hydro agricultural installations
- Associations of stockbreeders

- Associations of fishermen
- Women's associations
- Consumers Associations, etc.
- Agricultural Professional associations and their umbrella producers associations
- cooperative associations
- Structures of micro finance etc....
- Private sector organisations (engineering and design departments, civil engineering, manufactures, etc.) play increasingly considerable roles in the management of the water sector.

In **Benin**, institutions of Community resources management are ruled by 1901 Law. Several Decrees and ministerial decrees, other rules and regulations at the level of departments and communes also mention this law. With the promotion of local conventions in the legal documents in Benin, the Community approach fits within the legal framework of water resources management.

In the context of **Burkina-Faso**, the structures of Management envisaged by the Law are on the government's initiative. Thus, according to IWRM Plan the structures of water resources management are (i) the country Water Council, an advisory body bringing together all the national players, (ii) the technical Water Committee which is a framework of interdepartmental collaboration, at the level of basins, the structures of management envisaged are (i) the basin agency, (ii) the local water committees and (iii) the Board of basin management. It is especially with the CLEs that beneficiary communities are involved in the water governance. CLEs are in the course of establishment in the country basin areas.

Evaluation of sensitisation

In general with respect to the concept of IWRM and water governance, one notes a deficit of information education and training of communities, of groups of users and often the agents of the public sector.

Only in Ghana, can one say that a strong sensitisation is achieved through media advertisements, workshops. However, these activities are disjointed and need to be harmonized.

In **Burkina Faso**, there was a lot of progress with sensitisation campaigns of people around IWRM and shared Governance of the sector. One can deplore the insufficient assessment of the impact of sensitisation activities

in order to improve their contents, the absence of directives sometimes allowing supporting sensitisation, the weakness of funding except projects to continue sensitisation. Thus, many efforts are still to achieve in order to promote Gender concept and Women's right.

In the other two countries, the sensitisation strategy is inappropriate. For **Benin**, for a greater effectiveness of actions, a formal introduction of the problems of water governance into the school syllabus, the definition of a communication strategy locally, nationally and regionally is recommended. In **Niger**, multiplying the number of literacy centres; using tools adapted to each target group ; providing the engineering departments, adequate means for monitoring of the implementation and organizing fora on water governance is considered

1.4- Water utilities in integrated management

Urban water supply services

Urban drinking water supply services in **Ghana** are ensured by the GWCL, the association of tank owners. The company could not recover 50% of the water receipts and that reduced its financial resources and limited extension of services. This situation has affected much more the poor communities in the urban and peri-urban areas. Consequently, other means for supplying these communities water service are to be envisaged; developing, a mechanism involving the poor communities in planning and decision-making for the type of service, which they want.

In **Benin**, this service is ensured by Benin National water Company (SONEB) under the supervision of the Ministry in charge of hydraulics. In its services, its low production capacity, non integration of wastewater drainage component, water losses in the network, salt intrusion noted in the catchment field of the locality of Godomey, the insufficient involvement of local communities, the difficult balance of its accounts are to be regretted. As proposals for improvement, finalization of urban DWS strategy, support to provide urban and peri-urban zones with main services, building the production capacities of the SONEB and the integration and capacity building of local communities are recommended.

Actors intervening in urban drinking water service in **Niger** are the State, the SPEN (Niger Water Inheritance Company), the SEEN (Niger Water Development Company) and the ARM. It should be raised that the

peripheral districts are not taken into account in the strategy of water service of the urban Community of Niamey. People living in these periurban zones pay three to four times more for water services than people with individual connections do ; users' capacity to pay remains low and equipment is decayed; the capacity of facilities is limited.

In **Burkina Faso**, drinking water service is ensured by complete water conveyance networks. Drinking water supply in the majority of urban centres is entrusted to the National Water and Sanitation Office (ONEA) (official structure). Traditional systems, systems of water stations, DWSS, boreholes fitted with hand pumps are used in the water service. These systems are under either ONEA, communal or Community management. Difficulties encountered are with the insufficiency of underground water resources.

Rural water supply services

This is ensured in **Ghana** by the CWSA, an autonomous structure under the MWRWH, the government investment being inadequate, this service is strongly dependent on donors.

In **Niger**, the rural hydraulic subsector is placed under the supervision of the Ministry of hydraulics, environment and desertification control (MHE/LCD). This sector depends enormously on support from donors. The other structures intervening in this sector are local communities, associations of water users, the private sector and development partners.

In **Burkina Faso**, people's drinking water service is mainly ensured by wells and boreholes. The State remains the prime contractor of rural drinking water supply. For an improvement of the current services, implementation of the new policy of infrastructures management in rural area with the reform adopted by the government in 2000 is recommended.

Irrigation and drainage services

In **Ghana**, the structures involved in the irrigation and drainage services are the GIDA, the HSD (department under the MWRWH), and the MSA. These various structures play often-specific roles. The problems raised in this sector are the absence of an irrigation policy, the inadequate funding of flood prevention infrastructures, the insufficiency of financial resources for the GIDA, the HSD and the MSA. Consequently, the development and

implementation of an irrigation policy increase in the investment on infrastructures of flood prevention, reinforcement of laws to prevent flood development in prone zones and inland waterways and an increase in the funding of GIDA, HSD & MSA is proposed. In Benin, irrigation and drainage services are under the responsibility of the ministry of Agriculture.

In the absence of collaboration with the ministry and the technical department in charge of water, conflicts of attribution and duplication of roles and interventions are to be feared. In **Niger**, the service of irrigation and surface water collection is ensured by the State. Irrigators lack technical practice, their access to techniques and financial means is very limited. With regard to Hydro-Agricultural Installations (AHA), one can note an insufficient political and regulatory framework, which aids arbitrary and poor coordination.

In **Burkina Faso**, irrigation policy and development at the national level are ensured by a Central direction of the Ministry in charge of water. One deplores a weak integration of irrigation development in the process of integrated water resources management. It is important to adjust the existing strategies and structures within the national framework of integrated water resources management.

Water treatment services

In **Ghana**, these services relate to the GWCL, the PURC, the CWSA and the VRA. These treatment services face performance problems due to ageing of the treatment systems that became less efficient and expensive. It is advisable to rehabilitate the old systems for service improvement and thus reduce costs ; and increase the capacity of PURC. In **Benin**, the activities of collection, evacuation, treatment and sewage elimination are ensured by private sewage structures gathered in association called "the Union of Sewage structures (USV)" Concerning these services, the problems raised are : weak collaboration of local authorities in charge of wastewater management ; high cost of USV service ; poor organization of the sector, absence of systematic domestic wastewater drainage system; inefficiency of the treatment system ; insufficiency of sludge and wastewater treatment plants. The drinking water supply company of cities has an official mandate for wastewater management. Due to deficit of a sectoral strategy and an operational framework, the SONEB is not involved yet in urban wastewater management.

In **Niger**, the actors involved in wastewater treatment are the Ministry in charge of Hydraulics and its decentralized services, the technical departments. The leasing company (SEEN) checks treatment and quality control of distributed water.

