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Can the sector-wide approach strengthen local development institutions?

The case of the water sector in rural Benin

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with contributions from Philip Langley



Buitenlandse Zaken
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About this Bulletin



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Foreword

Deliver drinking water to rural areas is one of the missions of the Direction générale de l'Eau and everyone should have guaranteed access to drinking water. This is something that can only be achieved by pooling local knowledge, technical and hydrological expertise and establishing appropriate and effective systems and procedures, which means that a structure like ours needs to have the capacity to adapt to a constantly changing context and the ability to learn in order to improve our performance. This publication documents some of our efforts to improve local services and accelerate the pace of operations, in the hope that it will inspire other structures facing the same type of challenges.

This bulletin was made possible by the willingness of national and local technicians, elected officials and users' associations to share their experiences in improving drinking water supply systems – particularly the mayor of Savè, municipal councillors, agents from the municipal technical services, tradesmen from Savè and Banikoara, and the users and managers of water points.

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Director General de l'Eau

Summary

The sector-wide approach has become the preferred procedure for organising development assistance. The key to this approach is building partnerships between the government and non-state actors on the one hand, and national and sub-national (deconcentrated and decentralised) levels on the other, in order to work collaboratively on the objectives, implementation and monitoring of sectoral programmes.

That is the theory. In reality, evaluations have concluded that the number of non-state actors participating in the process has declined, and that less emphasis is placed on the participation of sub-national levels. This is hampering the satisfactory and equitable provision of services to local communities, and is not conducive to achieving the Millennium Development Goals (MDGs).

One exception to this experience has been the sector-wide approach to the provision of drinking water in rural Benin. The foundations for a sector policy were laid with the adoption of the first national strategy to the provision of drinking water in the 1990s, and strengthened as various technical and financial partners helped implement the strategy through joint support programmes. Other decisive factors were the introduction in 2002 of an annual programme budget based on MDG-oriented objectives, which facilitated a closer working relationship between the DG Eau (Direction Générale de l'Eau) and the Ministry of Finance; also, the DG Eau's decision to systematically incorporate into its strategy the institutional reforms geared to deconcentration and then decentralisation. The installation of water points has gathered pace since 2003, demonstrating the increasing efficiency of the chain of operations.

The Dutch Embassy has supported the Government of Benin with the sector-wide approach since 2004 through the complementary Water Programmes (Eau I, Eau II and Eau III), while working in co-ordination with other technical and financial partners (PTFs). These Water programmes place particular emphasis on the principle of aligning sectoral policy, deconcentration and decentralisation. The partly experimental nature of these initiatives meant that they could be used to develop and test procedures and deal with emerging bottlenecks. The Water Programmes could not have achieved what they did without the strategic progress made by the DG Eau on budgetary reforms or the efforts of other technical and financial partners.

Effective procedures for managing public finance in the water sector, especially at the deconcentrated level, have been developed in accordance with current legislation. These have helped enhance the performance of public finance channels, accelerate public procurement procedures and improve oversight of works at the departmental level. It is also worth noting that these public finance management procedures are not specific to the water sector, and that they could be profitably deployed in other sectoral departments.

These Water programmes clearly demonstrate that a sector-wide approach will only strengthen the deconcentrated level if this is retained as an explicit objective. The Water Programmes also experimented with (partial) oversight by the municipalities, although this was a much less explicit decision. We should be mindful that increasing the capacity of departmental institutions to award public contracts effectively is not in line with the principles of decentralisation, as this is one of the competencies that is due to be transferred to municipalities.

The challenge of strengthening local partnerships between the municipalities and the departmental water services has been explicitly included in the new multi-annual water sector and sanitation programme (the PPEA), which was designed on the basis of the results of Water Programmes I, II and III. As more competencies are transferred to the municipalities, they will increasingly decide on what investments are to be made in their territories. The new division of responsibilities between the municipalities and the water services will allow the latter to concentrate on technical and monitoring matters, while the former become more involved in the provision of drinking water and sanitation, and integrated water resources management. The municipalities urgently need departmental and national services that are capable of giving them advice, support and guidance; while for its part, the DG Eau needs the municipalities to be effective. Therefore, it is imperative to support effective cooperation at the communal level, and with other levels and actors, in order to deliver better drinking water services for the people of Benin.

Abbreviations and acronyms

<i>AFD</i>	<i>Agence française de développement</i> (French Development Agency)
<i>ANCB</i>	<i>Association Nationale des Communes du Bénin</i> Benin National Association of Municipalities
<i>AEP</i>	<i>Approvisionnement en eau potable</i> Drinking water supply system
<i>AEPA</i>	<i>Approvisionnement en eau potable et assainissement</i> Potable water and sanitation systems
<i>AEV</i>	<i>Adduction d'eau villageoise</i> Village water delivery systems
<i>AMCOW</i>	<i>Conseil des ministres africains chargés de l'eau</i> Council of African water ministries
<i>AUE</i>	<i>Association des usagers de l'eau</i> Water users' association
<i>BAD</i>	<i>Banque africaine de développement</i> African Development Bank
<i>BEt</i>	<i>Bureau d'études techniques</i> Technical consultancy firm
<i>BP</i>	<i>Budget programme</i> Programme budget
<i>BPO</i>	<i>Budget programme par objectif</i> Objective-based programme budget
<i>CAA</i>	<i>Caisse autonome d'amortissement</i> Autonomous amortization fund
<i>CARDER</i>	<i>Centre d'action régionale pour le développement rural</i> Regional centre for rural development
<i>CDMP</i>	<i>Commission départementale des Marchés Publics</i> Departmental commission for public procurement
<i>CDMT</i> <i>MTEF</i>	<i>Cadre des dépenses à moyen terme</i> Medium Term Expenditure Framework
<i>CeRPA</i>	<i>Centre Régional pour la Promotion Agricole</i> Regional Centre for Agricultural Development
<i>CGPE</i>	<i>Comité de gestion de point d'eau</i> Water point management committee
<i>CIEH</i> <i>ICHS</i>	<i>Comité Inter-Africain d'Études Hydrauliques</i> Inter-African Committee for Hydraulic Studies
<i>CREPA</i>	<i>Centre régional pour l'eau potable et l'assainissement à faible coût</i> Regional centre for low-cost potable water and sanitation

<i>Danida</i>	Danish international development agency
<i>DAO</i>	<i>Dossier d'appel d'offres</i> Tender documents
<i>DDMEE</i>	<i>Direction départementale des Mines, de l'Énergie et de l'Eau</i> Department for Mines, Energy and Water
<i>DED</i>	<i>Deutsche Entwicklungsdienst</i> (German Development Agency)
<i>DG Eau</i>	<i>Direction générale de l'Eau (ex-Direction générale de l'Hydraulique)</i> Directorate General for Water (formerly the Directorate General for Water Engineering)
<i>DGH</i>	<i>Direction générale de l'Hydraulique</i> Directorate General for Water Engineering
<i>DH</i>	<i>Direction de l'Hydraulique</i> Water Engineering Department
<i>DHAB</i>	<i>Direction de l'Hygiène et de l'Assainissement de Base</i> Department for community-based hygiene and sanitation
<i>DIEPA</i>	<i>Décennie internationale de l'eau potable et de l'assainissement</i> International Drinking Water Supply and Sanitation Decade
<i>DMW</i>	<i>Département Environnement et Eau du Ministère des Affaires étrangères des Pays-Bas</i> Department for the Environment and Water in the Dutch Ministry of Foreign Affairs
<i>DNMP</i>	<i>Direction Nationale des Marchés Publics</i> National Office for Public Procurement
<i>EIER</i>	<i>École Inter-États d'Ingénieurs de l'Équipement Rural</i> Inter-state College for Rural Amenities Engineers
<i>EPA</i>	<i>Eau potable et assainissement</i> Drinking water and sanitation
<i>EPE</i>	<i>Équivalent point d'eau</i> Equivalent water point
<i>ETSHER</i>	<i>École Inter-États des Techniciens Supérieurs de l'Hydraulique et de l'Équipement Rural</i> (Inter-state College for Advanced Water Engineering and Rural Amenities)
<i>FADEC</i>	<i>Fonds d'appui au développement des communes</i> Municipal Development Fund
<i>GIRE</i> <i>IWRM</i>	<i>Gestion intégrée des ressources en eau</i> Integrated Water Resources Management
<i>GTZ</i>	<i>Gesellschaft für Technische Zusammenarbeit</i> German Agency for Technical Co-operation
<i>HAB</i>	<i>Hygiène et assainissement de base</i> Community-based hygiene and sanitation
<i>INSAE</i>	<i>Institut national de la statistique</i> National Institute for Statistics

KfW	German Development Loan Corporation
KIT	Royal Tropical Institute
MDEF	<i>Ministère du Développement, de l'Économie et des Finances; now Ministère des Finances</i> Ministry for Development, Economics and Finance; now the Ministry of Finance
MDG	Millennium Development Goal
MDP	Municipal Development Plan
MDGLAAT	<i>Ministère de la Décentralisation, de la Gouvernance Locale, de l'Administration et de l'Aménagement du Territoire (ex-Ministère de la Sécurité et des Collectivités Locales et ex-Ministère de l'Intérieur, de la Sécurité et de l'Administration Territoriale)</i> Ministry for Decentralisation, Local Governance, Administration and Territorial Development; previously the Ministry for Security and Local Government and the Ministry for the Interior, Security and Territorial Administration)
MMEE	<i>Ministère des Mines, de l'Énergie et de l'Eau (ex-Ministère des Mines, de l'Énergie et de l'Hydraulique)</i> Ministry of Mines, Energy and Water (formerly the Ministry of Mines, Energy and Water Engineering)
MMEH	<i>Ministère des Mines, de l'Énergie et de l'Hydraulique</i> Ministry of Mines, Energy and Water Engineering
NGO	Non-governmental organisation
PADEAR	<i>Programme d'appui au développement du secteur de l'eau et de l'assainissement en milieu rural</i> Support programme for development of the rural water and sanitation sector
PADSEA	<i>Programme d'appui au développement du secteur eau et assainissement</i> Support programme for development of the water and sanitation sector
PAGIREL	<i>Projet d'appui à la gestion intégrée des ressources en eau au niveau local</i> Support project for local integrated water resources management
PRSP	Poverty Reduction Strategy Paper
SME	Small and medium-sized enterprises
PPEA	<i>Programme pluriannuel d'appui au secteur de l'eau potable et de l'assainissement</i> Multi-annual drinking water and sanitation programme
SEau	<i>Service de l'eau (ex Service de l'hydraulique)</i> Water Service (formerly the Water Engineering Service)
SH	<i>Service de l'hydraulique</i> Water Engineering Service
SHAB	<i>Service de l'hygiène et de l'assainissement de base</i> Community-based hygiene and sanitation service
SIGFIP IPFMS	<i>Système intégré de gestion des finances publiques</i> Integrated Public Finance Management System

<i>SIS</i>	<i>Structure d'intermédiation sociale</i> Structure for social intermediation
<i>SONEB</i>	<i>Société Nationale de l'Eau du Bénin</i> Benin National Water Board
<i>PTF</i>	<i>Partenaire technique et financier</i> Technical and financial partner
WAEMU	West African Economic and Monetary Union

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1 Introduction

Guaranteed access to drinking water is a basic human need, and has been retained as one of the Millennium Development Goals. To speed up delivery of drinking water systems in rural areas, Benin has developed a sector-wide approach that guides collaboration between the State and technical and financial partners (PTFs).

World wide, the 'sector-wide' approach has become increasingly important in shaping support for development, with the primary aim of enabling countries like Benin to set the agenda for their public policies more effectively. A precise strategic vision for sectoral development is set out in a policy statement, which is duly approved along with a clearly defined and monitored national budget for the sectoral programme. The concept of the sector wide approach is based on working partnerships within and between levels, operating under national leadership. The idea is that all stakeholders participate in the elaboration, implementation and monitoring of sectoral policy. An evaluation report on the results of the sector-wide approach in five countries produced by the Dutch co-operation¹ found that participation by non-state actors and at the local levels has actually declined, and concludes that these trends are having an adverse effect on the delivery of satisfactory services to local communities (IOB, 2006; Reesch, 2007).

