

GOVERNANCE AT THE GRASSROOTS

AN ANALYSIS OF LOCAL GOVERNMENT STRUCTURES IN THE SAHEL REGIONS OF NIGER, BURKINA FASO, AND MALI































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Cover photograph: The villagers of Guidan Na Dole in southern Niger meet with a CRS field agent to discuss community-led sanitation. 23 July 2014, François Therrien for CRS

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ACRONYMS

AMBF Association des Municipalités du Burkina Faso/The

Association of Municipalities-Burkina Faso

ANFICT Agence Nationale de Financement des Collectivités

Territoriales/National Agency for the Investment of

Local Authorities

AOPP Association des Organisations Professionnelles Paysannes/

Professional Farmers Association

ARBF Association des Régions du Burkina Faso/The Regions

Association — Burkina Faso

BRACED Building Resilience and Adaptation to Climate Extremes

and Disasters

CAFOD Catholic Agency for Overseas Development for England

and Wales

CCA Climate Change Adaptation

CBO Community-Based Organization

CDP Commune Development Plan

CNEDD National Council on the Environment and Sustainable

Development (Niger)

COFO Commission Foncière/Land Commission

CONAD Conference Nationale de la Décentralisation/National

Decentralization Conference

CRS Catholic Relief Services

CSCOM Centre de Santé Communautaire/Community Health Center

CSO Civil Society Organization

DFID UK Department for International Development

DRR Réduction des Risques de Catastrophe/Disaster

Risk Reduction

FPDCT Fonds Permanent pour le Développement des Collectivités

Territoriales/Permanent Fund for Local Authority Development

GIZ Deutsche Gesellschaft für Internationale Zusammenarbeit

LGALAs Collectivité Territoriale/Local Authorities/Local Government

M&E Monitoring and Evaluation

PNA Plan National d'Adaptation aux changements climatiques/

National Climate Change Adaptation Program

PNSFR National Policy on Land Tenure (Burkina Faso)

POCR Orientation Principles of the Rural Code

SCADD Stratégie de Croissance Accélérée et de Développement

Durable/Strategy for Accelerated Growth and

Sustainable Development

SUR1M Scaling Up Resilience for Over One Million people in the

Niger River Basin of Niger, Burkina Faso, and Mali

UEMOA Union Économique et Monétaire Ouest Africain/West African

Economic and Monetary Union

SUMMARY

Catholic Relief Services (CRS) commissioned this study to ensure expertise in the area of governance for the SUR1M (Scaling Up Resilience for Over One Million people in the Niger River Basin of Niger, Burkina Faso, and Mali) project proposal submitted to DFID, the United Kingdom's Department for International Development. This study, undertaken by Agence Corade, was conducted from April 7 to May 16, 2014. The objectives were to i) contribute to the governance section of the SUR1M project proposal, ii) analyse governance issues in Burkina Faso, Mali and Niger by focusing on the links between decentralization and improved management of Disaster Risk Reduction (DRR) by local government, and iii) make conceptual recommendations to strengthen the SUR1M project proposal.

Decentralization and Local Governance Frameworks

Legal and structural frameworks for decentralization policies have been effectively established in all three countries. The current local governance codes (General Code of Local Authority) were adopted in Mali in 2012, in Burkina Faso in 2004, and in Niger in 2010. Each country has established a government Ministry of Decentralization and a Local Government Association at each level of local authority. Mali even included the establishment of elected bodies as part of its 1999 communalized integration plan. Similar structures have only been operational in Burkina Faso since 2006 and in Niger since 2011.

Evaluation of the Decentralization Process

This evaluation of the decentralization process uses criteria as adapted from those found in the strategic objectives of the decentralization policy strategies in the three countries. These strategic objectives include i) transfer of authorities¹ and resources, ii) social and political ownership of decentralization, iii) performance of the local governments in local project management, iv) support mechanisms for local institutions, and v) steering and coordination of the decentralization process.

¹ Transfer of "authorities" refers to shifts of ability and responsibility from the national governments to the communes in areas such as human and financial resources and technical support. In all three countries, specific authorities include basic education (primary school), literacy and preschools, water and sanitation, health, etc.

Social Ownership of the reform should result in an understanding of the reform by citizens at both an individual and collective level. This should lead to significant improvement in civic consciousness and increased participation by the population in decision-making and local governance. This type of participation is still very low in the three countries even though, for example, in Burkina Faso, the rate of participation in the 2012 local elections reached 75%. The rate for the participation of women in the management and decision-making in local governance is also very low in all three countries. In Burkina Faso, which boasts the best numbers in terms of female participation, the percentage of women on the local Municipal Councils in 2009 was only 26%. This rate dropped to 21% after the elections of December 2012. In Mali, in 2009, the rate was only 8.6%.

Political Ownership is measured by the State's commitment and ability to lead regulation and support decentralization. While all three countries have judicial resources and institutional frameworks to implement ambitious reforms of public management, the low level of transfer of authority and fiscal resources to the local governments (LGs) undermines ownership of decentralization policies. This situation is exacerbated by difficulties that the decentralization services experience when addressing the advisory-support needs of the LGs.

Organization and Functioning of the Local Authorities in Burkina Faso and Mali show a positive trend. In Mali LGs are currently in their third mandate, public meetings are held regularly and the executive committees of presidents and mayors and deputies are working to implement the deliberations.

Decentralization Planning Tools have been developed in the three countries under the leadership of the Ministry of Planning. These tools emphasize participation, climate change awareness, and gender. However, local development plans are often laundry lists of actions without any logical links between the assessments, objectives, expected outcomes, activities, and mobilization capacities of the LGs. The local planning guides that have been given to local governments do not integrate non-climate related disaster risks such as locust plagues, epidemics, and conflicts.

The LGs are responsible for management local projects, particularly in the social sector, but many of these projects do not meet performance standards. Shortcomings result from non-compliance with procurement procedures and lack of monitoring. In Mali, in 2011, control and

monitoring of community projects were deemed insufficient for an estimated 80% of public works. Lack of skilled human resources is one of the main reasons for the poor quality of services.

Mobilization of Financial Resources remains weak for most the local governments. For example, in Mali, in 2011, the overall tax recovery rate was estimated at 40%.

State Decentralization Structures are often created to support the decentralization process but a lack of resources – financial, logistical, and human - hinders their ability to fulfil their role. This lack of resources leads them to seek third party financing in order to respond to requests from the LGs. Niger is an exception; the National Agency for Financing Territorial Collectivities (ANFICT) has been created to provide services but funding is not yet available. The national funds established by both Mali and Burkina Faso play a major role in providing financial support to the local governments. However, these mechanisms also bring to the forefront the main weakness of this process, the dependence on external financial resources. External resources often target specific geographic areas, meaning that the State is unable to provide equal support to all LGs. The portion of the Malian national budget allocated to the local governments was 0.9% in 2009; 5.99% in 2010; and 9.5% in 2012, according to a study carried out by Laboratoire Citoyennetés².

Each country has a national policy framework or strategy to guide decentralization interventions. The steering mechanisms for implementation differ from one country to another. Mali's Haut Conseil des Collectivités Territoriales (High Council of Local Authorities) serves as a direct interface between local governments, the central government, and other stakeholders. In Niger the mechanisms to facilitate the process of regular dialogue and policy steering have yet to be clearly defined.

Land Tenure and Natural Resource Management

In 2007, Burkina Faso adopted a national policy on land tenure³. Undeveloped rural spaces, which constitute the bulk of the rural lands, were poorly organized under land laws prior to the adoption of the Land Tenure Act in 2009, Law No. 034. The institution of local land

² Diagnostic Report, June 2013

³ PNSFR: Politique Nationale de Sécurisation Foncière Rurale

charters is one of the major innovations of this law. The policy takes into consideration land rights and usage that have been largely held by customary means, as well as the contextual diversity – ecological, economic, social, and cultural – of land in the rural milieu. Still, despite the adoption of the rural land tenure law, this legislation has yet to be implemented, mainly due to the lack of administrative capacity, especially in terms of personnel at the LG level, which is essential for making rural land services operational.

In Mali, policies on implementation of decentralized and participative local management of renewable natural resources focus on the building the capacity of various stakeholders to undertake environmentally sound agriculture and mining. Law No. 01-004, which establishes a Pastoral Charter and defines the basic rights of pastoralists, is particularly useful in regards to the issues of the mobility of herds and the access to pastoral resources.

In Niger, the adoption of the Orientation Principles of the Rural Code (POCR) in 1993 sparked the race for property ownership in a number of regions, including in pastoral zones. In the past two decades, there has been increased use of written proof for land transactions and proof of land ownership. Prior to the adoption of this law and the popularizing of these principles, rural populations relied on the traditional village chiefs to obtain proof of their land ownership, which sometimes left them vulnerable to arbitrary decisions taken at this level.

Recommendations for the SUR1M Project Proposal

We recommend that the Burkina Faso Self-Assessment Guide, inspired by the self-evaluation guide from Mali, be adapted as a model and used for evaluating local governance systems in relation to DRR. This instrument has the added advantages of already being known in two of the three countries and of already having support from GIZ. Self-assessment, rather than an external assessment approach, will also foster learning about DRR and climate change adaptation (CCA) at the local, institutional, and LG levels.

In order to foster awareness about DRR and CCA at the institutional level, the SUR1M Project should support civil society organizations (CSOs) to accompany local governments in implementing and monitoring the DRR/CCA efforts. In Mali, ResoClimat Mali, a network of civil society organizations, launched an initiative entitled "Pacte Environmental" (Environmental Pact) which calls for a pact between

Malian citizens and presidential election candidates. SUR1M should support CSOs in leading an initiative to call on candidates running for local offices to commit to strengthening community resilience if they are elected; to mobilize citizens to take ownership of issues related to resilience; and serve as catalysts to open the public debate about resilience issues. The project would propose that those seeking public office make a commitment by signing the "guiding principles" about strengthening community resilience.

The overall approach of the SUR1M Project should be to mainstream governance capacity building into all program activities. This includes looking at all program activities from a point of view of immediate and potential impact on local governance capacities as well as conducting activities that provide capacity building opportunities for local community organizations and local government at the management level.

The project should target three types of stakeholders for local governance capacity building: i) elected governing bodies and commune agents responsible for planning, resource mobilization and promoting citizen participation; ii) grassroots CBOs in their role as users of the services provided by the communes; and iii) CSOs with their dual role of accompanying local communities and advocating on their behalf before elected bodies.

Small Grant Support for Small Projects should require that initiatives proposed by the Communes for funding support one or more of SUR1M's five expected outcomes. Municipal Councils should also be required to conduct a self-assessment of regional performance during the relevant term as a condition of eligibility for grant funding.

Two levels of funding would be offered simultaneously: i) a maximum of \$10,000 USD with relatively simple application procedures so they might be easily accessed by communes with no prior direct experience in managing funds from outside donors and ii) a maximum of \$35,000 USD with more elaborate criteria and application procedures for communes that have experience with managing financial resources.

1 INTRODUCTION

Catholic Relief Services is an international, non-governmental organization that supports emergency relief and development work in more than 95 countries. CRS programs offer assistance to people on the basis of need, regardless of religion, ethnic origin, or nationality. CRS works through the local Catholic Church and also with non-church partners to implement its programs.

In September 2013, DFID⁴, the UK Department for International Development launched a call for Concept Notes for its BRACED Programme (Building Resilience and Adaptation to Climate Extremes and Disasters). The geographic focus of the program's "Component A" is the Sahel. CRS and Catholic Agency for Overseas Development for England and Wales (CAFOD) prepared a joint project application for Niger, Burkina Faso, and Mali. CRS served as the lead organization and received DFID funding for the first phase.

In this context, CRS and CAFOD commissioned this study to provide technical expertise in the area of governance for the full SUR1M project proposal, submitted to DFID in July 2014. The objectives for this study included the following:

- Contribute, in collaboration with the lead consultant and the CRS Steering Team, to the development of the project proposal by providing technical expertise to strengthen/ the governance section of the SUR1M project proposal
- Engage with key stakeholders; conduct pertinent interviews with stakeholders including government entities; analyse questions related to governance in Burkina Faso, Mali, and Niger focusing on the links between decentralization and improved management of DRR by local governments
- Make recommendations to strengthen the SUR1M proposal

The study was conducted from April 7 to May 16, 2014. In Niger, a two-person team of independent consultants conducted the study. In Burkina Faso and Mali, the study was conducted by a pair of consultants from the CORADE Agency (CORADE Agence). CORADE also provided oversight of the consultations in the three countries.

