

Resolution No. 7: on the adoption of the Guideline for the integration of Nexus (Water-Energy-Food Security, and Environmental sustainability) in developing NBA Projects and Programmes

The 41st Ordinary Session of the Council of Ministers of the Niger Basin Authority, held at Radisson Blu Hotel, N'Djamena, Republic of Chad, on 8th December, 2022;

BASED ON:

- The revised Convention dated 29th October, 1987 establishing the Niger Basin Authority;
- Decision No. 2 of the 8th Summit of the NBA Heads of State and Government, held at Palais des Congrès in Niamey, Republic of Niger, on 30th April, 2005, on the adoption of the Niger Basin Water Charter;
- Decision No. 2 of the 9th NBA Summit of Heads of State and Government, held at the State House (Aso Villa) in Abuja, Federal Republic of Nigeria, on 16th September, 2010, on the implementation of the Niger Basin Water Charter;
- Resolution No. 1 of the Extraordinary Session of the NBA Council of Ministers held in Niamey, on 26th July, 2007, on the adoption and recognition of the Sustainable Development Action Plan (SDAP) as a strategic reference framework for the development of the Niger Basin;
- Resolution No. 6 of the Ordinary Session of the NBA Council of Ministers, held in Ouagadougou, Burkina Faso, on 26th November, 2021, on the adoption of Annex 5 to the Water Charter on the legal status of Common Infrastructures and Infrastructures of Common Interest.

ADOPTS:

The Guidelines on the integration, if need be, of NEXUS in the development of NBA Projects and Programmes.

Done in N'Djamena on 8th December, 2022
The Chairman of the Council of Ministers,



Dr Augustin KABORE
Minister of Environment, Water and Sanitation, Burkina Faso

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Ordinary Session of the Council of Ministers of the Niger Basin Authority
(N'Djamena, CHAD, 8th December, 2022)

Guidelines for the integration of the Water, Energy, Food Security, and Environmental Sustainability Nexus approach in the development of sustainable development programmes and projects in the Niger Basin

SUMMARY

CHAPTER I. GENERAL PROVISIONS	4
Article 1. Definitions and uses of terms	4
Article 2. Objective	7
Article 3. Scope	7
Article 4. General principles	8
Article 5. Specific principles of the Water, Energy, Food Security, and Environmental Sustainability Nexus governance framework	9
CHAPTER II. ROLE AND RESPONSIBILITIES OF ACTORS IN INTEGRATING THE WATER, ENERGY, FOOD SECURITY, AND ENVIRONMENTAL SUSTAINABILITY NEXUS APPROACH INTO DEVELOPMENT PROGRAMMES AND PROJECTS	10
Article 6. Permanent Technical Committee	11
Article 7. Executive Secretariat	11
Article 8. National Focal Structures	11
Article 9. Panel of Independent Experts	11
Article 10. Local governments	11
Article 11. Coordinating units of natural resource users.....	12
Article 12. Private sector	12
Article 13. The media	12
Article 14. Development Partners	12
CHAPTER III. METHODOLOGY FOR THE INTEGRATION OF THE WATER, ENERGY, FOOD SECURITY, AND ENVIRONMENTAL SUSTAINABILITY NEXUS INTO DEVELOPMENT PROGRAMMES AND PROJECTS	12
Article 15: Characterization of the proposed programme or project	12
Article 16. Simplified assessment of the Water, Energy, Food Security, and Environmental Sustainability Nexus	13
Article 17. Detailed assessment of the Water, Energy, Food Security, and Environmental Sustainability Nexus	14

CHAPTER IV. CONTROL OF THE INTEGRATION OF THE WATER, ENERGY, FOOD SECURITY AND ENVIRONMENTAL SUSTAINABILITY NEXUS INTO DEVELOPMENT PROGRAMMES AND PROJECTS.....	14
Article 18. Integrating a Water, Energy, Food Security, and Environmental Sustainability Nexus analysis	14
Article 19. Results of the evaluation of the integration of the Water, Energy, Food Security, and Environmental Sustainability Nexus in programmes and projects.	15
CHAPTER V. PROMOTING THE INTEGRATION OF THE WATER, ENERGY, FOOD SECURITY, AND ENVIRONMENTAL SUSTAINABILITY NEXUS INTO DEVELOPMENT PROGRAMMES AND PROJECTS	15
Article 20. Building the capacity of actors	15
Article 21. Regional Dialogue Network on the Water, Energy, Food Security, and Environmental Sustainability Nexus	16
CHAPTER VI. FINAL PROVISIONS	16
Article 22. Monitoring the implementation	16
Article 23. Adoption	16

