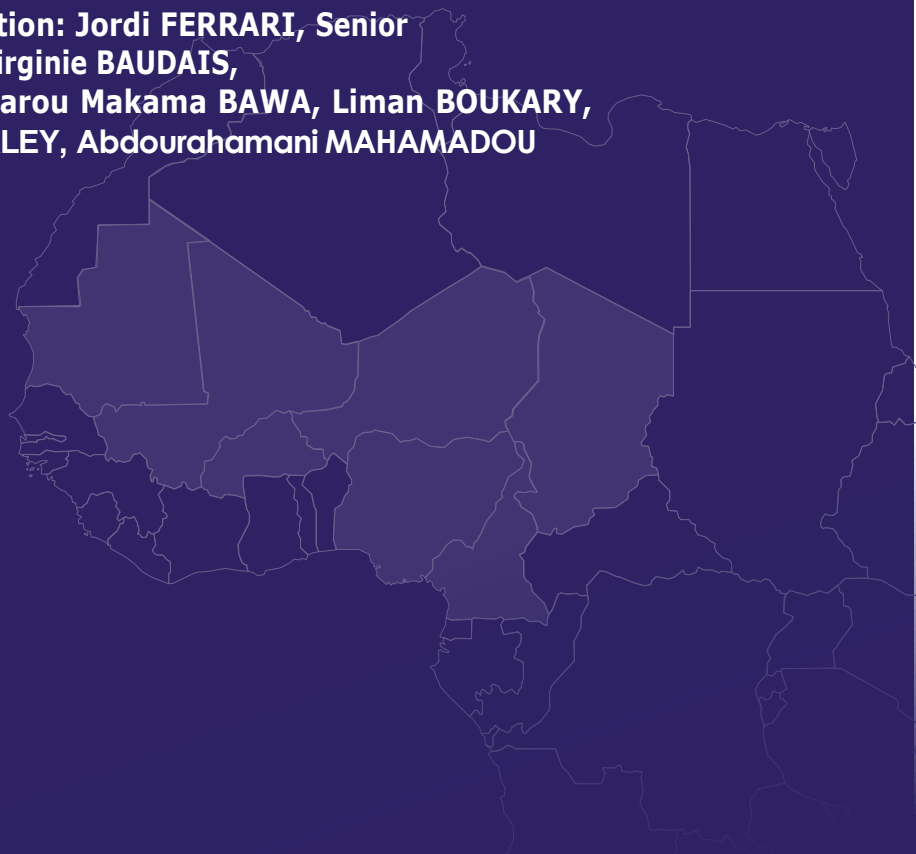


Analysis of vulnerability and resilience factors in governance in Niger

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SIGLES ET ABBREVIATIONS

AFD:	Agence Française de Développement (French Development Agency)
ANFICT:	Agence Nationale de Financement des Collectivités Territoriales (National Agency for the Financing of Local Authorities)
WB:	World Bank
CAPEG:	Cellule d'analyse des politiques publiques et d'évaluation de l'action gouvernementale (Public Policy Analysis and Government Action Assessment Unit)
CFGCT:	Centre de Formation en Gestion des Collectivités Territoriales (Management Training Centre for Local Authorities)
CR:	Conseil Régional (Regional Council)
CT:	Collectivité Territoriale (Local Authority)
DGDCT:	Direction Générale de la Décentralisation et des Collectivités Territoriales (Directorate-General for Decentralisation and Local Authorities)
DPPD:	Document de Programmation Pluriannuel des Dépenses (Multiannual Expenditure Planning Document)
ENA:	École Nationale d'Administration (National School of Administration)
HACP:	Haute Autorité à la Consolidation de la Paix (High Authority for Peace Consolidation)
HCI3N:	Haut-Commissariat à l'Initiative 'les Nigériens nourrissent les Nigériens' (High Commission for the 'Nigeriens feed Nigeriens' initiative)
HCME:	Haut-Commissariat à la Modernisation de l'État (High Commission for State Modernisation)
MATD:	Ministère de l'Administration Territoriale et de la Décentralisation (Ministry of Territorial Administration and Decentralisation)
MFF:	Multi-Tranche Financing Facility
MFP/RA:	Ministère de la Fonction Publique et de la Réforme Administrative (Ministry of the Civil Service and Administrative Reform)
MinFin:	Ministère des Finances (Ministry of Finance)
UN:	United Nations
NGO:	Non-Governmental Organisation
PDC:	Plan de Développement Communal (Commune Development Plan)

PDES:	Plan de Développement Économique et Social (Economic and Social Development Plan)
PDR:	Plan de Développement Régional (Regional Development Plan)
PGME:	Pôle Gouvernance et Modernisation de l'État (State Governance and Modernisation Unit)
PNME:	Politique Nationale de Modernisation de l'État (National State Modernisation Policy)
TFP:	Technical and Financial Partner
EU:	European Union

EXECUTIVE SUMMARY

In 2013, Niger adopted a national policy to modernise the state, which was intended to 'make public action more effective and improve the performance of public administration'.¹ Our research has revealed:

1. **There is weak institutionalisation of administrative and political roles:** the three main problems identified are under-administration, politicisation and the ageing of senior management. These problems are compounded by the under-representation of female staff.
2. **The present study shows that there are major differences between mission administrations that are very well supported** by technical and financial partners (TFPs) and, on the other hand, central administrations that depend solely on funding from the state, whose situation is very precarious.
3. **Administrative deconcentration is a key weakness in administrative and territorial governance. TFPs and NGOs appear to play a structuring role in development,** which leads to a lack of coordination and coherence between projects. This, in turn, fuels a **sovereignist discourse**.

