



Program Information Documents (PID)

Appraisal Stage | Date Prepared/Updated: 12-Mar-2023 | Report No: PIDA272715



BASIC INFORMATION

A. Basic Program Data

Country Burkina Faso	Project ID P177875	Program Name Burkina Faso Local Governance for Basic Services & Resilience Program	Parent Project ID (if any)
Region WESTERN AND CENTRAL AFRICA	Estimated Appraisal Date 01-Mar-2023	Estimated Board Date 08-May-2023	Practice Area (Lead) Governance
Financing Instrument Program-for-Results Financing	Borrower(s) Ministry of Finance, Economy and Development	Implementing Agency Ministry of Decentralization Territorial Administration and Security	

Proposed Program Development Objective(s)

The PDO is to improve the delivery of selected basic services and the institutional performance of target local public entities

COST & FINANCING

SUMMARY (USD Millions)

Government program Cost	222.30
Total Operation Cost	150.00
Total Program Cost	150.00
Total Financing	150.00
Financing Gap	0.00

FINANCING (USD Millions)

Total World Bank Group Financing	150.00
World Bank Lending	150.00

Decision



The review did authorize the team to appraise and negotiate

B. Introduction and Context

Country Context

1. Burkina Faso experienced profound political changes and mounting insecurity in recent years. The country witnessed the sudden end of the nearly three-decade rule of the President of the Republic in 2014. The security environment has deteriorated since 2017, with persistent armed conflict rampant in 5 of the country's 13 regions. As of December 31, 2022, the country counted 1.9 million internally displaced persons (IDPs), approximately 10 percent of the population¹. Two military coups have occurred in less than 8 months, on January 24, 2022, and on September 30, 2022. The country is currently led by a Transition government and a Transition Legislative Assembly, appointed after the second military coup to restore security.

2. The insecurity has affected the country's capacity to deliver public services and is eroding social cohesion. Government capacity to deliver public services is constrained by the impact on resources of increasing security expenditure and the effect of increased food and fuel prices due to the ongoing war in Ukraine. In such a context, structural reforms aiming at increasing efficiency in public resources management for better service delivery are essential.

3. Burkina Faso is highly vulnerable to climate change; however limited institutional capacities hinder the country's climate response. Burkina Faso is one of the most climate-vulnerable country of the world. Recurrent droughts and severe flooding during the wet season have recently led to interruptions in service delivery and forced displacement of the population, including civil servants. Challenges related to limited institutional capabilities, inadequate human resources management that prevents an effective redeployment of civil servants in crisis and post crisis areas, and weak public financial management and public procurement systems hinder a more effective response to climate change challenges. Limited capabilities at the local level undermine planning and expenditure management for climate change adaptation and mitigation, as well as resilience building and post-disaster response.

4. The Government of Burkina Faso (GoBF) recognizes the role of Local Governments (LGs) in the response to the country humanitarian, development, and peacebuilding challenges. The GoBF adopted a Stabilization and Development Action Plan, in January 2023. This Plan recognizes the pivotal role of Local Governments in restoring the social contract, and includes priorities for prevention, peacebuilding, and resilience to ensure a positive State presence across territories. The plan recognizes LGs dual challenge of providing public services to both the local host populations and to IDPs, and recommends the inclusion of IDPs' needs into the planning and provision of basic services at the local level. The GoBF adopted on December 30, 2022, Government Program 2023 – 2028 to implement the Stabilization and Development Action Plan's agenda on service delivery at the local level. The Program, amounting to USD 222.3 million, adopts a citizen-centric approach to public service delivery with a focus on Local Public Entities' (LPE)² performance and accountability for results. Despite recent and numerous political changes, GoBF's support to the Program has been maintained

¹ National Council for Emergency Relief Rehabilitation (CONASUR) annual report, 2022: <https://drive.google.com/file/d/15mUeNHIKUw7ceVPJSqTmkY0aSgJJImAL/view>

² Local Public Entities' (LPE) refer to deconcentrated structures, local governments/municipalities and other actors involved at the local level: Governorates, Provinces and Prefectures.



and is expected to remain unchanged³.

5. The GoBF recognizes the pivotal role of LGs and Deconcentrated Structures⁴ (DS) in improving local service delivery, which is crucial for the social contract with citizens. The improvement of their capacity positively impacts the provision of basic services to citizens, and of administrative services to other public administrations. To this end, the GoBF aims at simultaneously promoting decentralization and deconcentration reforms by: (a) improving the efficiency of service delivery processes at LG and DS level; (b) strengthening the institutional capacity and resilience of DSs and LGs; and (c) introducing a performance-based grant (PBG) incentive.