In **Burkina Faso**, only the communes of Ouagadougou, Bobo, Banfora, Fada, Kaya, Koudougou and Ouahigouya have sanitation structures. In addition, an autonomous sanitation approach is being developed for urban centres others than Ouagadougou and Bobo-Dioulasso.

1.5- Regulatory Instruments

Land control and planning

In **Ghana**, the regulatory instruments for land control and planning are set by several rules and regulations both at the national level and at Local Governments level. Irresponsibility and corruption of authorities in charge of regulation are to be highlighted. Legal steps must be taken in order to punish the dishonest authorities.

In **Benin**, there are also several legal and regulatory texts, which set the zones unsuitable for settlement, authorizations of town planning, public domain and the constraints of public utility likely to burden its dependences and the mode of land property. These texts in reality are outdated and no longer applicable. In addition, the zones that must be covered by these regulations are not delimited and are not materialized.

In **Niger**, the National programme for water resources development and management was developed since 1993. Niger geographical information system (SIGNER) is a planning, management and decision-making aid tool. A regional planning policy made the subject of a law. It should be stressed that all the actors do not know the legislation on water resources planning. In **Burkina Faso**, the only instrument is the law of 23 May 1996 on Agrarian and Land Reorganisation and its implementation decree of 1997. The problems raised are the superposition of traditional type regulation with a modern type in constant change, with as consequence, a non-transparent land management.

Nature (water related) protection

This dimension is taken into account through legal instruments for environmental management and more generally texts known as complementary to water resources management for all the four countries.

Coordination

coordination with agriculture

There is no coordination mechanism with agriculture in Ghana. In order to make progress on this aspect, the following have to be addressed : the Irrigation Policy in preparation needs to be improved upon and the balance of irrigation in agricultural production explained ; implementation of regulations granted to the water licensee, and assessing the environmental impact. Officials of agricultural extension will also have to teach technologies of agriculture. An example is Agro forestry, which is for reducing among so many other things erosion and sedimentation. In Benin, there is no collaboration or coordination structure with agriculture. The problems raised are : distribution of mandates to government departments with a juxtaposition of rival fields of competences ; the participation of actors, happening in a more or less informally ; inexistence of a national authority offering a formal framework for stakeholders participation in the decision-making process ; protection of water resources which is not sufficiently integrated into the agricultural policies. For redynamisation, are needed the creation of collaborative framework of the various actors ; carrying out deep reforms of the institutional framework and setting up a true collaboration between the various institutions intervening in the water sector. In Burkina Faso, the coordination mechanism is ensured through the interdepartmental collaborative framework, which is the Technical Advisory Committee (TAC).

Coordination with the energy sector

In **Ghana**, coordination with the energy sector is not well established. Contacts are made through meetings and workshops as part of the WRC activities. Water licence must be a tool to facilitate and to turn coordination into a reality within the energy sector. There is currently a phenomenon of deforestation prior to gathering forest wood as firewood. It is advisable to set up a collaborative mechanism between the Ministry of Energy and that of Water Resources and Forestry ; to install plantations to satisfy the needs in consumption of firewood. In **Niger**, coordination, collaboration , steering and regulation bodies are the National committee on the rural code, the

CNEDD, the national committee on regional planning, the ARM, national commission on town planning, etc.

Niger also envisages making functional the National Water and Sanitation Commission (CNEA), which is a consultation, collaborative and monitoring body of the water and sanitation sector. It is a consultative and collaborative body whose operational divisions are not installed yet. In Burkina Faso, coordination mechanism is ensured through the interdepartmental collaborative framework, which is the Technical Advisory Committee (TAC).

1.7- Local authorities

Water conveyance and drainage services/waste treatment

In **Ghana**, involvement of local authorities in the production of services is impinged by the difficulty in mobilizing financial contribution within the community and a lack of local capacity to manage the works. The distribution of funds for the installation of works and the production of services between government and communities is generally not effective.

In **Benin**, conveyance and sanitation services were transferred normally to the communes as part of the decentralization, but this transfer is effective in very few cases. All in all, the water conveyance services continue to be managed by the DGH. Waste treatment is done in general by NGOs ; stormwater drainage through the maintenance of the network is still done by the government. In **Niger**, the town council has decision-making power in the fields of water conveyance and drainage/waste treatment services. The main problem concerning the exercise of competences by the Communes is the lack of local capacity, which needs to be corrected. Thus, one can note a certain duplication of competences of town councils with those of other government institutions, in charge of water. This has as consequence demarcation disputes between the various institutions in the execution of their mandates. In Burkina Faso, only waste treatment comes under the responsibility of local communities. The needs of local communities to exert this competence lie in a technical and financial support.

Water conveyance and drainage regulation /waste treatment services

In **Ghana**, the regulation of water supply and public health are locally carried out through WATSAN Communities and the Office of Public health Development for communities and towns. Privatisation of these supply services should be carried out locally for a better control by the central authorities.

In **Benin**, very few communes have regulatory services. Even when they exist, they hardly deal with water related issues. The current low capacity of the communes, which should be corrected, must be pointed out. In Niger, at the communal level, regulation services are unspecified. However, the assessment is that implementation of the rules and regulations on decentralisation, is slow. This prevents the communes then from exerting competences in the water and sanitation sector. Moreover, these communes do not have enough competences yet ; they must be supported in this regard.

In **Burkina Faso**, local communities do not have sufficient human competences to take their responsibilities. Currently, they have not set up regulation bodies yet. It is necessary to proceed with support in capacity building of local communities to which some competences on the matter are reserved.

Planning and scoping of water resources

In **Ghana**, communities take part in water resources planning and scoping. Such activities fall on the basin council in which they are represented. From the point of view of local capacity building, the communes will be involved further in the process of resources management. For the time being, these activities are at the prerogatives of **Benin** central Government. One can even say that there is a very weak scoping of water resource planning. In Niger, these activities are expected to fall within the competence of associations of water users (AUE) present at the communal level. However, the communities do not have competences on the matter yet.

In **Burkina Faso**, the function of water planning and scoping is supposed to be carried out in each basin area with the involvement of local authorities but this provision is yet on ground.

II- Summary of action plans for water governance

"Facilitation of the process of adoption of the water management law" and "Support to the communes as regards water resource management and Capacity building of actors in the water sector " are the two actions under consideration by Benin CWP.

The first action bases on inappropriateness, weak knowledge and difficulties of application of the Code of water and other resource management bills, which suffer in addition, problem of harmonization. It aims to create in Benin a New Code of water ; to contribute to the popularization of the new water law and to set up a strategy of application and assessment of impacts of the new water law. Its estimated total cost is cfaF239 800 000.

The main beneficiaries of this action are:- official structures in charge of water resources management and from application of legal and regulatory documents, the local communities, the various actors in the water sector. Making of tools and making them available for the various actors are necessary in an approach of water governance. It is aware of that, that Benin CWP intends to support the implementation of the second action.