⁴

This document assembles the different aspects of the analysis from the three countries and around five topics:

- Methodology
- · Decentralization and Governance Frameworks
- · Evaluation of the Decentralization Processes
- Guidance and Mechanisms to Support Local Governments
- · Recommendations for the Proposal

2 EVALUATION METHODOLOGY

The consulting team in Niger was comprised of Mr. Moussa Abari and Mr. Issa Boukary. The CORADE Agency team, which conducted the study in Burkina Faso and Mali, was led by Mr. Alexis Kaboré and Mr. Elie Siboné.

The consultation was conducted in the following steps:

- Meeting between the team of consultants from Niger and CRS' SUR1M Technical Coordinator, also based in Niger, to clarify the team's understanding of the consultancy's requirements
- Meeting with the lead consultant for the CORADE Agency and the team of consultants from Niger to harmonize the tools, approaches, and field work schedule
- Development of the methodology
- Literature review
- Interviews with key stakeholders at the institutional level based in Bamako, Ouagadougou and Niamey, in addition to sample communes in the SUR1M Project intervention zones in Burkina Faso and Niger
- · Analysis and development of deliverables

Community sampling in Niger included three of the 13 SUR1M Project target communes in the Departments of Ouallam, Tillabéri, Téra and Bankilaré. These prioritized i) the agro-climatic zone of the region of Tillabéri: North, Centre and South, ii) a mixture of rural and urban communes, iii) dominant socio-economic activities (agriculture, agro-pastoralism, pastoralism, etc.), and iv) the status of the Commune Development Plans (CDPs) (current/out-dated). The Communes of Ouallam (Department of Ouallam), Sakoira (Department of Tillabéri) and Diagourou (Department of Téra) were visited in Niger. In Burkina Faso, the sample was designed to have at least one urban commune or one rural commune from each of the three provinces of the project intervention zone. The Communes of Dori and Bani (Seno Province); Gorom-Gorom (Oudalan Province); and Tiatbé (Yagha Province) were included in the sample.

Data collection tools emphasized qualitative research with interview guides designed specifically for: i) structures in charge of decentralization and local government, ii) structures in charge

of planning/community development/land management, iii) structures in charge of DRR and environmental management, iv) commune authorities (Mayor; Secretary General, Rural Development Commission, Planning Commission), v) municipal associations, vi) programs and projects supporting local government, and vii) technical and financial partners.

The security crisis in Mali was a major constraint; the conflict and security crisis prevented visits to any of the seven communes in the Circles of Gao and Ansongo during the period of this study mission. In addition, the very short deadline between completing the interviews in Mali and submitting the preliminary report did not allow for enough interaction between the two teams of consultants prior to completing the final report to optimize and validate the data from the three countries.

3 FRAMEWORK OF DECENTRALISATION AND GOVERNANCE

3.1 LEGISLATIVE AND POLITICAL FRAMEWORKS

3.1.1 Burkina Faso

The Burkinabe process of establishing a legal framework for decentralization began with the decentralization laws of 1993 and the Decentralization Orientation Texts in 1998, modified in 2001 and 2003. In 2004, Burkina Faso established its current legal framework with Law No. 55-2004/AN regarding local government (Code de Général des Collectivités Territoriales, or CCGT). It was modified in 2009. This law addresses regional and communal LGs, establishing the principles and means to transfer authorities and finances to local governments, and defines the relationship between the central government and LGs. In addition, the CCGT provides a legal basis for the local planning processes by defining the different levels of planning, identifying the key structures in the local planning processes, and organizing the support of the central government.

Law No. 034-2009/AN on rural land tenure defines state-owned property and land tenure applicable to rural lands, thus establishing principles of rural land tenure security for all stakeholders.

Law No. 034-2012/AN (July 2, 2012), the Agrarian and Land Tenure Reorganization in Burkina Faso Act, provides the legal framework for local land use planning. This law defines legal instruments and development structures at different levels of local planning and sets preconditions for urban and rural development as well as conditions for development in areas designated for agricultural use.

In the domain of DRR, the legislation adopted in April 2014 addresses prevention and management of humanitarian crises and disaster risks; establishes rules, procedures, and modalities; and identifies the institutions of prevention and disaster risk management.

3.1.2 Mali

Decentralization in Mali represents a moral commitment agreed upon by politicians and civil society members during the national conference of June 1991. The translation of this recommendation into the constitutional mechanisms (1992) confirms the convergence of popular will and policy in the area of decentralization. The creation of local governments is envisioned in Article 97 of the Constitution. Article 98 of the same text specifies that the LGs will be freely administered by an elected council in accordance to the conditions set by the law.

The constitutive elements or guiding principles are recorded in Law No. 93-008 (February 11, 1992) outlining the conditions of the democratic administration of local government (modified by law No. 96-056 of October 16, 1996 as well as in the strategy of territorial division conceived by the Mission de Décentralisation et des Réformes Institutionnelles). Mali's decentralization policy has six guiding principles: safeguarding national unity and territorial integrity, involvement of communities in the creation of communes, democratic administration at the LG level, command of regional and local development project management by LGs, sequencing of the transfer of authorities and resources, and free administration of the LGs.

In accordance with the principle of national unity, the decentralization policy excludes all powers that fall under the authority of the central government such as national defence, justice (legislation, organization of courts and tribunals), diplomacy, currency, and guidance and coordination of national development (development of policies, enactment of laws).

3.1.3 Niger

Niger's Constitution, adopted November 25, 2010, establishes in articles No. 164 and No. 165 the fundamental principles of decentralization and the free administration of the LGs.

Article No. 164 specifies that: "territorial administration is based on the principles of decentralization and devolution. The LGs are created by an organic law. They are freely administered by elected councils. The law sets forth the fundamental principles of free administration of the LGs, their authorities, and their resources."

Article No. 165 states: "the State shall ensure the harmonious development of all LGs on the basis of national solidarity, social justice, regional potential, and inter-regional coordination. Representatives of the State shall ensure respect for national interests."

In addition to the Constitution, other laws addressing territorial administration include:

- Law No. 2008-42 (July 31, 2008) relative to territorial organization and administration of the Republic of Niger,
- Decree No. 2010-53 (September 17, 2010) modifying law No. 2008-42 (July 31, 2008),
- Decree No. 2010-54 (September 17, 2010) regarding the General Code of Local Authorities in the Republic of Niger,
- Decree No. 2010-55 (September 17, 2010) on the special status of particular communes or towns,
- Decree o. 2010-56 (September 17, 2010) on the promotion of the urban communities of Niamey, Maradi, Tahoua, and Zinder into special status communes or towns including their surrounding districts,
- Decree No. 2010-96 (December 28, 2010) on the Electoral Code, and
- Law No. 2000-008 of (June 7, 2000) establishing a quota system for elected offices in the government and State administration.

3.2 INSTITUTIONAL FRAMEWORKS

3.2.1 Burkina Faso

The organization of Burkina Faso into local administrative districts evolved between 1993 and 2006. In 2006, Municipal Councils were established across the country through the creation of Urban and Rural Communes and regional councils. As of 2004, the three recognized administrative districts included the department, province, and region.

The following structures comprise the institutional landscape of decentralization and local governance:

The Association of Municipalities of Burkina Faso (Association des Municipalités du Burkina Faso or AMBF), created in 1995, plays an

intermediary role between the communes, the central government, and other partners.

The Regions Association of Burkina Faso (Association des Régions du Burkina Faso or ARBF), created in July 2007, is a structure of information, consultation, and services for all of the regions of Burkina Faso.

The Ministry of Planning and Decentralization provides technical oversight of the LGs while the Ministry of Finance and Budget provides financial supervision.

The National Decentralization Conference (CONAD) includes representatives from all of the decentralization stakeholders and assures functioning of the monitoring and evaluation (M&E) of the decentralization policy. CONAD examines plans and 3-year decentralization implementation reports, reviews the annual reports to evaluate progress on implementation, validates M&E reports, and makes or reviews recommendations. This support mechanism is provided by a Secretariat that prepares the technical files for the National Decentralization Conference meetings.

The General Directorate of Decentralization, located within the Ministry of Territorial Administration and Decentralization (MATD) carries out the following functions:

- Monitor and coordinate the implementation of decentralization laws and regulations as well as the activities of the National Committee of Local Finances;
- Address questions about the status of elected officials and their local mandates;
- Coordinate development procedures and monitor agreements between the central government and the LGs;
- Promote good governance within the LGs;
- Implement the transfer of authorities from corresponding ministerial departments to the LGs in accordance with terms of the General Code of the LGs; and
- Monitor and support the LGs in producing data.

The General Directorate of Decentralization and Local Development (DGATDL) is charged with i) ensuring that programs, management plans and development of land is geographically organized and

compliant with national policy and ii) promoting integration of emerging themes in the local development plans.

The Permanent Fund for the Development of the Territorial Collectivities (FPDCT) is charged with contributing to the financing of development programs of the subnational governments and contributing to their operational capacities. Also, the FPDCT can grant loans to the LGs for investments that have a sufficient rate of return.

Burkina Faso is still developing fundamental texts for the regional development agencies whose mission is to strengthen local project management capacity.

In addition to the structures involved in local governance, the Permanent Secretariat of the National Emergency Response and Rehabilitation Council, the Permanent Secretariat of the National Council for the Environment and Sustainable Development, and the General Directorate of the Forests and Wildlife support local governments in reduction of disaster risks and adaptation to climate change. Their interventions are tied to implementing the National Policy on Civil Protection (2010), the National Strategy of Prevention and Management of risks and disasters (2013), the National Disaster Risk Management and Prevention Strategy/ORSEC Plans, and the National Climate Change Adaptation Program (PNA).

The National Disaster Risk Management and Prevention Strategy (2013-2017) aims to i) equip the country's institutions to be well prepared to prevent and manage disasters and humanitarian crises, ii) to provide stakeholders with the necessary tools for preventing and managing disasters and humanitarian crises; and iii) reduce overall vulnerability to disasters and humanitarian crisis in the country.

Emergency Response Plans are contingency plans for emergency situations designed as preparedness safety measures to be implemented in case of accidents and disasters. They are triggered at the first sign of crisis and are designed to organize the first emergency response. The plans are developed under the responsibility of the Ministry in charge of Civil Protection, the Governor, High Commissioner and the Mayor.

When finalized, the PNA should allow the development sectors that are most sensitive to such climate impacts to implement sectorial and territorial strategies to address climate disasters in the long-term.

3.2.2 Mali

The Framework Document of the National Policy on Decentralization (DCPND) establishes the guidelines, actions, and role of the central government in the context of decentralization and the devolution of authority.

The Code of the Local Authorities of Mali has established three levels of decentralized local government authorities: communes, circles, and regions. These are federated through three representative structures: the Association of Regions of Mali (ARM), the Association of Circles Collectivities of Mali (ACCM), and the Association of Municipalities of Mali (AMM).

The following bodies are charged with the promotion, accompaniment, and monitoring of decentralization:

- The High Council of Local Authorities (HCC), a constitutional institution representing the decentralized local governments at the national level, has consultative powers.
- The Ministry of Territorial Administration and Local Authorities (MATCL) manages the National Directorate for Local Authorities (DNCT), the National Directorate for Territorial Development (DNAT), the National Agency for Investment in Local Authorities (ANICT), and the Local Authorities Training Centre (CFTC).
- The Ministry of Finance & Economy manages the National Directorate of Development Planning (DNPD) and the National Directorate of the Treasury and Public Accounting.

DRR is not as sufficiently institutionalized in Mali, in contrast to Burkina Faso. Current efforts focus on specific (individual) hazards, thus institutions deal with this issue by sector, according to their nature. Among the focal points for managing specific risks are (i) the General Directorate of Plant Protection (DGPV), charged with ensuring implementation of the national policy as it relates to vegetation; (ii) The National Centre for the Fight Against Locusts (CNLCP), which oversees the implementation of the plan for preventing disasters from locust invasions (PPRA); (iii) the National Meteorological Agency (MALI-METEO), which evaluates and tracks rainfall and temperatures and issues warnings, in particular for areas that are vulnerable to locust invasions, drought, and flooding; (iv) the National Directorate for Water (DNH), which tracks the water levels of the main rivers and

streams via an observatory; v) Mali Food Security Commission, which monitors the food security situation in the country; (vi) The Agency of Environment and Sustainable Development (AEDD), which oversees the coordination of the treaties and international accords signed by Mali in the area of environmental management; and (vii) the National Health Directorate (DNS), which serves as the watchdog on health epidemics in the country.

