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WEST AFRICA MUNICIPAL WATER, SANITATION AND HYGIENE PROJECT / TETRA TECH

# WEST AFRICA MUNICIPAL WATER, SANITATION AND HYGIENE ACTIVITY

## ROLE OF MUNICIPALITIES IN THE PROVISION OF WATER AND SANITATION SERVICES IN CÔTE D'IVOIRE

### Background

**DECENTRALIZATION** The beginnings of decentralization in Côte d'Ivoire date back to the colonial period, when the country was a French colony with the existence of mixed communes and municipal councils (partly elected and partly appointed). Medium-sized communes were run by councils headed by “Mayor Administrators” appointed by the Central Colonial Government. Large communes were administered entirely by elected municipal councils. Today, with the revitalization and strengthening of its decentralization policy, Côte d'Ivoire is now organized into two Autonomous Districts, 31 Regions, and 201 Communes.

The organization and functions of local authority, the exercise of supervision, and the transfer of State competencies to decentralized authorities are the key elements of decentralization in Côte d'Ivoire. Unfortunately, over the years, the transfer of powers and extensions of powers to the municipalities has not been effective. This has undermined the vision of making local and regional authorities essential links in promoting local development and good governance, while anchoring democracy and correcting inequalities. Water and sanitation is one of the most severely affected sectors in terms of poor local investment and governance.

## **THE WATER AND SANITATION SECTOR**

### ***The water sector***

In Côte d'Ivoire, according to the Joint Monitoring Program for Water Supply, Sanitation and Hygiene (JMP) report published in 2019, the proportion of the population with access to a 'safely managed improved water point' is only 37 percent at the national level and only 18 percent and 55 percent in rural and urban areas, respectively. Water resources management is the direct responsibility of the national government, which carries out its programs for the extension of water supply through its operational agency, the National Drinking Water Office (ONEP).

Unfortunately, the local authorities in charge of planning and implementing development actions at the local level are not sufficiently consulted or involved in the management and governance systems of the water sector. This situation makes the influence of municipalities in improving access to quality water services even more non-existent.

Water production is ensured by the State of Côte d'Ivoire and distribution is carried out by the Société des Eaux de Côte d'Ivoire (SODECI). SODECI, a private-public service company, is linked to the State by water and sanitation lease contracts. These contracts with the State allow SODECI to operate, maintain, and renew existing facilities. SODECI also has full responsibility for customer management.

### ***The sanitation sector***

Management of the sanitation sector remains concentrated in the hands of the central government, in particular through the National Office of Sanitation and Drainage (Onad).

Currently, at least 15 out of 201 cities have sanitation and drainage master plans. In Côte d'Ivoire, collective sanitation remains very marginal and serves only 4% of the national population. Only the district of Abidjan has a relatively high rate of connection (40%) to the wastewater network according to a report from the Sanitation and Drainage Directorate.

On-site sanitation remains the most widespread mode. According to the 2019 JMP report, the proportion of the population with access to 'at least basic' sanitation is 73 percent, with 58 percent and 88 percent coverage in rural and urban areas, respectively. However the provision of sanitation services is shared between private operators, often informal, and SODECI.

Service provision consists of collection and transport of fecal sludge and cleaning of septic tanks and sanitation facilities. With the advent of ONAD, the structuring of these services is underway, and several sewage sludge treatment plants are being built in different cities.

## MUNIWAS PROJECT INTERVENTION

The Municipal Water, Sanitation and Hygiene Activity in West Africa (MuniWASH) is a regional water and sanitation project funded by United States Agency for International Development (USAID) and implemented by Tetra Tech in Côte d'Ivoire and Benin.

MuniWASH focuses on improving financial viability and sustainability, technical and operational performance, and governance and management control in order to bridge the gap between countries

national priorities and sustainable development goals. The objective of MuniWASH is to assist municipal governments, national directorates and agencies, and utilities and service providers in Benin and Côte d'Ivoire to maintain and expand water, sanitation, and hygiene services at the city level to meet the basic needs of poor and underserved members of communities in priority municipalities.

