

TOPIC # 3 : Governance and decision-making process for conception, construction and operation of hydraulic infrastructures

Decision-making process for the conception, construction and management of dams, improve quickly but remain insufficient for many people.

A Head of State in the region said that « maybe, it would be useful to stop all the large projects affecting River Niger and its tributaries until studies are conducted in view to keep the river and its basin healthy and ecologically balanced ». (Abdoulaye Touré)

➤ **Do all stakeholders are really part of the decision making process and does it involve an unbiased and comprehensive Environmental and Social Impact Assessment (ESIA)?**

All participants deplore the absence of some of the stakeholders like civil society and more particularly local populations.

- Some stakeholders (namely the local populations) are seldom involved. There is blatant lack of transparency with the populations who are the natural landlords.

The participation of non- State stakeholders is wrongly seen as a western concept or as it is imposed by donors. (Jean Bosco Bazié)

Unfortunately, local stakeholders (impacted populations, riparian populations, local authorities) are seldom fully involved in the development and implementation of the project. This often creates feelings of frustration and leads to the non- consideration of the needs and concerns of these populations. The requirements of the World Bank group are clear in this respect: the local populations should be involved at least (i) when finalising the terms of reference for impact assessments, and (ii) during the presentation of the impact assessment findings. While item (ii) is now often complied with, item (i) is still seldom implemented. This creates a risk of being biased and having gaps in impact assessment studies. (Nicolas FORNAGE)

The realities in the field have shown that the communities concerned do not participate through their organisations and associations in decision-making on the building of these facilities. (Abdoulaye Touré)

In Nigeria, the 1978 Land Use Act defines the land as being state-owned. Such a policy should be changed in order to ensure transparency in the design, construction and use of hydraulic infrastructures. The local populations are the primary landlords and as such, they should be systematically involved and consulted before the implementation of a project on their land. (Etiosa Uyigue)

- Weak influence of the entire civil society on measures taken to mitigate the negative social effects caused by large hydraulic infrastructures in Africa.

The civil society should play a prominent role in the defence of rural populations who often do not even know whom to approach to make their voices heard (BALIMA Amadou)

The lack of scientific and technical skills is even worse among Civil Society Organizations (CSOs) (Expédit AGO)

It was noted that ESIA's are far from being exhaustive:

Concerning impact assessments, despite the efforts made, there is still a long way to go before such studies become perfect. (Expédit AGO)

- Do the stakeholders have sufficient scientific and technical knowledge and information to contribute to the decision-making ? According to you, what are the main steps to improve for better participation? How should the stakeholders be consulted for the diversity of interests be taken into account ?

Same answer as above: general lack of knowledge and communication among stakeholders to handle the problems and manage the situation.

- Adapted local consultations and a sound methodology are required so that knowledge is shared with stakeholders:

There is need to ensure that consultations are made based on non-technical summaries which include illustrations (maps, plans, drawings) on the one hand, and in local languages on the other hand in a way to make sure that everybody has understood. Separate meetings with women can also be useful. Be careful not to forget about transhumant pastoralists whose routes are often impacted by reservoirs but are seldom consulted on such projects. (Nicolas FORNAGE)

The local populations have significant knowledge of their environment and are clearly aware of how the vegetation should be based on their experience and knowledge about the previous status of the landscape. (Abdoulaye Touré)

It is apparently important to try and make the information and knowledge generated by projects digestible and to work towards the dissemination of such information to key actors, using tools that are adapted to their learning culture, level of literacy and education and their relationship with the environment. (Jean Bosco Bazié)

There is need to produce fair and reliable information and to set up an information system on water, which often helps to answer suspicious questions among stakeholders. (Soulama Drissa)

Complexity of the issue: sound knowledge in environmental engineering and sciences is required if one wants to participate in the debate. In this respect, the « pro-dam lobby» is always in advance.

There is still much to do in the areas of research, extension and public information. (Peter Torrekens)

The civil society organizations need to acquire skills on environmental and socio-economic impacts of dams and to share experiences and knowledge among themselves and international NGOs involved in wetlands protection. (Abdoulaye Touré)

It is quite obvious that all stakeholders do not have adequate knowledge and scientific and technical information to contribute to decision-making. This lack of skills is even worse among CSOs (Expédit AGO)

- Conservation organizations should collaborate with basin organisations in impact assessment processes and make environmental data available to consultants.

The data on the reference situation on species and habitats that help develop management scenarios are owned by these organizations. The example of WWF actions on River Niger and their collaboration with NBA should be replicated in other basins to ensure that the environmental considerations we are defending are actually taken on board. (Mrs Mame Dagou DIOP)

- NGOs and associations (development, environment and civil society) should be supported and should participate within the framework of coordination for them to play a key role.