Since 2004, the Dutch Embassy has been assisting the Government of Benin with the provision of water and sanitation services by following a sector-wide approach that complements other initiatives by PTFs like the AFD, Danida, GTZ and the World Bank. These Water programmes (Eau I, Eau II, Eau III) actively contribute to institutional reforms geared towards deconcentration and decentralisation, through activities such as putting procedures in place for assigning funds at departmental level, which is a precondition for municipalities to assume responsibility for undertaking investment works (procurement, supervising etc.). This positioning in favour of supporting deconcentration is noteworthy, and in marked contrast to the experiences in other countries. The sectoral programme in Benin is also tackling one of decentralisation's most complex and thorny issues: the transfer of competencies and resources to local governments (Crook and Sverrisson, 1999; Langley et al., 2006; Wunsch, 2001).

Because Benin's experience with the sector-wide approach has been so different to that of other countries, it is important to understand how this programme has helped reinforce the link between the national and local levels. This will have a bearing on the development of approaches looking at how best to align sectoral policies with institutional reforms geared to decentralisation, not only in Benin, but elsewhere in the sub-region as well.

This bulletin explores the conditions in which the sector-wide approach can strengthen local development institutions. In the rural water sector in Benin, these include community-based committees and water point management associations, local governments ("the municipalities") and the deconcentrated levels of the Direction Générale de l'Eau (DG Eau). The publication begins with a short description of the water sector in Benin, followed by an overview of changes in the institutional framework. Several decisive turning points in its evolution are identified, and particular emphasis is placed on governance of the water sector. This is followed by a presentation of Water Programmes (Eau I, Eau II and Eau III), which were supported by The Netherlands. Finally, the report analyses the evolution of the roles and responsibilities of the different actors in the sector, existing and new, and considers the nature of the partnerships established by the government and other actors in order to develop and manage sustainable water systems.

¹ "The interaction between macro and micro levels that is given such heavy emphasis in the policy for the sector-wide approach has, in practice, receded into the background" (IOB, 2006 p. 14).

2 Assessment of drinking water supplies in rural areas

This chapter deals with the provision, access and availability of drinking water mainly in rural areas. Access to potable water was one of the priority themes in Benin's poverty reduction strategy for 2003-2005, and is still a priority area in the growth and poverty reduction strategy paper and programme of priority actions for the period 2007-2009. It has also been retained as one of the Millennium Development Goals, which aims to halve the proportion of the population that were found to lack access to drinking water and sanitation in 1990.

2.1 Access

Although water is the source of life, poor quality water can and does cause illness. According to the 2001 Demographic and Health Survey,² 58% of the population and 61% of households in Benin have access to and use good quality water. Most of the population depend on shared water points, such as wells and boreholes, and very few households have a drinking water point in their home.³ Open wells are the main source of drinking water for 20.6% of the population, even though such water is not classified as potable; while 17.7% of the population get most of their water for human consumption from backwaters and rivers (see Table 1 below; INSAE and ORC Macro, 2002). Poor people are the most disadvantaged, with half the access to drinking water enjoyed by more prosperous sections of the population (Langley, 2007).

Table 1 Main sources of drinking water in Benin (Survey of women, showing %)

Main source of water	Nationwide	Urban areas	Rural areas
Tapwater/standpipe	29.4	62.3	6.9
Protected well/ borehole/ village water supply	28.8	11.3	40.8
Open well	20.6	16.6	23.4
Surface water	12.4	7.1	16.0
Rainwater	5.3	0.4	8.6
Other source	1.5	0.0	2.6
No supply	1.9	2.3	1.7

Source: INSAE and ORC Macro, 2002

A considerable amount of time is devoted to water-related chores. In 2001, 24 % of the urban population and 44 % of the rural population lived more than 15 minutes away from a water point (INSAE and ORC Macro, 2002). In rural areas women and young girls spend the most time going to water points and waiting their turn before carrying the water back home (see Table 2 below).

Table 2 Time spent collecting drinking water according to category and area, in working hours per day

Category	Rural areas (min.)	Urban areas (min.)
Girls (6-14 years) not attending school	77	14
Boys (6-14 years) not attending school	16	9
Women (15-49 years)	64	16
Men (15-49 years)	5	12

Source: Charmes, 1998

² The results of the 2006 demographic and health survey were unavailable at the time of writing.

³ In 2001, 11% of dwellings had running water in the house. Within this group, 1.9% lived in rural areas (INSAE and ORC Macro, 2002).

2.2 Availability

In 2006, it was estimated that drinking water installations in Benin amounted to 13,689 equivalent water points (EPEs),⁴ 14% of which were not functioning. Working on the assumption that one EPE serves 250 people, this meant that 43% of the population had access to drinking water (see Table 3 below). In order to achieve the Millennium Development Goals, the level of available water will need to increase from 36% in 2003 to 67.5% in 2015, entailing the installation of around 16,000 new EPEs providing potable water for 4.2 million additional people.⁵ For the period 2005-2015, work should proceed at an average rate of 1,450 EPEs per annum.

The annual installation rate rose from 400-450 equivalent water points in 1990 to 550-600 in 2002. It increased considerably in 2004, to over 1,000 EPEs (see Table 3 below), but then dropped in 2005, partly due to a lack of pumps (Danida, 2004; DGH, 2006). On the whole, the situation in Benin compares favourably with neighbouring countries, thanks to institutional changes in the water sector, and this is seen as an achievable MDG provided that work continues to accelerate at the same rate as it has in the last few years (AMCOW et al., 2006; DGH, 2006).

Table 3 Rate of drinking water installations (2002-2006)

	2003	2004	2005	2006	2007
Planned					
MDG		1,022	1,091	1,231	1,372
Programme budget (BP)		1,221	1,111	1,678	2,247
Delivered					
New EPEs	431	1,010	761	1,206	
Refurbished EPEs	176	203	139	487	
Total EPEs completed and delivered	607	1 213	900	1,693	
Aggregate EPEs at year end	10, 940	11,950	12,711	13,689 ⁶	1,5452 (planned)
Persons served	2,735,000	2,987,500	3,177,750	3,422,250	3.863.000 (planned)
Percentage population served (%)	36	39	41	44	
Percentage EPE not working (%)		17	16	14	

Source: DG Eau, 2007; DGH, 2006

⁴ An equivalent water point (EPE) gives the drinking water supply expressed as a level of service. Current standards in Benin are one water point (EPE) per 250 people, based on 20 litres/per day/per person and a maximum distance of 500m to transport the water. The standard was 500 persons per EPE until 2000, but was reduced to 250 persons per EPE to improve the level of service.

⁵ The cost of these works is affected by the frequency of scattered settlement, where 45% of the rural population live. The geology of certain parts of the country makes it hard to find so-called "positive" points (i.e. points that deliver water; as in the municipality of Savè) Other technical difficulties are the depth of the water table and infiltration of salty water in areas close to the sea. During the rainy season, the north is inaccessible to heavy drilling equipment.

⁶ Table 16 (DG Eau, 2007).

3 Evolution of the institutional framework

This section describes the origins of the *national strategy for rural drinking water supplies*, its implementation and subsequent developments. To get a clearer picture of the organisational situation, we will begin with a historic review of the sector. The first national strategy was approved in 1992 and then revised in 2005 to take account of various institutional reforms, particularly those relating to decentralisation and the management of public funds.

3.1 Emergence of a public drinking water service

The provision of drinking water has been a key public service in Benin since colonial times, and the DG Eau (Direction Générale de l'Eau) in its present form is the culmination of gradual developments in the administration of this service.

Initially attached to the Public Works Office,⁷ the water engineering service only became known as the Direction de l'Hydraulique (DH) in 1967.⁸ Its role was to settle administrative, technical and budgetary matters relating to orientation of the water policy, and to advise the ministry on water-related issues. Through progressive consolidation and reinforcement, the DH developed from a fairly embryonic entity into one with considerable capacity to conduct studies, undertake works and installations and oversee sub-contracted works.

In 1992 the DH was repositioned within the MMEH (Ministry of Mines, Energy and Water Engineering),⁹ which was responsible for oversight of the water sector and for developing and implementing national water policy (see also Figure 1). The 1990s also saw the elaboration, adoption and, in theory, application of the Sanitation and Water Codes.

A recent organisational reform reviewed the dual aspect of the ministry's mission for water: managing water as a resource (promoting integrated water resources management), and improving the services that provide access to drinking water. Thus, in 2006 the Direction générale de l'Hydraulique (Directorate General for Water Engineering) became the Direction générale de l'Eau/DG Eau (Directorate General for Water), to integrate the new priority given to integrated water resources management (IWRM) into the framework for delivering water supplies (see Box 1 below).

In 2004, the DG Eau deployed a total of 270 staff, 106 at the central level and 164 in the regional services. About 40 members of staff had university degrees (mainly engineers, but also economists, sociologists, geographers and lawyers), and around 19% of all personnel were women. It is also worth noting that 71% of all employees were contract staff. The permanent staff were virtually all recruited before 1985. Contract staff are funded by the government through the public investment programme.

Box 1 Integrated water resources management

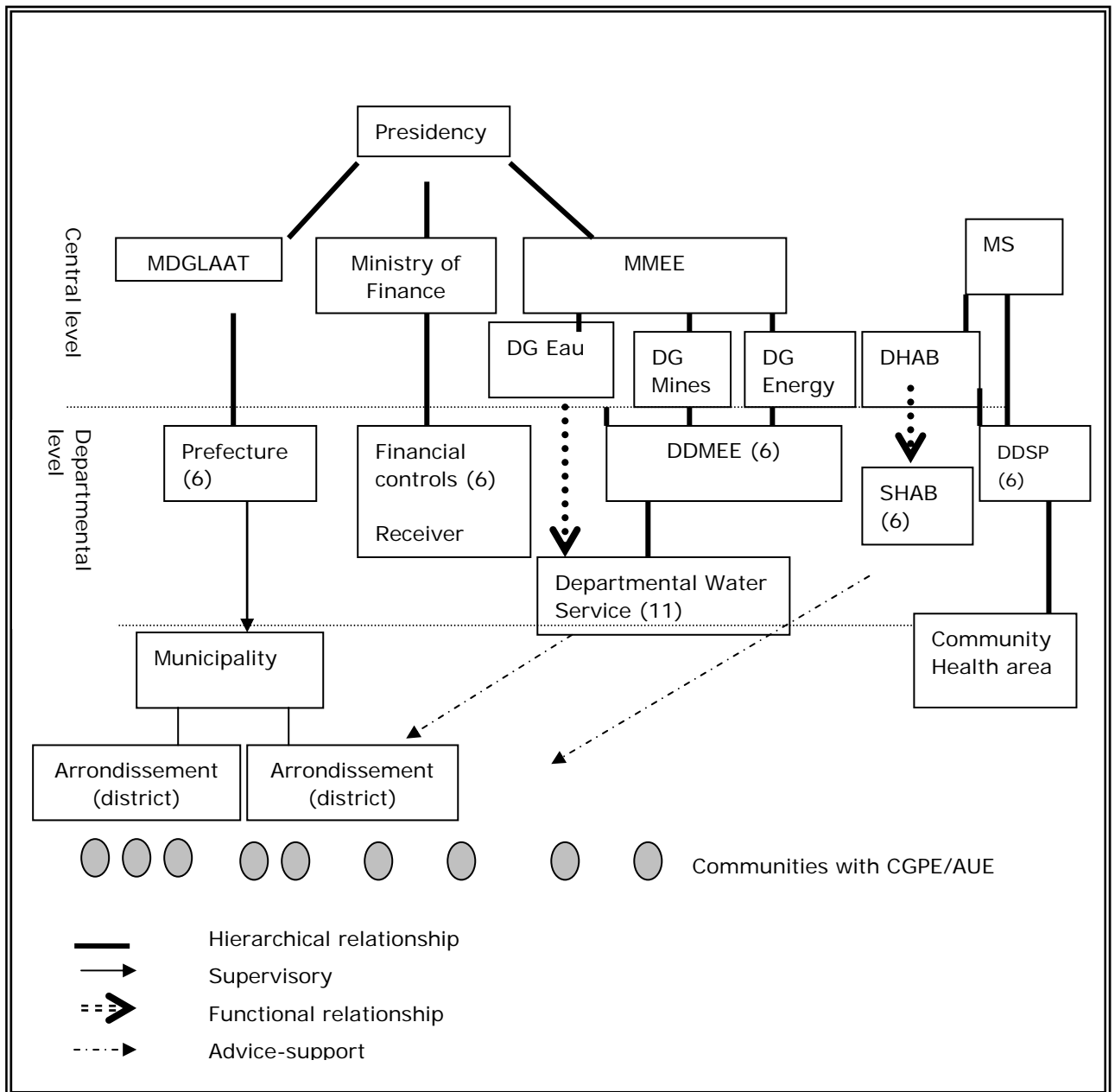
The new water policy in Benin is based on integrated water resources management (IWRM) rather than sectoral water management. From now on, IWRM will be the central axis of the national water policy, to take better account of the multiple interests, uses, concerns and means of the country's stakeholders. IWRM promotes good governance of water resources, based on co-ordinated actions and actors, including, of course, the judicious involvement of non-state actors. It uses up-to-date tools to manage different bodies of water (watersheds or sub-watersheds, aquifers, etc.) and meet different demands for water in a sustainable manner; and advocates good monitoring systems to promote sustainable eco-systems and guard against the negative physical effects of water (flooding and water-related illnesses).