Although the national decentralization policy and the Local Authority Code delegate more responsibility and authority to the local level, local management of risks in all phases of DRR/CCA is currently very weak and uneven. There is a critical need for improved clarification of the roles and responsibilities of the local governments, and tools, knowledge and resources required to undertake these new responsibilities.

3.2.3 Niger

In Niger, the National Decentralization Framework Policy was adopted in March 2012 to serve as the guiding framework for decentralization and its implementation and also to harmonize the current decentralization policy with other reforms and strategies.

The Ministry of the Interior, Public Security, Decentralization, Religious and Traditional Affairs ensures coordination of the implementation of decentralization reforms and provides overall supervision of the LGs. The Minister is assisted by Departments of Decentralization and of Traditional and Religious Affairs. The Ministry of Finance provides the financial oversight of and assistance to the LGs, while the Ministry of Planning, Land Management, and Community Development supports local development planning.

The Ministry of Urban Development and Housing supports the municipalities in urban planning and management. Other ministries contribute to various sectors of decentralization implementation and provide technical support services to the local governments.

The National Agency for Investments in Local Authority (ANFICT) has been established, but is not yet functioning. Plans call for the creation of a national training centre to provide capacity building in LG management and support a national capacity strengthening strategy for decentralization stakeholders.

The National Council on the Environment and Sustainable Development (CNEDD) has been given a Secretariat charged with coordinating national strategies on climate change issues.

For a long time, climate change issues were categorised under DRR, but this area is slowly starting to be integrated cross-sectorally as well. Since 1998, CNEDD has four principal bodies, namely:

- The CMC the State Donors Mixed Dialogue Commission brings together representatives from the Niger government and the main food security donor organizations. Its mission is to monitor the food security situation in the country and to take necessary actions.
- The CCA the Food Crisis Cell is attached to the Cabinet of the Prime Minister and monitors the execution of the decisions made by the CMC. The link between the CCA and the highest level of government highlights the importance placed on natural disasters.
- The SAP/GC the Early Warning and Disaster Management System is a decentralised body charged with collecting data on food crisis risks and formulating actions and, should the need arise, overseeing their execution.
- OPVN The National Food Products Board is a government body charged with ensuring and maintaining physical stores of food and participating in food assistance efforts. It has been in existence since the mid-1970s.

Of these four structures, SAP/GC with its various decentralised bodies intervenes at the local level. Each department and commune has a local unit of the SAP/GC. The Vulnerability Monitoring Observatory (OSV) works at the commune level and units of the Early Warning and Emergency Response System (SCAP/RU) work at the community level (in villages and clusters). The local SAP/GC units are charged with monitoring vulnerable zones. The monitoring begins with the planting season, so as to identify which villages might face deficits at the end of the harvest season and thus need to seek assistance from the government or other actors. The SAP/GC is also responsible for keeping information on all other emergencies such as floods and fires.

3.3 THE ORGANIZATION OF LOCAL GOVERNANCE

3.3.1 Burkina Faso

Burkina Faso is composed of 13 regions, 49 urban communes and 302 rural communes established in 2006 in accordance with the General Code of Local Authorities that was adopted in 2004. The region functions as an economic space and is expected to have an appropriate framework policy for land use, planning, and coordination of development activities. The territorial coverage includes the entire country.

The commune is the basic unit of LG. Two types of communes exist: urban and rural. The communal territory is divided into sectors and/or villages.

3.3.2 Mali

Mali is composed of 8 regions, 49 circles, 37 urban communes and 703 rural communes with responsibility for project management within their respective spheres. They develop, implement and evaluate land use plans as well as manage the agricultural space for each of the territories and for each agricultural development program.

The institutional mechanism is consolidated in the establishment of the High Council of Local Authority (HCC), seventh among the eight constitutionally mandated bodies.

3.3.3 Niger

The General Code of Local Authorities (2010) sets out the structure of local governments in Niger. The country is composed of 7 regions, 41 urban communes, and 214 rural communes.

The commune is the basic unit of LG in Niger; it is the centre of responsibility and local participation in local governance. Its statute, authorities and resources are defined by law.

Law No. 2008-42 (July 31, 2008) defines the territorial organization and administration of the Republic of Niger. Decree No. 2010-54 (September 17, 2010), the General Code of Local Authorities in the Republic of Niger, provides for three types of communes:

Rural Commune: A group of villages, tribes, or administrative quarters around a community with fewer than 2,000 inhabitants and falls all or in part within the territorial space of a canton according to the socioecological zone. There are currently 214 rural communes in Niger.

Urban Commune: A group of quarters, administrative villages and tribes in a community of at least 5,000 inhabitants. In Niger there are 37 urban communes; they coincide for the most part with the main towns of the region and/or the department.

Special Status Commune: An urban commune can be given a "special status" designation when it has a population of 100,000 or more. The four communes with special status in Niger to date are: Maradi, Niamey, Tahoua, and Zinder. The town is organized into community districts.

The region has an LG whose function is essentially economic, social, and cultural. In addition to Niamey, which has its own regional status, there are 7 regions in Niger.

4 EVALUATION OF THE DECENTRALIZATION PROCESS

The decentralization processes was evaluated using criteria adopted from the principal strategic objectives of either the national decentralization policy or implementation strategies in each of the three countries: i) transfer of authorities and resources, ii) social and political ownership of decentralization, iii) performance of the LGs/management of local projects, iv) support mechanisms for LGs, and v) oversight and coordination of the decentralization process.

4.1 TRANSFER OF AUTHORITIES AND RESOURCES

The laws in all three countries call for progressive implementation of decentralization. This principle is evoked to justify the low current level of transfer of authorities and resources to the LGs. In Burkina Faso, the transfer of authorities applies to the areas of basic education, literacy and preschool; water and sanitation; health; and culture, youth, sports and recreation. In Mali, this transfer is in effect for the sectors of health, education, and water.

However, the level of transfer of authorities and resources is largely below the expectations of the local elected government authorities. The Association of Municipalities of Burkina Faso (AMBF) made the following statement during its 7th annual meeting of the deputies and elected local officials:

"If the transfer is considered effective (in effect) through the signing of the operational protocols, then local governments point out that the concrete implementation on the ground is hampered by the refusal of application of the texts by the State Services, the often late provision of the financial resources to the local governments (the pre-allocated amounts allocated by the State do not allow the communes to determine for themselves the usage of the funds received) and the reluctance on the part of the technical services in regard to decentralization." 5

Analysis of the provisions of the decentralization texts from Niger shows that the decentralized entities have very little authority as far as land management is concerned. In fact, the law on the transfer of authorities is very restrictive: it stipulates simply that the central

⁵ Contribution of the AMBF to the 7th edition of the annual meeting of deputies and elected local officials

government can transfer authorities related to the "land area of the local governments." The result is that the LGs only have authority in areas under collective control and not in individual land rights issues. The position of the legislature in this regard is, however, understandable given that there are specialized institutions (those of the Rural Code) that have been established for management of individual land tenure rights in the rural areas.

The alignment of the processes of the Rural Code and the Decentralization reforms is overseen by confirmation of the Independent Land Commission (COFO) in relation to the LG organs.

This study finds that decentralization of land tenure regulations do not impinge on the mandate of the COFO, to ensure the sound management and security of the property rights of rural actors. At the same time, the LGs maintain their authority in assuring local development and management consistent with the current regulations. The approach adopted by Niger does not necessarily lead to land management decentralization but instead promotes harmonization among the actions taken by the different local structures that predate the current decentralization process.

4.2 SOCIAL AND POLITICAL OWNERSHIP OF DECENTRALIZATION

Political Ownership is the will and capacity of the State to take the lead in implementing decentralization. While all three countries have judicial structures and institutional frameworks for public administration, the ownership of decentralization policies is undermined by minimal transfer of authorities and resources to the LGs by the central government. This situation is exacerbated by the difficulties that the decentralization services face in responding to requests for assistance from the Council of Local Authorities.

In Burkina Faso, complaints from local elected officials include: i) the reluctance of some decentralized departments to enforce laws regarding provision of assistance to the communes, ii) the non-adaptation of the budget categories of the communes to manage the funds transferred; iii) the lack of communication regarding fund transfers, iv) problems of interpretation regarding the protocols for the transfer between central state services and the LGs, v) the fact that the pre-allocated amounts transferred by the central government do not allow the communes to determine for themselves the use of

the funds received, and vi) difficulties in the awarding and execution of contracts (costs for preparing dossiers, blockages from certain approval levels, etc.).

The slowness of transferring authorities to the local governments has led some elected officials to believe that this principle of "progressivity" in implementing decentralization is actually being used by the central government to mask efforts to block political ownership at the local level of this reform.

The lack of timely progress in in all three countries can be largely attributed to the culture of a centralized administration. Some people doubt the governments' sincerity, saying that governments have only engaged in this process of decentralization under the pressure from their technical and financial partners. With limited resources in the national budgets, the central administrations are reluctant "to strip their coffers bare in order to give to the local governments". Instead, they use the argument of the lack of capacities of the local governments or a defensive interpretation of the option of a single State to delay the transfers of resources and authority to LGs.

Social Ownership is the understanding and internalization of the reform by citizens at an individual and collective level. This should lead to a significant improvement in civic consciousness and increased participation by the populations in decision-making and local governance. The local elections have registered a higher rate of participation than those at the national level. In 2012 in Burkina Faso, the rate of voter turnout in the local elections was 75%. In Mali, it was 43.06% in 2004 and 44.61% in 2009 for the local elections whereas the rate for the national elections was just barely 40%. In Mali, the elections have contributed to the improvement of women's participation in the local governance, even if the rate remains low as indicated in the following table.

⁶ Originally "se dénuder pour habiller les collectivités territoriale"

⁷ CENI, 2012 Résultats des élections municipales

Table 1: Evolution Women's Participation in Commune Councils in Mali

ELECTION YEAR	TOTAL NUMBER OF ELECTED COMMUNE COUNCILLORS	NUMBER/ PERCENTAGE OF FEMALE COUNCILLORS	NUMBER OF FEMALE Mayors
1999	10,540	441 (4.2%)	5
2004	10,752	703 (6.5%)	7
2009	10,774	927 (8.6%)	14

Source: MATCL/CATEK, 2011

In Burkina Faso, of the 17,465 municipal councillors in office as of December 31, 2009, 4,573, or 26.11%, were women⁸. This rate actually fell to 21% after the elections of December 2012. Only 10.8% of the regional councillors in 2009 were female. The Sahel Region had only 4% women at the council level and 10% at the Municipal Council level in 2009.

We found low citizen participation in the local governance in all three countries. As of 2009, only 54.4% of Burkinabe communes had registered the participation of public citizens in at least one council session⁹ with the average number of participants being fewer than seven. Two regions out of 13 registered the participation of local citizens attending a regional council meeting.

In 2011, the majority of the Malian population (53-56%) were unaware that the local communes now have power and are in charge of the management of basic/primary level education and the community health centres (CSOM). Most people believed that these are the responsibility of the central government.

Also, CSO initiatives to stimulate civic engagement at the commune level are limited to the process of developing local development plans. This situation is due, in part, to the weak involvement of local governments in promoting economic development and oversight and instead being overly focused on promoting basic social services. The involvement of CSO actors could be enhanced with interventions that contribute to helping to developing the local economy.

⁸ MATD 2010, Communalisation intégrale situation des collectivités territoriales en 2009

⁹ MATD, 2010 Communalisation intégrale au Burkina Faso, situation des collectivités territoriales en 2009

4.3 PERFORMANCE OF LOCAL GOVERNMENT/ LOCAL PROJECT MANAGEMENT

4.3.1 Organization and Functioning of the Local Organs

One positive development in the decentralization process is the organization and functioning of the local governments in Burkina Faso and Mali. In Mali, which is in its third cycle, meetings are held regularly and the executive committee, comprised of the presidents, mayors and deputies, is making an effort to implement the outcomes of these meetings. The rate of the regular sessions held by the Commune Councils was 56% in 2004 (baseline reference) increased to 79.6% in 2007, dropped slightly to 78.9% in 2008, and rapidly rose again to 90.96% in 2009¹⁰.

