

MILLENNIUM CHALLENGE ACCOUNT-NIGER MCA-NIGER



MINUTES OF THE THIRD EXTRAORDINARY SESSION OF THE BOARD OF DIRECTORS HELD IN NIAMEY ON JUNE 25th , 2019

The Board of Directors of the Millennium Challenge Account Niger ("MCA-Niger") held its eighth ordinary session on June 25, 2019 from 9:04 a.m. to 9:00 a.m. at Hôtel Soluxe, in accordance with :

- (i) The MCA-Niger Internal Regulations, in its final version of July 4, 2017;
- (ii) Decree No. 2016-706 / NCCR, of December 23, 2016, on the creation, attributes, composition and functions of the Millennium Challenge Account-Niger (or "MCA-Niger");
- (iii) the Millennium Challenge Compact between the Government of the United States of America, acting through the Millennium Challenge Corporation (hereinafter, "MCC") and the Republic of Niger, acting through its Ministers and other governmental entities, as appropriate (the "Government"), signed on July 29, 2016 (the "Compact"); and
- (iv) the Programme Implementation Agreement signed on July 29, 2016 (the "Programme Implementation Agreement"), between the United States of America, acting through MCC, and the Government

The capitalized terms used but not defined in this document shall have the meanings given in the Compact, the Programme Implementation Agreement and/or the MCA-Niger Internal Regulations.

I. PERSONS PRESENT AT THE MEETING

Members of the Board present:

1. Mr. OUHOUMODOU Mahamadou, Chief of Staff of the President of the Republic, Chairman of the Board of Directors, full member ;
2. Mr. KATAMBE Issoufou, Minister of Hydraulics and Sanitation, full member ;
- 1 Mr. KADI Abdoulaye KADI, Minister of Public Works, full member ;
4. Mr ALBADE Abouba, Minister of State, Minister for Agriculture and Livestock, full member;
5. Mr GARBA Almoustapha, Minister for the Environment, Urban Health and Sustainable Development, full member;
6. Mr JIDOUD Ahmat, Minister Delegate for the Budget, alternate member ;
7. Mr BAKOYE Saadou, Secretary General of the Ministry of Planning, alternate member;
8. Mrs ELBACK Zeinabou Tani Bako, Minister for the Promotion of Women and the Protection of the Child, full member ;
9. Mr. DJADAH Abdoulaye DJADAH Abdoulaye, Vice-President of the Niger Chamber of Commerce, Industry and Handicrafts, Representative of the Private Sector, alternate member;
10. Mr. BAGNA Djibo, President of the Farmers' Platform, Representative of the Civil Society, full member;
11. Mrs. FODI Halima, President of the Coordination of NGOs and Women's Associations in Niger, Representative of the Civil Society, full member;
12. Ms. PENN Kristin, Resident Director of the MCC in Niger, full member as non-voting observer;
13. Mr. ANNOU Mamane, Director General of MCA-Niger, Secretary of the Board of Directors, full member as non-voting observer;

Members of the Board present by teleconference: None Board members absent :

- Mr. ADAMOU SOULEY Hamadou, Chief of Staff of the Prime Minister's Office, full member
- Mr BETY Ali, High Commissioner for the 3N Initiative, Full member;

Other persons present:

- Ms. SAMAKE Aminata, Acting Programme Director, Manager of Management Services and Facilitation of Access to Markets, MCA-Niger
- Mr. Soulemane KOUOTOU N'GAPOUT, Director of Legal Affairs, MCA-Niger
- Ms Hassana GOURO, Legal Specialist, MCA-Niger ;
- Mrs. Adeola-Helene OSSE FAKOREDE, Administrative and Financial Director, MCA-Niger;
- Mr. Julien TOUGOURT, Director of Monitoring and Evaluation, MCA-Niger;
- Mr. Diafarou MOUMOUNI, Irrigation Infrastructure Manager, MCA-Niger;

- Mr. Daouda SEINI DIAKITE, Road Manager, MCA-Niger;
- Mr. Jonathan ABDOU, Manager PRAPS, MCA-Niger;
- Mr. Saidou LAMINOUE, Manager CRA, MCA-Niger;
- Mr. Saliou MAMADOU DIALLO, Resettlement Manager, MCA-Niger;
- Mr. Rodrigue BATTON°, Fancier Manager, MCA-Niger;
- Mr. Hans MASRO, Strategic Communication Manager, MCA-Niger;
- Mr. Garba ILLO MOTA, Field Communication Manager, MCA-Niger;
- Mr. Abdel Kader SALISSOU IDI, Security Manager, MCA-Niger;
- Mr. Abdoul Nasser HADI GOURGOUDOU, Audit and Compliance Manager, MCA-Niger;
- Mrs. Hadiza All OUSSEINI, Head of HR and Administration, MCA-Niger;
- Mr. Farhad ABDOLLAHYAN, Head PMO Compact, UNOPS;
- Mrs. Ramatou ADAMOU OUSMANE, Communication Advisor, UNOPS;
- Mrs. Jos& LEMIEUX, MCC ;
- Mr. Moussa AMADOU, Coordinator of the Support Unit in charge of Monitoring Eligibility Indicators.