Sectoral and Institutional Context

6. Since the early 1990s, the country has recorded progress in the implementation of the decentralization at the policy, regulatory, and institutional levels. At the policy level, decentralization benchmarks and guidance documents have been developed and adopted. At the regulatory level, the main texts adopted relate to the transfer of competences and resources to LGs, and the redefinition of the role of decentralized financial services, considering the principle of free administration of LGs (abolition of a priori control in favor of a posteriori control). At the institutional level, main achievements include: (a) the establishment of municipalities across the country to bring the State closer to citizens; (b) the creation of the Local Government Development Agency (*Agence de Développement des Collectivités Territoriales – ADCT*); and (c) the operationalization of the Local Development Mining Fund to increase LGs' investment capacity.

7. The recent military coups have affected the institutional arrangements of LGs which are still functional. Following the first military coup in January 2022, municipalities have been dissolved and replaced by special delegations⁵, which are now operational. Special delegations retain the same powers and resources as municipalities in accordance with the law.

8. However, the quality of and access to core local basic public services (such as civil registration, education, and local justice) remain a challenge, especially in a deteriorated security context. This results from shortcomings in the service delivery processes at the local level and the impact of the massive influx of IDPs (10 percent⁶ of the total population, of whom 62 percent are concentrated in 13 regional capitals). In addition, there are persistent structural challenges in human and financial resources management at the local level, including challenges associated with transparency and accountability. Addressing these public sector challenges will contribute to improving service delivery at the local level and to rebuilding the social contract.

9. Birth registration, schools' canteens and learning and teaching materials, which represent more than 70% of resources transferred to LGs, are the most affected by shortcomings in the service delivery.

³ Strategies and policies which form the cornerstone of the Program were initiated in 2021 under the Kabore administration.

⁴ Deconcentrated structures refer to the representation/administrative units of the central power at the regional and provincial levels such as the regional or provincial directorates.

⁵ The special delegation is an administrative commission composed of members designated in a LG, appointed by the central government, and responsible for the administration of the community when the elected body of the LG has been dissolved. In addition to the state representative who is the chair of the DS, the special delegation is composed of members designated by CSOs, religious and customary authorities, projects and programs and umbrella organizations. The special delegation is chaired by the prefect of the department for the commune; by the governor for the region; and by the head of provinces for urban communes with special status (Ouagadougou and Bobo Dioulasso).

⁶ As of December 31, 2022, there were 1.9 million IDP for a total population of 20.9 million inhabitants. Source: Statistics from the National Council for Emergency Relief Rehabilitation (*Conseil National de Secours d'Urgence et de Réhabilitation - CONASUR*).



- *Birth Registration.* The process of birth registration non-automated and paper-based, is cumbersome and time-consuming and as such, prone to errors and delays. Insufficient training, inadequate technologies and poor archive management hinder day-to-day management of civil registration and raise issues of data protection and personal information security.
- *Learning and Teaching Materials Minimum Package and Food Supplies for School Canteens.* The GoBF has committed to supply teaching materials to teachers and learning materials⁷ to all children in primary schools at the beginning of the school year. However, the limited financial envelope allocated from the State budget, delays in fiscal transfers; inefficiencies and lack of transparency in procurement procedures, affect the timely delivery and the quality of items procured. Food certification processes are constantly delayed due to inadequate procurement selection procedures, resulting in monopolistic situations. This has negatively impacted the duration of food supplies and their availability at the start of the lean season (by March 31st)

10. Local tribunals are not equipped to respond to the growing demand for declaratory or supplementary judgements of birth. In Burkina Faso, birth certificates are delivered by birth registration primary centers (mainly LGs) and birth registration secondary centers (health centers), while declaratory and supplementary judgements⁸ of birth are delivered by departmental tribunals. According to the Ministry of Territorial Administration, Decentralization, and Security, 65 percent⁹ of birth certificates in Burkina Faso in 2019 were supplementary or declarative judgments of birth, among which a large number were delivered to IDPs. Between 2019 and 2021, demand increased by 87 percent¹⁰ in the LGs hosting IDPs. Departmental tribunals are not sufficiently equipped to meet this growing demand. The existing regulations do not give departmental tribunals in the locality where IDPs fled the jurisdiction to process requests for declarative or supplementary judgments of birth. In addition, departmental tribunals are constrained by a lack of resources, understaffed and their members do not receive adequate training. Further, the non-professional judges (prefects) who run these tribunals are not equipped to carry out their duties and a regulation from the ministry of Justice, is needed to clarify their roles.