Meeting minutes have been regularly produced and submitted to the regulatory authority 88% of the time in 2006; 97.6 % in 2007 and 100% in 2008. There has also been an increase in the number of local governments producing their administrative accounts. This number increased from 45% in 2004, to 85.4% in 2007, 86.9% in 2008, and finally 98.28% in 2009.

Furthermore, in Burkina Faso, in 2010 and 2011, at least three ordinary sessions and one extraordinary session were held by each type of LG.

4.3.2 Planning, Information, and Participation

In all three countries, decentralisation planning tools exist under the leadership of the Ministry of Planning. These tools emphasise participation, climate change awareness, and gender. However, local development plans are often a laundry list of actions without any logical links between the assessments, defined objectives, expected outcomes, activities and ability to mobilize the LGs. To illustrate, the local development plans for the East and Southwest of Burkina Faso for the period of 2007-2011 included expenditure gaps that were 1.4 times greater than the revenues they had mobilized. The reasons offered for this included too short of deadlines imposed on the service providers, the lack of skills and insufficient local leadership in the process. Dialogue, which should be part of this planning exercise, is often neglected.

¹⁰ DNCT, Rapports d'état d'avancement de la décentralisation 2008, 2009

The planning tools available to the LGs do not include non-climate related disaster risks such as locust plagues, epidemics, and violent conflict. Gaps exist because opportunities to mobilize financial resources to support specific local development priorities are only available through the National Adaptation Action Plans (PANA).

Public participation in the management of the LGs is starting to take place, despite an initial reluctance on the part of local elected officials. In 2013, the National Directorate for Local Authorities produced a practical guide to encourage citizen participation in local governance.

As part of the Network for Reflection and Exchange on Local Development, the international NGO SNV Niger (the Netherlands Development Organization) documented experiences and lessons learned in monitoring and evaluating the decentralization process in Niger. The 2007 document, entitled "Planning and M&E in Municipalities Focusing on Poverty Reduction," highlights the strengths and weaknesses of the existing and potential approaches to support local planning initiatives.

4.3.3 Services Provided to Citizens

LGs are responsible for management of a number of public projects, particularly in the social sector, even though much of this infrastructure does not meet required technical norms. These insufficiencies are due in large part to lack of compliance with the procedures for awarding contracts and monitoring project work. In Mali in 2011, 80% of projects completed for the communes had insufficient control and monitoring. The relationship between quality and price is less than average for around half of the projects and at least one out of seven projects is either not being used and/or is not functional¹¹.

Low human resource capacity is often cited as reasons for the poor quality of services. The actors mention the low level of formal training for a large part of the elected officials, of which more than 80% are illiterate; lack of staff and mobility of LG administration administrative personnel; the slowness in the transfer of human resources by the central government; and weakness in recognition of control where the advisory council is the responsibility of the central government. The LGs also have difficulty attracting skilled personnel because of their lack of financial resources and the difficult working conditions in rural

¹¹ SOCOTEC, Rapport de contrôle externe

areas (lack of electricity, difficulties in children's access to education post-secondary level, access to medical centres, etc.).

4.3.4 Financial Resource Mobilization

This figure remains low across all of the local governments. For example, in Mali, in 2011, the overall tax recovery rate was estimated at 40%. LGs that have advisory consultants for their project teams register a higher rate of funding mobilization. Thus, a higher rate was indeed shown by the regional local governments with the support of consultants from the government communal development decentralization division, who achieved a 73.1% rate of financial resource mobilization in 2012.

In Niger, mechanisms for distributing mining resources to local governments pose the risk of inequality between the LGs. The fees collected by the central government are given back to the LGs according to criteria including their proximity to mining sites.

4.4 MECHANISMS TO SUPPORT LOCAL AUTHORITIES

Structures created to support decentralization often face a lack of financial, logistical and human resources, which prevents them from fulfilling their role. In Mali, the National Directorate of Planning and Development (DNPD) estimates that satisfactory execution of the PDESC would require LGs to have around 1,404 planning agents; currently, there are only 245 in the country, 40 of which are based in Bamako.

The scarcity of material, technical, and logistical services often leads planning agents to ask the LGs for third party financing in order to respond to requests. The weak ownership of the decentralization effort by some of the agents often triggers conflicts that undermine their role of accompanying local governments in the decentralization process.

National funds in Mali and Burkina Faso play a major role in providing financial support to the LGs. In Niger, the National Agency for Investments in Local Authorities (ANFICT) is not yet operational. The start-up of the ANFICT was first delayed by political crises and then by a leadership conflict between the Ministry of the Interior and the Ministry of Finance regarding the naming of the General Director. The result is that the services expected from the ANFICT by the LGs are not yet available.

Even those mechanisms that are functioning face the same problem; their dependence on external financial resources limits their ability to support the LGs. According to ANICT's database (Mali) in 2008 and 2009, the cumulative subsidies allocated to the LGs increased to 50,997,048,810 FCFA, of which 44,619,712.632 FCFA (93.21%) came from external Technical and Financial Partners (PTF). Only 6.9% came from national financing. However, the PTF funds targeted for specific LGs increased from 41.9% in 2006 to 82.17% in 2008, creating inequality between the LGs¹².

According to a study conducted by the Laboratoire Citoyennetés¹³ in Mali, the part of the national budget targeted for the LGs was 0.9% of the budget allocations in 2009, 5.99% in 2010, and 9.5% in 2012. These low allocations in the national budgets for local governments is typical across the West African Economic and Monetary Union (UEMOA), where the average transferred amount of revenues transferred to LGs was 2% and 4.1% of the national expenditures LGs¹⁴. However, in English-speaking African countries, LGs receive around 30% of the national budgets.

As part of its strategy for implementing the general decentralization recommendations, Mali has agreed to "be more proactive" in directing budgetary transfers, which are currently very small. Around 30% of public funds should be managed by the LGs by 2018. This shift is predicated on strengthening local tax revenues and increasing state transfers through a budgetary allocation to the LGs based on a set percentage of the state tax receipts." 15

4.5 STEERING AND COORDINATION OF THE DECENTRALIZATION PROCESS

Each country has adopted a national decentralization policy framework or strategy document as a reference guide. However, the steering mechanisms differ from country to country.

Mali has the advantage a High Council of local governments to serve as an interlocutor between the local government authorities, the central government and other stakeholders. In Niger, the mechanisms

¹² Direction Nationale des Collectivités Territoriales (mars 2011). Étude sur le bilan et les perspectives de la décentralisation au Mali.

¹³ Diagnostic Report, June 2013

¹⁴ Bulletin n° 22 du Laboratoire des Citoyennetés

¹⁵ Ministry of Territorial Administration. 2014. Stratégie et plan d'action pour la mise en œuvre des recommandations des états généraux de la décentralisation.

for policy dialogue and coordination are not clearly defined. The lead ministry for policy coordination of the process lacks a platform for high-level policy/political intermediation. In Burkina Faso, the National Conference of Decentralization provides this platform, and there is a sectorial framework for dialogue about decentralization and security in SCADD's M&E plan. This mechanism specifically offers technical and financial partners a framework for annual policy dialogue with the government on the decentralization process.

The umbrella organization of the LGs in each country offers opportunities to their members for consultation, development of services, and participation in the national policy dialogue. Their level of activism varies, however, according to the country and the type of local governments. Municipal associations seem to be the most active.

Projects for the establishment of databases on the LGs have been initiated in Mali (OISE – IT Tools for Monitoring and Evaluation) and in Burkina Faso (BDCT – Local Government Database), but regular updates have not been assured. These databases could offer, in real time, objective information regarding the evolution of the decentralization process. However, the lack of skilled personnel to input and update the data constrains implementation.

The weak links between sectorial policies and decentralization limits the impact of a number of interventions. The so-called "community approach" is rooted in the approaches of these projects and programs without taking into account communal priorities. This situation has a direct effect on the nature of the links that are established (or not) between the decentralized services of the central government and local government officials. This approach also serves as a justification for limiting the transfer of resources to the LGs. The development of sectorial policies remains a responsibility of the State, but incorporating the concerns and authority of the local governments is crucial for implementation.

The following table shows the strengths and weaknesses of decentralization in the three countries and also reflects the specific characteristics of the overall steering of the process.

Table 2: Decentralization in the Three Countries: Strengths & Weaknesses/Opportunities & Threats

STRENGTHS

COMMON TO THE THREE COUNTRIES:

- Existence of a legal framework (General Code of Local Government and regulations concerning implementation)
- Creation of specific Ministry-level decentralization departments
- Effective implementation of the LGs (2 mandates, at least) and of associations of local governments (umbrella organizations)
- Election of democratically elected bodies to head the LGs
- Existence of policy and/or national decentralization strategy documents and capacity building of the actors
- Tools and instruments for local planning and management validated at the national level
- Integration of challenges related to climate change in the local planning guides
- National strategies for the prevention and management of disaster risks and national platforms in the process of being reactivated

Mali and Burkina Faso: Operational instruments for national funding of LGs

Mali:

- · High Council of Local Governments
- Territorial Public Function established
- A practical guide on public restitution/management of the LGs
- Reso-Climat Mali (103 NGOs) active in advocacy and policy dialogue on issues regarding climate and sustainable development (the environmental pact with the government)

Burkina Faso: A national steering and dialogue body among the decentralization stakeholders (CONAD)

WEAKNESSES

COMMON TO THE THREE COUNTRIES:

- Slow transfer of authority and resources from the central government to the LGs
- Weak capacity of the LGs in local governance (tools in French, human resources numbers/quality at the LGs level, jobs do not attract the qualified personnel needed, other insufficiencies)
- · Low citizen participation in local governance
- · Low mobilization of their own funds by the LGs
- Low advisory support from the central government to the LGs
- Very little engagement from the regions to stimulate regional economic development
- Poor articulation of the decentralization and the sectorial policies
- Poor quality of public infrastructure investments realized (17% non-functioning in Mali)
- Non-climate related disaster risks not appropriately addressed in local planning guides
- · Difficulties involving women in the LG structures

Mali: Weakening of the decentralization political leadership

Niger:

- Services of the national instrument for funding the LGs (ANFICT) are not yet available to the subnational governments
- Transfer of specific authorities not yet in effect
- Poor consultation between the central government and the PTF in the decentralization sector
- Absence of a true administrative independence of the LGs

OPPORTUNITIES

COMMON TO THE THREE COUNTRIES:

- Regional and international context are favourable to the development of the process (WAEMU Communal Directives)
- Interest of technical and financial partners to support public management reform
- Existence of regional and sub-regional networks for the promotion of decentralization and local governance
- Support from ECOWAS/WAEMU for strengthening national platforms on DRR
- · National Adaptation Plans being developed

Mali: National consensus on the need for consolidating decentralization and the role of the LGs in the prevention of crises to strengthen peace and security

Niger: Possibility of a public-private partnership granted to the LGs in the framework of the public-private partnership.

THREATS

Common to the three countries:

- Instability political and institutional
- Growing disparities between the LGs due to the thematic and geographic priorities of the technical and financial partners and the low rate of the national budget executed by LGs
- Development issues held hostage by conflicts among the political parties within the deliberating organs
- · Unclear boundaries of the LGs
- · Youth unemployment

Mali: Precarious security in the Gao Region; social discrimination between ethnic groups

Burkina Faso: Succession conflicts in the Traditional Chiefdoms

Niger:

Risks of inequalities due to mineral resources and the fees they generate; that are then returned to the subnational governments based on criteria linked to proximity to the sites mined/exploited

4.6 ANALYSIS OF LAND AND NATURAL RESOURCE MANAGEMENT

4.6.1 Burkina Faso

In 2007, Burkina Faso adopted a national policy on land tenure (PNSFR). The general objectives of the PNSFR are to i) promote investment in the rural sector; ii) take into account the needs and concerns of vulnerable groups; iii) promote the sustainable management of natural resources and preserve the right of access of future generations to these resources; iv) respect social justice, equality and peace; and v) promote good land management at the national and local level.

This policy dictates the overall process for the rural landholder to carry out productive activities. It also outlines measures that protect landholder rights to the use of their land.