Specifically, the latter aims at giving the communities the needed capacities in the exercise of competences as regard water resources protection and sustainable management. These include facilitating the adhesion of actors of the civil society to the principles of effective water governance ; to design and disseminate tools for promotion of effective water governance and to identify the needs for capacity building for the official structures and to make the needed proposals to the decision makers. It has an estimated cost of cfaF650680000. The two actions will be implemented throughout l the country and have each one a 24 month lifespan as from January 2007. Benin CWP will take care of administrative and financial management, the implementation and monitoring follow-up-evaluation.

Burkina- Faso CWP plans the following actions:

- Building the capacities of local water committees (CLEs) ;
- Conducting regional and provincial information and training activities on integrated water resources management and the legal documents governing water management ;

- Building the capacities of Public and decentralised Administration as regards monitoring–evaluation of impacts ;
- Installation of an information system on the monitoring of water quality and of its management in partnership with the users ;
- Improvement on groundwater resource evaluation and risks associated with exploitation and pollution and
- Support to woman’s promotion in water governance.

NGOs and the private sector will be empowered in the implementation of action 1, which will enable CLEs to play their roles fully.

Action 2 is intended to make up for the lack of information of water management local actors, which could slow down and jeopardise the efforts made to instal effective resource governance. In fact, the decentralized structures of water administration and NGOs will lead it.

Action 3 will be implemented by specialized training centres, for staff in the administrative structures. In the country, there is no unified monitoring framework of water quality yet, and no mechanism of information feedback towards the users either. It is to rectify this situation that action 4 was proposed. It will be implemented by the decentralized departments of the ministry in charge of water resources.

Action 5 is justified by weak knowledge of the aquifers, the crumbling and scattering of existing information on those. Its implementation will be ensured by the decentralized departments of the ministry in charge of water resources, university institutes, and training schools.

Action 6 will be implemented to correct the marginalisation of woman in the management of city public affairs and particularly in water governance. Its implementation will be ensured by NGOs and various associations. Actions 1, 2 and 6 will be placed under the responsibility of the Director-General of water resources.

Actions 3, 4 and 5 are under the Department of human resources of the Ministry in charge of water resources.

Involving woman in resource management also justifies the development of action 1 for **Niger** CWP. Indeed, women in spite of their paramount role

that they must play in the process are seldom represented in the institutional arrangements governing water resources development and management.

With the objective to ensure by 2009, a better involvement of women in the decision-making authorities of water resources management in the commune of Sia, remarkable by its wealth of water resource, Niger CWP proposes an action of : "Promotion of woman's participation in the decision making authorities of water resources management in the commune of Sia (department of Gaya)". Its estimated cost is cfaF191.762.125.

The second action suggested is entitled "Building the capacities of actors (users, local councillors and magistrates) involved in the management of water related conflicts in the department of Boboye". In this department, natural resources related conflicts prevail with acuity and populations continue to live in deep poverty. The estimated cost of this project is cfaF263 025 250.

The last action under consideration by **Niger** CWP is entitled "Development and installation of an IWRM based IEC strategy ". The action will cover all the national territory. It finds its justification in the need to inform actors on the new IWRM concept in order to harmonize the views on individual behaviours contributing to this form of resource management. Its cost is estimated at cfaF115 250 000 and it will be undertaken over the period of one year from December 2006 to December 2007.

Actions 2 and 3 will allow for the development of local expertise and competences as regards conflict management and transfer of knowledge.

Other are :-

Build the capacities of the various local actors (Engineering departments, local councillors, NGOs, etc) ;

support involvement of the various local actors in the definition and implementation of Participatory Local Development Plans;

ensure an operational coordination and an efficient monitoring of capacity building actions as regards conflict prevention, management and resolution ;

support installation of participatory governance mechanisms as regards water resources management.

Actions 1 and 2 span over the period of one year from December 2006 to December 2009. The CWP is responsible for the implementation of the three actions

Ghana CWP considers only one action for effective water governance : "Building the capacities for water related resources sustainable management at the level of districts". This action is based on an assessment of the weak participation of local actors in resource management planning and monitoring. Its implementation will improve the integrated water resources management at the District level by setting up a water unit, which will take part in activities of the official services in this District. This action is envisaged to cover the period of October 2007 to December 2008 with an estimated cost of \$121,550. The District of South Akwapim in the Densu basin will serve as a pilot site in the implementation of this action with CWP entrusted with its management.

National component of water governance in the countries

| N° | Country | Heading | Objectives | Outputs | Budget |
|----|---------|---|--|--|-------------------|
| | Benin | | • | • | |
| 01 | | Facilitation of the process of adoption of water management related law | <ul style="list-style-type: none"> - To create in Benin a New Code of water - To contribute to the advocacy of the new water law - To set up a strategy of application and assessment of the impacts of the new water law | <ul style="list-style-type: none"> - Benin to set up a New water Code backed up with implementing decrees adapted to the problems of governance - The institutional framework proposed in the new water law is operational - The various stakeholders have a good knowledge of the new water law and apply it | CFA F 239 800 000 |
| 02 | | Support to communes as regards water resources management | <ul style="list-style-type: none"> - To give the communes with the capacities needed | <ul style="list-style-type: none"> - Communes received competences needed for the exercise of | CFA F 650 680 000 |

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| | | | | | |
|--|--|--|--|---|--|
| | | <p>and capacity building of actors in the water sector</p> | <p>for the exercise of competences relating to water resources protection and sustainable management</p> <ul style="list-style-type: none"> - To facilitate the adhesion of actors of the civil society to the principles of effective water governance - To design and disseminate tools for promotion of effective water governance - To identify the needs for capacity building of official structures and to make the necessary proposals to the | <p>competences as regard water resources protection and sustainable management</p> <ul style="list-style-type: none"> - Actors of the civil society substantively participate in actions of effective water governance - Tools for promotion of effective water governance, are elaborated and disseminated - Official structures in the water sector have the needed capacities | |
|--|--|--|--|---|--|

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| | | | | | |
|----|--------------|--|-----------------|---|--|
| | | | decision makers | | |
| | Burkina Faso | | | | |
| 03 | | Building capacities of local water committees (CLEs) | | Capacities of local water committees (CLEs) are developed in order to allow them to ensure an effective water governance in their respective management area | |
| 04 | | Undertaking regional and provincial information and training campaigns on integrated water resources management and the legal documents governing water management | | Water management actors are informed and are sensitized on integrated water resources management and the legal and organisational provisions governing it in Burkina Faso | |
| 05 | | Building capacities of Central and decentralized administration as | | Capacities of staff in administrative structures of water management are reinforced in the | |