⁷ By Decree N° 63-08 PR/TP from 1963 onwards.

⁸ With Decree N° 358 PR/MT.

⁹ Under Decree N° 92-46 of March 1992.

Figure 1 Institutional framework for the provision of drinking



3.2 The 1992 strategy for drinking water in rural areas

In 1981 the United Nations instituted the International Drinking Water Supply and Sanitation Decade (IDWSSD), which was facilitated in West Africa by the Inter-African Committee for Hydraulic Studies (CIEH). The CIEH regularly brought together government representatives, leaders, resource persons and technical and financial development partners (PTFs), establishing contact between senior staff from various countries and PTF experts. In Benin, IDWSSD was marked with a major campaign to install drinking water points for rural populations, based on an estimated need at the time for 4,575 water points in rural areas. IDWSSD also contributed to the emergence of sub-regional collaborative structures like CREPA – the Regional Centre for Low-cost Potable Water and Sanitation (see Box 2 and Langley, 2007).

Box 2 CREPA (Regional centre for low-cost potable water and sanitation)

The Regional Centre for Low-Cost Potable Water and Sanitation (CREPA) is an inter-African institution that brings together 17 countries from West and Central Africa. It was established within the framework of IDWSSD, with the original mission of developing appropriate, low-cost technologies that would help make investments in the potable water and sanitation systems (AEPA) sector more effective. Its mission has evolved over time, and now consists of improving the living conditions of deprived sections of the population by facilitating access to potable water and basic sanitation services, using endogenous (and ultimately self-financing) funding mechanisms, and promoting participatory approaches to decision-making processes in order to promote sustainable development. CREPA launched its activities in 1988 in the water centre in Burkina Faso, which was composed of the EIER (Interstate School of Rural Amenities Engineering), ETSHER (Interstate School for Advanced Water Engineering and Rural Amenities) and the former Inter-African Committee for Hydraulic Studies (CIEH). National centres were established in all countries belonging to the water centre, which subsequently became community-type or private structures and were converted into national bodies after 2004.

When IDWSSD came to an end in 1990, a report delivered at a meeting in New Delhi stated that despite its overall success more could have been done about potable water, and that few beneficiary communities had fully appropriated “their” new amenities. It was noted that poor local participation in the processes of installing, operating and managing amenities was jeopardising their sustainability; and that lack of knowledge about sanitation and hygiene and minimal investment in this sub-sector meant that little had been done about it.

Policy makers from Benin’s Direction de l’Hydraulique (DH) participating in discussions held in the context of IDWSSD were concerned about the low level of involvement by users and local communities and its effect on the outcomes. Resolving to do something about it, they set about developing a national strategy to deal with the gaps in rural drinking water supply, working with DG Eau directors and staff to analyse and resolve the problem across the country. The retained approach focused on putting future users at the centre of local service delivery, and after two years of hard work, a national strategy was unveiled and approved by the government in 1992 (DH and SONEB, 1992).¹⁰

The successful implementation of the first national strategy was partly due to the policy makers’ determination to act, and partly to the stable conditions created by a director remaining in post until 2002. Moreover, their participation in the IDWSSD enabled the policy makers to engage in constructive dialogue with PTFs, who subsequently supported the necessary institutional changes by helping formulate strategy and procedures and reinforcing services at the departmental level.¹¹ Regular analysis by the DG Eau of how service delivery is progressing and evolving has also made it open to the idea of deconcentrating its services and subsequently collaborating with the municipalities (see also Box 3 below).

The first national strategy defined the general principles for implementing activities to improve the distribution of drinking water in rural areas. The six main pillars of the sector strategy are outlined below:

- Deconcentration of decision-making processes to ensure that the DH and service providers maintain a light but pertinent presence in communities;¹²
- Communities to make a financial contribution to the initial investment and help recover maintenance costs;

¹⁰ This strategy is implemented within the legal framework of the Constitution, administrative law, the Water Code and the decree regarding the organisation of the MMEE. The water and public sanitation codes date back to before Independence, and are being revised.

¹¹ The CARDERs (regional centres for rural development) established in the 1980s following deconcentration of the Ministry of Agriculture were another source of inspiration, as the Director General worked in a CARDER before joining the Direction Hydraulique..

¹² This entails involving users in decision-making processes, for example, through local water users’ associations set up by men and women from the community.

- Seeking to reduce the costs of constructing and maintaining installations;
- Privatising construction and operating activities, with a particular focus on promoting national and local operating capacities;
- Making hygiene awareness an integral element of water development programmes;
- Direction de l'Hydraulique to become a facilitator for and regulator of the sector.

Essential elements of the national strategy include a social intermediation procedure as part of the process of applying for water points; standardising pumps and other technical norms; ensuring that spare parts are available; and establishing a network of local repairers. Setting up a single national stock of pumps has been particularly helpful in regulating the system, as it can only be accessed by following the agreed channels.

The aim is for the State to progressively disengage from direct construction works and service activities by fostering the emergence of a national private and associative sector. The national private sector is playing a wider and increasingly important role in providing the goods and services needed to establish and constantly improve public water services, and now includes various pump and spare parts suppliers, construction companies and specialist consultancy firms (World Bank, 2004). The consultants specialise in technical and socio-economic feasibility studies, and are contracted to help prepare tender documents (DAOs) and monitor the procurement process. They are also involved in monitoring and controlling work done by the retained companies, in accordance with the technical requirements set out in the terms and conditions of the contract.

Box 3 The concepts of deconcentration and decentralisation

Deconcentration is a straightforward delegation of administrative responsibilities from the central State to its representatives at the local level (prefects, sub-prefects and the health, education, agricultural and hydraulic services), which remain under its authority. These representatives execute national policy and are hierarchically subordinate to the national level.

Decentralisation, which in its most evolved form is also called "devolution", involves the real transfer of competencies, powers and financial resources from central government to elected local bodies that manage local affairs with the active participation of the population.

3.3 Deconcentrating the water services

The support programme for development of the rural water and sanitation sector (PADEAR),¹³ which began in the (former) departments of l'Atlantique and Zou, positioned the former Direction de l'Hydraulique as the facilitator and regulator of the water sector.¹⁴

Overall, Benin has a highly centralised administration, so it was something of a surprise when the former Direction de l'Hydraulique (DH) decided to set up new, deconcentrated services in every department and give them certain powers and resources of their own.¹⁵ This move was reinforced by the decision of PTFs, wanting to support the new strategy, to harmonise investment programmes and intervention methods. The deconcentrated services at the departmental level started to become more financially autonomous in 1998 (still thanks to PADEAR), beginning with Alibori and Borgou;¹⁶ and in addition the former DH was restructured in preparation for its role supporting the new local governments established as part of the decentralisation process.¹⁷ The number of deconcentrated departmental services in rural areas rose from six to 11, facilitating regular contact with the municipalities and communities as agents spent more time in the field

¹³ Originally funded by the World Bank, and then by Danida.

¹⁴ Order N° 25 MEMH/DC/C-CAB/DH of 21 December 1993, regarding the attributions, organisation and functioning of the Direction de l'Hydraulique.

¹⁵ At the time, the Ministry of Agriculture was the only other agency to have taken similar action, with the introduction of deconcentrated CARDERS (Regional centres for rural development). These subsequently became CeRPAs (regional centres for agricultural development).

¹⁶ With funding from Danida.

¹⁷ Order 2000-044/MEEH/DC/SG/DA/DH.

than they had previously done. The departmental Water Services (S Eau) are administratively accountable to the six Departments for Mines, Energy and Water (DDMEE).

The water services departments were able to plan with a greater degree of autonomy, thanks to an annual operating budget and a certain amount of room to manoeuvre in their financial arrangements. In addition to this, they assumed responsibility for dealing with community applications for water points and procurement for various public contracts.

This transfer of competencies was accompanied by capacity building at departmental level, and the introduction of an internal auditing system to ensure the transparency of the expanding departmental procurement process (Danida, 2004).

3.4 Reforms geared to decentralisation

Benin marked its emergence from the political crisis of the late 1980s with a National Conference with participants from all sectors of society, held in February 1990,¹⁸ and set about reforming its territorial administration in order to institutionalise participatory management of local affairs by local communities.¹⁹ The multiple interests and political issues at stake in decentralisation were such that it took successive governments over a decade to implement it, and the first, much-heralded municipal elections were not held until December 2002 - January 2003. Around 70% of the voting population took part in these elections. The next municipal elections are scheduled for 2008.

3.4.1 Principles and structure

Benin opted for nationwide decentralisation, introducing 77 new municipalities based on former sub-prefectures and urban districts, with each averaging around 90,000 inhabitants. The fundamental principles of this reform are outlined below:

- There is only one level of decentralisation in the country: the municipality; apart from the three cities of Cotonou, Porto Novo and Parakou, which have special status
- The department is the only level of deconcentration;
- Municipalities have their own, independent administration run by the mayor and the municipal council;²⁰
- Municipalities exercise their own competencies, shared competencies and competencies delegated by the State;
- Municipalities have their own budget, which is separate from the state Budget and is approved by the municipal council;
- The role of the administrative supervisor (Prefect) is to ensure that the municipalities act within the law and to give them support and advice.

Each municipality is managed by a council, which is elected by universal suffrage. Mayors and district chiefs are elected by their peers in the municipal council, in the presence of the prefect for the department. The mayor presides over the municipal council as the highest-ranking official in the municipality's executive body and head of the municipal administration. The municipality is divided into districts, which are in turn divided into villages or urban neighbourhoods. Districts are local administrative units, headed by a councillor (chefs d'arrondissement) with no legal personality or financial autonomy; they are institutions for implementing the municipal budget and local development policies adopted by the municipality. In fact, the districts are now starting to serve as important interface between municipal administrations and their citizens. It is also the area where experience of several decades with building participatory work with local communities is most felt.

¹⁸ This section is based on Langley et al., 2006.