Before the adoption of Law No. 034 on rural land tenure (2009), large areas of undeveloped rural land were poorly organized and under-addressed in land legislation. The 2009 law clearly defines State property boundaries as well as the delimitations of land zoned for agricultural production. The law also outlines the principles of

land security for rural landholders. The law applies to rural lands, understood as any territory located within the administrative boundaries of rural communes, that are designated for agricultural and conservation activities. Also subject to this law are village lands attached to urban communes.

Rural lands include i) State-owned rural land, ii) rural land managed by the LGs, and iii) inherited rural lands of individual owners.

The institution of local land charters is one of the major innovations of this law. These charters consist of local land accords that, while inspired by traditional land use, are developed at the local level and whose design considers the ecological, economic, and socio-cultural diversity of rural land use.

Despite the adoption of this rural land law, the legislation has not yet been put into effect. This delay is due to a lack of skilled personnel that would make land services operational at the LG level.

4.6.2 Mali

In Mali, natural resource management policies cover the decentralized and participatory management of renewable natural resources, capacity building, the promotion of agricultural production systems, and environmentally sound mining practices.

Law No. 01-004, the Pastoral Charter, recognizes the fundamental rights of pastoralists to access pasture for their livestock. It also outlines guidelines to be followed during pastoral activities. These guidelines are intended to encourage environmental conservation and respect for the property of others. This law assigns the LGs, in collaboration with partner organizations, the responsibility of managing community pastures (*bourgoutières*), pastoral corridors, and paths within their jurisdictions. They are also charged with developing local regulations for the rational and peaceful use of pastoral resources.

The pastoral lands that belong to the central state and the LGs consist of grassy pastures and open spaces, natural pastures (community bourgoutières), water points, and stopover accommodations.

The LGs regulate the access of livestock to post-harvest crop residues. They also ensure unhindered access to public water sources (streams, rivers, ponds, and lakes) used for watering animals and as such prohibit any taxes or fees for their use.

Land remains a central political concern for farmers as is indicated in this extract from an advocacy statement made by a farmer organization in 2004:

The social movement carried out by the Malian Farmer Movement as a whole, and in particular by the Association of Professional Farmers (AOPP), is that of modern family agriculture, which constitutes the basis of social and economic development in the rural area and of Malian society as a whole. This effort is, it seems, all the more pertinent and legitimate in our country given that family farming employs more than 70% of the active labour force, which is not likely to be absorbed by the fragile industrial and services sectors that are mostly concentrated in the capital. In order for this project to be successful, the determining factor will be political willingness of our elected officials and the efforts of our government. The rural world and family farmers need policies, legislation, and appropriate services to remove the blockages and strengthen the positive dynamics of modernization and development. Currently, one of the thorniest problems for the development of family farming, and also for maintaining peace in the rural and periurban zones is that of rural land tenure.

4.6.3 Niger

The evolution of Niger's land management policy reflects the efforts of both Mali and Burkina Faso in their search for mechanisms that promote sustainable land and natural resource management.

In Niger, with the 1993 adoption of the POCR, the race for property ownership took off in all areas including pastoral and agricultural zones. Over the past two decades, the use of documentation to prove land ownership has increased. Before the law's adoption and the popularization of the use of documentation, the rural population relied on village chiefs to provide proof of land ownership. This was the norm in spite of the sometimes-arbitrary decisions taken at that level. It must be noted that this practice continues. One consequence is the persistence of land insecurity for Niger's most vulnerable groups.

In pastoral zones, land exploitation is traditionally based on the principle of right of access to all pastures. In spite of being challenged at times by local regulations pertaining to wells on private property, this "Golden Rule" unifies pastoral land by creating corridors between livestock grazing areas. This right of access is the basis for the survival of herders and their livestock.

In agricultural zones, land exploitation is based on the principle that landholders are only usufructuaries of the land allocated to them and that custodial rights are lost after a certain period if the land is not put to productive use. In practice, continued land use has conferred "de facto" land rights on the usufructuary. In areas with high land availability, gaining land access is relatively easy. Land grants are usually made by the village chief. Land granted in this manner can subsequently be transferred to benefactors through inheritance.

In rural areas, although access to land is generally gained through inheritance, one can also access land given as a gift or by loan. When land is loaned, landowners agree to share irrigable parcels with members of their family or with the village in exchange for a percentage of the harvest. This form of payment allows the lessee to continue working the land the following season. This long-standing practice is particularly developed in the area of Tillaberi where land belongs, for the most part, to a small group of families or Canton Chiefs. It must be noted that there are some farmers who are not landowners but have been working the same land parcels, in some cases, for decades. The rights of these and other land users who are not landowners are precarious in that the terrain in question may be reclaimed at any moment. In addition to threatening the sustainability of the lessee's efforts, insecure land tenure adversely affects the motivation of anyone seeking to invest resources in a farming or livestock venture.

It must also be noted that two other modes of land transfer are becoming more popular: rental and sale. The sale of land is becoming more widespread with the monetization of Niger's economy. By supporting the establishment of a Rural Code, the State has promoted a collaborative environment for the management of natural resources while improving land security for farmers. It is in this context that the Land Commissions (COFO), local institutions for rural land management, were created. Their mission is threefold: to promote land security, to improve the management of natural resources, and to provide the services mentioned in the Rural Code.

Today rural land management in Niger is structured as follows:

- More than 5,000 villages out of 15,000 have local COFOs;
- More than three-fourths of the 266 urban and rural communes have communal COFOs;
- The country's original 36 departments each have a Departmental COFO;
- Each of the eight regions in the country have a Permanent Regional Rural Code Secretariat; and
- At the national level, activities of the regional and local bodies are coordinated by the Permanent National Rural Code Secretariat, which operates under the authority of the National Rural Code Committee.

The COFO is vital for implementing land reform. It is a joint commission comprised of State representatives, elected local officials, traditional leaders, and individuals representing rural producers. The COFO is considered the authoritative body on land issues and as such makes decisions that take into account the context of each community. The decision-making process brings together the key stakeholders in rural land management at the local level. The COFOs are authorized to act on all land categories and on all the natural resources therein.

It is important to note the roles of the central state and of the LGs when it comes to resolving land issues. The central government provides technical services within the COFO. Above all, the mayor presides over the COFO at the commune level, and the prefect presides over the COFO at the departmental level.

The COFO is an autonomous local government institution. As such, its decisions are subject to hierarchal administrative appeal and are reviewed by the prefect. Perceived abuses of power are also subject to appeal before the corresponding administrative power.

Preventing conflicts is one of the COFO's missions. The following points show how the COFO achieves this:

- Raise public awareness by disseminating information on the Rural Code;
- Work with the Commune/Departmental Land Tenure Commissions to implement acts proscribed by the local land tenure commissions;

- · Maintain land records;
- Lead the land tenure security process (identification, delimitation, production and registration of rural land files) and manage shared resources (land corridors, grazing lands, forests, watering points, animal resting places, etc.);
- Implement priority land use rights for land attached to pastures;
- · Lead the date-setting process for closing and opening fields; and
- Contribute to the development of a Regional Land Development Plan.

COFOs have successfully reduced conflict in areas with land-related tensions. They have also contributed to improving equal land rights and secured the access of rural populations to natural resources. However, although they are now well-established across the country, the performance of the COFOs is often limited by organizational and operational weakness. In some cases, traditional land management practices persist despite the more modern rural code of 1993. Indeed traditional leadership and practices that still hold an important place in rural life and land management could weaken the effectiveness of this new system. While traditional authority is barely felt on the ground, the existence of two parallel systems could undermine the effectiveness of the new rural code. The system of local land management has been consensual. This allows the COFO to consider the concerns of all stakeholders during the decision making process. However, the COFO seems to be powerless in the case of attributing land where private foreign investments are concerned. According to the law, the COFO should give its input during all steps involving rural land concessions that could lead to the acquisition of property rights. But in practice, the COFO is only "informed" or "instructed" when the time comes to review requests made by prominent business people, politicians, or foreign investors. Unfortunately, the latter often ask for portions of rural land that lie in pastoral zones.

4.7 CONFLICT ANALYSIS

Many different types of conflict occur in rural areas, but they are often linked to land access, use, ownership and management. Specifically, conflicts most often between farmers and herders, farmers and farmers, herders and herders, herders and fishermen, and fishermen and fishermen.

Farmer-Herder conflicts are due to damage to fields, farming on pastoral spaces (land corridors for livestock, pastoral enclaves near watering points) and poor management of temporarily-occupied land (contract de fumure).

Farmer-Farmer conflicts are due to a disregard for legal restrictions, disputes over land ownership, land transactions with no supporting documentation, land boundary issues, and disputes over inheritance.

Herder-Herder conflicts are linked, among other issues, to access to water points (boreholes, wells, ponds, etc.), non-compliance with water towers, sinking of private wells, poor application of Priority Rights Use on home-range lands, introduction of sick animals in a pastoral zone, and dominance of sedentary herders vis-à-vis the pastoralist herders on their home-range lands.

Herder-Fishermen conflicts result from the contamination of watering points, the impact of fishing equipment and fishing by-products (hooks, chemical products and blood) on livestock health, and the destruction of fishing equipment by livestock.

Fisherman-Fisherman conflicts generally stem from the use of non-conventional fishing tools and methods (nets, lights, chemical products, etc.), disregard for fishing area boundaries, and a lack of respect for local rituals.

These two last types of conflict are seen quite frequently within communes in the river area near Tillabéri, Sakoira, Kourthèye, and Dessa.

According to the law in Niger, traditional leaders should first mediate rural land conflicts. It is only in cases when their efforts fail that one may seek recourse to the justice system. With decentralization underway, new types of conflicts are arising. For example, disputes over commune borders are becoming more frequent. This results from communes controlling more villages than just those that are contiguous. As a result, some citizens lay claim to agricultural spaces outside of their communes. One case involves individuals from the rural commune of Anzourou, located northwest of Sakoira, which claims ownership of 47 fields in Sakoira. Another case involves an individual from the rural commune of Tondikwindi (Department of Ouallam), located northeast of Sakoira, who claims ownership over three fields in Sakoira. Disputes between individual citizens and commune authorities regarding public spaces are also frequent. For

example, one case involves a dispute between one person and the rural commune of Sakoira. The dispute is over a market garden, which has grown over onto a public pathway; regional courts in Tillabéri are currently evaluating this case.

In Burkina Faso, access to and management of land and natural resources is the leading cause of conflict. Article No. 94 of the law on rural land stipulates that the State should take any measures necessary to reduce incidents of land conflict. This law gives the central government and the LGs the responsibility of increasing the involvement of traditional local leaders and civil society in preventing land conflicts. As in Niger, the law in Burkina Faso stipulates that mediation should occur before legal recourse is taken. The local authoritative body charged with all land-related disputes oversees mediation. Local land charters outline the procedures for advancing a complaint in the mediation process. The local land commission is given 45 days to help the disputing parties come to an agreement via mediation. This deadline can only be extended once. While waiting for the village land tenure commissions, it is not clear what the roles of the different actors, namely the mayors, village development committees and prefects, will be throughout the process of settling land disputes.

5 ANALYSIS OF TOOLS AND MECHANISMS TO SUPPORT LOCAL GOVERNANCE

5.1 ANALYSIS OF EXISTING TOOLS TO EVALUATE CAPACITY AND PERFORMANCE OF LOCAL GOVERNANCE SYSTEMS

Several tools for evaluating the performance of the LGs are already in use in the three countries. Self-assessment tools have been introduced but are not used widely, mainly because of a lack of interest on the part of the LGs' leadership. In 2013, the Nigerien General Directorate on Decentralization and Devolution published a guide for conducting self-assessment of commune performance. This guide targets 7 areas for measuring performance: internal commune organization; administrative and financial management; mobilization of financial resources; planning and programming; realization of public services; gender; and climate change.

In Mali, in 2004, a guide for self-assessment was published that focused on 5 areas of performance i) internal organization, ii) administrative and financial management, iii) resource mobilization, iv) planning and programming of local development, and v) realization of public services and products by the LGs. Specific indicators are defined for each area. Four levels of evaluation are given for assessing the 4 groups targeted to take part in the assessment i) local elected officials (mayors and municipal councils); ii) community-level civil servants (SG, administrators); iii) the targeted populations (women, youth, elderly); iv) civil society; and v) representatives from the oversight bodies.