These Guidelines for the integration of the Water, Energy, Food, and Environmental Sustainability Nexus (WEFE) in the development of sustainable development programmes and projects in the Niger Basin, have been developed to support the sustainable development of the Niger River Basin in accordance with the shared vision and the Basin Water Charter. The Nexus is defined as an integrated approach that takes into consideration the identification of linkages between several sectors and their objectives, as well as the reduction of negative trade-offs and the strengthening of positive synergies to reconcile the various human and environmental development needs that depend on or compete for the same resources.

The Guidelines propose an integrated approach that considers the links between water, energy, food security, and the environmental sustainability of development programmes and projects to maximize the benefits for the Basin's population and to ensure that investments in one sector do not significantly harm other sectors. As such, they will strengthen the feasibility and bankability of the programmes and projects of the operational plan and other projected development projects and programmes in the Niger Basin.

CHAPTER I. GENERAL PROVISIONS

Article 1. Definitions and uses of terms

For the purposes of these Guidelines the following definitions apply:

Authority: Niger Basin Authority;

Water Charter: Niger Basin Water Charter;

Permanent Technical Committee: Permanent Technical Committee of the Niger Basin Authority;

Council of Ministers: Council of Ministers of the Niger Basin Authority;

Regional Coordinating Unit of Users of the Niger Basin Natural Resources: space for dialogue and permanent consultation of users of natural resources in the Basin and a framework for mobilizing them with a view to their participation in decision-making relating to the process of the sustainable development of the Basin;

National Coordinating Unit of Users of the Niger Basin Natural Resources: national frameworks for consultation and social mobilization bringing together all the users of the natural resources of the Basin organized into associations as well as national and international NGOs whose aim is to organize the participation of users of the natural resources of the Niger basin in the implementation of related public policies, and ensure their representation before the bodies responsible for designing and implementing said policies;

Development of development programmes and projects: design, financing, implementation, and operation of development projects;

Data and technical characteristics of a programme or project: technical data describing the relevant technical characteristics of the project, together with the hydrological, hydrogeological, climatic, environmental, socio-economic, and financial data required for its WEFE Nexus evaluation;

Environmental sustainability: responsible exploitation of natural resources, associated with adequate protection of ecosystems that can be maintained indefinitely;

Member Country: A country member of the Niger Basin Authority;

Detailed assessment of the Water, Energy, Food Security, and Environmental Sustainability Nexus: estimation of project effects on food security, water security, energy security, and environmental sustainability based on an in-depth study of the project that uses the best available data, methodology and state-of-the-art analysis tools in line with international standards in the field;

Simplified assessment of the Water, Energy, Food Security, and Environmental Sustainability Nexus: qualitative assessment of project effects on food security, water

security, energy security, and environmental sustainability based on the International Council of Science' seven (7)-point scale, described in Annex II to this document;

Impact: any change in the environment, economy, or social behaviour resulting in part or in whole from the investments made or services provided under the project;

Transboundary impact: any significant effects such as changes in the characteristics of transboundary waters caused by human activity;

Nexus: an integrated approach that takes into consideration the identification of linkages among several sectors and their objectives, as well as the reduction of negative trade-offs and the strengthening of positive synergies to reconcile the various human and environmental development needs that depend on or compete for the same resources. The Nexus approach helps to i) improve the design and impact of development programmes and projects; (ii) achieving multiple objectives through a single intervention; (iii) prevent negative cross-sectoral impacts; (iv) strengthen intersectoral synergies between several interventions; (v) facilitate the financing of development programmes and projects;

Water, Energy, Food Security, and Environmental Sustainability Nexus, WEFE in short: version of the Nexus that considers the water, energy, and food sectors and the objectives of water, energy, and food security. Environmental sustainability is a key additional objective and often directly included in sectoral analyses.

Niger Basin Observatory: management of the Executive Secretariat of the Authority, responsible for monitoring the hydrological, environmental, and socio-economic evolution of the Basin and producing regular information on the development of the Basin.

