

MILLENNIUM CHALLENGE ACCOUNT-NIGER

MCA-NIGER



MINUTES OF THE FIFTH ORDINARY MEETING OF THE BOARD OF DIRECTORS NIAMEY AUGUST 7, 2018

The Board of Directors of the Millennium Challenge Account-Niger ("MCA-Niger") held an ordinary meeting on August, 7th, 2018 from 9:30 am at Hotel Soluxe , Niamey, in accordance with: (i) the Bylaws of MCA-Niger, dated July 4, 2017; (ii) Decree N°2016-706/PRN, dated December 23, 2016, on the creation, attributes, composition and functions of MCA-Niger; (iii) the Millennium Challenge Compact between the United States of America, acting through the Millennium Challenge Corporation ("MCC") and the Government of Niger (the "Government"), dated on July 29, 2016 (the "Compact"); and (iv) the Program Implementation Agreement between the United States of America, acting through the Millennium Challenge Corporation ("MC") and the Government of Niger (the "Government"), dated on July 29, 2016 ("Program Implementation Agreement"). Capitalized terms used but not defined herein shall have the meanings given such terms in the Bylaws, the Compact or the Program Implementation Agreement.

I. Attendees

1. Board Members in attendance and constituting a quorum were

Names	Positions	Voting members / non-voting members	Board members /alternate
Mr. OUHOUMODOU Mahamadou	Minister, Chief of Staff of the President of the Republic, President of the Board	Voting member	Board members
Mr. ALBADE Abouba, ,	Minister of State, Minister of Agriculture and Livestock	Voting member	Board members
Mr. AHMAT Jidoud	Minister Delegate for the Budget	Voting member	alternate
Mrs. KANE Aichatou Boulama,	Minister of Planning,	Voting member	Board members
Mr. DJARIRI Mahaman Salissou, t,	Chief of staff of the Minister of Environment and	Voting member	Alternate

	Sustainable Development		
Mr. KARBO Atahirou, ,	Secretary General of the Ministry of Hydraulics and Sanitation	Voting member	Alternate
.Mr. HACHIMOU Abdoukarim, ,	Secretary General of the Ministry of Population, Women's Empowerment and Child Protection	Voting member	Alternate
Mr ABDOULAVYE OUMA AHMET 8.Abdoukarim, ,	Secretary General of the Ministry of Equipment	Voting member	alternate
Ms. YAHAYA Saadatou Mr. Barmou	Deputy Chief of Staff of the Prime Minister of Niger	Voting member	Alternate
Mr. BETY Ali,	High Commissioner to the 3N Initiative,	Voting member	Board member
M. DJADAH Abdoulaye	Private Sector Representative, 1st Vice-President of the Chamber of Commerce	Voting member	Board member
12.M. BAGNA Djibo,	Representative of the Civil Society,	Voting member	Board member
. 13.Ms. FODI Halima,;	representative of the Civil Society Organizations of Civil Society,	Voting member	Board member
.Ms. PENN Kristin,;	Resident Director of the MCC in Niger,	Non-voting member	Board member
Mr. M. ANNOU Mamane	, Director General of MCA-Niger, Permanent Secretary of the board,	Non-voting member	Board member

Present by teleconference: None

2. Board members Absent: None

GUESTS

Names	Positions
Mr. CHANO Moussa Mahamane	MCA-Niger Programs Director

Mr. AGALHEIR Kaocen,	Director of Administrative and Financial Affairs of the MCA: -Niger;
Ms. GOURO Hassana,	Legal Specialist of MCA-Niger;
Mr. GOURBOUDOU Hadi A. Nasser,	MCA-Niger Audit and compliance Manager;
Mr MASRO Hans,	Strategic Communications Manager of MCA-Niger;
Mr. SALISSOU A. Kader,	Security Advisor of MCA-Niger;
Ms. GREENHALGH Emilie,	Deputy Resident Director of MCC Niger;
Mr. AMADOU Moussa,	Coordinator of the Support Unit responsible for Monitoring Indicators

Chairperson: Mr. OUHOUMODOU Mahamadou, Chairperson of the Board of Directors, replaced by Mr Albade Abouba during the meeting

Secretary : Mr. ANNOU Mamane, Director General, MCA-Niger

II. PROCEDURE

At the opening of the meeting at 09.00 and 30 minutes, the President noted, in accordance with Rule 3.12 (b) of MCA-Niger's Rules of Procedure, that a quorum is met through the presence of a majority of the voting members of the board , at least one not belonging to the Government, and consequently declared the meeting open.He then appointed a Secretary of the meeting, Mr. Mamane M. ANNOU, Director General of MCA-Niger.

