REPORT OF THE SUPPLEMENTARY ANALYSIS CONDUCTED TO COMPLEMENT THE 2016 NBA ORGANIZATIONAL AND INSTITUTIONAL AUDIT

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<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>NBA</td>
<td>Niger Basin Authority</td>
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<tr>
<td>AFD</td>
<td>French Development Agency</td>
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<tr>
<td>AfDB</td>
<td>African Development Bank</td>
</tr>
<tr>
<td>CEMAC</td>
<td>Economic and Monetary Community of Central African States</td>
</tr>
<tr>
<td>CIDA</td>
<td>Canadian International Development Agency</td>
</tr>
<tr>
<td>CM</td>
<td>Council of Ministers</td>
</tr>
<tr>
<td>DAF</td>
<td>Directorate of Administration and Finance</td>
</tr>
<tr>
<td>DHRGA</td>
<td>Division of Human Resources and General Administration</td>
</tr>
<tr>
<td>ECOVAS</td>
<td>Economic Community of West African States</td>
</tr>
<tr>
<td>EFQM</td>
<td>European Foundation for Quality Management</td>
</tr>
<tr>
<td>ES</td>
<td>Executive Secretary</td>
</tr>
<tr>
<td>FPJWS</td>
<td>Forward Planning of Jobs, Workforce and Skills</td>
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<tr>
<td>GIZ</td>
<td>German Organization for International Development</td>
</tr>
<tr>
<td>HR</td>
<td>Human Resources</td>
</tr>
<tr>
<td>IPSAS</td>
<td>International Public Sector Accounting Standards</td>
</tr>
<tr>
<td>KfW</td>
<td>German Development Bank</td>
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<tr>
<td>MoU</td>
<td>Memorandum of Understanding</td>
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<tr>
<td>MP</td>
<td>Manual of Procedures</td>
</tr>
<tr>
<td>NCU</td>
<td>National Coordination of Users (water)</td>
</tr>
<tr>
<td>NFS</td>
<td>National Focal Structure</td>
</tr>
<tr>
<td>NICT</td>
<td>New Information and Communication Technologies</td>
</tr>
<tr>
<td>OPB</td>
<td>Objective-based Budget Program</td>
</tr>
<tr>
<td>PDCA</td>
<td>Plan, Do, Check, Act</td>
</tr>
<tr>
<td>RCU</td>
<td>Regional Coordination of Users (water)</td>
</tr>
<tr>
<td>RPSC</td>
<td>Regional Project Steering Committee</td>
</tr>
<tr>
<td>SDAP</td>
<td>Sustainable Development Action Plan</td>
</tr>
<tr>
<td>SHS</td>
<td>Summit of Heads of State</td>
</tr>
<tr>
<td>TCE</td>
<td>Technical Committee of Experts</td>
</tr>
<tr>
<td>TD</td>
<td>Technical Directorate</td>
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<tr>
<td>TFP</td>
<td>Technical and Financial Partner</td>
</tr>
<tr>
<td>UEMOA</td>
<td>Economic and Monetary Union of West Africa</td>
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<td>WB</td>
<td>World Bank</td>
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EXECUTIVE SUMMARY

SUMMARY OF FINDINGS AND ANALYSES

NBA exhibits a set of strengths that make it an organization with the potential to efficiently manage the Basin it is in charge of. Such strengths include:

- A fairly clear vision of the actions to carry out for efficient management of the Basin. This vision has been articulated in a set of programmatic and regulatory documents (Shared Vision, Sustainable Development Action Plan, Investment Plan, Strategic Plan, Objective-based Budget Program, Water Charter).
- Work tools of good quality (Basin observation instruments, job descriptions, staff evaluation system, financial regulatory guidelines, manual of procedures, etc.)
- Projects implemented fairly efficiently (SCP, Niger HYCOS, WRDSEMP, CIDA Project, GIZ project)
- Fairly well-run oversight and decision-making mechanisms (regular meetings of statutory bodies: Projects Steering Committee, Committee of Experts, Council of Ministers, Summit of Heads of State).

This led to NBA enjoying a fairly well-established reputation among regional organizations in general, and Basin management organizations in particular. Three key factors underpin NBA’s successes:

1. Proactive leadership from some of the Authority’s past leaders, namely the Chairman of the Summit of Heads of State and the Executive Secretary (ES) who led NBA in the 2000s;
2. Competence and commitment of NBA’s staff, who, though limited number-wise, were able to mobilize to achieve groundbreaking actions when necessary;
3. Long-term support of Technical and Financial Partners (TFPs) (World Bank, AFD, CIDA, KfW and GIZ, etc.), such support being, in fact, a consequence of the above.

However, the Authority’s current performance is still weak on several aspects:

1. With regard to the implementation of the missions: NBA has not been able to implement key aspects of its mandate, chiefly steering the building of infrastructure needed for the development of the river’s water resources or controlling and regulating of navigation on the river.
2. With regard to resource mobilization: NBA has not yet been able to mobilize the financial resources needed to carry out the investments that it had planned in its reference documents; to be sure, it has not yet been able to mobilize enough resources to cover its own operating costs in a consistent way.
3. With regard to stakeholder satisfaction: although the number of respondents is not significant and therefore the trends observed are not well-established, the vast majority of those who expressed their views consider that NBA is not an efficient organization, which suggests that it does not meet their expectations.
4. With regard to the criteria of the European Foundation for Quality Management (EFQM): Out of seven defined performance criteria (overall performance, client focus, leadership capacity, planning capacity, staff management, partnerships and resources mobilization, work methods/procedures), planning capacity is the only one where NBA performs satisfactorily. The assessment is rather mixed for the six others. NBA’s poorest performance relates to the work methods/procedures and client consideration.

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2EFQM’s seven organizational performance criteria are: 1 Overall Performance, 2 Client Performance, 3 Planning Performance, 4 Leadership Performance, 5 Staff Management Performance, 6 Partnerships and Resources Management Performance, 7 Working methods/procedures Performance.
Overall, it was found that NBA has proven capacities and results in planning, but that it’s low organizational capabilities and inadequate operational processes did not allow successful implementation of its plans nor resource mobilization. Various types of weaknesses account for NBA’s limited performance:

**On the organizational level (management of the organization)**

NBA’s financial management does not meet international standards. This is the case with respect to its the organizational set-up, its management methods and operational tools. Main shortcomings include:

1. Its manual of procedures has not been updated to comply with the provisions of the SYSCOHADA revised on January 26, 2017: this will result in rejection of NBA’s financial statements for fiscal year 2018 by external auditors if no action is taken.
2. The Manual of Procurement Procedures does not cover the entire cycle of contract management.
3. NBA’s annual accounts are closed by the Executive Secretary, who is also the one who produces the accounts in the first place: this is not standard practice, it prevents higher bodies from getting accounts already reviewed and discussed by third parties.
4. The OHADA accounting framework is not suited for NBA.
5. Budgetary provisions and expenses of NBA’s projects are not regularly checked by Financial Controller.
6. Incompatible functions are combined within the same body, namely the Directorate of Administration and Finance (DAF): expense authorization and cash management functions are performed by said Directorate; this is standardly prohibited, and entails high risks of manipulation of the organization’s accounts.

With regard to human resources management: the analysis carried out show that, not only is NBA’s personnel insufficient in quantity and quality, but also that staff management methods do not create an environment conducive to identification with the organization’s objectives and challenges – that would normally lead to high staff performance. This conclusion is supported by the following observations:

1. NBA’s staff constantly operates in emergency mode, because it is limited in number and is therefore - overburdened.
2. NBA has so far not been very successful in attracting and/or retaining competent staff; as a consequence, key positions remain vacant for long periods.
3. Mechanisms and procedures for recruitment, evaluation, remuneration, capacity building, etc. are not sufficiently effective for the organization to make the most of available human resources.
4. Management issues in the it’s recent past did not foster team spirit within the institution.

**Regarding institutional arrangements (governance of the organization):**

The lack of contracts of goals between the Council of Ministers and NBA’s successive Executive Secretaries did not foster the operationalization of the institution’s missions or the expression of strong leadership.

The ambivalent positioning of the National Directors as National Focal Structure (NFS) Coordinators and RPSC and TCE Members, deprives Executive Secretary from the capacity to effectively control and monitor field activities, which obviously affects its efficiency in carrying out its mandate. NFS Coordinators should be exclusively dedicated to NBA activities, and the institution should conclude contracts of goals with them.

Collaboration with government institutions - in accordance with the principle of subsidiarity - carries risks for the institution’s overall performance. These entities perform their roles only irregularly because of issues that plague public administrations in many developing countries, namely little financial resources, irregular salaries, organizational problems, etc.

NBA’s poor performance in mobilizing financial resources can be explained in part by a political will that has become weaker in comparison with how it was in the early 2000s. This is due to the fact NBA does no longer
provide Member Countries’ political authorities Member Countries with relevant inputs allowing high level of political will.

Performance levels observed and the shortcomings that underpin them suggest that, in its current set-up, NBA will not be able to successfully implement the Shared Vision, as translated and articulated in the Investment Plan and the Strategic Plan. Nor could the Organization support Member Countries in effectively tackling the development, adaptation and resilience challenges that lie ahead.

**Recommendations**

Recommendations have been put forth targeting identified shortcomings with the goal of improving NBA’s performance together with its ability to implement the Shared Vision and to address the issues and challenges of the future. Main recommendations include:

1. Provide the institution with controlled, sufficient, sustainable and predictable funding mechanisms for its operations and field activities.
2. Retain the experience and know-how currently available and progressively provide the Secretariat with high-level technical and managerial capabilities.
3. Gradually improve Executive Secretariat’s operational performance through adoption of process-based management (Plan-Do-Check-Act approach for continuous improvement).
4. Update NBA’s governance mechanisms.
5. Bring its financial management up to standard.
6. Develop interest in the organization's overall performance among the Executive Secretariat’s staff through results-based management, performance monitoring and evaluation, job planning, career plans, and implementation of relevant capacity-building plans.

Substantive recommendations are summarized in the table below:
<table>
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<tr>
<th>RECOMMENDATION</th>
<th>JUSTIFICATION</th>
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<tr>
<td>1 Mobilize the user-pays levy by a painless levy of 5/100 on calls made through mobile phones, amounting to CFA 125 per year per user on average (pages 90-98)</td>
<td>This measure will make it possible to raise enough funds (approximately CFA 12 billion per year) to ensure NBA’s operations, to support the Ministries involved in the management of the Basin, to operationalize-empower the NCU/RCUs, and to contribute to the implementation of infrastructures.</td>
</tr>
<tr>
<td>2 Bring NBA’s financial management up to standards (Financial Regulatory guidelines), in particular by having a higher body scrutinize Executive Secretariat’s accounts (page 99).</td>
<td>Closure of NBA’s accounts should not be effected by the body that produces them, namely the Executive Secretariat, as this would amount to the latter being both judge and party. As a consequence, the CM does not review accounts that have been discussed and verified and are therefore more reliable.</td>
</tr>
<tr>
<td>3 Make an inventory of all NBA fixed assets, including materials acquired within projects (page 99)</td>
<td>Without this inventory, there is a risk that fixed assets and other items acquired under projects will be diverted at the end of projects rather than being incorporated into NBA’s assets.</td>
</tr>
<tr>
<td>4 Separate budgetary expenses authorization function from cash management function by creating an accounting department separate from DAF (page 100)</td>
<td>Currently, these functions, which are normally incompatible, are performed by DAF alone, which is prohibited by internal control rules because they involve major risks for the organization.</td>
</tr>
<tr>
<td>5 When recruiting the Executive Secretaries and managers under categories A and B, focus on competence and performance rather than nationality, making the latter a second-tier criterion, on par with gender (page 101).</td>
<td>NBA being more of a technical than a political entity, it needs more skills than balance between Member Countries in its current situation. By restricting recruitment for a given position to one particular country (instead of nine), NBA prevents itself from getting the best minds that may be available.</td>
</tr>
<tr>
<td>6 Adopt process-based management approach as the operational modality for all departments of Executive Secretariat (pages 105-107)</td>
<td>In the opinion of NBA management, operational methods and procedures are the main weakness of the Executive Secretariat in relation to criteria of European Foundation for Quality Management. This weakness prevents NBA from translating its mandate and plans into daily work processes in order to achieve its ambitions. The approach proposed addresses this issue in a way that puts the organization on the path to excellence.</td>
</tr>
<tr>
<td>7 Have the Council of Ministers and the Executive Secretary agree on a contract of goals that defines (i) objectives to be achieved by the ES during his term, (ii) ES proposed roadmap to reach set objectives, (iii) commitments of the Council of Ministers to support ES (iv) (possibly) commitments of partners (TPFs and NCU) to support the roadmap (pages 110-112))</td>
<td>This measure would provide better orientation for the Secretariat as a whole, it would foster accountability and leadership from ES, while crystallizing CM’s political will. The achievement of set objectives would be assessed both at mid-term and at the end of the ES’ term of office. These evaluations’ outcomes would condition renewal of the ES’ term of office.</td>
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<tr>
<td>8 Ordain the incompatibility of the position of National Director with that of NFS Coordinator in order to facilitate Executive Secretariat's control over field operations (regular supervision, rapid decision-making in case adjustments are needed, submission of supporting documents, etc.).</td>
<td>National Directors are, rightly, members of the supervisory body of the Executive Secretariat (TCE). Their position as NFS Coordinator make them both judges and parties in many instances; it also blurs the line of command between the ES and the national implementing agencies, resulting in inefficiency and sloppiness.</td>
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<tr>
<td>RECOMMENDATION</td>
<td>JUSTIFICATION</td>
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<tr>
<td>Incompatibility had been announced from the beginning but has never been enforced (pages 113-114).</td>
<td>Setting up a successful organization begins with clarifying what it needs to deliver. Without this, it is difficult to identify the operations that the organization must perform to produce what is expected, and it is difficult to assess its performance (measure of efficiency and effectiveness in delivering products and services). NBA is precisely in this situation.</td>
</tr>
<tr>
<td><strong>9</strong> Update NBA’s mandate by making objectives set out in Article 4 of the Revised Convention of 1987 more specific (or replacing them) with a set of missions, products and services that are easier to implement and assess (pages 117-123).</td>
<td>The goal is to assign functions needed to deliver products and services to specific departments in the organization; this allows easy assessment of each departments' performance, thus making them more accountable in relation to the Secretariat's overall performance.</td>
</tr>
<tr>
<td><strong>10</strong> Align ES’ organizational chart with the products and services it has to deliver (pages 123-129).</td>
<td>This is to expand the role and membership of the TCE. The expansion of the supervisory role should result in the new Board being more accountability to the Council of Ministers with respect to the management of the Executive Secretariat. The expansion of Board membership aims to comply with principles of Integrated Water Resources Management (IWRM) by broadening NCUs participation and accommodating local and regional authorities in the Board.</td>
</tr>
<tr>
<td><strong>11</strong> Replace the TCE by a Governance Board that operates in the same way as a Board of Directors in the private sector, with a view to formalizing the necessary control and supervisory role over the Executive Secretariat and making it more representative of the diversity of stakeholders (pages 1239-132).</td>
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The implementation of the recommendations of this complementary analysis should engage NBA in a change process that should transform it from an organization that manages emergencies, plans a lot but implements little into an organization that is financially secure, that masters its subject, that controls its delivery mechanisms and collaborates with Member-Countries in implementing concerted plans to set up infrastructures for the management and development of the Niger River resources. The process of change envisioned would involve the following four steps:

1. Secure approval and support from political authorities
2. Establish conditions for initiating and controlling the change process
3. Implement a number of predefined transitional actions
4. Implement all measures adopted.

The proposed change process should be initiated immediately (Stage 4 should be reached within one year) and should result in updating the Revised Convention of 1987.
INTRODUCTION

Background and rationale of the mission
In 2003, the nine Member Countries of the Niger River Basin Authority (NBA) adopted a Shared Vision for the development of their Basin.

This vision took shape through a set of programmatic documents, including a Sustainable Development Action Plan (SDAP) of the Basin, an Investment Plan and a Strategic Plan 2013-2022 together with its operational plan.

In preparation to the implementation of the Strategic Plan, NBA Heads of State wanted to know whether - in its configuration at the time (2010) - NBA would be able to lead the implementation of the Shared Vision as well as that of the Strategic Plan and, in general, whether it was potent enough to effectively fulfill its mandate in the future. They thus requested that an organizational and institutional audit be conducted in order to answer these questions, with the following objectives in mind:

- identify strengths and weaknesses of the Revised Convention of 1987 together with those of its implementing legislation and propose adjustments and/or improvements as needed;
- carry out an institutional diagnosis of NBA and recommend more effective institutional arrangements in light of Strategic Plan’s expected results and the proposed implementation of the program approach;
- conduct an organizational diagnosis of the institution.

The audit was conducted between 2014 and 2016. Findings included several proposals, some of which needed verification or further investigation. This led the Chairman of the Council of Ministers and the Coordination of Technical and Financial Partners to request an additional analysis to corroborate and/or refine said findings.

Objectives of the complementary analysis

General objectives
The proposed complementary analysis aims to:

1. Assess the current operation and organizational performance of NBA in relation to:
   - its missions and the services to be rendered to actors of the Niger Basin,
   - international standards applicable to organizational and management practices, with particular focus on the role of NBA in the implementation of projects funded by external donors.
2. Recommend realistic measures together with an operational plan for improving NBA’s performance in relation to its missions and expected services.

Specific objectives
The complementary analysis should:
- collect stakeholders’ diagnosis, analyzes, and proposals using participative methods;
- Review NBA’s mandate, functions it performs, services it provides to Niger Basin players, separately and in collaboration with others; reviewing NBA’s missions, functions and services should be the main means for assessing the congruence of the Authority’s structure and for defining its organizational and institutional evolution;
- Conduct an analysis of NBA’s organizational structure and internal governance (i.e.
the Executive Secretariat and the other bodies forming NBA) as well as its external governance (relations with stakeholders, partners and external bodies);

- Review NBA operations and its managerial culture, particularly that of the Executive Secretariat,
- Assess NBA’s methods for mobilizing and managing of financial resources (including fiduciary and sustainability issues), and human resources (in particular, congruence between functions, filled positions and profiles).
- Generate evidence-based recommendations regarding relevant institutional and/or organizational mutations - that are feasible, and likely to secure stakeholders’ consent - in order to improve NBA’s organizational performance and set it up to standards;
- Identify factors that are favorable and unfavorable for the implementation and impacts of proposed recommendations;
- In consultation with key players, establish a roadmap for the implementation of proposed improvements and mutations, including for the short term.

Structure of the report

This report includes six sections. Section 1 describes the methodology used to carry out the study. Section 2 presents the organization under review. Section 3 delineates findings regarding NBA’s organizational performance. Section 4 proposes an analysis of the underpinnings of the performance levels observed. Section 5 draws overall conclusions from the analyses conducted, makes a number of recommendations, and proposes a roadmap for implementing proposed measures. The sixth and final section includes a bibliography, and a series of additional data appended to the report.

1 METHODOLOGY ADOPTED.

1.1 Construction of the problem

To better circumscribe issues to be addressed and facilitate investigations, it is useful turn the objectives of the complementary analysis delineated above into study questions:

Questions on the adequacy of NBA’s organizational structure

The main question on this point is:

QMISSIONS. As it currently stands, is NBA adequately organized to assume the functions and services that one would expect from a Basin organization in the current context in West Africa?

The answer to this key question calls for two other questions that are interrelated, namely:

- QMISSIONS.1 Does NBA’s organizational structure provide effective support for the various functions and services that flow from the organization’s current missions?
- QMISSIONS.2 Are NBA’s missions and responsibilities as described in 1987 as well as their implementing arrangements suited to the current context and practices?

Answering QMISSIONS 1 and 2 answer allow for answering the broader QMISSIONS question. These two questions must be addressed in the order indicated because we must start from what exists (the current missions and their effective implementation) to then focus on what could or should exist (new missions possibly more relevant). Addressing these two questions in reverse order would lead to some surprises.

Questions on NBA’s organizational performance

The question to ask as this regard is fairly simple, namely:
QPERF. Is NBA performing as an organization?

This question will be addressed through complementary approaches:

- **QPERF.1** Does NBA meet the expectations of its key stakeholders?
- **QPERF.2** How does NBA perform in relation to generally accepted organizational performance criteria?

**Questions on NBA’s overall governance**

In this regard, the main question is:

QRESS. Are the mechanisms for mobilizing and managing resources (human, financial, material) likely to ensure the organization’s performance, its credibility with its partners and the sustainability of its services to the sub-region?

This question is subdivided into four sub-questions:

- **QRESS.1** Is the operation of NBA’s bodies optimal, i.e. is it likely to facilitate the implementation of the organization’s missions and the control of its activities or, conversely, does it cause delays, blockages and inconsistencies?
- **QRESS.2** Is NBA’s material and financial management up to international standards, i.e. is it likely to ensure security of resources available and credibility of the organization with international partners?
- **QRESS.3** Does NBA’s funding mechanisms allow the organization to focus on the missions assigned to it in a sustainable manner?
- **QRESS.4** Do human resources mobilization and management mechanisms allow for guaranteeing performance by NBA’s staff as well as a healthy, motivating and emulating work atmosphere?

**Question on the organization's ability to face the challenges of the future**

In this regard, the question is worded as follows:

QVISION. In its current set-up, will NBA be able to:

1. **i)** Successfully implement the Shared Vision, as translated and articulated in the Investment Plan and Strategic Plan?
2. **ii)** Support Member Countries effectively in addressing the challenges of development, adaptation and resilience in the future?

This question is crucial, but its answer must factor in the answers to the questions QMISSIONS to QRESS. In addition, to fully answer this question, specific inputs need to be obtained from the following sub-questions:

1. **QVISION.1.** Does NBA have the necessary capacities and mechanisms to steer the system of cooperation between the different actors involved in managing the Basins? (involvement of stakeholders, users/beneficiaries, clarification of roles between NBA and national institutions of the Member Countries (local authorities, parliamentarians, ministries), application of the principle of subsidiarity)

2. **QVISION.2.** Does NBA have the organizational capacity (structure and staff) to support the 2012-2022 Strategic Plan and the Investment Plan as well as the themes related to the different challenges of the future?

3. **QVISION.3.** Does NBA have the tools it needs for carrying out its action? This question relates, on the one hand, to the reference tools on which an organization's actions must be based (legal arsenal, programs and work plan, etc.) and, on the other hand, to the intervention system to put reference instruments to work (collection, enforcement, monitoring and control/sanction mechanisms).

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2This question is similar to those asked under QMISSIONS. QVISION differs from them in that it focuses on specific documents and plans (as well as the issues arising from these) while QMISSIONS focuses on fairly generic missions.
Providing specific answers to these questions should help identifying the strengths and weaknesses of the organization and, therefore, suggesting relevant areas for improvement.

### 1.2 Methodological approach

The analyzes carried out combined the following three approaches:

1. **Literature review** aimed at i) better understanding NBA through its legal, administrative and programmatic reference documents (e.g. revised Convention, Water Charter, SDAP, Financial Regulations, job descriptions, etc.) and ii) taking note of previous studies related to the topics of the complementary analysis (e.g. 2016 audit, study on financing, study on the setting up of NFS, study on the operation of NFS, etc.);

2. **Observation** consisting essentially in immersing oneself in the operation of NBA’s various bodies, notably the Executive Secretariat (during on-site missions) and the Council of Ministers (during its sessions);

3. **Participatory approach** aimed at taking into account and comparing the opinions and analyzes of stakeholders on the complementary analysis’ various topics. The approaches were implemented through:
   a. individual and in-depth interviews with all staff of the Executive Secretariat: most of the Secretariat staff were interviewed on average three times;
   b. a survey of opinions of the different stakeholders through a questionnaire administered by e-mail;
   c. several workshops on specific themes with the management of the Executive Secretariat (mapping of actors, self-assessment of the ES' organizational performance, ideas on NBA’s key missions, functions, and services) and with the NFS (views on NBA’s key functions and services).

The participatory approach adopted also consisted in discussing ideas and analyzes as they evolved with the Executive Secretariat (during feedback sessions) and with the TFPs (during ad hoc videoconferences).

### 1.3 Course of the study

The complementary analysis took place between April and December 2018. The timeline of its major steps is as follows:

- **First mission to Niamey** (April 26 to May 7, 2018, Team Leader only). This mission focused on:
  - clarifying expectations and consulting with the Executive Secretariat and TFPs on the dates of the major events that would occur under the study;
  - conducting individual interviews with all senior staff on the history of NBA, the conditions of their recruitment, the main activities of their departments, their own activities, the difficulties they have faced, etc.
  - mapping actors during a two-day workshop: this consisted in identifying stakeholders involved in managing the Basin, defining their relative importance in the Basin management process and clarifying the relationships that the different actors maintain between themselves and with the Executive Secretariat;

This mission allowed, among other things, to i) develop an indicative timeline for the complementary analysis ii) deepen the understanding of NBA and its operation; iii) develop an overview of the current cooperation arrangement between the actors as well as weaknesses on this regard; and iv) draw up a list of actors whose inputs must be requested and incorporated into the reflection on NBA’s performance, their involvement in NBA and participation in the management of the Basin.

- **Second mission to Niamey** (from July 15 to 23, 2018, Team Leader only). This mission focused on the internal analysis of the Executive Secretariat’s performance through a self-assessment workshop that
referred to the criteria of the European Foundation for Quality Management (EFQM)\(^1\) adapted for non-profit organizations. The evaluation criteria were as follows:

- The ES' performance against these criteria was assessed together with the executives of the Secretariat, which was meant to ensure ownership - but without complacency.
- The perceptions of other stakeholders on the subject were collected through a survey of stakeholder views on several topics, including NBA's organizational performance. The survey questionnaire was sent to the various stakeholders by e-mail at the end of the Team Leader's visit.

- **Third mission to Niamey** (from August 5 to 25, 2018, Team Leader and Human Resources Management Expert). During this visit, the Team Leader facilitated a workshop of reflection on NBA's missions, functions and services, with the executives of the Executive Secretariat. The HRM Expert conducted targeted interviews with all the staff of the Executive Secretariat, allowing for better identifying and diagnosing human resource management issues within the institution.

- **Fourth mission to Niamey** (September 4 to 17, 2018, Team Leader, IWRM Expert and Financial Management Expert). This mission focused on an additional workshop on NBA’s missions, functions and services - this time with NFS Coordinators. The workshop was facilitated by the Team Leader accompanied by the IWRM Expert. The Financial Management Expert focused on collecting inputs to assess the management of the organization while conducting targeted interviews on financial management with all staff of the Executive Secretariat.

- **Drafting of thematic reports**, then development of the strategic note with a synthesis (September 18 to October 14, all the consultants participated in this activity). The thematic reports covered IWRM, financial management and human resources management. The strategic note focused on proposals whose continuation required the advice of the Council of Ministers.

- **Mission to Abuja** (October 15 to 22, Team Leader, HRM Expert, Financial Management Expert). The purpose of this mission was to present the strategic note to the Committee of Experts and to observe, as participants, how the Committee operates and how the Council of Ministers works.

- **Fifth mission to Niamey** (from November 8 to 19, Niamey, full consultant team). This mission was essentially to complement data and carry out additional analyzes. It allowed the consultants to compare and align their analyzes and recommendations, then to agree on the study report's detailed plan and contents. This mission also resulted in the revision of the thematic reports, leading to proposing new versions of the reports.

- **Preparation of the draft report** (from November 20, 2018 to January 15, 2019, all the consultants). Following the integrated analysis developed during the fifth mission and the adoption of the report’s detailed plan, the Team Leader prepared an initial version of the study report and submitted it to thematic Experts who reviewed it and suggested adjustments as needed. The draft report was submitted after this step.

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\(^1\)The European Foundation for Quality Management is based in Brussels. The organization's mission is to provide European companies with a common reference tool to help them move towards excellence-oriented practices. The EFQM® Excellence Model is one of the most popular "quality" tools in Europe, used by more than 30,000 organizations. The EFQM model is especially interesting in that it is applicable to any organization, regardless of its size, its business sector and its maturity. It offers a common language that allows users to effectively share their knowledge and experiences, both within their organization and with their partners.
2 PRESENTATION OF THE NIGER BASIN AUTHORITY (NBA)

To be able to assess NBA’s performance, the team of consultants had to first know what the organization is about: its raison d’être, its history, its structure, its operation, its results and outputs, etc. The team’s first task was therefore to understand NBA and to make a description of the organization as precise as possible, which in some way constitutes a certain level of analysis. The description feeds into answers to the first part of Qmissions above. This section provides a view of NBA’s current situation.

The description of NBA proposed below is important because the team’s diagnosis and analysis depend on it and because it is key to understanding the source and scope of the recommendations made at a later stage.

2.1 Presentation of the Niger Basin

2.1.1 Main Features

About 4,200 km long, the Niger River is the third longest river in Africa and the ninth in the world. As shown in Figure 1:

![Figure 1 Map of the Niger River Basin (NBA 2007)](image)

The river’s geographical Basin is composed of vast desert areas alternating with large valleys, flood plains and marshy areas. It can be divided into six zones according to the hydrological functioning of the territories considered, namely:

1. the Upper Niger and the Bani Basin,
2. the Inner Delta and the lake Basin,
3. the Middle Niger (Malo-Nigerian, and its tributaries on the right bank),
4. the Middle Niger and its tributaries on the left bank,
5. the Benue Basin,
6. the Lower Niger and the Maritime Delta.

The Basin experienced a long period of low water (the average annual flow in Bamako over the 1970-2005 period was more than 30 percent lower than that over the 1905-1970 period) due to decreasing rainfall. This period has been followed recently by a period of higher flows.

### 2.1.2 Potentialities, stakes and major challenges of the Basin

An important dimension to be addressed when reviewing the performance of a Basin organization should be the assessment of its capacity to help its stakeholders take advantage of the Basin's potential - which of course must be known - as well as the assessment of the extent to which the institution assists these stakeholders in dealing with major future challenges.

This section proposes a review of the Basin's potential and major stakes to better understand the challenges facing the organization and to - subsequently - assess its capacity to address them challenges in its current configuration.

#### 2.1.2.1 Potentialities of the Basin

**As regards agriculture**

Agriculture is a key sector of the economy of Niger Basin Countries. It involves between 30 and 92 percent of the active population and accounts for 25 to 40 percent of countries' national GDP. For the time being, agriculture in the Basin is largely extensive and very strongly dependent on the vagaries of rainfall - especially in the Sahelian parts of the Basin. This situation strongly contributes to food insecurity, which is one of the drivers of both internal and external migration.

However, the Basin's water resources have the potential to contribute to agricultural intensification and to significantly reduce farmers' dependence on rainfall hazards by significantly increasing irrigated areas that would result from the construction of dams and other hydro-agricultural infrastructures. Thus, according to the SDAP, the implementation of the three dams - Fomi, Taoussa and Kandadji - would enable to reach the maximum agricultural development level (8 over 8) in the various areas of the Basin (excluding IND), which will increase irrigated areas to about 600,000 ha in the rainy season and to 305,000 ha in the dry season, as against about 110,000 ha in the rainy season and 105,000 ha in the dry season now.

Such a development would positively impact food security in the countries, increase the competitiveness, profitability and attractiveness of the agricultural activity, and boost its influence on the Basin's economies.

**As regards hydropower**

Africa in general, and the Niger Basin in particular, have largely unexploited potential for hydropower infrastructure. Table 1 below shows, across the six continents, a comparison between the proportion of hydropower infrastructures built against non-exploited sites that are technically and/or economically feasible.

<table>
<thead>
<tr>
<th>Continent</th>
<th>% in operation</th>
<th>% unexploited technically and economically feasible</th>
<th>% unexploited technically feasible</th>
<th>% unexploited site but feasible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Africa</td>
<td>7.4</td>
<td>48.3</td>
<td>44.3</td>
<td>92.6</td>
</tr>
<tr>
<td>North and Central America</td>
<td>35.5</td>
<td>19.5</td>
<td>45.0</td>
<td>64.5</td>
</tr>
<tr>
<td>South America</td>
<td>25.4</td>
<td>34.4</td>
<td>40.2</td>
<td>74.6</td>
</tr>
<tr>
<td>Europe</td>
<td>44.3</td>
<td>26.0</td>
<td>29.7</td>
<td>55.7</td>
</tr>
<tr>
<td>Asia</td>
<td>17.4</td>
<td>41.9</td>
<td>40.7</td>
<td>82.6</td>
</tr>
<tr>
<td>Australasia/Oceania</td>
<td>21.3</td>
<td>26.6</td>
<td>52.1</td>
<td>78.7</td>
</tr>
</tbody>
</table>

*Table 1: Proportion of infrastructure built against exploitable sites around the world*

The data in the table show that the proportion of currently operating hydropower infrastructure in Africa is the lowest worldwide (7.4% compared to 35.5% in America and 44% in Europe) and, conversely, the
The proportion of exploitable but undeveloped sites is the highest compared to other continents (92.6% against 64.5% in America and 55.7% in Europe).

In this context, it is not surprising that the ratio of actual hydropower generation to production potential is extremely low in Africa compared to the rest of the world as shown in Figure 2 below.

As regards environment and biodiversity

The Niger Basin is home to a very rich biodiversity, much of which is associated with water. Most of the Basin is made up of savannah-type habitats with dry forests in Upper Guinea, and tree to prairie savannas upstream and downstream of the inner delta. Floodplains play a vital and favorable role in relationship to migration, food and seasonal habitats. Some sites in the Middle Niger-Bénoué have large areas of pristine habitats. The Basin’s wetlands favor the migration of many birds.

The diversity of species remains, for almost the entire Basin, remarkable for the subregion, and at the global level. Indeed, within the Niger inner delta, several species meet the Ramsar 1 percent criterion. The main habitats are flood plains and waterbodies adjacent to the Niger bed. Most of the areas identified are concentration areas of migratory water birds. Focal and/or threatened species mainly include hippos, crocodiles, manatees, giraffes and elephants. As for Niger’s maritime delta, it has an exceptional wealth of species at the global level.

2.1.2.2 Major stakes for Niger Basin Countries

Food insecurity

The population living in the river Basin is over 130 million. Due to a high population growth rate in the area under consideration (around 3 percent of annual average growth basin wide), the population is expected to reach more than 180 million inhabitants by 2025 and would probably exceed 200 million by 2030.

The prospect of the high population growth in Africa has led the Infrastructure Development Program in Africa (PIDA, AU/ADB/NEPAD) to anticipate a doubling of the demand for food by 2040, which may exacerbate food insecurity which is already widely affecting the countries concerned.
To prevent these severe trends from degenerating into catastrophic or even apocalyptic scenarios, NBA Member Countries will have to at least double food supply by 2040. It is hard to envisage such an outcome, given the current dependence of these countries' agriculture on unpredictable rainfall, the unpredictability of which may be amplified by climate change. Only a significant development of irrigation (combined with other initiatives) could eventually lead to a doubling of the supply for food. This is, without a doubt, one of the major stakes for NBA and its Member Countries.

**Access to energy as a condition for economic development**

As in many African countries, NBA Member Countries are among the least developed countries in the world. In fact, 6 out of the 9 NBA Member Countries are among the 33 African countries listed by the UN as the least developed countries (Benin, Burkina Faso, Guinea, Mali, Niger and Chad). Of course, there are several determinants to the economic development of a country, but economists agree that reliable, abundant and low-cost energy is one of the first conditions because of its impact on competitiveness, which is one of the drivers for growth.

In other words, the economic development of Niger Basin Countries cannot be envisioned without a democratization of access to energy. Currently, per capita energy consumption is extremely low in the Basin: about 0.3 tons of oil equivalent (TOE) per capita per year compared to an average of 0.63 toe, 1.76 toe and 8.46 toe in Africa, in the world and in North American, respectively. Electricity consumption in the Basin is 70 kWh per capita while the African average is 740 kWh.

To improve access to energy, there is the option to resort to renewable energies (wind and solar) that are rapidly growing but in the medium and short term only hydropower seems accessible and competitive for Niger Basin Countries, nuclear power being, for the time being, out of reach. Increasing hydropower supply is, therefore, one of the key issues for the economic development of Niger Basin Countries.

**Vulnerability to climate change**

The Niger Basin region is considered by the Intergovernmental Panel on Climate Change (IPCC) as one of the regions of the world which is most vulnerable to climate change as shown in Figure 3 below.

![Figure 3: Global climate change vulnerability profile (NBA 2015)](image)

The main vulnerability factors are as follows:
- A large part of the population of Niger Basin Countries (a majority of which is among the least developed countries as indicated above) is vulnerable due to various
2.1.2.3 **Challenges NBA has to meet**

In view of the above, it clearly appears that the fundamental challenge facing NBA for the coming decades is helping Member Countries, economic actors and communities to **develop the potentialities identified above to face the vital issues arising** or that will arise in a fairly near future. This issue poses three main challenges:

1. To support the processes for identifying, implementing and managing infrastructure that enables to develop the basin’s water resources so as to **reduce dependence on rainfall, increase food supply and improve resilience to climate change** in the basin;

2. To support the processes for identifying, implementing and managing infrastructure that enables to **increase hydro-power supply so as to democratize access to energy, enhance the competitiveness of products by companies in the Basin and place Member Countries on the path for economic development**;

3. To implement actions 1 and 2 above by **promoting the development of climate change adaptation capacities for communities and countries while preserving (i) the interests of the various actors and countries, (ii) the environment and biodiversity, and (iii) the water resources of the Basin**.

In principle, in the future, NBA shall be judged based on its ability to meet those challenges. If the Authority succeeds in meeting them, it will become a major - if not a vital - tool for Member Countries. If it fails to do so, it will remain another regional organization with great potential but with limited usefulness, which could lead it to disappear in the long run.

The key challenge or pitfall for NBA, its Member Countries and partners is to provide the institution with sufficient human, material, financial and organizational capacity for meeting these challenges. This is an imperative prerequisite that must met in the nearest future to create the conditions for effectively tackling these challenges in the medium and short term. The first step for this is to take stock of NBA’s current capabilities (see below) and then match them with identified challenges.

2.2 **Description of Niger Basin Authority (NBA)**

This section provides a description of NBA as seen by the consultants through documentation, interviews and observations. The description is largely based on the organization's reference documents, namely the SDAP, the Strategic Plan, and the Investment Plan.
The ultimate goal of this description is to explicitly give our understanding of the current NBA set-up, which will serve as the basis for a review of the organization's current capacities.