Certain resilience factors do, however, allow for national and social ownership of territorial governance reforms:

1. **At the national level, the creation of local public services across the territory and financial decentralisation** (the transfer of funds from the state to the local level) are fundamental.
2. **The resilience of public servants, who make their institutions and services work** despite all the difficulties identified, is important.
3. **The representations of the state at the local level are varied and are part of a form of 'bottom-up' administrative governance.**
4. **Giving meaning** to the levying of taxes would offer a means of ensuring social ownership of local governance.

However, the progress of public governance reforms is being hampered by an ineffective management style and by the reluctance of civil servants to adopt results-based management.

1. **The political reform agenda is proactive but faces major operational limitations.** The Plan de Développement Économique et Sociale (PDES, Economic and Social Development Plan) is the reference document for all of Niger's administrations, but its result indicators are formulated in too non-specific a

way to serve as a support for the operationalisation of governance reforms¹.

2. **In terms of budget support for the governance sector**, the main current interventions are financed by the European Union (EU) and the World Bank (WB). Territorial governance is an important allocation point for several performance indicators.
3. **French financial support using Minka funds should first** focus on coordination and complementarity and on strengthening the bond of trust between institutions and citizens. To provide long-term gains, financial support should target structural reforms to governance.

1. INTRODUCTION

In the current Sahelian context, and until the coup d'état of 26 July 2023, Niger was an exception compared with its neighbours. Whereas the 1990s and 2000s were marked by a succession of political crises and military coups, in the period from 2011 to 2023 the country saw a change in the political and institutional context and the implementation of administrative and financial reforms. Nonetheless, Niger's stability was questionable, and governance remained fragile, whether due to structural weaknesses or threats from violent extremist groups. The coup d'état on 26 July 2023 has left considerably uncertainty about the country's institutional trajectory. The present study, conducted between March and June 2023, consists of an analysis of the vulnerability factors and resilience mechanisms of public governance in Niger.

In 2013, Niger adopted a **politique nationale de modernisation de l'État (PNME, National State Modernisation Policy)**, defined as 'a process of reforms designed to make public action more effective and improve the performance of public administration', with the aim of promoting effective institutions and 'designing more modern working procedures, to better serve users'.² This study therefore looked not only at the means used to achieve these objectives, but also at the 'real' behaviour of public servants, in order to assess the gaps between the 'practical norms',³ official norms and 'critical nodes' specific to each administration studied.⁴

¹ Republic of Niger, Office of the Prime Minister, Haut-Commissariat à la Modernisation de l'État, Document de politique nationale de modernisation de l'État, July 2013, pp. 47 and 48

² Republic of Niger, Office of the Prime Minister, Haut-Commissariat à la Modernisation de l'État, Document de politique nationale de modernisation de l'État, July 2013, pp. 47 and 48.

³ Jean-Pierre Olivier de Sardan, *La revanche des contextes*, Paris, Karthala, 2021, p. 121.

⁴ See the many LASDEL studies, in particular: Abdoua Elhadji Dagobi, 'La direction générale de la comptabilité publique et du Trésor', *Études et Travaux*, 116, July 2015; Oumarou Hamani, 'Le tribunal de grande instance hors-classe de Niamey', *Études et Travaux*, 117; Nana Issaley, 'Les services de l'élevage dans les départements de Gouré et Tesker: entre complexités pastorales et débrouillardises', *Études et Travaux*, 118, December 2014; Jean-Pierre Olivier de Sardan, 'Des contextes particuliers à chaque métier de l'État', *Études et Travaux*, 120, October 2015.

The state is the result of an everyday process of construction. The present study proposes to analyse the concepts of vulnerability and resilience in the light of the main institutional weaknesses that are determining factors in the crisis of public governance in Niger. While certain weaknesses (circumvention of the state, external influence on public policies, the politicisation of public administration, lack of training for public servants, etc.) are neither new nor specific to Niger alone, all these weaknesses were mentioned by our interviewees as major problems of public and territorial governance. Institutional weaknesses increase **vulnerability to political, socio-economic, health and security crises.**

The study aimed to identify: the **actors involved in governance**, their capacities, their interests and the relationships (of trust, mistrust, power, etc.) between them; the **factors of vulnerability at work, through the poor functioning of mechanisms and processes of governance**, which limit public authorities in the exercise of their regalian missions, prevent populations from accessing government services, and undermine trust between citizens and the authorities; and **resilience factors in the field of governance**, which contribute to social cohesion and which it would be beneficial to support in order to help consolidate peace.