Chairman of the meeting: Mr. OUHOUMOU DOU Mahamadou, President of the Board

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

. II. PROCEDURE

At the opening of the meeting at 9.40 a.m., the President of the Board checked and confirmed :

- That the notice of the present meeting has been delivered to the members of the Board within the deadline as required by the provisions of Section 3.12 (b) (i) of the MCA-Niger By-Laws, namely June 18, 2019.
- That a quorum has been attained by the presence of a majority of the voting members of the Council, including at least one member who is not a representative of the Government in accordance with the provisions of Section 3.12 (b) (ii) of the MCA-Niger By-Laws.

He therefore declared the meeting open.

III. DEBATES AND DECISIONS ON THE ITEMS OF THE AGENDA

1- OPEN SESSION

1.1- OPEN SESSION: For approval

A - Reading of the notice of meeting and adoption of the agenda

The President of the Board opened the Eighth Ordinary Meeting by recalling the Agenda indicated in the notice to members. No member having made any amendments to the agenda, the Council adopted it on the following items

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 Third Extraordinary Session of the Board of Directors held on March 9, 2019

C- Approval of the review of the Monitoring and Evaluation Plan of MCA-Niger

D- Approval of the modification of the MCA-Niger organization chart

1.2- Open Session: for information

E- Status of implementation of the recommendations issued by the third extraordinary meeting of the Board of Directors held on March 9, 2019

F- Status of Compact projects: Irrigation

F-1. Start-up of the rehabilitation of the Konni hydro-agricultural facilities

- Selection of the company for the work

- Work Progress in the implementation of the conditions for the disbursement of funds to finance the rehabilitation of the Konni irrigated area

- RAP Implementation Plan

F-2. Sia-Kouanza hydro-agricultural facilities choice of variances

G- Work Progress of Compact projects: Roads

H- Work Progress of Compact projects: PRAPS

- Assessment of the 2019 vaccination campaign

- Project for the creation of the Sustainable Immunization Fund

- Study of the layout of the pastoral corridors of passage

I- Status of Compact projects: CRA

- Results of the 1st ' call for interest under the Grant Facility

- ICRIPs

J- Work Progress of Compact projects: Sectorial reforms

K- Administrative issues

L- Security issues

2- Executive Session :

2-1. Executive Session for notification

M- Notification of disbursement requests

2-2. Executive Session: for decision

N- Staff Taxation of MCA-Niger

2-3. Executive Session: for approval

O- Notification of an Ex post waiver request>> to the MCC Program Procurement Guidelines (PPG)

3- Miscellaneous

4- Closure

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B - Adoption of the Minutes of the Third Extraordinary Session of the Administrative Board, held on March 9, 2019

Summary of the debates : The Board made some minor technical corrections to the minutes straight away.

The debates on this item having ended, the President put to the vote the adoption of the resolution N°01.

RESOLUTION N°01 : The Board of Directors approves and adopts, unanimously of the members present the Minutes of its Third Extraordinary Session held on March 9th, 2019.

C - Approval of the review of the MCA-Niger Monitoring and Evaluation Plan (M&E)

Summary of the debates : The Director of Monitoring and Evaluation of MCA-Niger recalled that the Monitoring and Evaluation Plan (MEP) of MCA-Niger is the reference document which indicates the modalities according to which the projects of the Compact in Niger will be monitored and evaluated. Approved by the Council at its Ordinary Meeting of 3 April 2018, it is subject to periodic revisions to be submitted to the Council for approval. Notable changes in this first revision include the redefinition of certain activities and tasks, the revision of the logical frameworks of projects and activities and related assumptions, the addition or deletion of certain indicators, the modification of the formulation of certain indicators, clarifications on the baselines and targets of certain indicators and in the frequency of reporting, and the revision of the narrative text.

The Director General of MCA-Niger clarified that the monitoring and evaluation plan is a technical document required by MCC, which is developed along the same lines in all the compacts in order to allow comparison between the performances of beneficiary states.

At the end of this presentation, the Secretary General of the Ministry of Planning made some formal comments on the document, and asked for clarification on the indetermination of the value of some indicators.

The Director of Monitoring and Evaluation took note of the formal comments made, while adding that the indicators whose value is "to be determined" in the document are evaluation indicators provided for in the design of the Programme but which can only be determined on the basis of information obtained from the projects.

The debates on this item having been concluded, the President put to the vote the adoption of Resolution No. 02.

RESOLUTION N°02 : The Board of Directors approves and adopts, with the unanimity of the members present, the revision of the Monitoring-Evaluation Plan, subject to the corrections of form requested.

D APPROVAL OF THE MODIFICATION OF THE MCA-NIGER ORGANIZATION CHART

Summary of the debates: The Director General of MCA-Niger indicated that the Procurement Directorate was supported by international consultants whose contracts were expiring, hence the need to recruit a second Procurement Manager to ensure the Directorate's performance.