Unfortunately, it appears that the proliferation of development associations and NGOs working with different logics, without any coordination, makes it difficult for the populations to participate in the longer run and to take ownership and monitor the facilities and works. This is particularly true when the lifetime of projects is too short (2 years sometimes) and do not take due account of the other components of the development of a valley (agriculture and horticulture on the plateau, etc.). This seems to be a recurrent mistake in development cooperation. (Georges GREPIN)
CSOs need to be supported to participate in consultations. (Abdoulaye Touré)

The participation of stakeholders in the decision-making process is most often restricted to their physical presence at different meetings. (Jean Bosco Bazié)

- The participation of stakeholders should be taken into account in project financing. *The stakeholder dialogue should be evaluated from the beginning in the same way as other components (hydraulic infrastructures, hydro agricultural lands, etc.) and should be part of the cost of the project for which both public and private funds should be mobilised at the local, national and international levels. (Jean Bosco Bazié)*

In a nutshell, the general trend is as follows:

Partnership appears currently as the best approach to active participation of the civil society in the development and ecosystemic management of dams. (Abdoulaye Touré)
Stakeholders participation should be a prerequisite and full component of any dam project with an implementation strategy and result-oriented objectives. (Jean Bosco Bazié)

➤ Which role should the basin organizations have (NBA, OMVS, VBA, OMVG, CBLT, MRU) in decision-making and infrastructures management?

- To leverage a shared vision (needs, costs, benefits) among riparian countries and in the longer terms:

A territorial vision beyond national borders should be imposed: conduct a needs assessment at basin level (energy, food ... needs) as well as the existing potential regardless of where the infrastructures and developed lands will be implemented in the basin space, declare this zone as an « inter-States enclave », share the costs of investments and also the benefits indeed. (Jean Bosco Bazié)

This work can be started even before the construction of the infrastructures as in the current case of Kandadji dam or after as in the case of Akosombo dam which is already in place. One should use the arguments behind existing instruments (international conventions which are binding upon countries involved, best practices) (Soulama Drissa)

Need to take account of issues relating to the use of shared water resources; (Hervé Marcel OUEDRAOGO)

Improve the effective mainstreaming of impacts and needs downstream and not only in the immediate surroundings of the infrastructure (Ousmane S. DIALLO)

Absence of a longer term vision or management at the watershed scale: when a dam is well designed and its management well thought, negative impacts are mitigated knowing that zero impact does not exist. (Birguy Diallo)

The construction of large infrastructures provides significant short term benefits, the most prominent one being jobs creation. It however offers other opportunities that are not confessed or cannot be confessed such as the «handling » of huge funds, adjudication of juicy contracts, etc. All this can make politician-decision-makers forget the interests of vulnerable groups and the longer term problems. (Peter Torrekens)

At the regional level, the overall evaluation of the effects of a dam or group of dams on a river or several neighbouring rivers, taking into account: the influx of people, mining cities, deforestation, erosion, etc. not the case today: every EIA is focused on the project for which it has been commissioned only (Georges GREPIN)

- To protect and conserve basin ecosystems

One of the main problems related to ESIA is the lack of an overall vision of ecosystems that are expected to continuously provide the services that the infrastructures need, notably the forest massifs and wetlands that regulate the and reduce the sediments loads that clog dams (Olivier Hamerlynck)

- To strengthen data sharing

An accessible and central data base in basins would be a necessary tool for studies in certain regions.
(Bart Goes)

- To draft a master plan for basin development among member countries

Given that the water resources concerned by a dam project involve several countries, the role of the transboundary basin organisation – in case it exists – is critical. An excellent example is given by the sustainable development scheme of the Niger Basin Authority. (Nicolas FORNAGE)
Need to have a development scheme validated by all stakeholders and which takes account of IWRM requirements; (Hervé Marcel OUEDRAOGO)

- To facilitate a collegial approach to management

This implies that States create a framework for a social debate on major socio-economic development orientations of the river, taking into consideration the views of all actors. (Abdoulaye Touré)

- To build the capacity of stakeholders in the area of water management and water supply in fields. (Hervé Marcel OUEDRAOGO)

- To mainstream the climate risk

Fully mainstreaming the climate change issue from the planning stage is a requirement, especially because of the effects that it produces on the availability of water resources (Yakhya Aicha DIAGNE)
It is indispensable to considerably improve the management of the water demand so that available water is judiciously used in a context of climate change (Ousmane S. DIALLO)
Need to revisit the design of large structuring infrastructures (big suppliers, falas, irrigation systems, crop species, etc.) in order to adapt to the current realities given climate change; (Hervé Marcel OUEDRAOGO)

➤ **At which level are the recommendations of ESIA taken into account?**

A little controversy about the Nangbeto dam in Benin was noticed on whether there has been an environmental impact assessment before the construction of the infrastructure or not.