2. REFORMING ADMINISTRATIVE GOVERNANCE : THE QUEST FOR AN EFFECTIVE STATE...

From the time of its adoption in 2013, the PNME has undertaken the process of modernising public services. While the problems afflicting the state of Niger – and their remedies – are well identified and reiterated in all the framework documents for state modernisation and reform, the process of decentralisation reforms still comes up against two major constraints: the first is the central state's limited capacity to transfer powers and the associated resources; the second is the external nature of the reforms, which are defined with reference to global norms, without attention to the specific context.⁵ These reforms, which were intended to reduce 'over-administration' by creating a more streamlined state, have, in fact, deprived the state of certain prerogatives by circumventing it, producing unintended effects at both the central state and local authority levels. Our study highlighted an institutional fragmentation and a weakening of the role of the central state as planner and guarantor of the general interest, on the one hand, to the benefit of mission administrations/institutions and, on the other, to the benefit of TFPs and NGOs. This contributes to the weakening of central services, and therefore also of deconcentrated services, and to an increase in territorial and programmatic inequalities,

⁵ Mahaman Tidjani Alou, 'Globalisation: l'État africain en question', *Afrique contemporaine*, 199, July-September 2001; Dominique Darbon, 'Uniformisation et globalité: les nouvelles ambiguïtés des administrations africaines', *Afrique Contemporaine*, 199, July-September 2001.

to the detriment of populations.

2.1. Fragility: institutional competition as a factor in weakening the central state

The reform of the state is supported by central administrations on the one hand, and by mission administrations on the other. On the side of central government, several departments are responsible for implementing the reform of the state: the Ministry of the Interior (with responsibility for steering and coordinating decentralisation), the Ministry of Economy and Finance (MinFin), the Ministère de la Fonction Publique et de la Réforme Administrative (MFP/RA, Ministry of the Civil Service and Administrative Reform), and the Ministère du Plan et du Développement communautaire (Ministry of Planning and Community Development).

Alongside the central government and its branches, a number of mission administrations also have a mandate to reform and modernise the state. A mission administration is a body created for a given period with a specific mission to fulfil: it is a structure that is intended to be 'flexible' and supposedly more operational, with the role of helping the government design administrative reforms. A mission administration is generally made up of members drawn from the ministries, who represent the interests of their own ministries and also potentially have conflicting interests. These administrations are often better equipped and better supported by TFPs, who prefer rapid results and are more inclined to turn to mission administrations, particularly those that have less cumbersome procedures and whose actions are more visible. There are currently several mission administrations devoted to governance in Niger, and this compartmentalisation is all the more entrenched given that there appear to be no plans to transfer powers to central administrations:

- **The Agence Nationale de Financement des Collectivités Territoriales (ANFICT, National Agency for the Financing of Local Authorities)** is a subsidising body, one of whose functions is to correct territorial imbalances. In a fragmented institutional landscape, there are overlaps between ANFICT's remit and that of the Ministry of the Interior's Direction Générale de la Décentralisation et des Collectivités Territoriales (DGDCT, Directorate General for Decentralisation and Local Authorities), as well as with the Centre de Formation en Gestion des Collectivités Territoriales (CFGCT, Management Training Centre for Local Authorities), which is attached to the Prime Minister's Office via the École Nationale d'Administration (ENA, National School of Administration). Areas of duplication with the work of the Haut-Commissariat à la Modernisation de l'État (HCME, High Commission for State Modernisation) and the Haute Autorité à la Consolidation de la Paix (HACP, High Authority for Peace Consolidation) have also been identified. Many partners work directly with ANFICT to manage funds intended for communes (the smallest level of local government) and regions, and the funds provided by TFPs are far greater than those provided by the state.
- **The HACP** is a mission administration attached to the Presidency of the Republic in the field of conflict prevention and management. The HACP is another example of an administration that is particularly supported by TFPs. Its

objective is to implement projects especially in the most marginalised regions and those most affected by the current insecurity – that build basic social infrastructures and so strengthen the presence of the state (roads, presence of public administration, etc.), on the principle that infrastructures and the presence of the state support the resilience of communities.

- **The HCME**, created in 2005, is a mission administration attached to the Prime Minister's office. The HCME is a central institution within the framework of the modernisation of the state, and monitors the implementation of the PDES. The HCME is responsible for relations between the ministries, with a view to designing, supervising, coordinating, monitoring and evaluating all actions in support of the modernisation of the state and of decentralised entities.

The creation of structures that circumvent central administrations is justified by the need for efficiency, but it also weakens central services and creates competition between central administrations and mission administrations, always to the detriment of the former. Another consequence is that expertise is less and less to be found within central administrations and more and more outside them, both in mission administrations and within TFPs.⁶ Central administrations are well aware of their loss of influence and their reduced contribution to defining public policy.