### 2.2.1 Origin, missions, attributions

NBA was created in 1964 after the independence of the States riparian to the river under the name of the Niger River Commission. While it initially raised legitimate hopes, the Commission fell into a lethargic state until 1980, when it was reorganized and renamed the Niger Basin Authority (NBA). It was reorganized in 1987 with the adoption of a revised Convention amending the organization's mandate. The 1987 revision sets NBA's set-up. Below is a reminder of some of the important milestones in the organization's history:

- 1964: Creation of the Niger River Commission
- 1980: Reorganization and adoption of the name "Niger River Basin Authority"
- 1987: Adoption of the Revised Convention
- 2003: Adoption of the Shared Vision
- 2004: Paris Declaration
- 2007: Development of the Sustainable Development Action Plan (SDAP)
- 2008: Development of the Investment Program and the Water Charter
- 2012: Adoption of the 2013-2022 Strategic Plan
- 2015: Development of the Climate Change Resilience Plan (CIP).
- 2016: Adoption of the 2016-2024 Operational Plan incorporating the CIP

The Revised Convention of 1987 entrusted NBA with the task of promoting cooperation among member countries and ensuring integrated development of the Basin in all areas through the development of its resources, particularly with regard to plans for energy, hydraulics, agriculture, livestock farming, fishing, fish farming, forestry, logging, transport, communication and industry. **Five major objectives** have been associated with this mission, namely:

1. Harmonize and coordinate national policies for Basin resource development;
2. Plan the development of the Basin by developing an integrated basin development plan;
3. Design, implement, operate and maintain works and joint projects;
4. Ensure the control and regulation of all forms of navigation on the river, its tributaries and sub-tributaries in accordance with the "Niamey Act", and
5. Participate in the formulation of requests for assistance and in the mobilization of funding for studies and works needed to develop the Basin's resources.

These are the five objectives that form the basis of NBA's current mandate.

### 2.2.2 Institutional arrangement

The institutional arrangement adopted for the carrying out NBA’s mandate and the implementation of its ambitions is illustrated as follows:
As shown in Figure 4 above, **National Implementing Structures** are found at the bottom of NBA’s institutional set-up. They are not NBA structures, *stricto sensu*, but provide the basis for all field activities conducted by NBA. These structures include the *ad hoc* entities set up to implement projects (such as SCP), NGOs or contractors contracted for a particular portion of NBA’s activities or government entities in charge of particular tasks in application of the principle of subsidiarity (e.g. national hydrological services for the collection of data on the river).

The action of the National Implementing Structures is in principle coordinated, supported and supervised by the National Focal Structures (NFS) under the responsibility of NBA line ministries. NFS are made up of State stakeholders (ministries playing a role in the management of the Basin) and civil society grouped into National Coordination of Users (NCU).

**NBA’s Executive Secretariat** is at the heart of the implementation of the organization’s mandate. It plays a leading role in the reflection on the definition of actions to be carried out and in the development of the reference materials that document the reflections. It is supposed to mobilize the resources required for carrying out the actions identified, to manage them and, if necessary, to make them available to the NFS and the National Implementing Structures. It also has the role of organizing the sessions of the various monitoring and decision-making coordination bodies, namely the Regional Projects Steering Committee, the Council of Ministers and the Summit of Heads of State.
As its name suggests, the role of the **Regional Project Steering Committee** is to monitor the implementation of projects carried by the Executive Secretariat and to prepare reports for the Council of Ministers.

The **Council of Ministers** is NBA's supervisory body and the Executive Secretariat's management control body. It is assisted by the **Technical Committee of Experts** who prepares sessions. In this capacity, it takes cognizance of the documents submitted to Ministers, summarizes them and presents them to the Council together with recommendations that will serve as a basis for the Council's resolutions.

The **Summit of Heads of State** is NBA's supreme body. It is the main body for guidance and decision making. Its decisions and guidelines are enforceable and binding on the Council of Ministers, which must control their implementation.

### 2.3 The Executive Secretariat

The Executive Secretariat is NBA's nerve center in that it has the role of operating the entire system described in Figure 4 above, which in turn is responsible for the overall management of the Basin. NBA system's capabilities and performance as a whole are closely dependent on those of the Executive Secretariat. This gives the picture of NBA's importance for the region.

This section focuses on the description of Executive Secretariat's structure and operation. This description is crucial for the rest of the complementary analysis because it offer the basis for the assessment of the Secretariat's and NBA's capacities as a whole.

#### 2.3.1 Organizational structure

Following NBA's institutional and organizational audit in 2005, the following organizational chart was proposed by the experts and adopted by an extraordinary session of the Council of Ministers in Yaoundé.
Figure 5: Official organizational chart resulting from the 2005 organizational audit.

This chart is officially the one in effect to date. However, it has undergone several changes following i) the decisions of Summits of Heads of State or resolutions of the Council of Ministers, ii) the retirement and resignation of the incumbents of some positions.

The ES’ actual organizational chart as it operates to date is as follows.
This organization chart calls for the following observations:

- Five positions are functional and deemed permanent (green color) whereas they are not included in the official organizational chart (they were dispatched to NBA following the closure of a CIDA project)
- Seventeen (17) positions are vacant (red color) of which 15 are strategic positions for NBA.

Most of the Executive Secretariat’s operation relies on its three Directorates, namely the Technical Directorate, the Observatory and the Directorate of Administration and Finance (DAF). The set-up of each of these Directorate is detailed below.

2.3.2 Technical Directorate

The Technical Directorate is supposed to play a leading role in carrying out the technical activities required for the management and protection of the Basin. It is in charge of conducting studies, planning, implementation and monitoring of projects. As shown in Figure 6 above, it comprises two divisions, namely the Division of Planning and Studies and the Division of Operations.

The Division of Planning and Studies is in charge of:

1. Planning for sustainable development of the Basin and programming actions by ensuring consistency and complementarity of regional development and planning projects;
2. Conducting studies prior to the development of new projects;
3. Using hydraulic modeling tools (basin run simulation model) and economic modeling tools (optimization and benefit sharing) as policy decision support tools;

4. Conducting studies for the harmonization of development policies and legislation of Niger Basin Countries.

The Division of Operations is in charge of:

1. Facilitating the implementation of agreements with NBA;
2. Monitoring the implementation of external projects and directly managing projects under which NBA provides counterpart staff;
3. Monitoring and coordinating the activity of National Focal Structures (NFS);
4. Coordinating and facilitating the involvement of civil society in activities concerning the development of the Niger Basin.

The staff of the Technical Directorate is composed as follows:

- **Permanent staff:** 15 agents including 7 category A agents, 1 category B agent and 7 category D agents; there are currently 5 vacant positions, including 3 senior staff (category A).
- **Project staff:** 15 agents including 6 in category A, 5 in category B and 4 in category D; 2 of the positions are vacant and 4 are permanent staff seconded from the Observatory and the DAF.

The Technical Directorate played an important role in the recent changes in NBA. Most of the reference documents and studies conducted by NBA have been led by the Technical Directorate in collaboration with the other services of NBA and with the support of donors and consultants. In addition, it has led the implementation of important projects such as SCP and PDREDGE.

However, the Technical Directorate is very severely under-staffed. Indeed, the two positions of Heads of Division have not been filled to date, which greatly hampers the Directorate in carrying out its missions (see Figure 6 above). The same applies to the position of NFS and civil society Monitoring Officer. One should also wonder whether the lack of a specialist in dams and hydropower and that of an expert in irrigated perimeter management in the organizational chart is not detrimental to the management of important issues by the Directorate, and hence the Executive Secretariat as a whole.

### 2.3.3 The Niger Basin Observatory

The Niger Basin Observatory plays a crucial role in carrying out missions in relation to the Basin in that it is in charge of producing, reviewing, and disseminating information basin wide. Specifically, the mission of the Niger Basin Observatory is to:

1. Monitor changes in the Basin as regards its various components (hydrological, environmental, human, socio-economic)
2. Produce regular information on the development of the Basin through the analysis of the data collected and implement a system to disseminate useful information for the benefit of policy makers, economic operators and development actors.

As shown in Figure 6, the Observatory does not have divisions. It is supposed to be composed of six experts specialized in specific fields and technologies and an Executive Assistant.

The Observatory centralizes, compiles and models hydrological and environmental information collected and transmitted by satellite-based automatic observation stations and hand-held data collected by the Member Countries’ services. It draws up regular hydrological bulletins, generates forecasts, particularly concerning floods and low flows, and make these available to decision-makers and people living in the Basin.

It should be noted that the forwarding of data by the Member Countries’ services is rather irregular and sometimes suffers from serious delays that severely affect the frequency and quality of the analyzes.
In addition, the action of the Observatory is constrained by understaffing and excessive workload. Indeed, two of the six expert positions at the Observatory are vacant, namely:

1. The Head of the Basin Observatory (retired)
2. The Specialist in New Information Technologies and Communication (resigned).

Three of the remaining four experts have to cope with an excessive workload:

1. The Modeling Specialist is the interim manager of the Observatory.
2. The Environmental Specialist combines his responsibilities with that of Coordinator of the PGBFN at the Technical Directorate.
3. The Specialist in Geographical Information System and Database Management serves also as interim ICT specialist.

Only the Water Resources Specialist has no additional job.

2.3.4 The Directorate of Administration and Finance

This Directorate is important in that it has the crucial responsibility of mobilizing and managing material and financial human resources and making such resources available to other Directorates and structures to enable them to fulfill their missions. Its specific mission includes:

1. Seeking financial resources for NBA activities and projects
2. Ensure that the use of these resources is consistent with forecasts and rules
3. Perform statutory reports, returns, and registrations.

The DAF relies on two Divisions:

1. The Division of Finance and Accounting (DAF), comprising four positions, with the position of Head of Division being vacant
2. The Division of Human Resources and General Administration, comprising 28 agents, including 3 category A agents, 2 category B agents and 23 category D agents. Of the 28 posts in this Division, 23 are currently filled and 5 are vacant.

The Public Relations and Protocol Officer and the two translators-interpreters are directly attached to the Director, they do not belong to any of the two Divisions of the DAF.

The Division of Finance and Accounting is in charge of budget and cash management and has to send monthly a cash flow statement of all NBA structures to the Executive Secretary and the Financial Controller and has to draw up an overall financial report covering all financial activities for each fiscal year.

The Division of Human Resources and General Administration carries out day to day tasks related to the legal and administrative aspects of the function:

- Ensuring compliance with workers' rights
- Ensuring quality and reliability of personnel information
- Ascertaining workers' entitlements and preparing the statements required for their payment
- Monitoring and performing from a legal point of view all the statutory and non-statutory operations required for the administrative management of ranks and positions in the civil service (appointment, tenure, promotion in rank and in grade, reclassification, incorporation into another body, leave authorization system, secondment, provision of staff, availability, resignation, monitoring of the civil servant records, disciplinary procedures, compensation).

Through the head of the Department of General Resources, the Directorate of Human Resources and General Affairs is in charge of meeting all the needs of NBA in terms of procurement of goods and services and the management of logistics by setting up a pool of vehicles and the supervision of drivers.
2.3.5 The Office of the Executive Secretary

No clear reference has been found on the role and composition of the Office of the Executive Secretary. As per our observations, it seems to be - for the time being - a role of administrative support and protocol rather than technical and managerial support.

3 ASSESSMENT OF PERFORMANCE

As the current set-up of NBA has now be determined, the analysis can move on and ask whether the institution under the current set-up will actually be able to implement its mandate, fulfil its ambitions and support Member Countries to meet the challenges they decisively face. To allow for an empiric answer, this central question has to be discussed in several steps so as to address the sub-questions it raises.

The first step in the analysis consists in reviewing NBA’s organizational performance. Performance is defined as the result obtained in a specific area by a person, a machine or an organization. If we focus on organizations, we will agree with Lorino’s definition: "Performance in a company is all that, and only what contributes to achieving its strategic objectives" (Ph. Lorino, 1997, p179). Strategic objectives are generally a function of the value-cost combination. Value refers to the judgment of potential clients about the usefulness of the services offered by a company in response to their needs. Cost is the monetary measure of resource consumption that usually occurs as part of a process to deliver a well-defined result.5

Value can be judged against:

1. Actual delivery of products and/or services (e.g. for a bakery: can it produce bread, croissants and pastries?)
2. Client satisfaction (do current and potential client like the bread, croissants and pastries produced?).

These two aspects determine the effectiveness of an organization: Its efficiency is determined by its ability to deliver products/services and to satisfy its clients at the lowest cost. These two aspects of an organization’s performance (effectiveness and efficiency) are measured using specific criteria. There is no single criterion of performance, nor an exhaustive list of the different performance criteria. The criteria to be used must be selected according to the nature of the entity reviewed.6

As NBA is a non-profit organization and there is no clear definition of the products and services it should deliver, the review of its performance will be based on the extent to which NBA fulfil its missions. Indeed, it will not be possible to obtain clients’ views on the products and services the organization should deliver, insofar as these have not been clearly defined.

Similarly, it will be difficult to appraise NBA’s efficiency in the current context. Indeed, a discussion of an organization’s efficiency is relevant only if it has been assessed as effective first. In other words, question of whether products and services have been delivered at an optimal cost is raised only if such products and services have been actually delivered. The lack of clarity about the nature of the organization’s outputs or outcomes makes it difficult to assess its efficiency and more broadly analyze its operational performance.

On the other hand, questions can be raised as to i) NBA’s performance in relation to the mobilization of funds required for fulfilling its mandate, which is important even for non-profit organizations (3.2), ii) what its stakeholders say, i.e. their expressed level of satisfaction (3.3), iii) EFQM organizational performance criteria (3.4).

---

3.1 Effective fulfillment of missions

The first question to ask is whether NBA is effective in fulfilling its mandate, that is, its duties and functions as defined in the Revised Convention of 1987. This is the essence of QMISSIONS.1 repeated below:

QMISSIONS.1. Does NBA’s organizational structure provide effective support for the various functions and services that flow from the organization’s current missions?

As NBA’s mandate and organizational structure have been already described, the next step would be to assess how well NBA addresses the various aspect of its mandate. Such an assessment is proposed in Table 2 below: it repeats the wording of the organization’s mandate objectives, details the various dimensions included in each objective, determines whether that dimension is actually supported, specifies whether the level of support is satisfactory, then offers comments, as needed.
<table>
<thead>
<tr>
<th>OBJECTIVES ADOPTED IN THE 1987 REVISED CONVENTION</th>
<th>DIMENSIONS</th>
<th>DIMENSION SUPPORTED BY NBA?</th>
<th>SATISFACTORY LEVEL OF SUPPORT?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Harmonize and coordinate national water resources development policies in the Niger Basin</td>
<td>Coordinate national policies for the development of water resources</td>
<td>Yes, this is reflected in Shared Vision and SDAP.</td>
<td>Yes, adequately.</td>
</tr>
<tr>
<td>2. Participate in development planning by developing and implementing an integrated Basin development plan.</td>
<td>Develop an integrated Basin development plan. Participation in the implementation of an integrated development plan of the Basin through the supervision of its implementation</td>
<td>Yes, this is the case with the Investment Plan, the Strategic Plan and its Operational Plan. Yes, NBA monitors the implementation of the Kandadji and Fomi dams in particular.</td>
<td>Yes, adequately.</td>
</tr>
<tr>
<td>3. Ensure the control and regulation of all forms of navigation on the river, its tributaries and sub-tributaries.</td>
<td>Regulate all forms of navigation on the river. Control all forms of navigation on the river.</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>4. Promote and participate in the design and operation of works and projects of common interest.</td>
<td>Promote the design of works and projects of common interest. Participate in the operation of works and projects of common interest.</td>
<td>Yes</td>
<td>Not adequately. The organization is not doing enough to get Countries to collaborate in the implementation of this type of works.</td>
</tr>
<tr>
<td>5. Participate in the formulation of requests for assistance and in the mobilization of funding for studies and works required for the development of the resources of the Basin.</td>
<td>Participate in the formulation of requests for assistance to carry out studies and works required for the development of the resources of the Basin. Participate in the mobilization of the funding of the studies and works required for the development of the resources of the Basin.</td>
<td>Yes. NBA has contributed to the request for assistance for studies of large dams (Fomi, Kandadji and Taoussa) under the WRDSEMP program as well as to organizing a meeting on the financing of the 2008 five-year priority plan. Yes, NBA has contributed to the request for assistance for studies of large dams (Fomi, Kandadji and Taoussa) under the WRDSEMP program as well as to organizing a meeting on the financing of the 2008 five-year priority plan.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Table 2: Assessment of the effective implementation of the dimensions of the Revised Convention of 1987
The review presented in Table 2 shows that NBA fully supported the objectives and dimensions relating to harmonization, design and planning. Its results in this area are quite convincing.

However, NBA was not involved in the regulation and control of navigation; but, above all, NBA has not been able to steer the conclusion of inter-country partnerships to work together on structures of common interest. In general, the organization did not invest much in the supervision of the implementation of works planned in its development plans. This is probably due to the fact that NBA has not really been involved in mobilizing funding for the implementation of infrastructure projects because contract management under these infrastructures projects has not yet been transferred to it though such transfer has been considered on several occasions.

<table>
<thead>
<tr>
<th>Given the findings above, the answer to QMISSIONS.1 can only be negative: NBA’s current organizational structure does not allow for supporting the key aspects of its mandate:</th>
</tr>
</thead>
<tbody>
<tr>
<td>▪ While the organization has helped carry out studies in preparation of targeted infrastructure, it did not effectively support the core of its mandate which is to support the implementation of infrastructure to valorize the river’s water resources. The Division of Operations that would be in charge of this aspect is not operational; there are no identifiable processes to support the construction of infrastructure or to monitor the operation of dams or irrigated perimeters; the experts who should lead the implementation of such processes (e.g. specialists in dams or irrigation) have not been recruited, etc.</td>
</tr>
<tr>
<td>▪ Similarly, NBA does not currently have any structure or expertise for fundraising.</td>
</tr>
<tr>
<td>▪ This is also the case with the regulation and control of navigation.</td>
</tr>
</tbody>
</table>

### 3.2 Performance in terms of financial resources mobilization

When project promoters do not have funds to achieve their ambition, they must engage in fundraising operations. Fundraising operations provide important clues as on the future of a project. They provide information on whether investors/partners trust and believe in the project, and, whether the promoters are able to convince their partners of the merits and the interest of their projects. This is fully relevant for NBA whose overall project is the management of the Niger Basin.

Indeed, for an inter-state public organization such as NBA, who is nonprofit and has legal personality, the first measure of performance would obviously be its ability to mobilize resources to fulfill its mandate. Needless to say, without resources, the issue of performance in operation and implementation of projects and works would be irrelevant.

The analysis carried out should allow for answering QRESS.3 below:

- **QRESS.3** Does NBA’s funding mechanisms allow the organization to focus on the missions assigned to it in a sustainable manner?

NBA funding is currently provided through two main channels: contributions of Member Countries for the funding of the Executive Secretariat and support from technical and financial partners for the funding of projects.

### 3.2.1 Contributions from Member Countries

The Member Countries of the Niger Basin Authority have pledged an annual contribution for its operation. The total amount of the contributions is determined by the operating and investment budget of the Executive Secretariat. This total amount is then split among Member Countries according to a distribution key set on the basis of several criteria, including the Countries’ population, and surface of each of the Countries in the Basin. However, a review of trends in the actual payment of contributions showed that Member Countries were failing to honor their commitments and have been accumulating arrears as shown in Table 3 below.
Table 3: Status of Member Countries’ contributions as of 2017

The table shows that, with the exception of Côte d’Ivoire, the other eight Countries are experiencing delays in payment that are detrimental to NBA’s operation. The arrears in contributions amounted to CFA 1.45 billion as of December 31, 2017. Worse, in 2018, the first State contribution was transferred to NBA’s bank accounts only in September.

In such a context, it is normal that NBA is unable to meet its expenses - which are constantly increasing. Expenditures rose from CFA 851 million in 2010 to CFA 1.183 billion in 2017, representing an annual growth rate of 6 percent.

As a result, budget deficits have become recurrent since Fiscal Year 2010 and are becoming increasingly large as shown in Table 4 below.

<table>
<thead>
<tr>
<th>Years</th>
<th>Estimated budgets</th>
<th>Budgets covered by revenue</th>
<th>Gaps</th>
<th>Recovery rate %</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>2,432,565,651</td>
<td>1,573,534,566</td>
<td>-859,031,085</td>
<td>65%</td>
</tr>
<tr>
<td>2016</td>
<td>1,817,172,740</td>
<td>1,087,067,092</td>
<td>-730,105,648</td>
<td>60%</td>
</tr>
<tr>
<td>2015</td>
<td>1,872,225,696</td>
<td>1,274,087,888</td>
<td>-598,137,808</td>
<td>68%</td>
</tr>
<tr>
<td>2014</td>
<td>1,537,098,055</td>
<td>787,062,773</td>
<td>-750,035,282</td>
<td>51%</td>
</tr>
<tr>
<td>2013</td>
<td>1,724,177,624</td>
<td>1,636,678,822</td>
<td>-87,498,802</td>
<td>95%</td>
</tr>
<tr>
<td>2012</td>
<td>1,312,938,349</td>
<td>1,011,975,073</td>
<td>-300,963,276</td>
<td>77%</td>
</tr>
<tr>
<td>2011</td>
<td>945,500,000</td>
<td>645,174,499</td>
<td>-300,325,501</td>
<td>68%</td>
</tr>
<tr>
<td>2010</td>
<td>990,200,000</td>
<td>1,207,713,755</td>
<td>217,513,755</td>
<td>122%</td>
</tr>
</tbody>
</table>

Table 4: Differences between planned budget and actual budget from 2010 to 2017

The organization’s estimated budget has increased from CFA 990 million in 2010 to CFA 2.432 billion in 2017, but the resources actually mobilized have remained systematically below forecasts since 2010.

Box 1 below summarizes the situation regarding the mobilization of Member Countries’ contributions and the control of the organization’s operating costs.

\[\text{This column summarizes all the arrears owed by each Member State. These arrears are not limited to years 2015 or 2016.}\]
Box 1: Financial difficulties faced by ABN from 2010 to 2017

ABN's expenses increase due to increased activity. This translates into a budget increase from XAF 990 million in 2010 to XAF 2,432 million in 2017.

However, revenues which come mostly from Member States' contributions are not enough, which causes large and recurrent budget deficits.

As a result, ABN cannot achieve its objectives despite resorting to bank overdrafts in some fiscal years to mitigate the situation.
Currently, NBA can continue operating only through bank overdrafts, whose debit balance as of August 31, 2018 amounted to CFA 213 million.

### 3.2.2 Technical and Financial Partners' support

The investments made as part of the management of the Basin come mainly from the development partners support. The investments concern either the implementation of "soft" projects or the construction of Basin management infrastructures. Table 5 below summarizes the support obtained from TFPs from 2005 to 2016 as well as the consumption rates of the credit allocated.

<table>
<thead>
<tr>
<th>Projects</th>
<th>TOTAL</th>
<th>Achievement rate in 2016</th>
<th>Cumulative disbursements as of 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. P-DREGDE - Phase 1 financed by the WB</td>
<td>187</td>
<td>91%</td>
<td>169,42</td>
</tr>
<tr>
<td>2. P-ITDTE (completed) funded by WB-GEF</td>
<td>13</td>
<td>95%</td>
<td>12,33</td>
</tr>
<tr>
<td>3. Niger HYCOS (completed) financed by AFD-FAE</td>
<td>8</td>
<td>80%</td>
<td>6,16</td>
</tr>
<tr>
<td>4. IWRM 2 financed by AFD</td>
<td>5</td>
<td>100%</td>
<td>5,03</td>
</tr>
<tr>
<td>5. Fund for Studies and Capacity Building (FERC) funded by AFD</td>
<td>1</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>6. Support for the establishment of an Observatory of the Niger River Basin Environment financed by FFEM</td>
<td>2</td>
<td>94%</td>
<td>1,67</td>
</tr>
<tr>
<td>7. PRC (completed) funded by CIDA</td>
<td>8</td>
<td>98%</td>
<td>7,66</td>
</tr>
<tr>
<td>8. Support to NBA-GIZ-Phase 1-3 funded by Germany</td>
<td>11</td>
<td>88%</td>
<td>9,5</td>
</tr>
<tr>
<td>9. Support to NBA-GIZ Phase 4 funded by Germany</td>
<td>4</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>10. SCP (phase 1) funded by AfDB-UEMOA</td>
<td>46</td>
<td>79%</td>
<td>36,26</td>
</tr>
<tr>
<td>11. SCP-Consolidation funded by UEMOA</td>
<td>5</td>
<td>96%</td>
<td>5,06</td>
</tr>
<tr>
<td>12. PRC-IDB funded by IDB</td>
<td>0</td>
<td>74%</td>
<td>23</td>
</tr>
<tr>
<td>12. PPFNI_KfW-Mali funded by Germany</td>
<td>15</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>13. SATH project funded by Netherlands, AfDB, NBA, EARS, UNESCO-IHE</td>
<td>5</td>
<td>21%</td>
<td>1,12</td>
</tr>
<tr>
<td>14 AGES/BGR project -Phase 1 funded by Germany</td>
<td>3</td>
<td>92.</td>
<td>2,30</td>
</tr>
<tr>
<td>15. AGES/BGR Project -PHASE 2 funded by Germany</td>
<td>3</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>16. PGBFN/CIWA, CIWA-WB</td>
<td>8</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>17. P-KRESMIN/Construction of the Kandadji Dam funded by: ADF, IDA, IDB, BOAD, FKDEA, FSD, FADD, BADEA, OFID, AFD, EBID</td>
<td>891</td>
<td>15%</td>
<td>13,059</td>
</tr>
<tr>
<td>18. Taoussa development project financed by: IDB, OFID, BADEA, FKDEA, BOAD, EBID, FSD, FAD</td>
<td>160</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>19. Fomi Project (EIES) funded by the EU</td>
<td>3</td>
<td>100%</td>
<td>2,65</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1,375</strong></td>
<td><strong>28%</strong></td>
<td><strong>390,03</strong></td>
</tr>
</tbody>
</table>

*Table 5: Projects implemented by NBA with the support of TFPs from 2005 to 2016*

The performance of NBA in terms of credit use seems rather low at -28%. However, this average rate is to be considered with caution because it encompasses projects at different stages of implementation (beginning, half way or end). Indeed, projects at the beginning or the middle of their implementation will have low overall disbursement rates, without such rates reflecting poor recovery performance. In this case, the low rate is mainly due to the fact that the Taoussa and Kandadji dam projects that are managed at the national level⁶ and represent 76 percent of the amount of USD 1,375,000,000 have not actually started.

It should be reminded that the financing needs of NBA in the coming years - as foreseen in its Investment Plan - are very large, as shown in Table 6 below:

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⁶ Although they are managed at the national, as indicated in the text, these projects have been included in this summary because they are part of NBA investment plan.
opinions describes However, drawing the In A implement envisaged A activities on The activities, namely:

1. Combination with community levies,
2. Institution of user/payer and polluter/payer fees,
3. Compensation for contract management of projects and programs,
4. Remuneration of a capitalization fund.

A feasibility study on the user-pays levy is currently underway, but to date none of the mechanisms envisaged have been operationalized. However, the future performance of NBA in achieving the ambitions set out in its various plans and investment programs will depend to a large extent on the its ability to implement these mechanisms.

With the above observations made, answers can be now be made to QRESS.3. As noted earlier, NBA had not been able to mobilize the financial resources needed to make the investments it had planned. The analysis presented in this section indicate that it has been unable to mobilize sufficient resources to cover its operating costs as well. Consequently, the answer to QRESS.3 is "No": The organization's financial resources mobilization arrangements are not effective and do not enable NBA to perform in pursuing its missions.

However, investment needs are still huge in view of the challenges ahead. As noted in Section 3.1, NBA does not have a system or mechanisms for mobilizing financial resources, despite the injunctions of its higher bodies.

Very clearly, the operationalization of a system and mechanisms for mobilizing financial resources must be one of NBA's priorities in the short term.

### 3.3 Stakeholders' perception of NBA's performance

A stakeholder opinion survey was organized by e-mail to capture the perceptions of NBA stakeholders on a number of important topics. The goal was to provide a detailed answer to QPERF.1:

**Does NBA meet the expectations of its key stakeholders?**

In the questionnaire, stakeholders were asked if they considered NBA to be a performing organization, with the expectation that they would respond positively if the organization met their expectations.

Unfortunately, the number of respondents was not up to expectations, despite repeated reminders from the Executive Secretary and the Team Leader of the complementary analysis. Out of about 150 questionnaires sent out, only 13 people filled and sent it back. The low response rate does not allow for drawing conclusions that are extrapolable, even though the response rate per se is of interest and quite speaking.

However, the answers obtained give some indications, though these should not be taken as final. Table 7 describes the profile of those who answered the questionnaire while Table 8 summarizes the respondents' opinions on the performance of NBA, the subject of this section.
The organization must relate basic performance, if 3.4 (four) even their indications. For the performance assessment, the NBA is highly considered, due to the EFQM model’s nine criteria, five of which relate to "Factors" contributing to performance and four relate to the "Results" of the actions. The criteria relating to "Factors" essentially cover what an organization must do to develop its strategy and implement it. The criteria relating to "Results" focus on what an organization achieves, in line with its strategic objectives.

Table 7: Respondents' profile

<table>
<thead>
<tr>
<th>Type of actor</th>
<th>Number</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representatives of a ministry</td>
<td>4</td>
<td>30.7%</td>
</tr>
<tr>
<td>Representatives of beneficiaries</td>
<td>3</td>
<td>23.0%</td>
</tr>
<tr>
<td>TFPs</td>
<td>2</td>
<td>15.3%</td>
</tr>
<tr>
<td>Other</td>
<td>4</td>
<td>0.307%</td>
</tr>
<tr>
<td>Total</td>
<td>13</td>
<td>100%</td>
</tr>
</tbody>
</table>

Table 8: Respondents' opinions on NBA's performance

<table>
<thead>
<tr>
<th>What is your assessment of NBA's overall performance level?</th>
<th>Number</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>For me, NBA has very poor performance.</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>For me, NBA has poor performance.</td>
<td>10</td>
<td>76.9%</td>
</tr>
<tr>
<td>For me, NBA has fairly good performance.</td>
<td>3</td>
<td>23.1%</td>
</tr>
<tr>
<td>For me, NBA has high performance.</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Total</td>
<td>13</td>
<td>100%</td>
</tr>
</tbody>
</table>

Even if we cannot draw any solid trend, it is interesting to note that more than three respondents out of four consider that NBA has poor performance or less.

For the time being, it is not possible to provide a substantiated answer to QPERF.1, but preliminary indications suggest a negative answer: even if their number is not significant, the vast majority of those who responded think that NBA has poor performance, which would mean that it does not meet their expectations.

3.4 Performance against EFQM criteria

If the stakeholders' opinion survey was aimed, *inter alia*, at gathering their views on the issue of NBA's performance, the present analysis also provided the organization's executives with an opportunity to express their views on the subject as well through a self-assessment form based on the EFQM criteria. The basic EFQM model has nine criteria, five of which relate to "Factors" contributing to performance and four relate to the "Results" of the actions. The criteria relating to "Factors" essentially cover what an organization must do to develop its strategy and implement it. The criteria relating to "Results" focus on what an organization achieves, in line with its strategic objectives.

The Quality Standards Task Group, a UK-based organization, has adapted the EFQM criteria to the needs of non-profit organizations such as NBA and has reduced the number of criteria from nine to seven, namely:

1. **Overall picture.** This criterion relates to the overall performance profile of the organization.
2. **Client base.** An organization's client base is composed of entities (individuals, groups of people or institutions) who receive, use its products or services such as users, clients, beneficiaries, members (e.g. a cooperative), funders, the general public, other structures, stakeholders and target groups. Our purpose here is to clarify what the organization does for its clients.
3. **Leadership.** Leadership defines the future direction of the organization and drives its members toward improvement, development and change. This criterion looks at how leadership works in the organization.
4. **Plan development.** This criterion looks at how the organization plans what it does.

5. **Staff.** Staff includes all those who work for the organization in any capacity (e.g. full-time, part-time or temporary employees, Board members, etc.). This criterion pertains to their level of satisfaction and the nature of the support they receive.

6. **Partnerships and resources.** This section looks at how the organization uses its partnerships and resources to move in the right direction. Partnerships could exist with suppliers, buyers, government organizations, other similar organizations, businesses, etc. Resources include funds, buildings, equipment, technology, information, materials, etc., but not staff since this "resource" is covered in the above criterion.

7. **Working methods/procedures.** This criterion looks at how the working methods and procedures support the needs of clients and the objectives of the organization. Working methods are divided in two: actions to be taken to manage the organization and actions to be undertaken to deliver products or services.

Each criterion serves as a reference for an analysis based on a certain number of parameters/statements included in a questionnaire to be completed by participants. Respondents are asked to assign a rating from 1 (low) to 5 (excellent) to each parameter. The questionnaire was adapted and used for the self-assessment of NBA’s performance. The questionnaire used is provided in the annexes.

The answers to the questionnaire are intended to facilitate the answer to

- **QPERF.2** How does NBA fare in relation to the generally accepted organizational performance criteria?

As already noted, the performance criteria used are those of EFQM, as adapted by QSTG.

Twenty-six (26) NBA executives (almost all non-auxiliary staff) completed the questionnaire anonymously at a plenary meeting in the presence of the Team Leader. The completed questionnaires were processed manually and the results displayed right away. A photo of this exercise’ outcome is provided in the annexes. Figure:7 below summarizes the outcomes.

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9 The professionalism, commitment and objectivity of the executives involved in this exercise are to be commended.
Figure: 7 Results of the EFQM self-assessment of performance by NBA’s executives

<table>
<thead>
<tr>
<th>Parameters</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Overall performance (average of 3.5)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1 Our organization knows what it wants to achieve 4.5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.2 We achieve all our objectives 2.29</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.3 We collect data that informs us about our performance 3.2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Performance as regards client base (average of 2.9)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1 All our clients are highly satisfied with everything we do (products, services) 2.9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.2 All our clients have a positive opinion of the organization and its functioning (service, staff) 3.0</td>
<td></td>
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<tr>
<td>2.3 We regularly collect feedback from our clients and use it to make improvements 2.8</td>
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<tr>
<td>3 Performance as regards leadership (average of 3.38)</td>
<td></td>
<td></td>
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<tr>
<td>3.1 Leaders are involved in developing the mission, values and direction of your organization 4.16</td>
<td></td>
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<tr>
<td>3.2 Managers make sure everything works as it should 3.45</td>
<td></td>
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<tr>
<td>3.3 Managers take the time to recognize the creativity, innovation, efforts and achievements of staff 2.54</td>
<td></td>
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<tr>
<td>4 Performance as regards planning (average of 4.0)</td>
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<tr>
<td>4.1 We have a plan that defines what we want to achieve and how to do it 4.3</td>
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<tr>
<td>4.2 Our plans are based on the expectations and needs of our clients 4.5</td>
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<tr>
<td>4.3 We collect data to ascertain whether we are achieving our goals and to what extent 3.3</td>
<td></td>
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<tr>
<td>5 Performance as regards Personnel (average of 3.0)</td>
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<tr>
<td>5.1 We have agreed on key personnel management standards and policies and this is reviewed regularly 3.0</td>
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<tr>
<td>5.2 We are convinced that everyone has the knowledge and know-how required to achieve our objectives 3.41</td>
<td></td>
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<tr>
<td>5.3 We believe that everyone has the support and the means they need to achieve our goals 2.6</td>
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<tr>
<td>5.4 People who work for this organization feel valued, recognized and rewarded for what they do 1.3</td>
<td></td>
<td></td>
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<tr>
<td>6 Performance as regards partnership and resources (average of 3.19)</td>
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<tr>
<td>6.1 We know who our key external partners are and we work with them to improve what we do 3.8</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>6.2 We are confident that all our resources are used efficiently to lead us in the desired direction 2.87</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>6.3 We have all the information we need to do our job 2.91</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>7 Performance as regards methods, procedures (average of 2.5)</td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>7.1 Our work methods have been designed to meet the needs and expectations of our clients in the most efficient manner 3.04</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>7.2 We work closely with our clients to improve our working methods 2.41</td>
<td></td>
<td></td>
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<tr>
<td>7.3 Our working methods are regularly reviewed and improved by the staff indicated 2.3</td>
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</tr>
</tbody>
</table>

The criterion best scored by NBA staff is the organization’s ability to design plans (average 4.0 on a scale of 5), which is not surprising and corresponds fairly well to the consulting team’s observations. The development of the Shared Vision, the SDAP, the Investment Plan, the Five-Year Plans, the Strategic Plan, the Operational Plan and the Objective-based Budget Program indicates that the organization is fairly familiar with planning exercises and has real capabilities in this area.

More surprising is the fact that the executives seem quite satisfied with the overall performance of the organization, granting it the second-best score with an average of 3.5.
In contrast, NBA's performance is rated the weakest when it comes to working methods/procedures (average 2.5), which does not come as a surprise. NBA's performance in relationship to its clients is also quite low, this criterion obtaining the second lowest score.

It is interesting to note that the worst scored parameter relates to personnel management, whereas the related criterion comes only in third position among the criteria of NBA's poor performance. Indeed, the statement "People who work for this organization feel valued, recognized and rewarded for what they do" gets only a score of 1.7, which is the lowest score for all the 18 parameters. This probably reflects low morale in the institution.

Unsurprisingly, the second parameter with the lowest score is related to achieving the institution's goals. Although they seem quite satisfied with the organization's overall performance, the staff did not miss the fact that NBA was not able to achieve the goals set. The assertion "We are achieving all the goals set" scores a mere 2., which is the second lowest.

At the other end, two claims have the same very high score at 4.5: "Our organization knows what it wants to achieve" and "Our plans are based on our clients' expectations and needs." Two other statements score above 4, namely "We have a plan that defines what we want to achieve and how to do it" (4,3) and "Leaders are involved in the development of the mission, values and direction of our organization." (4,16).

In general, the results of the EFQM analysis indicate that NBA has proven results and capabilities in planning, but that its level of organization and working arrangements did not allow for implementing plans, probably because these working methods did not make it possible to mobilize the resources required. It is therefore normal that NBA's performance as regards its client base is low.

Before closing this section on the EFQM analysis, it is worth highlighting how the team's morale is low as reflected in the score at parameter 5.4.

In summary, and to answer QPERF.2, it should be pointed out that the only criterion where NBA's performance is satisfactory is that of plan development. For all the other six criteria, the results are rather mixed. Even where NBA executives seem rather satisfied with their organization ("Overall picture" and "Leadership"), important reservations still apply.

It is also important to point out that poor performance in working methods and procedures identified by key personnel in the organization can be fatal to the organization. Without significant progress in this area, it would be difficult to think that NBA would be in position to meet the challenges of the future as identified above.

The findings from the questionnaire do not only allow for answering QPERF.2, they also allow for identifying strengths and specific areas of improvement with respect to each criterion. Thus, after assigning a score to each parameter, respondents to the self-assessment questionnaires were also asked to identify the strengths of the organization as well as areas where improvements are needed.