The same applies to the recruitment of a logistics officer within the Administrative and Financial Directorate, which is essential to ensure the management, execution and follow-up of the acquisition expenses of goods and services not subject to the execution procedures of the procurement plans.

Therefore, the General Management submits to the Board's approval the modification of MCA-Niger's organizational chart by adding the two (2) above-mentioned positions. The discussions on this information item having been concluded, the President submitted to the vote the adoption of resolution N°03.

RESOLUTION N°03: The Board of Directors approves and adopts, with the unanimity of the members present, the modification of the organizational chart of MCA-Niger by the addition of a position of Procurement Manager at the level of the Procurement Department and a position of Logistics Manager at the level of the Administrative and Financial Department.

E - Work progress of the implementation of the recommendations made during the Third Extraordinary Session of the Council held on March 9, 2019

Summary of the debates: The Director General of MCA-Niger provided an update on the recommendations made by the Council at its session on March 9, 2019. Organization of a technical seminar on RAP of Konni: The reports and documents required for the work of the RAP Konni seminar have only recently become available.

On this basis, the terms of reference for the holding of the seminar have recently been submitted to MCC on a no-objection basis. The organisation of the workshop is planned during the first half of July.

Forwarding to the members of the board , the translation into French of the documents presented at the ordinary meeting of December 20th, 2018. The translated documents were sent together with the notices of meeting for the present session.

The debates on this information item has been covered, the President moved on to the next item.

1.2- OPEN SESSION: For information

F - Status of Compact projects: Irrigation

F.1. Start of the rehabilitation of the Konni hydro-agricultural facilities Summary of discussions : The General Manager introduced the update on the progress of the Konni project with a presentation of the process of selecting the company for the works.

- **Selection of the company for the works**

The General Director of MCA-Niger indicated that the selection process of the company to carry out the works was in its final phase. The works are scheduled to start in September 2019. He referred to the problems to be solved in order to meet the established schedule, namely the satisfaction of the conditions for the disbursement of MCC funds for Konni works, the release of the rights-of-way, the availability of the land to house the Company's base and the security of the site.

The Chairman of the board wished to know the number of offers reviewed in the framework of the selection of the Enterprise and asked whether the budget set for the works covered the bidders' claims.

The Director of Procurement of MCA-Niger, who was called to intervene, replied that 7 bids from companies from various regions of the world had been reviewed by the deadline for submission of bids set on 3 May 2019. He also pointed out that an independent panel conducted a review of these bids from 4 to 17 May 2019 and that the evaluation report had rejected MCC's non-objection by 12 June 2019. He added that an analysis of the reasonableness of the offers etc. conducted by the panel and that the financial analysis was slightly below the fixed budget. The next steps in the process are the notification of the result to the various bidders, the observation of the open period for the Bid Challenge (challenges) and the handling of any challenges, before reopening negotiations with the Enterprise in July 2019.

The general Director of MCA-Niger took the floor again to present certain questions, prior to the start of the work, in particular that of the conditions prior to the disbursement of the funds provided for this purpose by MCC.

- **State of implementation of the conditions for the disbursement of funds for the rehabilitation of the irrigated perimeter of Konni**

- **Sokoto Agreement and Niger Basin Water Charter**

This requirement falls within the framework of the Konni Project's obligation to comply with the international obligations of the Government of Niger. As far as this subject is concerned, the Ministry of Foreign Affairs has, after a legal opinion issued in 2017, identified two relevant treaties: ('Sokoto Agreement of October 5th, 1998 and the Niger Basin Water Charter)

Indeed, the legal opinion, the conformity with the Sokoto agreement implies not only the obtaining of the expression non-objection of Nigeria on the project, during the meeting of the Niger-Nigerian Joint Commission, the minutes of the meeting being authentic; but also the non-objection of the NBA (Niger Basin Authority) following the transmission of the Environmental and Social Impact Assessment (EIES) report

The non-objection of the Federal Republic of Nigeria: With the post-electoral situation in Nigeria, it has become difficult to predict the date of the above-mentioned meeting. Faced with this situation, MCC has agreed to take into account the Wrier Memorandum of Understanding 2018, pending the conditions for holding a meeting of the Joint Commission. In the meantime, the Government of Niger will continue to seek Nigeria's formal non-objection to this project. In the event that a meeting of the Joint Commission is held, MCC requests that the minutes of the meeting should state that "The State of Nigeria has no objection to the implementation of the activities to be undertaken under the Compact. »

The non-objection of the NBA (Niger Basin Authority) : The report of the Environmental and Social Impact Studies (ESIES) was forwarded to the NBA through the Ministry of Hydraulics and Sanitation, and then the non-objection of this institution was received.

➤ **Qualified technical officers in COFOCOMs**

The provision of qualified technical staff to support the Konni, Tsernaoua, Gaya, Tanda and Tounouga COFOCOMs is another prerequisite for the disbursement of funds for the Konni project.

The five (5) officers have been appointed and have taken up service in their respective communes of assignment (Konni, Tsernaoua, Gaya, Tounouga, Tanda).