The example of the MFP/RA is emblematic. The vast size of Niger makes the management of state personnel particularly difficult, and creates a particular need for modernisation and the digitalisation of services. Yet the 'États généraux de l'administration publique' (General Conference on Public Administration) (2019) did not result in either innovation or the allocation of adequate funding, and the regional directorates that were created in the regions of Tahoua, Diffa and Tillabéri lack resources. Although the PNME (2013) promoted the establishment of open administration and the introduction of integrated staff management files, the lack of funding, particularly from TFPs, has limited the scope for reform within the MFP/RA. **The circumvention of the central administration has been perceived as a factor in the weakening of that administration, in the proliferation of competing structures, and as a source of conflict.**

Furthermore, in the absence of national competitive recruitment procedures, administrations make extensive use of short-term contract staff, trainees, civic service conscripts and volunteers, who are often assigned on the basis of their political affinities. The administrative staffing level is very low at national level: deconcentrated administrations at the local level are reduced further by staff being reassigned, since decentralised local administrations draw on staff from deconcentrated national administration, particularly national education personnel, as they lack sufficient staff of their own.

⁶ Jean-Pierre Olivier de Sardan, 'Promouvoir la recherche face à la consultance', *Cahiers d'études africaines*, 202-203, 2011, pp. 511-528.

2.2. The state at local level: territorial administration limited by a lack of resources

A number of problems were repeatedly identified by the people we spoke to and also reiterated in all official documents: the shortage of managers, staff and training, the politicisation of public administration, and the mismatch between workers' professional profiles and the posts they occupy. The two main findings of the present study are that there is little institutionalisation of roles and that there is under-administration at local level. Efforts have been made to remedy this situation, but these have been inadequately resourced.

Weak institutionalisation of roles and limited capabilities

Our research has shown that staff lack knowledge about institutions and the roles they play, whether this is due to a lack of initial or in-service training. The assumption of duties is never preceded by formal training, and know-how and behavioural skills are learned *in situ*, in day-to-day interactions. Although roles are defined in official documents, observation and interviews show that the roles of administrative staff, authorities and representatives of the state are not always internalised, and these can vary depending on the personalities and skills of the actors involved. In this environment, it is important for staff to help each other, particularly via WhatsApp groups that bring together, for example, all the heads of *départements*, the secretaries-general, technical executives and senior managers, enabling information to be exchanged quickly.

The vulnerability of administrative governance is manifested in a shortage of staff and skills. Our study highlighted the following aspects: the ageing of senior administrative staff, the non-replacement of retiring staff, the lack of recruitment and competitive examinations, the lack of innovation, and the absence of mechanisms for making the administration accountable to the public. Administrative management is particularly weak in terms of career management, professional discipline, professional ethics, accountability and financial standards.

- While human resources are in short supply everywhere, Niamey and the regional capitals are clearly better staffed than the rural communes, and the regional administrations are better staffed than the *départements* and communes. For example, 60% of DGTCP staff are based in Niamey and 40% in deconcentrated services.
- The structures defined by organisational charts are rarely respected, with many posts remaining unfilled and staff holding several positions.
- To compensate for the lack of staff, local authorities recruit volunteers, civic service conscripts and trainees, who are often unpaid.
- The lack of training undermines the quality of the services delivered. **The lack of**

training for senior managers has a direct impact on the scope of certain administrative acts, due to their lack of knowledge of legislation, legal frameworks and accounting procedures.

- Technical agents receive more initial training (health, hydraulics, etc.), either from the state or from TFPs, but there is less training focused on the skills required by territorial administrators, and this training is neither systematic nor uniform throughout the country.
- Training courses are inconsistent, often of short duration, and are provided by trainers from different institutional traditions, without any in-depth knowledge of the local context and the issues specific to Niger. As such, they weaken the institutional framework rather than strengthening it. The CFGCT is rarely informed of the training provided by partners in the regions, and does not have the means to coordinate such training (interview with the deputy director of the CFGCT, Niamey, 24 March 2023).

Ageing management, under-administration and politicisation are the three main problems identified in this research. The densification of the administration is a necessary reform: the size of communes varies greatly, which complicates territorial reform, but it is essential to take into account the differences between urban and rural communes. **The delivery of better quality public services requires the presence of administration across the territory.**

Furthermore, despite the existence of a law instituting a quota system for elected office, government and public administration, **the number of women in senior positions in the administration remains low.** There are many obstacles – cultural, religious, economic, educational – and it seems difficult to correct the imbalances. The second National Action Plan for the Women, Peace and Security Agenda (2020-2024) is underpinned by the PDES, the national gender policy and various national strategies. The participation of women is very low, particularly in the regions, and is even lower in rural areas than in urban areas, and in the areas most affected by insecurity.

Lack of material and financial resources

Administrations rarely have sufficient capabilities to carry out their missions, and this limits their authority:

- The funds allocated are insufficient: deconcentrated administrations have no budgets of their own and operate using quarterly subsidies from the state, which are paid irregularly. This situation makes these administrations very dependent on decentralised authorities or partners, including their travel costs for field visits.
- The lack of material resources, especially vehicles and work equipment, prevents administrations from monitoring the work in progress.
- The lack of resources limits the possibilities for coordinating activities and transmitting information securely.

- **Deconcentrated services are also dependent on the decentralised authorities that they are supposed to control and coordinate. This dependence weakens the authority of the state.**
- Regular field visits by agents are necessary to remind people of the presence of the state. However, in practice, the lack of travel by agents has a negative impact on the management and quality of the projects.
- **Decentralised authorities have their own budgets and are able to mobilise their own resources** (through taxation). However, their lack of control over expenditure is a major limitation.