¹⁹ The people of Benin may have had a sense of 'déjà vu' with regard to decentralisation, since the "scientific socialism" propaganda of the preceding period had preached – but not practiced – "power to the people". Organised civil society was generally in favour of decentralisation as it was thought that this would reinforce participatory procedures; and in the end the PTFs also supported it, since some of their concerns about good governance, local democracy and tackling corruption coincided with its objectives.

²⁰ The Constitution stipulates that local governments should be free to manage their own affairs through elected councils and according to the terms set out in Articles 98, 150 and 153 of the law.

Departments are administrative districts with no legal personality or financial autonomy (see Table 4 below).²¹ Each department is headed by a prefect, who is appointed to the council of ministers. As the sole representative of the State and its ministries, prefects are expected to communicate directly with them, as well as running the department, co-ordinating the deconcentrated services and presiding over administrative meetings and departmental consultative and co-ordinating councils. They do not deal with matters relating to judicial bodies, public accounts or the control of State finances.

The balance of power between central government, its various deconcentrated organs and the municipal structures is laid out in the Constitution, laws on decentralisation and enforcement orders. Prefects are answerable to the State, and are responsible for mentoring and monitoring the municipalities. Thus, one aspect of their task is to assist and advise the new municipalities, supporting activities and harmonising their actions with those of the State; while another is to monitor the legality of laws and regulations approved by the municipality and mayor.²²

Fiscal decentralisation and deconcentrated public services are seen as necessary adjuncts of effective decentralisation. It is assumed that decentralisation and deconcentration are complementary, and that synergies will exist between the different agencies intervening in a given sector. However, the law says nothing about how this is actually supposed to work, and thus gives no guidance on how the new municipalities are to work with other actors on meeting the need for potable water and sanitation systems (AEPA) in their area. The same applies to other sectors where competencies are due to be transferred in the near future.

Table 4 Structure of the decentralised State

Structure	Number	Status	Authority	Mode of designation
Department	12	Administrative district	Prefect (covers 2 departments)	Nomination by the council of ministers
Municipality (former sub-prefecture)	77	Decentralised local government	Mayor	In 2003, election by peers in the municipal council
District (former <i>commune</i>)	546	Local administrative unit	Head of district	In 2003, election by peers in the municipal council
Village/urban neighbourhood	3,628	Local administrative unit	Head of village or neighbourhood	In 1990, election by peers in the village / neighbourhood

3.4.2 Implementing decentralisation

Since decentralisation started to become a reality in Benin in 2003, the State has theoretically relinquished the power to enforce its preferred development models and the municipalities have become the institutional framework for local democracy and development activities. Within this framework, the new players – elected officials and mayors – need to position themselves in the decentralisation process, reflect on their roles and responsibilities and take account of existing powers. It is a learning process for all concerned. Elected officials are expected to deal with what is a fairly new role for them, while the prefects and technical services are having to change their practices in order to fulfil different functions.

²¹ In January 1999, four years before the new municipalities were instituted, the territorial government was divided into 12 departments rather than 6. Each prefect covers two departments.

²² Prefects control 10 specific domains, primarily the budget, financial matters, public procurement, management of municipal properties, and urban planning documents.

Since the law recognises that local people are capable of running locally designed development processes, municipal councils are obliged to take account of the community's wishes when planning their investments. Agreed investments are tabled in municipal development plans (MDPs), which constitute a major activity and achievement for the municipalities. Elected officials have also invested a lot of effort in establishing and reinforcing administrative and technical structures and mobilizing internal resources.

The municipalities have their own technical services, most of which function with staff inherited from the sub-prefectures – now co-ordinated by the secretary general of the municipality, who is nominated by the mayor. Most agents are paid out of current local government budgets or by projects. Councils try to recruit the best-qualified staff for their services, but highly variable resources amongst municipalities mean that staffing levels in the various structures differ from one municipality to another. At the moment some municipalities have very good staff, including those dealing with water engineering.

The municipalities have four main concerns with regard to their financial resources: making the municipality work as a public administration; undertaking the recurrent activities associated with their new competencies; making investments; and leading or supporting development activities. One challenge they face is convincing financial development partners of the need to involve them in projects executed at national or departmental level and to make some of this project money available to them. This involves seizing every opportunity offered by government projects, sectoral ministries and NGOs, and actively seeking productive partnerships with them.

3.5 The municipalities' role in providing drinking water

A new national strategy for drinking water supplies (AEP) in rural areas (2005-2015) was formulated to take account of decentralisation and integrate new instruments such as the Poverty Reduction Strategy Paper (PRSP). The political framework and missions of the DG Eau and its departments were redefined as a prelude to decentralisation, in a review that began before the municipal elections and was then discussed by the ministry and municipalities²³ before being adopted in 2005.

The new strategy is guided by five principles (DG Eau, 2005):

- 1 The decision-making process is to be decentralised through the municipalities, which are responsible for planning on the basis of demand from users;
- 2 Users should participate in the funding, management and renewal of amenities and in monitoring works;
- 3 Efforts should be made to reduce the cost of water by considering the least expensive technical proposals;
- 4 Construction, operational, monitoring and social intermediation activities should be privatised, with particular emphasis on getting local actors operating in the sector involved on a more professional basis;
- 5 The role of the central administration in regulating the sector should be reinforced, and functional relationships established between deconcentrated structures and the municipalities.

The AEP strategy for rural areas now incorporates the municipalities' legal roles and responsibilities. More specifically, this means that the departmental water services should refocus their activities and concentrate on support for the municipalities, monitoring and control, and ensuring that legislation is enforced and standards for designing, undertaking and using installations are upheld. The role of the DG Eau is to define the policy that is to be implemented in the sector.

According to the law, municipalities are responsible for the following areas with regard to AEP:

- Installing hydraulic infrastructures;
- Ensuring the provision and distribution of drinking water;

²³ The ministry only involved the mayors in discussions during the validation workshop held at the end of 2004. It had to prolong the process to allow for consultation, due to the mayors' protests at receiving so little prior information about the texts and their implications.

- Overseeing the protection of water resources and water tables and helping ensure that they better used;
- Formulating legislation on individual waste water treatments (latrines, septic tanks, cesspools) and initiating measures to help promote them;
- Taking account of the need to protect water tables, surface water and water courses when carrying out public or private works;
- Taking care to maintain healthy and salubrious conditions when prospecting for and distributing drinking water, and maintaining a clean area around water catchment areas, boreholes and wells.

Responsibility for territorial development is shared between local governments and the central State. The municipalities' main responsibility is formulating and adopting master plans for their territory (land use planning, whose preparation costs are included in their compulsory expenditure. Several municipalities can also get together to create and manage amenities and services that will be used by several municipalities (Decentralisation mission statement, 2002).

Whenever possible, municipalities use data on the current and projected future population of villages, although these are not always available. As the owners of (new) water points, the municipalities are obliged to help communities set up water users' associations (AUEs) and get them to make a financial contribution to the amenity. There are various ways of raising funds for investment, mainly from the municipal budget or through municipal guarantees to provide access to credit.

According to the strategy, the municipalities are supposed to delegate management of installations to AUEs, which may in turn contract it out to the private sector to ensure that it is done more professionally. The deconcentrated services should help the municipalities or communities calculate the price of water so that they can cover all the recurrent costs (production, service, monitoring, maintenance and repairs), as well as the cost of spare parts for water pumps. The municipality is also responsible for controls and regulation at the local level, backed up by the Departmental Water Service, and should put in place measures to ensure that this is done transparently (DGW, 2005).

This new division of responsibilities between the municipalities and the water services should allow the latter to concentrate on the technical and control aspects of supply. This type of 'sovereign' responsibilities helps ensure that procedures are managed transparently and national policies and standards respected, thereby protecting water sources and ensuring good quality drinking water. The transfer of competencies also assumes that the water services are capable of providing the advice and support that the municipalities need, which means that the water service needs operate as an advisor to the municipalities.

A clear procedure for installing and managing water points has been progressively developed since 1992. It is based on a demand-led approach (local communities informing the competent authorities of their needs) with various responsibilities apportioned to the relevant actors. Communities are involved in the different stages of creating a water point – deciding on the type of work required, where it should be located, how future users will be organised, the nature of their material and financial participation in the works and management of the installation, which includes regular maintenance and renewal of the hydraulic system to ensure that it keeps working. The whole process takes about 18 months, and the procedure can be broken down into five stages (see Box 4 below). It is largely followed by development partners in the sector, and new actors in Benin, such as the African Development Bank (ADB; 2006) and the West African Economic and Monetary Union (UEMOA, 2007) are also being urged to follow it.

Installations are more likely to be appropriated by local communities if users are encouraged to get organised during the decision-making process. It is particularly important for women to be involved in every phase of decision-making at this level, and encouraged to take up responsible positions in management and monitoring committees. Locally appropriated amenities and well-organised water service delivery are the key to ensuring that installations are properly operated, and community structures such as water point management committees (the executive arm of water users' associations) have a very important role to play in this process.

Box 4 Current procedure for installing and managing water points

1. Information, communication and managing demand

At the moment, the only way that rural communities can get drinking water infrastructures installed is by going to their district chief, who is a member of the municipal council. Many communities need external help (such as from water pump repairers or local NGOs) drafting a letter outlining their needs and sending it to the district chief. This will be passed on to the council and then the departmental water service (S Eau), which assigns it to a structure for social intermediation (SIS) that will be responsible for preparing the application file.²⁴ The next step is for the SIS to inform the community about the different types of works available (wells, boreholes, drinking water supply) and what they cost. The community then makes a written application for infrastructure works to be carried out, and with the support of the SIS local people organise themselves to mobilise the necessary funds and make land available for the installation.

2. Planning and programming investments

The SIS is responsible for preparing the entire application, which the SEau and municipality assess against a set of indicators. Full, retained applications are submitted for funding from a fund made available to the department, and tender documents (DAO) are prepared.

3. Financial management, procurement, payment

Contracts for water works may be awarded at national or departmental level, and some may be dealt with at municipal level.

4. Carrying out the works, monitoring sites

This stage begins with hydro-geological surveys conducted by technical consultancy firms. Boreholes are then sunk by private companies, and sites are monitored by the water service or a specially contracted technical consultancy firm.

5. Managing and monitoring works and water quality

Water point management committees are responsible for maintaining installations and recovering operating and maintenance costs from users. The municipalities are also starting to get involved in monitoring management committees or delegating this task to the private sector. The water service is responsible for monitoring the quality of drinking water.

3.6 Support from technical and financial partners

Technical and financial development partners (PTFs) have contributed a great deal to the realisation and rehabilitation of AEP works in rural areas (and continue to do so): in 2006 around 15.4 billion francs CFA, or 77% of the available budget, came from external funding (DG Eau, 2007).²⁵ PTFs have not merely supported the physical works in Benin, but have also provided institutional support since 2001. Most of the interventions supported by PTFs follow the DG Eau's national strategy and there is general acceptance of the need to work together on national policies, strategies and procedures.

To make their aid more effective, PTFs have engaged in a process of co-ordinating and harmonising support for the DG Eau's objective-based programme budget (BPO) since 2002 (sectoral budget support), and have all been involved in the annual review of what has been achieved through the BPO. Other international PTFs and NGOs that do not participate in the BPO are invited to observe feedback sessions on major missions (evaluation, formulation, monitoring, etc.). In addition to this, a sectoral "Water and Sanitation" group bringing together all the key actors the sector (MMEE, DG

²⁴ SISs are NGOs that act as an interface between communities, the municipalities and the deconcentrated services. The costs of social intermediation do not exceed 10% of the total cost of installing boreholes.

²⁵ In terms of financial contributions, the biggest PTFs in the sector are the governments of Germany (through KfW, GTZ and the DED), Denmark (Danida), France (AFD), Belgium, the EU and The Netherlands. In addition to this, the sector receives aid from the Japanese government, the World Bank (indirectly through national budget assistance) and a number of development banks (ADB, UEMOA).