III. DISCUSSIONS AND DECISIONS ON THE ITEMS ON THE AGENDA

The Chairperson opened the fifth Ordinary Meeting by reviewing the agenda noted in the notice of meeting sent to members. Noting that no Board Member made any amendment to this agenda, the Board adopted the following agenda

The Chairman finally recalled the agenda indicated in the notice of meeting addressed to the members. As no member of the Board made any amendments to the agenda, the Board adopted the following agenda:

III.

1- Open Session

1.1- Open Session: for approval

- a) Reading of the Notice of Meeting and adoption of the Agenda;
- b) Adoption of the Minutes of the second extraordinary meeting of the Board of Directors held on June 15th, 2018;
- c) Approval of MCA-Niger's employment contract template;
- d) Approval of the amount of Contract No. MS / MCA-Niger / QCBS / 2017/11 between MCA-Niger and CACG for Consulting Services for the implementation of the Sub-activity Sustainable Management of the Irrigation System (GDSD);
- d.bis) Approval of Amendment No. 2 to Contract No. ADM / Shop / 2017/033 between MCA-Niger and NEB for the computer cabling of the offices of MCA-Niger

1.2- Open Session: for information

- e) Status of MCA-Niger projects;
- (f) Preparation of the work of the 1 External Audit of MCA-Niger for the period from July 29th, 2016 to June 31st, 2018;
- (g) Gender and Social Inclusion Plan (SGIP);
- h) Report of the Training on the theme "Fight against Fraud and Corruption" held at MCA-Niger;
- h. bis) Transfer of expenses between CROWN AGENTS USA and CARDNO EMERGING MARKETS Ltd;
- h.) Official launch of the Compact program

2- Executive Session

2.1- Executive Session: for approval

- i) Approval of Amendment No. 6 to the MCA-Niger Procurement Plan No. 03 for the period from February 1st, 2018 to January 31st, 2019;

3- Miscellaneous

1 - Opening remarks and presentation of the agenda

Summary of the discussions : The Chairman of the Board of Directors opened the fifth regular meeting of MCA-Niger's Board of Directors, indicating that the day's meeting will be an opportunity to present a progress report on the activities of the Compact program.

Mr. Mamane M. ANNOU, Director General of MCA-Niger, indicated that eleven (11) items were on the agenda before giving the floor to the Chairman of the Board of Directors for the presentation of these points.

2 - Approval of the Minutes of the Second Extraordinary Council Meeting Held on June 15th , 2018

Summary of the discussions: The Board noted some deficiencies in the minutes of the second extraordinary meeting of the Board of Directors held on June 15, 2018, and immediately made the appropriate corrections.

Discussions on this item being concluded, the Chairperson put to the vote the adoption of the board resolution N°01..

BOARD RESOLUTION N ° 1: The Board of Directors approves and adopts, by unanimity of the present voting members , the minutes of the second extraordinary meeting of the Board of Directors of June 15th , 2018.

3 - Approval of MCA-Niger employment contract template

Summary of the discussions : The Executive Management presented to the Board the modifications made to the MCA-Niger employment contract model, previously approved at its regular meeting held on April 3rd, 2018.

The board suggested that MCA-Niger provide for the signing of amendments to the current work contracts in order to take into account the modifications made. The Assistant Deputy Chief of Staff of the Prime Minister questioned the General Management on the existence of a system of performance bonuses awarded to employees. The General Management responded by presenting briefly the applicable mechanism.

The Minister of Planning has questioned the Council and the General Management on the disparities between the amounts of the per diem allowances (perdiems) perceived by the employees of MCA-Niger and those of the other entities working for the account of the MCA-Niger in the implementation of the Compact. The Council suggested that solutions be found to eliminate these disparities

Discussions on this item being concluded, the Chairperson put to the vote the adoption of the board resolution N°02..

BOARD RESOLUTION N ° 2: The Board of Directors approves and adopts, by unanimity of the present voting members, the MCA-Niger employment contract model.

4 --Approbation the amount of the Contract No. MS / MCA: -Niger / QCBS / 2017/11 between MCA-Niger and CACG for Consultancy Services for the implementation of Sub-activity Sustainable Management of Irrigation System (GDSE)

Summary of the discussions : The General Management reminded one of the innovations of the Compact which consists in the improvement of water management. He indicated that, under the terms of the tender for consulting services for the implementation of the GDSI sub-activity, the offer of the retained Consultant exceeds the planned budget of 10.29%, it being specified that all the offers received were above the budget.

The Secretary General of the Ministry of Hydraulics and Sanitation asked General Management for the measures envisaged to rebalance the budget, following the overrun. General Management replied that MCA-Niger had no budget constraints, but time constraints.

The High Commissioner to the 3N Initiative asked Management about the maximum allocation ratios between study and works contracts in the Compact's overall budget. The General Management indicated that the resources of the Compact are used according to a certain flexibility, with the agreement of MCC, being specified that a follow-up of the ratio of expenses between the studies and the works is carried out for each project.