Despite the existence of planning tools, **the communes experience major difficulties (particularly financial) in implementing planned actions, which considerably limits the services they can offer.** There is little communication between administrations, whether at national or local level: inter-ministerial meetings are virtually non-existent and, at local level, national and territorial consultation mechanisms depend on the actors and their financial resources. Collaboration of this sort would help to reinforce local governance mechanisms, but local authorities do not have the means to bring actors together without the support of TFPs. In some cases this is an obstacle to their operationality and sustainability.

Local authorities have thematic planning tools at different levels of the territory:

- Each commune has its own Plan de Développement Communal (PDC, Commune Development Plan), which sets out its development initiatives over a five-year period, and each PDC must be accompanied by an annual investment plan. The PDC is the single frame of reference for all development partners, as it defines the objectives, strategic priorities and development actions of the commune.
- Lack of resources limits the ability of communes to replan their PDCs using their own funds. Most communes need support from partners, and without it, PDCs expire.
- The lack of regular meetings is an obstacle to territorial governance, particularly when it comes to implementing regional and local development plans, which require regular coordination and planning between all actors.

3. ... WHICH MAKES THE STATE VULNERABLE

In Niger, the state is fairly well represented and identified, but its representation is uneven across its huge territory. Many actors have complained that decentralisation has stalled, but our research shows that the process of deconcentration is even more fragile. The reforms have resulted in the dispossession of the state: the circumvention of the state by TFPs and NGOs is leading to the weakening of central government and deconcentrated services, as well as to 'territorial fragmentation' and increased territorial inequalities.

3.1. - 'We borrow their words':⁷ external partners structuring development

Owing to both its long-standing structural problems and a deteriorating security situation, Niger is a country that receives strong support from its technical and financial partners: contributions to the joint health and education funds, multiple financial instruments to support stability, peacebuilding and resilience, with priority given to areas affected by insecurity (ICSP/EU, Fonds Minka/AFD, PBF/UN, FCV/WB), the Stratégie pour le Développement et la Sécurité des zones sahélo-sahariennes (SDS/Sahel-Niger),⁸ which is delivered through various programmes (PROLAC, PARSAC, Nexus 3 frontières),⁹ etc. However, the coordination of these different programmes raises questions and is linked to the vulnerabilities identified. International institutions and TFPs still play a leading role in defining national policies – a situation which was widely criticised by many of the people we spoke to. A large number of projects sideline the state and its institutions, and decisions are taken outside the traditional administrative channels.

Governance reform has largely been imposed and supported by external partners, and is seen by some actors as negating the sovereignty of the state. The large role of partners at local level continues to be a major constraint: they initiate investment, choose the funding channels and work directly with actors on the ground, whom they themselves select.

Although relations on the ground with TFPs are good, actors nevertheless complain of the lack of coordination and the fact that some partners carry out projects without always informing local actors. Among the main points to note are the following:

- The lack of coordination between TFP projects: the lack of cooperation limits

⁷ Interview with the NGO *Alternative Espaces Citoyens*, Niamey, 20 March 2023.

⁸ SDS is a strategy developed in October 2013 by the Prime Minister's Office. The Priority Action Plan is based on strategic priority 2 of the PDES (2012-2015)

⁹ PARCA: Projet d'Appui aux Réfugiés et aux Communautés d'Accueil (Refugees and Host Communities Support Project); PCRSS/3F: Projet Communautaire de Relèvement et de Stabilisation du Sahel (Community-Based Recovery and Stabilization Project for the Sahel); PROLAC: Projet de Redressement et de Développement de la Région du Lac Tchad (Lake Chad Region Recovery and Development Project).

the coordination of activities and projects and increases territorial inequalities.

- The problem of ensuring consistency of support with the Nigerien partner and between TFPs: partners often act without consulting local authorities and without respecting the planning processes of local authorities, especially PDCs and Plans de Développement Régionaux (PDR, Regional Development Plan).
- Support generates inequalities between communes that are well-supported financially and those that are not.
- Some institutions feel they have been disempowered and see themselves as 'doing the work of the partners'. Entire sectors are neglected (the mentally ill, the elderly and the disabled, who are nonetheless discriminated against in their access to basic social services) in favour of sectors in which partners over-invest, such as the funding of workshops on various topics, without the impact of such projects ever being measured.

Some interventions weaken local governance processes and – in the absence of arbitration by the state – they can accentuate territorial inequalities rather than reducing them. Criticism is levelled at the exogeneity of certain initiatives for which there may not always be a need, leading actors to seize funding opportunities that meet with limited success. National actors have insisted on the need for their voices to be heard and their demands taken into account. The lack of innovation is also connected to the role of partners, and we should not underestimate the determination of national actors to diversify their partners and experiment with new management methods. Some criticise partners' paternalistic attitudes, which undervalue knowledge of the context and support for local actors.