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| | | | | | |
|----|-------|---|--|---|------------------|
| | | regards monitoring – evaluation of impacts | | field of impact monitoring -evaluation | |
| 06 | | Installation of an information system on the monitoring of water quality and of its management in partnership with users | | Protection of water quality is gradually integrated in the behavioural practices of users and related data are available | |
| 07 | | Improvement of assessment of underground water resources and risks associated with exploitation and pollution | | A base of knowledge on underground water resources is created and functional | |
| 08 | | Support to participation of women in water governance | | The index of woman’s participation in water management decisions is improved | |
| | Niger | | | | |
| 09 | | Promotion of participation of women in the decision making in water resources | To ensure by 2009, a better involvement of women in water | - Capacities of women are reinforced in the field of water resources management ; | Cfa F191 762 125 |

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| | | | | | |
|----|--|--|--|--|-------------------|
| | | management in Gaya department. | resources management decision making authorities in the commune of Sia. | <ul style="list-style-type: none"> - Women are informed and sensitized on the need for their adhesion in the decision authorities of resources management ; - Socio-cultural constraints are relieved. | |
| 10 | | Building capacities actors (users, local councillors and magistrates) in the water related conflict management in the department of Boboye ; | <ul style="list-style-type: none"> - Develop local expertise and competences as regards conflict management and transfer of knowledge ; -Build capacities of local actors (Engineering departments, local councillors, NGOs, etc.); - Support the participation of the various local actors in the definition | <ul style="list-style-type: none"> - a steering team for actions is in place and is functional ; - targeted actors are identified and receive supports and building capacities ; - actions in the field of conflict prevention and management with corresponding know-how are promoted and facilitated ; - conflict prevention, management and resolution channels | Cfa F 263 025 250 |

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| | | | | | |
|----|--|-----------------|--|---|-------------------|
| | | | <p>and implementation of Participatory Local Development Plans ;</p> <ul style="list-style-type: none"> - Ensure an operational coordination and an efficient monitoring of actions of building capacities as regards conflict prevention, management and resolution. - Support the participatory installation of governance mechanisms as regards water resource management ; | <p>known of all are adapted to the local context of Boboye ;</p> <ul style="list-style-type: none"> - a dynamic partnership between the various actors in the field is created, formalized and the best practices disseminated effectively ; - Significantly reduce or end completely the recurring conflicts, which now prevail in Boboye. | |
| 11 | | Development and | - Develop local | - A situation analysis of | CFA F 115 250 000 |

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| | | | | | |
|--|--|--|--|---|--|
| | | <p>installation of an IWRM based IEC strategy.</p> | <p>expertise and competences as regards conflict management and transfer of knowledge ; -Build the capacities of various local actors (Engineering departments, local councillors, NGOs, etc.); - Support the participation of the various local actors in the definition and implementation of Participatory Local Development Plans ; - Ensure an operational coordination and an efficient monitoring of</p> | <p>the current water resources management is specified better and various programmes as regards IEC in Niger ; - Strategies to contribute to IWRM implementation are proposed ; - Capacities are reinforced to make strategies operational.</p> | |
|--|--|--|--|---|--|

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| | | | | | |
|----|-------|---|--|---|-----------|
| | | | actions of building capacities as regards conflict prevention, management and resolution. - Support the installation of participatory governance mechanisms for water resource management | | |
| | Ghana | | | | |
| 12 | | Building capacities for sustainable water related resource management at the districts level. | Improve integrated water resources management at the District level by setting up a water unit which will take part in activities of official services in the District | - Made an assessment of Training needs for Selected Staff, - Training scheme was designed and training sessions were given. | \$121,550 |

III- Regional component of facilitation of the improvement of water governance in each country and in the subregion

| N° | Country | Heading | Objectives | Outputs | Budget |
|----|---------------------------------|--|---|--|--------|
| | Subregion and 8 countries | | | | |
| 13 | | Situation analysis of water governance in 4 other countries | <p>Make national report situation analysis of water governance in the country adopted</p> <p>Identify and make validate at national level a plan of support to the reform of water governance at national level</p> | <p>arrangements as regards governance in the country are evaluated through a scorecard tool an action plan is prepared and adopted at national level ' identification of proposals for possible action the CWP is</p> | |

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| | | | | | |
|----|--|--|--|---|--|
| | | | | assisted to apply type governance actions in the water sector and is prepared for their scaling up reproduction | |
| 14 | | Programme of reinforcement of effective water governance at the subregional level and in eight countries | <ul style="list-style-type: none"> - Involve users in resource management at each country level - Create the conditions of a better collaboration between countries for shared resource management (river basins) - Support countries for an adoption of the institutional and legal framework to IWRM - Support the NAP-IWRM development and implementation in each country | <ul style="list-style-type: none"> - Users of the water resource are consulted and play their roles at the local level in the resource governance - A collaborative framework between countries is created - Shared water resources have management bodies receiving | |

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| | | | | | |
|----|--|--|--|---|--|
| | | | | <p>a support for an effective operation</p> <ul style="list-style-type: none"> - Countries are supported in the installation of an IWRM enabling legislation and legal framework - All the countries in the subregion worked out a NAP-IWRM - Technical support is provided for the implementation of NAP-IWRM in each country | |
| 15 | | Preparation and implementation of a training and enabling plan for the civil society at the regional level and in the eight countries on the roles and | <ul style="list-style-type: none"> - Mobilize the civil society in each country around the water governance - Create a collaborative | <ul style="list-style-type: none"> - Creation of a platform of civil society organisations is | |

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| | | | | | |
|--|--|---|---|--|--|
| | | <p>responsibilities in effective water governance</p> | <p>framework between civil society organizations at the regional level - Make civil society in each country, a credible interlocutor of the State in water governance</p> | <p>supported in each country - Civil society organizations receive technical trainings and are supported in their organisational and structural development - A permanent collaborative framework between civil society organizations is created at the sub-regional level - Collaboration between government and civil society is</p> | |
|--|--|---|---|--|--|

*Summary report of the Programme for Water Governance in 4 countries
in West Africa : Benin, Burkina Faso, Ghana and Niger*

| | | | | | |
|----|--|---|--|---|--|
| | | | | <p>facilitated in each country</p> <ul style="list-style-type: none"> - A partnership is facilitated between the bodies of shared water resources management and platforms of civil society organisations in the countries concerned | |
| 16 | | <p>Development and implementation of a permanent mechanism for governance evaluation and monitoring in eight countries of the subregion</p> | <ul style="list-style-type: none"> - Set up at the regional level and in each country, a system of data collection, processing and analysis of the resource and its evolution (quality, quantity) - Set up a regional authority for monitoring effective governance of the resource. | <ul style="list-style-type: none"> - A databank of the resource and its evolution is created at the subregional level and by river basin - A control authority of resource effective use and | |

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| | | | | | |
|--|--|--|--|--|--|
| | | | | management is created at the sub-regional level and by river basin - A control authority involving all the actors concerned in the resource management is created at the subregional level and by river basin | |
|--|--|--|--|--|--|

APPENDIX

Report of the regional debriefing workshop on water governance in 4 countries in West Africa: Benin, Burkina-Faso, Ghana and Niger

1- Introduction

The regional debriefing workshop on water governance held in Ouagadougou (Burkina Faso) on 14 and 15 December 2006.