The different opinions expressed on these points were compiled and discussed during a brainstorming session, which made it possible to summarize the views expressed. The outcomes of these participatory reflections on strengths and areas for improvement in the operation of NBA are presented in Table 9 and Table 10 respectively.
<table>
<thead>
<tr>
<th>Overall</th>
<th>Client base</th>
<th>Leadership</th>
<th>Development of plans</th>
<th>Staff</th>
<th>Partnerships and resources</th>
<th>Working methods, procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Clarity of the organization’s objectives</td>
<td>- Clarity on NBA’s missions TFPs support NBA through project funding.</td>
<td>- NBA’s authorities (CM, CRP) oversee achievement of NBA’s objectives.</td>
<td>- Existence of a work plan</td>
<td>- Quality and competence of the staff</td>
<td>- Existence of partners and collaboration with them</td>
<td></td>
</tr>
<tr>
<td>- NBA’s mandate clearly defined by the revised Convention of 1987</td>
<td>- Involvement of water users in NBA’s activities through their representatives</td>
<td>- The ES and Directorates ensure smooth running of NBA and completion of planned activities.</td>
<td>- NBA has planning tools (SP, OP, OPB, AWP)</td>
<td>- Good relationship with NBA suppliers</td>
<td>- Good relationship with NBA and TFPs for information sharing on river data</td>
<td></td>
</tr>
<tr>
<td>- Objectives set by a 5-focus Strategic Plan</td>
<td>- Existence of NFS</td>
<td>- Regular statutory meetings and Management meetings</td>
<td>- Availability of objectively verifiable indicators and means of verification</td>
<td>- Existence of Staff Regulations</td>
<td>- Provision of some NBA experts to some organizations for experience sharing</td>
<td></td>
</tr>
<tr>
<td>- 10-year Operational Plan adopted</td>
<td>- Availability of partners</td>
<td>- Enforcement and follow-up of resolutions</td>
<td>- Existence of evaluation procedures</td>
<td>- Existence of a performance-based staff evaluation procedure</td>
<td>- Availability of information</td>
<td></td>
</tr>
<tr>
<td>- Political will of Countries</td>
<td>- Participation of users in NBA’s statutory meetings</td>
<td>- Timely implementation of projects</td>
<td>- Existence of a manual of planning and monitoring-evaluation</td>
<td>- Existence of administrative, financial and accounting management documents</td>
<td>- Strict compliance with partnership contracts</td>
<td></td>
</tr>
<tr>
<td>- Competent and motivated managers</td>
<td>- Acceptance of policy documents and decision-making instruments by Member Countries</td>
<td>- Final discharge given to the leaders of the organization by the Member Countries</td>
<td>- Diversity and availability of information (studies, evaluations, etc.)</td>
<td>- Recruitment of staff on the basis of competence</td>
<td>- Regular holding of CRP and CM sessions</td>
<td></td>
</tr>
<tr>
<td>- Independence of the Institution</td>
<td>- All tools and products are validated with the countries.</td>
<td></td>
<td>- Experience gained for many years</td>
<td>- Regular evaluation of staff</td>
<td>- Existence of a cooperation framework for partners</td>
<td></td>
</tr>
<tr>
<td>- Strategic plan operational</td>
<td>- Existence of a cooperation framework between development partners</td>
<td></td>
<td></td>
<td></td>
<td>- Existence of a partners lead</td>
<td></td>
</tr>
<tr>
<td>- Annual Business Plan</td>
<td>- Mobilization of TFPs for the financing of investments</td>
<td></td>
<td></td>
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<tr>
<td>- Activity Report</td>
<td>- Recognition of the importance of the Niger River by all</td>
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<tr>
<td>- Clarity of objectives</td>
<td></td>
<td>- Existence of cooperation between Member Countries</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>- Clear mechanism for monitoring performance</td>
<td></td>
<td>- Engagement of executives despite difficult conditions</td>
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</tbody>
</table>

Table 9: Strengths of NBA in relation to the EFQM criteria according to the executives at the Executive Secretariat
<table>
<thead>
<tr>
<th>Overall picture</th>
<th>Client base</th>
<th>Leadership</th>
<th>Plans development</th>
<th>Staff</th>
<th>Partnerships and resources</th>
<th>Working methods, procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Provide for vacant positions through adequate recruitment; - Project management capacity of structuring facilities - NBA’s expertise on navigation issues - NBA's ability to know and monitor sources of water pollution and their impacts in the Basin - Mobilization of financial resources; - Control of siting; - Partners’ understanding of NBA’s mission and role; - NBA's internal governance; - Strategy for operationalizing autonomous and sustainable financing mechanisms; - Hierarchical structure in the institution; - NBA’s visibility and image - Organization and role of NFS through the development and evaluation of AWPs based on NBA priorities; - Team spirit</td>
<td>- Knowledge of activities, impacts and needs - Provision of products and services tailored to client needs</td>
<td>- Work environment and climate and team spirit; - Compliance with values and staff performance conditions; - Appreciation of staff opinions and development of initiative, creativity</td>
<td>- Involvement of partners in the participatory development of plans; - Timeliness in the implementation of the selected programs;</td>
<td>- Stability of NBA’s institutional memory; - Develop/update and adopt a staff management policy, including the following documents: capacity building plan, career management, staff motivation policy, social report, annual evaluation of NBA’s overall performance, training plans, career management, staff motivation policy, social report, annual evaluation of NBA’s overall performance; - Implementation of team building activities</td>
<td>- Involvement of users and beneficiaries in NBA activities - Dialogue between TFPs, countries and NBA; - Involvement of populations in the implementation of NBA’s activities; - Assessment of client satisfaction</td>
<td>- Processed-based management - Recruitment of staff; - Use of modern and efficient tools for accounting and financial management; - Knowledge of the features and implications of the program approach on NBA’s operations and procedures; - Capitalization and knowledge management</td>
</tr>
</tbody>
</table>

**Table 10: Areas for improvement by NBA with respect to the EFQM criteria according to the institution’s executives**

Of the two tables, the most important is the one relating to areas for improvement because addressing these points and identifying areas for improvement will allow the organization to move forward. Of special interest, these areas for improvement were identified by the organization’s executives themselves. As a result, they will more easily contribute to the identification and implementation of improvement measures, thus circumventing the issue of ownership.
The views expressed in this table should not be underestimated because they are observations made by those who are the most familiar with the organization. If these areas for improvement are also shared by partners and stakeholders, then the conditions for finding solutions can be met. As part of this additional analysis, an effort will be made to corroborate and, where appropriate, refine the findings relating to the areas for improvement to inform the process of developing capacity building plans for NBA.

4 DETERMINANTS OF THE ORGANIZATION'S PERFORMANCE

Section 3 above focused on assessing NBA's performance from various angles. This section attempts to explain the performance levels observed. The results of an organization are the consequence of its working methods (management) and its institutional arrangements (governance). These two aspects will be treated in this section in turn. The quality of NBA's management will be discussed in 4.1 and the effectiveness of its governance in 4.2.

4.1 Quality of NBA's management

To explain and understand the performance of an organization, one must first look at how its different operations are performed. This is done in this section. Our purpose is to see whether the arrangements for financial and human resources management at NBA present inadequacies that may account for its performance and that could be addressed to enhance its future performance.

4.1.1 Quality of NBA's financial management (QRESS.2)

The purpose here is to provide a substantiated answer to QRESS.2 as follows:

- QRESS.2 Is NBA’s material and financial management up to international standards, i.e. is it likely to ensure security of resources available and credibility of the organization with international partners?

Inputs into the answer to QRESS.2 will be determined from the description and review of the financial management system, the description and review of financial management modalities and the review of the mechanisms for mobilizing funds.

4.1.1.1 Review of the financial management system

NBA’s financial management, in the broad sense of the term, does not only take place at the level of the Management but begins with the institution’s governing bodies. The description of NBA’s financial resources management system therefore covers both its governance bodies and its management bodies.

Role of the Summit of Heads of State and Government

The revised Convention of 1987 in Chapter IV on Financial Provisions obliges each Member State to pay NBA an annual contribution for its operations according to a defined distribution key. It also sets up a management audit committee and a Financial Controller to respectively audit the accounts of the Executive Secretariat and control its financial management. The powers of these two (02) supervisory bodies are set by the Financial Regulations (Article 13 of the Convention).

The Convention also grants NBA, which has legal personality, the authority to:

1. Contract;
2. Acquire movable and immovable property as required to achieve its objectives;
3. Engage in legal proceedings;
4. Borrow;
5. Accept donations and legacies.

NBA is represented by the Executive Secretary in exercising the above rights and obligations but within the limits of the powers and decisions granted by the Council of Ministers.

*Role of the Council of Ministers*

In financial matters, the Council of Ministers rules on the use of NBA's resources in accordance with the Revised Convention and agreements signed with donors (Article 3 of the Manual of procedures).

The Council of Ministers is responsible for approving all NBA's expenditures for each budget year (Article 10 of the Convention). The Council of Ministers is the one that draws up the Financial Regulations (Article 12 of the Convention). According to the Convention, the CM also approves NBA's budget (Article 3 of the Financial Regulations).

*Role of the Technical Committee of Experts*

The role of the Technical Committee of Experts is to take note of documents (including financial documents) to be submitted to the Ministers, to summarize them and to make recommendations to the Council.

*Role of the Executive Secretary*

The Executive Secretary makes financial commitments on behalf of NBA. His/her responsibilities for the management of NBA's financial resources are as follows:
1. He/she is in charge of drawing up the draft budget and submitting it to the Council of Ministers for adoption (Article 3 of the Manual of procedures);
2. He/she acts as the main authorizing officer of the budget, both with regard to the commitment of expenditure and the liquidation and authorization of receipts and expenses. He/she must manage administrative operations in order to assess NBA's creditworthiness and ensure payment of orders and expenses (Article 3 of the Manual of procedures);
3. He/she may perform transfers of budget lines within the limits set by the Manual of procedures upon authorization from the Council of Ministers and no objection from the donor funding the investment (Article 5 of the Manual of procedures);
4. He/she may not incur expenses that are not covered by any budget allocation unless it receives approval by the Council of Ministers (Article 5 of the Manual of procedures);
5. He/she may seek and accept on behalf of NBA grants, legacies, and other special appropriations provided that such appropriations do not conflict with the objectives and purposes of NBA. These resources, when secured, form an integral part of the revenue of NBA’s budget (Article 6 of the MP);
6. He/she opens the bank accounts required for NBA's operation and can, upon agreement by donors, place projects and programs funds in interest bearing accounts (Article 7 of the Manual of procedures);
7. He/she sets by specific regulations the levels of financial commitments and designates the authorized signatures regarding NBA’s bank account operations and other financial transactions.
8. He/she signs all checks and co-signs transfer orders and transfers funds from one account to another with the Head of the Division of Finance and Accounting (Article 7 of the Manual of procedures);
9. All payments or collections must be made by check or bank transfer. However, the Executive Secretary may, in exceptional cases, authorize, in writing, a cash payment (Article 7 of the Manual of procedures);
10. He/she sets up a fund to pay current expenditures of a certain amount and appoints the agents in charge managing the said fund (Article 7 of the MP);
11. He/she establishes, under the Manual of procedures, financial rules and procedures to ensure effective and rigorous financial management and to maintain an internal financial control system that allow for efficiently and constantly reviewing financial transactions (Article 8 of the Manual of procedures);

12. He/she authorizes the granting of loans and advances to NBA officials (Article 8 of the Manual of procedures);

13. He/she establishes and applies, in accordance with the guidelines that the Council of Ministers may issue from time to time, the rules and procedures governing the disbursement of funds by NBA. He/she is also in charge of proper management of the budget (Article 8 of the Manual of procedures);

14. He/she has the power to override the decision of the Financial Controller. In such case, the Executive Secretary assumes full responsibility for such decision vis-à-vis the Council of Ministers (Article 8 of the Manual of procedures);

15. He/she is responsible for causing all NBA structures to keep all accounting records required by the OHADA applicable in the country where NBA is headquartered (Article 9 of the Manual of procedures);

16. He/she is in charge of submitting on annual basis to the Council of Ministers, a budget status and an accounting status based on financial statements in accordance with SYSCOHADA (Article 9 of the Manual of procedures).

**Role of the Donor Advisory Committee**

As an advisory body, the Donor Advisory Committee is in charge of reviewing projects funded by donors. It validates the financial audit reports of donor-funded projects.

**Role of the Financial Controller**

In accordance with Article 8 of the Manual of procedures, the Financial Controller ensures a priori control of all commitments and payment orders established by the Executive Secretariat, projects and programs and signs them off prior to payment.

The Financial Controller must submit a report on budget implementation at each budget session of the Council of Ministers. He/she must make copies available to the Executive Secretary.

He/she must review all financial documents issued by the Authorizing Officer prior to any payment.

In the event that the Financial Controller has an objection preventing him/her from signing a document, he/she must send the Executive Secretary a written justification within 48 hours of receipt of the document.

The Financial Controller is accountable for any irregular endorsement that he/she performs in the performance of his/her duties.

**Role of the Directorate of Administration and Finance**

The Directorate of Administration and Finance is in charge of coordinating the activities of the Division of Human Resources (payroll, evaluation, training and forecasting), General Administration (General Resources Management) and Accounting and Finance. The ES’ cash (cash and bank) is also managed at its level. In this respect, the Director of Administration and Finance has the co-signature authority for bank accounts (Article 742 of the Manual of procedures).

In collaboration with the heads of the Directorate of Operations and under the supervision of the Executive Secretary, the DAF prepares budgets and AWPs (Article 3 & 4 of the Manual of procedures). It oversees the preparation of the overall financial report covering all financial activities of the year at the end of each financial year (Article 9 of the Manual of procedures).
**Role of the Division of Finance and Accounting**

The DFA reports to the DAF. It is in charge of keeping the accounts of receipts and expenses incurred. It is solely responsible for maintaining accounts for cash and transactions relating to the collection of revenues and expenses. It can in no case exercise the function of authorizing officer (Article 7 of the Manual of procedures).

The DFA must send a statement of cash accounts of all NBA structures to the Executive Secretary and the Financial Controller on a monthly basis and provide them, at their request, with any other information related to accounts (Article 9 of the Manual of procedures). It must prepare on December 31 of each year the final balance of all accounts in its ledger.

Under the supervision of the DAF, the DFA prepares, at the end of each financial year, the financial statements and the overall financial report covering all the financial activities in the financial year (Article 9 of the Manual of procedures).

**Internal Audit**

Although this position is indicated in the organizational chart, the Manual of financial procedures provides no description of the position. As a result, its activities are not developed. However, according to the 2015 Internal Auditor report, the role of the Internal Audit Unit is to ensure the implementation and adoption of NBA's internal work procedures and to carry out an independent and objective verification as well as a review of financing assessment services intended to add value and improve the functioning of NBA.

Internal audit enables NBA to achieve its objectives by providing a systematic and disciplined approach to assess and improve the effectiveness of governance, risk management, internal control processes and reliable financial reporting. It also makes it possible to examine, through audit sampling, the convincing elements that justify data contained in the accounts.

The review of the system thus described calls for the following observations:

**The Convention has shortcomings as regards supervision of financial management.**

First, even though the Financial Regulation countries that the budget is presented as the broad categories of Operations and Investment, the **Convention remains silent on the sources of funding for the investment side of NBA’s budget.** In addition, the Council of Ministers is not adequately informed on the funding and implementation of NBA's projects. Indeed, while Article 10 of the Convention requires that all expenditures of NBA be approved by the Council of Ministers, the Council has delegated its authority to the Regional Steering Committee in charge of Projects and Programs (CRP) which reviews and approves the balance sheets and forecasts for each project and program and reports to the Board. The observation of the duration and set-up of CM sessions shows that the Ministers do not have a perception that is accurate enough of the financial statements of projects implemented by the Executive Secretariat (balance sheet, income statement, actual budgets, subsequent differences, etc.). Therefore, they are not really in position to put the pressure required on the ES to achieve the desired objectives in a timely way. As a consequence of this situation, Countries are little aware of the implementation of projects, which is more closely monitored by technical and financial partners.

Secondly, the Convention (Article 13) established a management audit committee and the position of Financial Controller with the only mandate to audit the accounts of the Executive Secretariat and to control its financial management. **However, NBA as a whole should be controlled, including project accounts.** While all NBA projects are subject to an annual audit and all project expenditures are subject to prior approval of the Financial Controller, the Financial Controller’s report does not provide a consolidated review that incorporates the accounts of the Executive Secretariat and those of projects, especially in terms of credit mobilization and use.

**The role of the Council of Ministers is incomplete as regards financial management**
The Council of Ministers is the body in charge of approving the budget. Thus, each year, the Council adopts the recommendations of external auditors and discharges the Executive Secretary for its management of the financial year in question. However, there are no formal provisions for the approval of NBA’s financial statements after submission of external audit reports.

Currently, the Executive Secretary's financial statements are the only to be submitted, as if NBA was limited to the Executive Secretariat, which represents less than 5 percent of NBA's financial weight. As a result, the Council of Ministers is not adequately informed about either NBA's overall financial status or its reliability (absence of anomalies or irregularities).

**The authority of the Technical Committee of Experts is very limited in reference to the tasks entrusted to it**

The Convention does not specify who chairs this body. Neither is it specified who should be part of it and how "recommendations" should be made. The organizational chart as well as the manual of procedures in force do not address at all the role of the Technical Committee of Experts. Moreover, the authority of this body is not extended enough to enable it to fulfill the missions assigned to it.

The sole purpose of the Technical Committee of Experts is to prepare the sessions of the Council of Ministers and to submit reports and recommendations to it. To carry out his mission, it should have the role of closing accounts before they are approved by the Council of Ministers. Currently, TCE submits to the Council of Ministers reports for which it has no accountability. The members of this body should be more involved in the work and be held accountable by carefully reviewing records (including NBA's accounts) submitted to their assessment so as to be able to defend them in an informed way before the Council of Ministers.

Its position vis-à-vis the big number of committees (Regional Steering Committee, Donor Advisory Committee, Regional Users Committee, Permanent Technical Committee, Regional Advisory Group, Partners Committee, Regional Forum of Resource Users of the Basin, Panel of Experts, Sub-Basin committee, etc.) that revolve around the Executive Secretariat is unclear.

This lack of clear definition of missions partly accounts for the dysfunctions observed during TCE sessions: for example, who should standardize the content of the ES activity report? Should the Internal Audit submit its reports to the TCE? In which languages should reports be submitted? Who must ensure the translation of documents? Is there a main language? Does the TCE have to write a report? If so, who should write it? Who should chair the TCE? Does this body have the mandate to follow the implementation of the resolutions taken by the CM? etc.

**NBA's control system is disorderly and poorly organized**

The organizational positioning of internal audit is not mentioned in the Convention that mentions only the Financial Controller. However, it must be remembered that the Internal Auditor is normally responsible for ensuring compliance with all procedures in all areas - financial and non-financial - and in all sectors of the entity, due to its universal character. In this context, the lack of independence affecting the Internal Auditor would weaken the quality of its controls.

The characterization of the term "Financial Controller" varies according to whether one refers to the Convention or the Manual of procedures. Indeed, the Convention (Article 13-2) countries that "the Financial Controller reports to the Council as regards financial management control". In the absence of details on the nature of the control, one is entitled to think that the Article refers to a priori as well as a posteriori control. On the other hand, the Manual of procedures clearly restricts the Financial Controller’s scope to a priori control only (Article 8.5.1).

The difference between these two meanings of the term 'Financial Controller' has a reach more important than it seems. Indeed, the meaning suggested in the Convention implies that the Financial Controller is considered as an element of internal audit. As such, it is supposed to provide both a non-systematic control (i.e. periodic control, hence the term "audit") which can be both a priori and a posteriori. On the other hand, the meaning
suggested in the Manual of procedures makes the 'Financial Controller' an element of internal control which must be a priori systematic, permanent and universal control.

It is necessary to clarify which of the two options is adopted. Such clarification would make it possible to also clarify the roles and positions of NBA's Internal Auditor and Financial Controller. In fact, the current organizational positioning of the "Internal Auditor" (reporting directly to the ES) indicates that it cannot act as an internal audit body. Indeed, internal audit is defined by the IIA international standards,\(^\text{10}\) as adopted by France's IFACI (French Institute of Audit and Internal Control) as "an independent and objective activity that gives an organization assurance on the level of mastery of its operations, provides guidance on how to improve its operations, and contributes to creating added value. It helps the organization to achieve its objectives by assessing, through a systematic and methodical approach, its processes of risk management, control and corporate governance, and by making proposals to increase their effectiveness."

On the other hand, the positioning of the Financial Controller (reporting to the Council of Ministers) is not generally essential for the role played, namely a priori, systematic, permanent and universal control. This role could be ensured with internal positioning at the Executive Secretariat.

Internal audit is an independent periodic audit while internal control is permanent control. It would be preferable for NBA's Internal Auditor to report directly to the Council of Ministers (which entails control over internal control). The Financial Controller could be incorporated into the Executive Secretariat and its reports incorporated into ES' reports.

External annual audits would still be conducted by experts appointed by the Council of Ministers with the aim of verifying the regularity of financial operations and ruling on the fairness of NBA's financial statements.

\subsection{4.1.1.2 Analysis of financial management procedures}

Financial management performance is assessed firstly through the quality of the financial management main tool that is the Manual of accounting and financial procedures, and secondly through management practices (organization and tools) in force in an organization. The findings with respect to these two points are as follows:

\textit{The Manual of financial and accounting procedures must be revised.}

NBA has the merit of having a Manual of accounting and financial procedures as required by the OHADA Uniform Act on Accounting Law and Accounting System. However, the Manual has several shortcomings:

1. \textbf{It is not updated.} Most of the accounting procedures described therein have undergone revision under SYSCOHADA revised on January 26, 2107. By way of example, the account "Capitalized expenses" that is extensively used in NBA's accounting has been removed. Without any doubt, the \textbf{2018 financial statements will be rejected by external auditors if NBA does not proceed with a migration of accounts before the end of Fiscal Year 2018.} To allow for this, \textbf{NBA's accounting staff must be strengthened in numbers and rapidly trained in the new accounting standard}, which came into effect on January 1, 2018.

2. \textbf{The accounting processing of Countries' contributions is not clearly indicated} according to the "commitment" and "collection" steps (see page 180 of the Manual). Accountants perform a processing that is unspecified. The budgetary consequences of such processing are not adequately captured. This can lead to an overstatement of the contributions of the "good paying" Countries as arrears may be taken into account in the budget to be distributed among Countries.

3. \textbf{The term "consolidation of NBA's accounts" used (page 156) creates confusion in accounts presentation.} This confusion is reflected in the widely held view that the Executive Secretariat is a separate entity, distinct from the "technical directorate that manages the projects", hence the multitude of project financial statements that are not submitted to the Council of Ministers’ approval. As a result, the Council of Minister is ill-informed of NBA's financial status.

4. \textbf{The manual of procedures does not address the processing of closed project accounts.} As a

\[^{10}\text{The Institute of Internal Auditors.}\]
consequence, there is a risk that fixed assets and other items recorded in the accounts of these projects are not transferred to the Executive Secretariat's account, which are supposed to be NBA's accounts. Such items are not inventoried and can be easily misappropriated.

5. **There is no description of the IT operations.** The absence of IT procedures does not allow for appropriately controlling this sensitive sector. The lack of IT procedures increases the insecurity of the computer system in place. It increases the "key-man risk" as well as the risk of people taking hold once they are in the position.

6. **The Manual of procurement procedures does not cover the entire cycle of contract operations.** It does not address control over implementation and settlement. There is a real risk of poor implementation and poor payment of contracts.

7. From a purely financial point of view, the Manual describes the procedure for issuing checks (page 107) but does not specify the arrangements for handing these over to their intended recipients. Neither does it provide for the obligation to provide the bank guarantee for the payment of start-up advance when a supplier requests such an advance. As a consequence, there is a risk of diversion of checks and advances. In addition, the absence of a bond may cause suppliers to fail to carry out works or perform services. The case of the supplier HASSANE B. Gamatié, to whom NBA is still claiming CFA 5,160,000, is quite enlightening.

**NBA's accounting and financial organization is not optimal.**

This general finding is backed by a number of observations:

1. **NBA's annual accounts are closed by the Executive Secretary** according to the Manual of procedures. Closing accounts entails discussing the fairness of accounts after listening to the external auditors, assessing the extent of the anomalies identified by the latter, accepting these accounts or rejecting them and proposing to the higher body (the Council of Ministers, in this case) the appropriate sanctions to the person responsible for these accounts, namely the ES. Therefore, due to this provision, the Council of Ministers does not receive accounts that have been reviewed and discuss and are therefore more reliable.

2. **The TOMPRO accounting software version is obsolete.** This anomaly has an impact on the accountants' productivity. The software can fail at any time and the publisher has already drawn NBA's attention on this.

3. **The number of accounting staff is insufficient,** the position of Head of the Division of Finance and Accounting is vacant and the interim is performed by the Accountant in charge of General Accounting. Staffing at the Division of Finance and Accounting needs to be to strengthened as a matter of urgency.

4. **The OHADA accounting framework is not adapted to NBA as it is a public entity.** There is a risk that some operations that are specific to public entities would not be supported by SYSCOHADA, such as non-exchange transactions, presentation of budget information or the notion of profit/loss and its allocation.

5. **Although the various projects' expenses** must go through by his/her approval, the Financial Controller does not produce a report on these expenses - in particular on projects' budget implementation. The risk of fiscal slippage is high, especially since the financial stakes are themselves high. All project expenses must go through the Financial Controller's approval.

6. **The fact that incompatible functions are combined at the DAF is likely to favor opportunistic behavior.** This plurality of functions is a blatant violation of the internal control principle of segregation of incompatible functions. Indeed, a same person or unit is prohibited from exercising any two of the following four functions at the same time: operational function, custody function (such as cash), recording function (such as accounting), and control function. It is recommended to entrust the custody function to an independent service, namely the accounting unit whose mission will be to
present cash budgets and suggest measures to cover any gaps, invest surplus cash, manage the payments for all NBA activities, and ensure first-level control (self-control).

4.1.1.3 Analysis of funding mobilization mechanisms

The autonomous and sustainable funding mechanisms suggested for NBA as part of the 2010 NBA Sustainable Financing Study are of four types:

1. User-pay and polluter-pay type fees targeting, respectively, the hydropower sector and the mining and industrial sectors;
2. Compensation for the function of assistance to project and program contracting management;
3. Setting up of a capitalization fund financed by Member Countries and donors;
4. Community levies at sub-regional economic cooperation bodies (ECOWAS, UEMOA and ECAC, CEMAC).

The nine NBA Member Countries, AfDB and UEMOA have again expressed their willingness to pool their efforts for the sustainable development of the Niger Basin. Thus, the 2013-2024 strategic plan and its 2016-2024 operational plan were adopted. This plan includes 5 programs, 13 sub-programs and 37 projects. The Integrated Program for Development and Adaptation to Climate Change in the Niger Basin (PIDACC/BN) has incorporated 17 actions/projects among the 37 of the operational plan. To implement the various projects ensuring NBA’s operationality and financial viability, several of the mechanisms proposed under the 2010 NBA Sustainable Financing Study were adopted by the Summit of Heads of State and Government. Their description is given in the table below:
### Table 11: Description of autonomous funding mechanisms suggested for NBA

<table>
<thead>
<tr>
<th>Type of funding mechanisms (million CFA)</th>
<th>Calculation method and support activity</th>
<th>Estimated annual revenue (million CFA)</th>
<th>Difficulty of implementation</th>
<th>Main prerequisites</th>
<th>Direct collection by NBA?</th>
<th>Cost of implementation</th>
<th>Risks</th>
<th>Revenues (2010)</th>
<th>Revenues (2017)</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation via subregional financing mechanisms</td>
<td>Coupling with community levies: % on value of imports (SA: international trade)</td>
<td>2,487</td>
<td>Medium to high (political decision)</td>
<td>CM decision: ECOWAS, ECCAS</td>
<td>No (via ECOWAS and ECCAS, or UEMOA)</td>
<td>Very low for NRA</td>
<td>Potential impacts of crises on the base</td>
<td>CFA 2,586 million/year</td>
<td>CFA 7,779 million/year</td>
<td>0.02% on Member Countries imports of products originating from third countries</td>
</tr>
<tr>
<td>Use of capitalization fund: Capital interest rate invested (SA: investment of funds in banks)</td>
<td>750</td>
<td>High (political decision, crisis context)</td>
<td>Decision of CM, NBA and/or TFPs</td>
<td>Yes</td>
<td>Low</td>
<td>Inadequate investment, mismanagement</td>
<td>CFA 750 million/year</td>
<td>CFA 450 million/year</td>
<td>Capitalization Fund: CFA 15,000 million/year Remuneration rate: 5.0%/year in 2010 and 3% in 2017</td>
<td></td>
</tr>
<tr>
<td>Compensation of project management functions (projects and programs)</td>
<td>Excluding actions in Component 1.1: Percentage of compensation for the contracting authority calculated on the basis of the amounts executed (SA: Contract management)</td>
<td>340 (average of entire IP)</td>
<td>Average</td>
<td>CM decision/TFPs negotiation</td>
<td>Yes (with TFPs)</td>
<td>Low</td>
<td>Reduction of projects, hence reduction of NBA’s revenue</td>
<td>CFA 46 million/year for PQP</td>
<td>CFA 9,523 million/year</td>
<td>2.0% of the amount of contracts</td>
</tr>
<tr>
<td>Actions under Component 1.1</td>
<td>90 (average for the entire IP)</td>
<td>Average</td>
<td>CM decision/TFPs negotiation</td>
<td>Yes (with TFPs)</td>
<td>Low</td>
<td>Reduction of projects, hence reduction of NBA’s revenue</td>
<td>CFA 144 million/year for the PQP</td>
<td>CFA 2,380 million/year (0.5%) calculated on the basis of the cost of the 2016-2024 operational plan</td>
<td>0.5% of the amount of contracts</td>
<td></td>
</tr>
<tr>
<td>Compensation for the one-stop shop</td>
<td>International mechanisms for funding environmental protection: % of remuneration on funding secured</td>
<td>17.5</td>
<td>Average (creation of the one-stop shop)</td>
<td>Yes</td>
<td>Medium (creation of a one-stop shop, staff training)</td>
<td>Unpredictable revenue depending on the number of projects implemented</td>
<td>CFA 18 million/year</td>
<td>CFA 18 million/year Or</td>
<td>2.5% of the funding secured</td>
<td></td>
</tr>
<tr>
<td>Public private partnership (PPP) mechanisms: % of remuneration for the contracting authority based on the amounts of investments (SA: contract management)</td>
<td>44</td>
<td>Decision by CM/SE</td>
<td>Yes</td>
<td>Medium (creation of a one-stop shop, staff training)</td>
<td>Unpredictable revenue depending on the number of projects implemented</td>
<td>CFA 44 million/year</td>
<td>CFA 44 million/year</td>
<td>0.5% of the funding secured</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Implementation of offset measures: % of remuneration for the contracting authority based on the amounts of investments (SA: contract management)</td>
<td>37</td>
<td>Average (decision of Countries to delegate to NBA)</td>
<td>Yes</td>
<td>Medium (creation of a one-stop shop, staff training)</td>
<td>Unpredictable revenue depending on the number of projects implemented</td>
<td>CFA 37 million/year</td>
<td>CFA 37 million/year</td>
<td>2.5% of the funding secured</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Investment Fund Management: % of remuneration for the Fund</td>
<td>19</td>
<td>High (political decision, crisis context)</td>
<td>Decision by CM/TFPs</td>
<td>Yes</td>
<td>Inadequate investment, mismanagement</td>
<td>CFA 19 million/year</td>
<td>CFA 11 million/year</td>
<td>Investment Funds: CFA 15,000 million at the rate of: 5%, year (2010) and 3%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type of funding mechanisms (million CFA)</td>
<td>Calculation method and support activity</td>
<td>Estimated annual revenue (million CFA)</td>
<td>Difficulty of implementation</td>
<td>Main prerequisites</td>
<td>Direct collection by NBA?</td>
<td>Cost of implementation</td>
<td>Risks</td>
<td>Revenues (2010)</td>
<td>Revenues (2017)</td>
<td>Rate</td>
</tr>
<tr>
<td>-----------------------------------------</td>
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</tr>
<tr>
<td>Extractor/payer fee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Irrigation</td>
<td>Fee per hectare per crop cycle (between CFA 500 and 1,000 per hectare)</td>
<td>419</td>
<td>High (political decision, national procedures to be put in place)</td>
<td>Decision by CM/collection arrangements</td>
<td>No (from the perimeters managers)</td>
<td>Strong</td>
<td>Difficulty to set up the mechanism/difficulty to ensure collection</td>
<td>CFA 419 million/year</td>
<td></td>
<td>Amount of the wintering fee CFA 500 million /ha; Amount of fee CFA 1,000/ha</td>
</tr>
<tr>
<td>Drinking water supply</td>
<td>Volumetric charge</td>
<td>27</td>
<td>Medium (political decision)</td>
<td>Yes (with operators)</td>
<td>Medium</td>
<td></td>
<td></td>
<td>CFA 27 million/year</td>
<td></td>
<td>Amount of charge: CFA 0.10/m³</td>
</tr>
<tr>
<td>User-pays levy</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hydropower</td>
<td>Fee indexed to hydroelectric production (CFA 0.1 million/GWh)</td>
<td>370</td>
<td>Medium (political decision)</td>
<td>Decision by CM/collection arrangements</td>
<td>Yes (with operators)</td>
<td>Medium</td>
<td>Protests by urban populations, mobilization of civil society</td>
<td>CFA 370 million/year</td>
<td></td>
<td>Amount of the fee CFA 0.10 million/GWh</td>
</tr>
<tr>
<td>Navigation</td>
<td>Fee indexed on traffic (CFA 1/pers/km for passengers and CFA 10/t/km for goods)</td>
<td>395</td>
<td>Medium (political decision)</td>
<td>Decision by CM/collection arrangements</td>
<td>Yes (with operators)</td>
<td>Medium</td>
<td>Difficulty to set up the mechanism/difficulty to ensure collection</td>
<td>CFA 290 million/year</td>
<td></td>
<td>Passenger fee amount CFA 1/person/km and freight fee CFA 10/t/km</td>
</tr>
<tr>
<td>Polluter/payer fee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Polluting activities</td>
<td>Base on polluting discharges</td>
<td>?</td>
<td>High (political decision, national procedures to be put in place)</td>
<td>Improved knowledge of pollution/decision by CM/collection arrangements</td>
<td>No (via national arrangements)</td>
<td>Strong</td>
<td>Difficulty to set up the mechanism/difficulty to ensure collection</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Since their adoption by the Summit of Heads of State and Government, none of the above mechanisms has been implemented because their operationality has not yet been verified and the conditions for the feasibility of their implementation have not been established.

It should be noted, however, that at the time this report was being drafted, two separate feasibility studies were in progress:

- One, funded by the European Union, concerns the setting up of a regional climate change adaptation fund that would be fed by mechanisms of the user/payer type (on irrigation, navigation, production and distribution of water or electricity) and of the polluter/payer type (on crafts, mining and polluting industrial activities)
- The other study, funded by NBA under the World Bank-supported PGBFN, focuses on the feasibility of a micro-tax on hydropower. As such, it also concerns the operationalization of the user/payer mechanism.

The results of these studies should greatly help to rule on the possibility of effectively implementing the targeted mechanisms and on the scenarios and conditions of their productivity. Pending the finalization of these studies and the alignment of their respective results, the Table below provides an analysis of the potential strengths and weaknesses of the mechanisms proposed in the 2010 study.

Table 12: Analysis of the strengths and weaknesses of autonomous funding mechanisms suggested for NBA

<table>
<thead>
<tr>
<th>#</th>
<th>MECHANISMS</th>
<th>STRENGTHS</th>
<th>WEAKNESSES</th>
<th>PRODUCTIVITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Coupling with community levy</td>
<td>Attractive mechanism: high projected revenue, Very low cost of implementation, Simple calculation method (percentage on the value of imports), Ease of collection through central bank debits and/or direct debit system; Possibility of setting up the mechanism in the short or medium term</td>
<td>Existing import taxes levied by regional cooperation agencies only cover part of their budget estimates. This shows that they themselves are in budget deficit and cannot bear an additional burden. It is neither conceivable nor desirable to institute an autonomous levy for each existing or future institution. The management of a large number of affected taxes would indeed be too cumbersome for the national financial authorities (customs, taxes ...); NBA Member Countries are not part of a single economic integration zone (two in Central Africa and seven in West Africa). Therefore, it is not easy for them to agree on the principle, the parameters and the implementing arrangements of an autonomous levy for NBA. In addition, the Countries have payment arrears, though countries in West Africa have a better payment status than those of Central Africa. The import levy is a tax on a portion of national expenditure, which is paid in small portion by importers and ultimately by consumers of products subject to the tax. The accumulation of such levies could therefore amplify an inflationary spiral. Therefore, such a mechanism is difficult to apply, especially since the World Trade Organization would be against such a measure which constitutes an additional customs barrier whereas some Countries have already signed Economic Partnership Agreements lifting such barriers.</td>
<td>CFA 2,487 million</td>
</tr>
<tr>
<td>2</td>
<td>Remuneration of the assistance function for project and program management</td>
<td>Fairly difficult to implement, Direct collection, Low implementation cost</td>
<td>Requires a reorganization of NBA to shift from the project approach to the program approach, which would result in increased operating costs for ES/NBA; NBA does not have the relevant level of project management for the actions under Component 1.3 (support for the development of other basic infrastructures) insofar as they are not considered as NBA’s core business; There is a high level of uncertainty as to the regularity or permanence of payments; Difficulties to predict amounts to receive. Calculations are made based on assumptions for the implementation of IP. Thus, any slowdown in the implementation of the IP would reduce these estimates; Non-autonomous mechanism as NBA would have to negotiate with technical and financial partners so that percentage of project management fee is levied for NBA’s missions; Non-structural mechanism. Low productivity</td>
<td>Between CFA 90 and 340 million</td>
</tr>
<tr>
<td>#</td>
<td>MECHANISMS</td>
<td>STRENGTHS</td>
<td>WEAKNESSES</td>
<td>PRODUCTIVITY</td>
</tr>
<tr>
<td>----</td>
<td>---------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------</td>
</tr>
</tbody>
</table>
| 3  | User-pays levy for irrigation, navigation, production and distribution of water or electricity | ✦ Implementation cost not high (fair)  
✦ Direct collection  
✦ Legitimate mechanism | Regarding irrigation  
✦ NBA cannot legally collect directly from irrigators.  
✦ Little known knowledge of who irrigators are (scattered throughout many irrigated perimeters in the Niger Basin) and therefore problematic.  
✦ Billing and collection costs are high compared to the risk of non-collection.  