3.2. - Politicisation of public administration: an obstacle to professionalisation

One of the objectives of the reforms imposed by external partners was to 'de-patrimonialise the state', but the reforms have been reappropriated by actors according to their own objectives and interests, and certain problems persist, including the politicisation of public administration. Despite the increasing scarcity of public sector jobs, the appointment of senior civil servants remains a prerogative of the party in power – when it is not a presidential prerogative – which provides a way for politicians to reward their supporters. **Many of the people we spoke to again complained about the interference of the political sphere in making staff 'appointments'**. At local level, the perception is that politics takes precedence over technical skills.

3.3. - Worsening territorial inequalities

The aim of state reform is to make public services more accessible and improve their quality. This requires a minimum level of human and material resources and a shared vision of territorial development. However, the provision, accessibility and quality of public services are currently very unevenly distributed across Niger. The distance that one must travel to access them varies from one locality to another:

- Urban areas are better provided with services than rural areas, but our study reveals major inequalities, particularly regarding access to water.
- Access to health services remains difficult due to the relatively high cost of care and disruptions in the supply of products in certain health facilities.
- Territorial inequalities are linked to geographical conditions, since some environments present greater difficulties than others, requiring a great deal of investment, which few partners are prepared to undertake.

4. - RESILIENCE FACTORS: NATIONAL AND SOCIAL OWNERSHIP

In Niger, the political will to reform the state is strong, as demonstrated not only by the institutional framework but also by the various national strategies. However, this will comes up against a certain number of structural constraints. Nonetheless, our study also shows that these reforms are nationally and socially appropriated by the actors involved, especially public servants and local authorities.

4.1. - The resilience of public servants

Faced with the lack of human resources on the ground, several situations have been observed: those in which the senior staff of one service can be called upon by another service; and those in which a single person can occupy two posts. Some communes share municipal secretaries or other functions, which makes it possible to pool costs and ensure the continued operation of services. We met staff who are committed to making their institutions and services work, despite all the difficulties mentioned. Some heads of services pay the bills themselves and use their private means to provide the service, or requisition vehicles from the technical services in order to make journeys.

4.2. - Varied representations of the state at local level

In Niger, the presence of representatives and auxiliaries of the state goes beyond the framework of the deconcentration of the central administration, and seems to participate in a form of 'bottom-up' administrative governance, which opens up spaces of power and ensures the presence of both public authorities and state intermediaries. Administrative districts form the basis of administrative deconcentration, under the authority of a representative who is an agent of the state,

alongside customary entities such as sultanates, provinces, cantons, 'groupements', villages, tribes and administrative 'quartiers', which also form part of the administrative organisation. Traditional chieftaincies are recognised as auxiliaries of the state in their dealings with the local population, and as part of the Ministry of the Interior: village chiefs, for example, who are elected or appointed by the local population, are *ex officio* members of the municipal council and have prerogatives in matters of civil justice, land management, civil status and tax collection.¹⁰

4.3. - Giving meaning to tax collection: a means of ensuring social ownership of local governance

In order to deal with the many constraints linked to the mobilisation of local resources, actors use various strategies to support mobilisation efforts, often at the initiative of local authorities in collaboration with deconcentrated services. It is also essential to raise citizens' awareness of the need to pay taxes. Difficulties in tax collection can be linked to politicisation, when 'politically protected' taxpayers refuse to pay their taxes, but also to insecurity, when tax collectors can no longer operate in all areas.

Participatory budgets represent another opportunity to involve local people in expressing their needs. These processes are supported in particular by the German and Swiss development Cooperation agencies. Local people are involved in drawing up these budgets, expressing their needs and providing a framework for local accountability.

5. THE DIFFICULT TASK OF MEASURING THE PERFORMANCE OF PUBLIC GOVERNANCE REFORMS

5.1. - A proactive but poorly implemented policy reform framework

The general framework for public reform in Niger was put in place in the 2000s. Despite the establishment of an institutional framework and a regularly reaffirmed desire to modernise public governance, **the implementation of reforms, particularly at territorial level, remains fragile**. The programmatic impetus for public governance reforms was given by the Seventh Republic with the 2012 National Decentralisation Policy, followed by the PNME (adopted in 2013): these measures emphasised institutional efficiency, the simplification of procedures, the accessibility of services, the decentralisation of public policies and deconcentration of the administration. This

¹⁰ Law No. 2015-01 of 13 January 2015 on the status of traditional chieftaincy in the Republic of Niger.

desire to modernise public governance was consolidated by the three five-year 'Renaissance' programmes, each of which was accompanied by its own PDES.

Following ten years of implementing reforms, the third PDES (2022-2026) drew up **an uncompromising inventory of weaknesses:**

- In terms of administrative governance, the PDES focused on human resources management in light of the politicisation of public services, the weak horizontal and vertical coordination of public services, lack of oversight, and corruption.
- In terms of territorial governance, the following points were identified: an unequally distributed administrative network and insufficient deconcentration, the weak institutional and financial capacities of local authorities, the lack of effective transfer of powers and resources, and the lack of integration of the decentralisation reform into public policies.
- In addition, the programmatic content of reforms lacks government ownership and suffers from poor adaptation across sectors, which is detrimental to results-based reform management and to public dialogue involving civil society.