11. Alternative Dispute Resolution (ADR) mechanisms, including customary justice, require improvement. In 2021, 1,089 cases of community conflict were recorded by the National Observatory for the Prevention and Management of Community Conflicts (ONAPREGECC)¹¹. Many of these conflicts are handled by customary justice through ADR mechanisms. Customary justice systems are easily accessible, cheap, and reassuring to parties involved. However, their procedures are not consistent with “fair trial” standards. Further, a lack of consistency and of accountability in customary justice provisions and in the enforcement of decisions can be problematic and lead to disputes resurfacing. In addition, there is not necessarily always a clear division between statutory law and customary law. Several pilot initiatives with support from donors are being developed to improve customary mechanisms but are not harmonized.

⁷ Order No. 2013/98/MENA/MEFP signed on October 25th, 2013, defining the technical specifications of the learning and teaching materials minimum package

⁸ A declaratory judgment of birth establishes the birth for births that have not been registered within the legal deadline of 2 months, cancels, if necessary, the birth certificate irregularly established, and orders the transcription on the registers of the place of birth. A supplementary judgement of birth is a decision of a departmental tribunal that requests a transcription when it is non-existent, or in some cases lost or destroyed.

⁹ Burkina Faso Functional Reviews of the Education, Health, Justice, and Civil Service sectors, December 2022, P169486.

¹⁰ Ibid.

¹¹ ONAPREGECC, Annual Report of the National Observatory for the Prevention and Management of Community Conflicts 2020-2021, December 2021.



12. Service delivery is affected by shortcomings in human resources management, procurement, financial management and accountability at the local level.

- *Human resources:* Government effectiveness at local level is hampered by the high concentration of human resources at the central level in key sectors such as education, health, justice, and civil service (52 percent)¹². The redeployment of internally displaced civil servants represents another challenge : regulations governing human resources management do not address the needs of civil servants who are unable to reach their next assignment due to insecurity. Last, an inefficient collaboration between local public entities, a weak culture or performance and accountability, and inadequate infrastructure and human, material, and financial resources negatively affect service delivery.
- *Procurement:* The GoBF has adopted several short-term (2022-2024) decrees for a limited number of LGs in a volatile security context. Unfortunately, the implementation of these decrees has highlighted shortcomings that fail to provide the flexibility that is required in times of crisis. Moreover, the Decree is not aligned with the provisions of the Public Procurement Code. It is therefore necessary to revise the Code and the implementing decrees to include provisions relating to procurement in times of crisis and post-crisis (security, climate, and health). This affects the execution rate of the contracts signed at local level.
- *Financial management:* There is a lack of a standards processing times , which fails to incentivize DSs to process LGs’ payment orders rapidly.

13. Accountability : Fiscal transfers to LGs do not consider performance in service delivery as a criterion in the allocation of resources, which is currently determined only based on population size and poverty depth. The predictability of fiscal transfers to LGs remains also a challenge with average delays of 3 months in funds transferred to the local level, mostly attributable to inefficiencies in the collaboration between the central, regional, provincial, and LG treasury units.

PforR Program Scope

14. The GoBF Program approved by order No 2022/0950/MATDS/DGESS amounts to USD 222.3 million and will be implemented over a period of six years. It is structured around two complementary pillars: (a) Improving the efficiency of selected services delivered by LGs (birth registration, school canteens, learning and teaching materials) and DSs (local justice), which are a priority to local communities, including IDPs; and (b) Strengthening institutional capacities and resilience of DSs and LGs to deliver timely and quality services to the population. The Program is aligned with the Model Municipalities Initiative¹³ and the “One child in school, One balanced meal per day”¹⁴ initiative. It reflects the GoBF’s commitment to advancing deconcentration and decentralization by further strengthening LGs and DSs capacities to perform as reliable public service providers and hence, to become real drivers of peace and stability The GoBF Program has been tailored to the current context of growing insecurity and high volatility

15. The proposed PforR is fully aligned with the Government Program’ objective, duration, scope and pillars. Out of the USD 222.3 million, the WB will finance USD 150.0 million, i.e., a ratio of 67 percent. There are no activities/contracts in the Program’s scope, which could potentially cause significant adverse impacts on the environment and/or affected people as defined in the WB Policy and Directive on PforR

¹² Burkina Faso Functional Reviews of the Education, Health, Justice, and Civil Service sectors, May 2022, P169486

¹³ Model Municipalities Initiative is a program launched by the Government of Burkina Faso in June 2021 which promotes performance contracts between the State and the LGs.