Eau, SONEB and the Ministry for Health, PTF and NGOs) meets every two months to co-ordinate activities and promote joint and complementary actions.²⁶ Other examples of co-ordination are the creation of the Water Initiative fund and the common fund set up by PTFs to conduct joint studies.

There are two types of programme-related technical assistance: field-based assistance to support works being undertaken in villages (departmental level); and assistance at the central level supporting organisational and institutional processes in DG Eau and SONEB offices. Support includes developing tendering and BPO systems; developing monitoring and evaluation systems and using integrated databases; promoting IWRM; and planning the transfer of competencies to municipalities.

²⁶ This group was set up on an informal basis in November 2004, and is currently chaired by the DG Eau. It goes without saying that its dynamics also depend on the personalities involved.

4 Water Programmes I, II and III

In 2004 the Dutch government embarked on its programme of “Dutch sectoral aid for the support programme for drinking water supply systems in Benin”. This support took the form of three successive co-operation agreements: Water Programmes Eau I, Eau II and Eau III, followed by a new multi-annual programme in the water and sanitation sector that began in 2007. This section describes the three Water Programmes and some of their outcomes, especially those concerned with improving financial procedures. Particular emphasis will be placed on what these programmes have contributed to the processes of deconcentration and decentralisation.

4.1 Objectives and approach

The Water Programmes are based on the national strategy for drinking water supplies in rural areas. Their two main objectives are: i) to respond to the question of how funds can be transferred at infra- national level to cover the municipalities’ needs; and ii) to facilitate a learning process that will allow the municipalities to fulfil their devolved functions (see Table 5 below). As a new actor in this sector, The Netherlands is contributing to its development in synergy with other ongoing activities.

The Water Programmes have placed particular emphasis on the need to act in accordance with current legislation, regulations and national procedures regarding sectoral policies, decentralisation, deconcentration and financial procedures. This was facilitated by the DG Eau’s strategic progress on budget reforms, and by the efforts of other programmes – most notably PADEAR (Support programme for development of the rural water and sanitation sector) and PADSEA (Support programme for development of the water and sanitation sector).

The actors and structures involved in the Water Programmes include the central state administration, the deconcentrated services, municipalities, beneficiary communities, SISs and the private sector. The aim is to enhance the municipalities’ and departmental water services’ competencies with regard to procurement (drawing up specifications, bidding, awarding contracts to service providers, organising monitoring of works, controlling works, and increasing the type of support available for municipalities).

The regulations regarding assigned funding (credit délégué) were adopted by the Government of Benin in 2000.²⁷ The approach adopted by the Water programmes involves using funds assigned at departmental level for water installations to apply the principles of deconcentration and decentralisation.²⁸ This type of procedure will contribute to establishing the sector-wide approach at the local level. The experimental nature of Water Programmes I, II and III allowed them to develop and test procedures and resolve emerging bottlenecks through pilot activities.²⁹ This was the best way of helping the State implement its laws and strategies, as the reliability and robustness of budgetary procedures could be tested and capacities reinforced before the procedures were introduced nationwide. Implementing programmes at the departmental and municipal level also helped the DG Eau, prefectures and water services reposition themselves within the new institutional framework.

These were programmes with ‘catalytic’ potential – but also initiatives that demanded significant human resources without promising positive outcomes, as there were no guarantees that they would attain the objectives of accelerating the pace of installing low-cost EPEs. Programme staff had to juggle the need to obtain concrete results in the short term while supporting key institutional reforms in the medium term. To succeed, they had to develop and maintain solid partnerships with the various ministries and departments involved at several levels, as well as with the PTFs. It was probably the Embassy’s position as a new player that allowed it to concentrate on assigned funds, as other PTFs recognised their importance but didn’t want their system of

²⁷ Decrees N° 2000/601 of 29 November 2000, regarding the reform of procedures for executing the general State budget; and N° 2001/039 of 15 February 2001, regarding the general regulation of public accounting.

²⁸ Another component led by the DG Eau ordered pumps through international tenders.

²⁹ This section is based on Blankwaardt et al., 2006.

implementing infrastructural works thrown into question by possible setbacks created by financial procedures. They supported the Dutch Embassy by making completed (and therefore programmable) applications for water points available. Mobilising this stock of community files, which were funded with support from other PTFs, helped accelerate the pace of works and meant that Water Programmes I and II were able to produce results in just two years. Normally, the full cycle for preparing this type of application with social intermediation takes an average of 18 months, and it is not possible to start works until the third year (see section 3.5).

Table 5 Objectives and results of Water Programmes I, II and III

Name and date of signature	Budget (francs CFA)	Objectives	Results attained
Water Programme I September 2004	1,608,364.000	To enable municipalities to provide their citizens with drinking water, by the State assigning sectoral investment funds to the department (out of external funds and the national budget)	<ul style="list-style-type: none"> • 2004-2005: Dutch funding made available for investments in the 'water' sector in six municipalities (Banikoara, Gogounou, Savè, Ouèssè, Abomey and Ouinhi). • Timely launch and signing of public contracts, primarily by the main contractor (mayor) and successful bidder. • 70 water points installed. • National procurement organised by the MMEE to establish a national stock of 1,000 human-powered pumps + 310 additional pumps. • Expenditure commitments made by the mayor cleared.
Water Programme II December 2004	1,479,600.000	To enable the AEP sector to attain MDGs by: <ul style="list-style-type: none"> • Reorganising roles and competencies between the central and deconcentrated levels • Increasing quantity of assigned funds. 	<ul style="list-style-type: none"> • Dutch funding made available for investment in the AEP sector in 7 departments (Alibori, Borgou, l'Atlantique, Atacora, Donga, Zou and les Collines). • Timely launch and signing of public contracts, mainly through the sole secondary official with power to authorise expenditure at departmental level (the prefect) and the successful bidder. • 220 water points installed in the departments. • Expenditure committed by the prefect for this funding cleared within the agreed timeframe.
Water Programme III November 2005	3,052,145.000	In the DGH programme budget for 2006, to make a direct and concrete contribution to: <ul style="list-style-type: none"> • improving the number of functioning installations (target rate of 86 % compared with 85 % in 2004) ; and • improving access to sustainable drinking water points in rural areas in 	Dutch funding made available for the AEP sector (central and deconcentrated levels) through the MMEE/DG Eau 2005-2006 programme budget, for: <ul style="list-style-type: none"> • a campaign to refurbish about 460 water points in the departments of Borgou, Alibori, l'Atlantique and les Collines;

		2006 (target rate of 45 % compared with 39 % in 2004).	<ul style="list-style-type: none"> • installing 100 fully equipped new boreholes; • acquiring 2,000 human-powered pumps to consolidate the national stock.
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4.2 Physical achievements

In 2006, Water Programmes I and II produced the following physical results (Water Programme III was still under way):

- Water I: 51 boreholes installed (less than the 70 planned) and equipped with human-powered pumps in 6 municipalities; 1,310 pumps of various types acquired for use at different ground-water levels;
- Water II: 232 boreholes installed (more than the 220 planned).

Water Programme III followed the same approach as Water II, mainly because of the discrepancies between the planned and actual outcomes of Water Programme I. The programme of installations was affected by the slow pace of work and the potential risks of an increase in unit costs.³⁰

The discrepancies between what had been planned and what was actually achieved in Water Programme I were mainly attributed to the fact that the boreholes planned for Ouinhi did not materialise as the company that won the tender turned out to be unsatisfactory. The public procurement process was not properly conducted, and the contract was awarded to an inferior company.³¹ Another constraint was the difficult hydro-geological conditions in the department of les Collines. The mayors in the department had insisted that the search for positive boreholes would focus on semi-urban areas, where popular demand was highest (see Box 5 below), but the complicated hydro-geological conditions of these sites made it difficult and expensive to install water points there.

However, it should be noted that Water Programme I was dealing with very new and poorly informed municipalities, which had only been created the year before in 2003. At the time they had very limited capacities and no real collaborative relationship with the technical services that would have enabled them to deal with potential technical complications. The results of Water Programme I could have been better if the municipalities concerned had been informed about the national AEP strategy, technical standards, programme objectives, etc. Since 2004, a number of municipalities have made great progress in increasing their capacities and technical abilities.

Box 5 Access to drinking water in semi-urban areas

Nearly 3 million people in Benin live in *semi*-urban areas, which are centres with over 2,000 inhabitants and 11% of them live in agglomerations of over 45,000 people, which are classified as urban areas. More than 50% of these people in *semi*-urban areas do not have access to a drinking water system, (2003). The Société Nationale de l'Eau du Bénin (SONEB) is responsible for providing drinking water in urban areas, while the DG Eau is responsible for this service in rural and *semi*-urban areas.

Certain mayors in rural municipalities have expressed their frustration over the provision of drinking water in urban areas of their municipality. Because SONEB has proved reluctant to get involved in works in (as yet) undeveloped areas, whose status is ambiguous and which are often settled by relatively poor people, the mayors have had to turn to rural water supply programmes to provide for these areas.

³⁰ However, the results in Banikoara were good.

³¹ The Water Service was aware of the company's poor reputation.

In 2004 the major PTFs decided that a specific programme for *semi*-urban centres was needed, and in accordance with general Budget execution procedures created a 'common pot' of funding known as the "Water Initiative". This initiative targeted agglomerations not covered by SONEB's investment plan, with the aim of providing 500 agglomerations with village water supply systems (AEVs) by 2015. This represents about 50% of the total number of equivalent water points needed to achieve the MDGs (MDEF, 2006).

4.3 Introduction of the objective-based programme budget

Implementation of the Poverty Reduction Strategy paper (PRSP) began in 2000, along with a budgetary reform aimed at facilitating more effective public expenditure. Based on a combination of sectoral co-ordination and a results-based management approach, the reform was intended to produce budgets that better incorporate and reflect the sectoral strategies and programmes agreed by the government, with resources allocated according to expected results rather than expressed need.

This change was reinforced by the introduction of a single budget covering all funds mobilised from both external sources (PTFs) and the government Budget. With this type of budgetary system, sectoral departments need to anticipate and plan their expenditure to ensure that they have funds available at a given time, and sectoral ministries are required to carry out post-audit verification. This procedure was supplemented with the introduction of the Medium Term Expenditure Framework (MTEF), which allows for multi-annual expenditure planning that takes account of the State's financial constraints and gives greater predictability with regard to funding.

In 2002 the water sector asked for the budgetary reform to be applied to its own operations. The MMEE produces an annual programme budget (BP) for each sub-sector, based on medium-term objectives (three years) centred around the MDGs. BPs are implemented by the departments, and precise indicators are formulated to monitor progress on the number of people served; the number of water points, latrines and working installations; the proportion of women on water point management committees; how the water system is managed; the proportion of contracts awarded at regional level; and integrated water resources management. The annual report is scrutinised by all partners in the sector under the auspices of the MMEE, and over one hundred of their representatives have participated in this annual exercise since 2005.³²

The BP has been an important tool for reinforcing co-ordination within the sector. However, while the external resources made available to the water sector increased by 30% in 2005, new donors have yet to start following the BP process. In 2004, 60% of expenditure was made within the BP framework, then dropping to 46% in 2005 and 45% in 2006 (see Table 6 below).

Table 6 Proportion of water sector expenditure made through the BP

Year	2004	2005	2006	2007
Credit agreed (billions) francs CFA	10.8	14.3	15.4	18.5
Amount of internal funds (billions)	3.1	3.07	3.6	3.7
Amount of external funds (billions)	7.7	11.23	11.8	14.8
Amount spent through the DG Eau BP (billions)	6.5	6.7	7.0	
Level of budget spending (%)*	60.2 %	46.9 %	45.5 %	

Source: DG Eau, 2007 * recalculated

³² It was sanctioned by a memo signed, for the first time, by the MMEE, the Minister for Health and technical and financial partners from the water and sanitation sectors.