## ORGANIZATION OF THE SERVICE DELIVERY SECTOR

	INSTITUTIONAL ENVIRONMENT	LEGISLATIVE AND REGULATORY FRAMEWORK
<b>Water Sector</b>	ONEP is a state-owned company governed by Act No. 97-519, enacted on 4 September 1997. ONEP's role is to provide State and local authorities with assistance to ensure access to drinking water for the entire population and to manage the State's public assets in the drinking water sector. ONEP is under the supervision of the Ministry of Hydraulics. SODECI, a private company, is responsible for the management and operation of the drinking water supply system in urban and peri-urban areas.	The legislative and regulatory framework of the water sector is characterized at the national level by laws and implementing decrees issued by the Ministry of Hydraulics, including the Water Code and the Environment Code. And finally Law n° 2003-208 of July 7, 2003 on the transfer and distribution of State competences to Territorial Collectivities grants Communes, Regions and Districts a general competence and special competences attributed by laws and regulations. Indeed this law grants a certain number of competences to the communes including: hydraulics, sanitation and electrification. But in fact, this transfer of competence seems to be partial because the application texts of the laws on the Water Code and transfer of competences to the Territorial Communities are not taken into account (PND 2016-2020). Consequently, depending on the government's priorities, their competences are strengthened or reduced as is currently the case through the establishment of NADO (2013) and ANAGED (2017), the only competent structures respectively for solid waste management and wastewater and sewage sludge management.
<b>Sanitation Sector</b>	The National Office of Sanitation and Drainage (ONAD) is a state-owned company created by decree N° 2011-482 of 28 December 2011. ONAD is a structure under the supervision of the Ministry of Sanitation and Hygiene in charge of implementing the government's policy on Sanitation and Drainage.	Although applicable at the local level, the existing laws would only have a few applications directly related to the functioning of the municipality. The responsibilities of the municipalities seem to be difficult to identify within all these legislative measures. This contributes to a lack of clarity surrounding the role of the municipalities in improving access and management of sanitation system services, which are limited at the municipal level to the collection and uncontrolled dumping of household waste.



## **ANALYSIS OF THE POSITIONING OF URBAN COMMUNES**

### **ENABLING FACTORS**

Districts, regions, and municipalities can be powerful champions of development because these entities lead local populations to better understand and support through community action the global policy of planning and development.

### **LIMITING FACTORS**

In the implementation of the decentralization policy, local authorities are faced with many limiting factors such as the non-applicability of laws and implementing decrees relating to the transfer of powers from the State to local authorities as well as recurrent delays in the process of procurement of subsidies allocated to the local authorities.

### **POSSIBLE LEVERS**

Support is needed to effectively transfer powers to local and regional authorities including financial support (through offset credits and subsidies), human resources, and materials and equipment. Additionally, locally elected and national government officials need capacity building and training to implement effective and efficient (water, sanitation and hygiene) WASH governance interventions. Finally, the mechanisms for mobilization of internal and external resources by municipalities need to be strengthened including promotion of increased budgets dedicated to the WASH sector.”

### **LESSONS LEARNED**

**Non-effective transfer of authority limits the powers of the municipalities:** With effective application of the various laws and decrees governing decentralization, municipalities will have the powers of decision and coercion to fully play their development role and improve access to water and sanitation services.

Currently, the central government remains the only authority that has the competency and skills necessary to conduct water and sanitation programs at the local level.

**Capacities of municipalities need to be strengthened:** Municipalities are dependent on subsidies from the central government. These subsidies are considered insufficient and do not arrive according to established schedules. City councils capacities should be strengthened for fund raising at local level in order to better invest at the municipal level to improve access to water and sanitation services.

**Improve accountability and participation at the household level:** Households are the users and consumers of water and sanitation services. People need to be able to participate in decision-making to improve the planning of water and sanitation services through open feedback.

## **CONCLUSION**

The cross-analysis of decentralization policies and the realities of the population’s current level of access to drinking water and sanitation services in Côte d’Ivoire reveals several shortcomings. While there seems to be a consensus on the definition of the concept of decentralization, understood as "a transfer of responsibilities and means and competences to lower levels of the central administration endowed with a certain degree of decision-making and financial autonomy," local authorities are still severely limited in the ability to exercise their full power as local development agencies.

Despite the adoption of numerous laws and ordinances, real political will must be applied to effectively transfer administrative authority to the local level and fully realize the intended goals of decentralization.

## References

- Law No. 96-766 of 3 October 1996 on the Environment Code
- Law No. 98-755 of 23 December 1998 on the Water Code
- Decree No. 86-08 of 14 January 1986 on the regulation of sewerage works in urban areas
- Law N°2014-451 of August 5, 2014 on the Orientation of the Organization of Territorial Administration
- Law No. 2012-1128 on the organization of territorial authorities, which governs territorial authorities and extends to the regions the a priori control previously applied only to municipalities.
- Order N°2011-262 of September 28, 2011 on the general organization of the Territorial Administration
- Law No. 2012-1118 of 13 December 2012 on the organization of local authorities
- JMP 2019 : Progress in Household Water, Sanitation and Hygiene | 2000-2017

## Disclaimer

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