Regarding drinking water supply  
✦ Abstractions for the drinking water supply sector are concentrated (urban centers in the Basin).  
✦ Resources are low but costs are high.  

Regarding hydropower  
✦ Mechanism whose application would be complex as out of the nine NBA member countries, only four produce hydropower  
✦ Focusing only on urban centers (low productivity)  
✦ Risk of uprisings among urban populations who bear the burden alone  

Regarding navigation  
✦ Concerning the navigation sector, its viability is limited by the constraints of the cost of collection and the large number of economic agents involved, both taxpayers and collecting services.  
✦ Difficulty to set up the mechanism and to ensure collection  
✦ Low productivity | Between CFA 27 and 48 million |
| 4  | Polluter/payer fee                                                        | ✦ Good instrument for combating water pollution  
✦ Very difficult to implement  
✦ Collection indirect and difficult  
✦ High implementation cost  
✦ Illegal activity therefore difficult to identify  
✦ Unsustainable source of funding (this is more of a penalty for polluting activities and a call to alternative solutions) | | Between CFA 370 and 395 million |
| 5  | Capitalization Fund                                                       | ✦ Direct collection for NBA  
✦ Very low implementation cost | ✦ Unrealistic mechanism in that Countries are not even in position to pay their annual contributions of about CFA 1 billion. Therefore, it would be unrealistic to think that they can mobilize CFA 15 billion.  
✦ The interest rate of 5 percent stated in the study is high, the current rates are in the range of 2 to 3 percent translating into a maximum income of CFA 450 million per year.  
✦ Its productivity is therefore low | Between CFA 300 to 450 million |

For the moment, two of the user/payer mechanisms seem technically the simplest to implement, namely the hydropower tax and the drinking water supply tax. These two recovery methods are easy to implement because they do not require setting up additional devices to the extent that there are already structures (water and electricity distribution companies) and recovery tools (invoices) that exist. Targeting other uses of water (irrigation, navigation) would necessarily be more expensive because it would require establishing a system whose management would not be easy.

Of these two mechanisms, the most productive appears to be hydropower tax (see column "Estimated annual revenue" in Table 11) because it would have a broader base than for drinking water supply. However, fairness when implementing the hydropower tax would have to be explored because only four of the nine NBA Member Countries produce hydropower.

On the other hand, the political cost of these two mechanisms could prove prohibitive. Indeed, both the Ministries of Finance and the civil society organizations consulted in Cameroon and Niger have expressed reluctance at seeing fees incorporated into water or electricity bills. In Niger in particular, protests have occurred in connection with the increase in household electricity bills and the authorities do not wish to engage in this direction in the medium and short terms.

It is likely that the implementation of the water and electricity taxes (which remain useful) will require explaining stakes to the populations as well as a serious dialogue with the civil society and - possibly - its participation (through consumers' associations) in controlling the collection and use of the fees collected.
However, considering the risks associated with these two mechanisms, an alternative proposal for the mobilization of the user-pays levy will be proposed in the recommendations section as a precautionary measure.

Although no serious issues of financial management fairness have been identified either by this complementary analysis or by the various financial audits of NBA's management, the number and scope of weaknesses, inconsistencies and risks observed leads to **answering negatively to QRESS.3.** NBA's financial management is not in line with international standards, with the system in place, or with management methods or working tools (IT systems, management software).

It should be noted that the current funding mechanisms are neither controllable nor able to cover the investments to be made to face the challenges of the future. On the other hand, the mechanisms proposed are not yet operational. Some could be expensive to implement (polluter/payer fee, irrigation fee, etc.) while others carry significant political risks (taxes on hydroelectricity and drinking water) that should be considered in advance and for which mitigation strategies should be developed.

A large part of NBA's performance deficiencies results from the limited resources available. The biggest challenge for NBA is to have productive, sustainable, operational and controllable mechanisms.

### 4.1.2 Quality of human resources management

The assessment of the quality of NBA's human resources management aims to respond to QRESS.4 below:

- **QRESS.4** Do human resources mobilization and management mechanisms allow for guaranteeing performance by NBA's staff as well as a healthy, motivating and emulating work atmosphere?

To answer this question, a quantitative inventory (4.1.2.1) and a qualitative inventory (4.1.2.2) of the organization's staff will first be carried out. This will be followed by a presentation of the major findings relating to the management of human resources within NBA (4.1.2.3).

#### 4.1.2.1 Quantitative Inventory of NBA's human resources

To date, NBA has 44 jobs translating into 69 positions (of which 65 permanent and 4 contractual), as per its organizational chart dating back to 2005 as amended with the jobs created by the various resolutions since then. Out of the 65 positions, 48 are currently filled, 17 are vacant following resignations or retirements (some have been vacant for several years, 2013).

The table below shows the jobs by: i) support body or trade, ii) statutory category (unclassified, A, B, C, D), and iii) position (vacant, occupied, permanent, contractual).
<table>
<thead>
<tr>
<th>Number of Jobs</th>
<th>Bodies and trades</th>
<th>Job labels</th>
<th>Number of positions</th>
<th>Category</th>
<th>Position</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Executive Secretariat</td>
<td>Executive Secretary</td>
<td>1</td>
<td>A</td>
<td>1</td>
<td>1 1 Unclassified staff</td>
</tr>
<tr>
<td>2</td>
<td>Administrative assistance of the Executive Secretariat</td>
<td>Executive assistant of the Executive Secretary</td>
<td>1</td>
<td>B</td>
<td>1</td>
<td>1 1 The agent actually occupies a position of Executive Assistant.</td>
</tr>
<tr>
<td>3</td>
<td>Financial control</td>
<td>Financial Controller</td>
<td>1</td>
<td>C</td>
<td>1</td>
<td>1 1 The incumbent retired on December 2015. Job held by a MEF official made available. Vacancy</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td>Assistant to the Financial Controller</td>
<td>1</td>
<td>D</td>
<td></td>
<td>1 1 Does not appear in the organizational chart</td>
</tr>
<tr>
<td>5</td>
<td>Counsel</td>
<td>Counsel</td>
<td>1</td>
<td></td>
<td>1</td>
<td>1 1 Vacancy Job held by a contractual employee until the late December 2018 (former incumbent). Currently occupied by an Adviser to NBA’s line Minister in Niger, made available to NBA</td>
</tr>
<tr>
<td>6</td>
<td>Internal Audit</td>
<td>Internal Auditor</td>
<td>1</td>
<td></td>
<td></td>
<td>1 1</td>
</tr>
<tr>
<td>7</td>
<td>Basin Observatory</td>
<td>Director of the Observatory</td>
<td>1</td>
<td></td>
<td></td>
<td>1 1 Vacancy Interim performed by Modeling Expert</td>
</tr>
<tr>
<td>8</td>
<td></td>
<td>Environmental Specialist</td>
<td>1</td>
<td></td>
<td></td>
<td>1 1 Ensures the function of Coordinator (DREDGE and PGBFN) at the same time</td>
</tr>
<tr>
<td>9</td>
<td>GIS Specialist and Database Management</td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td>1 1 Ensures the function of ICT specialist at the same time</td>
</tr>
<tr>
<td>10</td>
<td>Modeling specialist</td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td>1 1 Ensures the position of Director of the Observatory at the same time</td>
</tr>
<tr>
<td>11</td>
<td>Water Resources Specialist</td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td>1 1 Resignation of the incumbent in 2012. Interim performed by the GIS and database management specialist. Vacancy</td>
</tr>
<tr>
<td>12</td>
<td>IT specialist</td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td>1 1</td>
</tr>
<tr>
<td>13</td>
<td>Technical management</td>
<td>Technical director</td>
<td>1</td>
<td></td>
<td></td>
<td>1 1 Will retire very soon</td>
</tr>
<tr>
<td>14</td>
<td></td>
<td>Executive Assistant</td>
<td>1</td>
<td></td>
<td></td>
<td>1 1 Permanent but does not appear on the organizational chart</td>
</tr>
<tr>
<td>15</td>
<td></td>
<td>Communication Expert</td>
<td>1</td>
<td></td>
<td></td>
<td>1 1 Permanent but does not appear on the organizational chart (transferred following end of the CIDA project)</td>
</tr>
<tr>
<td>16</td>
<td></td>
<td>Expert in monitoring and evaluation</td>
<td>1</td>
<td></td>
<td></td>
<td>1 1 Permanent but does not appear on the organizational chart (transferred following end of the CIDA project)</td>
</tr>
<tr>
<td>17</td>
<td></td>
<td>Hydrologist</td>
<td>1</td>
<td></td>
<td></td>
<td>1 1 Permanent but does not appear on the organization chart (recruited in the same way as 15 executives in 2006). Vacancy (incumbent retired in August 2013). No interim for the time being.</td>
</tr>
<tr>
<td>18</td>
<td></td>
<td>Accountant in charge of NBA projects</td>
<td>1</td>
<td></td>
<td></td>
<td>1 1 Permanent but does not appear on the organizational chart (transferred following end of the CIDA project)</td>
</tr>
<tr>
<td>19</td>
<td>Technical documentation</td>
<td>Responsible for technical documentation</td>
<td>1</td>
<td></td>
<td></td>
<td>1 1 Resignation of the incumbent in September 2013. Vaccancy</td>
</tr>
</tbody>
</table>

**Table 13: Inventory of jobs and positions within NBA - August 2018**
<table>
<thead>
<tr>
<th>Number of Jobs</th>
<th>Bodies and trades</th>
<th>Job labels</th>
<th>Number of positions</th>
<th>Category</th>
<th>Position</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>Division of Planning and Studies</td>
<td>Head of the Division of Planning and Study</td>
<td>1 1</td>
<td>Vacant</td>
<td>Incumbent retired five years ago. 2016. No interim. Vacancy</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Division of Operations</td>
<td>Specialist in Socioeconomics</td>
<td>1 1</td>
<td>Vacant</td>
<td>Ensures the coordination of the PRPIP project at the same time</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Division of Operations</td>
<td>Head of the Division of Operations</td>
<td>1 1</td>
<td>Vacant</td>
<td>Resignation of the incumbent in March 2013. Vacancy. No interim.</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Division of Operations</td>
<td>In charge of monitoring focal structures and civil society</td>
<td>1 1</td>
<td>Vacant</td>
<td>Incumbent retired in December 2013. Vacancy. No interim.</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Division of Operations</td>
<td>Project and Program Coordinator</td>
<td>3 3</td>
<td>Vacant</td>
<td>5 coordinator positions: 2 incumbents work full time at their position (but are not NBA staff) and 3 are NBA staff and have another function</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>⇒ IWRM 2: only permanent coordinator (hosted at the Observatory). Project completed. Yet, the job title is maintained.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>⇒ SCP: contractual coordinator (paid by UEMOA/AfDB?)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>⇒ SATH: contractual coordinator (paid by NBA). Former</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>⇒ IWRM 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>⇒ P-DREDGE: permanent coordinator (paid by NBA). Holding position concurrently with the position of Environmentalist at the OBN</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>⇒ PRPIP: permanent coordinator (paid by NBA). Holding position concurrently with the position of Socioeconomic Specialist</td>
</tr>
<tr>
<td>25</td>
<td>Directorate of Administration and Finance</td>
<td>Executive Assistant (SCP, DREDGE)</td>
<td>2 2</td>
<td>Vacant</td>
<td>2 Contractual management assistants. Supported by NBA</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>⇒ for the SCP project and</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>⇒ for the P-DREDGE project (former IWRM 2 staff)</td>
</tr>
<tr>
<td>26</td>
<td>Directorate of Administration and Finance</td>
<td>Director of Administration and Finance</td>
<td>1 1</td>
<td>Vacant</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Directorate of Administration and Finance</td>
<td>Executive Assistant</td>
<td>1 1</td>
<td>Vacant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Public relations</td>
<td>Public Relations and Protocol Officer</td>
<td>1 1</td>
<td>Vacant</td>
<td>Retired since July, 2015. Vacancy. Interim ensured by the Head of the Unit of General Resources</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Translation and interpreting</td>
<td>Translator/interpreter</td>
<td>2 2</td>
<td>Vacant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>Division of Human Resources and General Administration</td>
<td>Head of the Division of Human Resources and General Administration</td>
<td>1 1</td>
<td>Vacant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Division of Human Resources and General Administration</td>
<td>HR Assistant</td>
<td>1 1</td>
<td>Vacant</td>
<td>The incumbent resigned in August 2016. Vacancy. Interim ensured by former Chief of Staff</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Network and User Support IT Officer</td>
<td>Network and User Support IT Officer</td>
<td>1 1</td>
<td>Vacant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>Head of the Unit of General Service</td>
<td>Head of the Unit of General Service</td>
<td>1 1</td>
<td>Vacant</td>
<td>The incumbent retired in December 2017. Vacancy. Interim ensured by contractual staff until late 2018 (former</td>
<td></td>
</tr>
<tr>
<td>Number of jobs</td>
<td>Bodies and trades</td>
<td>Job labels</td>
<td>Number of positions</td>
<td>Category</td>
<td>Position</td>
<td>Remarks</td>
</tr>
<tr>
<td>----------------</td>
<td>------------------</td>
<td>------------</td>
<td>--------------------</td>
<td>----------</td>
<td>----------</td>
<td>---------</td>
</tr>
<tr>
<td>34</td>
<td></td>
<td>Administrative assistant</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>Vacant</td>
</tr>
<tr>
<td>35</td>
<td></td>
<td>Archivist</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>36</td>
<td></td>
<td>Orderly</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>37</td>
<td></td>
<td>Driver</td>
<td>7</td>
<td>7</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>38</td>
<td></td>
<td>Switchboard Operator</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>39</td>
<td></td>
<td>Administrative Agent</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>40</td>
<td></td>
<td>Guards</td>
<td>9</td>
<td>9</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>41</td>
<td>Division of Finance and Accounting</td>
<td>Head of the Division of Finance and Accounting</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>42</td>
<td></td>
<td>Accountant in charge of general accounting</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>43</td>
<td></td>
<td>Accounting Assistant</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>44</td>
<td></td>
<td>Accountant in charge of budget</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>45</td>
<td></td>
<td></td>
<td>69</td>
<td>32</td>
<td>12</td>
<td>1</td>
</tr>
</tbody>
</table>

NBA currently has 48 permanent staff and 4 contractual staff.
4.1.2.2 Qualitative inventory of human resources at NBA

This section proposes a qualitative scan of human resources according to different variables. The scan of human resources is presented in the table below.

Breakdown of permanent staff by sex

As can be seen below, there is a significantly higher share of males among NBA staff.

<table>
<thead>
<tr>
<th>48 permanent agents</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>37</td>
<td>11</td>
</tr>
<tr>
<td>i.e. 77%</td>
<td>i.e. 23%</td>
<td></td>
</tr>
</tbody>
</table>

*Table 14 Distribution of NBA's permanent workforce by sex*

Breakdown of permanent staff by age group

The age pyramid, especially for decision-making and technical positions, remains high, with more than 87.49% of all staff aged 40 and over. Among staff, 54.16 percent are aged between 40 and 50 years, and 33.33 percent between 50 and 60.

<table>
<thead>
<tr>
<th>48 permanent agents</th>
<th>50 to 60 years</th>
<th>40 to 50 years</th>
<th>30 to 40 years</th>
<th>20 to 30 years</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>16</td>
<td>26</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>33.33%</td>
<td>54.16%</td>
<td>12.5%</td>
<td>0%</td>
<td></td>
</tr>
</tbody>
</table>

*Table 15: Breakdown of NBA's permanent workforce, by age group*

As can be seen, 10 agents out of 48 (or 20.83%) are within 3 years of the retirement age. This is all the more worrying as these people are mainly in decision-making and supervision positions.

Breakdown of permanent staff by level of qualification

Like the staff with no major qualifications, high-level staff (category A) accounts for only 35.41% of NBA’s staff.

<table>
<thead>
<tr>
<th>48 permanent agents</th>
<th>None or permit B</th>
<th>End-of-primary</th>
<th>End of junior high-school</th>
<th>Two years of higher studies</th>
<th>Three years of higher studies or more</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>17</td>
<td>1</td>
<td>3</td>
<td>10</td>
<td>17</td>
</tr>
<tr>
<td>35.41%</td>
<td>2.08%</td>
<td>6.25%</td>
<td>20.83%</td>
<td>35.41%</td>
<td></td>
</tr>
</tbody>
</table>

*Table 16: Breakdown of NBA's permanent workforce by level of qualification*

This ratio seems low for an organization with an international dimension aiming to carry out high-level studies and harmonize and coordinate policies across nine Countries.

Distribution of permanent staff by seniority

NBA's staff have been mostly in their position for 10 years or more, which means they are familiar with the organization.

<table>
<thead>
<tr>
<th>48 permanent agents</th>
<th>1 to 5 years</th>
<th>5 to 10 years</th>
<th>10 to 15 years</th>
<th>15 to 20 years</th>
<th>+ 20 years</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5</td>
<td>17</td>
<td>9</td>
<td>10</td>
<td>3</td>
</tr>
<tr>
<td>10.41%</td>
<td>35.41%</td>
<td>18.75%</td>
<td>20.83%</td>
<td>6.25%</td>
<td></td>
</tr>
</tbody>
</table>

*Table 17: Breakdown of permanent staff, by seniority*
It is interesting to note that among those who have been in the institution for more than 20 years, one has been there for 41 years and the other two for 28 years.

Breakdown of permanent staff by category

The table below shows that the weight of technical jobs compared to all jobs in the institution, hardly exceeds 30 percent of the workforce (against 15 percent in 2005).

<table>
<thead>
<tr>
<th>Executive Secretary</th>
<th>Category A senior staff</th>
<th>Category B senior staff</th>
<th>Category C workers</th>
<th>Category D workers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Technical workers</td>
<td>Administrative workers</td>
<td>Technical workers</td>
<td>Administrative workers</td>
</tr>
<tr>
<td></td>
<td>Technical workers</td>
<td>Administrative workers</td>
<td>Technical workers</td>
<td>Administrative workers</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>14</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

Table 18: Distribution of NBA’s permanent, by category

Conversely, the proportion of support staff remains very high (almost half of the staff). This division between technical staff and support staff is quite NBAnormal for an inter-State structure with the mission to manage projects with high technical content.

4.1.2.3 Major findings relating to the management of NBA’s human resources

The Division of Human Resources and General Administration is in theory in charge of managing NBA’s staff: administrative management of agents, payroll, evaluation, training and forward planning, as well as the coordination of the organization's staff activities. As such, it is tasked with:

1. ensuring permanent adjustment of human resources to the institution’s objectives and their optimal use;
2. ensuring compliance with the provisions of social legislation;
3. monitoring changes in the social climate.

Staff administration

This dimension is properly ensured by the Directorate of Human Resources and General Affairs. On a daily basis, HR Managers perform the following administrative tasks:

- creation of the individual records of workers following recruitment and/or appointment,
- following-up and updating of individual staff records,
- administrative breakdown,
- management of annual or special leaves (secondment, lay-off, termination, resignation),
- absence management,
- employer's register,
- management of the workforce database via the personnel management software,
- social security, health, and retirement declarations.

NBA Staff Regulations document (adopted in 2011) provides a regulatory framework for the administrative management of NBA staff. The said Staff Regulations conform to the principles established in the international legal instruments relating to the recruitment, appointment and status of international civil servants.

It also complies with Niger's provisions governing industrial relations and with the provisions of the revised Convention of October 29, 1987 establishing NBA.
Legal framework of human resources management

The Staff Regulations, which lay down the basic conditions of employment at NBA, define the basic rights, duties and obligations of public servants and lay down the general principles for recruitment and for staff management policy. They have been established in accordance with the internal provisions of NBA and international and national agreements and texts, in particular:

- the revised Convention establishing NBA;
- Niger’s Labor Code;
- Regulations adopted under the Niger Labor Code;
- Staff status;
- The headquarters agreement of September 2, 1982 between the Government of Niger and NBA;
- Grant agreements with development partners;
- Niger’s interprofessional collective agreement;
- Other national and international agreements and texts.

Since Niger’s law is binding on NBA as an institution, the Staff Regulations have to be revised in the light of some contradictions with the Niger Labor Code that were identified. For instance, Article 6.1.3 of the Regulations provide that the duration of hire is increased to three years (Art.6.1.3 of the Regulations), and Article 6.5.3 of the Regulations provide that fixed-term appointments may be renewed without exceeding two years, whereas the Niger Labor Code refers to four years as the maximum duration of a fixed-term contract, including renewal.

Human resources management tools

The observation of what is currently available allowed for identifying a number of basic tools for human resources management, which is rare in national and international public institutions. The tools identified include:

- job descriptions,
- internal regulations,
- an objective-based contract for each agent,
- a Code of professional ethics,
- an on-boarding document for new hires,
- a recruitment process,
- a process for performance evaluation.

Though they have not been updated since their design in 2011, and though they are not always implemented or are routinely bypassed (for instance, for the recruitment process, the evaluation process, or through "generic" objective-based contract", etc.), these tools have the merit of existing and they constitute a real working base for human resources professionals.

This is particularly the case with job descriptions. A job description is available for all jobs at NBA and are broken down into tasks, responsibilities, scope of action, qualifications and skills required. The tool serves as a basis for staff recruitment, professional assessment, and goal setting.

Nevertheless, the job descriptions are somehow outdated (dating back from 2011 in many cases, when NBA was strongly supported by CIDA), are not updated, and remain very generic. The scope of competencies and responsibilities also need to be redefined (potential conflicts of interest or even duplication between several jobs or positions).

In addition, job titles are often confusing and give rise to some interpretations. For example, agents are employed as executive assistants but their job title is "executive secretary" or vice versa. A job called "specialized worker" is ultimately that of a driver. Workers under the titles of "guards" or "orderly" may actually be cooks or janitors.
Finally, it should be noted that while there is a salary scale for NBA staff in the Staff Regulations, there is no directory of all the jobs and professional sectors at NBA. There is no nomenclature of jobs at NBA. The first tool should normally allow for moving from one job to another or from one sector to another (internal mobility, professional evolution) whereas the second tool allow for classifying and paying jobs to fit as closely as possible the realities of actual work.

**Recruitment process**

NBA's human resources managers are in charge (or delegate through subcontracting) of the recruitment processes on behalf of the institution's operational staff when a job is created or staff replacement is required.

In fact, as mentioned above, a recruitment mechanism exists within NBA for permanent and temporary staff, from needs identification to appointment, through the use of an external service provider (for permanent position through a competitive process). The mechanism includes the following steps:

1. Expression of a need for staff by the Head of the unit concerned (in accordance with NBA's budget and the staffing plan, the annual recruitment plan and the organization);
2. Job description and profile of applicants, as developed by NBA (job description, mission, reporting and functional links, duties and tasks, knowledge requirements, required qualifications, desired progress actions and resources);
3. The Executive Secretary informs the governments of the Member Countries of vacancies in categories A and B and have them published by the line ministers of Member Countries;
4. The Executive Secretary draws up a "Vacancy Advertisement" from the job description and then disseminates it through the various communication channels available to it (billboards, website, email, etc.) and in the Member Countries through the press (major newspapers) and any other appropriate channel;
5. Identification of a consulting firm (permanent categories A and B positions) or use of a Selection Committee (workers in categories C and D);
6. The applications are sent to a consulting firm or a selection committee;
7. Selection and choice of applicants (based on a review of their records, after passing the required tests and after interview with the recruitment firm or the Selection Committee);
8. Appointment (permanent or fixed term).

To a certain extent, notably for the creation of positions under categories A and B, this process works perfectly as was demonstrated in 2005, when nine category A managers were recruited.

In addition, it should be noted that national balance was achieved through the geographical distribution of these positions among the nine member countries. To date, the distribution remains as follows:

<table>
<thead>
<tr>
<th>#</th>
<th>Position</th>
<th>National distribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Head of the Division of Finance and Accounting</td>
<td>Chad</td>
</tr>
<tr>
<td>2</td>
<td>Counsel</td>
<td>Mali</td>
</tr>
<tr>
<td>3</td>
<td>Internal Audit Officer</td>
<td>Nigeria</td>
</tr>
<tr>
<td>4</td>
<td>Technical Director</td>
<td>Niger</td>
</tr>
<tr>
<td>5</td>
<td>Director of Administration and Finance</td>
<td>Guinea</td>
</tr>
<tr>
<td>6</td>
<td>Director of the Observatory</td>
<td>Benin</td>
</tr>
<tr>
<td>7</td>
<td>Head of the Division of HR and GA</td>
<td>Burkina</td>
</tr>
<tr>
<td>8</td>
<td>Head of the Division of Operations</td>
<td>Côte d'Ivoire</td>
</tr>
<tr>
<td>9</td>
<td>Head of the Division of Studies and Planning</td>
<td>Cameroon</td>
</tr>
</tbody>
</table>

*Table 19: Geographical distribution of the nine positions of NBA executives*
On the other hand, the process does not work when it comes to the replacement of senior positions (following retirement or resignation), and is not routinely applied (circumvention of the process, recourse to an internal NBA Committee, subjective recruitments), depending on the contexts and situations, or the Executive Secretaries in charge. For example, Resolution #12 (November 29, 2013) on the filling of vacant positions adopted the replacement of six positions through a recruitment committee internal to NBA:

<table>
<thead>
<tr>
<th>#</th>
<th>Position</th>
<th>National distribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Director of Administration, Finance and Accounting</td>
<td>Guinea</td>
</tr>
<tr>
<td>2</td>
<td>Head of the Division of Operations</td>
<td>Côte d’Ivoire</td>
</tr>
<tr>
<td>3</td>
<td>ICT Expert</td>
<td>Chad</td>
</tr>
<tr>
<td>4</td>
<td>Hydrologist Expert</td>
<td>Nigeria</td>
</tr>
<tr>
<td>5</td>
<td>Translator-interpreter</td>
<td>Niger</td>
</tr>
<tr>
<td>6</td>
<td>Internal Auditor</td>
<td>Nigeria</td>
</tr>
</tbody>
</table>

Table 20: Geographical distribution of the six NBA positions

Failure to comply with the recruitment and selection process will not result in acquiring the best profiles and skills. It discredits the neutrality and professionalism of NBA. In the end, it creates the risk of not achieving the quality expected in the services and products delivered by NBA.

As regards the "national distribution" aspect, recruitments are organized as if positions "belong" henceforth to a particular country. However, while NBA revised Convention in Article 9 (paragraph 5) addresses the issue of "equitable distribution", it does not speak of this dimension as a set arrangement. In fact, the article gives precedence to "qualification" in the appointment of officials to the various position over the need to maintain an equitable distribution of positions among Member Countries.

Revised Convention of 1987 - Article 9, paragraph 5

"The appointment of staff in the different positions at the Executive Secretariat takes into account qualification and the need to maintain an equitable distribution of position among Member Countries."

The "geographical distribution" approach as adopted to date (with specific positions reserved for specific countries) greatly reduces the chances of recruiting the best skills available at the time in a transparent, neutral, and objective manner. It is also a source of conflict.

With regard to the recruitment of staff under category B, the process is normally identical to category A positions (international recruitment).

The selection of workers under categories C and D falls to the Selection Committee. All staff under categories C and D are recruited by the Executive Secretary (local recruitment).

The position of the Executive Secretary is an unclassified position. Unlike other positions, the terms of appointment of the ES do not appear in the current Staff Regulations, they exist only in the revised Convention establishing NBA. It would be a good thing to include them in the Regulations. According to the revised Convention, the ES is appointed by the Summit of Heads of State and Government upon a recommendation by the Council of Ministers (for a period of four years, renewable once). As NBA's headquarters are located in Niger, the ES cannot be a national of Niger as matter of custom.

It should be noted that since the initiation of the 2014 organizational audit continued through this complementary analysis, no recruitment has taken place.

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11 For examples, recruitments via an internal NBA committee for:
- the Technical Director in 2008;
- The Modeling Expert in 2009; in 2011, Chief of Staff, Special Adviser; Private secretary; Bilingual secretary
Orientation of new hires (reception and on-boarding)

A draft policy for the reception and on-boarding of new agents was developed in the past. However, the policy has not been validated, edited or implemented to date.

Compensation and career management

Staff: HRM encompasses both payroll and incentivization through pay. It must strike the right balance between the cost incurred for the international institution and the incentivization required for workers.

In accordance with the Staff Regulations, NBA staff members are appointed in the category, rank and level of the position they hold, subject to their experience within the level. This is done in accordance with the grids and classifications presented in Annexes 1 to 4 of the Staff Regulations.

The compensation of the Executive Secretary is set by the Council of Ministers. The salary scale of NBA officials is set by the Council of Ministers. The staff salary as established by NBA is shown in tables in Annexes I and II of the current Regulations. The starting level of agents is set by the Executive Secretary, after review of their records in accordance with the salary scale in force. The Executive sets the salary of workers recruited under contract. The salaries and allowances of workers are set by the Executive Secretary in accordance with the salary scale in force.

The Staff Regulations date back to 2011. Since then, jobs and positions have evolved, both in terms of skills and qualification levels of new entrants, without NBA taking these parameters into account in job evaluation and classification. The salary scales by category and rank have not been revised accordingly. Individual performance assessment, where performed, was not linked to financial incentives.

Contrary to the provisions of the Staff Regulations, the salary scales for category A and B staff are not set in accordance with the requirement to align compensation with that of similar organizations (which would allow to recruit and retain those with the highest potentialities for performance, competence and integrity).

The salary scale for category C and D staff is set in accordance with Article 5.1.6 (the scale is based on surveys conducted by NBA with comparable organizations and takes into account the duty station as well as the need to maintain a reasonable balance in the remuneration of NBA’s staff).

Given the changes in jobs and positions, the level of qualification of new entrants, the effort to build the capacity of agents in place to access higher levels of qualification, the compensation offered in other international organizations, it seems very appropriate to revise and recalculate salary scales and job descriptions.

Individual performance assessment process

Further to the 2005 audit, an individual performance assessment process was developed and has been implemented at NBA since 2007-2008. Indeed, it became necessary to measure each collaborator’s contribution to NBA’s overall performance, and thus to have relevant information for decision-making and for rational and equitable social management of workers.

Basically, the assessment consists in measuring the performance of each employee in contributing to achieve the objectives set for NBA. The performance assessment applies to all NBA staff, including the ES (for whom the process is the same as for other staff with the difference that is performed by the Chairman of the Council of Ministers).

The professional assessment uses the following reference instruments:

- the mission letter;
- the Activity Program;
- the objective-based contract;
- the activity report;
- the job description;
- the dashboard.
The reference instruments mentioned above are not all available in reality.

According to NBA’s Staff Regulations, each employee who has rendered continuous service for two years shall be entitled to a pay increment, subject to performance assessment. A written assessment of the performance of each employee must therefore be submitted at least once a year by his or her supervisor, in accordance with NBA’s policy staff performance assessment. The report will be kept on file for reference and further action if necessary. Each employee must be informed of any unfavorable observations contained in their assessment report. He/she will have the right to appeal against the content of the said report. Promotion from one rank to another must be based on seniority, merit, qualification or passing a professional examination.

Once again, while the assessment process is in place, while its very purpose and its implementing tools are a priori of quality and relevant, and while it is in line with international standards, its implementation is faced with some problems:

- The assessment process is not routinely implemented every year (no individual performance assessment has been performed since 2015).
- It lends to interpretations and even conflicts as to the final assessment of workers: final assessments, as reported by actors, are the results of assessments by direct supervisors, or an average of workers’ self-assessment with the assessment of their direct supervisors, or assessments done of a distant supervisor who knows nothing or little about the workers assessed.
- Rather than contributing to social dialogue or serving as a real act of management, professional assessment tends to become a forum for negotiation.
- Given the procedures used, professional assessments lack objectivity, are complacent and are more a source of conflict than agreement and individual and collective progress.
- When the assessment is done, its results do not really reflect workers' performance, and do not affect their career or progress.

In general, non-compliance with measures intended to promote professional rigor, objectivity and fairness in the assessment of staff has been detrimental to NBA. It has helped create a climate of mistrust and frustration.

**Usefulness of indicators to measure HR performance**

Human Resources is a factor that actually contributes to an organization's performance and is not just a mere adjustment variable. The stated purpose of a useful HR dashboard is therefore to serve both the strategy and the performance of NBA as an institution. Thus, it is intended to support decision-makers, to ensure HR strategies influence the overall strategy, and to facilitate internal communication.

Just like finance, another crux of performance, there should be ways to measure and assess human capital. However, we do not put indicators on human beings! This is why indicators must pertain to HR processes themselves and, of course, demonstrate their effectiveness.

Currently, HR managers have identified only a few key indicators for monitoring human resources (namely demographic indicators). There is no real steering of human resources as such. As mentioned above, the

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12 Key HR indicators for the management of human resources: demographics (age, sex, seniority, etc.), organization's structure (permanent, contract, full-time, part-time, etc.), supervision rate, turnover rate, absenteeism, overtime, recruitment indicators, training and development indicators, performance management indicators, succession planning indicators, HR function financial indicators, social climate, etc.

13 The person in charge of the personnel is able to provide a precise status of NBA’s workforce: total staff, distribution by professional category, distribution by unit, staff absent with reason of the absence.
work is done on an ad hoc, on demand, case-by-case basis, or even an emergency basis, without reference to a dashboard.

Training, skills building and development

Vocational training is of increasing importance because of ongoing technological and organizational changes that call for continuous upgrading of NBA officers’ qualifications.

In-service vocational training strengthens the capacity of agents and increases the performance of the institution. It also opens the door to new career opportunities. Training is also a lever of adaptability and employability for workers.

However, it is clear that the training of NBA’s workers is a topic that has not been addressed for many years within the institution, except through the projects and programs of which NBA benefits.

A training plan was developed with CIDA’s support in 2013-14. However, it was not implemented. Lack of financial resources is the reason most often mentioned.

Management of staff departure (resignations and retirements)

One person at NBA has a key role to play when staff leaves: the head of human resources has the authority to conduct exit interviews with any resigning employee.

This type of interview is of high interest as it allows for having in-depth knowledge of the actual reasons for departure and for identifying and formalizing potential organizational and/or managerial problems within NBA as an institution.

So far, NBA does not anticipate cases where resignations or retirements may occur, but in addition, it does not question the deeper reasons for the last departures and does not take corrective measures.

However, this study has brought up the fact that retirements are already scheduled, especially among executives and technical agents. It also raises the alarm bell as regards a lack of motivation and frustration among workers, which could mean that resignations may occur soon if NBA’s organization, management, and compensation plans are not revised.

Human resources management information system

Since 2010-2011, NBA has a software (package) for managing its staff (software designed by a consultant/Burkina via the CIDA project funding). This software requires an annual update (this update has been stopped since 2013 due to lack of funding when the CIDA project ended).

To date, only NBA’s IT technician (network manager and user support) has the technical ability to master this software.

In view of the foregoing, it is not possible to access the network (ES, DAF or DHRG have to go through the IT technician to access files for updating or data collection).

Improvement of working conditions

This competency goes beyond mere prevention of absences due to accidents and occupational diseases. In fact, prevention of occupational risks includes not only prevention of accidents or occupational diseases, but also improvement of working conditions.

Working conditions play a significant role not only as regards workers’ daily health and productivity for the organization, but also as regards their commitment and motivation to work, the valorization of actions, and the very quality of the services they deliver at all levels of the chain of command.

The interviews carried out as part of this complementary study, the visits at the headquarters premises and the technical departments show that the improvement of working conditions is not addressed at NBA though there is an actual need for this. In general, this situation is due to the lack of this dimension in NBA’s “corporate culture” as well as the lack of material and financial resources.
For example, the interviews with various technical managers (directors, heads of division), but also with guards and drivers, or the administrative officer in charge of reprography (non-exhaustive list) show that working conditions are badly missing that would foster quality results and a satisfactory level of performance, as characterized by:

- cramped premises,
- dilapidated rolling stock,
- outdated computer and office equipment,
- reprographic equipment that is out of order or out of date,
- lack of raincoats and torches for guards,
- lack of protective and safety gear for drivers and reprographic worker,
- etc.

To support this initial diagnosis, different indicators could be identified and data could be collected by human resource managers (which is part of their responsibility). For example, they make look into:

- health indicators: data from the occupational health service, accidents at work, occupational diseases, etc.
- social indicators: absenteeism, staff movements, complaints, professional developments, etc.
- production indicators: breakdowns, delays, blockages, bottlenecks, internal and external client satisfaction, quality of products and/or services provided by NBA, etc.
- risk factors already identified: time constraints, level of autonomy, hardness factors, etc.

As a reminder, no Personnel Committee has been created, though Staff Regulations provide for this, let alone a Health, Safety and Working Conditions Committee (CHSCT).14

**Professional ethics**

Article 3.5 of the Staff Regulations provides for an ethical dimension stating: "Officials must comply with the Code of ethics issued by NBA and forming an integral part of these Regulations.».

This Code was extensively developed a few years ago (translating general and professional ethics in terms of illegal and dishonorable activity, conflict of interest, corruption, obligations of competence, professional standards, morality and dignity, etc.), and was then edited and distributed within NBA in the form of a booklet handed to each new recruit.

**Today, this Code has been somewhat forgotten, the lack of resources no longer allowing for republishing and disseminating it.**

**Management of working hours and holidays**

According to the Staff Regulations, workers are entitled to accrue 60 days of leave. Beyond this number, leave entitlements are lost (Article 7.1 of the Staff Regulations: "Every employee is entitled to an annual vacation with pay of two and a half calendar days of work per month after twelve (12) months of actual

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14 The Health, Safety and Working Conditions Committee (CHSCT) is supposed to represent NBA officials for any question relating to the improvement of working conditions.

Its missions would include:

1. Reviewing working conditions and occupational risks at NBA, and making proposals to improve the current situation as regards these aspects;
2. Ensuring application of recommended preventive measures and legal provisions by the employer, possibly using the services of an expert (at the employer’s expense).
work. No staff member may accrue more than 60 days of leave without the prior written approval of the Executive Secretary."

It turns out that a large number of agents have already accrued the maximum 60 days of leave, as the current level of staffing does not allow for taking leaves, which are then regularly postponed on grounds of service requirements. As of August 2018, the 48 permanent staff in office (cumulative leave due in 2016-2017 and in 2018) have accrued a total number of leave days of 2,431 or nearly 79 months.

Moreover, the organization of annual vacations should be based, in theory, on a leave schedule drawn up for all staff and updated as and when departures or postponements occur. This is not the case.

Document and Archives Center

The main tasks of the archivist consist in collecting, preserving and communicating documents and information. He is at the same time the custodian of the institution's archives, a keeper of its memory, a mediator, a manager and also a decision-maker.