However, some of these ATQs are not present at their posts, and the question of payment of their duty allowances has been raised. Others have been assigned to an ATQ post cumulatively with their basic function, which poses a problem of permanent availability and full dedication to the tasks of accompanying the communes.

However, MCA-Niger has invited all ATQs to an immersion workshop on their tasks, roles and attributions scheduled from 11 to 14 June 2019 in Dosso.

The General Management requests the board to authorize the assumption of the function allowances of the ATQs by the Support Unit for the Compact Program.

The members of the Council took note of the information relating to the compliance with the Sokoto Agreement and the Niger Basin Charter. The President put to the vote the adoption of the resolution N°04 concerning the payment of ATQs' function allowances.

RESOLUTION N°04 : The Board of Directors requests, a majority of the voting members present, that the Compact Programme Support Unit pay the allowances of the Qualified Technical Agents appointed in the COFOCOMs of Konni, Tsernaoua, Tanda, Tounouga and Gaya communes.

■ RAP implementation plan

A second prerequisite for the start of Konni's work is the implementation of the RAP and the release of the rights of way. Regarding the status of this activity, MCA-Niger's Relocation Manager indicated that the process, according to IFC standards, has led to the identification of impacts (goods) and people affected by the project (PAP) and the development of a draft RAP, which is currently under technical review by MCA-Niger. The release of the rights of way for the beginning of the works is scheduled for October 15, 2019.

The General director of MCA-Niger noted some particular cases among the identified impacts; the service station located on the easement zone, as well as a 6,327.17 m² parcel of land belonging to an authority.

The President of the board indicated, concerning the parcel, that its implantation on this zone is due to an error of authorization granted in the past. Regarding the parcel, he drew attention to the need to verify, before compensating the identified holder, the regularity of the acquisition of this parcel in an area belonging to the public domain, in order to preserve the reputation of MCA-Niger. The Manager of the Reinstallation replied that this is a recent acquisition, following a transfer title issued by the Commune. The Minister of Equipment suggested that the soft file be red tuned: it indicated, in fact, that COFOCOMs are not empowered to issue such land titles; they only issue certificates of detention.

F. 2. Sia-Kouanza hydro-agricultural facilities: Choice of variants

Summary of the debates : The Director General of MCA-Niger introduced this point of information by recalling that Sia-Kouanza is a project for the construction of a new hydro-agricultural development in Gaya area , for which preliminary studies are underway.

The floor was then given to the Manager of Irrigation Infrastructures of MCA-Niger who indicated that the interim APS/EIES report prepared by STUDI INTERNATIONAL was submitted on 24 June 2019. This report mentions three (3) variants of perimeter development (irrigable zones). It shows a maximum developable area of 3 200ha, (including 2400ha of basins and 930ha of low terraces), an area reserved for grazing of about 215ha, a diking system of about 351m.

The General Director of MCA-Niger has specified that the abovementioned amenable surface is a maximum surface in the absence of any constraints, namely budgetary, temporal and socio-environmental.

At the end of this presentation, the President of the Board asked whether the rate of progress of the Sia-Kouanza project would allow for the optimal use of resources for the execution of these works before the end of the Compact.

The Manager of Irrigation Infrastructures answered in the affirmative, by presenting the current planning for this project: the studies must be completed early 2020, in order to allow the launching of the tendering documents in March 2020 and the execution of the works for a duration of 18 months between July 2020 and January 2022. The first crops on the perimeter will start to be cultivated during the 12-month guarantee period after the end of the works.

G - Work Progress of Compact projects: Roads

Summary of the debates: The Road Manager of MCA-Niger introduced this information point by recalling the characteristics of the infrastructures planned within the framework of the roads project.

Thus, the RN35 is a mud road of 179.32km long which mainly crosses the localities of Margou -Falmey Sambera -Duna- Sia-Tanda-Gaya. With regards to the RRS, it is also a mud road of 36.6 km which mainly crosses the localities of Guitodo (junction with RN7) and Sambera.

Thus, the RN7 is a road covered with innovative material, adapted to the high traffic on this section (T4 traffic, i.e. about 24 million vehicles per year). The road is 82.66 km long and passes mainly through the towns of Dosso - Guitodo - Bella.

The APD studies for the construction of these structures, entrusted to the AIC PROGETTI firm for the RN35IRRS and to the Louis Berger/AGEIM consortium for the RN7, are currently being reviewed and validated by MCA-Niger.

The launch of the Call for Tenders for the works on the RN35 and the RRS is scheduled for October 2019, for a contract signature envisaged in February 2020. The works are scheduled to begin in March 2020.

With regard to the RN7, the launch of the Call for Tenders for these works is scheduled for the month of August 2019, with signature of the contract envisaged in January 2020. The works should start in February 2020.

The major challenges for the realization of the whole of these works (RN35IRRS and RN7) are essentially the resettlement of populations in the large localities crossed, in particular the crossing of Dosso on 2.4 km for the RN7.

The discussions on this information point having been completed, the President moved on to the next point.