The Programme of Water Governance (PFWG) financed by the European Union aims at promoting an efficient water governance in seven African countries (Kenya, Tanzania, Uganda, Benin, Burkina Faso, Ghana and Niger), by facilitating collaboration and consultations between governments, civil society and all the users in the field of integrated water resources management at the local, national and regional level.

The following four countries were represented at this meeting, which are Benin, Burkina-Faso, Niger and Ghana and members of the Global Water Partnership (GWP) network. Delegation of each country consisted in representatives of the CWP (Country Water Partnership) and a representative of the official Water administration with in the majority of cases (3 out of 4), one national consultant.

This workshop, the last of the kind organized by the West African Water Partnership (GWP/WA) during 2006, was of great significance. Indeed, it is a collaborative framework for the various CWPs, the GWP/WA and the GWP to present the activities carried out as part of the PFWG implementation, to evaluate it and consider possibilities of continuation of Programme activities in each country.

As a witness to its interest for this workshop, the GWP, represented by Miss Lina KOOCHAKY took part directly in all activities .

M. Cyriaque ADJINACOU facilitated the discussions and acted as consultant for the West African region while M. Georges de GOOIJER was the co-moderator.

In addition, present at this workshop were, the WAWP Regional coordinator Mr. MOGBANTE Dam, as well as Mr. Rui Lui SILVA of ECOWAS-WRCU.

Two interpreters ensured the translation of deliberations in English and French.

This workshop started indeed on Thursday 14 December around 09h and ended the following day Friday 15 December at 16h 45mins.

Background

The Programme of Water Governance (PFWG) was implemented at the West African level, by the following four countries: Benin, Niger, Burkina Faso and Ghana. The declared objective was to provide an overall picture of the main problems of governance in the water sector in these countries and at the regional level in West Africa. In the end, this programme will contribute to an improvement of water resource sustainable management.

The PFWG has a West Africa component, which shows five aspects:-

- Mapping out with stakeholders ;
- Support to the promotion of inter actors frameworks at the local level (CLEs or WUAs) ;
- Information and communication activities ;
- Promotion of IWRM (Integrated Water Resources Management) type actions at the local level ;
- Development of a specific strategy for water governance and a supportive programme.
- Operationally, two stages were given priority in the process of governance improving in West Africa.

These are :-

- Bringing the different the stakeholders together to discuss the current situation ;
- Definition and formulation a framework of priority actions for countries.

The expected outcomes of this stage are the following :

- Mapping out water governance and priority actions in each country ;
- An action plan for water governance in each country.

Objectives and expected outputs

The objectives of this workshop are presented hereafter :

- To exchange on the diagnosis reports and activities of pilot action in order to provide elements for the development of a regional summary ;
- To discuss the possibilities and practical methods for funding action plans by country ;
- To make recommendations for the definition of a regional component in continuation of the process.

Two outputs are expected.

A regional ten-page summary is elaborate based on results from countries ;
The basis for development of a regional component to facilitate improvement of water governance improvement at countries level and in the sub-region is defined.

2- Summary of opening remarks

2.1- remarks of the representative of ECOWAS/ WRCU

Mr. SILVA is delighted with the achievement in the four countries present at this workshop. He recalled that at the current stage, the 15 ECOWAS Member States were able to map out water resources governance in their respective countries. He stressed on the need to collaborate with the administrative and political authorities in the countries. These must now take care of the planning and monitoring of action plans after this thought-sharing deliberation made by CWPs. He ended his short speech by congratulating the CWPs for all the actions carried out.

2.2- Remarks of the coordinator of GWP/WA

After having welcomed the participants to the workshop, Mr. Dam MOGBANTE expressed his pleasure of attending this meeting. He expressed words of thanks to Mr. Athanase COMPAORE, Mr. Cyriaque ADJINACOU and Professor Abel AFOUDA for having taken the initiative of the project of water governance. He further declared that he was relatively satisfied with the progress made in the countries as part of

implementation of the PFWG taking into account the development of the project. He pointed out the need for water governance in effective resource management and expressed his delight in the collaboration between Governments and CWP. This, he pointed out was necessary for the success of activities, entrusted to CWPs within the framework of PFWG. He ended his speech on the note that the workshop be a framework of information, exchanges of notes on activities of CWPs, and that of collaborative reflection. He hoped that the workshop would find means of implementation of the action plans as worked out in each country and as well find elements for consolidation of a regional component of the Action plan for water governance.

2.3- Remarks of the GWP representative

In a short speech , the GWP representative, Miss KOOCHAKY said she was very glad to take part in proceedings of this workshop. She raised the need for IWRM actions for effective water governance. Miss KOOCHAKY declared in addition she was very satisfied with the work gone through by each CWP as part of implementation of the PFWG supported by the European Union and she wished that exchanges on the contents of action plan and situation analysis of each country be very profitable. She recalled that as envisaged, by 31 December 2006, the European Union would put an end to its funding of the PFWG but that actions identified by each CWP could be implemented with the support of other partners or as part of implementation of some programmes, which may be identified in each country during this workshop.

2.4- Remarks of the president of the GWP West Africa

A speech forwarded to GWP-WA coordination by Mr. NIASSE who could not make it to Ouagadougou was read to the participants. He first reassured all and sundry on the importance the workshop represented to him and that he would have participated if not for other commitments. . He thanked the CWPs, the consultants and facilitators of the process supported by the PFWG for the effort made in the realization of activities. He also addressed the GWP representative in the workshop by thanking her and the GWP for the quality of its support to the project of water governance. He recalled that the PFWG falls under a dynamic sought in GWP actions, which were

directed towards sensitising on the need for IWRM, but which must be turned more and more towards actions in the practical plan. He stressed the need for performance of CWP, especially in technical and financial reporting, in order to enable and facilitate collaborations with the European Union and other potential financial partners. He specified the immediate challenges that CWPs must take up for credibility and for being entrusted with more significant and more ambitious programs. This has to do with setting up a minimal secretariat, transparent mechanisms and irrefragable accounting procedures.

After the various speeches, the participants introduced themselves; the presentation of the workshop agenda, its objectives and expected outputs was done.

3- Results of the workshop

3.1- Progress of the PFWG in the countries

Each CWP expressed its views on the implementation of activities envisaged within the PFWG. Thus, in each country, all activities either got started while some got started while some were completed. The activities are directed towards the realization of the situation analysis of water governance, the identification of priority actions and the development of an action plan. In Benin, implementation of pilot actions are at a very advanced stage while on the other three countries have just started the implementation of such pilot actions. CWPs mentioned difficulties that impeded on the effective execution of these actions :- in Niger, this has to do with insufficiency of information on activities to be realized by the CWP as part of the PFWG and a delay in the provision of funding for Ghana.

3.2- Country based water governance situation analysis and priority actions

Each CWP presented the situation analysis of water governance and priority actions for effective water governance. y. At the end of each presentation, the CWP concerned was invited by the moderator to recapitulate the major inadequacies noted in the country water management. The difficulties encountered in the course of activities were also presented and exchanges

were made with the other CWPs, on the steps taken to overcome these difficulties in order to see the activities through completion.

