



Press Statement on the 2022 Annual Report on the Activities of the Public Independent Conciliator of the North-West Region

Presented by TAMFU Simon FAI, Public Independent Conciliator of the North-West Region

Tuesday, 21 March, 2023

Dear Media Professionals,

Ladies and Gentlemen,

Welcome to this event that fulfils an important requirement of the law, and the right to access to information.

In fact, the legal framework creating and organising the functioning of the Office of the Public Independent Conciliator requires the Public Independent Conciliator to submit to the President of the Republic an annual report on its activities, and on the functioning and the relations between regional and local authorities and their citizens.

The report was submitted to the President of the Republic on Monday, 20 February 2023 and is made public today **Tuesday, 21 March, 2023**, pursuant to Article 25(3) of Decree No. 2020/773 of 24 December 2020 to lay down conditions for discharge of the duties of the Public Independent Conciliator in the North-West and South-West regions. It states:

“The Public Independent Conciliator shall publish the report referred to in paragraph (1) above within 30 (thirty) days of its transmission to the President of the Republic.”

Today, we are on the 29th day after submitting our 2022 Annual Report to the President of the Republic.



Presentation of the Report

The report is captured in 5 rubrics and highlights the activities of the Public Independent Conciliator of the North-West Region from January to December 2022. It narrates key activities carried out, examines the functioning of regional and local authorities and their relations with citizens, underscores major challenges faced, and presents perspectives and recommendations for better performance in 2023.

I. Regarding the activities which were guided by the objective to make itself known and build trust and confidence in the people, the Office of the Public Independent Conciliator organised seven information and education seminars; visited and carried out sensitisation sessions in 18 council areas; received and treated 44 complaints; organised capacity-building seminars for stakeholders and community-based actors and two mass media sensitisation campaigns. It should be noted that the 44 complaints add up to the 30 received in 2021 and 03 in 2023, making a total of 77 complaints received since the inception of the Institution.

II. As concerns the functioning of regional and council services and their relations with the citizens, the Office of the Public Independent Conciliator undertook information gathering on the functioning as well as the perception of the population of these decentralised services. The analysis and interpretation led to the following key findings or perceptions:

1. the population held that many decentralised entities are managed as a one-man business;
2. the devolution of powers is slow and accompanied by inadequate resources;
3. the delay in the disbursement of the annual subventions to councils deferred the execution of some critical council activities which affected the realisation of council development plans;
4. regional and council services are plagued with ethical issues including limited accountability and transparency in council management;
5. the population is yet to be completely involved in council activities in terms of community participation.

g



The findings also revealed that regional and council services encounter many challenges and difficulties in the exercise of their functioning including, but not limited to:

1. The high risks and insecurity which regional and council staff are exposed to in their operations in the region, many of whom have been subjects of kidnappings, ransom taking, and exposure to physical harm.
2. The slow execution of the recommendations of the Major National Dialogue which ushered in the Special Status for the North-West and South-West regions. This slow execution was a weakness to the effectiveness of regional and local decentralised entities on the ground.
3. The attitude of some supervisory authorities who would only accompany mayors when they have an interest in an operation. Many mayors are reportedly caught between aligning with their ethical responsibilities and yielding to the demands of their supervisory authorities without which they cannot execute council resolutions. This attitude has been condemned by many.
4. Regional and local decentralised entities lack the manpower, technical know-how and necessary expertise to realise some of their missions.
5. The absence of a local civil service code, as well as other instruments of decentralisation is an obstacle to the effective functioning of regional and local decentralised entities. This situation was further compounded, for the Regional Assembly, by the unavailability of a salary scale, a personnel statute and an organisational chart for the institution.
6. The inadequate information and education of the masses on the decentralisation concept and project is a serious drawback to their effective and productive participation and support of regional and council services.
7. The majority of councils in the region are not able to generate income from other sources because of the crisis. As such, they face challenges in the payment of the National Social Insurance Fund (CNPS) dues of their personnel, a situation that has brought huge penalties to many councils.