The role and function of the Documentation Center and the Archivist are certainly undervalued at NBA. Moreover, the job of archivist is ranked similarly to an orderly or driver (category D) while the incumbent holds a master degree in this specialty.

In addition, the profession has greatly evolved with the advent of a big number of archiving media, ISO standards and a whole regulatory framework according to international standards.

In reality, NBA's Documentation and Archives Center is far from such a picture in terms of premises, means and tools for archiving, filing, preservation or safeguarding.

Processes for forward (and preventive) management of jobs, workforce and skills

Forward planning of jobs, workforce and skills (FPJWS) is intended to help organizations deal with their socio-economic environment, by adapting workers' skills changes identified (technologies, context, environment, etc.).

FPJWS involves anticipating and planning the institution's strategy, as well as assessing the skills needed to fulfill the institution's mandate and implement its projects. As it takes the human factor into account, FPJWS is at the heart of the institution's human resources management, combining:

- identification and anticipation of human resource needs,
- recruitment,
- departure/entry planning,
- performance assessment,
- training,
- adapting skills to jobs,
- mobility,
- work organization.

Given that human resources are not given a strategic dimension (no HR policy within the institution) to date, NBA has not yet established the FPJWS process. However, the DAF, the head of DHRGA and the expert in monitoring and evaluation were trained on the fundamentals of FPJWS, in Morocco, in 2011-2012, but no action followed.

This process is a tool for managing human resources. It is an inclusive and integrating process. It is set up in many national and international public institutions but also in many private companies.

If the decision to set up FPJWS in the short term is taken at NBA, the minimum conditions (training on the fundamentals of FPJWS, key tools for FPJWS) would already be there to initiate the process. Nevertheless, technical assistance is highly recommended.
In view of the above, the answer to QRESS.4 is also negative. Not only are the staff of the organization inadequate in quantity and quality, but its management modalities do not create an environment conducive to workers’ identification with the challenges of the organization and performance.

The institution’s senior staff - being limited in number and overloaded with many interim duties - is constantly operating in an emergency mode and ensuring ad hoc tasks sometimes unrelated to their area of duty.

Despite the availability of fairly suitable and potentially useful working tools, the actual mechanisms and procedures for recruitment, assessment, compensation, capacity building, etc. prevent the best use of available human resources.

NBA fails to attract and/or retain competent personnel, and as a result, key positions remain vacant for extended periods.

The lack of mobility, leaves, recognition and valorization as well as unattractive working conditions create a gloomy atmosphere in the institution, which is known to inhibit performance.

In addition, organizational management issues in the recent past have not gone towards creating a team spirit within the institution. Due to positioning struggles, managers have not been encouraged to focus on what is essential - the organization’s mandate and the challenges it faces, even in the short term.

All this affects performance and does not create the conditions for a strong commitment on the staff side and workers identification with the objectives and challenges of the institution. This is reflected in the performance of staff and the institution as a whole.

As an urgent matter, the organization should find a way to get staff to motivate themselves and focus on its mandate, issues and challenges and should adopt a forward-looking management of its staff.

From all of the above, it can be concluded that there are shortcomings in NBA’s management, some of which are at the root of some of its underperformance while others exacerbate such underperformance.

The lack of mobilization of financial resources is very clearly one of the main causes for the non-implementation of planned investments, namely filling of key positions and funding the investments that would allow to address the existing issues. The persistence of this situation casts serious doubt on the organization’s ability to meet the challenges of the future.

Deficiencies in financial management are not reassuring for the organization or its partners. They carry risks that an institution with international ambitions cannot afford.

While some shortcomings in human resource management (capacity building, leave plan, working conditions) amplify a situation that is already worrying, others constitute existential threats to the organization: the unavailability of certain skills, low morale of staff, division of the team into clans, etc. are serious sources of non-performance for the institution. As they do not have an obligation of results, staff do not commit all their moral, intellectual, and temporal resources in the search for creative solutions to the problems and challenges facing the institution. However, this is crucial as solutions never emerge on their own: people in charge have to figure them out. Inhibiting this ability or failing to promote it depresses performance and is in fact a deadly danger for any organization.

4.2 Effective governance of NBA

We have just seen that part of NBA’s underperformance can be attributed to the organization’s management methods. The purpose of this section is to verify whether this is also the case with respect to the governance of NBA. To find out, a review of the characteristics and functioning of the institutional arrangement will be carried out (4.2.1). Then, to the extent that the missions and attributions of the organization are set and their implementation assessed by the governing bodies, a review of the relevance of the missions and attributions and their implementation will be conducted in order to propose adjustments, where appropriate (4.2.2).
4.2.1 Adequacy of the institutional arrangement (bodies, NFS, selection of ES, etc.)

As noted earlier, the current structure of the Executive Secretariat has not allowed for effective management of all the missions (objectives) that were assigned to NBA. How to explain this? How is it that this situation has continued since 1987? To put it another way, how is it that the authorities whose role is to control, assess or guide the implementation of the missions have allowed such a situation to persist? This section of the report answers these questions. The question to be specifically answered is:

- **QRESS.1** Is the operation of NBA's bodies optimal, i.e. is it likely to facilitate the implementation of the organization's missions and the control of its activities or, conversely, does it cause delays, blockages and inconsistencies?

The following findings came out of the review of the functioning of the institutional arrangement in place, as observed by the consultant.

**Executive Secretariat**

It is important to start this review with the Executive Secretariat because it is the body in charge of implementing the mandate and as such, it is at the heart of the institutional arrangement.

Without going into the details as regards the management of the Secretariat (see above), it is important to note that while NBA as a whole has a mandate (i.e. missions (objectives) and attributions, the Executive Secretariat clearly has none, except if we accept that the organization's mandate (which has to be generic and timeless) is also that of its implementing agency.

Admittedly, the institutional role of the Secretariat is to lead in the implementation of NBA's mandate, but this must be done in time and under the auspices of an Executive Secretary whose responsibility is necessarily limited in time. As per good practices, the institution's mandate should be translated into time-based mandates with specific targets according to the context and evolution of each element of the institution's overall mandate. The ES would then have to operationalize the mandate that would have been assigned to them in the form of a roadmap with precise milestones that could be verified and assessed periodically by the body immediately above the Executive Secretariat. The roadmap would be accompanied by specifications as regards human, material and financial resources needs (budget scoping).

Once the Executive Secretary's mandate and roadmap have been approved by the higher authority, the ES should translate its mandate in detailed objectives for the its main operational entities (Directorates and other units under its immediate supervision) and these entities would have to develop work plans and identify the means they would need to achieve the objectives.

Such an approach would allow for effective implementation of results-based management at the Secretariat and would facilitate accountability and a truly performance-based staff assessment.

In fact, the lack of mandates for the ESE that succeeded one another at the head of the Secretariat did not go towards the operationalization of the institution's missions, which is useful or even required for their proper implementation and overall performance of NBA.

**National Focal Structures**

NFS play an important role in carrying out the activities of the Executive Secretariat. They are expected to support, oversee and monitor the national implementing structures and report to the Secretariat to facilitate, as appropriate, decision-making and adjustments that may be required during implementation. The Executive Secretariat does not have dedicated staff for this task that is decisive for the effectiveness and achievement of objectives.

NFS are led by Coordinators who are National Directors of NBA line ministries in most countries. Only the Coordinators of Guinea and Mali are not National Directors.

As National Directors, NFS Coordinators play a dual role in relation with NBA, namely, i) overseeing and steering the activities of the Executive Secretariat on behalf of the Member Countries (i.e. Regional Project and Program Steering Committee, Technical Committee of Experts), and ii) coordinating activities and monitoring the implementation of projects carried out by the Secretariat at the country level.
These two roles are in principle incompatible, as pointed out in 2007 by the consulting firm SENES in the context of the NFS set-up study. Indeed, a role in activity implementation implies having a supervisee relationship with the Executive Secretariat, while there is already a role of supervision and management in place. Such a situation carries ambiguity and misunderstanding. It cannot be expected to result into operational efficiency.

While National Directors assume their supervisory and steering role in a fairly regular and correct manner, this is not always the case regards their coordinating and monitoring role. The performance of this latter role suffers from the limited time available to a National Director whose primary responsibility is to ensure that his/her Directorate operates well and to respond to requests by his/her Secretary General, Director General or Minister, with whom he/she has a clear superviseee relationship. This leaves National Directors with little time to do anything else - including participation in NFS activities.

In addition, as National Directors do not have a clear superviseee relationship with it, the Executive Secretariat does not have formal levers to force NFS Coordinators to act: it has no authority to demote or sanction, and it has no say in their salaries. The ES cannot give them orders, and has no retaliatory measures available to it, nor any alternative. In this context, NFS Coordinators are not obliged to respond to injunctions by the ES. The ES cannot "push" too much on NFS - though this often needed to get results - because they have a supervision role over the ES and have opportunities to retaliate during TCE meetings.

The organizational anomaly involved in the situation described above is compounded by the fact that the position of National Director held by most NFS Coordinators is often quite vulnerable to political turmoil. Changes of line Ministers regularly lead to changes of National Directors, resulting in a lot of instability in the position of NFS Coordinator and making the continuity of initiatives and activities rather difficult.

It should be emphasized, however, that issues of lack of time and instability do not occur in the same way in all countries, particularly in Mali and Guinea where NFS Coordinators are not National Directors.

To summarize, due to the equivocal positioning of National Directors as NFS Coordinators and RPSC and TCE Members, the Executive Secretary does not have a real ability to control and monitor field activities, which obviously affects the effectiveness of implementing its mandate. It is known that close monitoring increases performance by accelerating implementation and enhancing responsiveness and adaptation to implementation issues that inevitably arise at some point in the implementation of workplans.

**National Implementing Structures**

As a reminder, the National Implementing Structures include:

1. Ad hoc entities set up to implement projects (such as SCP),
2. NGOs or companies contracted for a particular part of NBA's activities,
3. Government entities entrusted with a particular task in carrying out NBA's mandate in application of the principle of subsidiarity.

Among these structures, governmental entities pose a particular challenge to NBA: they come under the sovereignty of the Countries who are supposed to organize their work, supervise them and provide the means for their operations, with NBA stepping in only to build technical capacities when necessary.

The main governmental entities with which the Executive Secretariat works are the hydrological services whose role is to collect and send to the Observatory data on the water resources in their portion of the Basin. Unfortunately, these entities perform this task only irregularly because of problems that affect many national administrations in developing countries: limited financial resources, unequal remuneration, organizational problems, and so on. The Secretariat has no leverage to improve the situation of these entities and cause them to fulfil their duties, while it is dependent on this for its own performance.

This is currently the situation with hydrological services, but it may also be the situation when the environmental monitoring, the monitoring of water quality of the water, the control of compliance with navigation regulations or the application of the polluter/payer principles, etc. will all become operational.
This situation calls for reflection on the implementation of the principle of subsidiarity, which should not be questioned, in order to make its application more effective and to avoiding hampering the Executive Secretariat in carrying out its mandate, especially when Results-Based Management will be applied.

**The Technical Committee of Experts and the Regional Project Steering Committee**

The RPSC and the TCE are somewhat mixed up because they are composed of almost the same people and have similar roles, i.e. supervising the ES' activities. We will address the case of the TCE only for reasons that will appear later.

Although the supervisory role of the RPSC is quite explicit, it is less explicit for the TCE insofar as, formally, the CM is in charge of controlling the action of the Executive Secretariat. The formal role of the TCE is to prepare the Council of Ministers, but to fulfilling this role effectively amounts to overseeing the Executive Secretariat, without this being explicitly formalized. It will be recalled that in the analysis of NBA's financial management, it was noted that the role of the TCE should be broadened to include, among other things, the standardization of the content of the ES Activity Report, the closing of accounts, or the monitoring of CM resolutions implementation. This job is not currently performed by any body. The TCE seems to be the most appropriate candidate, which would make it possible to formalize the supervisory role that it is already playing in practice.

**Council of Ministers and Summit of Heads of State**

There are, strictly speaking, no shortcomings in relation to the functioning of these two bodies who rather have a political dimension of stimulating, orienting, and controlling NBA's action. The only question - which is decisive - that arises when it comes to these two levels is whether they have the political will.

The Shared Vision process in the early 2000s showed that political will at the highest level could move the lines, motivate action and channel resources towards the management of the Basin. The critical question that arises for NBA is how to trigger this level of political will and especially how to make it sustainable. How to prevent the political will from disintegrating during transition from one Head of State or Minister to the next?

Political will is often dependent on understanding the major issues and the perception of political gains and risks. Recognition of the potential impact of sustained political will should lead NBA to develop tools to show the scope of its action and related issues in order to foster a high level of political will. This should be done based on data on the condition of the Basin, the communities concerned, economic activities and potential evolutions in relation to these and lead to a modeling of the action scenarios in order to highlight the possible impacts (political gains and risks).

The items discussed in this section provide a rather positive answer to QRESS.1. The functioning of NBA's bodies facilitates the implementation of the organization's missions and the control of its action. The regularity of these bodies' meetings despite chronic financial difficulties is commendable.

Not everything is perfect, however. The positioning of National Directors as both TCE and RPSC members as well as NFS coordinators is inconsistent and causes slowness in operations.

Collaboration with government institutions - in application of the principle of subsidiarity - carries risks for the institution's overall performance, as already observed with the regular compilation of hydrological data. Sustained reflection would be necessary as regards this topic.

NBA's poor performance in mobilizing financial resources can also be explained by a lower level of political will compared to the early 2000s. NBA has not been able to provide the highest political authorities in the Member States with inputs that would have helped maintain a high level of political will. As a fundamental action, the organization should address this.
4.2.2 Relevance of the missions/attributions and organization of their implementation

This section aims to determine whether the organization’s performance can be explained by the inadequacy of the mandate (missions, attributions) against current developments or, possibly, the inadequacy of implementation modalities. The question is:

- **QMISSIONS.2** Are NBA’s missions and responsibilities as described in 1987 as well as their implementing arrangements suited to the current context and practices?

In the following, the relevance of missions/attributions will be addressed initially (4.2.2.1), followed by the relevance of implementation modalities (4.2.2.2).

4.2.2.1 Relevance of assignments/attributions

To ask whether NBA’s missions are relevant comes down to asking whether they address one or several important needs for the management of the Basin, whether they relate to the most important issues in the management of the Basin, whether they are obsolete or whether new missions have been identified in the meantime and should be taken into account. The table below provides an analysis of the relevance of the different objectives of NBA on the basis of these parameters.
<table>
<thead>
<tr>
<th>OBJECTIVES ADOPTED IN THE REVISED CONVENTION OF 1987</th>
<th>DIMENSIONS</th>
<th>RELEVANT? (Address an important need for Basin development or preservation?)</th>
<th>LEVEL OF RELEVANCE (Depending on its link with the major issues of Basin management)</th>
<th>COMMENTS (Still up-to-date or obsolete, can be replaced, specified? etc.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Harmonize and coordinate national water resources development policies in the Niger Basin</td>
<td>Coordination of national policies for the development of water resources</td>
<td>Yes, but there is a need to clarify what needs to be harmonized. It is not certain that it is feasible or useful to harmonize and coordinate national policies for the development of <strong>all water resources in the Basin</strong>. What is needed is to harmonize and coordinate the development of water resources that have a cross-border dimension.</td>
<td>High, if the required clarification is provided.</td>
<td>Could be reformulated to highlight the solidarity and the consultation needed on the alignment of national policies with the general interest in the development of water resources having a cross-border dimension.</td>
</tr>
<tr>
<td>2. Participate in development planning by designing and implementing an integrated Basin development plan.</td>
<td>Development of an integrated Basin development plan</td>
<td>Yes</td>
<td>High</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Participation in the implementation of an integrated development plan of the Basin through the supervision of its implementation</td>
<td>Yes</td>
<td>High</td>
<td></td>
</tr>
<tr>
<td>3. Ensure the control and regulation of all forms of navigation on the river, its tributaries and sub-tributaries</td>
<td>Regulation of all forms of navigation on the river</td>
<td>No</td>
<td>Low</td>
<td>There does not appear to be any major cross-border issue related to navigation on the river, its tributaries and sub-tributaries for the moment.</td>
</tr>
<tr>
<td></td>
<td>Control of all forms of navigation on the river</td>
<td>No</td>
<td>Low Idem</td>
<td></td>
</tr>
<tr>
<td>4. Promote and participate in the design and operation of works and projects of common interest.</td>
<td>Promote the design of works and projects of common interest</td>
<td>Yes</td>
<td>High</td>
<td></td>
</tr>
<tr>
<td>OBJECTIVES ADOPTED IN THE REVISED CONVENTION OF 1987</td>
<td>DIMENSIONS</td>
<td>RELEVANT? (Address an important need for Basin development or preservation?)</td>
<td>LEVEL OF RELEVANCE (Depending on its link with the major issues of Basin management)</td>
<td>COMMENTS (Still up-to-date or obsolete, can be replaced, specified? etc.)</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Participate in the exploitation of works and projects of common interest</td>
<td>Yes, but the form of NBA’s participation needs to be further clarified.</td>
<td>High, if the form of participation is clarified.</td>
<td>This dimension should be further specified. Indeed, NBA’s participation should be limited to contributing to defining operation rules and to controlling the implementation of these rules. The actual operations must remain the preserve of national institutions. Example of possible reformulation (similar to Objective 2: Participate in the exploitation of works and projects of common interest through the definition and control of operating rules of such works)</td>
<td></td>
</tr>
<tr>
<td>5. Participate in the formulation of requests for assistance and in the mobilization of the financing for studies and works needed for the development of the Basin resources.</td>
<td>Participate in the formulation of requests for assistance to carry out studies and works required for the development of the resources of the Basin. Participate in the mobilization of funding for studies and works necessary for the development of the resources of the Basin</td>
<td>Yes</td>
<td>Yes</td>
<td>High</td>
</tr>
</tbody>
</table>

Table 21: Review of the relevance of NBA’s missions as set out in the Revised Convention of 1987.
Given that the purpose of this section is to determine whether the organization’s underperformance is related to the irrelevance of its mandate, it should be noted that the missions set out in the Revised Convention of 1987 continue to be relevant and topical in terms of contents, as shown in the table above. The issue of navigation - which, it must be remembered, is not actively implemented by NBA - is the only one to be of lower priority, at least for the moment. Therefore, the lack of relevance is not the source of the performance difficulties encountered by NBA.

On the other hand, it is quite possible to explain part of the problems in implementing NBA mandate by the difficulty for people who are not experts in organizational matters to deduce objectives (or missions) for the operational profile in the organization. It is difficult to identify the operations necessary for the implementation of objectives or missions when one is not specialized in the field. These difficulties have largely contributed to NBA’s inability to systematically and comprehensively operationalize the functions implied by its mandate - hence the shortcomings in performance.

In this context, to create the conditions for a significant improvement of its performance and to keep abreast of current organizational practices, NBA could reformulate its mandate in terms of missions, functions and products/services. This will facilitate the use of the PDCA approach (Plan-Do-Check-Act), also known as process-based management or the Deming Wheel. This approach allows significant and continuous improvement in the performance of organizations:

- It results in an adjustment of the organizational structure to the elements of the mandate (missions, products/services) thus ensuring that each aspect of the mandate is supported by a subdivision of the organization
- It involves carrying out the operations required for delivering each product and service expected from the organization (process); it allows the organization’s action to be systematically focused on its mandate and allows for incremental improvement in performance while organizing accountability and results-based management.

Possible reformulations of NBA’s mandate should of course include new concepts and approaches in the field of Integrated Water Resources Management (IWRM).

Furthermore, it is important to note that NBA mission statement does not mention what should be the basis for Basin management initiatives, production and analysis of information on the management of the Basin (water resources, ecological environment, human settlement, economic activities ...). It is quite likely that those who drafted the missions considered that this was self-evident, but given its importance, it would be preferable to explicitly mention production and analysis of information on the Basin among NBA’s missions.

In addition, while the development of the river’s water resources is prominently featured in NBA’s missions, the text is silent as regards preservation of these resources. Again, this may well be an implication meant by those who drafted the mission initially. However, it would be important to specify it explicitly given the importance of the topic.

The two missions whose addition is proposed are already supported by NBA, one through the Observatory (production and analysis of information) and the other through two flagship projects of NBA, namely SCP and currently PIDACC. The addition would actually be a confirmation of a de facto situation.

**4.2.2.2 Relevance of the implementing modalities of NBA’s missions/attributions**

The main modality selected by NBA to carry out its mandate is the program approach. NBA chose to use the program approach from 2016 (Decision #1 of the 11th Summit of Heads of State) as it agreed with the most common criticisms made as regards the project approach that it had used since its inception:

- The project approach focuses on the short term and on issues and needs of limited scope that have little impact on major development issues;
- As the preparation of project proposals was carried out by or under the auspices of the donors, the content of projects essentially reflected donor priorities (donor driven);
- Projects are managed autonomously with scattered results; contribution to countries'
development efforts was marginal and often impossible to identify;

- Capitalization of project experiences was low, the staff conducting these experiments were moving out towards their end, and the resources used to produce the results were beyond the reach of recipient country administrations; all this meant that the results were not reproducible and scaling them up was impossible.

In addition, the approach is often accused of contributing to weakening State structures because the projects operated in parallel - and sometimes in competition - with the administrations while 'poaching' its managers. It is also denounced for building and maintaining a culture of per diem.

**Characteristics of the program approach**

Developed from 1991 on the initiative of UNDP and the World Bank (specifically IBRD), the program approach was meant to address the shortcomings of the project approach. A program is conceived as "a coherent set of interrelated policies, strategies, activities and investments aimed at achieving an objective or set of objectives, within a defined time frame". The Objective-based Budget Program (OPB) developed by NBA clearly meets this definition.

Developed and implemented by the recipient's services and therefore reflecting its priorities, the program also describes the resources needed to achieve the defined development objectives (financial, institutional, human and technical investments). These resources can be covered from both domestic and external resources.

The contribution of external resources can take the form of a 'basket funding', i.e. the pooling of support from different donors without any particular link to a project or several projects of the program. The supports are rather linked to specific indicators mutually agreed. However, it should be noted that this practice is not constitutive of the program approach, it is just a funding mechanism like any other.

Indeed, a program usually includes sub-programs, components, elements and activities, depending on the terminological preferences of its designers. This architecture allows donors to position themselves to support the recipient through projects targeting components or elements of the program according to their interests, comparative advantages and procedures. NBA's OPB lends itself well to this funding mechanism.

The program approach, as developed in the OPB, is in line with current practices in this area and appears to be very relevant to NBA's current situation.

However, the programs take two forms: programs comprising a set of projects (for example, a poverty reduction program, economic recovery program, etc.) and those consisting of a set of recurrent services (expanded program on immunization, reserve stock program, etc.). The formulation of both types of programs is necessary for an organization such as NBA that has to provide regular services to Member Countries and communities (tidal bulletins, compilation of water quality data, report on the implementation of regulations, etc.). NBA's current OPB does not include the second type of program, and it would be important to address this issue.

The two dimensions omitted in NBA's mission statement - **production and analysis of information and protection/preservation of the river's water resources** - could form programs of this type: they are recurrent, i.e. they **must be done each year and they have no end possible**. However, it would be difficult to have TFPs fund such programs because their support has, by its nature, a predefined beginning and end. **Therefore, it would be preferable that NBA fully covers these two types of programs on its own funds to avoid interruptions coming at the end of projects** (see the Niger-HYCOS project). This is in the interest of NBA and its Member Countries (what will happen to the protection and preservation of the river once the projects SCP/PIDACC end?). Needless to say, TFPs could always continue their support through ad hoc investments (purchase of equipment, training, specific expertise, etc.).
Box 2: Benefits and prerequisites of a successful program approach

Benefits of the program approach

The advantages of the approach are numerous:

• The activities and/or projects carried out under the program approach are synergistic, going towards specific and clear objectives, and are no longer dispersed;
• The issue of development actions ownership does not arise in principle in the program approach, as long as the program is developed and implemented by the recipient;
• The program approach facilitates the alignment of donors with recipient priorities, which is one of the key principles of the Paris Declaration on Aid Effectiveness;
• The program approach facilitates consultation between recipients and donors as well as among donors themselves. This strengthens synergy and limits competition or duplication of effort;
• In the long run, the program approach translates into economies of scale with respect to setting up and maintaining often costly project management units;
• The capitalization of experiences in program implementation is easier to the extent that implementing staff are integrated into the recipient’s structure;
• Institutions often come out with strengthened organizational, institutional and human capacity as a result of the implementation of programs: the recipient institution is in better position to carry out its missions thereafter.

Prerequisites for a successful program approach

The program approach is a major paradigm shift. In its current set-up, NBA is not equipped with adequate human resources and operational arrangements to implement it. In general, a set of prerequisites should be met in order to maximize chances to succeed in implementing a program approach:

• The institution wishing to implement the program approach (i.e. NBA) must have a viable, controlled and effective mechanism for coordinating and monitoring the implementation of the program(s), at the central as well as at the decentralized levels. Clear and transparent mechanisms and procedures must have been defined and internalized by all implementing actors. These mechanisms must first have been presented, discussed and aligned with those of partners, in a transparent manner;
• The implementation of the program approach must be based on a clear analysis of the institution’s capacity to effectively deliver the program(s) developed. This is why the adoption of this approach almost always come along an organizational, institutional and human capacity-building program. While the 2016 audit and this complementary analysis suggest effective organizational and institutional arrangements, they do not for the human resources dimension. It is important that a participatory assessment of NBA’s current human resource capacity is conducted and that a specific capacity building plan is developed and implemented;
• It is important that the institution that chooses to implement the program approach is serious and committed to its decision. This will imply i) assigning significant amount of its own resources (say at least 20 percent of the financial resources needed to implement NBA’s OPB) and ii) adopting measures indicating a real desire for change. This would create a ripple effect with technical and financial partners;
• Technical and financial partners must unequivocally accept the program(s) (i.e. NBA’s OPB) as a reference framework for their interventions and commit to align with them. To facilitate this, an institution that chooses to implement the program approach (in this case NBA) must convince them of the program(s)’s merit and quality and of its seriousness for its implementation. Specific actions towards this must be taken;
• Regular communication and effective coordination of partners would limit competition between them (without setting up a “cartel”) and flexibility in mobilizing support would greatly assist in the implementation and removal of bottlenecks that will not fail to occur;
• A critical mass of financial resources must be available from the beginning of implementation;
• Whenever possible, NBA should be insulated against political turpitudes and turbulence that may destabilize the implementation of the program(s) or even jeopardize its implementation for a long
formulated
implementing
observed
aspects
To
The approach
The program(s)
prerequisites
is
Whenever
the
this
current
in
As
often
above
missions.

1. Consolidation of the OPB to reinforce its alignment with NBA’s services, missions, and normal functions;
2. Operationalization of a resource mobilization mechanism, allocation of significant own resources, and definition of the critical mass of funding required for initiating effective implementation of the program approach;
3. Assessment of human resources capacities, development and implementation of an organizational, institutional, and human capacity-building plan;
4. Development of a system and procedures for implementing the various components of the OPB, including updating of accounting, budget and analytical plans.

As the discussions above suggest, the answer to QMISSIONS.2 is mixed. The mandate of NBA, as defined in the Revised Convention of 1987, is still relevant and current, but its wording does not correspond to current practices and does not promote the establishment of a successful organization. An update of this mandate to align with the PDCA approach is more than necessary: it is a prerequisite to improving the implementation of NBA’s mandate. In addition, the wording of some of the missions should be further clarified, and two additional missions - which NBA already carries out - could be added to the list of missions.

To conclude this discussion on the effectiveness of the governance of NBA, it should be noted that several aspects of governance have had an adverse effect on the organization’s performance. The weaknesses observed relate as much to the institutional arrangement as to the relevance of the missions and implementing methods. Specific areas of improvement have been identified and concrete proposals will be formulated in the recommendation section.
5 CONCLUSIONS AND RECOMMENDATIONS

To build on the various analyses conducted during this study, a summary of its major findings (5.1) is provided before proposing actions to help NBA remedy the gaps and malfunctions that may hinder its capacity to meet the basin’s development and management challenges (5.2), to draw overall conclusions (5.3), and to suggest the first steps for implementing proposed recommendations (5.4).

5.1 Major findings

NBA, as it is now, has a set of assets that are positive results of its action:

- The authority and Member Countries have established a relatively clear vision of the direction they wanted to take. As an expression of this, a set of programmatic and regulatory reference documents setting the course of action of the organization (Shared Vision, SDAP, Investment Plan, Strategic Plan, OPB, Water Charter, and its Annexes, etc.) has been developed;
- Well-crafted working tools, which are a rare occurrence in African public institutions:
  - Relatively efficient basin observation instruments: measuring devices, computers, software for processing and modeling collected information, predesigned information presentation formats (newsletter, directories);
  - Relatively well-managed accounting, limiting the risks of manipulation through the use of proprietary accounting software (TOMPRO), fairly strict financial regulations and procedures that are well-defined and documented in an ad hoc manual; all the previous are supported by fairly regular audits;
  - Staff management well regulated by the existence of specific job descriptions for all staff and an explicit staff evaluation system;
- Projects implemented in a fairly effective manner (SCP, Niger HYCOS, WRDSEMP, CIDA project, GIZ project), which, among others things, made the development of the aforementioned working tools possible;
- Relatively efficient business and decision-making procedures that result in:
  - Regular meetings of the various monitoring and decision-making statutory bodies of NBA (Project Steering Committee, TCE, Council of Ministers, Summit of Heads of State);
  - Regular implementation of guidelines by higher bodies.
- A fairly well-established reputation, which is why the authority is regularly mentioned as an example in the microcosm of basin organizations.

These assets result from three (3) main factors:

i) Proactive leadership of some of NBA’s past leaders, namely the Chairman of the Summit of Heads of State and the Executive Secretary (ES) who steered NBA in the 2000s;

ii) The skills and commitment of NBA staff, who, though they are limited in number, manage to mobilize themselves to achieve critical actions when necessary;

iii) Long-term support from TFPs, which, in fact, results from the above (World Bank, FDA, CIDA, KfW and GIZ, etc.).

Thanks to these strengths, NBA has a strong performance potential and offers unique opportunities whose scope needs to be properly measured and for which means should be harnessed to turn them into tangible results and measurable benefits for communities and Niger Basin Countries.

However, despite these strengths, negative answers must be given for QVision and for QMissions, as a result of analyses conducted during the study. QVISION is worded as follows:

QVision. In its current set-up, will NBA be able to:

1. Successfully implement the Shared Vision, as translated and articulated in the
Investment Plan and Strategic Plan?
2. Support Member Countries effectively in addressing development, adaptation and resilience challenges in the future?

After reviewing NBA’s organizational structure and institutional setup, assessing the organization’s performance, and analyzing its underpinnings, the consultant reaches the conclusion that, as it currently is, NBA will not be able to effectively steer the implementation of the Shared Vision and of the various plans derived from it.

Similarly, a negative answer is given for QMISSIONS, which reads:

QMISSIONS. As it currently stands, is NBA adequately organized to assume the functions and services expected from a Basin organization in the current context in West Africa?

The analyses discussed throughout this complementary analysis indicate that NBA is not adequately organized to perform the functions and services expected from it, as set out in the 1987 Revised Convention.

Negative answers to QMISSIONS and QVISION mean that NBA will not be effective in supporting Member States in the development of the basin’s potential in order to address the vital issues facing these countries., which, as a reminder, are the following:

1. **To double food supply by 2040** in order to cope with the anticipated doubling of the basin’s population through a significant development of irrigation, which is the only way to curb uncertainties relating to the unpredictability of rainfall;
2. **To improve access to reliable, abundant and affordable energy**, as a basic prerequisite to countries' economic development because of its impact on competitiveness and growth;
3. **To contribute to reducing the vulnerability of countries and communities to climate change effects** by creating the conditions for higher resilience and adaptive capacity through the management and preservation of the basin’s water resources.

Failure to address these issues may lead to catastrophic scenarios relating to food security, migration, and conflicts that could threaten the very survival of these still fragile Countries most of which feature among the world’s least-developed ones.

The views expressed above are based on a number of gaps, deficiencies, or malfunctions. The most important of these are summarized below:

I. **Difficulty in materializing the ambitions expressed in reference documents and exercising its foundational roles.** While the development of documents is one of NBA’s strengths, implementation without the support of TFPs as part of specific projects - is one of its biggest weaknesses. This situation is due to the combination of several factors:

1. **Lack of financial resources** or - to say it differently - poor capacity to mobilize finances needed to achieve its ambitions;
2. **Poor capacity to acquire and maintain the human resources needed for fulfilling its mandate.** This is of course due to the financial difficulties encountered by the organization, but also to weak capacity in identifying and anticipating the skills needed to perform its activities and to fulfil its various missions (forward planning of staff); this translates into chronic understaffing causing vacancies in positions that are sometimes key to the performance in NBA’s core business;
3. **Difficulty i) in operationalizing and in organizing activities needed to implement actions necessary for achieving ambitions** laid out in reference documents, and ii) in defining the daily tasks relating to these ambitions, and focusing on the execution of these tasks;
4. **NBA’s dependency on administrations of Member Countries for the implementation of its activities, in application of the principle of subsidiarity.** This is, for example, the case with the collection of hydrological or environmental data (Observatory) or the monitoring of field activities (Technical Directorate, i.e. NFSs). Because administrations of member countries have their own problems
(lack of financial resources, low level of organization of work, etc.) and own priorities, heavy reliance on them leads to significant delays in implementing activities.

II. Significant gaps in the organogram (lack of dam specialist, navigation specialist, accounting agency, procurement unit, monitoring-evaluation unit, etc.), which results in a lack of adequacy between the organizational structure and the mandate of the institution, and poses significant risks to both the optimal use of resources and the delivery of results.

III. A working environment that is not organized around the achievement of clearly defined objectives for each department of the Executive Secretariat and does not stimulate performance. There are two determinants to this situation:

1. **Failure to establish specific objectives to each department of the Executive Secretariat** (Directorate, Division, Units, etc.) for well-defined periods.

2. **Staff management that is not conducive to performance** (staff limited in number and overloaded; lack of links for moving up the hierarchy ladder; inadequate mechanisms for recognizing and valuing staff performance; accumulation of non-utilized vacation days; unattractive salaries and working conditions, etc.).

IV. An institutional arrangement that promotes neither the expression of political will, nor its translation into action leadership, resulting in slow operations. This situation derives from a number of facts:

3. **Lack of instruments that help leaders understand major stakes, or potential political gains, and risks** (ex. Trends of human and animal losses due to floods and low water levels; anticipated changes, projected trends of malnutrition that will follow planned developments; potential impacts of proposed developments [irrigation, hydropower] on economic activities, on growth, and on migration, etc.).

4. **Lack of explicit mandate for the Executive Secretary**: what is specifically expected from ES during his/her term of office not clearly defined (e.g. objective-based contract with the Council of Ministers) is; this does not create the conditions for effective leadership on his/her part, as well as on the part of the Chairman of the Council of Ministers, or the Chairman of the Summit of Heads of State; when combined, these leaderships should channel energies and resources towards achieving defined objectives.

5. **Marginal involvement of stakeholders in decision-making and control of NBA’s actions.** Although water users are in principle involved in the activities of NFSs and participate in RSC and TCE meetings, their involvement is more about "giving the looks" of a participatory process rather than actual shared decision-making power. Indeed, it must be acknowledged that NCU/RCU have zero leverage in decision-making and action orientation because their representation in these bodies is limited to a single person.

6. The fact that **coordination of NFSs is entrusted to National Directors who do not have much time and are also members of the RSC and the TCE, which** blurs the line of command with ES and slows down field activities. This negatively impacts on the accountability and responsiveness of field offices to Executive Secretariat.

V. An unsavory working atmosphere, which was already noted by the 2016 audit. This is reflected by suspicions of favoritism and conspiracy-like attitudes. Several dividing lines (albeit of variable importance) are observed within the Executive Secretariat: between those who supported former ESs and those who were against them, between senior and lower level executives, between hydrologists and environmentalists. This situation is not conducive to team spirit, which is often useful for achieving good performance. This situation is mainly caused by two factors:

1. **The combined action of recent successive ESs** and the reactions they generated within the team: using missions to reward or punish personnel, using staff evaluations as a means of pressure, etc.

2. The **involvement of Member Countries’ political or administrative authorities in staff management** (informal interventions, requests for justifications, etc.).
VI. Inadequate ownership of the working tools that the organization was equipped with (e.g. TOMPRO accounting software, staff evaluation scheme, financial regulations, procedure manual), and that actually need to be updated; this situation does not reassure TFPs, as it also induces significant fiduciary and operational risks.

The combined effects of these factors prevents the organization from achieving the level of professionalism that one would expect from it, considering the opportunities offered by these tools.

5.2 Recommendations

NBA needs to significantly improve its performance in order to meet the abovementioned challenges. A set of measures are proposed below to this end. They target four main areas, namely i) bringing management procedures of the organization up to standard, ii) upgrading technical facilities (infrastructure and equipment), iii) consolidating the governance of the institution, and iv) updating NBA’s organizational structure.

5.2.1 Bringing management procedures of the organization up to standard

5.2.1.1 Collecting the user-pays levy through mobile phones

Rationale for the recommendation

It has been repeatedly highlighted that NBA’s performance gaps are, in large part, due to the inadequacy of available financial resources, which itself results from the lack of productive and sustainable mechanisms - despite the calls of the Authority’s higher bodies for such mechanisms, especially Decision No.5 on NBA’s autonomous and sustainable financing of the 9th Summit of Heads of State and Government in September 2010.

The mechanisms adopted by the Summit of Heads of State and Government were not operationalized because of their low productivity, their lack of realism, or the cost for implementing them.15

Since investments needs are enormous in view of the stakes that need to be faced, the number one challenge for NBA should be to develop productive, sustainable, operational and controllable financing mechanisms. This should feature among NBA’s short-term priorities.

Nature of the proposed solution

Rationale for the proposed collection mechanism

The objective of the proposed action is to implement the first mechanism for NBA’s financing as selected by Heads of State, namely the user-paysuser-pays levy. The recommendation aims at using mobile phones to make the mechanism operational. Mobile phones not only facilitates the collection of the levy, but increases productivity as well.

Mobile phones are a relevant medium for collecting the levy since their use requires the use of electricity. There is no denying that each and every mobile phone call actually entails the use of electricity. With every call, the battery of the phone discharges by a certain percentage and, as a consequence, it needs to be recharged from a source of electric power after a while: in other words, a mobile phone user is a direct and regular user of electricity. Levying a percentage on each call is levying a fee for electricity use.