The national Consultant made some observations on the results of situation analysis of water governance in each country. He generally deplored the insufficiency and the absence of statistics on the number of hydraulic works; particularly for results obtained in Niger. He also questioned the participants on the absence of information processing presented in the Scorecard. On this last point, CWPs all complained on the difficulty faced in the use of the scorecard and its inappropriateness for the analysis of certain data. The regional consultant in addition pointed out that the financial and economic aspects were not treated in the scorecard.

Exchanges were also made between the various CWPs on the situation analysis results of water governance. The focal point of the discussions was the collaboration between Governments and CWPs. This issue re occurred again in the discussion on inadequacies in water governance observed in the countries.

3.3- Major weaknesses in the governance of water

Each of the country was invited to present the major inadequacies noted in water governance. Each country situation report is as presented below :-

Niger

In Niger, traditional authorities are impartial in their role, to regulate water related conflicts in the absence of documents of implementation of certain laws. One deplores also the lack of financial means to conduct water management related processes and ignorance of laws in the sector. Other identified inadequacies are :

- Catchment of polluted groundwater in the implementation of water transfer ;
- Lack of financial and human resources for farmers' associations ;
- Targeted objectives were not achieved in basin management ;
- Weakness of drinking water coverage rates ;
- Insufficiency of water points for cattle watering ;
- Non-involvement of women in the management of water points.

Ghana

Conflicts related to use of water are frequent and very little progress is achieved to regulate them. Laws, which currently govern the sector, do not take into account of uses made of water in some sub commercial sectors like textile production that is highly water intensive. This last assessment is the same for the agricultural field where water is used for irrigation without regulation by law. Water for car wash also escapes any legislative control.

In addition, existing departments in charge of application of laws are not doing sufficiently enough because of lack of material and human resources; moreover, regional sections of these departments do not cover the whole territory.

The country also experiences an inadequate coverage of drinking water supply service. It is hoped that an acceleration of the decentralization process shall contribute to solve this problem by an increased empowerment of local councillors in the sector. Currently, at the communal and rural level, the structures charged with the provision of drinking water supply are sufficiently sensitized for the resource management, but they do not adhere to the principles, which they are inculcated.

In addition one deplors the absence of two distinct institutions for interventions in the sector, one is to be specialized in rural environment based interventions and the other in urban environment. In fact, it is a single institution, which currently intervenes in these two areas with different demographic characteristics, which does not facilitate an optimum effectiveness of actions carried out.

We need to add to all the preceding that budget allocated to the sector is generally low and in implementing actions, concerns of the beneficiary are not always considered.

Burkina-Faso

Burkina Faso CWP indicated its difficulty in being well positioned as an actor in water management, from the point of view that the Government plays fully and exclusively its kingly role in the sector with the implementation and development of national IWRM Plan. Assuming that the Government indeed claims prerogatives, the CWP does not perceive yet

its roles and prospects in the sector in this new context, which will be marked by a strong presence of Government.

Burkina Faso CWP said that it was currently undergoing difficulties in carrying out its activities, because, the legal instruments that governs the management of resource is constantly not being recognized.

Benin

Benin CWP mentioned mainly an insufficiency of collaboration between Government and actors in the sector. To that, adds the weakness of action capacity of the decentralized administration, which suffers from an insufficiency of capacity building, of material and financial support.

However, all the problems mentioned in the scorecard deserve to be taken into account to improve the scope of IWRM actions.

The inadequacies underlined by Burkina Faso and Benin CWPs to water governance in their respective countries made the participants to wonder on the the relationship between Government and these NGOs.

3.4- Debates around the relationship between CWPs and Governments

Benin and Burkina Faso mentioned difficult collaboration between Government and CWP in the implementation of activities, which finds its explanation in the lack of CWP recognition as an NGO working for an improvement of water resources management in the country. Therefore, this Government position has for consequence a lack of support to the CWP and an absence of ownership of activities carried out by CWP.

In Niger just as in Ghana, the Government remained present in CWPs. In Niger following intentions of the CWP, the setting up of this NGO was sponsored by the Minister in charge of water sector. This made the CWP a national structure. Besides, great CWP meetings were sponsored by the line Minister. In Ghana, the CWP and the government operate in close collaboration. The government intervened for example with donors for Ghana CWP to get funds for its pilot actions. In this country, the issue of water governance is now a national issue because NGOs working in the sector were involved very early stage in the activities of the CWP ; besides

a roundtable attended by donors was organised on the initiative of Ghana CWP to have the adhesion of the various partners and national consensus around implementation of activities.

For Benin CWP, the issue of water governance is such an importance that Government must get the CWP to accompany it in this mission. The Government and CWPs must compliment one another and in order to remain effective and efficient, the CWP must define a clear strategy of actions.

The regional consultant pointed out to the assistance expected from the Government, that the CWP should avoid financial support because all Government subsidised organisation sees its expenses ceiled and thus does not have sufficient resources to take all the planned actions through completion. He insisted on the need for CWPs to conduct their activities without depending too much on government financial intervention. He also pointed out that current collaborations between CWP and government on both technical and financial considerations must appear in the situation analysis of water governance.

3.5- Action plans for water governance

CWPs presented in turn their action plan of water governance. This session, was followed by a discussion, mainly intended to understand better the content of the various presentations, closed the deliberations on this first day of workshop.

3.6- Contents and progress of pilot projects by country

This activity opened the second day of workshop deliberations. The various CWPs presented progress of pilot projects. A great interest was found in the step taken by each CWP from preparation to implementation of actions. Each presentation was followed by debate and recommendations of the coordination of the WAWP and GWP for action to be taken for the actions undertaken.

It should be noted that pilot actions envisaged by CWPs of Ghana, Niger and Burkina Faso, are at a lesser advanced level than those undertaken by Benin CWP. However, actions are very variable from one CWP to another

and inevitably do not require the same implementation preparedness and do not have the same unfolding time requirements. Niger CWP is on standby of the report on the situation analysis carried out by a consultant before the planned phase of implementation of pilot actions and of adjustment of a pond system to provide water to the bordering populations. This report is expected in the week of 18 to 24 December 2006. However, at the current stage of the process, a first result is already achieved on ground with the setting up of the Association of Water Users for the concerned pond system.

Burkina Faso CWP already proceeded for the planned phase of implementation of pilot action, which relates to a redynamisation of CLEs. Following the remarks of the coordinator of this country CWP, ToRs of this action were in addition worked out and sent to the GWP/WA. Just like Burkina Faso, Ghana is also in the phase of implementation of its pilot actions. Ghana CWP envisaged three of these. They relate to capacity building of sectoral actors, installation of units of water management and water supply and sanitation for the urban poor. Ghana deplored the non-use of current funds allocated by the European Union because, according to Ghana CWP of delay in provisioning. He wished in addition that the closing time of funds allocated by the European Union be extended.

