Draft Criteria for entering formal agreements between AMCOW and partner organizations

1 Context

The African Ministers’ Council on Water (AMCOW) was formed in 2002 in Abuja Nigeria, primarily to promote cooperation, security, social and economic development and poverty eradication among member states through the management of water resources and provision of water supply services. AMCOW’s mission is to provide political leadership, policy direction and advocacy in the provision, use and management of water resources for sustainable social and economic development and maintenance of African ecosystems.

AMCOW, also a Specialized Technical Committee for Water and Sanitation in the African Union has been mandated by the African Union Summit of Heads of State and Government special session on water and sanitation convened in Sharm el-Sheikh, Egypt, in June 2008, to develop an implementation strategy and reporting mechanism for the Sharm el-Sheikh commitments on water and sanitation. AMCOW has over the years continued to restate the importance of ‘Water for Growth and Development’ as the overarching and driving framework for the attainment of Africa’s aspirations for poverty reduction; sustainable socio-economic development; as well as equitable and all-inclusive growth.

Working in the spirit of partnership requires AMCOW to have support structures that are flexible in approach, in order to adapt to an array of working relations with partners. At the same time, the mandate of efficient coordination requires clearly defined responsibilities for implementing partners, strong communication processes, and, above all, prevention of overlapping mandates while ensuring inclusion of all key sectors and issues areas falling under AMCOW’s aegis. Careful nurturing of such architecture is critical to the continued operation of AMCOW. Consequently, the AMCOW General Assembly at its 8th session in Cairo in May 2012 directed AMCOW Secretariat to propose MoU with strategic partners, as deemed necessary by the Executive Secretary for approval of EXCO if they meet the following criteria:

I. MoU should be for specific programme(s) and/or activities linked to the AMCOW work plan
II. MoU should be for a specific period linked to the timeframe for implementation of the programme and/or activities
III. MoU should contain clear mechanisms for tracking implementation, evaluating success and feedback to the parties

2 Status of MoUs and other institutional arrangements with partners

From 2002 until 2009, AMCOW has entered into MoUs with the following bodies:

- ANEW – to coordinate CSOs
WSP – to address sanitation issues
GWP – to support AMCOW on matters relating to water resources management
CREPA now (WSA) – to focus on addressing water and sanitation needs of the poorest
UNEP – to establish the AMCOW Trust Fund

These MoUs have been negotiated on a case-by-case basis guided by a draft template MoU for partners prepared in 2005, and attached as Annex I to this note. Nonetheless the agreements do serve the purpose of strengthening AMCOW’s coordination effectiveness by ensuring that reports on such activities and plans in MoU are presented at regular TAC and EXCO meetings.

A number of additional organizations have indicated interest in signing MoUs with AMCOW, and the growing prominence of the Council in the sector as well as its recognition by the AU as an STC, imply that such requests are not likely to diminish in the near future. This situation calls for urgent attention to regularizing the procedures for entering into new MoUs, negotiating renewal of existing ones, and managing the implementation of all such agreements.

It is important to note further that AMCOW has formal relations with other bodies that are governed under the institutional establishment of the Council, rather than as totally independent entities linked through MoUs. First and foremost is AMCOW’s establishment as a Specialized Technical Committee of the AU. This means that AMCOW is ultimately governed by the AU and its statutes. Subsidiary bodies of the AU and AfDB are consequently also formally linked to AMCOW, and AMCOW’s relations with those bodies will be determined by their respective mandates under the AU and AfDB. This is also extended to all UN organizations and Initiatives working in Africa given AMCOW’s position as founding partner of UN Water Africa.

Subsidiary bodies of AMCOW itself are another category of organization/mechanism that has an institutional relationship with AMCOW that is not framed within a MoU but rather is determined by a formal decision of the Council itself. Such subsidiary bodies include the African Water Facility (AWF), the African Network of Basin Organizations (ANBO), and the African Groundwater Commission (AGWC).