¹⁴ “One child in school, one balanced meal per day” is a program launched Government of Burkina Faso in June 2021 which aims to ensure that every school-aged child has at least one balanced meal per day



Financing, or if they involve works, goods, and consultancy contracts above the Operations Procurement Review Committee (OPRC) thresholds.

16. **The GoBF’s capacity to make available the needed funds to close the Program’s financing will be essential.** The GoBF’s track record in making available resources for PforRs has been adequate, thanks to an acceptable macroeconomic framework. Also, concerning the fiscal transfer reform, despite the volatile security situation, the GoBF continues to meet its obligation towards the LGs. The transfer level increased from 5 percent in 2018 to 15 percent in 2021. However, the deterioration of the security situation may affect the availability of the funds needed for Program implementation. To mitigate this risk, the Bank will finance the activities/reforms in the critical path for achieving the Disbursement Linked-Indicators (DLI) and PDO. In addition, the expenditure to be financed by GoBF under the Program are mainly related to fiscal transfer and vital activities for which the risk of non-financing is moderate to low.

17. **The PforR intervention’s areas per Result Areas are summarized below.**

Summary of interventions by area

Results Area 1: Improved delivery of selected basic services (education, justice) in target LPEs	Result Areas 2: Improved institutional performance of target LPEs
<p>Education: <i>Learning and teaching materials minimum package:</i></p> <ul style="list-style-type: none"> Improved financial management and contracting processes (framework contract, bidding documents adapted to minimum bidder contracts, updated price list). Revision of the learning materials minimum package content to provide optimal quality content in line with state financial resources. Funding of learning materials based on the revised order. Citizen control for the improvement of the quality of learning materials. <p>School canteens:</p> <ul style="list-style-type: none"> Improved financial management and contracting processes (framework contract, tender documents adapted to school canteens, revised selection criteria for agri-food expertise to encourage competition, updated price list). Scaling up to endogenous canteen, fields/gardens. Citizen control for the improvement of the quality of the food supplies. <p>Birth Registration:</p> <ul style="list-style-type: none"> Health centers with operational secondary registration centers. Health workers and agents of target LGs certified as civil officer (Number, of which number of women). Awareness campaigns for civil registration with support from community’s leaders (religious, village chiefs....). Alternative mechanisms for birth declaration during post antenatal consultations Digitization of birth records and archives. <p>Justice / Conflict Resolution:</p> <ul style="list-style-type: none"> Tribunal hearings / Digitization of departmental tribunal records / Adoption of a statute for tribunal members / Adoption of adapted regulation for IDPs’ birth registration and citizens born outside the country / Staff training. Access to and provision of target local justice services through departmental courts, and ADR mechanisms (awareness campaigns involving religious and community leaders training on conflict resolution, and conflict resolution meetings). <p>Resilience:</p>	<ul style="list-style-type: none"> Reform of the intergovernmental transfer system, including the introduction of the PBG. Adoption of an order on contract processing including payment lead time at local level. Establishment of supra communal COGES. Deployment of the simplified financial management tool in COGES’ and capacity building. Monitoring, control, and advisory missions including follow up of previous recommendations by ADCT regional agencies and DSs for the benefit of target LGs. Supervision missions including follow up of previous recommendations of the in primary schools and health centers of the target LGs. Improving efficiency of financial management and procurement at the local level (deployment of the integrated financial management system CICT). Deployment of e-filing/e-payment software for LG. Redeployment of staff from the center to the DSs (Education, Health, Justice, and Finance). Deconcentration at the regional level and in the sectors of the management of administrative acts. Building a critical mass of well-trained staff for the target LGs and DSs. Integration of IDP needs into local development plans. Redeployment of internally displaced teachers and health workers and identification of community teachers to ensure continuity of educational services. Support for the continuity of administrative districts (governorates, provinces, prefectures) to strengthen the positive presence of the State.