4.4 Assigned funds

Because assigned funds are an important tool in deconcentrated programming and monitoring, it is vital to ensure that the procedures for implementing programme budgets can deliver the desired results. This was greatly facilitated by the Integrated Public Finance Management System (*SIGFIP*), which computerised the sequence of operations.

The regulations regarding assigned funding aim to give greater responsibility to departmental-level actors in the chain of execution, with the prefecture as a central authority. Advancing financial deconcentration is seen as a key factor in executing planned activities at departmental level, since it helps the departments assume their responsibilities effectively in the wake of institutional reform.

However, no procedure had been developed or tested to make the system of assigned funds operational, and in 2003 public funds were still managed primarily at the central level (Biji and Tomety, 2003).³³ Within the framework of the Water Programmes, the Dutch Embassy began collaborating with the former MDEF (now the Ministry of Finance) on developing procedures to assign funds to the water sector. These funds are used for spending on social intermediation, installation studies, controlling/supervising work on boreholes, etc., installing pumps and training CGPEs, as well as the general expenses incurred by the water services through contracts and monitoring service delivery.

The DG Eau oversees the allocation of assigned funds in conjunction with the Budget Office (Direction générale du Budget) and the embassy. The overall process is managed by the DMEE. At departmental level, this mechanism covers the agreement, settlement and authorisation of invoices and accounts by the prefect, and payment of orders by the financial registrar, each according to their attributions. In accordance with the Public Procurement Code, the water services recruit SISs, technical consultancy firms (BeTs) and borehole construction companies, sometimes in consultation with the municipalities. The financial services and prefecture are responsible for authorisation and payment, while the construction companies' accounts are approved by the mayor and settled by the departmental Treasury (Water I) or the DMEE and the prefect (Water II and III).³⁴

The DG Eau and prefecture assisted the water services with the implementation of public finance management procedures during the Water Programmes. One problem that arose was that only 45.5% of the assigned funds were released once the works had been completed. This was particularly serious for private companies, as the long delays in payment meant that only those on a sound financial footing could tender for this type of contract. The problem was mainly caused by lack of forward planning by the teams responsible for the assignment process within the DG Eau: by programming within the department/municipality on the one hand and the Ministry of Finance on the other. Nor was the situation helped by the limited grasp of financial transaction procedures, lack of available information and very poor dissemination of information among the different actors. This should improve with experience, but all concerned need to be diligent in their implementation of public expenditure procedures, which are based on the principle of a priori control. Delays in the spending channels also need to be reduced in order to speed up the process.

Another important development in public finance management was the introduction of the Integrated Public Finance Management System (*SIGFIP*), which is one of the national management information systems that have been put in place since 2002. No such system was available at departmental level, however, which meant that sectoral departments were unable to analyse their situation or manage their finances. To address this problem, the Dutch Embassy funded the deployment of the D-*SIGFIP* in Benin. It was used in the Water Programmes to assign funds, and is scheduled to be in place across the country by 2007.

Although it would be logical to extend this system into the municipalities, it is worth noting that their budgetary and spending control mechanisms differ from the public finance mechanisms at

³³ Deconcentrated services receiving assigned operating funds include the departmental offices for planning, education, family and social welfare, trade and crafts (Majerowicz and Tomety, 2005).

³⁴ Decree N° 2000-601 of 29 November 2000.

departmental and central levels. Under the laws on decentralisation, control is a posteriori rather than a priori. The series of structures that control municipal finances are all located at the national level, apart from the prefectures.³⁵ Current legislation on accounting at municipal level seems rather patchy and the audit system does not appear to be very well developed, while the old system of the sub-prefecture is still in place but with very few procedures for monitoring efficiency. As a result, registrars-tax collectors and the departmental representatives of financial controllers do not monitor spending efficiency, but merely verify that accounting records are in order (Majerowicz and Tomety, 2005).³⁶

4.5 Speeding up public procurement

Central governments are generally reluctant to relinquish their powers, and Benin is no exception to this rule. Power relations often centre around financial flows and public procurement and, to a lesser extent, the allocation of human resources. To improve the performance of the system, the Water Programmes put a lot of effort into speeding up public procurement procedures. Public procurement is governed by the rules and channels set out in the Procurement Code, which was modified in 2006.³⁷ The departmental public procurement unit now has the power to tender for contracts of up to 100 million francs CFA for works, 30 million francs CFA for studies and 40 million francs CFA for amenities (DGH, 2006).

In an attempt to speed up the process, some of the initials and signatures previously required from MMEE officials were jettisoned in favour of more frequent and systematic signatory sessions and assigning funds to the departmental services. This will facilitate better use of the budgets allocated to the water sector and thus help get works completed in good time. The average time taken for the various stages of the process is 120 days at departmental level and 305 days for procurement at central level (see Table 7 below). In 2006, the average time taken for procurement at departmental level dropped to 86 days (DG Eau, 2007). These times could be further reduced by increasing everyone's understanding of the procurement procedures and improving existing specimen tender documents. Simpler procedures and better communication have already made the process more predictable and helped improve relations with actors in the private sector (Danish Embassy, 2007).

³⁵ The hierarchy that monitors municipal management starts with the prefect, who supervises the municipalities to ensure that they are acting within the law; followed by the Supreme court, through the Court of Accounts, which is the mandatory recipient of local government accounts presented by decentralised local governments; then the Inspectorate General of public services and posts; the Inspectorate General of administrative affairs; the Inspectorate General of finance; and finally, the Inspectorate General of Treasury services, which is responsible for the management of public accounts (*funding and tax revenues at the departmental and municipal levels respectively*).

³⁶ Proposals have been made to create a municipal official for financial control to provide guidance, advice and support, or even to find an internal auditor for the municipalities (Majerowicz and Tomety, 2005).

³⁷ This code is currently being revised.

Table 7 Comparative times taken for procurement at central and deconcentrated levels

Stage in the public procurement process	Central level 2004 (days)	Deconcentrated level 2005 (days)
From the date the Departmental Commission for Public Procurement (CDMP) or the National Office for Public Procurement (DNMP) give notice of invitation to tender to the date of publication in the paper	16	6
From the date of the paper's publication to the date that tenders are processed	38	41
From the date tenders are processed to the date the CDMP or DNMP accept a bid	64	52
From the date the CDMP or DNMP accept a bid to the date that the procurement is approved by the Ministry of Finance	166	46
From the date the procurement is approved by the MDEF or Ministry of Finance to the date the contract is awarded	21	41
Average time (days)	305	120

Source: DG Eau, 2005

The evaluation of Water Programmes I and II concluded that deconcentration was well under way. The water service now has a good grasp of the procurement process, and its handling of assigned funds at this level proves that it is competent in financial management. In 2005, 90% of DG Eau procurement took place at the deconcentrated level, although invitations to tender for borehole installations are also issued at the central and municipal levels (see Box 6 below).

Box 6 Range of parties responsible for works

Le Matinal (23-03-2007) – Notice by **mayors** in the municipalities of Boukombé and Coby of invitation to tender for 4 works (1 lot) on hydraulic installations for the first phase of the PAGIREL programme (Support project for local integrated water resources management) with technical support from the PROTOS, CREPA, SNV, PNE, AQUA 4 all and Helvetas consortium.

La Nation (27-03-2007) – Notice of invitation to tender for the construction of 72 latrines in 4 lots (in 4 municipalities), by the **MMEE office** (Phase 5 PADEAR –GDLC/GTZ).

La Nation (23-03-2007) – Notice of invitation to tender to sink 10 boreholes and refurbish 6 boreholes in the department of Donga, by the **Head of the Departmental Water Service** in Donga, acting for and on behalf of the government (Water III - Dutch Embassy).

Responsibility for carrying out such works is allocated as follows: the structure with *responsibility for the works* is charged with managing funds and payments and recruiting a specialist technical consultancy firm (BEt) to prepare the tender documents and monitor works. Tenders are invited in order to select a firm to carry out the works (*main contractor*).

The water service was the sole body responsible for overseeing the works for Water Programmes II and III, as these programmes only dealt with departmental public procurement units. In Programme I, however, the municipality also fulfilled certain functions in the process, which meant involving the municipal procurement units. The procurement process for Water Programme I turned out to be a 'baptism of fire' for the local councils concerned, field-testing the transfer of competencies and resources for AEP to the municipalities.

In Water Programme I the municipalities decided where works would take place, with assistance from SISs and the water services, and largely on the basis of community applications that were already available. The mayors then formally managed the preparation of tender documents and

supervised the recruitment of SISOs, consultancy firms and borehole companies through competitive tendering, in accordance with the Public Procurement Code. They were assisted in this by SNV Benin and the Water Service, which provided support in preparing tender documents and the technical and financial management of contracts. The departmental and prefectural financial services were responsible for authorising expenditure and payments.

Public procurement is an activity that is open to corrupt practices. The sums involved are particularly high at the central level, and the scarcity of national enterprises capable of constructing water points or consultancy firms responsible for monitoring them can facilitate the emergence of cartels. It seems that corruption is harder to organise at departmental level because more actors are involved, but the risk does still exist if relations with service providers within the departmental procurement commissions are too close.³⁸ Although there are no available data on the incidence of corruption in the water sector, there is a similar risk of corruption at municipal level, which can only be reduced by totally transparent management and a watertight audit system.

4.6 Multi-annual programme for the water and sanitation sector

In 2006, following the evaluation of Water Programmes I, II and III, the government of Benin formulated a new multi-annual programme for the water and sanitation sector (PPEA) with support from the Dutch Embassy. The PPEA will last 5 years, commencing in 2007. One of its objectives is to help strengthen the municipalities, with the ultimate aim of providing equitable and sustainable access to drinking water for every citizen (see Box 7 below). This programme will continue the support for decentralisation that began in Water Programme I, treating the municipalities and SISOs as key players in the provision of more sustainable water and sanitation services. The preparation, planning and programming stages will come under the control of the municipalities as competencies are transferred to them. This will require further progress in developing systems and procedures to make the transfer of competencies effective and feasible, as well as significant increases in the human and financial resources of certain municipalities.

Box 7 Components of the PPEA

The ultimate objective of the PPEA (*Programme pluriannuel d'appui au secteur de l'eau potable et de l'assainissement*) is to contribute to significant improvements in access to drinking water and sanitation in ways that will reinforce the programme approach, budgetary support, decentralization, gender issues, poverty reduction and IWRM. The programme is built around the four following components:

- *Component 1* – Reinforcing budgetary aid to the drinking water and sanitation sector. The aim is to improve public finance management procedures supporting deconcentration, decentralisation and achieving drinking water and sanitation -related MDGs. Priority will be given to systematic support in identifying and tackling bottlenecks in programme implementation
- *Component 2* – Transfer of competencies and developing municipal responsibility for works, with the objective of assisting the progressive transfer of competencies and developing the municipalities' capacities to manage drinking water and sanitation and community-based sanitation and waste management works
- *Component 3* – Developing infrastructures for potable water and sanitation systems. Here, the objective is to help increase access to drinking water and sanitation in an equitable and sustainable manner, in accordance with national strategies. The municipalities will progressively assume responsibility for water engineering works.
- *Component 4* – support for the IWRM process, which aims to guarantee the availability of enough good quality water to meet all users' needs within the framework of integrated water resources management.

³⁸ The problem may be exacerbated by the large number of staff who are under contract and on modest salaries that are often paid late, as it is not in their interests to give municipal actors greater responsibility for procurement.

5 Evolution of the roles and responsibilities of actors in the water sector

5.1 Changing responsibilities

The AEP strategy is implemented through a partnership that operates at several levels (departments, municipalities, district chiefs, communities), and has been reinforced by widespread stakeholder support. The roles and responsibilities of the different actors involved in installing and managing water points have evolved since 1994 (see Table 8 below), particularly with the disengagement of the DG Eau from activities directly linked to the creation of water points. With the switch in focus to its sovereign functions, some of its previous activities have been privatised and others transferred to the departmental level. Over the last decade PTFs have also become less directly involved in establishing water points.