Benin CWP is almost at the completion stage for its planned pilot actions. They are the implementation of a market-gardeners project and promotion of collaboration of WUA's and municipalities on integrated water resources integrated management. After presentation of Benin CWP, GWP/WA coordinator, supported by GWP representative, pointed out that Benin CWP will have to produce and to forward their report on implemented pilot actions latest by 31st December 2006. With that, the coordinator of Benin CWP let understand that this time limit appears a little short and requested a 01 months additional time to complete the actions and to produce the report. He proposed the following schedule: production and transmission of the progress report on the actions to the GWP/WA by 31 December 2006, the production and transmission of the final report on pilot actions by 31 January 2007.

Participants in the workshop challenged Benin CWP on the government implication in the course of actions. The Coordinator of Benin CWP, the vice president of Benin CWP and the representative of the Directorate of Hydraulics intervened in turns to stress that the Government was strongly involved in the preparation and implementation of the activities. They

specified that recently, tours of sites of pilot actions were organized by the CWP with the participation of the Central and decentralized administration.

3.7- Discussions around the role of the consultant in the course of CWP activities

Answering question of Niger CWP about the importance of a national consultant in activities on which, members of the CWP have competence, Mr. de GOOIJER opined that if the CWP wished it, it could abstain from recruiting a consultant and could complete work directly if it really has the competences for it. The regional consultant also considered this question. He let the workshop understand that if requested, the national consultant of each CWP should not only produce documentation but must be present during all the phases of action implementation. He is in particular responsible for facilitating the entire process.

3.8- The issue of funding the activities after 31 December 2006

Participants in the workshop considered the question of funding of activities after 31 December 2006 ; closing date of Pfwg funding by the European Union. According to Mr. Cyriaque ADJINACOU, a regional consultant of the GWP and moderator of this workshop, the CWP deprived of its current funding source, must promptly get down to finding another funding source of its current and future actions. He expressed this vision on the CWP future in an image of a man sitting on a branch of a tree; sawing the branch and who must necessarily take care to hold another branch so that not to fall on the ground.

Each country presented its strategy on resources mobilization. Proposals of each country are as presented below :

3.8.1- CWP based Strategy

Benin

Proposed Actions by Benin CWP :

- Presentation of pilot actions to partners ;
- Strategic alliance with national projects and structures which had envisaged similar actions but which could not be carried out. Exploitation of unused budgets ;
- Include actions as part of implementation of a certain number of projects.

Niger

Niger CWP envisages the following steps :

- Request other national projects that can fund the actions ;
- Solicit partners to fund the Action plan ;
- Solicit the GWP and GWP/WA Ghana

Ghana

Step under consideration by Ghana CWP shows as afterwards :

- Explore for a funding source for capacity building related project ;
- Call on the government and other sources for the realization of the project relating to the installation of a water management unit ;
- For drinking water supply and sanitation project in poor urban areas, funding was already secured with UN-Habitat thanks to a draft-agreement signed with the government ;
- Fundraising with various sources for the implementation of action plan.

Burkina Faso

In Burkina Faso, funds are already mobilized for implementation of NAP-IWRM. This action plan for water management integrates both the Action plan and pilot actions under consideration by the CWP. Those could be funded then as part of implementation of NAP-IWRM. However, the following steps will be taken to find the essential complement of these funds :

- Subvention from GWP ;
- Round table with donors ;
- Realization of door to door with donors ;
- Setting up an association of fundraising NGOs
- Subvention from government ;
- Call upon international NGOs ;
- Call upon charity NGOs (Rotary Club... etc) ;
- Show donors credibility of the CWP (actions carried out ... etc) ;
- Possibility of inserting actions in the Poverty Reduction Strategy (SRP) by showing the link with poverty reduction ;
- Use of projects unused budgets ;
- Work to see the integration of water governance into the country total governance; receiving EU and the World Bank funding.

3.8.2- Agreed common Actions

After these various proposals, priority was given a series of common actions to be carried out. These actions are summarised by the GWP regional coordinator and thus presented below :

- Discussions with the GWP to explore the possibility of continuing funding of relevant actions ;
- Presentation of work completed by each CWP to the representative of the European Union in the country concerned ;
- Presentation of CWP activities to all the EU Member States ;
- Request help of the EU through round table with donors ;
- Soliciting for donors individually
- Seize the appropriateness of the conference for water funding envisaged by the GWP. Participants wished that true decision makers in countries take part in this meeting deliberations ;
- Consult the list of possibilities of financing actions worked out by Méta Méta.

3.9- Presentation of the WRCU activities in year 2006

Supportive activities of the WRCU during 2006, to the various ECOWAS Member States in the water sector were presented by Mr. Innocent OUEDRAOGO, representing the subregional organization. It appears

following this presentation that WRCU activities are very variable and of various nature. Thus, the WRCU provided specific support to countries and basin organizations. It also developed thematic programmes, developed the strategic framework of integrated water management. It moreover took actions on information development and sharing. The WRCU also started a process of capacity building through a field visit in Cape Verde for the national Directors in charge of Water and the development of ToRs for a study of capacity building. The WRCU in addition undertook negotiations with the partners for the funding of projects of the Regional Plan of Integrated Water Resources Management (RAP-IWRM/WA).

3.10- Discussion Points on the WRCU activities

Discussions between participants in the workshop followed this presentation. All recognized that the WRCU is an opportunity for CWP's but, in its intervention approach, this organization must follow the subsidiary principle by empowering the local actors and giving them means of exerting the entrusted roles.

The following consensus points also emerged from the discussions :

- The WRCU must work out a regional project based on national action plans to accompany the national projects ;
- The WRCU must follow up all the countries so that they reach the same level of development ;
- The WRCU must support the training of IWRM trainers ;

In its governance intervention approach, the WRCU should not collaborate only with focal points (Directorates of Water Resources) but also with CWP's. It must in addition facilitate collaboration between focal points and CWP's ;

The work procedure between the WRCU and the GWP-WA must be sent to CWP's so that CWP's can follow up and take part in the execution of activities on the ground.

3.11- Presentation of the framework of regional summary of situation analysis of water governance and priority actions

The regional Consultant presented to the workshop, the framework of the summary report on water governance situation analysis and priority action. This summary must be carried out in the reports presented by each CWP.

3.12 Discussion points on the framework of the regional summary

The regional consultant wished that further information be sent to him to show the effective involvement of the civil society and the government in setting up the CWP and CWP-Government collaborations.

Participants wished that the summary framework remained coupled with the framework, which had been worked out and validated during a preceding workshop organized by the GWP/WA. This summary must underline the unpopular laws in the water and sanitation sector. Without being indulgent, it must have an optimistic tone and account for the progress achieved by each country. In addition, water management should also be stressed.

Specifically, all CWPs and national consultants deplored the absence laws in governing the water sector. The national consultant of Burkina Faso CWP, Mr. COMPAORE, supported by the regional Consultant pointed out again this issue of no specific water laws but rather an arsenal of laws used for the sector regulation.