Panel of Independent Experts: group of independent experts responsible for issuing specific technical opinions on issues relating to development in the Basin;

Sustainable Development Action Plan: Niger River Basin' Sustainable Development Action Plan;

Operational Plan: Niger Basin Operational Plan;

Executive Secretariat: Executive Secretariat of the Niger Basin Authority;

Private sector: sector, run by individuals and businesses, usually with the aim of making a profit;

Food security: access for everyone and at all times to enough food to lead an active and healthy life;

Water security: reliable availability of an acceptable quantity and quality of water for health, livelihoods, and production, associated with an acceptable level of water-related risks;

Energy security: uninterrupted availability of energy sources at an affordable price;

National Focal Structure: structure responsible for ensuring the coordination of the activities of the Niger Basin Authority at the level of each Member Country, through the involvement of all actors, on the one hand, and among Member Countries, on the other;

Article 2. Objective

These Guidelines aim at integrating the WEF Nexus approach in the design of development programmes and projects in order to ensure water security, energy security, food security, and environmental sustainability in the Niger Basin.

These Guidelines specifically aim at:

- i) Defining the principles for assessing the WEF Nexus criteria in development programmes and projects;
- ii) Determining the role and responsibilities of actors for better governance in the development of WEF Nexus programmes and projects;
- iii) Determining the methodology for integrating the WEF Nexus into development programmes and projects;
- iv) Determining the modalities for monitoring the integration of the WEF Nexus into development programmes and projects, and;
- v) Determining the promotional measures contributing to reinforcing the integration of the WEF Nexus in development programmes and projects.

Article 3. Scope of application

These Guidelines may be applied to development programmes and projects with significant transboundary and intersectoral impact being implemented or planned in the Niger Basin to ensure water security, energy security, food security, and environmental sustainability, in line with the mission and objectives of the Authority.

They may cover the various development phases of development programmes and projects, including design, financing, construction, and operation.

Article 4. General principles

The Authority and the Member Countries, in the context of the integration of the WEF Nexus in development programmes and projects, comply with the following fundamental principles enshrined in the Niger Basin Water Charter:

- i) **Principle of complementarity**, by virtue of which it is necessary, within the perspective of regional integration, to make the best use of the complementarities of Member Countries' economies based on the current or potential comparative advantages within the Member Countries;
- ii) **Principle of cooperation**, by virtue of which Member Countries undertake permanent consultation and negotiation for achieving the Authority's objectives;
- iii) **Principle of social equity**, whereby the interests and concerns of women, men, and vulnerable segments of society are taken into account in designing capacity development policies and in planning programmes and projects;
- iv) **Principle of sustainable development**, by virtue of which the management of the Basin shall enable to meet the needs of current generations without compromising those of future generations by reconciling, in a balanced manner, economic development, environmental protection, and social development;
- v) **Principle of non-transfer of risk**, under which Member Countries take

appropriate measures to prevent the movement and transfer within the Basin of any activity or substance which causes serious deterioration of the environment or which is harmful to human health;

- vi) **Principle of prevention**, by which Member Countries shall take into consideration the principle of preventive action and correction, by priority at the source, for damage to the environment, using the best techniques available at an economically acceptable cost;
- vii) **Polluter-pays principle**, by virtue of which the costs of pollution prevention, control, and reduction measures are borne by the polluter;
- viii) **Principle of responsibility**, by virtue of which Member Countries strive to implement in good faith the orientations and procedures resulting from these Guidelines;
- ix) **Principle of transparency**, by virtue of which the initiatives of Member Countries shall be based on the free flow of adequate information among Member Countries;
- x) **Principle of non-harmful use of the national territory**, under which Member Countries have a duty to ensure that activities carried out within their jurisdiction or under their control do not cause significant damage to the environment of other Member Countries or areas beyond national jurisdiction;
- xi) **Principle of solidarity**, by virtue of which cooperation among Member Countries for the sustainable management of the Basin shall be based on the idea that the Niger Basin constitutes a common good that Member Countries endeavour to preserve for promoting peace and development in the Basin, on the one hand, and, to support the most disadvantaged populations and areas for gradually eliminating disparities among Member Countries, on the other hand;
- xii) **Principle of substitution** according to which an action that is likely to have a detrimental impact on transboundary waters can be substituted for another

which presents lesser risk or danger;

- xiii) **Principle of subsidiarity**, by virtue of which it is convenient to seek the most appropriate level for exercising competencies.