Providing drinking water and improving hygiene and sanitation are tasks that cannot be successfully undertaken by any single actor, and which therefore require partnership. The main players in rural areas are local communities, the municipal authorities (the new actors on the scene), NGOs and community-based organisations, the State at the central and deconcentrated levels, and service providers such as consultancy firms and companies (see Figure 1). Each of these actors has a well-defined role that they must fulfil for activities in the sector to work well. In principle, strategies for establishing and managing water points and covering their recurrent costs revolve around the users of public water services.

Table 8 Evolution of the roles and responsibilities of actors in the water sector

Activities	Before 1994	1994	2003 Decentralisation	Ongoing changes (since the 2005 strategy)
Responsibility for designing and monitoring policies and strategies	DG Eau *	DG Eau	DG Eau	DG Eau
Information, managing demand, intermediation	DG Eau and BeT	Community DG Eau, Water Service and SIS	Community +municipality; (SIS: NGO +Water Service)	SIS management: reducing the role of the Water Service and increasing the role of the municipalities and district chiefs; reduced role for communities
Planning and programming investments	DG Eau	DG Eau	Municipality + Water Service	Water Service
Financial management, procurement, payment	DG Eau (+PTF)	DG Eau (+PTF)	Water Service + (c/PTF projects) Treasury and prefecture*	Municipality for SIS; Water Service for other service deliverers; prefecture
Undertaking works, monitoring sites	DG Eau international private sector	Private sector + Water Service	Private sector + Water Service	Private sector + Water Service
Management and monitoring of works	Former DGH	Community CGPE/AEU; tradesmen-repairers	Municipality; community CGPE/AEU; tradesmen-repairers	Professionalisation through delegated management (subcontractors) (+CGPE/AEU; municipalities)
Water quality	DG Eau	DG Eau	Water Service	Water Service

* NB: DG Eau corresponds to the former Direction Générale de l'Hydraulique

5.2 Changes at government level

At the moment two ministries are responsible for managing AEP interventions in rural areas: the MMEE and the former MDEF, which became the Ministry of the Economy and Finance. The latter is responsible for managing and allocating funds, plays a strategic role in co-ordinating the national planning mechanism (which has included the BP for water sector since 2002) and is involved in the arbitration required to mobilise funds. The deconcentrated level of the DG Eau now has more responsibility for financial management and public procurement, and the programme budget is starting to function thanks to the willingness of the two ministries to adopt this new approach (Danish Embassy, 2007).

Changes in public finance procedures have led to greater deconcentration of the Ministry of Finance at departmental level, and are delivering more functional services and mechanisms as procedures have been simplified and delays in procurement reduced. In parallel with the budgetary reform, this improved functionality and streamlined spending channels have been key factors in enhancing the progress and performance of the AEP sector. However, while this is a promising start, there is still much to be done in the arena of public finance (Danish Embassy, 2007).

A clear, user-centred strategy for potable water delivery systems in rural areas was established in 1992 and then revised in 2005. This strategy and its approaches to implementation were the result of continuous dialogue between the various key actors concerned, particularly the technical services and their technical and financial partners. This dialogue began in the 1980s with the international decade for drinking water and sanitation (IDWSSD), which prompted much international discussion within the framework of the Inter-African Committee for Hydraulic Studies, which functioned until 1995. A community of practice for AEP in rural areas was established among international and national experts, providing a source of inspiration for decision-makers in Benin at the time and prompting their actions as 'agents of change'. Local thinking still feeds into the global partnerships that exist today and vice versa.³⁹

In the last two decades the DG Eau has shown that it is capable of testing and adapting new procedures – for example, by developing and standardising new tools and processes for preparing tender documents,⁴⁰ which have made the procurement procedure much shorter. Another innovative action by the directorate was the introduction of a community development service run by a woman – something that was fiercely opposed by water engineers at the time. One of the challenges that the DG Eau now needs to address is its ageing staff, as they have been in post for some 25 years and will soon be due for retirement, taking with them a wealth of experience. Most members of staff (71%) are currently under temporary contracts, and the DG Eau needs to develop a strategy for managing knowledge and institutional memory in order to inculcate its vision, experience and culture in new staff.

Since 1992 the national AEP strategy has proved itself as a real tool for co-ordinating interventions in the water sector. What the DG Eau now needs to focus on is making these mechanisms accessible and understandable to new actors from within and outside the sector. Another current concern is the financial contribution that future water users will be expected to make to installing water points. Most actors in the water sector believe that this contribution (which is relatively small in relation to the total cost) is a key element in ensuring that new water points are appropriated by local communities, and are therefore sustainable.⁴¹ However, there are now proposals at government and community levels to do away with it, reflecting decisions in the health and education sectors to abandon the idea of enrolment fees at primary schools and community-based health centres.

As a final point in this section, it is worth noting that programmes to improve access to potable water now regularly include awareness raising about hygiene, thanks to co-operation between the

³⁹ For example, the promotion of IWRM by the Global Water Partnership, the Water and Sanitation Programme run by the World Bank and the Water for the Poor Partnership.

⁴⁰ With support from the institutional capacity building programme funded by Danida.

⁴¹ It is worth noting that there are also cases where politicians and expatriates have funded this contribution.

DG Eau and the Office for Hygiene and Sanitation (DHAB) in the Ministry for Health. However, it has to be said that co-ordination between the two ministries is still somewhat problematic.

5.3 Local governments

Since the law on decentralisation gave municipalities a significant role in AEP, sanitation and IWRM,⁴² they theoretically assumed responsibility for such works when decentralisation started to become a reality in 2003. This meant that the public administration has had to rethink its core, sovereign duties with regard to water, and that the water service should play a more supportive and advisory role helping the municipalities service their citizens, and take greater responsibility for regulating and monitoring water quality. In Water Programme I, responsibility for AEP works began to be transferred to the municipalities, demonstrating their potential added value in areas such as planning, programming and managing works. Nevertheless, capacity building for the water services delivered through Water Programmes II and III mainly focused on finance and project management, even though the law states that these activities should be transferred to the municipalities as they assume responsibility for water engineering works.

Other PFTs are developing and testing new methodological approaches to enable the municipalities to assume responsibility for works in their locality effectively and in accordance with sectoral strategies and current regulations and standards (the AFD, Danida, Helvetas, PAGIREL-PROTOS). In the meantime, other initiatives are concerned with restructuring social intermediation and looking at horizontal forms of co-operation between local governments around procurement (MDEF, 2006). As heavy drilling equipment and specialist expertise have to be mobilized for these water works, contracts need to be a certain size before experienced contractors are willing to bid for them, which means that the municipalities will have to start working together on tendering. This type of coordination between municipalities will also make public procurement less onerous for the water services. Several decentralisation projects are encouraging and supporting this type of horizontal co-operation.

The idea of boosting the process of transferring competencies for AEP was first aired during scrutiny of the execution of the 2005 Budget plan. During this exercise, a recommendation was made to "organise the consultation process so as to define concrete modalities for the progressive transfer of competencies to the municipalities". Another proposal was that the departmental objective-based programme budget should be endorsed by mayors before being consolidated at central level (Danish Embassy, 2007). The DG Eau planned to transfer competencies for services relating to the formulation and management of applications for water engineering works, public procurement (social intermediation, carrying out works) and sustainable management of water points to the municipalities. An inter-ministerial commission was established in 2006 to propose a detailed strategy for the gradual delegation of these competencies, and there have been discussions about setting up a fund to support municipal development (FADEC). This phase of studies and workshops now needs to be completed as soon as possible so that work can begin on implementing the systems and procedures that will make this transfer a reality.

There is still considerable concern about the municipalities' real capacity to assume their responsibilities. They – or rather, the municipal technical services and elected officials – do not actually need their own specialist technical expertise to take charge of water engineering works (even though several municipalities do have recourse to water engineers). However, they do need to be able to clearly express their needs, choose experts on this basis, ensure that work meets the required standards and, if necessary, get sub-standard work rectified. They should be able to select and monitor the specialist consultancy firms that will be responsible for preparing tender documents and monitoring the retained companies, and can apply the principles of subsidiarity (delegating or contracting/sub-contracting to more specialised structures/associations) in order to cope with all their tasks. One possible option would be to give the district chief and communities a greater role in these procedures, and to get the state technical services or other competent private

⁴² Particularly Section 3 (environment, hygiene and cleanliness) of Law N° 97-029 of 15 January 1999, regarding the organisation of municipalities in the Republic of Benin. Chapter III of "The competencies of the municipality" in Law N° 97-029 of 15 January 1999 regarding the organisation of municipalities in the Republic of Benin.

agencies to compete for work or a municipality can create their own specialist services to deal with technical issues.⁴³ However, this supposes that they have the financial resources to sub-contract external expertise or recruit staff.

Although the transfer of competencies is an integral element of the legal framework in Benin, questions have been raised about the process for doing this, particularly in relation to procurement. This is why institutional reforms that affect power relations require very close support, and why considerable effort needs to be put into fostering a working relationship – and confidence – between the technical services and the municipalities. The municipalities need to be better organised so that they can articulate their position, and one way of helping to build capacities and ideas in this area would be to encourage them to discuss their experiences (horizontal learning). Organisations that bring the municipalities together at sub-regional and national level (such as the national association of municipalities in Benin, the ANCB) could do a great deal to help them organise themselves and lobby for progress in the transfer of competencies.

5.4 Communities

Allowing communities to assume responsibility for AEP and managing infrastructures has been a long process. It began with confirmation of the first national strategy in 1992, and has seen communities become increasingly autonomous and active as the State has repositioned itself. Grass-roots organisations have developed into structures that not only represent beneficiaries, but are also involved in managing water points – as with the water point management committees (CGPEs) set up by associations of local water users, which are sometimes federated into unions.

However, questions have been raised about the representativity of these CGPEs. One of the key aspects of social intermediation is getting women involved in every stage of the decision-making process, by encouraging them to take up responsible positions on management and monitoring committees. Women often play an important role in the preparatory phase of water initiatives and, along with young girls, are the biggest users of water. The question is whether this is reflected in the composition of CGPEs. Are there any women in decision-making positions? Who is responsible for controlling the revenues generated by the sale of water and ensuring that money is available for repairs and spare parts? It seems that transparent management and accountability are issues that have yet to be fully addressed by CGPEs and AUEs.

In the past, legislation stipulated that water installations were owned by the State and made available for communities to use.⁴⁴ The new legislation states that AEP works will be owned by the municipalities, but says nothing about communities, which means that the rules of the game for implementing the AEP strategy need to be redefined. Nowadays, the first point of contact for applications for water points is the district chief, who assesses their suitability (particularly in terms of the number of people to be served) and then passes them on to the municipal authorities. As they are only submitted the Water Service once they have passed through these first two filters, there is a possibility that applications for locations opposed by the district chief could be turned down, and that forms of cronyism will emerge. One way of reducing the risk of this happening would be to make sure that everyone is well-informed about procedures, to publish applications received by the council, and to ensure that the application process is traceable right through to the point that funding is agreed.

⁴³ Unfortunately the modalities for mobilizing state services are not very clear. The decree of 23 June 2005 does not specify the distinguishing criteria of the non-paying and paying services that the municipalities need to tackle. Similarly, the notions of “sovereign expenditure and technical indemnity” are not made explicit, which means that the procedures giving municipalities recourse to state services are very vague. As a result, there is a risk that, because of their lack of funds and relatively low salaries, the deconcentrated services will favour a commercial procedure over a non-paying advisory-support procedure, which not only amounts to privatisation of the deconcentrated administration, but also to competition between state agents and their own administrations (Majerowicz and Tomety, 2005).

⁴⁴ Presidential Decree 96317 of 2 August 1999.