H - State of progress of Compact projects: PRAPS

Summary of the debates : The general Director of MCA-Niger gave the floor to the PRAPS Manager of MCA-Niger for this presentation.

- **Assessment Report on the 2019 Immunization Campaign**

The PRAPS Manager of MCA-Niger indicated that MCA-Niger has taken charge of all the needs expressed by the Ministry of Agriculture in the context of the organization of the 2018-2019 vaccination campaign, for a total amount of US\$4,301,296, or about 2,516,258,219 FCFA. The vaccination coverage rate targeted by the MCA-Niger, in accordance with OIE recommendations within the framework of the overall PPR eradication strategy, is 80% for cattle (vaccine against Contagious Bovine Poripneumonia / CBPP) and for small ruminants (vaccine against Plague of Small Ruminants).

The provisional vaccination coverage rates obtained, and compared with those of the previous vaccination campaign financed by the World Bank, are as follows:

- 71% for cattle, against 29% during the 2017-2018 campaign, a variation of 42%.
- 85% for small ruminants, against 70% during the 2017-2018 campaign, i.e. a variation of 15%.

It can be seen that the objective has been achieved for small ruminants. For the cattle, the result obtained is largely above that of the preceding campaign.

To conclude, the targeted vaccination coverage rate would be largely exceeded if the payment of agents had not been delayed due to inadequacies in the Implementation Agreement signed between MCA-Niger and the Ministry of Agriculture (in rounds of review). These difficulties could be resolved in the future with the establishment of a Sustainable Vaccination Fund.

Following this presentation, the President of the board wished to know whether the rate of vaccination coverage indicated was calculated on the basis of the national herd or on the basis of a defined target, and what were the available arrangements for the management of transhumance. The PRAPS Manager replied that the vaccination campaign is aimed at an eligible target within the national herd (e.g. animals over one year old for cattle). Taking transhumance into account requires the launch of the vaccination campaign in November, before the departure for transhumance.

- **Project for the creation of the Sustainable Vaccination Fund**

MCA-Niger has launched a consultation to develop a sustainable financing strategy for livestock immunization that is not dependent on traditionally allocated resources. The objective of this study is to develop a mechanism for public financing of the immunization campaign, based on transparency, accountability of funds and services, control, stakeholder participation and efficiency. The stakeholders that would be involved in this reform are essentially the Ministry of Agriculture, the Ministry of Finance, the Ministry of Trade, the Ministry of the Interior, and the Ministry of Territorial Development and Community Development, but also pastoral organizations, the private sector, civil society, etc.

This study will last fifteen (15) months and the May of the reform's operationalization can be estimated at a minimum of one (1) year. To date, the consultant has already provided two deliverables: methodological approach and work plan; institutional analysis of the mechanisms for financing immunization campaigns in Niger). The 3rd deliverable, which is the most decisive for this study, is expected for the 3rd quarter of 2019. This is the commitment plan for the stakeholders mentioned above.

The Deputy Chairman of the Chamber of Commerce noted that the presentation does not provide an overview of existing public financing for vaccination campaigns, particularly the fund managed by the Office of the Prime Minister.

The State Minister, Minister of Agriculture and Livestocks noted that the need for a fund for the sustainable financing of vaccination campaigns has already been formulated within the framework of the Government's Renaissance Program and the 3N Initiative; the proposals of the consultant selected by MCA-Niger will support the implementation of this project.

The Director General of MCA-Niger added that ('the commitment of the stakeholders in this project is mainly aimed at the Ministry of Finance, which would be in charge of the operations of deduction and/or collection of taxes from livestock farmers. He then asked whether the Ministry of Agriculture and the Ministry of Planning had been able to obtain a firm commitment from the World Bank to co-finance the 2019-2020 vaccination campaign. The State Minister, Minister of Agriculture and Livestock replied that discussions with the World Bank on this subject were ongoing.

- **Study of the development plan for pastoral corridors**

The PRAPS project provides for the development of 4 international transhumance corridors in each of the regions of Maradi (180 km), Tahoua (220 km), Tillabery (400 km) and Dosso (150 km). The works will include the construction of markers, wells and boreholes, the restoration of degraded areas and the provision of land security in rural areas.

The technical studies have begun for Lot 1 (Tillabery-Dosso), with a national workshop to launch the activities of the selected consultant on May 14, 2019, followed by regional workshops in Dosso on May 28, 2019 and thereafter. Tillabery on May 30, 2019. For batch 2, the procurement process for the selection of the Consultant is underway. The technical studies aim at drawing up a list of the corridor sites and proposing sub-projects of improvements which will be financed after the promotion of the actions and obtaining the social agreements.

At the end of this presentation, the Vice-President of the Chamber of Commerce made the remark that pastoral corridors are rarely lost and asked what mechanisms could be used to secure them. The Minister of State, Minister of Agriculture and Animal Husbandry added that pastoral corridors, which have been delimited since the colonial era, are now reduced to tracks, particularly in the south of the country, as a result of lax management by the administrative authorities on the ground. He suggested that it should be proceeded to a securization of these spaces, with the support of the Permanent Secretariat of the Rural Code, before developing any facilities there.