The foregoing arrangements need to be taken into account in determining the appropriateness of entering into a MoU with new partners by AMCOW.

The following section outlines proposed process and eligibility criteria for entering into new MoUs with partners.

3 Proposed components of AMCOW partnership agreements

3.1 Partner Selection Criteria

To enter into a MoU with AMCOW, a partner must fulfil the following criteria:

Represent a specific key African water resources, sanitation, and hygiene stakeholder constituency not covered under any other MoU (e.g. local authorities, civil society, parliamentarians, private sector service providers, UN, etc.), and be recognized by that constituency’s members as their representative; the constituency so represented must be Africa-wide and sub-regional in geographic scope. Country level constituencies are not eligible for direct MoUs with AMCOW, but must be included in agreements with higher-level parent bodies.

OR

Provide substantial technical and/or financial support for implementation of discreet component(s) of the AMCOW Work Programme; such agencies may be African, non-African, international organizations, but must have a substantial focus on African water resources, sanitation, and hygiene issues and not duplicate AMCOW work programme activities mandated to another partner. The geographic focus of the activities of such partners should be multi-country and preferably cover more than one sub-region.

In either of the above categories the agency must NOT be established under the formal auspices of the AU, AfDB or AMCOW as described in section 2 above (e.g. AWF, NEPAD, RECs, etc.).
3.2 Purpose of Entering AMÇOW partnership agreements

i. **Support to the AMÇOW Work Programme**

As mentioned, AMÇOW’s activities are “driven largely by a spirit of implementation through partnerships”. At the same time, it is the sanction by AMÇOW of specific programmes that provides a mandate for actions. It is thus incumbent on partnership agreements to show how the proposed actions under the agreement contribute to fulfilment of objectives of the AMÇOW Work Programme.

The current AMÇOW triennial Work Programme (2011-2013) focuses on the following core strategy areas, which correspond to the direction provided to AMÇOW by the AU through the Sharm el-Sheikh Declaration:

I. Theme 1: Water Infrastructure for Economic Growth
II. Theme 2: Managing Water Resources (Transboundary Water Resources)
III. Theme 3: Meeting the Sanitation, Hygiene and Water MDG Gaps
IV. Theme 4: Global changes and risk management: Climate variability and Change
V. Theme 5: Governance and Management
VI. Theme 6: Financing
VII. Theme 7: Education, Knowledge and Capacity Development

Partners will periodically present proposals to AMÇOW for consultation on how they plan to implement their mandated action areas, and the Council will from time to time request partners to assist in implementation of new decisions of the Council as appropriate.

3.3 Necessary elements of all MoUs

It is recommended that all MoUs include the following elements.

MoUs must:

i. Identify specific AMÇOW objectives that the partner will assist AMÇOW to achieve; these should emanate from the founding Abuja Declaration of AMÇOW or subsequent strategic policy directives from the Council or the AU, such as the Sharm el-Sheikh Declaration; in this regard the MoU may also cite the relevance of the agreed partnership to the achievement of continental and global commitments such as the Africa Water Vision 2025, the Millennium Development Goals or the WSSD outcomes.

ii. Identify specific components of the AMÇOW work programme – as outlined above – that the partner will implement on behalf of AMÇOW in achieving the above objectives (this may be in an annex as they are likely to be time bound);

iii. Identify target group to be addressed; target group may be defined by functional role (CSOs, private service providers, local governments, etc.) or economic or social characteristics (slum dwellers, farmers, women, youth, etc.); geographic scale should also be identified;

iv. Specify arrangements for reporting to AMÇOW on progress in implementation of objectives and partner’s contribution of resources to this end;

v. Specify agreement to publicly identify as AMÇOW initiatives, those activities undertaken under the MoU;

vi. Specify roles and obligations of AMÇOW towards the partner under this agreement.

vii. Specify procedures for systematic and regular reviews of progress made in the implementation of the agreement.