3.13- Presentation of the schedule for the draft and final report on the workshop and summary of water governance situation analysis

This presentation was made by the GWP regional coordinator following discussions between the various participants in the workshop and consensus building. The schedule shows as follows:

On 19 December 2006 : Drafting of report of the workshop and regional summary

On 20 December 2006 : Translation of reports in English

On 25 December 2006 : Improvement and finalisation of report contents

3.14- CWP-GWP bilateral Discussions

The second day of the workshop was the occasion for bilateral discussions between CWPs and GWP. In rotation, each CWP discussed with GWP representative in the presence of the GWP/WA coordinator. Discussions embraced prospects for CWP funding and possibilities of continuing support provided by the GWP. These discussions proceeded in the absence of the other participants in the workshop and in accordance with the wish of CWPs ; the conclusions reached were not discussed in plenary session.

3.15- Items of recommendations and conclusions

Mr. de GOOIJER presented this point. He congratulated and thanked the participants for the outcomes of this workshop. He emphasised the recommendations of participants on the regional summary of situation analysis of water governance and priority action; those relating to the strategy envisaged by the CWP for fundraising for priority actions and integrated water resources management action plan after 31 December 2006. He in addition pointed out the schedule of reports drafting.

Mr. GOOIJER thereafter handed over to the regional consultant and the key moderator of this workshop to comment on the recommendations and to make general observations on the workshop. Mr. ADJINACOU wished that the engaged process of water governance advances and as well look for other sources of funding sources for actions very quickly. At the close of his remarks, he did not fail to thank the participants for their quality of contributions, their presence as well as their commitment to make workshop a success. He used this framework to wish all the participants a happy and prosperous year 2006.

4.- Workshop closing remarks

- by Miss KOOCHAKY

Miss KOOCHAKY pointed out that CWPs would ensure high degree of responsibility in the implementation of activities envisaged by the Pfwg.

She was delighted with accomplished efforts and the quality of discussions in the workshop.

She drew the attention to the general feeling of satisfaction that emerges from the participants and recommended the production of the regional summary of situation analysis of water governance and priority actions in accordance with the planned schedule.

- *by Mr. MOGBANTE*

The regional coordinator, Mr MOGBANTE put an end to deliberations of the workshop. He expressed his feeling of satisfaction with the outcomes achieved at the close of this workshop. He also wished the CWPs to make effort later to work out better the action plans and other projects, which they will have to manage. He pointed out prospect of collaboration, of GWP/WA with the ECOWAS, through the WRCU, for capacity building of CWPs and sectoral actors. He ended his remarks by a recall of the schedule drafting report of the workshop and report on the regional summary of situation analysis of water governance and priority actions and report on pilot actions undertaken by each CWP.

He however, sought for commitment for the development of the regional component of the action plan of water governance and thanked the participants for a successful workshop.

5- Conclusion

The workshop came to an end at exactly 16h 45min. It should be stressed that following the general appreciation, the objectives of the workshop were achieved while the expected outputs were equally achieved. The discussions proceeded in with intelligence and were very fruitful.

Mr. Daniel VALENSUELA, the consultant of the GWP, on the second day, presented to the participants, what must remain the image of this workshop (photo of the cover page)

It is an image showing a man sitting on one branch of a tree, which he is sawing and not to fall on the ground with the branch the risk of not being able to get up again, took care to cling to another higher branch.

On this image, the man represents CWP, which are compelled to withdraw from the current financial support of the European Union. CWPs became aware of this and know that they will have to find another support to continue to exist and to continue their activities. This needed consequently must enable them to take up larger challenges, to manage more significant and more ambitious programmes ; this is what the man expresses in clinging to a branch in a higher location.

This image formulated by the regional consultant Mr. Cyriaque ADJINACOU actually translates the vision of the CWP. Besides, he illustrated his remarks by the representation of this man sitting on the branch of a tree.

Appendix - Timing of the proceedings of the workshop

DAY 1

| Time | Activities | Responsible party |
|--------------------|--|---|
| 8h30 – 9h00 | Reception and settling down of participants | Hotel |
| 9h00 – 9h30 | Welcome remarks Introduction to the regional workshop | Dam M./Lina Kooachaky Cyriaque ADJINACOU |
| 9h30 – 10h00 | Round table on the progress of PFWG in the countries (Situation report - Action plans and Pilot actions) | Dam MOGBANTE |
| 10h – 10h30 | Formulation of country based relevant questions, based on weak point, for an advisory support of the workshop (working groups) | |
| 10h30 – | Rest | Hotel |
| 11h00 – 13h | Presentations of findings of situation analysis by country (4 presentations 20mn per country) Discussions and observations (40mn) | CWP and National consultants |
| 13h – 14h30 | Lunch | |
| 14h30 – 15h30 | Experience sharing on the “scorecard” methodology and organization of the process | National consultants |
| 15h30 – 16h30 | Presentations of action plans (10mn/country) Discussions 20mn | CWP |
| 16h30 – 17h | Rest and end of the day | Hotel |

DAY 2

| Schedules | Activities | Responsible party |
|--------------------|---|--------------------------|
| 8h30 – 9h30 | Presentation of Contents and Progress report of country based pilot projects | CWP |
| 9h30 – 10h30 | Exchanges on the strategy and methods of funds mobilization | Dam and CWP |
| 10h30 – 11h30 | Introduction to elements for a regional synthesis (Presentations and exchanges) | Cyriaque A. |
| 11h30 – 12h | Rest | hotel |
| 12h – 12h30 | Continuation of Exchanges on the regional synthesis | Cyriaque A. |
| 12h30 – 13h30 | Need and approach of a regional component within the WAWP (what regional support for the countries, role of regional organizations) | Dam M. |
| 13h30 - 14h30 | Project Balance sheet and administrative discussions | WAWP and CWP |
| 14h30 – 15h | Statement of conclusions of the regional workshop | George |
| 15h | Closing and Lunch | Dam M. |

Appendix - List of Participants in the seminar

Benin :

Mr André TOUPE
Mr Jean-Claude GBODOGBE
Mr Armand HOUANYE

Burkina-Faso :

Mr. Alexandre BELOUM
Mrs. Agathe GUISSOU
Mr Fulgence KI

Ghana :

Mrs. Adwoa PAINTSIL
Mr Nii Boi AYIBOTELE
Mr James Kwamé ANYANFUL

Niger :

Mr Yahaya TOUNKARA
Mme Mariama GAMATIE
Mr Garba RADJI

ECOWAS / WRCU :

Mr Rui Luis SILVA

UEMOA (Very short visit)

Mr Hachimou ISSAKA

GWP/WAWP :

Mr Dam MOGBANTE
Mrs. Birguy LAMIZANA
Mrs. Agathe TRAORE
Ms Lina KOOCHAKY

Modérateur :

Mr Cyriaque ADJINACOU

Co-moderator :

Mr George de Gooijer

Logistic manager :

Mrs. Agathe TRAORE

Interpreters :

Mr. OUMAROU BISSIRI
Mr. Jean-Paul YAMEOGO