On the one hand, a participant said that no ESIA was conducted and that the infrastructure had apparently caused the loss of villages downstream. According to him, the dam is more of a problem than a solution.

On the other hand, another participant asserts that an ESIA was indeed conducted and taken into account. However, all mitigation measures were not fully implemented. In addition, the big floods were not caused by the infrastructure but rather by the erratic climate and people's vulnerability.

Otherwised, from the inputs, ESIAs seem to be little or poorly used in general:

- Highly variable level of inclusion depending on projects

The level of inclusion of ESIA recommendations is obviously variable depending on project implementers: from weak (« alibi » impact assessment that would only help get the green light from authorities and donors to implement the project) to high. (Nicolas FORNAGE)

Non implementation of the recommendations made in impact assessment studies that people often conduct just to meet the requirements of a potential donor and not in a bid to mitigate impacts; (Birguy Diallo)

- Independent auditors should be involved to ensure compliance with the Environmental and Social Management Plan (ESMP)

The independent audit could be in the form of a «Panel of E&S experts » linked up with a « panel of dam safety experts » (like in the Lom Pangar project). It could be formed with independent consultants, a specialised NGO (e.g. InterAid Africa for the Bujagali project in Uganda), and/or a research firm. Such services could be paid for by the project owner but reports would be prepared independently and directly put on line on the internet, which guarantees real transparency towards the public. **(Nicolas FORNAGE)**

- Recommendations are not taken into account because of political reasons

The debate on large infrastructures is often « biased » by « patriotic » arguments like « why not in our country? » and «the big leap forward ». Elsewhere in Africa, many scientists or ecology activists have paid for their opposition with police harassment, imprisonment or even worse. **(Peter Torrekens)**

State development strategies are designed based on political programmes of leaders who always go for the short term because of election purposes. **(BALIMA Amadou)**

Policy-makers take little account of the effects that a project could generate. They are only concerned with electors and the election campaign. **(Sébastien DOHOU)**

➤ **Do we have tools adapted for environmental and social assessment (termes of reference and assessment table for ESIA)?**

- Improvements in process

The International Hydropower Association is currently working on an evaluation protocol for E & S impacts produced by hydropower projects. The protocol is being currently tested in a number of countries. **(Nicolas FORNAGE)**

- The ESIA review process can be backed by an evaluation guide proposed in the forum. **(anonymous)**

➤ **Should the Strategic Environmental Assessment (SEA) forego the ESIA?**

- The example of French Development Agency : SEAs mandatory only for a non-assigned general programme

FDA does not systematically require a Strategic Environmental Assessment (SEA) for dam projects that it finances. This is binding only when we finance a non-assigned general programme (e.g. : a national hydroelectricity development support programme that has an overall budget but does not give the details of the individual projects that will be submitted for funding from the programme). In this case, a SEA is required so as to set the eligibility criteria of the projects submitted to be financed by the programme, as well as the requirements to be fulfilled for every single project in relation to E&S aspects. **(Nicolas FORNAGE)**

- The objectives and impacts of large hydraulic infrastructures are intersectoral enough to require strategic environmental assessments;

Such assessments would make it possible to assess the real interest and feasibility of large dams by considering not only the environmental impacts but also the opportunity costs and effects on the other economic sectors in the zone. There are probably situations where the costs paid by sectors other than energy, water management and agriculture exceed expected benefits. **(Mathieu Ducrocq)**

Recommendations were made on SEAs as follows:

- SEAs should be demanded before ESIAAs



SEAs are increasingly used tools and are more powerful than ESIA's in terms of informing decision-making. I think that systematic use of SEAs based on the size of the project (criteria to be determined—surface area-volume, population, investment, etc.) should be demanded before ESIA's. (Mathieu Ducrocq)

- In case ESIA's reveal too heavy consequences, then SEAs should be required before continuing the design of the infrastructure.

Likewise, in case an ESIA identifies major environmental and social impacts, one could ask the project owners to move backward and conduct a SEA based on opportunity cost calculations anticipated by the ESIA before implementing a revised dam project that mitigate costs and impacts. (Mathieu Ducrocq)

- Concerning the Fouta Djallon massif

The whole West Africa continues to count on a source of water flowing for ever from the Fouta Djallon massif whereas the plant cover of the massif is undergoing obvious degradation. With the predicted return of harsh drought conditions by the next few decades, countries that are using this water should urgently undertake a large scale strategic long term analysis for investments in the environmental infrastructure, that is the plant cover of Fouta Djallon. Such analysis should be conducted on all the services rendered by the ecosystems of the massif in order to come up with an optimum production that takes account of the needs of both current and future users. (Olivier Hamerlynck)