The President of the Farmers' Platform also stressed the problem of illegal occupation of pastoral corridors, calling for greater rigor on the part of the authorities in protecting these areas. The President of the Council replied that, since these areas belonged to the public domain, security was to be ensured by means of land registration and the adoption of protective regulatory measures.

The Director General of MCA-Niger concluded by pointing out other constraints on the implementation of the project to develop pastoral corridors, namely : the security situation (particularly in Tillabéri) and the length of the corridors, which implied a need for prioritization.

The discussions on this item of information having been completed, the President moved on to the next item.

I - Progress of Compact projects: CRA

Summary of the debates : The CRA Manager of MCA-Niger started this presentation by recalling that the Climate Resilient Agriculture (CRA) project has two components: the promotion of private initiative through the Subsidy Facility (18 communes concerned) and the promotion of community initiative through the Integrated Climate Resilient Investment Plans (ICRIPs - 16 communes concerned).

- Assessment of the third call for proposals under the Grant Facility

The Grant Facility project, in the amount of US\$ 11,500,000, is partly funded by USADF (US\$ 9,000,000), according to the terms of the Memorandum of Understanding signed between this entity and MCA-Niger on October 5; 2018.

In this context, a first call for proposals was launched by USADF on January 28, 2019 and closed on 10 March 2019. 591 applications were received, 27 of which are empty or constitute duplicates. Of the 564 applications processed, 46 applications were preselected, including 12 women's POs (Producer Organizations), 3 youth POs, 25 mixed POs, and 6 SMEs, for a maximum amount of USD 282,121 and a minimum amount of USD 12,997.

The 46 preselected applications are distributed among the following municipalities: Koure (2), Libore (3), N'Dounga (6), Karkibangou (5), Sakadamna (7), Mokko (3), Tanda (2), Konni (1), Guidan Roumdji (12), Chadakori (3), Maradi (1) and Niamey (1). After MCA-Niger's non-objection, USADF has deployed its teams to the various communes concerned by the projects selected, with the aim of assisting the selected promoters in the development of the projects.

Following this presentation, the Minister of State, Minister of Agriculture and Livestock, expressed surprise at the large number of applications submitted and rejected after study. The CRA Manager replied that the vast majority of the 564 dossiers submitted were duplicates.

Indeed, in practice, specialized firms would take on the task of compiling dossiers on behalf of producer organizations, and do not hesitate to formulate strictly identical project proposals to several organizations.

The Vice-President of the Chamber of Commerce added that this type of fraudulent behaviour could also be observed within the Community. producer organizations, which makes the loan recovery more complex. He went on to stress the difficulties for these organizations in finding effective support structures. The CRA Manager replied that USADF is specialized in the accompaniment, from the deployment of the teacher to the exit plan.

The representative of the Farmers' Platform added that the actors of civil satiation are carrying out actions to sensitize producers on private initiative and the sustainability of these initiatives.

The Representative of Women's Civil Society Organizations pointed out that some communes concerned by eligible applications and some selected ones are not among the 18 communes targeted by the Subsidy Facility. The CRA Manager replied that the files concerning these communes are eligible because they have an impact on the target communes.

- ICRIPs

ICRIPs are community-level investment plans developed from the development objectives related to the promotion of climate resilience contained in communal development plans (CDPs). Sub-ICRIPs are public investments that generate public goods and business opportunities for the benefit of vulnerable populations in the municipality. As the Director General of MCA-Niger pointed out, the ICRIPs approach is a "mini-Compact": it consists in identifying eligible projects whose only constraint is financing.

Within this framework, the target communes will each benefit from an investment of about 2 million dollars. They are Tessa, Mokko, Tombo Koirey I, Tombo Koirey II, Kargui Bangou, Guidan Roudji, Chadakori, Dan Goulbi, Saban Machi, Birni N'Konni, Tsernaoua, Malbaza, Doguerawa, Koure Libore and N'Dounga.

The contract for the consultation and development of the ICRIPs and sub-ICRIPs signed with the MSA firm expired on 17 May 2019, whereas the Consultant has delivered by this date only the four (4) ICRIPs and sub-ICRIPs of the pilot phase. The poor quality of the deliverables provided by MSA and the limited capacity of its teams to effectively take into account the observations made by MCA-Niger and MCC to finalize the said deliverables justifies the delay in carrying out the services provided for in the Contract, and the incompleteness of these services. Moreover, the road map proposed by MSA to make up for the delay was not satisfactory to MCA-Niger.

MCA-Niger will mobilize its regional CRA teams, accompanied by the technical services and one facilitator per region, to help improve the twelve (12) remaining ICRIPs and sub-ICRIPs. With regard to the implementation of the sub-ICRIPs valid for the four (4) pilot communes, MCA-Niger has begun the process of recruiting consultants.

The Resident Director of MCC-Niger concluded this presentation by calling upon the communes to prioritize the investment domains in the framework of the ICRIPs, as they are an important part of the funding limits. In particular, it noted that the development of agroforestry and the land restoration (technical example of the half-moon) are complementary to the Compact irrigation projects in Niger.