In addition to being consumers of electricity, mobile phone users are also likely to be users of the Basin’s water resources (main river bed, tributary and sub-tributaries) in one way or another: safe water consumption, irrigation (and consumption of irrigation products), fishing and/or fish farming, livestock

15Cf. Table 12: Analysis of the strengths and weaknesses of autonomous funding mechanisms suggested for.
farming, navigation, etc.\textsuperscript{16} It then follows that they would benefit from actions meant to preserve and develop the Basin’s water resources we would like to finance, which makes their contribution to such actions normal.

Using mobile phone calls to collect the user-pays levy, may help NBA and Member Countries to get rid of the need to develop several mechanisms (one for each specific use). The high level of productivity of the proposed measure would enable to raise sufficient funds for financing NBA without having to resort to additional overlapping mechanisms. User-pays levy collection via mobile phone would, therefore, lead to substantial economies of scale and would be easier to manage for NBA and Member Countries.

Obviously, apart from electricity, mobile phone calls are not directly related to other uses of the Basin’s water resources. This should not be an issue since Countries around the world are accustomed to using similar approaches whenever the population who needs to pay a fee or tax that is hard to target coincides with that of an easily accessible facility or service. This is, for instance, the case of the rather common scenario where Countries collect an audiovisual fee through electricity bills.

Using mobile phones to mobilize the levy increases the number of contributors to the development and management of the Basin. Indeed, 80 percent of people living in NBA’s service area own a mobile phone and they are spread all over the relevant territories, not just urban areas. Mobile phone allows for skirting around the inadequacies of Member Countries’ addressing system, as well as the low bank account ownership and the poor formalization of taxpayers, especially rural ones.

Mobile phones, therefore, are a particularly suitable means for collecting said fee in the sense that it enables to expand the payer base. Indeed, using water or electricity bills to collect fees would only target urban populations. For this bill-based collection mechanism to be productive and useful, rates must be substantial and therefore perceptible; this will almost certainly stir-up resistance.

\textbf{Levy collection terms and conditions}

The proposed collection procedure consists in increasing the cost of each mobile phone call by a certain percentage. Expanding the number of taxpayers through the mobile phone allows for applying hardly perceptible rates, namely ones ranging between 2 and 5 per thousand, i.e. a levy of 0.002 to 0.005 CFA on calls.

Since the average consumption of mobile phone users in NBA’s service area amounts to approximately CFA 25,000 per year, a levy of 0.002 CFA would equal to an annual contribution of CFA 50 per user (low case scenario). If the fee is set at CFA 0.005 (high case scenario), the contribution would amount to CFA 125 per year and per phone user, an amount that is completely painless and unlikely to stir up resistance, especially if the stakes are clearly explained.

The mechanism is sustainable because - if reminder needs to be made - mobile telephony is a sustainable and cash mass activity. Even though a mobile phone company may well go bankrupt, the business continues to grow through other companies.

\textbf{Mechanism productivity simulations}

Technically speaking, the relay terminal network of mobile phone companies allows for determining the location from where every mobile call is made. In other words, it is possible to restrict the application of the fee to a given area\textsuperscript{17} or extend it to the entire territory, according to the choices made at the time the scope of the fee is decided.

The simulations proposed hereafter are based on the populations living in the Basin although, in most cases, the entire country could be targeted because the benefits of the actions implemented (development of

\textsuperscript{16} Pollution is excluded from this list. We believe that a specific tax for polluting the water resources of the Basin (main bed, tributaries and sub-tributaries) is necessary to deter polluters and force them to look for alternatives.

\textsuperscript{17} Population living in the Basin, areas benefiting from the hydropower produced or to be produced, areas where irrigated perimeters are located, areas involved by water quality control, areas involved in hydrological monitoring, etc.
standards, prevention of water-related conflicts, etc.), and developments and infrastructure contemplated have a cross-cutting effect on the development of the country. The simulations are set forth in the tables hereafter.
### Scenario 1: User-pays levy at \(2^{\%}\), i.e. an average increase by CFA 50 of the annual consumption per user (CFA 4.17 per month per user)

<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>2016 turnover (in CFA)</th>
<th>Constant rate of (2^{%})</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAMEROON</td>
<td>90,370,090,909</td>
<td>0.002</td>
<td>188,078,958</td>
<td>189,959,748</td>
<td>191,859,345</td>
<td>193,777,938</td>
<td>195,715,718</td>
<td>197,672,875</td>
</tr>
<tr>
<td>CÔTE D'IVOIRE</td>
<td>22,718,346,486</td>
<td>0.002</td>
<td>46,352,265</td>
<td>46,584,026</td>
<td>46,816,947</td>
<td>47,051,031</td>
<td>47,286,286</td>
<td>47,522,718</td>
</tr>
<tr>
<td>NIGERIA</td>
<td>1,820,330,683,186</td>
<td>0.002</td>
<td>3,788,486,817</td>
<td>3,826,371,685</td>
<td>3,864,635,402</td>
<td>3,903,281,756</td>
<td>3,942,314,573</td>
<td>3,981,737,719</td>
</tr>
<tr>
<td>BURKINA FASO</td>
<td>42,817,027,052</td>
<td>0.002</td>
<td>92,693,054</td>
<td>94,546,915</td>
<td>96,437,854</td>
<td>98,366,611</td>
<td>100,333,943</td>
<td>102,340,622</td>
</tr>
<tr>
<td>MALI</td>
<td>177,542,120,912</td>
<td>0.002</td>
<td>362,239,367</td>
<td>364,050,564</td>
<td>365,870,817</td>
<td>367,700,171</td>
<td>369,538,672</td>
<td>371,386,365</td>
</tr>
<tr>
<td>CHAD</td>
<td>7,693,527,361</td>
<td>0.002</td>
<td>18,000,678</td>
<td>18,720,705</td>
<td>19,469,533</td>
<td>20,248,314</td>
<td>21,058,247</td>
<td>21,900,577</td>
</tr>
<tr>
<td>BENIN</td>
<td>47,749,702,000</td>
<td>0.002</td>
<td>99,377,063</td>
<td>100,370,833</td>
<td>101,374,542</td>
<td>102,388,287</td>
<td>103,412,170</td>
<td>104,446,292</td>
</tr>
<tr>
<td>GUINEA</td>
<td>51,470,458,000</td>
<td>0.002</td>
<td>111,426,558</td>
<td>113,655,089</td>
<td>115,928,191</td>
<td>118,246,755</td>
<td>120,611,690</td>
<td>123,023,924</td>
</tr>
<tr>
<td>NIGER</td>
<td>24,184,914,000</td>
<td>0.002</td>
<td>56,585,857</td>
<td>58,849,292</td>
<td>61,203,263</td>
<td>63,651,394</td>
<td>66,197,450</td>
<td>68,845,348</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>2,284,876,869,906</strong></td>
<td><strong>0.002</strong></td>
<td><strong>4,763,240,617</strong></td>
<td><strong>4,813,108,857</strong></td>
<td><strong>4,863,595,893</strong></td>
<td><strong>4,914,712,257</strong></td>
<td><strong>4,966,468,749</strong></td>
<td><strong>5,018,876,439</strong></td>
</tr>
</tbody>
</table>

*Table 22: Productivity of the user-pays user levy - Simulation 1 (2 per thousand)*

### Scenario 2: User-pays levy at \(3^{\%}\), i.e. an average increase by CFA 75 of the annual consumption per user (CFA 6.25 per month per user)

<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>2016 turnover (in CFA)</th>
<th>Constant rate of (3^{%})</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAMEROON</td>
<td>90,370,090,909</td>
<td>0.003</td>
<td>282,118,437</td>
<td>284,939,621</td>
<td>287,789,018</td>
<td>290,666,908</td>
<td>293,573,577</td>
<td>296,509,313</td>
</tr>
<tr>
<td>CÔTE D'IVOIRE</td>
<td>22,718,346,486</td>
<td>0.003</td>
<td>69,528,398</td>
<td>69,870,040</td>
<td>70,225,420</td>
<td>70,576,547</td>
<td>70,929,430</td>
<td>71,284,077</td>
</tr>
<tr>
<td>NIGERIA</td>
<td>1,820,330,683,186</td>
<td>0.003</td>
<td>5,682,730,225</td>
<td>5,739,557,528</td>
<td>5,796,953,103</td>
<td>5,854,922,634</td>
<td>5,913,471,860</td>
<td>5,972,606,579</td>
</tr>
<tr>
<td>BURKINA FASO</td>
<td>42,817,027,052</td>
<td>0.003</td>
<td>139,039,581</td>
<td>141,820,373</td>
<td>144,656,780</td>
<td>147,549,916</td>
<td>150,500,914</td>
<td>153,510,933</td>
</tr>
<tr>
<td>MALI</td>
<td>177,542,120,912</td>
<td>0.003</td>
<td>543,359,051</td>
<td>546,075,846</td>
<td>548,806,225</td>
<td>551,550,256</td>
<td>554,308,007</td>
<td>557,079,548</td>
</tr>
<tr>
<td>CHAD</td>
<td>7,693,527,361</td>
<td>0.003</td>
<td>27,001,017</td>
<td>28,081,057</td>
<td>29,204,299</td>
<td>30,372,471</td>
<td>31,587,370</td>
<td>32,850,865</td>
</tr>
<tr>
<td>BENIN</td>
<td>47,749,702,000</td>
<td>0.003</td>
<td>149,065,594</td>
<td>150,556,250</td>
<td>152,061,813</td>
<td>153,582,431</td>
<td>155,118,255</td>
<td>156,669,438</td>
</tr>
<tr>
<td>GUINEA</td>
<td>51,470,458,000</td>
<td>0.003</td>
<td>167,139,837</td>
<td>170,482,634</td>
<td>173,892,287</td>
<td>177,370,132</td>
<td>180,917,535</td>
<td>184,535,886</td>
</tr>
<tr>
<td>NIGER</td>
<td>24,184,914,000</td>
<td>0.003</td>
<td>84,878,786</td>
<td>88,273,937</td>
<td>91,804,895</td>
<td>95,477,091</td>
<td>99,296,174</td>
<td>103,268,021</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>2,284,876,869,906</strong></td>
<td><strong>0.003</strong></td>
<td><strong>7,144,860,925</strong></td>
<td><strong>7,219,663,286</strong></td>
<td><strong>7,295,393,839</strong></td>
<td><strong>7,372,068,386</strong></td>
<td><strong>7,449,703,123</strong></td>
<td><strong>7,528,314,658</strong></td>
</tr>
</tbody>
</table>

*Table 23: Productivity of the user-pays user levy - Simulation 2 (3 per thousand)*
### Scenario 3: User-pays levy at 4\%\textsubscript{oo}, i.e. an average increase by CFA 100 of the annual consumption per user (CFA 8.33 per month per user)

<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>2016 turnover (in CFA)</th>
<th>Constant rate of 4%\textsubscript{oo}</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAMEROON</td>
<td>90,370,090,909</td>
<td>0.004</td>
<td>376,157,916</td>
<td>379,919,495</td>
<td>383,718,690</td>
<td>387,555,877</td>
<td>391,431,436</td>
<td>395,345,750</td>
</tr>
<tr>
<td>CÔTE D’IVOIRE</td>
<td>22,718,346,486</td>
<td>0.004</td>
<td>92,704,530</td>
<td>93,168,053</td>
<td>93,633,893</td>
<td>94,102,063</td>
<td>94,572,573</td>
<td>95,045,436</td>
</tr>
<tr>
<td>NIGERIA</td>
<td>1,820,330,683,186</td>
<td>0.004</td>
<td>7,576,973,634</td>
<td>7,652,743,370</td>
<td>7,729,270,804</td>
<td>7,806,563,512</td>
<td>7,884,629,147</td>
<td>7,963,475,438</td>
</tr>
<tr>
<td>BURKINA FASO</td>
<td>42,817,027,052</td>
<td>0.004</td>
<td>185,386,108</td>
<td>189,093,830</td>
<td>192,875,707</td>
<td>196,733,221</td>
<td>200,667,886</td>
<td>204,681,243</td>
</tr>
<tr>
<td>MALI</td>
<td>177,542,120,912</td>
<td>0.004</td>
<td>724,478,734</td>
<td>728,101,128</td>
<td>731,741,633</td>
<td>735,400,342</td>
<td>739,077,343</td>
<td>742,772,730</td>
</tr>
<tr>
<td>CHAD</td>
<td>7,693,527,361</td>
<td>0.004</td>
<td>36,001,355</td>
<td>37,441,410</td>
<td>38,939,066</td>
<td>40,496,629</td>
<td>42,116,494</td>
<td>43,801,153</td>
</tr>
<tr>
<td>BENIN</td>
<td>47,749,702,000</td>
<td>0.004</td>
<td>198,754,126</td>
<td>200,741,667</td>
<td>202,749,083</td>
<td>204,776,574</td>
<td>206,824,340</td>
<td>208,892,583</td>
</tr>
<tr>
<td>GUINEA</td>
<td>51,470,458,000</td>
<td>0.004</td>
<td>222,853,116</td>
<td>227,310,178</td>
<td>231,856,382</td>
<td>236,493,510</td>
<td>241,223,380</td>
<td>246,047,847</td>
</tr>
<tr>
<td>NIGER</td>
<td>24,184,914,000</td>
<td>0.004</td>
<td>113,171,715</td>
<td>117,698,583</td>
<td>122,406,527</td>
<td>127,302,788</td>
<td>132,394,899</td>
<td>137,690,695</td>
</tr>
<tr>
<td>TOTAL</td>
<td>2,284,876,869,906</td>
<td>0.004</td>
<td>9,526,481,234</td>
<td>9,626,217,714</td>
<td>9,727,191,785</td>
<td>9,829,424,514</td>
<td>9,932,937,497</td>
<td>10,037,752,877</td>
</tr>
</tbody>
</table>

*Table 24: Productivity of the user-pays user-levy - Simulation 3 (4 per thousand)*

### Scenario 4: User-pays levy at 5\%\textsubscript{oo}, i.e. an average increase by CFA 125 of the annual consumption per user (CFA 10.41 per month per user)

<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>2016 turnover (in CFA)</th>
<th>Constant rate of 5%\textsubscript{oo}</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAMEROON</td>
<td>90,370,090,909</td>
<td>0.005</td>
<td>470,197,395</td>
<td>474,899,369</td>
<td>479,648,363</td>
<td>484,444,846</td>
<td>489,289,295</td>
<td>494,182,188</td>
</tr>
<tr>
<td>CÔTE D’IVOIRE</td>
<td>22,718,346,486</td>
<td>0.005</td>
<td>115,880,663</td>
<td>116,460,066</td>
<td>117,042,366</td>
<td>117,627,578</td>
<td>118,215,716</td>
<td>118,806,795</td>
</tr>
<tr>
<td>NIGERIA</td>
<td>1,820,330,683,186</td>
<td>0.005</td>
<td>9,471,217,042</td>
<td>9,565,929,213</td>
<td>9,661,588,505</td>
<td>9,758,204,390</td>
<td>9,855,786,434</td>
<td>9,954,344,298</td>
</tr>
<tr>
<td>BURKINA FASO</td>
<td>42,817,027,052</td>
<td>0.005</td>
<td>231,732,635</td>
<td>236,367,288</td>
<td>241,094,634</td>
<td>245,916,527</td>
<td>250,834,857</td>
<td>255,826,544</td>
</tr>
<tr>
<td>MALI</td>
<td>177,542,120,912</td>
<td>0.005</td>
<td>905,598,418</td>
<td>910,126,410</td>
<td>914,677,042</td>
<td>919,250,427</td>
<td>923,846,679</td>
<td>928,465,913</td>
</tr>
<tr>
<td>CHAD</td>
<td>7,693,527,361</td>
<td>0.005</td>
<td>45,001,694</td>
<td>46,801,762</td>
<td>48,673,832</td>
<td>50,620,786</td>
<td>52,645,617</td>
<td>54,781,442</td>
</tr>
<tr>
<td>BENIN</td>
<td>47,749,702,000</td>
<td>0.005</td>
<td>248,442,657</td>
<td>250,927,083</td>
<td>253,436,354</td>
<td>255,970,718</td>
<td>258,530,425</td>
<td>261,115,729</td>
</tr>
<tr>
<td>GUINEA</td>
<td>51,470,458,000</td>
<td>0.005</td>
<td>278,566,395</td>
<td>284,137,723</td>
<td>289,820,478</td>
<td>295,616,887</td>
<td>301,529,225</td>
<td>307,559,809</td>
</tr>
<tr>
<td>NIGER</td>
<td>24,184,914,000</td>
<td>0.005</td>
<td>141,464,643</td>
<td>147,123,229</td>
<td>153,008,158</td>
<td>159,126,410</td>
<td>165,493,624</td>
<td>172,113,369</td>
</tr>
<tr>
<td>TOTAL</td>
<td>2,284,876,869,906</td>
<td>0.005</td>
<td>11,908,101,542</td>
<td>12,032,772,143</td>
<td>12,158,989,732</td>
<td>12,286,780,643</td>
<td>12,416,171,872</td>
<td>12,547,191,096</td>
</tr>
</tbody>
</table>

*Table 25: Productivity of the user-pays user-levy - Simulation 4 (5 per thousand)*

The reference data used to develop these simulations are set forth in annex in a set of tables.
Implementation plan of the proposed mechanism

Our recommendation is to use the high case scenario of 5 per thousand. The proposed collection arrangement does not require new investments and will involve an extremely low cost for NBA and Member Countries. Indeed, the proposition is to have mobile phone companies directly levy the fee under the control of sectoral regulatory agencies, using existing tools.

To implement the mechanism, an ad hoc committee needs to be set up in each Member State to monitor the effective implementation of the provisions of the text on the creation of the fee, as well as the distribution of the resources mobilized. The ad hoc committee may be instituted by the text on the creation of the fee and be comprised of:

1. A representative of the NBA’ Supervising Ministry;
2. A representative of the Ministry in charge of water;
3. A representative of the Ministry of Finance;
4. A representative of NBA, chairman of the committee;
5. A representative of consumer associations;
6. A representative of NCUs.

A representative of respective mobile companies could sit on the ad hoc committee as observer.

To facilitate cooperation on the part of mobile phone companies, regulatory agencies of the sector, and the Ministry of Finance and ensure coverage of the costs they will potentially incur under the proposed mechanism, it is suggested to pay back a portion of the mobilized amounts to them. The remaining amount would be allocated on a quarterly basis to the main actors of the management and development of the Basin. The resources harnessed through the fee could be distributed as follows:

<table>
<thead>
<tr>
<th>STRUCTURE/ACTOR</th>
<th>% PROPOSED</th>
<th>INTENDED USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone company</td>
<td>2%</td>
<td>Coverage of the monthly costs incurred from the collection of fees and remittance of collected funds</td>
</tr>
<tr>
<td>Regulatory agency</td>
<td>2%</td>
<td>Coverage of additional costs incurred in conducting tasks to control the implementation of fee-related provisions</td>
</tr>
<tr>
<td>Ad hoc committee</td>
<td>0,5%</td>
<td>Performance of reconciliations, control, and distribution of the collected funds</td>
</tr>
<tr>
<td>Ministry of Finance</td>
<td>0.5%</td>
<td>Support to the implementation of the provisions of the text creating the fee</td>
</tr>
<tr>
<td>Ministries in charge of water, agriculture and the environment</td>
<td>14%18</td>
<td>Performance of environmental, agricultural, hydrological, and hydrogeological data collection activities, as well as control of the implementation of the texts derived from the Water Charter</td>
</tr>
<tr>
<td>NCU</td>
<td>1%</td>
<td>Organization of consultation actions with NCU members, support to technical assistance, conducting of activities in the field, contribution to the supporting of RCU meetings</td>
</tr>
<tr>
<td>NBA</td>
<td>80%</td>
<td>Coverage of the operating costs of NBA (40%) and contribution to the protection and development of the river’s water resources through the creation of an investment fund (40%)19</td>
</tr>
</tbody>
</table>

Table 26: Distribution key of the resources collected through the fee

---

18 The distribution key between these different ministries is pending determination and such determination will depend on the workload associated with their role.

19This proposition should be consistent with the results of the ongoing study on the establishment of a regional fund and ESP mechanism for financing the ongoing actions for the preservation of the Basin’s ecosystems and water resources (funding from EU).
Obviously, this distribution key may be modified once more precise simulations are obtained or if circumstances require doing so.

Fee collection and processing would occur according to the following process:

In a nutshell, the mechanism is:

- **Productive** because broadening the base will allow for raising between CFA 4 and 10 billion per year (or even more) without burdening the household portfolio; the considered amounts appear largely adequate to finance the operation of the Executive Secretariat of NBA and the various constituent bodies of NBA, while contributing to the financing of cross-border investment projects;

- **Technically feasible** because telephone companies have mechanisms that allow for restricting the levy to the targeted consumers;

- **Low cost** to NBA and Member Countries, as the mechanism will be self-financing and its implementation will be ensured by existing structures, with technical means that are already operational;

- **Easy to control** as the regulatory agencies of telecommunications - public partners associated with this mechanism - have tools for avoiding abuse from mobile phone companies;

- **Nearly directly recoverable by NBA** in that mobile telephone companies will transfer the collected fee into the ad hoc account of each State every month;

- **Fair and legitimate** to the extent that the fee will be paid by nearly all water users in the Basin (80%);

- **Affordable and proportionate** because it will be linked to the financial capacity and electricity consumption of individual users; those consuming more energy by making more calls will pay more;

- **A measure that will reduce State contributions** as its high productivity is likely to decrease (or even eliminate) demands on the budgets of Member Countries.

It is interesting to note that one of NBA’s Member Countries - the Republic of Cameroon - has recently used mobile telephony to collect customs taxes to supply its budget for the 2019 fiscal year, which proves - if need be - the feasibility of the proposed measure.
Effects expected from the proposed action

The proposed action will provide NBA and the main Basin development and management actors (NBA, Ministries in charge of water, NCU) with adequate resources to play their part.

As such, when it comes to NBA, the Executive Secretariat would have adequate funds to:

- Operate and perform the recurrent actions required under its mandate, such as:
  - Collecting, analyzing, and disseminating hydrological and hydrogeological data,
  - Performing simulations and forward-looking analyses,
  - Monitoring issues relating to the environment, access to electricity, and development of irrigation and agricultural production, etc.,
  - Monitoring the management of dams and irrigation developments.
- Acquiring and/or retaining the high-level staff needed to fulfill its missions, by developing the capacity to step up to regional salary levels.
- Contributing to the construction of the developments/infrastructures for preserving the Basin's water resources through the investment fund.
- Etc.

Generally speaking, the implementation of this recommendation will create conditions for better operation of the missions of NBA and better implementation of the reference documents that the institution has established. It will better equip the organization and its Member Countries to face the challenges awaiting them in a near future.

The recommendation made will enable the Ministries in charge of water, the environment, and agriculture to have adequate means to better operationalize their role in fulfilling NBA’s missions (mainly, the collection and forwarding of data; potentially, the monitoring of the implementation of certain regulations). This will prevent the implementation of the principle of subsidiarity from becoming an unsolvable problem for NBA or prevent the action of the Executive Secretariat.

For NCUs, the proposed measure will lead to making available adequate resources to enable them to play their role independently of the SE, which would further guarantee their self-reliance and ability to function as an opposition power voicing the interests of civil society. Additionally, these structures would gain means to be more active in the field, improve member consultation, and increase support to the management of the Basin through the mobilization of local stakeholders.

Prerequisites for implementing the recommendation

To implement the proposed measure, a text needs to be developed to be adopted by the Heads of State, ratified by the national parliaments of the nine Countries, and incorporated into the Finance Acts as from 2019. This would require setting up a small panel of experts from the Member Countries representing the Ministries of Finance, the regulatory agencies of the telecommunications sector, the Ministry of Water and line Ministries of NBA, as well as NBA, to conduct additional simulations and propose details of the texts to be submitted to the Summit of Heads of State.

The text to be submitted to Heads of State could be an ad hoc decision to create the fee or to update the Revised Agreement amending the funding mechanisms of NBA.

The proposed mechanism could be submitted to the Heads of State at the same time as other financing mechanisms of NBA, especially the hydropower tax whose feasibility is being assessed under PGBFN with funding from the World Bank and a "polluter/payer " tax whose importance lies in its deterrent effect.
5.2.1.2 Bringing financial resource management procedures up to standard

Rationale for the recommendation

A number of gaps or anomalies were identified in the financial management of NBA. They cause undue risks to the organization and do not foster trust among partners.

The proposed measures are all the more necessary and pressing, as the adoption of the recommendation on the user-paysuser-pays levy collection by mobile phone could provide the organization with large resources requiring more professional and more secure management.

Nature of the proposed solution

The proposal for bringing financial management up to standard consists of a set of actions aimed at mitigating the risks associated with the gaps or anomalies identified. The said measures are described hereafter, as a table setting forth the gaps or anomalies identified, the associated risks, and the content of each measure.

<table>
<thead>
<tr>
<th>GAPS IDENTIFIED</th>
<th>POTENTIAL CONSEQUENCES (RISKS)</th>
<th>RECOMMENDATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>The manual of procedures is not up to date. Indeed, the accounting procedures described therein were revised by SYSCOHADA, as revised on 26/01/2017</td>
<td>Accounts for the 2018 fiscal year will be rejected by external auditors unless NBA completes the migration of accounts by the end of the 2018 fiscal year. To do so, NBA's accounting staff must be trained on these new accounting standards that became effective on January 1, 2018.</td>
<td>- The manual of accounting and financial procedures should be revised in consideration of the revised SYSCOHADA. - Accounting staff should quickly be trained on these new standards. - Accounts migration should be completed by 31/11/2018 so that 2018 transactions can be entered in the new chart of accounts.</td>
</tr>
<tr>
<td>NBA's annual accounts are closed by ES, as required by the manual of procedures.</td>
<td>This provision deprives CM of accounts that have been reviewed and discussed, and therefore are more reliable. Risk: cause CM to adopt irregular accounts</td>
<td>NBA's accounts, including reviewed by TCE, should be closed by a higher-ranking authority before their submission to CM.</td>
</tr>
<tr>
<td>The accounting processing of State contributions is not clearly indicated in the &quot;commitment&quot; and &quot;collection&quot; steps (MP page 180)</td>
<td>Accountants perform an unspecified treatment. The budgetary consequences of this treatment are not properly realized.</td>
<td>We recommend proper descriptions of these transactions when revising the manual of procedures. To be clarified.</td>
</tr>
<tr>
<td>The term used, namely &quot;consolidation of NBA accounts&quot; (page 156 of MP) leads to confusion in the formatting of the accounts.</td>
<td>Such confusion is reflected in the fact that ES is widely considered a separate entity, distinct from the &quot;technical directorate in charge of project management&quot;, accounting for the multitude of project financial statements that were not submitted to the approval of CM. Risk: CM does not have an overall vision of NBA's financial situation.</td>
<td>In the present case, no consolidation is made, albeit a simple aggregation of the accounts of one and same entity. From now on, the accounts to be submitted to the CM are those of NBA, i.e. the accounts of ES AND PROJECTS aggregated in one and same set of financial statements.</td>
</tr>
<tr>
<td>The fate of closed project accounts is not discussed in the manual of procedures. The same goes for IT operations and managerial activities.</td>
<td>Here, the fixed assets and other items included in the projects' assets are at risk of not being transferred to the accounts of ES and of being diverted. Because IT procedures are lacking, better control of the sector cannot be achieved though it is a sensitive one.</td>
<td>When revising the manual of procedures, these operations should be clearly defined to avoid any diversion of the assets. An inventory of all fixed assets needs to be conducted to ensure that the assets managed by closed projects truly exist.</td>
</tr>
<tr>
<td>The Manual of procurement procedures does not address the full procurement cycle. Execution control and settlement operations are not addressed.</td>
<td>The risk of poor execution and default in payment is real.</td>
<td>The manual should be supported with a supervision of these operations.</td>
</tr>
<tr>
<td>The version of the TOMPRO accounting software is outdated.</td>
<td>This anomaly impacts on the productivity of accountants. The said software can fail at any time and its publisher already notified NBA of this.</td>
<td>It is time to acquire the new version of the software (TOM2PRO) to avoid any obsolescence-related disruption of the activity.</td>
</tr>
</tbody>
</table>
**Effects expected from the proposed actions**

The implementation of the abovementioned measures should substantially cut down operational and fiduciary risks at the Executive Secretariat. They will improve the security of resources and foster trust among current and future partners. The measures should also improve the morale of the organization's staff by further reinforcing the feeling that they belong to a transparent and modern organization.

**Prerequisites for implementing the recommendation**

This recommendation does involve any special requirements other than resource mobilization. On the other hand, the actions urgently need to be implemented and are more or less a must.

Several of the proposed actions will require a revision of NBA's budget, chart of accounts and analytical plans to align nomenclatures on IPSAS standards (chart of accounts), OPB provisions (budget plan), and the missions and functions of NBA (analytical plan). This should pave the way for the configuration of TOM2PRO and TOM2PAIE

### 5.2.1.3 Improving human resources management procedures

**Rationale for the recommendation**

A number of situations affecting the performance of NBA staff and resulting from inadequacies in human resource management were noted during this analysis. As a reminder, several dividing lines created divisions among the team, the working atmosphere was sometimes unpleasant, several executives were overworked, the assessment process was not consistently used and was sometimes diverted from its purpose, the capacity to anticipate the organization's needs in skills was poor, the organization had weak capacity to retain some of its executives (numerous resignations), etc.
Considering that staff is the most important resource of an organization in that it is its lifeblood, its driving force, and the decisive factor of its overall performance, special care must be taken to ensure its proper management. The actions included in the present recommendation aim for this.

**Nature of the proposed solution**

The actions proposed for improving the management of human resources at NBA are as follows: Table 26: Actions to bring NBA’s human resources management up to standard

<table>
<thead>
<tr>
<th>FINDINGS</th>
<th>CONSEQUENCES/RISKS</th>
<th>RECOMMENDATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>The recruitment of Category A and B executives through a professional and independent firm has not yet been completed.</td>
<td>This may open the door to biased recruitment maneuvers which will cause the organization to fail to recruit the applicants most suited to the positions to be filled; such practice may spread the idea that skills and professionalism are not the key requirements for making a career at NBA, reinforcing cronyism and clan creation, which will ultimately affect the performance of the organization.</td>
<td>Recruitment of Category A and B staff should be exclusively conducted by an international firm whose independence is beyond any doubt.</td>
</tr>
<tr>
<td>The national balance criterion means that the recruitment process gives too much importance to nationality and does not give enough importance to skills.</td>
<td>By restricting the nationality of the staff to be recruited to a given position to a particular country (instead of 9), NBA denies itself the means to acquire the best skills at the Basin level; moreover, this practice opens the door to nationality-based behaviors, as well as political turpitudes internal to Member Countries.</td>
<td>Skills and performance should be favored over nationality; during the application analysis process, the nationality of applicants should remain unknown; nationality should be a secondary criterion that is considered only when a tie or near-tie occurs (like gender, for that matter). Notices of vacancy for all Category A and B positions must be published in the nine countries; achieving national balance should be a diachronic endeavor (achieving balance over time), not a synchronic one (achieving balance at all times).</td>
</tr>
</tbody>
</table>
| Performance assessments are erratic - there has not been any since 2009; the evaluation process is sometimes exploited for the purpose of undue negotiations or influence peddling. | Evaluation results no longer reflect staff performance; evaluations add to the frustration, fuel internal conflict, and encourage cronyism; the evaluation process no longer boosts the performance of the organization as a whole - quite the opposite. | An annual performance assessment of all workers must be conducted EVERY YEAR; better supervision of the evaluation process through the following measures is recommended:  
  ▪ Setting staff-specific annual targets (with SMART indicators); in principle, these objectives should be set on the basis of the objectives assigned to the relevant department (Directorate, Division, Section, etc.) under the ES’ objective-based contract with the Council of Ministers.  
  ▪ Systematizing annual individual interviews with superiors to:  
    3. Assess staff performance over the past year,  
    4. Set specific objectives for the coming year.  
  The assessment process could be supervised by external expertise to enhance its objectivity. |
| There is no (i) directory of all NBA jobs and professional trades, and no (ii) classification nomenclature for these jobs, obliterating any career path and, consequently, making it impossible for staff to be promoted. | Because of the situation, staff motivation is low and resignations have occurred since the only way to move forward in the career, at this point, is to leave NBA. | It is strongly recommended to develop a directory of jobs and sectors at NBA, as well as a nomenclature of these jobs. This would allow for linking a job or sector to another one, and for classifying and compensating jobs as close as possible to ground reality requirements, thereby creating conditions for internal mobility and professional development. |
| - NBA’s salary scale has not been revised since 2011;  
- Several resignations occurred, with the resigning executives taking positions in other organizations;  
- During the interviews conducted as part of the present study, | Because of this situation:  
  - It is difficult for the organization to attract the best skills,  
  - Retaining qualified staff is difficult, as reflected by the resignations (‘brain drain’),  
  - Remaining staff lacks motivation. | NBA would be wise to commission a survey of compensation practices in sub-regional and international organizations (benchmarking), and revise and revalue its salary scale on the basis of its findings. |
<table>
<thead>
<tr>
<th>FINDINGS</th>
<th>CONSEQUENCES/RISKS</th>
<th>RECOMMENDATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>several staff reported that they would resign from NBA if offered an</td>
<td>- The organization does not create conditions for smooth integration of new staff,</td>
<td>A staff on-boarding and offboarding management policy should be developed. It</td>
</tr>
<tr>
<td>opportunity elsewhere.</td>
<td>who consequently take a long time to actually become operational, productive,</td>
<td>would be especially useful to set up a debriefing commission to conduct exit</td>
</tr>
<tr>
<td>NBA does not have any management policy for staff on-boarding and off-</td>
<td>and effective; - The organization does not learn from its practices, as it does</td>
<td>interviews with the relevant staff (resignation or retirement) to determine, as</td>
</tr>
<tr>
<td>boarding; although a draft new staff reception and on-boarding policy</td>
<td>not look into the reasons behind the resignations and does not inquire about</td>
<td>the case may be, the underlying and actual reasons of the exit and/or identify and</td>
</tr>
<tr>
<td>has been developed, it has never been implemented;</td>
<td>improvements that should be made when staff retire. As a result, it finds itself</td>
<td>formalize any organizational and/or managerial issue.</td>
</tr>
<tr>
<td>Additionally, the organization does not have any exit management</td>
<td>unable to develop appropriate corrective measures to adapt and improve its</td>
<td></td>
</tr>
<tr>
<td>strategy (resignations and retirements).</td>
<td>attractiveness.</td>
<td></td>
</tr>
<tr>
<td>There is no capacity building plan for NBA staff. Some staff received</td>
<td>Staff qualifications are not updated and do not keep pace with the increasingly</td>
<td>NBA should develop a real human resource capacity building strategy. To achieve this,</td>
</tr>
<tr>
<td>skills training thanks to the support of projects and programs that</td>
<td>fast methodological and technological changes; likewise, executives do not adjust</td>
<td>the following should be completed:</td>
</tr>
<tr>
<td>NBA benefits from. Such training was not provided as part of an</td>
<td>to the new issues they discover in the field and do not fill the gaps of their</td>
<td>1 Set up a system for identifying training needs and identifying individual staff</td>
</tr>
<tr>
<td>explicit capacity building strategy of NBA staff.</td>
<td>level of training at entry; this situation restricts NBA’s ability to find creative</td>
<td>talents; in addition to the systematic one-off studies conducted by external</td>
</tr>
<tr>
<td>Some provisions of NBA Staff Regulations do not comply with the</td>
<td>solutions to the Basin’s issues and challenges.</td>
<td>expertise, NBA could use annual evaluations to identify staff training needs and</td>
</tr>
<tr>
<td>legislation of the host country.</td>
<td></td>
<td>hidden capabilities.</td>
</tr>
<tr>
<td>Workshops and trips have been used as rewards or sanctions in the</td>
<td>Workshops and trips are unduly considered as a means of making ends meet, which</td>
<td>2 Conduct a forward-looking study of the changes in capacities that NBA would need</td>
</tr>
<tr>
<td>past, which is not their primary purpose.</td>
<td>has had the perverse effect of turning them into the main source of incentive of</td>
<td>in the future through FPJWS.</td>
</tr>
<tr>
<td>The current human resources management is exceedingly focused on</td>
<td>some staff and cause for frustration and crying behaviors.</td>
<td>3 Develop a capacity building plan for individual staff based on items 1 and 2</td>
</tr>
<tr>
<td>administrative aspects and is reactive, and does not sufficiently</td>
<td></td>
<td>above. The capacity building plan could be put into relation with the linking of</td>
</tr>
<tr>
<td>anticipate or look forward.</td>
<td></td>
<td>jobs and positions (internal mobility).</td>
</tr>
<tr>
<td>NBA has no clear idea of the potential changes of its human resources</td>
<td></td>
<td></td>
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<tr>
<td>and potential needs that will arise in the future; it does not</td>
<td></td>
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</tr>
<tr>
<td>Following this complementary analysis, NBA is, among other things,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>and identify the organization to have mismatched profiles/jobs/needs,</td>
<td></td>
<td></td>
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<tr>
<td>strongly recommended to adopt Forward Planning of Jobs, Workforce and</td>
<td>which will inevitably affect its capacity for action and performance.</td>
<td></td>
</tr>
<tr>
<td>jobs (FPJWS) which involves: - Conducting an inventory of jobs and</td>
<td></td>
<td></td>
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<tr>
<td>analytic aspects entail; all of this would lead the organization to</td>
<td></td>
<td></td>
</tr>
<tr>
<td>qualifications, - Analyzing prospects of change, - Identifying needs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>have mismatched profiles/jobs/needs, which will inevitably affect its</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Measuring gaps between resources available and needs identified,</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Effects expected from the proposed actions

The implementation proposed actions should strongly increase staff motivation, contribute to a healthy working atmosphere, improve staff morale, and reinforce cohesion and team spirit. All of this should lead to better identification of staff with NBA’s missions and objectives, and significantly improve its performance.

A revision and revaluation of the salary scale, associated with the establishment of links between the different jobs and positions to allow for moving up the hierarchy, will curb the "brain drain" that NBA has been experiencing for several years, and will enable it to keep, retain, and increase its human capital.

Similarly, implementing the FPJWS process will allow for:

- reducing recruitment difficulties,
- addressing the age pyramid issue,
- resolving any understaffing or overstaffing,
- optimizing training systems,
- developing employee qualifications,
- enhancing individual and/or collective skills,
- accompanying changes in the organization of work and production,
- developing the professional mobility of employees,
- promoting employee involvement in a career development project,
- anticipating ways of adjusting skills to the jobs,
- controlling the consequences of technological and economic changes,
- improving career management,
- reducing the risks and costs associated with imbalances.