Discussions on this item being concluded, the Chairperson put to the vote the adoption of the board resolution N°03.

BOARD RESOLUTION N ° 3: The Board of Directors approves and adopts, by unanimity of the present voting members, the amount of the Contract No. MS / MCA-Niger / QCBS / 2017/11 between MCA-Niger and CACG for Consulting Services for implementation of the Sustainable Management of the Irrigation System Sub-Activity (GDSI).

5 - Approval of Amendment No. 2 to Contract No. ADM / Shop / 2017/033 between MCA-Niger and NEB for the computer cabling of the offices of MCA-Niger

Summary of the discussions: The General Management informed the Board that MCA-Niger has entered into a Contract for a thirty (30) day execution period dated July 5, 2018 with NEB, for the computer wiring of the offices from MCA-Niger. The aforesaid Contract has been extended for a period of seven (7) days by the signature of an Amendment No. 1 dated August 4, 2018. Given the need to provide additional material for the performance of this work and to provide for a facility test period, MCA-Niger and NEB wish to extend the turnaround time by an additional thirty-eight (38) days by signing an Endorsement No. 2.

Discussions on this item being concluded, the Chairperson put to the vote the adoption of the board resolution N°04.

BOARD RESOLUTION N ° 4: The Board of Directors approves and adopts, by unanimity of the present voting members, , the Amendment N ° 2 to Contract N ° ADM / Shop / 2017/033 between MCA-Niger and NEB for the computer cabling of the offices of MCA-Niger .

6 - MCA-Niger Project Status Update

Summary of the debates : Mr. Mamane M. ANNOU, Director General of MCA-Niger introduced Mr. Moussa Mahamane CHANO), Director of Programs, who presented to the members of the Board of Directors a progress report of the main activities of the program Compact in progress, including:

- Irrigation projects (Konni and Sia-Kouanza)
- Road projects (RN35, rural road of Sambera and RN7);
- Immunization and infrastructure / market projects
PRAPS;
- The Grant Facility and the Climate Resilient Integrated Investment Plans (ICRIPs) of ARC;
- Reforms in the fertilizer sector and the national statistics system;

At the end of this presentation, some members of the Board of Directors asked some questions and made comments.

It should be noted, at this time, the withdrawal of the meeting of the President of the Council, Mr. OUHOUMODOU Mahamadou, due to an impediment. He was replaced by Mr. ALBADE Abouba.

- Regarding irrigation projects, the Minister of Agriculture and Livestock, the Minister of Planning, and the 1% Vice-President of the Chamber of Commerce, representing the private sector, requested that the constraints of the project be clarified about Konni's project.

The deputy -President of the Chamber of Commerce notably indicated the virtual disappearance of the hydro-agricultural installations and activities such as fishing at Mozagué and Terassa. He indicated the need to resolve conflicts between farmers and herders due to land issues. The General Management responded by citing the problem of land management, the low participation of women in the management of the irrigated area (5% of the 3,500 farmers), the low filling of the dams.

In addition, the Minister of Planning recommended to MCA-Niger to involve the populations in order to obtain a maximum degree of adhesion to the agricultural activities that will be proposed to them for the exploitation of the hydro-agricultural installations, and to ensure the participation equality of women and men in the exploitation of these facilities as requested by the President of the Republic at a meeting about the Compact. He also wished to know the reasons for the longer

duration of the rehabilitation works of the Konni developments (30 months) in comparison with the duration of the works of construction of new developments in Sia-Kouanza (24 months).

The General Management indicated that the long duration of the work was related to the conduct of necessary preliminary studies, following the logic of the Compact which aims at maximizing the benefits of the projects for the populations while minimizing the costs and negative impacts.

With regard to the Sia-Kouanza project, the Deputy Chief of Staff of the Prime Minister asked for clarification on the positive impacts of the proposed variants. She also suggested the involvement of the project beneficiary populations in all stages of resettlement procedures.

Similarly, the Chairman of the Board of Directors of the Peasant Platform, representing civil society, suggested the involvement of local authorities (village chiefs, etc.) and civil society in order to sensitize the populations concerned by the resettlement. The Minister Delegate for the Budget, on his part, recommended taking measures concerning the acquisition of land by non-resident people in the area of Sia-Kouanza.

The High Commissioner to the 3N Initiative recommended the implementation of social measures and actions to protect irrigation schemes, to stop the transport of obstructing solid elements and silting up (eg planting trees) . Regarding the choice of farms in developed areas (polyculture or specific crops), he suggested taking into account the characteristics and potential of the area concerned. In this regard, the President of the Board of Directors of the Peasant Platform suggested the promotion of multi-activity family farms (agriculture, livestock farming, fishing, etc.), which is the usual practice of local populations.