Management of temporary host sites for IDPs (registration of IDPs, respect for human rights, peace awareness), kits of essential household items.	• Deployment of upgraded human resource management system.
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C. Proposed Program Development Objective(s)

18. The PDO is to improve the delivery of selected basic services and the institutional performance of target local public entities. The PDO indicators will measure progress toward the achievement of the PDO and will include the following:

Outcome/Objective 1: Improvement of the delivery of selected basic services by target local public entities

- Ratio of birth registrations within the legal timeframe by target LGs. (DLI#1)
- Supplementary and declarative judgments of birth and other judgements established by the target departmental tribunals and high courts (total and % of which for women). (DLR#2.1)
- Primary schools in target LGs jurisdictions with learning materials minimum package available at the beginning of the school year (%). (DLR#3.2)
- Primary of schools in target LGs jurisdictions with food for canteens available by the end of March of the school year (start of the lean season) (%). (DLR#3.3)

Outcome/Objective 2: Improvement of the institutional performance of target local public entities

- Target LGs that meet the institutional performance threshold and received their PBG within the legal timeframe (%). (DLR#4.2)
- Target LGs with improved contracts execution rate (DLR#6.2)

D. Environmental and Social Effects

19. The ESSA concludes that the Government’s Program is adequate for the PforR financing. The potential negative E&S risks and impacts are moderate and can be adequately controlled/managed by the country's existing laws and regulations due to: (i) the nature of the PforR excludes investments with major environmental and social risks (i.e., projects rated as high risk by the WB), (ii) the fact that the PforR does not provide for any investment in new physical infrastructure. Only the rehabilitation of administrative infrastructure in the provinces, and regions (Governorates) is planned, security conditions permitting, and (iii) the existence of specialized institutions with the capacity to manage most of the environmental and social aspects of the Program. Another risk related to the limited capacity of Directorate General of Vital Statistics to (i) enforce provisions of the Family Code and Data Privacy Law on protection of data related to the birth certificate, and (ii) prevent social exclusion. The PforR will support the Directorate General of Vital Statistic to ensure enforcement of these provisions and prevent social exclusion by improving the birth registration processes and mitigate the risk of social exclusion. A dedicated task force under the leadership of the ministry of information technology has started a holistic reflection on data privacy. Recommendations from this task force will be supported by the PforR. The PforR will have positive impacts related to the fact that the planned activities will contribute to (i) fighting poverty and improving access to and the quality of the delivery of basic social services (civil status, justice, health, education, etc.), (ii) improving the living conditions of the population, with particular attention to vulnerable groups including IDPs due to insecurity. and (iii) increasing the presence of children in classrooms through the provision of meals in school canteens and the availability of school supplies.

20. The ESSA identifies three strands of recommendations, each strand comprising distinct and complementary activities. These measures will be integrated into the Program's overall Action Plan and



specific budget lines will detail the costs of each of these components and their respective activities. They include (i) the development of a Technical Manual for Environmental and Social Management to be included in the POM, (ii) the appointment of E&S Safeguard Specialist, and (iii) the appointment of focal points within the Health and Education Ministries to act for E&S matters. This will be complemented by capacity building activities.

21. The ESSA report has been shared with representatives from all stakeholders, development partners, civil society organizations, and the private sector, and discussed during a consultation workshop on September 22, 2022. The ESSA final report includes the comments received and will be made public on the website of the MEFP and on the WB’s external website. The participants in the public consultation will have the opportunity to endorse the risk analysis presented in the ESSA and the proposed mitigation measures and consider that the proposed action plan and follow-up program are sufficient to ensure its implementation.

22. Grievance Redress. Communities and individuals who believe that they are adversely affected because of a WB supported PforR operation, as defined by the applicable policy and procedures, may submit complaints to the existing program grievance mechanism or the WB’s Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed to address pertinent concerns. Project affected communities and individuals may submit their complaint to the WB’s independent accountability mechanism. This houses the Inspection Panel, which determines whether harm occurred, or could occur, because of WB non-compliance with its policies and procedures, and the Dispute Resolution Service, which provides communities and borrowers with the opportunity to address complaints through dispute resolution. Complaints may be submitted at any time after concerns have been brought directly to the WB's attention, and Management has been given an opportunity to respond. For information on how to submit complaints to the GRS, please visit <http://www.worldbank.org/GRS>. For information on how to submit complaints to the WB’s Accountability Mechanism, please visit <https://accountability.worldbank.org>.

E. Financing

Program Financing

Source	Amount (USD Million)	% of Total
Government Funding	72.3	33
International Development Association PforR	150.0	67
Total Program Financing	222.3	100

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