### Prerequisites for implementing the recommendation

To implement the measures proposed under this recommendation, NBA will probably need the support of specialized expertise in the area, particularly when it comes to the revision of the salary scale, the development of the capacity building plan, or FPJWS.

#### 5.2.1.4 Improving the steering of the Executive Secretariat

### Rationale for the recommendation

One of the reasons why NBA has difficulties translating its mandate and its plans into day-to-day activities is because the bodies and team work organization tools within it are not operational. As a consequence, staff cannot focus their daily time, attention, and energy on the products and services that their department (Directorate, Division, Section) is supposed to deliver and the relating objectives.
Staff are often left to themselves, waiting for instructions or participating in ad hoc activities decided in response to emergencies. Organizing everyone’s contribution to the department’s objectives and products is difficult in such a context, accounting for the poor performance observed.

**Nature of the proposed solution**

To remedy to the situation, it is proposed that NBA makes operational the three (3) monitoring-steering, information-sharing and decision-making entities, namely:

1. Meeting of the **Managerial Committee**. Participants: Directors, Unit Managers and ES (every 2 weeks at the beginning, then monthly); the committee may call on any external staff or expert as may be needed.
2. Meeting of Management Teams. Participants: all staff of the respective Directorates (every week).
3. General Assembly of the Executive Secretariat. Participants (every 6 months).

The meetings of these bodies will focus on the annual objectives assigned to each department on the basis of the ES roadmap. The tools on which the operation of these authorities will be based should be:

- The objective sheets of individual Directorates and Divisions,
- The quarterly and monthly work plans,
- The reports of the different sessions.

Implementing this recommendation will, among other things, allow for:

- monitoring the progress status of work plan activities and performing adjustments, where necessary,
- controlling the quality of staff productions and achievements,
- proposing staff with soft assistance relating to their production and achievements, where necessary,
- identifying training needs,
- coordinating the action of different departments to optimize resource use (staff, vehicles, etc.).

**Effects expected from the proposed actions**

The proposed action will strongly contribute to making the different departments operational and improving performance at the individual as well as at the department levels. In addition, this measure will:

1. promote initiative-taking and innovation,
2. facilitate responsibility sharing,
3. bring staff to focus their attention on results and their performance,
4. facilitate effective implementation of the quality approach,
5. facilitate information sharing (achieve the same level of reading and understanding, thus promoting buyout and ownership),
6. facilitate adjustments and decision-making,
7. enhance team spirit.

**Prerequisites for implementing the recommendation**

The only prerequisites to implementing this recommendation are to i) budget for the meetings (coffee breaks potentially) and (ii) be strict in requiring that the meetings are hold and that the discussions and decisions coming out of the meetings are built upon.

**5.2.1.5 Implementing the process-based management approach**

**Rationale for the recommendation**
One of the biggest situational problems of NBA is its difficulty to organize itself for the implementation of its stated ambitions and translate the roles ensuing from its mandate in practical terms.

NBA currently stands at a crossroads: either it successfully rises above the issues that have prevented it from realizing its potential over the coming years, or, where it fails to do so, it risks going into a slump where it will ultimately be forsaken by partners and other sponsors - like other regional or continental organizations.

The challenge that NBA currently is faced with is - will it keep on treading water (producing documents and resolutions/decisions) or will it finally manage to harness the means to actually impact on the management of the Basin in the field?

One of the actions that could help NBA become efficient and effective in fulfilling its ambitions and responsibilities - and thereby solve the situational problem and rise above the abovementioned issues - is to adopt the process-based management approach.

**Nature of the proposed solution**

The approach consists in detailing with precision the steps and operations to be performed to deliver each product and service of the considered institution. In so doing, the approach complements the updating of the Revised Convention of 1987 defining the products and services of NBA (see update of NBA’s mandate hereafter).

Once the products and services of the institution are clearly identified, the approach consists in working through thematic teams within the institution to:

1. Identify all the processes needed to run the institution (produce a dictionary of processes for each internal structure [directorate, division, unit]); processes are divided into three big families: business processes (those relating to products and services making up the core business of the institution), steering processes (needed to guide the work of the organization such as planning, budgeting, monitoring-evaluation, etc.), support processes (processes making it possible to run other processes: resource mobilization, procurement, logistic organization, financial management, etc.);

2. Select key processes - i.e. those having the most structuring effects on the organization’s activity and main products and services - which should be clarified for the formalization and optimization, then adoption of a general roadmap for the description of all the processes;

3. Describe and document the details of the steps and operations that need to be performed until the delivery of the products and services;

4. Define the parties involved in the steps of each process, reference documents - where applicable, actions for monitoring process implementation, as well as the quality criteria applicable to the resulting product or service.

**Expected effects of the recommendation**

This is one of the best ways for an organization to achieve excellence. There are multiple benefits. The most obvious ones include:

1. The operation of the organization is fully geared towards producing what stakeholders (or customers) expect;

2. Work is better organized, result generation (products and services) is better controlled;

3. Systematic documentation of malfunctions and identification of improvement measures reinforce a critical spirit and allow for incremental improvement of the processes;

4. The experiments conducted annually and know-how developed by staff are capitalized and integrated into the standard operation of the institution, limiting the losses of organizational memory that the retirement of highly experienced executive frequently entail;

5. When new staff are recruited, they spend much less time on adjusting and trial and error because the tasks to be performed are clearly documented.
Prerequisites for implementing the recommendation

For the approach to be successful, the following prerequisites need to be met:

- Commitment of the management team;
- Critical and constructive spirit;
- Open-mindedness and team spirit;
- Allocation of time and resources to the evaluation of process implementation and optimization (working sessions, retreats, etc.).

Adopting the process-based management approach requires long-term commitment and support provided by specialized expertise in the form of coaching. TFPs who contemplate supporting NBA in its process-based management endeavor should plan for doing so for at least five years.

5.2.2 Upgrade technical facilities

Rationale for the recommendation

During the visit of NBA premises, it emerged from the observation of working conditions and interviews with the staff that although NBA has substantial infrastructure, materials and equipment, they are, overall, aging and no longer really up to standard. The findings on these issues are as follows:

Regarding infrastructure

- Some of the buildings are quite old, cramped, with fading paint; they suffer from inadequate maintenance, especially sanitation facilities, which does not measure up to NBA’s status as an international organization.
- The premises of the Technical Directorate and the Observatory are quite distant from the Office of ES and DAF, which does not facilitate collaboration between "administrators" and "technicians".

Regarding working equipment

- Many vehicles are timeworn;
- Reprographic equipment is out of order or outdated;
- No protective or security clothing for drivers, reprographer;
- No raincoats or flashlights for guards.

Regarding IT infrastructure and equipment

- Most IT equipment is archaic;
- Outdated wired network (more than 20 years old);
- Weak WIFI network (speed of 1 mega at head office, 2 at the Technical Directorate);
- No server at headquarters since 2012;
- The intranet is not used for collaborating and filing data when it is available and functional;
- The computers of NBA accountants and NFS (5 and 20 respectively) do not use the same software (TOMPRO), making it difficult to consolidate NBA’s accounts in an efficient and secure way (via TOMPRO);
- No collaboration and data backup platform (SharePoint type): calendar, schedule, material availability, etc.;
- NBA has no data security policy (the administrative, financial and HR data of the head office, for example, are backed up and secured using artisanal means);
- No backup protocol for e-mails and other files (in case of departure/resignation of staff, what happens to professional information?);
- No general filing and backup policy.
These logistic gaps are all constraints that could turn into significant issues for NBA in its endeavors to take on future challenges.

**Nature of the proposed solution**

Fortunately, NBA seems to have obtained guarantees for the construction of a new, more suitable, and functional head office. Taking this into account, our recommendation is to bring NBA's technical facilities up to standards, except for its buildings. The proposed upgradation should involve:

- Procuring higher-performance reprographic equipment,
- Procuring higher-performance computers,
- Repairing cabling and switches of the internal network,
- Purchasing a bandwidth of at least 10 megabytes, which is the minimum that an organization such as NBA should have to receive and transmit large amounts of data via the Internet (Observatory especially),
- Procuring data management software (SharePoint),
- Procuring working equipment for reprographers, drivers, and guards.

These actions should go hand in hand with the training of executives on the use of the Intranet, as well as the implementation of an organizational data backup and messaging policy. Lastly, the organization would be wise to adopt a forward-looking material management approach, which calls for better management of fixed assets and calculation of depreciation rates, as well as the adoption of maintenance and replacement plans.

**Effects expected from the proposed actions**

The proposed upgrade should strongly enhance staff performance, facilitate the implementation of the organization's missions, improve the working atmosphere, and project a better image of NBA externally.

**Prerequisites for implementing the recommendation**

Implementing this recommendation would require a significant increase in the organization's resources, in other words, the implementation of the sustainable financing measures proposed earlier.

Alternatively, the organization could develop an application for bringing its technical facilities up to standard and submit it to one of its partners.

### 5.2.3 Consolidate institutional governance

#### 5.2.3.1 Revising ES' recruitment procedures

**Rationale for the recommendation**

The past 20 years of NBA's history show that political will (at the level of the Chairman of the Summit of Heads of State) and sound leadership (at the level of the Executive Secretary) can have a determining leverage effect on NBA (cf. development of the Shared Vision and all its implications) and that, on the contrary, their lack could be fatal to the organization.

Although taking steps to force political will is not feasible (prerogative of Heads of State and Council of Ministers), it is possible, on the other hand, to recreate and institutionalize the conditions for healthy and effective leadership at the level of the Executive Secretary. Indeed, the ES plays a crucial role in ensuring the smooth operation of the organization and the risks associated with its management are substantial. The proposals set out under this recommendation aim to establish the conditions for ES to achieve optimal efficiency while reducing the risks it is exposed to.

**Nature of the proposed solution**
The present recommendation proposes to make the following adjustments to the process for selecting Executive Secretaries:

**ES must be selected without any political consideration, and operational considerations should be given the absolute priority:** the nationality of the applicants should remain unknown throughout the selection process, to simultaneously reinforce the perception of NBA citizenship within the institution, reduce nationality-centered behavior, and keep the institution from political turpitude; the issue of rotating between Countries should be a secondary criterion: it should come into play only in case of tie or near-tie between applicants, just like gender; ES selection (and of all key personnel of NBA) should be entrusted to a firm having the relevant expertise whose independence is beyond any doubt.

**Once the selection process is completed, the Council of Ministers and new ES should enter into an objective-based contract** specifying the results that ES is expected to generate by the end of his/her term, subject to it to: i) develop a roadmap for achieving these objectives; and ii) breaking down the objective-based contract into specific objectives for its immediate collaborators - the people in charge of the divisions of the Secretariat. The objective-based contract should summarize i) the results expected by the end of ES’s mandate, ii) the roadmap that ES proposes to deliver these results, and iii) the involvement of Member Countries and potentially TFPs in facilitating the achievement of the objectives.

This proposal would be complemented with the following additional actions:

1. The objective-based contract would be developed by the Technical Committee of Experts (or the structure replacing it, i.e. the Governance Committee), in collaboration with user coordination bodies, the TFP coordination entity, and the key executives of the Executive Secretariat (Management Team), then submitted to the Council of Ministers.

2. Independent mid-term and end-of-term evaluations will be conducted. Renewal of the ES’s mandate will depend on the results of the evaluations.

3. Since the position is not a political one and heading the Executive Secretariat is based on continuous performance, the mandate of ES could be renewed an unlimited number of times as long as the objective-based contract is fulfilled. As such, a high-performance ES would not need to be removed for the sole reason that its term has come to an end. This should also prevent potential recklessness during the last term. Indeed, as soon as ES has no possibility of keeping its position, the limited term becomes ineffective - or even counterproductive.

4. Before the signing of the letter of hiring of ES, a competent body should run a prior background check on it and submit a report to the Council of Ministers.

5. To shorten the adaptation period, prevent errors and reduce initial conflicts with immediate coworkers, ES will receive a one-week guided orientation on its job from the Auditors or accounting firm monitoring the management of the Secretariat. During this period, the ES will be introduced to the operation and procedures of NBA, and the roles of the different actors in the administrative and financial chain will be explained to it.

The following elements could be considered for the objective-based contract governing the mandate of the current ES:

1. Ensure that NBA meets the conditions needed for the implementation of the program approach,
2. Ensure the viability of the resource mobilization system and mechanisms,
3. Ensure viability of NBA's project management function as regards dam construction,
4. Restore trust among TFPs,
5. Ensure leadership in reintegrating the unit within the Executive Secretariat team and put it back to work.

Specific indicators could be associated with each of these elements of the mandate. Once the objective-based contract signed, the ES will have until the beginning of year 2019 to develop its roadmap.
Effects expected from the proposed actions

The proposed actions should normally help, in each case, recruiting the best candidate available to the ES position. They create a framework for expressing and making operational the political will of the Countries (through the objectives set and commitments made). From the beginning, ES would have a clear idea of what is expected of them. These measures will ensure that - to survive at the head of the institution - ES and its management team will have to steer the institution towards the objectives it has set itself. They create the conditions for everyone to work towards the same objectives, which will, no doubt, increase the organization’s efficiency and performance.

Prerequisites for implementing the recommendation

To implement this recommendation, it would be necessary to updated the Revised Convention of 1987.

5.2.3.2 Reinforcing NFSs’ control by Executive Secretariat

Rationale for the recommendation

As mentioned earlier, because of the questionable positioning of National Directors as NFS Coordinators and RPSC and TCE Members, the Executive Secretary has no real capacity to control and monitor field activities, which obviously affects the effectiveness of implementation of its mandate.

Nature of the proposed solution

The difficulties discussed above (ambiguous positioning of NFS Coordinators in relation to ES, limited availability and instability of the job) were predictable, which is why the consulting firm SENES suggested ruling out any simultaneous holding of the position of national director and that of coordinator. The recent study conducted by GIZ\(^{20}\) notes that the suggestion of the SENES Firm was not followed through and that “the dual role played by NFS currently causes problems” because “they are overloaded with activities and, in most cases, unable to fully take on their role as coordinator”.

The solution proposed here is to unearth the SENES Firm’s suggestion mentioned earlier and specify it with practical provisions. It consists in separating the position of National Director and that of NFS Coordinator, a separation already effective in 2 of the 9 NFS of NBA as mentioned earlier\(^{21}\):

- National Directors would maintain their supervision/steering role within NBA, i.e. they would participate in TCE and RPSC;
- A NFS Coordinator proposed by the supervising Ministry would be appointed by ES to ensure coordination and monitoring, but most importantly, it would not play a decision-making role within RPSC or TCE; it could continue to participate in these meetings like the other members of the staff of the Executive Secretariat; as such, the Coordinator could devote 100 percent of its time to NFS.

As the Executive Secretariat does not have the means to recruit nine (9) people to fill the country coordinator positions, it is suggested that each line ministry seconds one of its executives to NBA. The Member State would continue to pay the salary of the seconded executive, and the Secretariat would award top-ups, according to an amount to be defined in due course.

NFS coordination would remain with the line Ministry but its means of operation will be supported by the Executive Secretariat. The Member State will place the NFS Coordinator under the responsibility of the

\(^{20}\) Establishment process and assessment of the cooperation between the Executive Secretariat, the National Focal Structures and the User/ User Coordination Entities. (September 2018).

\(^{21}\) It should, for that matter, be emphasized that the problems of lack of time and instability have different expressions in Mali and Guinea, where NFS Coordinators are not National Directors.
Executive Secretary who may terminate his/her job as Coordinator where needed and make the staff back available to the line Ministry, who will then propose three (3) replacements to the assessment of ES. This would establish the required relationship of subordination with ES.

**Effects expected from the proposed actions**

This recommendation will ensure better control of ES regarding field activity implementation, more regular operation and field activity monitoring, as well as higher responsiveness in the formulation of work plans and reporting of supporting documents.

**Prerequisites for implementing the recommendation**

This recommendation will require updating the status of NFS.

### 5.2.3.3 Implementing/making operational Basin monitoring tools

**Rationale for the recommendation**

As discussed earlier, one of the reasons why NBA performed poorly in mobilizing financial resources is that the political will has weakened as compared to the early 2000s. This is largely due to the fact that nothing leads political authorities of the Member Countries to maintain a high level of political will. This recommendation aims to address this issue, whose resolution is fundamental for NBA.

**Nature of the proposed solution**

For political will to exist, the major issues usually need to be understood, and the political gains and risks need to be perceived. Therefore, it is crucial to provide political authorities with the inputs to develop ownership of the issues and analyze the political gains and risks ensuing from them. In so doing, consideration should be given to the data on the state of the Basin, the situation of relevant communities, economic activities, and on the potential changes linked with these issues. Action scenarios should be modeled to help stakeholders perceive potential impacts (political gains and risks).

For example, the data and developments to be monitored and modeled could include:

- The trends of the Basin's populations and their distribution per economic activity,
- Trends of economic activities and relating issues,
- Electricity and food security needs,
- Anticipated developments of the access to electricity in the considered areas, as a result of the contemplated developments,
- Anticipated changes of the prices of electricity and crops, following the contemplated developments,
- Potential impacts of the contemplated developments (irrigation, hydropower) on economic activities and on growth and migration,
- Economic and social impacts of floods and low waters,
- Number of deaths due to floods and anticipated changes according to development scenarios,
- Number of livestock lost due to floods and anticipated changes according to development scenarios,
- Human and animal losses due to low waters and anticipated changes,
- Changes in malnutrition cases following the contemplated developments,
- Etc.

Several pieces of information of this type have already been identified for inclusion in NBA databases. Although they are useful for managing the Basin and supporting political will, for lack of resources, they have not been made operational, collected, or effectively processed. One of the priorities, if not THE top priority of NBA should be to manage such data and conduct appropriate forward-looking analyses, then
identify the political risks associated with inaction and the benefits ensuing from the different scenarios of action.

Effects expected from the proposed actions

Much more than mere conventional and one-off advocacy actions, data and analyses like the above-mentioned are what would cause political authorities to increase their involvement and stop considering their involvement in NBA as administrative obligations.

The type of data and analyses contemplated should also drive the political leaders of Member Countries to generate momentum, provide guidance, and ensure control. These data, models, and analyses should be permanently available at the Summit of Heads of State and Councils of Ministers. This should allow for evading the question that some officials of the Ministries of Finance of Member Countries ask to their coworkers involved in NFS, when asked to release the contribution of their State: actually, how does NBA benefit us?

These data, models and analyses should also be used to mobilize stakeholders (farmers of irrigated perimeters, riparian populations, consumer associations, water and electricity distribution companies, etc.) and incite them to be more active alongside NBA to stimulate political will.

Prerequisites for implementing the recommendation

In order to perform the data collection, update, and analysis proposed under this recommendation, NBA needs to have more sustainable financial resources and ensure collaboration with the national structures in charge of the sectors involved needs to be clarified and well oiled. The authority would probably need to make technical and financial contributions to collection and processing operations at the national level.

The collection and processing of these data should be the joint responsibility of the Observatory and Monitoring-Evaluation Service of the Executive Secretariat.

5.2.3.4 Improving collaboration with TFPs

Rationale for the recommendation

The relationship between the Executive Secretariat and TFPs did not always seem honest or transparent, many things were left unspoken, and mistrust and fear of being manipulated by the other party were sometimes felt. This indicates that the partnership atmosphere is not conducive to genuine and sincere collaboration, fostering suspicion, slowing down activities, checking dialogue, and creating unnecessary obstacles on either side.

Nature of the proposed solution

The recommendation is to hold a meeting for all stakeholders to clarify and discuss the partnership relationship. The aim is to create the conditions for sincere and transparent dialogue, so as to restore confidence and set a collected climate for cooperation. Clarifications should aim for the following:

- clear objectives,
- defined consultation methods,
- transparent commitment rules,
- accountability mechanisms,
- boundaries that should be respected,
- Etc.

The clarification could be supported by an external moderator.

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22 Several staff of the Ministries of Finance involved in NFS activities reported being asked this question during informal discussions.
Effects expected from the proposed actions

- Better collaborative environment,
- Better dialogue,
- Smoother and higher responsiveness in processing cases,
- Better coordination and performance in Basin management efforts.

Prerequisites for implementing the recommendation

In principle, implementing this recommendation only requires acknowledgement of the problem, as well as stakeholder interest and willingness.

5.2.4 Update NBA’s organizational structure

The organizational structure of NBA should be updated through three key actions: i) updating the mandate of the institution, ii) improving the adequacy between the organizational structure of the Executive Secretariat and the mandate of the organization and iii) rationalizing the institutional arrangements of NBA.

5.2.4.1 Updating NBA’s mandate

Rationale for the recommendation

Noting that the Revised Convention dates back to 1987 and that substantial developments have occurred since then (climate change, adoption of IWRM as the main standard for Basin management, drafting of the Water Charter, etc.), the Heads of State wanted to know, in 2003, then 2016, whether the mandate of NBA was still relevant in the ongoing context and, if not, expressed the wish to have updates proposed to them.

Although the 2016 audit remained silent on the matter, that of 2003 delivered an opinion on the mandate of NBA, concluding that it was, overall, still valid and that implementing it, in practical terms, was preferable to making theoretical changes to it, and even though the mandate probably was not perfect, it did not account for NBA’s failures. The analyses conducted as part of this complementary study lead to the conclusion that the mandate of NBA - as described in the Revised Convention of 1987 - is still relevant, but needs to be updated.

Indeed, unlike the last part of the opinion delivered in the 2003 audit on the matter, the claim here is that part of the failure of NBA is precisely due to its mandate - not its content, but its wording. In fact, as currently worded - i.e. it uses relatively general terms and therefore not very tangible ones to specify its objectives - the mandate does not facilitate the identification of actions, operations, or structure allowing for its implementation. It is this lack of clarity on the nature and sequence of operations, as well as their adequate structuring for execution that, in our opinion, partially account for the failure of NBA.

It is hard to set up a successful organization if the products and services it is expected to deliver are not set out in very precise terms beforehand. Only once this is done can the most appropriate operations for producing them be identified and then the most appropriate structuring for performing them. This is precisely what the current wording fails to facilitate, leading to the conclusion that the past wording of NBA’s missions partially accounts for the lack of effectiveness of the institution.

Proposed solution

Accordingly, rewording of the mandate in terms of missions and products/services is proposed as follows. The elements of the proposed mandate were defined at the end of brainstorming sessions with the staff of the Executive Secretariat and NFS Coordinators (National Directors at the level of line ministries), as well as user representatives (RCU/NCU). These elements were presented and discussed during the preparatory TCE meeting of the October 2018 CM in Abuja.
The proposed rewording includes four missions, that are each broken down into a set of tangible products or services that the organization must deliver. These missions and products/services were identified based on the different dimensions of IWRM, as well as on the analysis of i) the constraints affecting each of the Basin management actors, ii) the interests of these actors, iii) the risks they are exposed to, and iv) their usefulness or potential role in the management of the Basin.

The missions and products/services defined as a result of these participatory reflections are outlined in the table hereafter.
**Table 29: Missions and products/services proposed to update the mandate of NBA**

<table>
<thead>
<tr>
<th>Missions</th>
<th>Products/Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Knowledge, assessment, and analysis of the Basin's natural resources (surface water, groundwater, environment), demography, and relating socio-economic activities</td>
<td><strong>Products</strong>&lt;br&gt;1. Information on the quantities and quality of the Basin’s water resources&lt;sup&gt;23&lt;/sup&gt;, current dynamics (flow report, surface and underground water directories)&lt;sup&gt;24&lt;/sup&gt; and dynamics having a cross-border dimension&lt;br&gt;2. Information on the dynamics and changes of the Basin environment&lt;sup&gt;25&lt;/sup&gt; (land use, biodiversity, state of degradation, socio-economic parameters) having a cross-border dimension&lt;br&gt;3. Information on the quality of the Basin’s surface and groundwater resources having a cross-border dimension&lt;br&gt;4. Forecast information on annual amplitude (floods and low waters)&lt;br&gt;5. Information on the socio-economic activities conducted on or affecting the main river bed, tributaries, sub-tributaries and other water bodies and aquifers of the Basin (surface and groundwater) and having a cross-border dimension&lt;br&gt;6. Forward-looking analyses of the changes in the Basin’s water resources (surface and groundwater) having a cross-border dimension&lt;br&gt;7. Forward-looking analyses of the dynamics of and changes in the Basin environment&lt;br&gt;8. Analysis of the impacts of cross-border projects and infrastructures&lt;br&gt;9. Protocols for managing conflicts, health risks, and disasters relating to the Basin’s natural resources and having a cross-border dimension</td>
</tr>
<tr>
<td>II. Coordination of protection efforts, development, and sustainable use of the main bed, tributaries, sub-tributaries, other water bodies and aquifers for the socio-economic development of the Basin</td>
<td><strong>Missions</strong>&lt;br&gt;3. Regulation of activities having a cross-border impact on the quantity (level, flow) and quality of the water resources of the Basin (navigation infrastructure, retention, abstractions, discharge of polluting substances, etc.)&lt;br&gt;4. Monitoring of the changes and impacts of activities having a cross-border dimension on the Basin’s water resources&lt;br&gt;5. Investigation and characterization of the impacts of cross-border activities on the Basin’s water resources&lt;br&gt;6. Analysis and compilation of data and information on cross-border activities affecting the Basin’s water resources&lt;br&gt;7. Monitoring of the quality and quantity of the Basin’s water resources having a cross-border dimension&lt;br&gt;8. Analysis of the impacts of cross-border projects and infrastructures&lt;br&gt;9. Protocols for managing conflicts, health risks, and disasters relating to the Basin’s natural resources and having a cross-border dimension&lt;br&gt;10. Identification and dissemination of good management practices of the natural resources in the Basin</td>
</tr>
<tr>
<td>III. Regulation of activities having a cross-border impact on the quantity (level, flow) and quality of the water resources of the Basin (navigation infrastructure, retention, abstractions, discharge of polluting substances, etc.)</td>
<td><strong>Products</strong>&lt;br&gt;1. Information on the quantities and quality of the Basin’s water resources&lt;sup&gt;23&lt;/sup&gt;, current dynamics (flow report, surface and underground water directories)&lt;sup&gt;24&lt;/sup&gt; and dynamics having a cross-border dimension&lt;br&gt;2. Information on the dynamics and changes of the Basin environment&lt;sup&gt;25&lt;/sup&gt; (land use, biodiversity, state of degradation, socio-economic parameters) having a cross-border dimension&lt;br&gt;3. Information on the quality of the Basin’s surface and groundwater resources having a cross-border dimension&lt;br&gt;4. Forecast information on annual amplitude (floods and low waters)&lt;br&gt;5. Information on the socio-economic activities conducted on or affecting the main river bed, tributaries, sub-tributaries and other water bodies and aquifers of the Basin (surface and groundwater) and having a cross-border dimension&lt;br&gt;6. Forward-looking analyses of the changes in the Basin’s water resources (surface and groundwater) having a cross-border dimension&lt;br&gt;7. Forward-looking analyses of the dynamics of and changes in the Basin environment&lt;br&gt;8. Analysis of the impacts of cross-border projects and infrastructures&lt;br&gt;9. Protocols for managing conflicts, health risks, and disasters relating to the Basin’s natural resources and having a cross-border dimension</td>
</tr>
<tr>
<td>IV. Organization of solidarity in preventing and managing conflicts, health risks, and disasters (natural or anthropogenic) relating to the water resources in the Basin</td>
<td><strong>Missions</strong>&lt;br&gt;</td>
</tr>
</tbody>
</table>

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<sup>23</sup> In what follows, the term “Basin’s water resources”, refers to “the main bed of the Niger River, its tributaries, sub-tributaries, and other bodies of water and aquifers associated with them”.

<sup>24</sup> In what follows, the term "groundwaters" refers to the "groundwaters connected to the main bed of the Niger River, its tributaries, and sub-tributaries."

<sup>25</sup> For the purpose of this document, "environment" means the "environment directly linked to the main river bed of the Niger River, its tributaries, and sub-tributaries".
Once the products and services that NBA should deliver are established, the functions that should be set up within the organization to enable it to deliver them can be identified. These functions are set forth in the following table.
### Table 30: Main functions that NBA must internally make operational to deliver the planned products and services

<table>
<thead>
<tr>
<th>Missions</th>
<th>Products/Services</th>
<th>Specific functions</th>
<th>Crosscutting functions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>I. Knowledge, assessment, and analysis of the Basin’s natural resources (surface water, groundwater, environment), demography, and relating socio-economic activities</strong></td>
<td><strong>Products</strong></td>
<td></td>
<td><strong>1. Formatting and dissemination of targeted and mass information</strong></td>
</tr>
<tr>
<td></td>
<td>1. Information on the quantities and quality of the Basin’s water resources, current dynamics (flow report, surface and underground water directories) and dynamics having a cross-border dimension</td>
<td></td>
<td><strong>2. Planning, monitoring-evaluation, documentation and capitalization of cross-border actions implemented as part of Basin management</strong></td>
</tr>
<tr>
<td></td>
<td>2. Information on the dynamics and changes of the Basin environment (land use, biodiversity, state of degradation, socio-economic parameters) having a cross-border dimension</td>
<td></td>
<td><strong>3 Mobilization of financial resources for implementing initiatives for the management and development of the water resources of the Basin</strong></td>
</tr>
<tr>
<td></td>
<td>3. Information on the quality of the Basin’s surface and groundwater resources having a cross-border dimension</td>
<td></td>
<td><strong>4. Technical assistance and soft assistance</strong></td>
</tr>
<tr>
<td></td>
<td>4. Forecast information on annual amplitude (floods and low waters)</td>
<td></td>
<td><strong>5. Organization of consultation, decision-making and pooling of human, intellectual, technical, and financial resources</strong></td>
</tr>
<tr>
<td></td>
<td>5. Information on the socio-economic activities conducted on or affecting the main river bed, tributaries, sub-tributaries and other water bodies and aquifers of the Basin (surface and groundwater) and having a cross-border dimension</td>
<td></td>
<td><strong>II. Coordination of efforts for the protection, development, and sustainable use of the main bed, tributaries, sub-tributaries, other water bodies and aquifers for the socio-economic development of the Basin</strong></td>
</tr>
<tr>
<td></td>
<td>6. Forward-looking analyses of the changes in the Basin’s water resources (surface and groundwater) having a cross-border dimension</td>
<td></td>
<td><strong>1. Collection, treatment, analysis and modeling of hydrological, hydrotechnical, demographic, socio-economic and environmental data on the Basin</strong></td>
</tr>
<tr>
<td></td>
<td>7. Forward-looking analyses on the dynamics of and changes in the Basin environment</td>
<td></td>
<td><strong>2. Conceptualization of actions for the protection, development, and sustainable use of the main bed, tributaries, sub-tributaries, other water bodies and aquifers of the Basin</strong></td>
</tr>
<tr>
<td></td>
<td>8. Analysis of the impacts of cross-border projects and infrastructures</td>
<td></td>
<td><strong>3. Project management for the execution of projects, programs, and infrastructure intended for the protection, development, and sustainable use of the main river bed, tributaries, sub-tributaries and</strong></td>
</tr>
<tr>
<td></td>
<td>9. Protocols for managing conflicts, health risks, and disasters relating to the Basin’s natural resources and having a cross-border dimension</td>
<td></td>
<td><strong>and aquifers of the Basin</strong></td>
</tr>
<tr>
<td><strong>II. Coordination of efforts for the protection, development, and sustainable use of the main bed, tributaries, sub-tributaries, other water bodies and aquifers for the socio-economic development of the Basin</strong></td>
<td><strong>Services</strong></td>
<td><strong>10. Development and implementation of development plans and investment plans with a cross-border dimension</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. Steering of the consultation of Member Countries on the challenges of Basin management and development: creation and facilitation of think tanks and decision-making bodies</td>
<td></td>
<td><strong>1. Collection, treatment, analysis and modeling of hydrological, hydrotechnical, demographic, socio-economic and environmental data on the Basin</strong></td>
</tr>
<tr>
<td></td>
<td>2. Steering of the development and implementation of development plans and investment plans with a cross-border dimension</td>
<td></td>
<td><strong>2. Conceptualization of actions for the protection, development, and sustainable use of the main bed, tributaries, sub-tributaries, other water bodies and aquifers of the Basin</strong></td>
</tr>
<tr>
<td></td>
<td>3. Steering of the construction of infrastructures of common interest for the development of the Basin’s water resources</td>
<td></td>
<td><strong>3. Project management for the execution of projects, programs, and infrastructure intended for the protection, development, and sustainable use of the main river bed, tributaries, sub-tributaries and</strong></td>
</tr>
<tr>
<td></td>
<td>4 Steering of actions to protect and restore the Basin’s water resources, and adapt to and mitigate climate change in relation with the Basin’s water resources</td>
<td></td>
<td><strong>and aquifers of the Basin</strong></td>
</tr>
<tr>
<td></td>
<td>5. Capacity building of the different actors on the protection, restoration and sustainable management of the natural resources in the Basin</td>
<td></td>
<td><strong>II. Coordination of efforts for the protection, development, and sustainable use of the main bed, tributaries, sub-tributaries, other water bodies and aquifers for the socio-economic development of the Basin</strong></td>
</tr>
<tr>
<td>Missions</td>
<td>Products/Services</td>
<td>Specific functions</td>
<td>Crosscutting functions</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>6. Identification and dissemination of good management practices for natural resources in the Basin</td>
<td></td>
<td>other water bodies of the Basin having a cross-border dimension</td>
<td></td>
</tr>
<tr>
<td>III. Regulation of activities having a cross-border impact on the quantity (level, flow) and quality of the water resources of the Basin (navigation infrastructure, retention, abstractions, discharge of polluting substances, etc.)</td>
<td>7. Development of standards and regulations for the management and use of water resources in the Basin (management of structures, navigation, abstraction, allocation, minimum flows)</td>
<td>5. Development of construction, management, use, and water quality standards</td>
<td></td>
</tr>
<tr>
<td></td>
<td>8. Monitoring of compliance with standards and regulations on the use of water resources in the Basin</td>
<td>6. Control of compliance with construction, management, use, and water quality standards</td>
<td></td>
</tr>
<tr>
<td></td>
<td>9. Development of water quality standards and regulations at the Basin level</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>10. Monitoring of compliance with water quality management, use, and quality standards and regulations at the level of the Basin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>IV. Organization of solidarity in preventing and managing conflicts, health risks, and disasters (natural or anthropogenic) relating to the water resources in the Basin</td>
<td>11. Information of users and beneficiaries on the risks associated with the different water resource use activities, relating standards, and their relevance in the integrated management of the Basin</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>12. Setting up of a system for preventing and managing conflicts, risks, and disasters relating to the Basin’s water resources</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

These functions are not proposed for inclusion in the update of the Revised Convention as it is an organizational modality and not an end in itself, as opposed to the missions and products/services.
**Effects expected from the proposed actions**

The update of the mandate proposed above creates the necessary but not sufficient conditions for inducing significant improvement in the operational performance of NBA:

1. It allows for better structuring the organization around the functions needed to ensure effective delivery of the planned products and services, thereby improving the adequacy between structure and mandate (cf.5.2.4.2 below),

2. It allows for using the process-based management approach to establish the resulting operations, their sequence, and the skills requirements identified for the delivery of individual products or services.

**Prerequisites for implementing the recommendation**

There are not special prerequisites to updating the mandate. It could be done in two ways:

6. Maintain the five objectives of Article 4 of the Revised Convention of 1987 but complete them/make them operational with the above-mentioned missions and services. Under this option, the update could be performed by a Council of Ministers, as the content of the Convention is not affected.

7. Replace the five objectives of Article 4 of the Convention with the four missions defined earlier, along with their respective products or services. This option would require the approval of the Summit of Heads of State.

It is up to NBA to determine the best path. However, it may prove wise to combine the two options, i.e. start by use Option 1, pending an update of the Revised Convention, which is inevitable in any case for other reasons (see below), but could take time.

**5.2.4.2 Improving adequacy between the mandate and the organizational structure of NBA plus strengthening crosscutting functions**

**Rationale for the recommendation**

It was noted earlier that NBA's organizational chart showed significant gaps that caused inadequacy between the organizational structure and the mandate of the institution.

In addition, one of the major findings ensuing from the present analysis is the difficulty that NBA has to define, implement, and organize the daily tasks needed to materialize its ambitions and subsequently focus on their execution. Yet, this is key to establishing an effective organization and assessing the performance of the organization's structure and staff.

These findings largely result from the fact that the working environment is not articulated around the achievement of objectives that are clearly defined and relevant to the mandate of each division of the Executive Secretariat.

**Proposed solution**

The proposed update of the mandate is an important paradigmatic shift that could prove critical to the future of the organization. One of its first consequences is that the organization can be structured based on the functions identified. Each function would be implemented by one or several subdivisions of the organization (directorate, divisions, services, etc.). The following distribution of the functions is proposed.

<table>
<thead>
<tr>
<th>Functions</th>
<th>Assignment</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Specific (or trade or sovereign) functions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Collection, treatment, analysis and modeling of hydrological, hydrogeological, demographic, socio-economic and environmental data on the Basin</td>
<td>Niger Basin Observatory</td>
<td>The observatory would be assigned the delivery of products 1, 2, 3, 4, and 5</td>
</tr>
<tr>
<td>2. Conceptualization of actions for the protection, development, and sustainable use of the main bed, tributaries, sub-tributaries, other water bodies and aquifers of the Basin</td>
<td>Directorate of Studies and Planning</td>
<td>DSP would be in charge of producing the forward-looking analyses included in products 6, 7 and 8, as well as the one-off studies that can be entrusted to external expertise (outsourcing, e.g. Environmental, Economic and Social Impact Studies)</td>
</tr>
<tr>
<td>3. Project management for the execution of projects, programs, and infrastructure intended for the protection, development, and sustainable use of the main river bed, tributaries, sub-tributaries and other water bodies of the Basin having a cross-border dimension</td>
<td>Directorate of Projects and Programs</td>
<td>DPP would be in charge of delivering Services 3, 4, and 12, as well as Product 9.</td>
</tr>
<tr>
<td>4. Organization of the operation of cross-border structures constructed on the main bed, tributaries, sub-tributaries and other water bodies in the Basin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Development of construction, management, use, and water quality standards</td>
<td>Directorate of Standards, Regulations and Legal Disputes</td>
<td>DNR-CI would be in charge of Services 7, 8, 9, and 10.</td>
</tr>
<tr>
<td>6. Control of compliance with construction, management, use, and water quality standards</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Crosscutting (or steering) functions**

| 1. Formatting and dissemination of targeted and mass information | ES Support Unit | This is a communication task that includes Service 11. |
| 2. Monitoring-evaluation, documentation, and capitalization of the actions implemented as part of the management of the Basin | ES Support Unit | The aim is to better organize knowledge capitalization and management. As such, ES-SU would be in charge of Services 5 and 6. |
| 3. Technical assistance and soft assistance | ES Support Unit | The main role of ES-SU would be to coordinate the preparation and conducting of capacity building actions of national actors on the basis of the good practices identified. Capacity building could be conducted by experts internal or external (outsourcing) to NBA. |
| 4. Organization of consultation, decision-making, and pooling of human, intellectual, technical, and financial resources | ES Support Unit | This will involve releasing the different directors from the task of organizing the authorities of the different bodies to enable them to focus on their specific attributions. |
| 5. Mobilization of financial resources for implementing initiatives for the management and development of the water resources of the Basin | Partnership Development and Resource Mobilization Unit | This unit has a crucial role in the implementation of other functions and performance of all services. |

*Table 31: Assignment of business and control functions*

Of course, in addition to the abovementioned functions that directly arise from the institution’s mandate (business or core functions) and need for crosscutting steering by the Executive Secretariat (ES Support Unit, resource mobilization), support functions also need to be added to allow for the acquisition and management of the resources required to operate the organization (budget management, human resources management, equipment management, accounts and budget management, management control, etc.). These functions must also be ensured by *ad hoc* subdivisions, as shown in the table below.