5.2. - Public management tools: underperforming and out of step with objectives

The Priority Action Plan is not only the government's tool for preparing and aligning multi-year expenditure programming documents, but also the main support for technical dialogue with TFPs. Examination of the Plan reveals **a gap between, on the one hand, political discourse and programming tools, and on the other, their translation into the objectives targeted and resources allocated.**

More specifically, there is an almost complete absence of the translation of public deconcentration and decentralisation policies into results-based objectives. Neither the Ministry of Finance (MinFin) nor the Ministry in charge of Decentralisation seem to have responsibility for this, and there are no defined objectives or resources for administrative deconcentration. In the absence of concrete government commitments, the burden of decentralisation falls on local authorities. However, many actors agree on the **need to give impetus to a 'second act' of decentralisation and deconcentration**, capable of reinvigorating the state reform process.

At the sectoral level, the only public finance reform strategy – which was drawn up with the support of the WB – includes a decentralisation and deconcentration programme focusing on three priority areas: (i) transfer of powers and resources; (ii) funding, monitoring, and transparency in budgets and accounting; and (iii) deconcentration of budget management.

However, the use of evaluation to steer the implementation of governance reforms is very limited and, despite the setting up of dedicated state structures, its practice remains weak at both central and local level. The unsystematic nature of sectoral reviews is an obstacle to coordinated action with TFPs and to the operationalisation of programmatic budgets – two action points which could significantly improve results-based policy dialogue.

5.3.- Innovative but poorly integrated mission administrations

The HCME is a benchmark institution in terms of promoting governance reform, **providing impetus and support for major projects to modernise the state and public services**. It demonstrates a capacity for innovation and maintains partnerships with a number of TFPs. It chairs the Pôle Gouvernance et Modernisation de l'État (PGME, State Governance and Modernisation Unit), which carries out the governance sectoral review for the PDES and produces analysis reports on four dimensions of governance: administrative, local, legal and judicial, and security. Despite this positioning, the HCME finds it difficult to scale up pilot actions to government level and to disseminate a culture of innovation. Its institutional positioning seems to be in competition with the MFP/RA – a key administration that is nonetheless particularly underfunded.

The Cellule d'analyse des politiques publiques et d'évaluation de l'action gouvernementale (CAPEG, Public Policy Analysis and Government Action Assessment Unit), which reports to the Prime Minister, **produces performance reports on government action**. The data collected by CAPEG is linked, on the one hand, to the state's concrete actions on the ground (reported by the secretaries-general of town halls) and, on the other hand, to the public's assessment of these actions. A system of 105 indicators is supposed to feed into a national database, consolidated from the commune level and upwards, in order to contribute to local democratic debate. Published performance reports, detailing the main achievements made on the basis of the government's annual forecasts, compile monitoring data from certain sectoral indicators. However, this approach overlaps with the responsibilities of both the Ministry of Planning and the HCME, as well as with the publications of the Court of Audit. The duplication of non-exhaustive information sources and reports results in a complex and difficult to understand environment for the monitoring and evaluation of government action.

5.4. - Challenges and opportunities for budget support in light of continuing fragility

Challenges arising from failing to apply the concept of vulnerability to public governance

No reform of governance will respond to the challenges of fragility, as long as **the authorities fail to apply the concepts of vulnerability and resilience to institutions and public policies.**

Classically, these concepts are used in relation to individuals and social groups, particularly those suffering from unfavourable social or humanitarian situations. The resilience of institutions and public policies is rooted above all in individuals and communities, and supported by two mission administrations, which are largely co-financed by TFPs:

- The Haut-Commissariat à l'Initiative 'les Nigériens nourrissent les Nigériens' (HCI3N, High Commission for the 'Nigeriens feed Nigeriens' initiative), which addresses the vulnerability of food-insecure communities, in conjunction with an early warning system.
- The HACP, which addresses the vulnerability of social groups living in marginalised areas, in connection with the challenges of stabilising and consolidating peace in Sahelian zones.

With regard to gender, the Ministry for Women and Child Protection has adopted the National Action Plan for the Women, Peace and Security Agenda, which aims to address the gender-specific aspects of peace and security issues. However, it has no binding force and no dedicated budgetary resources. Furthermore, the failure to ratify the Protocol to the African Charter On Human and Peoples' Rights on The Rights of Women in Africa seriously weakens this initiative.

Practices and opportunities for budget support in Niger

Budget support provides opportunities to help legitimise the state by increasing its resources and its budgetary transparency. It facilitates both the financing of reform measures and the improvement of public service delivery. Nevertheless, budget support entrenches external dependence and, in a context of splintering elites and socio-political divisions, there is a risk of reinforcing a public system that is fraught with weaknesses. For this reason, **budget support to a fragile state requires an analysis of the sources of vulnerability, linked to the definition of concrete objectives and conditions for disbursement**, while favouring measures that are realistic in light of limited capacities.

Budget support is a strategic and integrated action that should enable TFPs to organise themselves around three levers for change:

- Financial transfers, which should act as levers, targeting allocation points that will bring about change;

- Technical support and capacity-building for central and local actors, to support change management;
- Policy dialogue through high-level meetings and technical work in a joint format, in order to monitor progress on national sectoral policies.