At the moment, the circuit is only open to communities that know about it and are able to prepare applications. The NGO personnel, repairers and district chiefs that were interviewed reported that certain localities without access to potable water have still not applied for a water point. There are various reasons for this – because the population concerned is unaware that they can do so, because they are not sufficiently organised, or because they don't yet have the means to make the required contribution. This could be due to poverty or because it is not seen as a priority by those in control of local finances. This raises the question of whether structures for social intermediation are doing enough to disseminate information about the application procedure and actively assist communities without good quality water points, particularly as this is not part of their remit.

Some municipalities are beginning to wonder whether it wouldn't be better to pay the community contribution for water infrastructures themselves, or at least make a contribution to it. Their main motivation is acquiring a 'legitimate' right to monitor management of the water point and increasing their right to claim user fees on behalf of the municipality. As one secretary-general explained, "The mayors want to feel that they are on top of the water issue now ... water points should really be dealt with by the council because of the income they generate" (Lambrecht, 2006). One potential problem with this situation is that mayors tend to see the revenue generated by water points as general income for the municipality, without realising that they also need money to cover maintenance and staff salaries. The issue here is rethinking notions of ownership and appropriation of these installations: learning to feel responsible for ensuring that water points are properly operated, maintained and kept clean (Lambrecht, 2006).

Communities are responsible for managing water points and are supposed to ensure that revenue from selling water is used to maintain and replace them. However, although demand for water points is closely monitored, communities generally become less involved in their daily management and sustainable maintenance once they are installed. At the moment CGPEs are responsible for managing ordinary water points and AUEs for managing small distribution networks, but neither tends to do so with any great transparency. With very little money put aside for repairs and renewals and insufficient monitoring by the water service once installations are in place, there is a very real danger of them breaking down and staying out of order.

This is why the review of the AEP strategy in 2005 planned for the municipalities to delegate water management to operators from the private sector approved to do specialist tasks, and proposed measures to ensure that installations are transparently managed under municipal supervision (approved staff with specific terms and conditions, provisional management plans, monitored contracts and audited water accounts). It remains to be seen whether the municipalities will be able to pay the costs associated with these types of service (transport, per diems, professional fees, etc.).

Furthermore, this distribution of responsibilities has proved highly controversial. After being listened to attentively from 1992 to 2003, grassroots organisations found that their opinions seemed to have less weight once the municipalities started functioning. Communities in general (and CGPEs and AUEs in particular) are not happy with the fact that the law on decentralisation assigns management of works and services to the municipalities. With responsibility for carrying out works shifting from the communities to the municipalities, and management functions being passed to the private sector, several AUEs are resisting municipal interventions and initiatives to introduce subcontracted agents.

There is a risk of 'centralisation' at the municipal level that could lead to communities being sidelined and village committees losing responsibility for water engineering works, which could compromise their appropriation by local communities, and thus their sustainability.

5.5 Social intermediation structures

Social intermediation structures (SSIs) are NGOs that act as an interface between communities, the municipalities and the deconcentrated services in order to help communities assume responsibility for water works. They are asked to intervene by the municipalities, to promote access to potable water and sanitation and encourage cleanliness around water points. Their task is

to help communities prepare project documents and provide training and assistance that will enable them and the municipalities to call CGPEs and AUEs to account – through training on analysis of financial accounts, for example.

A recent study revealed that they have had somewhat mixed results in achieving these goals. It seems that their work is generally rather superficial and rushed, and their messages not clear or focused enough to help communities manage their water points sustainably. Many application files are mediocre and fail to take proper account of the crosscutting aspects of social sustainability, such as gender issues, and SSIs appear to have difficulty managing conflictual social relations within communities. Their poor performance is largely due to internal human resources management, as many SSI agents are untrained,⁴⁵ there is a high turnover in field staff, who are poorly paid, and no culture of sharing experiences or building on intervention methods (Ingénieurs-Conseils Benin, 2006). Studies are under way to reorganise social intermediation and create the conditions that will help put social mobilisation on a more professional footing.

SSIs across the country were originally selected and contracted at central level by the DG Eau, and were subsequently recruited at departmental level when the DG Eau was reorganised and deconcentrated. Management of social intermediation is usually one of the first activities to be transferred to the municipalities, and approved SSIs are now supposed to have direct contracts with the municipalities, which validate the results of social intermediation and pay SSIs as part of their responsibilities for water initiatives. In reality, however, social intermediation for AEP is usually funded by projects and programmes, as the municipalities need money for the execution cycle and find it difficult to pay for these structures.⁴⁶ What the system needs is a permanently staffed municipal service to promote local, community-based development, along with a municipal development fund.⁴⁷

5.6 Civil society

Water users' interests and rights are represented by user associations and committees, which may be organised into unions. These local civil society groups are expected to intervene with regard to municipal policy on potable water supplies, hygiene and sanitation services, and the management of water points, involvement of the private sector, water rates and fees, etc. In practice, however, it seems that they have very little to do with these municipal debates, and that community-based organisations are most likely to be involved in potable water supply systems at the point of demand for a water point. The position of AUE unions is also unclear.

Local NGOs are also supposed to play a role in this type of public debate. However, NGOs specialising in water-related issues have become social intermediation structures (SSIs) that work for limited periods and to specific terms and conditions – supervising service delivery for the water services or municipality rather than acting on their own account. Since the quality of service delivery is influenced by the level of accountability between decision-makers, service providers and users (World Bank, 2003), civil society organisations should be working to increase popular participation in the formulation of public policies so that they can better meet citizens' needs and expectations and deliver a sustainable public water service. At the municipal level, civil society organisations need to maintain a presence to ensure that municipal councils respect the principles of consultation and accountability. It seems that overall civil society organisations are rather weak and cannot exert much influence at either the national or the local level (MDEF, 2006).

5.7 The private sector

⁴⁵ Staff in SSIs are supposed to be 'trained on the job' because Benin has no mechanism for training in community-based extension work or participatory approaches.

⁴⁶ It was envisaged that 5%-10% of the cost of carrying out water works could be made available to the municipalities for preparing documentation and paying SSIs (Blankwaardt et al., 2006).

⁴⁷ Within the framework of the Dutch co-operation's PPEA programme, which began in 2007, the municipalities will be given funds that will allow them to monitor the execution cycle.

Until the early 1990s NGOs, projects and the former Service Hydraulique were responsible for carrying out water engineering works. The aim of the 1992 strategy was for the State to progressively disengage from the execution of works and service activities, and to limit the involvement of large international firms in public projects by requiring them to work with national operators – thereby increasing national capacity and reducing unit costs.

This policy of disengagement also led to the promotion of small and medium-sized local enterprises (SMEs) as the agents responsible for maintaining and managing water points (local repairers, hydraulic and service engineers and water supply operators). A fairly good network of local tradesmen seems to have been established since specific measures were taken to open up the market to SMEs, such as scaling down bids for public contracts and offering training programmes in related trades.

Nevertheless, capacities in the national private sector are still fairly limited, despite the considerable progress made since 1992. The unit costs per borehole are higher in Benin than elsewhere in Africa, possibly because the small number of businesses in the country limits the competition for public procurement. Private operators are constrained by the difficulties of financing and writing off major investments and the lack of good quality, permanent human resources. Some may be reluctant to engage with the public finance system and its onerous procedures for state disbursements, securing payment for services rendered, etc. However, substantial improvements in tendering have made the system more predictable and transparent, which is a significant advantage for the private sector.

6 Conclusion

This final section will summarise the implications of the sector-wide approach for different local development institutions. In the case of the water sector in rural Benin, these institutions mainly consist of community-based water point committees and associations, local governments (the “municipalities”) and the deconcentrated levels of the DG Eau.

This bulletin began by asking whether the sector-wide approach can strengthen local development institutions. The answer to this question is yes. The adoption of the first national strategy for AEPA in rural areas in 1992 laid the foundations for a sector-wide approach to water in Benin. This mechanism was reinforced by the joint support programmes put in place by various technical and financial partners (such as PADEAR and PADSEA), and the DG Eau’s strategy and approaches incorporating (and anticipating) institutional reforms geared towards deconcentration and then decentralisation. Another turning point was the extension of the budgetary reform into the water sector in 2002. As a result, sectoral budgets are prepared every year on the basis of medium-term objectives centred around the Millennium Development Goals (known as objective-based programme budgets), and their performance scrutinised by technical and financial partners in the sector. This sector-wide approach is starting to prove its worth, although more could be done to build on knowledge and skills for the long term.

The Dutch-funded Water Programmes would not have been possible without the strategic progress made by the DG Eau on budgetary reforms or the efforts and support of other PTFs. As a new actor in Benin’s AEP sector, The Netherlands has placed particular emphasis on the harmonisation of sectoral policies, decentralisation, deconcentration and financial procedures, and ensuring that they are in accordance with current legislation, regulations and national procedures. It is hoped that this innovative approach will reinforce local uptake of the sector-wide approach, although the results to date suggest that this is by no means a certainty.

In Water Programmes I, II and III it was decided to test public finance management procedures in the water sector, particularly at the deconcentrated level. Support for the sector has contributed to better potable water services; and the performance of the water sector has been significantly improved by efforts to strengthen and streamline public finance channels and public procurement procedures, assume responsibility for works at departmental level and improve understanding of the process. Some of the most notable achievements have been the provision of assigned funds, which are managed by the prefectural authorities and departmental financial services; increased information through the computerised integrated public finance management system; and a significant reduction in delays at departmental level.

Experience has shown that public finance management procedures are reliable and robust, provided they are understood and the sectoral departments and services upstream plan for their implementation. Here, reinforcing deconcentration has contributed to greater transparency. What is particularly significant for governance of the sector is the development of working relations between the different levels and partnerships between the water services and municipalities (McGranahan and Satterthwaite, 2006). These public finance management procedures are not specific to the water sector and could be profitably applied to other sectoral departments, indicating that while there is still much to be done, the Water Programmes have helped reinforce the process of deconcentration in other sectors.

The Water Programmes have clearly shown that a sector-wide approach can strengthen sub-national echelons. However, while they tested the municipalities’ capacity to assume (partial) responsibility for works, the focus was on reinforcing deconcentrated services at the departmental level and increasing the water services’ capacities for public procurement – even though this is one of the competencies that is due to be transferred to the municipalities. In order to avoid the risk of the water services retaining this activity, the institutions responsible for reforming decentralisation should actively participate in building the municipalities’ capacities while methodically redefining the attributions of the water services.

The indicators used to gauge the sector's performance in the objective-based programme budgets for installing EPEs track the number of installations, refurbishments and breakdowns recorded each year. These show that the pace of work has increased since 2003, and that the chain of operations is becoming more effective. There is political pressure to further increase the pace of work, but this should not be done in a way that reduces the responsibility felt by beneficiaries for the installations, as this would ultimately make them less viable and sustainable.

The pace of work has been slowed by the lack of available programmable community applications for water points and the time required for procurement. Timing is another factor (taking account of seasonal constraints when booking the expensive heavy drilling equipment needed to sink boreholes), as is maintaining the availability of pumps. The municipalities can help speed up the preparation of programmable community applications since they play a deciding role in this process. They are also beginning to get involved in improving the management of water points,⁴⁸ and helping to reduce the number of breakdowns through monitoring by water point management committees and by putting this management on a more professional footing.

The municipalities have the power to decide what investments are to be made in their territory, but urgently need effective departmental and national services that can not only give them advice and support, but also explain and uphold national policies. On the one hand, the municipalities need greater authority if the water sector is to be able to respond more rapidly to local demand; while on the other, the DG Eau also needs the municipalities to be effective if it is to deliver better drinking water services for the people of Benin.

⁴⁸ The arbitration committee in the municipality of Banikoara takes account of the number of works already carried out in the area, the number of people served in each district and the financial contribution made by local people – although there have been some contentious 'sentimental' decisions. The council is more vigilant about such matters now, and can refer to the municipal development plan to check needs evaluation procedures and planning principles.

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