<table>
<thead>
<tr>
<th>Functions</th>
<th>Attribution</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Support functions</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
1. Budget management, human resources management, equipment management

Directorate of Administration and Finance

Supports ES in its role of authorizing officer of expenditures and manager of human and material resources

2. Accounts and budget management

Accounting agency

Directly reports to the Council of Ministers

3. Management control

Internal Audit

Directly reports to the Council of Ministers

Table 32: Distribution of support functions

The propositions featured in Table 31 and Table 32 are reflected in the target organizational chart suggested for the Executive Secretariat hereafter.
Figure 9: Target organizational chart for NBA
The profile of the staff of each of the proposed subdivisions must, of course, be established based on the products and services assigned to them and the operating procedures for accomplishing these responsibilities. Each directorate should identify these operations and matching staff, as part of the support proposed for the implementation of the process-based management approach. However, to help better define the skills needed to operate the different subdivisions of the organizational chart, their scopes and fields of responsibility are described hereafter:

**ES Support Unit:**
1. Monitoring-evaluation and quality control
2. Internal control
3. Organization of the meetings of the different bodies
4. Communication and public relations

**Administrative assistance to ES**
1. Secretariat/administration
2. Translation
3. Protocol

**Basin Observatory**
Same areas of responsibility as currently

**Directorate of Studies and Planning**
1. Steering of *ad hoc* studies, dissemination of results
2. Steering of planning works
3. Information technology and knowledge management

**Directorate of Projects and Programs**
1. Water Resource Protection Program
2. Hydropower infrastructure construction and operation program
3. Irrigation infrastructure construction and management programs
4. Conflict and disaster management program and protocols

**Directorate of Standards, Regulations and Legal Disputes**
1. Development of standards and regulations
2. Control of the enforcement of standards and regulations
3. Dispute prevention and management

**Directorate of Administration and Finance**
1. Budget management
2. Commitments
3. Procurement
4. Assigned mandate
5. Fixed asset and logistics management
6. Human resource management.

**Partnership Development and Resource Mobilization Unit**
1. Agreement development and management
2. Development, negotiation, and monitoring of funding files
3. Follow-up of commitment fulfillment
4. Management of relationships with technical and financial partners
5. Design and implementation of resource mobilization initiatives

**Accounting agency**
1. Effecting of payments
2. Flow cash management
3. Accounting for transactions

**Internal Audit**
Same responsibilities as the current Financial Control

The points above give an idea of the areas and fields of competence of the different subdivisions on the proposed organizational chart. Their respective internal structuring and the details of the positions they will involve should be determined based on the clarification of the processes to be implemented to deliver the products and services assigned to them.

**Expected effects**
As can be seen, the way the different functions are assigned to the subdivisions of NBA improves the adequacy between the institution's mandate and organizational structure. In addition, it allows for using the process-based management approach to determine the operations needed to materialize each function. It basically comes down to organizing the work of the subdivision in charge of each function leading up to the delivery of the products or services assigned to it, thus clarifying its contribution to the achievement of the missions assigned to the institution. This facilitates the assessment of the contribution of each subdivision to the achievement of the organization's missions.

In addition to improving the adequacy between mandate and structure, the organizational chart above also aims to remedy to gaps (resource mobilization mechanism, procurement, etc.) and anomalies (dissociation of DAF and Accounting Agency, ES Office insufficiently staffed, etc.) noted in the structure and/or operation of NBA. Concurrently, a more relevant positioning of project staff transferred to the institution as permanent staff is proposed (monitoring evaluation, procurement).

**Prerequisites to implementation**
In principle, the implementation of the proposed organizational chart can only go through a gradual process - as the institution masters its sources of funding and acquires adequate resources. A budgeted plan for making the different subdivisions operational and filling the relating positions should be drawn up. It should not be implemented unless the potential funding mechanisms of the organization are effectively implemented and prove productive.

However, NBA's partners may help set up the proposed organizational chart, pending the implementation of the funding mechanisms. First, support will be provided to operationalize the different subdivisions that do not yet exist and to define their operating mechanisms (process).

Then, TFPs could help fill the positions needed to operate the different subdivisions. There are two ways of doing this:
1. Either the partner supports the recruitment and compensation of the key staff considered,
2. Or the partner makes one or more technical assistants available to the organization, pending the filling of the positions.

In any case, the support considered should be limited in time and a gradual TFP phase-out scheme should be clearly established as part of a memorandum of understanding (MoU) where NBA (Council of Ministers) undertakes to make the subdivisions operational and fill the positions, according to a plan mutually agreed. The MoU should be based on NBA's commitment to make its funding mechanisms operational within a realistic time.
5.2.4.3 Rationalizing institutional arrangements

Rationale for the recommendation

The only role that the Revised Convention of 1987 assigns to TCE is that of preparing Councils of Ministers. Its mandate does not include supervising the Executive Secretariat’s action. However, as discussed earlier, TCE is actually performing supervision when it analyzes the documents submitted by the Secretariat and expresses recommendations to CM.

Yet, the current supervision provided by TCE is both informal and insufficient. The analyses conducted earlier indicate a need for genuine in-depth control, requiring both the extension and formalization of the role of TCE. Indeed, because of time constraints and responsibilities, Ministers cannot provide the meticulous control that the action of the Executive Secretariat would require - and such controls should normally not fall to political authorities. They should focus their attention on strategic issues, major challenges, political dialogue steering, partnership development, and not activity reports or the closing of the institution’s accounts.

The control/supervision tasks that should be carried out and are not - or imperfectly conducted - include:

1. Monitoring the implementation of CM resolutions and HSS decisions and report on them;
2. Set the strategic orientations of NBA to be submitted to the approval of CM;
3. Finalize the budget of NBA to be submitted to the approval of CM;
4. Conduct an annual assessment of the implementation of NBA’s strategy and propose appropriate sanctions;
5. Assess the implementation of the objective-based contract with ES (ES roadmap and CM commitments in support of it);
6. Thoroughly review the activity report of ES;
7. Close the annual financial accounts of NBA: discuss the annual accounts and the budget outputs, request explanations on noted anomalies and budget discrepancies, approve or reject said accounts, propose sanctions to CM;
8. Receive and follow the presentation of the External Auditors' report on internal control and "prohibited and controlled agreements" to be defined in NBA’s Manual of Procedures;
9. Receive and thoroughly review the Internal Auditor’s report (e.g.: Financial Controller);
10. Review the report on the internal control drafted by NBA ES;
11. Monitor the implementation of the auditors’ recommendations and report back to CM.

This lack of effective and detailed control/supervision has led to the following issues:

- TCE submits to the CM documents for which it is not accountable;
- ES’ action is not controlled in depth;
- Ministers spend too much time on technical and administrative issues below their competence;
- Ministers do not provide political monitoring of issues, as per their role;
- The political dialogue conducted by Ministers with partners - both internal (communities, communities and users) and external (TFPs) - is of little significance.

Part of the poor performance of NBA is also due to this situation, hence this recommendation.

Proposed solution

The solution to the problem described above is not just to extend and formalize the role of TCE, but also increase its adequacy with IWRM guidelines by improving the representativeness of the different Basin management actors on the bodies of NBA.
Indeed, IWRM is based on the following principles, defined and adopted by the international community since the Rio and Dublin Summits of 1992:

1. freshwater is a limited and vulnerable resource essential to life, development, and the environment;
2. water use and management must be based on a participatory approach involving users, planners, and decision-makers AT ALL LEVELS;
3. women play a central role in water supply, management, and protection;
4. water has an economic value in all its competitive uses and must be recognized as an economic good.

Focusing on the second principle, it should be noted that, while the existence of NCUs/RCUs is commendable, it must be acknowledged that their involvement in decision-making is more a matter of giving the appearance of a participatory process rather than actual shared decision-making power. Indeed, they have virtually zero leverage in decision-making and action-orientation because they are represented by a single person on RPSC and TCE, where their participation seems to meet with some amount of paternalistic disdain, with most of the decision-making power being the prerogative of experts, namely National Directors.

To comply with the spirit of Principle 2 mentioned above, the technocratic and administrative concerns prevailing in the current TCE should be improved according to the ideas, needs, and interests of users. This should be achieved by increasing their representation in the body.

It is also recommended to expand the notion of users to formal and informal economic actors, such as water distribution structures, power distribution companies, extractive industries, irrigated perimeter managers and operators, gold mining site developers, fish farming cooperatives, etc. This would make RCU/NCU more representative of all users.

In addition, the International Network of Basin Organizations (INBO) recommends implementing IWRM according to the five following pillars:

1. at the scale of the watershed of rivers, lakes, and aquifers;
2. by drawing on integrated information systems, allowing to identify the resources and their uses;
3. on the basis of action plans or master plans, setting the objectives to be achieved on the medium and long term; by conducting and implementing multiannual priority action and investment programs;
4. by mobilizing specific funding;
5. with the participation of government administrations, territorial authorities, representatives of the different categories of users and associations.

It turns out that the territorial authorities are not represented in any of NBA’s bodies, contrary to the recommendations of Pillar 5. The solution proposed here is to equally integrate them at the control and supervision levels.

Based on the above, our proposition is to replace the current TCE with a more accountable body that will actually be in charge of directly supervising and controlling the Executive Secretariat as described earlier. Its composition would be as follows:

- National Directors representing line ministries (9 people, 1 per State),
- Representatives of various water users (9 people, 1 per State),
- Representatives of local authorities (9 people, 1 per State),
- Representatives of TFPs (3 people) with voting right,
- Executive Secretary, rapporteur of the working sessions.

Since the term "Technical Committee of Experts" can no longer be used to designate this body, that of "Governance Council" is proposed. Members of this body should materialize their involvement by scrutinizing the cases submitted to their appreciation, to be able to present a fully informed defense before
the Council of Ministers. In other words, the Governance Committee should be accountable for the management of NBA before the Council of Ministers, which was not the case for TCE.

Formalizing and expanding the supervisory role proposed hereby allows for:

- Giving a voice on the matter back to the different actors instead of restricting it to government actors only,
- Improving communication with the different actors,
- Further empowering the various actors to potentially lead to stronger involvement in field activities on their part,
- Stimulating the Ministers' political will through advocacy and lobbying actions that these actors could perform for NBA,
- Reducing the administrative chamber-like nature of the current TCE,
- Freeing the CM from a mere supervision role so it can further focus on political, strategic, and partnership issues.

The members of the Governance Council could be divided into internal committees or commissions respectively in charge of a specific and important aspect of the body's mandate. For example, the following can be suggested:

- An Audit Committee or Commission that would be in charge of following up the recommendations and reservations expressed by internal and external auditors to ensure the reliability and sincerity of NBA's accounts.
- An Investment Monitoring Committee or Commission to assess NBA's investment programs in terms of relevance, consistency, and cost. It would replace the current RPSC.
- A Commitment Monitoring Committee or Commission that would be in charge of verifying the implementation of ES's roadmap, commitments made by CM in support of the roadmap, as well as the implementation of CM's resolutions and decisions of the Summit of Heads of State.

Rearranging the multiple unconnected committees within a larger body would increase the readability and consistency of the action of the authority, as well as lead to closer monitoring of the action of the Executive Secretariat.

Prerequisites to implementation

To implement this recommendation and several others prior to it, an update of the Revised Convention of 1987 in relation to the role of the CM and the TCE (see hereafter) will be probably necessary.

5.3 General conclusion

The investigations and analyses conducted as part of this study essentially indicate that in order to be able to address future challenges and to fulfill the missions assigned to it, NBA should:

- Equip itself with controlled, sufficient, sustainable, and predictable funding mechanisms for its operations and actions on the field;
- Preserve the currently available skills and gradually acquire high-level technical and managerial skills;
- Gradually improve its operational performance by adopting process-based management and ongoing improvement (PMOI);
- Update its governance mechanisms;
- Bring its financial management up to standard;
- Engage staff in the overall performance of the organization through result-based management, performance monitoring and evaluation, job forecasting, adoption of career plans, and implementation of relevant capacity building plans.
Specific measures for each of the abovementioned aspects have been proposed. The implementation of the recommendations made following this complementary analysis aims at putting NBA on the path of a process of change that would make it transition from an organization that manages emergencies and plans a lot but implements little, to an organization that is financially secure, masters its field, has command over the mechanisms for delivering its products and services, and collaborates with Countries to implement concerted plans for realizing infrastructures meant to manage and develop Niger River’s resources.

The process of change envisioned should also be materialized through the updating of the Revised Convention of 1987. This update would pertain to several articles of the convention. The proposed revisions of these articles are provided in the table below:

<table>
<thead>
<tr>
<th>ARTICLE</th>
<th>CONTEMPLATED CHANGE</th>
</tr>
</thead>
</table>
| Article 4 on the objectives of NBA | This article should be revised to:  
- incorporate the missions, products and services expected from NBA  
- mention that NBA can also participate in the construction of structures of common interest. |
| Article 5 on the permanent bodies of NBA | The update would replace the Technical Committee of Experts by the Governance Council. |
| Article 6 on the Summit of Heads of State | Specify the decision-making procedures. |
| Article 7 on the Council of Ministers | Specify the decision-making procedures. |
| Article 8 specifically on the role of TCE | The modification consists in expanding the role of the body replacing TCE (Governance Council) and specifying the decision-making procedures within the said body. |
| Article 9 on the Executive Secretariat | Specify the procedures for selecting ES, the conditions for renewing his/her mandate and instituting the objective-based contract and performance obligation, the procedures for evaluating and sanctioning (revocation) ES. |
| Article 10 on the budget of NBA | The investment budget and not just the operating budget would be addressed; the sources of financing of the said investment budget should be indicated and NBA should be given the possibility to take out loans. |
| Article 13 on the Management Control Commission and Financial Controller | Replace Financial Controller by Internal Auditor and vice versa; the article should specify that all NBA accounts (inclusive of projects) must be audited by the Internal Auditor, closed by the Governance Council, and approved during a CM. |

Table 33: Items for updating the Revised Convention of 1987

5.4 Plans for implementing the recommendations

Several recommendations were made further to this analysis. To avoid dispersal and ineffectiveness, the implementation of the process of change should be organized according to clearly identifiable guidelines. As such, the change contemplated at NBA could be organized according to the following steps:

Step 1: Secure buy-in and approval by political authorities

This step contains two activities:

6. Present the recommendations to the nineline ministers of NBA individually during a tripartite rotating Consultants/ES/TFP Lead mission.

7. Organize a Summit of Heads of State to adopt the proposed measures.

Several recommendations were made in the present report. The attention of Heads of State should be drawn in particular to the recommendations relating to the following items:

1. Revision of NBA’s mandate through the updating of the Revised Convention of 1987 to integrate functions, products, and services.

2. The different financing mechanisms of NBA deemed feasible for selection (hydropower tax, mobile phone user/per fee, regional fund and financing mechanism, actions for the preservation of the
Basin’s ecosystems and water resources).

3. The creation of the Governance Council to play the role of NBA’s Board.

4. The recruitment procedures of ES and category A and B executives.

5. The need for an objective-based contract with the Council of Ministers.

6. The issue of incompatibility between the position of National Director and that of NFS Coordinator.

7. Reduction of the amounts of trip expenses and increase in performance bonuses.

Step 2: Create the conditions for initiating and controlling the process of change

The three activities of this step could be conducted concurrently to save time:

1. Signing of an objective-based contract between the Council of Ministers and the Executive Secretary.


3. Preparation and adoption of the text establishing the user-paysuser-pays levy and organizing its collection via mobile phone in the nine (9) Member Countries.

Step 3: Implement transitional measures

The step consists in initiating the implementation of a certain number of actions with funding from TFPs, until the sustainable financing mechanism is operational:

1. Initiation of the process-based management approach.

2. Beginning of the operationalization of the new organizational chart (support the creation of the Partnership Development and Resource Mobilization Unit, the ES Support Unit, or the Directorate of Studies and Planning).

3. Recruitment of additional human resources to operationalize the subdivisions of the Executive Secretariat needing them.

Partner support on these issues should be framed in Memoranda of Understanding, specifying especially their duration (limited period of the support offered).

Step 4: Organize effective implementation of all actions adopted by the Executive Secretariat

This step would start once the autonomous and sustainable funding mechanism (mobile phone user-paysuser-pays levy) is effectively operational and productive (March 2020?). An implementation plan for the remaining adopted actions could then be developed and implemented.
6 ANNEXES

6.1 Bibliography

NBA. (1963). Acte de Niamey : Acte relatif à la navigation et à la coopération économique entre les états du bassin du Niger


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### 6.2 Bases of the simulations relating to mobile phone user-paysuser-pays levy collection

Approximate number of subscribers and turnover in the nine NBA countries - 2016

<table>
<thead>
<tr>
<th>NO</th>
<th>COUNTRY</th>
<th>POPULATION&lt;sup&gt;26&lt;/sup&gt;</th>
<th>NUMBER OF SUBSCRIBERS</th>
<th>% OF SUBSCRIBERS</th>
<th>TURNOVER (CFA)</th>
<th>ANNUAL CONTRIBUTION PER SUBSCRIBER (CFA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>CAMEROON</td>
<td>24,678,234</td>
<td>17,600,000</td>
<td>71%</td>
<td>574,400,000,000</td>
<td>32,636</td>
</tr>
<tr>
<td>2</td>
<td>CÔTE D'IVOIRE</td>
<td>24,905,843</td>
<td>27,451,250</td>
<td>110%</td>
<td>872,233,579,000</td>
<td>31,774</td>
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<td>3</td>
<td>NIGERIA</td>
<td>195,875,237</td>
<td>154,529,780</td>
<td>79%</td>
<td>3,300,000,000,000</td>
<td>21,355</td>
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<tr>
<td>4</td>
<td>BURKINA FASO</td>
<td>19,751,651</td>
<td>16,034,649</td>
<td>81%</td>
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<td>20,331</td>
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<td>5</td>
<td>MALI</td>
<td>19,107,706</td>
<td>20,180,000</td>
<td>106%</td>
<td>520,000,000,000</td>
<td>25,768</td>
</tr>
<tr>
<td>6</td>
<td>CHAD</td>
<td>15,353,184</td>
<td>6,230,000</td>
<td>41%</td>
<td>179,852,440,742</td>
<td>28,869</td>
</tr>
<tr>
<td></td>
<td>SUBTOTAL 1</td>
<td>299,671,855</td>
<td>242,025,679</td>
<td>13%</td>
<td>5,772,486,019,742</td>
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<tr>
<td>7</td>
<td>BENIN</td>
<td>11,485,674</td>
<td>8,890,000</td>
<td>77%</td>
<td>212,035,390,000</td>
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<tr>
<td>8</td>
<td>GUINEA</td>
<td>13,052,608</td>
<td>10,800,000</td>
<td>83%</td>
<td>257,590,800,000</td>
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<tr>
<td>9</td>
<td>NIGER</td>
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<td>39%</td>
<td>206,000,000,000</td>
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<td>SUBTOTAL 2</td>
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<td>346,521,512</td>
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<td>34%</td>
<td>6,448,112,209,742</td>
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</tr>
</tbody>
</table>

<sup>26</sup> Current estimates (early 2018)
Distribution key of the population of the Niger Basin between member countries

<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>% OF NATIONAL SURFACE AREA OF THE BASIN</th>
<th>% POPULATION IN THE BASIN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nigeria</td>
<td>32%</td>
<td>83%</td>
</tr>
<tr>
<td>Mali</td>
<td>29%</td>
<td>5%</td>
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<td>Niger</td>
<td>21%</td>
<td>2%</td>
</tr>
<tr>
<td>Guinea</td>
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</tr>
<tr>
<td>BF</td>
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</tr>
<tr>
<td>Cameroon</td>
<td>4%</td>
<td>3%</td>
</tr>
<tr>
<td>Benin</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td>CI</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>Chad</td>
<td>1%</td>
<td>1%</td>
</tr>
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</table>

Approximate number of subscribers and turnover in the Niger Basin in 2016

<table>
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<tr>
<th>COUNTRY</th>
<th>BASE OF DISTRIBUTION</th>
<th>DISTRIBUTION KEY</th>
<th>NBA POPULATION/COUNTRY</th>
<th>% OF SUBSCRIBERS</th>
<th>NUMBER OF SUBSCRIBERS COUNTRY</th>
<th>CONSUMPTION PER SUBSCRIBER</th>
<th>TURNOVER (in CFA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAMEROON</td>
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<td>3.0%</td>
<td>3,900,000</td>
<td>0.71</td>
<td>2,769,000</td>
<td>32,636</td>
<td>90,370,090,909</td>
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<tr>
<td>CÔTE D’IVOIRE</td>
<td>130,000,000</td>
<td>0.5%</td>
<td>650,000</td>
<td>1.10</td>
<td>715,000</td>
<td>31,774</td>
<td>22,718,346,486</td>
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<td>NIGERIA</td>
<td>130,000,000</td>
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<td>107,900,000</td>
<td>0.79</td>
<td>85,241,000</td>
<td>21,355</td>
<td>1,820,330,683,186</td>
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<td>2,106,000</td>
<td>20,331</td>
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<td>TOTAL</td>
<td>1.00</td>
<td>130,000,000</td>
<td>6.87</td>
<td>103,161,500</td>
<td>22,148</td>
<td>2,284,876,869,906</td>
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</tbody>
</table>
Calculation of the variation rates of mobile phone subscriptions

<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>Mobile phone subscription</th>
<th>Variation in the annual subscription rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2013</td>
<td>2014</td>
</tr>
<tr>
<td>Benin</td>
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<td>8,660,432,</td>
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<tr>
<td>Burkina Faso</td>
<td>11,240,886</td>
<td>12,494,391,</td>
</tr>
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<td>Cameroon</td>
<td>15,700,000</td>
<td>16,600,000,</td>
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<td>Chad</td>
<td>4,561,243</td>
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<td>7,006,300</td>
<td>8,236,400,</td>
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<tr>
<td>Nigeria</td>
<td>127,246,092</td>
<td>139,143,610,</td>
</tr>
<tr>
<td>TOTAL</td>
<td>221,958,712</td>
<td>239,614,468,</td>
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</tbody>
</table>

1) The growth rates used to make projections of mobile-cellular phone turnover were determined on the basis of the social coverage of mobile-cellular telephone (1) and on the other hand, of the average observed during the period of 2014 to 2016.

* The growth rates used to make projections of mobile-cellular phone turnover were determined on the basis of the social coverage of mobile-cellular telephone (1) and on the other hand, of the average observed during the period of 2014 to 2016.

2) 100 - (1)/100 * (3) = Selected rate (2)
Calculation of NBA's annual projected turnover between 2017 and 2025

<table>
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<tr>
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<td>1.01</td>
<td>91,273,791,818</td>
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TOTAL         | 2,284,876,869,906       | 1.02                 | 2,308,623,564,359| 2,332,659,830,872| 2,356,990,447,448| 2,381,620,308,494| 2,406,554,428,585|

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<th>COUNTRY</th>
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<th>Selected growth rate</th>
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<th>2023</th>
<th>2024</th>
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<td>NIGER</td>
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<td>1.04</td>
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<td>31,825,696,911</td>
<td>33,098,724,787</td>
<td>34,422,673,779</td>
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</tbody>
</table>

TOTAL         | 2,284,876,869,906       | 1.02                 | 2,431,797,946,363| 2,457,356,128,585| 2,483,234,374,315| 2,509,438,219,273|
## 6.3 Table of the recommendations ensuing from the 2016 audit

**Recommendations from the 2016 audit corroborated/shared by the complementary analysis**

<table>
<thead>
<tr>
<th>Topic</th>
<th>Rationale for the recommendation</th>
<th>Content of the recommendation</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overriding procedure (Authority of ES)</td>
<td>It was noted that ES often resorts to the overriding procedure when it comes to Financial Control (FC). This is conducive to abuse and lack of transparency in resource management.</td>
<td>To prevent abuse, it is recommended to remove the overriding procedure. Alternatively, whenever FC rejects a planned expenditure, ES may request the opinion of the Chairman of the Council of Ministers (CCM) in writing. In this case, CCM's opinion will be binding on ES and FC.</td>
<td>Since the overriding procedure is an exceptional one, the rule being to comply with previously enacted rules and procedures, this provision should preferably be used as an exception, justifying recourse to the CCM.</td>
</tr>
<tr>
<td>System of sanctions against ES</td>
<td>The Staff Regulations of the Executive Secretariat do not address the principle and terms of sanction against ES. Such procedures are therefore hard to implement.</td>
<td>Our recommendation is that the Council of Ministers analyze the facts that may call for sanctions, based on Financial Control reports, management control commission reports, and work report by the technical committee of experts. Based on the analysis, the Council of Ministers should take the appropriate administrative sanctions, including suspension. However, revocation may be decided exclusively by the Summit of Heads of State.</td>
<td>This is an anomaly that needs to be fixed. The Staff Regulations must be revised accordingly (see also our proposals on the mandate of ES).</td>
</tr>
<tr>
<td>Topic</td>
<td>Rationale for the recommendation</td>
<td>Content of the recommendation</td>
<td>Comments</td>
</tr>
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<tr>
<td>Insufficient permanent human resources at NFS (Operation of NFS)</td>
<td>A shortage of human resources was noted. Even permanent staff was lacking as some countries did not set them up, notwithstanding Article 5 of the Memorandum of Understanding between NBA and the countries.</td>
<td>NFS must have the minimum staff numbers laid down in the texts. Our recommendation is to set up a roadmap or specific work program translated into an objective-based contract, as well as institute a periodic reporting obligation to the NFS of the Executive Secretariat (for example, issuance of a financial and operational summary report every month and a more detailed one every six months). Our recommendation is to subject the objective-based contract to performance criteria whose satisfaction will be measured annually as part of a performance assessment of NFS staff.</td>
<td>Implementing this recommendation (along with our propositions regarding NFS coordinators) will undeniably contribute to making NFS more operational and more useful to NBA in general.</td>
</tr>
<tr>
<td>Specific manuals of procedures for financial control, internal audit, financial regulations and administrative and financial procedures (Administrative and Financial Procedures)</td>
<td>Financial Control and Internal Audit do not have any manual for implementing the procedures allowing for organizing their interventions and specifying the scope of their work. Also, it should be noted that the Financial Regulations (FRs) and manual of procedures are compiled in a single document which complicates the rules for their updating since FRs are a higher-level document whose modification is subject to the approval of the Council of Ministers, whereas the manual of procedures is supposed to be an operational document, open to more frequent modifications.</td>
<td>We recommend developing two distinct manuals of implementing procedures, for FC and internal audit respectively. In addition, we recommend separating the Financial Regulations and the Manual of Administrative and Financial Procedures into two (2) different documents.</td>
<td>The absence of manual of procedures for internal audit and financial control is a quite serious gap that has especially hamstrung the work of the internal auditor.</td>
</tr>
<tr>
<td>Topic</td>
<td>Rationale for the recommendation</td>
<td>Content of the recommendation</td>
<td>Comments</td>
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<tr>
<td>Internal structure of the Basin observatory</td>
<td>The observatory, in its current set-up, aims to ensure systematic surveillance of the main components of the environment in the Basin. For instance, activities relating to water resource allocation and water-related risk management do not seem adequately addressed.</td>
<td>We recommend creating a directorate of water resource observatory and management, which will include the following divisions: - Monitoring and knowledge of water resources and their uses; - Allocation of water resources; - Water-related risk management.</td>
<td>Water resource allocation and water-related risk management involve monitoring and control capacities that the Observatory is, in principle, the only entity adequately equipped to ensure (modeling and monitoring of water quality).</td>
</tr>
<tr>
<td>Inconsistencies between NBA’s different institutional texts</td>
<td>Inconsistencies were found in the content of some provisions of the Staff Regulations, Financial Regulations, and revised convention. These inconsistencies pertain to: - The dismissal of Category A and B staff - The benefits of ES - Applicable accounting systems - Payment procedures - The name of external controllers</td>
<td>We recommend amending the texts to correct these inconsistencies and address the need for clarification.</td>
<td>It would be useful and necessary to align the provisions identified in the audit report (see pages 60 to 62). We recommend the same actions except for the disbursement procedures for which it is proposed to include a check co-signatory from DAF. This should be the prerogative of the Accountant (see our proposals concerning the creation of an Accounting Agency and its segregation from DAF).</td>
</tr>
<tr>
<td>Creation of a Communication and Public Relations Unit</td>
<td>NBA has no structure dedicated to communication and public relations. This proves a weakness considering that NBA (i) does not have sufficient visibility at the regional and international levels and (ii) is faced with funding issues.</td>
<td>We suggest setting up a communications and public relations unit equipped with the appropriate resources to produce relevant communication media and conduct public relations and fundraising actions.</td>
<td>Creating this unit is important for the visibility of NBA. On the other hand, we do not think that this unit should deal with fundraising. This should remain the prerogative of a resource mobilization structure (see resolution of the 9th Summit of Heads of State). Of course, a collaboration between the two structures would be beneficial.</td>
</tr>
<tr>
<td>Topic</td>
<td>Rationale</td>
<td>Content</td>
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<tr>
<td>Profile and appointment of the Executive Secretary (ES)</td>
<td>The texts do not specify the terms of appointment and renewal of the ES’ mandate. To remedy to these gaps, it was recommended during the 9th Summit of Heads of State held in Abuja (Decision # 8) in September 2010 to opt for a rotation of the position between the Countries. However, these recommendations were not followed through. This led to difficulties in the interpretation of the provision.</td>
<td>We recommend updating the Staff Regulations to reflect the following: - the mandate of ES must be of 5 years, non-renewable - rotation at the ES position, in alphabetical order of the name of the Member Countries, in French, based on the call for applications within the eligible country.</td>
<td>There is no reason to limit the number of terms of the Executive Secretary nor engage in a rotation that does not yield any specific benefit. If an ES is doing an excellent job, is there a need to change for the sake of rotation? It is important to realize that NBA is a technical support, control, arbitration, and regulatory structure. It needs to have a long-term vision and it is important to keep it away from political turpitudes whose horizon is generally on the short term.</td>
</tr>
<tr>
<td>Planning, monitoring and evaluation of NFS activities (operation of NFS)</td>
<td>A lack of planning of NFS activities is also noted. NFS do not have any work plan. There is no mechanism for monitoring their activities. Also, NFS performance is not subject to any evaluation and no incentive system is in place for coordinators.</td>
<td>Reinforce the financial resources of NFS.</td>
<td>The recommendation does not seem to match the actual problem identified. The recommendation on the development of a roadmap and signing of objective-based contracts with NFS should solve the problem.</td>
</tr>
<tr>
<td>Alignment of the organizational chart with the Strategic Plan</td>
<td>The current set-up of the organizational chart of NBA’s Executive Secretariat does not clearly or sufficiently reflect an orientation on implementing actions aimed at achieving the objectives of the Strategic Plan.</td>
<td>Set up, within the Directorate of Planning and Sustainable Development (cf. target organizational chart), three (3) specialized Divisions to replace the current Division of Study and Planning: - Division for the Development of Agro-Sylvo-Pastoral Production - Division of Infrastructure, Energy, and River Transport - Division of the Environment and Ecosystem. These divisions will be in charge of the planning and studies required to implement the action plans resulting from NBA Strategic Plan.</td>
<td>Structures and sub-structures should be set up based on the products and services to be delivered, on one hand, and, on the other hand, the processes to be implemented to deliver the said products and services. Without this, the setting up of structures would be risky and unnecessarily expensive.</td>
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<tr>
<td>Topic</td>
<td>Rationale</td>
<td>Content</td>
<td>Comments</td>
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<tr>
<td>Improvement of the social climate and motivation of staff</td>
<td>Our discussions with Executive Secretariat and project staff, as well as analysis of internal communications, indicate that the social climate within the institution is noxious. It should also be noted that leaves are not regularly taken, which is likely to hinder the development of staff. In addition, comparison of the salaries of NBA staff with that of other regional institutions shows that the salary levels and benefits granted to the staff of the Executive Secretariat are relatively low, especially when it comes to executive staff.</td>
<td>We recommend improving the social climate by implementing recreational activities and liquidation of staff leave. We also recommend recalculating the salary scale.</td>
<td>The three issues addressed here are distinct from each other, even though they may be linked to one another and mutually reinforce each other. The fact that there was no detailed analysis of the origin of the deterioration of the social climate (the action of some past ES) especially prevented the proposition of appropriate solutions. The recommendations expressed seem unlikely to curb the existing problem.</td>
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**Recommendations to be further developed**

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<th>Topic</th>
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<th>Comments</th>
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<tbody>
<tr>
<td>Evaluation of the performance of the Executive Secretary</td>
<td>Although it is included in the job description, the performance assessment of the Executive Secretary is not conducted.</td>
<td>An annual ES performance assessment system must be set up. This assessment must be conducted by the Council of Ministers with the assistance of the Technical Committee of Experts</td>
<td>It is important to clarify the bases against which the ES should be evaluated (see our proposals on the mandate, roadmap, and objective-based contract of ES)</td>
</tr>
<tr>
<td>Inadequacies of the resources allocated to NFS (NFS operation)</td>
<td>NFS suffer from a lack of resources due to delays in payment and/or inadequate budget allocation, determined in advance.</td>
<td>Adequate resources should be made available to NFS and their needs adequately reviewed during the Executive Secretariat’s budget process.</td>
<td>A clear process for the development and execution of NFS budget needs to be adopted (see recommendation on the roadmap and NFS objective-based contract in the 2016 audit report)</td>
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### Topic: Adoption of the program approach

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<tr>
<th>Rationale</th>
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<th>Comments</th>
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<tbody>
<tr>
<td>The project approach currently favored by NBA for its operation especially entails the following: - experts associated with a project leave when the project ends though NBA still needs their skills to implement its strategic plan; - there are several independent coordination units for as many projects. The institution may not have the skills needed to implement its mission. In addition, difficulties may exist in the coordination of the different project and program management units.</td>
<td>Prefer the program approach to the current project approach, in order to inject back in NBA's workforce the skills needed to implement its Strategic Plan and Investment Program. This way, projects would be directly supported by the permanent structures set up at the Directorates of &quot;planning and sustainable development&quot;, &quot;observatory&quot; and &quot;administration and finance&quot;. Monitoring-evaluation, as well as capitalization of the achievements of these projects will be ensured by a specific unit (cf. target organizational chart). This will require gradually transferring back to NBA the positions of project experts and coordinators, as proposed in Annex 3. However, to comply with the principle of equity in personnel management, project staff transfer should not be done routinely. The staff must therefore apply for vacancies within the Secretariat.</td>
<td>In principle, it would seem that the program approach works for NBA. However, the characteristics, major lines and implications of this approach at all levels need to be better defined to control this important development. A plan or roadmap for migrating to the program approach should be developed.</td>
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<td>Topic</td>
<td>Rationale</td>
<td>Content</td>
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</tr>
<tr>
<td>Creation of a Monitoring-Evaluation Unit</td>
<td>In the current operational setup, monitoring and evaluation is mainly conducted at the level of individual projects. It does not include the monitoring of NFS, nor that of the achievement of NBA’s operational and financial objectives</td>
<td>In order to strengthen the institution’s performance, we recommend establishing a monitoring and evaluation unit reporting directly to ES. The unit will fulfill the following missions that will each be entrusted to a specialist: - project monitoring and evaluation, - monitoring of the implementation of the key points of the strategic plan, - monitoring of NFS, civil society, and Basin user coordination units. The head of unit will also be in charge of assessing project impacts and capitalization.</td>
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<tr>
<td>Topic</td>
<td>Rationale</td>
<td>Content</td>
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<tr>
<td>Assignment of specific positions to countries (Recruitment process)</td>
<td>For the sake of balanced representation across countries, the distribution of positions among member countries has increasingly become fixed over time. Indeed, even if texts recommend fair distribution of positions between Member Countries, they do not define any mechanism for allocating these positions. In practice, specific positions are allocated to specific countries, resulting in inequalities.</td>
<td>The recruitment of NBA staff must be based on criteria of skills and fairness. The Staff Regulations should clearly indicate that the principle of equity must not lead to always awarding a position to a given Member State. The following principles should therefore apply: - For the 18 positions (Directors and Heads of Divisions) provided for in the proposed target organization, each State should be awarded a maximum of 2 positions according to a system of alphabetical rotation following the names of the Countries in French; - A country may not hold two (2) management positions; - To avoid potential conflicts of interest, the following positions must be awarded to different countries: ES, Financial Controller, DAF, internal auditor; - For category A and B staff, contract terms must be limited to four (4) years renewable twice; - The above principles are applicable to the renewal of positions, ongoing contracts to be completed as per their current content.</td>
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<tr>
<td>Topic</td>
<td>Rationale</td>
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</table>
| **Contract worker recruitment procedure** (recruitment process) | It is also noted that contract workers are not usually recruited through call for applications and therefore, are not recruited via NBA recruitment committee channel, which may increase the risk of subjectivity in the processing of recruitment files. | Regarding Category A and B executives, we recommend the following to enhance the transparency and objectivity of the recruitment process:  
- involve an independent consultant in the process;  
- set up an inter-State committee (comprised of NFS coordinators) to decide on the final allocation of the position to be filled.  
Concerning the recruitment of Category C and D staff, we recommend having the process steered by the Executive Secretariat, which will then have to set up a dedicated internal committee.  
With this in mind, the units of the Division of HR and General Administration should be equipped with modern means for collecting applications online.  
For all recruitments, except that of ES, the internal auditor must draw up a special report on the regularity of the process. | It would be important to conduct a cost/benefit analysis for this recommendation. In principle, entrusting this responsibility to a consulting firm specializing in the field should be enough to ensure transparency and objectivity. |