Inspired by this tool, in 2013 Burkina Faso decided to create its own self-assessment guide for the LGs that could both assess LG performance as well as the provision of public services. The self-assessment tool focused on 4 areas i) structural organization and functioning; ii) administrative and financial management; iii) planning, information, participation, and gender integration; and iv) mobilization of financial resources. Sub-domains and criteria for verification allowed for evaluations to occur on a scale of 0-3.

In 2013, Care International Niger also published a guidebook that capitalized on experiences from its program on equal distribution of

natural resources and CSO capacity building. It then organized an inter-community competition on good governance among the Commune Councils, NGOs, and projects where the guidebook was used as the basis for self-assessment. The guide allowed elected local officials to focus on good governance.

Communes reached consensus on the following criteria:

- Application of laws and regulations by the commune authorities;
- Involvement of stakeholders in local development activities;
- Availability of information and assistance for citizens at municipal council meetings;
- Increased capacity of communes for developing, implementing and monitoring their projects and programs;
- Inter-communality;
- · Deliberation during meetings and taking regular minutes therein;
- Local authorities taking suggestions and concerns of the people into account and a willingness to conduct a critical examination of the role of the commune; and
- Equal access to basic social services for society's most disadvantaged groups.

Multi-disciplinary teams made up of project beneficiaries, technical personnel, and resource persons collected data. A jury was charged with rating the communes based on the information received. A special "Good Governance Night" was organized where winners were announced and given prizes. The prizes were to be used for financing small socio-economic infrastructure projects developed and submitted by the winning communes.

5.2 RECOMMENDATIONS FOR DEVELOPMENT OF A TOOL INCORPORATING DRR/CCA TO EVALUATE LOCAL GOVERNANCE

The examination of different tools used to evaluate local governance leads us to recommend that the self-assessment guide used in Burkina Faso (inspired by the one done in Mali) be adapted to evaluate local governance systems that incorporate DRR. This will offer an advantage in that it will serve as a model familiar to populations in Burkina Faso and Mali where the GIZ contributed to its development

and implementation. The option for self-assessment would also contribute to collective and institutional learning with regard to the DRR and the CCA at the LGs' level.

One challenge is that local leaders have to be convinced of the benefits of the self-assessment process. Another challenge is the additional costs that self-assessment will incur for the LGs. It would be useful to make self-assessments a sort of contract between participating communes and the SUR1M project. This would strengthen their commitment to implement changes required to address any problems encountered.

The tools to be adapted concern the performance of the LGs and their provision of public services. The LGs should integrate planning, responses, and activities related to DRR/CCA into their commune development planning process.

For the LGs' performance self-assessment, the following areas (along with integration of sub-domains and criteria for verification) should be addressed: planning, information, gender, and mobilization of financial resources.

The self-assessment of public services should be based on criteria that assess the level of user satisfaction. This process will take projects implemented within the communes into account.

5.3 ANALYSIS OF MECHANISMS FOR MANAGING SMALL GRANTS

In Burkina Faso, there are two types of FPDCT funds:

- General funds are fungible resources with no specific earmarking.
 They are distributed to the LGs based on a composite index that accounts for population size and level of poverty.
- Specific funds are allocated to the LGs based on geography and sector.

Bonuses and penalties are used to encourage good management of funds received. For the granting of earmarked funds, an agreement is signed by the Ministry sector of the FPDCT to formalize their handover.

In Mali, the National Agency for Local Government Investment Fund (ANICT) manages the National Fund for Support to Local Governments (FNACT). This fund is comprised of the following five grant types:

- · Local Government Investment Grant (DIN),
- · Technical Support Grant (DAT),
- Support for Local Government Functioning Grant (DAFCT),
- · Inter-Governmental; Grant (DIC), and
- · Local Government Loan Guarantee Grant

In Niger, the funds that will be dedicated to the LGs are not yet operational.

In Burkina Faso and in Mali, the projects use dedicated LG funds to implement activities. The cumbersome procedures for mobilizing resources allocated to the LGs are more noticeable in Burkina Faso than in Mali.

Specific accounts can be opened by the LGs to implement program activities with prior approval from the Ministry of Finance.

For capacity-building activities, project teams gather skills that are transferred to the LGs. Financial resources can be made available to these teams to offset logistical costs incurred during the capacity-building process.

6 RECOMMENDATIONS

6.1 EVALUATION OF THE RELEVANCE OF STRATEGIES AND ACTIONS PROPOSED FOR STRENGTHENING GOVERNANCE

Our research on local governance confirms the need to strengthen local government capacity to build community resilience and address issues related to DRR/CAA. While there are programs that address the DRR/CAA in target zones, there are currently no initiatives that address the specific task of including DRR issues into local development plans. The planning guides that do integrate DRR issues are new and have not yet been put to use.

The SUR1M Project could have a significant added value in supporting target communities in the revision/adjustment and the implementation of local development plans that include DRR and CCA.

The SUR1M Project should identify CSOs whose task would be to raise awareness about DRR and CCA issues. These CSOs would empower community members and encourage them to participate in the LGs' implementation and monitoring of DRR/CAA initiatives.

It would also be useful to produce tools for implementing local development plans that capitalize on experiences and lessons learned. These tools should be used at the local through national levels in all three countries.

6.2 STRATEGIES TO STRENGTHEN CITIZEN PARTICIPATION

All three SUR1M target countries in the SUR1M have made efforts to foster increased citizen participation in local governance. In Mali, these efforts resulted in the development of a guide for Public Accountability on Local Authority Management. This tool includes instructions on how to prepare meetings and develop action plans to implement recommendations. The leaders of the LGs who took part in these exercises found they helped improve relations between the LG executive committees and their communities. The guide developed in Mali could serve as a model to be emulated in other countries.

The Laboratoire Citoyennetés also could be a strategic partner for strengthening citizen participation. In fact, this organization has already implemented a sub-regional project entitled, "Action Publique et Citoyennetés" (Public Action & Citizenship) in the SUR1M intervention zone.

Reso-Climat Mali is a network of CSOs composed of 103 NGOs, NGO networks, associations, and actors from the private sector that are intervening in climate change and sustainable development. It was created in July 2008. The network launched an initiative entitled "Pacte Environmental" (Environmental Pact), which calls for a commitment between Malian citizens and presidential candidates. Through this pact, CSOs are committed to working with the President of Mali as a means of supporting executive-branch initiatives to address climate change and to promote sustainable development initiatives.

This experience could be replicated in local elections where addressing resilience capacities is paramount. SUR1M could support a CSO-led initiative that would call on locally elected candidates to make resilience a priority throughout their terms in office. This would mobilize citizens to take ownership of the issue and encourage them to participate in relevant local government initiatives.

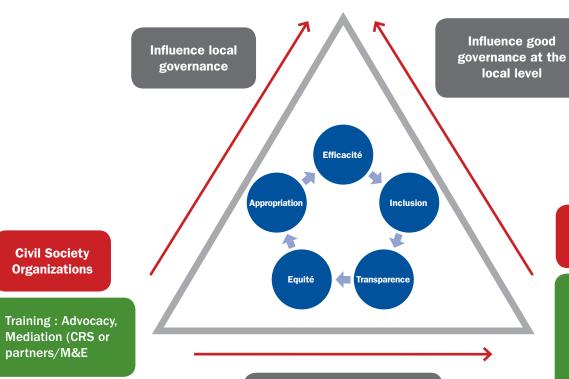
The SUR1M Project aims to strengthen the capacity for governance during project design phases and subsequent project implementation. The potential effects on governance of each proposed initiative should be identified. Those that offer the best opportunities for strengthening governance within participant community-based organizations or at the LG level should be implemented.

The main participants/interlocutors of the SUR1M Project are i) local bodies of elected officials and commune agents whose role is to plan, mobilize resources and foster conditions for citizen participation; ii) community-based organizations that can attest to the resources' use towards the delivery of public services by the communes; and iii) CSOs whose role is to articulate the preferences of the communities with regard to local development. The following diagram shows where the project should prioritize the allocation of inputs.

LOCAL GOVERNANCE ACTION POINTS

- Review of the Municipal **Development Plans (MDPs)**
- · Resource Mobilization Training
- Annual Budget (MDPs);
- Advocacy and Mediation Training

Municipal Councils ipaux



Civil Society Organizations

Mediation (CRS or

partners/M&E

Citizens articulate their vision and priorities as part of Communal Planning and Management

Community-Based Organizations

- Training: Citizen Rights, Role and Responsibilities (CBOs) and
- Advocacy and Mediation

6.3 CRITERIA AND MECHANISMS TO EVALUATE SMALL GRANT MANAGEMENT

Grant funding should be available to communes according to the following criteria:

- The proposed initiative must contribute to one or more of the five expected project outcomes to be eligible for grant funding. These objectives are: diversifying livelihoods and preventing malnutrition, improving natural resource management, institutionalizing DRR/CCA, increasing the participation of women in decision-making processes, and strengthening collective learning and decision-making based on information collected at the local level.
- The relevant Municipal Council must have decided to conduct a self-assessment that evaluates the performance of the LGs.
- The communes must have conducted one self-assessment evaluation during the current term.
- The commune must have approval from the Ministry of Finance to open a bank account.

The projects to be supported in the framework of the SUR1M Project should adhere to the following non-exhaustive criteria:

- Have a communal approach where project activities benefit the entire communal territory and not just a single village,
- Offer a strategy for capacity building among community stakeholders that places special emphasis on gender,
- Bring together multiple institutional stakeholders and actors (NGOs, the central state, LG, other partners, etc.),
- Provide guidelines for clarifying land issues. If these issues have been addressed prior to developing the project, those proposing the project should provide written evidence of any related process,
- Include a post-project investment strategy that would support the continuation of services implemented during the project,
- Assure a cash or in-kind contribution equal to at least 5% of the total financed amount, and
- If aid has been solicited from other partners of the LG, provide details of any financial assistance provided.

Two levels of funding should be offered:

- A maximum of \$10,000 USD with relatively simple application procedures so that funds can be easily accessed by communes that have only received State funding in the past and have no prior experience managing grants from outside donors and
- A maximum of \$35,000 USD with more elaborate criteria and application procedures for communes that have experience managing financial resources received from both the State and external partners.

The Communes receiving grants up to \$10,000 USD would only be eligible to apply for the larger grants after having appropriately implemented the first grant.

We further recommend the provision of training that will help beneficiaries build their capacity to procure additional resources from national or external sources. In Burkina Faso, the National Fund for Environmental Investment, currently in its pilot phase, is an example of one such activity.

In Mali, support for Communes could be linked to, among other things, the National Climate Fund. The contribution of SUR1M will allow the LG to access funds (national and international) allocated to areas that match their needs.

The SUR1M Project would integrate key criteria into planning and budgeting at the local level. These include catastrophe and DRR; livelihood diversification; gender integration, and participatory monitoring. This will also require assisting the LG in assessing the vulnerability of their territory and in identifying a list of investment priorities.

The initiative would provide a practical method for verifying and evaluating expenditures in DRR and CCA at the local level. It will also allow the LG at the local and central levels to be accountable for efforts to reduce vulnerability to natural disasters and to strengthen resilience to climate change.