[Handwritten signature]



Difficulties and Challenges of the Office of the Public Independent Conciliator

Apart from regional and local authorities, the Office of the Public Independent Conciliator also encountered difficulties and challenges notably:

1. Delay in the approval and disbursement of the functioning budget for the 2022 financial year. The budget was approved on 18 July 2022 and disbursed on 30 August 2022.
2. The high level of insecurity in the region which has rendered the work and movement of persons challenging.
3. Reluctance by some local authorities to recognise and accept the independence of the Public Independent Conciliator has made collaboration difficult.
4. The inability to regularly recruit staff given that the salary scale, organisational chart, and personnel statute for the Office of the Public Independent Conciliator are yet to be approved.
5. The communication challenges resulting from the difficult topography and enclaved nature of some localities obstruct radio and television coverage of the entire region.
6. The very bad roads in the region have hardly received any meaningful attention since the crisis began, some of these roads have remained blocked to circulation since 2016 and counting.

RECOMMENDATIONS

In order to address the challenges encountered, the following recommendations are made to various authorities at their levels of competences for consideration.

1. The Regional and Council Services

1. More consultation of citizens and Divisional Representatives in the decision-making processes of the Regional Assembly and their involvement in projects and activities concerning their areas and welfare.
2. Full compliance with all regulations organising the functioning of regional and



council services, particularly the General Code of Regional and Local Authorities, including putting in place internal dispute-resolution mechanisms and oversight structures to create serenity and harmony at work.

3. Elaborate and institute a code of ethical conduct and compliance to guide the functioning of regional and local decentralised entities.
4. Raise awareness and sensitise the population on the missions, roles and functioning of regional and council authorities.
5. Ensure spatial distribution of employment opportunities at all levels to ensure equitable representation of all socio-political and cultural components in regional and council services.
6. Create income-generating opportunities to boost council resources as well as to engage their youthful and productive populations.
7. Create consultative structures at all levels of council functioning to engage the inclusive participation of all sectors of the community in council activities and decision-making processes.
8. Mainstream the rights-based and gender-based approaches in regional and council functioning.

2. The Public Independent Conciliator

Additional to the efforts to realise its missions, the Public Independent Conciliator of the North-West Region should continue to:

1. Work with village development and other grassroots organisations to monitor council functioning and actions in the communities. Traditional and village authorities should also be empowered to monitor as well as get involved in the management of council projects.
2. Step up the sensitisation of the masses on the missions and functioning of councils, the Regional Assembly and the Public Independent Conciliator.

Here, permit us to express our gratitude to the media of mass communication who



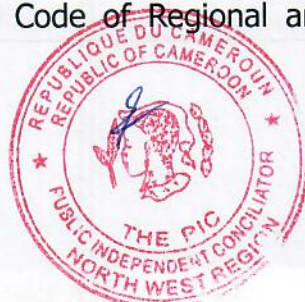
have so far helped us to reach more audiences than we might have without them. We are counting on you, the media professionals, for even more collaboration with the Public Independent Conciliator throughout 2023. Thank you and congratulations to the media.

3. Intensify campaigns on the role and involvement of citizens and community structures to enable their effective participation.
4. Make legislative proposals to clarify the roles and competencies of regional and council services, as well as the city and sub-divisional councils, especially in the areas of waste management, and issuing of building permits. In the same light, the membership of councils in the land consultative Board should be considered and encouraged.

3. Government

For effective functioning, Government should:

- i. Ensure timely disbursement of state subventions to regional and council services as well as the Office of the Public Independent Conciliator to enable the full implementation of programmed activities and projects.
- ii. Ensure the putting in place of the necessary administrative processes and procedures to enable the effective devolution of powers and resources to the region and councils.
- iii. Ensure timely approval of council deliberations by supervisory authorities.
- iv. Accelerate the elaboration of the local civil service code for regional and council services.
- v. Accelerate actions and complete treatment of the salary scales, Personnel Statute (Statut de Personnel) and Organisational Chart of the Regional Assembly and the Office of the Public Independent Conciliator.
- vi. Ensure an enabling environment so that all council personnel and mayors return to the council areas as per Section 144 of Law No. 2019/024 of 24 December 2019 to institute the General Code of Regional and Local Authorities, to serve the



population better, otherwise, councils should put in place alternative arrangements to cater for the very pressing everyday needs of their populations.

- vii. Consider a waiver from the National Social Insurance Fund (CNPS) penalties levied on councils of the North-West region for delays in the payment of contributions until a period when their timely and adequate resources would permit.

In conclusion therefore, considering the novelty of the Office of the Public Independent Conciliator created within the context of the ongoing socio-political crisis in the English-speaking regions, the Public Independent Conciliator shall continue to focus on **peace-building** and **promotional activities** in 2023, informing and educating the masses on its missions and mandate and building rapport with its stakeholders.



TAMFU Simon FAI