- Concerning the projects of the CRA and the PRAPS, the Minister of Planning recommended to MCA-Niger to work in synergy with the other programs intervening on the same subjects (ex: PASEC ...), by using the framework of exchange formulated in the Compact agreement, in order to avoid redundancy in the actions carried out in favor of the populations.

The President of the board agreed that a communication campaign was necessary to encourage the participation of the beneficiary populations in the activities and projects of the Compact. He also reiterated the importance of working in synergy with other programs and / or projects carrying out actions similar to those of the Compact. Finally, he stressed the need to ensure better management of rural land and equitable distribution of plots in the areas concerned by irrigation projects, in view of previous experiences with resettlement, especially during construction of Konni amenities.

7 - Presentation on the preparation of the work of the 1 external audit of MCA-Niger for the period from March 29th, 2016 to June 30th, , 2018

Summary of the discussions : The Executive Management briefed the Board on the forthcoming conduct of MCA-Niger's 1st external audit, the report of which is due to be submitted to MCC no later than September 30th, , 2018. It indicated that the recruitment process for the external

auditor, whose field mission will take place over a period of 10 working days, was launched in early August 2018.

The board took note of this information and encouraged the MCA-Niger Directorate General for the conduct of the external audit.

8 - Presentation of the Plan of Integration of Gender and Social Inclusion of MCA-Niger "PIGIS" (Social and Gender Integration Plan "SGIP")

Summary of the discussions: The General Direction presented to the board the Plan for the Integration of Gender and Social Inclusion (PIGIS), a tool developed by MCA-Niger to take into account social and gender inequalities and their integration during the design and implementation of all Compact activities.

At the end of this presentation, some Board members made comments and recommendations regarding PIGIS.

Thus, the Minister of State, Minister and Livestock, the Minister of Planning, the Secretary General of the Ministry of Population, the Promotion of Women and Child Protection and the High Commissioner for Human Rights 3N Initiative have asked MCA-Niger to update some of the data included in the PIGIS on the basis of the work of the National Institute of Statistics.

The Deputy Chief of Staff of the Prime Minister and the Representative of the Women's Organizations of Civil Society also recommended to MCA-Niger to involve the National Observatory for the Promotion of Gender in the validation of the PIGIS and the follow-up of the actions carried out in application of this tool.

9 - Report of the Training on the theme "Fight against Fraud and Corruption" held at the MCA-Niger

Summary of discussions: The General Management informed the board that a training on the fight against fraud and corruption was held at MCA-Niger from July 24th, to July 26th, 2018. This training was delivered by the MCC to raise the awareness of the Compact's stakeholders on the issues related to fraud and corruption in the implementation of the Program, perform a joint assessment of the risks of fraud and corruption, and draw up a work plan for the use of MCA-Niger . The Council took note of this information and gave its support to MCA-Niger's General Directorate in the implementation of the anti-fraud and corruption guidelines.

10-- Transfer of expenses between CROWN AGENTS USA and CARDNO EMERGING MARKETS Ltd

Summary of the discussions : The Executive Management reminded the Board that the Contract between MCA-Niger and CROWN AGENTS USA for the Procurement Agent activity expired on July 31, 2018. Following negotiations with CARDNO EMERGING MARKETS Ltd, the bid came second in the selection of the Procurement Agent, a Contract was concluded on July 27th, 2018.

The General Management specified that the staff of CARDNO EMERGING MARKETS Ltd would be mobilized in thirty (30) days following the signing of the Contract.

The Council took note of this information and gave its support to the General Management of MCA-Niger in the management of the Contract concluded with CARDNO EMERGING Ltd.

11 - Report on the official launching ceremony of the Compact

Summary of discussions: The General Management presented to the board a report of the official launch ceremony of the Compact held on August 5, 2018 in Margou in the Gaya region. This ceremony marked the solemn commitment of MCA-Niger as well as all the speakers in the Compact for the conduct of this Program.

The board congratulated MCA-Niger for the good organization of the event and urged all the actors of the Compact to engage in order to satisfy the craze raised among the populations.

12 - Approval of Amendment No. 6 to the MCA-Niger Procurement Plan No. 03 for the period from 1 February 2018 to 31 January 2019

Summary of the discussions : The General Management presented to the Board the modifications made by the Amendment No. 6 to MCA-Niger Procurement Plan N ° 03 for the period from February 1st, 2018 to January 31st, 2019.

Discussions on this item being concluded, the Chairperson put to the vote the adoption of the board resolution N°03.

BOARD RESOLUTION N ° 3: The Board of Directors approves and adopts, by unanimity of the present voting members , the Amendment No. 6 to the Procurement Plan N ° 03 of MCA-Niger for the period from February 1st, 2018 January 31st, 2019.

The chairperson terminates the meeting at 1: 30.pm.

Name and position	Name and Position
M. Mamane M. ANNOU Secretary	M. Ouhoumoudou MAHAMADOU Chairperson