The discussions on this information item having been concluded, the Chairman moved on to the next item.

J- State of progress of the Compact's projects: Sectorial Reforms

- **Fertilizer sector reform**

Summary of the debates : The Director of Programme of MCA-Niger presented the progress made in the framework of the fertilizer reform.

The institutional, legal and regulatory framework of the reform is in place, since the official installation of OMEN and COTEN on April 2019. The next steps in this component are the creation and operationalization of the Common Fund for Fertilizers, the institutional audit of CAIMA and the revision of SIAD (Strategic Decentralized and Partnership Input Supply for Sustainable Agriculture).

Within the framework of the renewed subsidy programme, OMEN and COTEN held a session in May 2019 during which the criteria for identifying the producers benefiting from the previous subsidy were defined. IFDC has also conducted a mission to the pilot communes to analyze the availability of private actors for the subsidy programme (producers, private sector, control mechanism, etc.) and is developing an appropriate model of the voucher system to be deployed in the dry season 2019 - 2020.

Similarly, a census of private actors in the fertilizer sector in all 8 regions of Niger has just been completed and will serve as a tool for OMEN and COTEN for the promotion and capacity building of this sector.

A first information campaign on the reform has reached all regions of the country through a caravan led by IFDC, MAGEL, OMEN/COTEN, Support Unit, MCA-Niger. High-level meetings to inform stakeholders and decide on certain related issues such as the transitional period, or the role of the actors, have taken place and are continuing. OMEN and COTEN have developed action plans for 2019 which include several communication operations. An overall communication plan for the reform is being deployed.

These significant advances demonstrate the Government's willingness to achieve the objectives. However, the resistance of certain TFPs operating in the fertilizer sector to adhere to technical options (such as the duration of the transitional period and the establishment of the Common Fertilizer Fund) taken by the Government through the OMEN and COTEN bodies is an obstacle to the success of the reform. On this subject, it is necessary to recall the requirement not by MCC in its letter to the Government dated 18 March 2019 "To refrain from signing programme agreements financed by donors or

amending the existing ones». Until OMEN and COTEN have reviewed and advised the Government on alignment with the Fertilizer Action Plan >>.

The Acting Programme Director concluded by noting that MCC shares with MCA-Niger the Government's commitment to reform; however, measures must be adopted quickly to facilitate implementation.

The President of the Council reaffirmed the Government's commitment to the success of the reform of the fertilizer sector. He indicated in particular that a coordination meeting would be held on 28 June on this subject.

The Minister of State, Minister for Agriculture and Animal Husbandry reacted to him on the question of the creation and operation of the Common Fertilizer Fund, on which some partners seemed reluctant. He recommended that sensitization actions be carried out among these actors so that they align themselves with the Government's policy for the creation of the Common Fertilizer Fund.

- **Road maintenance reform**

Summary of the debates : The Road Infrastructure Manager of MCA-Niger introduced this presentation by recalling that the key institutions of the road maintenance reform have been created by Government decree: the 2nd Generation Road Maintenance Fund (FER2G), the Road Maintenance Delegated Contracting Agency (AMODER) and the Road Maintenance Current Audit Unit (CACER). The FER2G is in operational towers and will soon start its activities. The statutes of AMODER and CACER have been adopted by the Council of Ministers on June 7, 2019.

However, the Pluri-Annual Road Maintenance Plan, the basic tool for the functioning of these institutions and, therefore, the implementation of this reform, remains to be finalized. A draft of this Plan has been prepared with the technical assistance of the EU, and has yet to be validated by the Ministry of Public Works and the TFPs involved in this sector. It should be noted that the adoption of this Plan is a precondition for the first disbursement of the Compact funds for road construction works.

The Minister of Public Works expressed his satisfaction with the progress made by Petat in the activities of the Roads Project. He recalled the relevance of the road maintenance programme (Management and Maintenance by Levels of Service - GENiS) but raised the problem of its financing.

The Chairman of the Council replied that the objective of the multi-annual programme was a response to this problem, since it was a question of forecasting the road maintenance budget, the need for resources and the necessary arbitration with the works budget. He then pointed out that the structure of the Dosso-Bella II section will be more resistant than that of the Bella II-Gaya section, which will lead to a dissimilarity in the level of wear and tear on this road. The Road Manager replied that this frame will indeed have to be taken into account by the company in charge of the maintenance of RN7. He added that the main problem for the maintenance of the RN7 is the excessive axle load, and that measures must be taken to remedy this.

The Minister of Equipment said that the solution of this problem required coordinated action by the Member States of the WAEMU and that it would be on the agenda of the next meeting planned within this framework.

The President of the Council then asked for the progress of the RN35 asphaltting project, to which the Government has committed itself. The Minister of Public Works replied that they were awaiting the validation of the studies conducted by MCA-Niger in order to select a firm for this additional work.

To conclude, the Director General of MCA-Niger added that the investigations carried out by the Consultants within the framework of the APD/EIES studies relating to the RN35IRRS and RN7 roads have highlighted budget overruns which have led to proposals for reallocations. These proposals are currently being analyzed and will soon be submitted to the Council for approval.