ANNEXES

- 1. Overview of Local Governance in the Three Countries: Burkina Faso, Mali, Niger
- 2. Organization and Operation of the Local Authorities (Collectivités Territoriales)
- 3. Persons Contacted
- 4. Documents Consulted

ANNEX 1: OVERVIEW OF LOCAL GOVERNANCE IN THE THREE COUNTRIES

INDICATORS	BURKINA FASO	MALI	NIGER
Land	274,200 km ²	1,241,238 km ²	1,267,000 km ²
	14,017,262 (2006)		
Population		14,528,662 (2009)	17,000,000 (2012)
Regional governments	13	8+ the district of Bamako	7+ Niamey
Circle governments Urban communes	49 (two of which have a special status)	37	41 (4 of which have special status: Mirada, Niamey, Tahoua & Zinder)
Rural communes	302	666	214
Local Authority Established	2006	1999	2004
Number of local elections since decentralization was introduced	2	3	2 for Local Municipal Councils/1 for Regional Councils
Number of elected local officials currently in office (this term)	18,584	10,774	
Percentage of elected officials	21%	8.6%	
Categories/areas projected for authority transfer	11	Unknown	16
Technical areas projected for authority transfer	4 (Basic Education; Literacy; Water and Sanitation; Health, Culture, Youth, Sports & Recreation)	3 (Health, Education, Hydraulics)	None for specific authorities
Percentage of national budget destined for LGs	4%	9.5% in 2012* and 9.9% in 2014	
Supervisory ministry for LGs	Ministry of Territorial Development and Decentralization	Ministry of Decentralization and Urban Areas	The Ministry of Interior, Public Security, Decentralization, and Religious Affairs
Umbrella structures for the LGs	The Regional Association of Burkina Faso/Municipalities Association of Burkina Faso	Regional Association of Mali (ARM)/Association of Communities Circles of Mali (AMM); Municipalities Association of Mali (AMM)	Regional Association of Niger (ARNI) Municipalities Association of Niger (AMN)
National structure representing the LGs	-	High Council of Local Authority	
National body for guiding and coordinating decentralization	National Decentralization Council (presided over by the Prime Minister)	Ministry in charge of decentralization (under the authority of the Prime Minister)	Inter-ministerial Consultation Framework (presided over by the Prime Minister)
National instrument for funding LGs	Permanent Fund for Regional Community Development (FPDCT)	National Funds for Support local governments administered by the National Agency of Local Authority Investment (ANICT)	National Agency for Financing Local Authority (ANFICT)
Policy framework for decentralization	Strategy Framework for Implementing Decentralization (implemented 2007)	National Decentralization Policy Framework (2005- 2014)	National Framework Policy for Decentralization (2012)

^{*} Ministry for Territorial Administration. 2014. Stratégie et plan d'action pour la mise en œuvre des recommandations des états généraux de la décentralisation.

ANNEX 2: ORGANIZATION AND OPERATION OF THE LOCAL GOVERNMENTS IN THE THREE COUNTRIES

DESCRIPTION	COMMUNES		COLLECTIVITIES CIRCLES	REGIONS			
	Burkina Faso	Mali	Niger	Mali	Burkina Faso	Mali	Niger
Number	351	703	255	49	13	8 + Bamako	7
Composition	Sectors Villages	Villages, Quarters Fractions		Communes	Communes	Circles	Communes
Supervision	High Commission	Prefect	Communes special status: Governor, Others: Prefect	Governor	Governor	Ministry of Decentralization and Urban Areas	Governor
Deliberating Organs	Municipal Council	Communal Council	Municipal Council	Circle Council	Regional Council	Regional Council	Regional Council
Frequency of Ordinary Sessions		Quarterly	Quarterly	Quarterly	Quarterly	Quarterly	Quarterly
Length of Ordinary Sessions	5 days	5 days 2 day extension	4 days	5 days 2 day extension	5 days	5 days 2 day extension	4 days
Executive Organs	Mayor + adjoints	Mayor + adjoints	Mayor + adjoints	President of the Circles Council + Vice-Presidents	Council President + Vice- Presidents	Council President +Vice- Presidents	Council President +Vice- Presidents

ANNEX 3: PERSONS CONTACTED

Burkina Faso

NAME	ORGANIZATION	TITLE/FUNCTION	CONTACTS
Koudrègma Zongo	Millennium Challenge Account – Burkina Faso	Chef de Projet Sécurisation Foncière	Office Tel.: (226) 50.49.22.19/24 Cel.: (226) 75.79.04.11 Email: zongokoud@yahoo.fr
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Boniface Coulibaly	Ministère de l'Aménagement du Territoire et de la Décentralisation	Conseiller technique	Cel.: +226.70.238435 bonifacecoulibaly62@yahoo.fr
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Kisito L. Nabié	Ministère de l'Environnement et du Développement durable	Directeur des forêts	Cel.: +226.70.73.06.28

NAME	ORGANIZATION	TITLE/FUNCTION	CONTACTS
Pema Bama	Ministère de l'Environnement et du Développement durable	Point focal transfert de compétences en GRN	Cel.: +226.78.34.75.17
Jean Marie Ouattara	Ministère de l'Économie et des Finances	Directeur général de l'aménagement du territoire et du développement local	Cel.: +226.70.23.45.69
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Bokoum Mahamadou	Commune de Dori	2ème Adjoint au maire	
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Bokoum Mahamadou	Direction régionale de l'économie et de la planification	Directeur régional	Cel.: +226.70.43.45.01
Dicko Hamidou	Commune de Titabé	Maire	Cel.: +226.76.79.12.39
Ouedraogo Abdramane	Commune de Gorum-Gorum	Secrétaire général	Cel.: +226.70.24.77.19
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Sore Idrissa	Programme d'appui aux collectivités territoriales	Coordinateur	Sore_i@yahoo.com

ANNEX 4: LIST OF DOCUMENTS CONSULTED

AUTHOR	DATE	TITLE
	BUR	KINA FASO
Amidou Garane	March 2009	Rapport de l'atelier de réflexion sur la gouvernance des ressources forestières: enjeux, défis et perspectives
Andrey Young School of Policy Studies (Georgia State University)	December 2008	Decentralization in Burkina Faso: A Policy Reform Process in Slow Motion
Assemblée nationale	April 2005	Code général des collectivités territoriales
Assemblée nationale	July 2012	Loi N°034-2012/AN Portant Réorganisation Agraire et Foncière au Burkina Faso (RAF)
Asseto Yameogo & Dieudonné Yidourega Bationon	November 2013	Rapport de l'atelier de mutualisation sur l'expérience du suivi des effets des activités du programme: Appui à la Gestion des Collectivités Territoriales (AGCT) dans les régions de l'Est, du Nord et du Centre-Ouest
Association des Municipalités du Burkina Faso (AMBF)	2011	Mise en œuvre des compétences transférées aux collectivités territoriales: États des Lieux et perspectives (communication)
Cellule d'appui à la gestion des collectivités territoriales	MaiMay 2009	Rapport de l'atelier technique sur l'harmonisation des points de vue sur le processus de suivi des effets de volet appui à l'économie locale
Cellule de coordination de l'étude des schémas d'aménagement du territoire	December 2009	Étude du schéma national d'aménagement du territoire du Burkina Faso (Rapports 2, 3 et 5)
Centre pour la gouvernance démocratique au Burkina Faso	2009	La gouvernance locale au Burkina Faso : Perspectives globales des Burkinabès et expérience concrète dans la commune urbaine de Pô
Commission Européenne Pour la Démocratie par le Droit (Commission de Venise)	April 2011	Bilan sur les notions de « bonne gouvernance » et de « bonne administration »
Commune rurale de Bani	May 2013	Plan communal de développement (2014-2018) de Bani
Commune rurale de Seytenga	May 2013	Plan communal de développement (2014-2018) de Seytenga
Commune rurale de Titabe	May 2013	Plan communal de développement (2014-2018) de Titabe
Commune rurale de Falagountou	May 2013	Plan communal de développement (2014-2018) de Falagountou
Commune rurale deSampelga	May 2013	Plan communal de développement (2014-2018) de Sampelga
Commune rurale de Tankougounadié	May 2013	Plan communal de développement (2014-2018) de Tankougounadié
Ministère de l'Administration territoriale et de la Décentralisation	2009	Communalisation intégrale au Burkina Faso: Situation des collectivités territoriales en 2009
Ministère de l'Économie et des Finances	March 2014	Stratégie de croissance améliorée et de développement durable : Rapport de performance de l'année 2013

AUTHOR	DATE	TITLE
	BUR	KINA FASO
Ministère de l'Administration territoriale et de la Décentralisation	March 2010	État des lieux de la décentralisation au Burkina Faso (2006-2010)
Ministère de l'Aménagement du territoire et de la Décentralisation	October 2013	Bilan du mandat 2006-2012 des collectivités territoriales dans les régions de l'est et du sud-ouest du Burkina Faso
Ministère de l'Aménagement du territoire et de la Décentralisation	April 2013	Étude diagnostique sur l'exercice de la maîtrise d'ouvrage publique locale par les collectivités territoriales au Burkina Faso
Ministère de l'Administration territoriale, de la Décentralisation et de la Sécurité	November 2011	Stratégie nationale de renforcement des capacités des acteurs de la décentralisation au Burkina Faso
Ministère de l'Administration territoriale, de la Décentralisation et de la Sécurité	2007	Cadre stratégique de mise en œuvre de la décentralisation
Ministère de l'Administration territoriale, de la Décentralisation et de la Sécurité	November 2011	Manuel et guide d'auto-évaluation des collectivités territoriales au Burkina Faso
Ministère de l'Aménagement du territoire et de la Décentralisation	December 2013	Guide d'auto-évaluation des collectivités territoriales au Burkina Faso
Ministère de l'Administration territoriale, de la Décentralisation et de la Sécurité	November 2012	Livre blanc des pratiques en matière de délibérations communales (dans le cas du Réseau des Communes de l'Est et du Sud-Ouest-RCESO)
Ministère de l'Économie et des Finances	June 2013	Guide méthodologique de planification locale: Comment élaborer et mettre en œuvre un plan communal de développement
Ministère de l'Environnement et du Développement durable	June 2012	Propositions pour la mise en place d'un mécanisme institutionnel d'appui à la décentralisation dans le secteur forestier
Ministère de l'Environnement et du Développement durable	November 2011	Les bonnes pratiques de gestion durable des terres au Burkina Faso
Ministry of Environment Sustainable Development	June 2011	Catalogue of Good Practices in Adapting to Climate Risks in Burkina Faso
Organisation Internationale de la Francophonie (OIF)	2010	La gouvernance du développement durable dans la Francophonie
Organisation Internationale de la Francophonie (OIF)	March 2014	Rapport de la rencontre d'experts sur la capitalisation des outils d'accompagnement en développement durable de la Francophonie
Réseau décentralisation Burkina	March 2008	États des lieux de la décentralisation et gestion des ressources au Burkina Faso
Séminaire régional pour les parlements francophones africains	June 2013	Parlements sensibles au genre
Union International pour la Conservation de la Nature (UICN)	February 2013	Rapport de l'atelier régional « Construire un partenariat fort pour développer ensemble les solutions d'adaptation au changement climatique en Afrique de l'Ouest »
United States Agency for International Development	January 2010	Livelihood Zoning and Profiling Report: Burkina Faso

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		MALI
Forum des collectivités locales pour la gestion de la crise au Mali	November 2012	Une décentralisation immédiate et intégrale pour la sortie de crise Document de synthèse
PACT	February 2014	Rapport de synthèse: Mise en œuvre du « débat communal » dans les 5 communes pilotes au titre de l'année 2013
DGPC	August 2013	Plan national multi risques de préparation et de réponses aux catastrophes
République du Mali	June 2013	Stratégie nationale pour la réduction des risques de catastrophe au Mali
République du Mali	August 2013	Politique de Développement Agricole du Mali (PDA)
Agence Française de Développement (AFD)	October 2008	Capitalisation sur la décentralisation et le développement communal au Mali pour la période 2000-2006
Agence Française de Développement (AFD)	February 2012	Rapport de la mission du Mali de l'étude diagnostique de la filière bois énergie en Afrique de l'Ouest (Burkina Faso, Mali, Niger)
Assemblée Nationale	December 2007	Loi N°07-072 PU 25 DEC 2007 Relative au Fonds national d'appui aux collectivités territoriales
Assemblée Nationale	September 1996	Loi N°96-050/ Portant Principes de constitution et de gestion du domaine des collectivités territoriales.
Assemblée Nationale	February 2012	Loi N°2012-007 Portant code des collectivités territoriales
Assemblée Nationale	July 2001	Loi N°01-76 Régissant les sociétés coopératives en République du Mali
Assemblée nationale	January 2012	Loi N°2012-005 Portant Modification de la Loi N°93-008 du 11 Février 1993 déterminant les conditions de la libre administration des collectivités territoriales
Assemblée nationale	August 2006	Loi N°06-40/AN-RM Portant Loi d'orientation agricole
Assemblée nationale	January 2002	Loi N°02-006 Portant Code de l'eau
Assemblée nationale	February 2001	Loi N°01-004 Portant Charte pastorale en République du Mali
Assemblée régionale de Ségou	December 2011	Stratégie développement économique régional de la région de Ségou
Association des organisations professionnelles paysannes	2004	Propositions paysannes pour une gestion pacifique et durable des ressources foncières au Mali
Cabinet du ministre délégué chargé de la décentralisation	March 2014	Stratégie et plan d'action prioritaires pour la mise en œuvre des recommandations des états généraux de la décentralisation: la régionalisation au cœur du renforcement de la décentralisation
Commune rurale de Gounzoureye		Programme de Développement Économique Social et Culturel (PDESC 2010-2014)
Commune rurale de Soni Ali Ber		Programme de Développement Économique Social et Culturel (PDESC 2010-2014)