The European Union and the World Bank are the main providers of budget support.

- **The European Union** is intervening on the basis of a contract to support the consolidation of the state and building resilience, worth €195 million in grants over three years. The intervention is based on an analysis of the main factors of fragility, with particular emphasis on economic and financial governance. The political and sectoral policy dialogue linked to governance focuses in particular on the following dimensions: (i) management of public finances and the fight against corruption; (ii) the territorial presence of the state and its services, particularly in fragile areas; and (iii) the fight against impunity and the strengthening of justice and human rights, including those connected to gender.
- **The World Bank** has identified two major factors of fragility in relation to governance: (i) centralised state institutions that are struggling to provide access to services and security, which has an impact on the legitimacy of the state; and (ii) a fragile political consensus. Its budget support programme, worth US\$350 million over three years and aligned with the PDES, is made up of half grants and half a loan. It is mainly used to work towards achieving the institutional, legislative and regulatory conditions required for the successful implementation of WB programmes, and is linked to Niger's first performance-based programme for the management of public expenditure based on outcomes for human capital, with a duration of six years and a budget of US\$195 million

Potential for French budget support drawn from the Minka peace and resilience fund

The evaluation of an initial multi-tranche financing facility (MFF) linked to the Support for Domestic Resource Mobilisation project confirms the potential of French budget support, noting the following priorities:

- Identify options for positioning support in order to contribute to structural governance reforms, even though complex reforms entail the risk of making results more unpredictable in a fragile context.
- Propose allocation points that will act on vulnerability factors, and combine them with operating methods that are adapted to the security situation.
- Adopt an approach based on co-construction at both political and technical levels, to ensure that both allocation points and triggers are agreed upon.
- Promote synergy with TFPs that provide budgetary aid, especially the EU, based on a dual approach of reinforcement and complementarity. The

use of shared indicators helps to strengthen the incentive nature of the support and to give credibility to political dialogue.

On the basis of the analyses provided, the following recommendations can be made:

- Transpose to the level of national planning a territorial approach that is integrated into the context of existing vulnerabilities, by supporting national reform of territorial governance and linking deconcentration and decentralisation policies.
- Select a limited number of indicators and triggers that are easy to measure, making it possible to check that objectives have been achieved, starting with process indicators and later referring to results indicators, accompanied by relevant targets.
- Strengthen AFD's internal capacity for policy dialogue on the basis of a thorough knowledge and understanding of public administration in Niger and how it operates, within the framework of open partnership relations.

The allocation points to be prioritised, in close coordination with the indicators monitored by the EU and MinFin, could be identified with reference to the following criteria:

- A review of equalisation criteria, aimed at correcting disparities in territorial allocations.
- The regularity and reliability of tax retrocessions, especially for taxes levied on the exploitation of natural resources.
- The level of transfer of budgetary resources from the state to local authorities.
- The level of deconcentration of the Treasury, calculated on the basis of the number of public accountants trained and recruited by the Treasury.
- The modernisation of local taxation, based on a diagnosis of the tax system, including taxable matter, the tax base and collection tools.
- Operationalisation of the local civil service through the funding and recruitment of commune-level posts of secretary general, administrative secretary and registrar, and accounting officer.

CONCLUSION

The reform of the state and its modes of governance in Niger involves a weakened state in a complex institutional landscape. In this sense, reform is **a factor of resilience in terms of the public policies that are produced, but also a factor of vulnerability**, both because of the dispersal of powers and because of the lack of clarity and the complexity of monitoring the reforms. Furthermore, the result is a state whose role in defining its public policies and its objectives in terms of territorial governance is in competition with TFPs, civil society and the private sector.

In Niger, the main grievances against the state centre on **state institutions' lack of capacity to administer territories effectively and equitably and to deliver public services** that are functional, accessible and adapted to the needs of local populations. However, it is important not to confuse the structural weaknesses of the state with a lack of legitimacy. The state is present across the territory, and clearly identified with reference to individual figures and centres of power.

In response to these vulnerabilities, it would seem appropriate to **strengthen support for structural reforms of public governance, specifically territorial administrative governance** based on deconcentration on the one hand, and local governance in line with decentralisation policy on the other, which are likely to improve people's daily lives. However, decentralisation should not be seen as a means of circumventing the central state, but rather as a means of supporting it in its missions. Without this perspective, territorial reform will have little chance of succeeding.

PASAS

PLATEFORME D'ANALYSE,
DE SUIVI ET D'APPRENTISSAGE
AU SAHEL



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Le Fonds Minka, mis en œuvre par le groupe AFD, est la réponse opérationnelle de la France à l'enjeu de lutte contre la fragilisation des États et des sociétés. Lancé en 2017, Minka finance des projets dans des zones affectées par un conflit violent, avec un objectif : la consolidation de la paix. Il appuie ainsi quatre bassins de crise via quatre initiatives : l'Initiative Minka Sahel, l'Initiative Minka Lac Tchad, l'Initiative Minka RCA et l'Initiative Minka Moyen-Orient.

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