The discussions on this item of information having been completed, the President moved on to the next item.

Summary of the debates : The Director General of MCA-Niger informed the Board of the actual recruitment of almost all the staff provided for in MCA-Niger's organizational chart, i.e. 64 out of 66 persons. In addition, he stated that MCA Niger is now endowed with a human resources manual approved by MCC.

The discussion on this information item having been completed, the President moved on to the next item.

K. Administrative issues

Summary of the debates : The Director General of MCA Niger informed the Board of the effective recruitment of almost all the staff envisaged in MCA Niger's organizational chart, i.e., 64 out of 66. He also indicated that MCA Niger has now a human resources manual approved by MCC.

As the debates on this information item were completed, the Chairman moved on to the next item on the agenda.

L - Security issues

Summary of debates : The Director General of MCA-Niger gave an update on security risk management in the Compact implementation missiles. Indeed, 14 nationalities are represented among the staff of MCA-Niger and its partners, which accentuates the security threat. Similarly, the Compact operates in four regions of Niger, including high-risk areas. In this context, MCA-Niger has drawn up a Security Plan along the lines of the MCC Security Plan but also the National and Regional Plans.

The discussions on this information point having been completed, the President moved on to the next item.

2. EXECUTIVE SESSION

2.1- EXECUTIVE SESSION: for notification

M - Notification of disbursement requests

Summary of the debates : The Managing Director of MCA-Niger notified the Board of all disbursement requests approved by him under the 609 (g), Compact Development Funding, and Program Funding since the signing and entry into force of the 609 (g) Agreement and the Compact Agreement.

This notification is made in accordance with section 3.4 of the MCA-Niger Bylaws, and Resolution No. 7 adopted by the Board of Directors at its ordinary meeting held on April 28, 2018.

After the Board had reviewed and discussed the documents submitted, the Chairman of the Board put Resolution No. 05 to a vote.

RESOLUTION N°05 :The Board of Directors takes note of the notification of the disbursement requests approved by the General Director.

The discussions on this item of information having been completed, the Chairman moved on to the next item.

2.2- EXECUTIVE SESSION: for decision

N - Staff taxation of MCA Niger

Summary of the debates : The Director General of MCA-Niger submitted to the Council for consideration the problem of the difference in tax treatment among the staff assigned to the Compact's activities, to the detriment of MCA-Niger's Nigerian staff. He recalled in particular that at its meeting held on 15 June 2018, Council had examined this issue and recommended that MCA-Niger refer the matter to the Minister of Finance for a solution to be found to this situation, suggesting that an exceptional exemption of 1UTS be granted to MCA-Niger's Nigerian staff. MCA-Niger's attempts to find a solution to this problem have not been successful.

After examining and discussing the matter submitted, Council recommended that the Government take steps to amend the Compact Agreement to allow for the exemption of Nigerian employees at PMTS.

The discussions on this item having been concluded, the Chairman moved on to the next item.

2.3- EXECUTIVE SESSION: for approval

O - Approval of an "Ex-post waiver request" to the MCC Program Procurement Guidelines (PPG)

Summary of the debates : The Managing Director of MCA-Niger submitted to the Board for approval a draft request for exemption from MCC's Procurement Procedures, which MCA-Niger prevails to address to MCC.

After the Board had reviewed and discussed the documents submitted, the President put Resolution No. 06 to a vote.

RESOLUTION N°06:

The Board of Directors approves, by a majority of the voting members present, the "Ex-post waiver request" to be addressed to MCC.

3. MISCELLANEOUS

The Resident Director of MCC-Niger informed the Board of the opening of an investigation by the MCC Office of Inspector General following suspicions of leakage of budgetary information in the framework of a tender procedure launched by MCA-Niger. This is a serious breach of MCC and MCA-Niger's confidentiality policy and MCA-Niger is subject to sanctions with serious consequences for the Compact. She recalled that all MCA-Niger staff, MCC and their partners, as well as the members of the Board of Directors have committed themselves, in the course of their duties, to respect the confidentiality policy. MCC relies on the support of the Board of Directors to ensure that these commitments are met and to preserve the Compact.

The Chairman of the Board wishes to reassure MCC that the Board does not receive any confidential information relating to procurement procedures. He added that the Government is concerned about the reputation of MCA-Niger and MCC and supports MCC in the fight against fraud and corruption under the Compact in Niger.

The President of the Council then informed members of the visit of a mission to Niger which brought together several countries within the framework of the Regional Compact project. The Regional Compact brings together two or more eligible countries. The mission was composed of delegations of Burkina Faso, Cote d'Ivoire, Ghana and Benin. Benin and Niger having submitted a proposal for a project on the road transport corridor between Cotonou and Niamey.

The talks will be going between the two States on this subject.

The agenda of the meeting having been completely covered, the President of the closed at 1:35 pm

Signed by:

Mr Annou Mahamane , secretary of the meeting

Mr Mahamadou Ouhoumoudou; chairman of the board