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	MALI			
Conférence internationale « Ensemble pour le renouveau du Mali »	April 2013	Plan pour la recherche durable au Mali 2013-2014		
Commission de délégation de la Communauté Européenne	January 2014	Rapport sur l'appui institutionnel au développement économique régional auprès des conseils régionaux de Ségou et Mopti		
HELVETAS/CORADE	March 2014	Bilan des compétences des 14 communes partenaires dans les cercles de Bougouni, Kolondiéba, Yanfolila		
Direction générale de la Protection Civile	October 2013	Plan d'Organisation des Secours du Mali (Plan ORSEC)		
Direction nationale de l'aménagement et de l'équipement rural	December 1995	Politique nationale forestière		
Direction nationale des collectivités locales	April 2004	Outil d'auto-évaluation des performances des collectivités territoriales		
Direction nationale des collectivités territoriales	March 2011	Rapport final de l'étude sur le bilan et les perspectives de la décentralisation au Mali		
Direction nationale des eaux et forêts	December 2012	Stratégie nationale d'adaptation du secteur de la foresterie du Mali aux impacts des changements climatiques		
FAO	2013	Revue des politiques agricoles et alimentaires au Mali		
Fonds africain de développement	June 2011	Deuxième Programme d'Appui à la Stratégie pour la Croissance et la Réduction de la Pauvreté (PASCRP II)		
GEFOCOM	December 2010	Guide du foncier au Mali		
Institut International pour l'Environnement et le Développement (IIED)	June 2009	Décentralisation et limites foncières au Mali		
Ministère de l'Administration Territoriale et des Collectivités Locales	May 2011	Synthèse du schéma régional d'aménagement du territoire de la région de Ségou mettant en exergue les enjeux majeurs de développement régional		
Ministère de l'Administration Territoriale et des Collectivités Locales	July 2013	Modalité de mise en œuvre du « débat communal » autour de la reconstruction sociale, économique et culturelle		
Ministère de l'Administration Territoriale et des Collectivités Locales	November 2003	Lois et décrets de la décentralisation		
Ministère de l'Administration Territoriale, de la Décentralisation et de l'Aménagement du Territoire	July 2013	Guide pratique de restitution publique de la gestion des collectivités territoriales		
Ministère de l'Économie et des Finances	December 2011	Cadre Stratégique pour la Croissance et la Réduction de la Pauvreté (CSCRP 2012-2017)		
Ministère de l'Énergie et de l'Eau	March 2010	Stratégie de Développement de la maîtrise de l'Énergie au Mali		
Ministère de l'Énergie et de l'Eau	January 2011	Programme pilote pour la valorisation à grande échelle des énergies renouvelables au Mali		

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Ministère de la Réconciliation Nationale et du Développement des Régions du Nord	March 2014	Programme de Développement Accéléré des Régions du Nord (PDA/RN)		
Netherlands Development Organization (SNV) and Center for Decentralization and local Development (CEDELO)	September 2014	Decentralization in Mali: Putting Policy into Practice (Bulletin 362)		
Observatoire du Développement Humain Durable et de la Lutte Contre la Pauvreté	November 2012	Rapport national sur le Développement Humain Durable: protection sociale et développement humain au mali		
Organisation pour la Mise en Valeur du Fleuve Sénégal (OMVS)	August 2006	Étude du cadre législatif et de politique nationale du Mali en matière de gestion des ressources en eau et de l'environnement		
Pr Cheibane Coulibaly	December 2010	La Décentralisation au Mali: Le transfert de compétences en difficulté		
Réseau de Réflexion et d'Échanges sur le Développement Local (REDL)		Contribution à la démarche méthodologie d'élaboration des PDESC		
Secrétariat général du gouvernement	January 2012	Décret N°2012-022/P-RM Fixant l'organisation et les modalités de fonctionnement de la direction générale des collectivités territoriales		
United States Agency for International Development/USAID	January 2010	Livelihood Zoning and Profiling Report: Mali		
Réseau pour réussir la décentralisation	December 2005	Répertoire bibliographique sur la gestion des ressources nationales dans le contexte de la décentralisation et de la gouvernance démocratique au Mali		

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		NIGER
Ambassade de France au Niger	June 2006	Étude sur le diagnostic du cadre juridique nigérien de la gestion des ressources naturelles
Association pour la Redynamisation de l'Élevage au Niger (AREN)	April 2003	Diagnostic du cadre institutionnel et juridique du développement pastoral au Niger
Bernard Bonnet (IRAM)	October 2011	Gestion décentralisée des ressources naturelles en Mauritanie
Bernard Bonnet & Oussouby Touré	May 2010	Évaluation Finale du Programme PROGRES (Programme de Gestion Équitable des Ressources Naturelles et de Renforcement de la Société Civile)
Cabinet d'études Best Consult		Étude Diagnostique du Cadre Juridique de la Gestion des ressources naturelles du Niger
CARE International au Niger	November 2012	Organisation de compétition intercommunale sur la bonne gouvernance
Cellule de Coordination du Système d'Alerte Précoce	2007	Informations nationales sur la prévention et la gestion des catastrophes au Niger
CODESRIA & OSIWA (Conseil pour le Développement de la Recherche en Sciences Sociales en Afrique & Open Society Initiative for West Africa)	2011	État de la Gouvernance en Afrique de l'Ouest: Le cas du Niger
COFODEP (COmmission FOncière DÉPartementale) / MIRRIAH	January 2007	Femmes et foncier rural: Cas de la zone sud-agricole du département de Mirriah
COFODEP TERA /SNV-NIGER/ PADET TERA	February 2008	Recherche action femme et foncier dans le département de Téra
Comité national du code rural	July 2003	Revue nationale sur le foncier rural
Comité permanent Inter-États de Lutte Contre la Sècheresse dans le Sahel (CILSS)	2009	Le Sahel face aux changement climatiques: enjeux pour un développement durable (bulletin mensuel)
Commission technique sur les changements et variabilités climatiques	April 2003	Stratégie nationale et plan d'action en matière de changements et variabilités climatiques
Conseil National de l'Environnement pour un Développement Durable (CNEDD)	November 2000	Programme d'Action National de Lutte Contre la Désertification et de Gestion de Ressources Naturelles (PAN-LCD/GRN)
Dr. Dan Dah Mahaman Laouali	November 2011	Rapport général final du processus électoral (2010-2011) Niger
FAO	May 2012	La Gouvernance foncière: agissons pour sa mise en œuvreœuvre!
FAO	2012	Directives volontaires pour la gouvernance foncière: D'un Coup d'œil
Fédération Internationale des Sociétés de la Croix-Rouge et du Croissant-Rouge	2010	Gestion des catastrophes et des crises par la Croix-Rouge et le Croissant-Rouge

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		NIGER
SNV /Gaoussou Sène & Zeinabou Ouédraogo	May 2007	Planification et suivi-évaluation dans les communes orientées vers la réduction de la pauvreté (Niger)
Groupe de Travail Abris et Biens Non-Alimentaires (GT A_BNA) Niger	April 2012	Cadre stratégique opérationnel
Groupe des Nations-Unies pour le Développement (GNUD/UNDG)	August 2010	Renforcement des capacités en gestion des risques de catastrophes naturelles: construction/réparation des abris anticycloniques, formation à la gestion et à la réduction des risques de catastrophes naturelles
Haut Commissariat à l'initiative 3N	August 2012	Initiative "3N" pour la sécurité alimentaire et le développement agricole durables "Les Nigériens Nourrissent les Nigériens"
Haut Commissariat à la modernisation de l'État	September 2006	Le Foncier et la Décentralisation: Problématique du domaine des collectivités territoriales
Institut International pour l'Environnement et le Développement (IIED)	October 2006	Femmes sans terre, femmes sans repères?
Institut International pour l'Environnement et le Développement (IIED)	June 2009	Décentralisation et Pouvoir Local au Niger
Jean Jacques Villandre	July1950	Les Chefferies traditionnelles en Afrique Occidentale Française
Ministère de la Fonction Publique, du Travail et de la Sécurité Sociale	November 2012	Rapport de mission d'élaboration des outils de gestions des performances pour l'administration publique Burundaise
Nouveau Partenariat pour le Développement Africain (NEPAD)	June 2004	Projet de stratégie régionale africaine pour la réduction des risques de catastrophe
Nouveau Partenariat pour le Développement de l'Afrique (NEPAD)	November 2013	Les agricultures africaines: transformation et perspectives
Prof Balla Abdourahamane	April 2013	Proposition d'une Stratégie Nationale de Réduction des Risques de Catastrophes au Niger (SNRRC)
PROVENTION CONSORTIUM	January 2007	Outils d'intégration de la réduction des risques de catastrophes
Rixta Lycklama	December 2000	Des champs qui ont des pieds et des vaches qui veulent marcher
Royal Tropical Institute	2008	Le Rôle des instances locales de gouvernance dans la gestion des ressources naturelles au Mali, au Burkina Faso et au Niger
Secrétariat permanent de la stratégie de réduction de la pauvreté	October 2005	Gouvernance, démocratie et lutte contre la pauvreté au Niger: Le point de vue de la population de la capitale
Secrétariat permanent national du code rural	March 2004	Diagnostic institutionnel du dispositif de la mise en œuvre du code rural & schémas d'aménagement foncier
Secrétariat permanent national du code rural	2013	Manuel de procédures des Cofocom et Cofodép de la Zone Pastorale

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		NIGER
Secrétariat permanent national du code rural	2013	Manuel de procédures des Cofocom et Cofodép de la Zone Agricole
Secrétariat permanent national du code rural	2013	Code rural: recueil des textes
Secrétariat permanent national du code rural	November 2013	Étude de bilan de la mise en œuvre de la politique foncière rurale au Niger
Secrétariat permanent national du code rural	November 2013	Étude de bilan de la mise en œuvre de la politique foncière rurale au Niger
Union Africaine	October 2005	Plan d'action de Nairobi sur les investissements fonciers à grande échelle en Afrique
Union Africaine	September 2010	Cadre et lignes directives sur les politiques foncières en Afrique
Union Africaine	July 2009	Déclaration sur les problèmes et enjeux fonciers en Afrique
Union Internationale pour la Conservation de la Nature (UICN)	March 2006	État des lieux des conflits liés à l'accès aux ressources naturelles dans la zone des Dallols Niger

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OTHER DOCUMENTS		
Programme des Nations-Unies pour le Développement (PNUD)	January 2008	A Users' Guide to Measuring Local Governance
ROCARE/UEMOA	November 2012	Transnational research Decentralization in west and central Africa: learn from local and inter sector lessons (education water, health)
Mécanisme Africain d'Évaluation par les Pairs (MAEP)	March 2003	Auto-évaluation des pays pour le MAEP
CARE et WHH	January 2012	Manuel Résilience 2.0 pour les acteurs de l'Aide et les décideurs
Fédération Internationale des Sociétés de la Croix-Rouge et du Croissant-Rouge	2000	La gouvernance. Guide d'application
Institute of Development Studies (IDS) &BRIDGE	June 2011	Gender-Responsive Strategies on Climate Change: Recent Progress and Ways Forward for Donors
Dr Francis Vorhies	December 2012	The Economics of Investing in Disaster risk Reduction
Comité permanent Inter-États de Lutte Contre la Sécheresse dans le Sahel (CILSS)	2010	Augmenter la résilience des populations vulnérables au Sahel grâce à la gestion durable des terres
Ronan Dantec	2013	Les collectivités territoriales dans la perspective de Paris Climat 2015 : De l'acteur local au facilitateur global
United Nations Capital Development Fund	February 2007	Performance-Based Grant Systems: Concept and International Experience
Union Internationale pour la Conservation de la Nature	October 2011	Inventaire et diagnostic des cadres et outils d'analyse des inventaires entre le changement climatique et le développement au Burkina Faso, au Mali et au Sénégal

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