Article 5. Specific principles of the Water, Energy, Food Security, and Environmental Sustainability Nexus governance framework

The Authority and Member Countries, as part of the integration of the WEFE Nexus approach into development programmes and projects, comply with the following specific principles of the governance framework of the WEFE Nexus approach in the Niger Basin:

- i) **Principle of the systematic multisector effects**, according to which, a priori, any intervention in the Basin affects all four WEFE Nexus sectors to various degrees. It is up to the Member Country promoting the project to demonstrate that the negative effect is negligible on some of the sectors and to assess the effect on the other sectors;
- ii) **Principle of the cumulative effect**, in virtue of which the effect of any intervention shall always be estimated by considering the extent of its interactions with existing and planned interventions in the Basin. These effects depend, among other things, on its size in terms of surface area, the volume of water stored or impacted, but also its location relative to the said interventions;
- iii) **Principle of promoting intersectoral efficiency**, according to which programmes and projects that increase intersectoral efficiency in the use of resources and adequately address social and environmental issues and improve equity should be prioritized;
- iv) **Principle of impact mitigation** according to which mitigation measures shall be systematically identified and, as far as possible, implemented for an intervention for which negative interactions in one of the WEFE Nexus sectors are identified, and;

- v) **Principle of continual updating of knowledge**, which is the principle that all efforts should be made for a better understanding of Nexus interrelationships in order to make optimal decisions, in particular through exhaustive data collection and scientific research.

CHAPTER II. ROLE AND RESPONSIBILITIES OF ACTORS IN INTEGRATING THE WATER, ENERGY, FOOD SECURITY, AND ENVIRONMENTAL SUSTAINABILITY NEXUS APPROACH INTO DEVELOPMENT PROGRAMMES AND PROJECTS

Section I. Role and responsibilities of the organs of the Authority

Article 6. Permanent Technical Committee

The Permanent Technical Committee provides informed advice on all issues relating to the integration of the WEFE Nexus into development programmes and projects.

It facilitates dialogue, consultation, negotiation, and mediation in the event of divergences of appreciation that may arise while integrating the WEFE Nexus into development programmes and projects.

Article 7. Executive Secretariat

The Executive Secretariat examines and evaluates projects under preparation, according to the WEFE Nexus criteria through its technical services and using WEFE Nexus methodologies, having recourse, if need be to WEFE Nexus evaluation tools.

Article 8. National Focal Structures

National Focal Structures guarantee the coordination of interventions and taking into consideration several sectors and various users in designing new projects to achieve multiple objectives from one project and to avoid negative impacts on one or several sectors.

They apply the WEF Nexus approach to development programmes and projects, using available WEF Nexus assessment instruments or tools as needed.

Article 9. Panel of Independent Experts

The Panel of Independent Experts issues, at the request of the Permanent Technical Committee, technical opinions on all issues related to the integration of the WEF Nexus in development programmes and projects in the Basin.

Section II. Role and responsibilities of the Authority's partners

Article 10. Local governments

Local governments support central and decentralized government structures in integrating the WEF Nexus into development programmes and projects in the Basin.

Article 11. Coordinating units of natural resource users

The regional coordinating unit and national coordinating units of users of the natural resources of the Niger Basin ensure the monitoring of the integration of the WEF Nexus in development programmes and projects.

They contribute to building the capacities of national stakeholders in integrating the WEF Nexus into development programmes and projects.

Article 12. Private sector

The private sector collaborates with the Authority and countries in promoting the integration of the WEF Nexus.

Article 13. The media

The media contribute to informing and raising public awareness on the integration of the WEFE Nexus into development programmes and projects in the Niger Basin.

Article 14. Development Partners

Development partners provide financial and technical support for implementing regional strategies promoting the integration of the WEFE Nexus in development programmes and projects.

CHAPTER III. METHODOLOGY FOR INTEGRATING THE WATER, ENERGY, FOOD SECURITY, AND ENVIRONMENTAL SUSTAINABILITY NEXUS INTO DEVELOPMENT PROGRAMMES AND PROJECTS

Article 15: Characterization of the proposed project

The Member Countries of the Authority identify, for all development programmes and projects with transboundary impacts, the data and technical characteristics needed for the WEFE Nexus assessment of the said programmes and projects.

The nature of the data and technical characteristics required for the characterization will depend on the nature of the development programme or project. It must allow the application of NBA reference methodologies, as indicated in Annex I, which lists the data required for certain types of structures.

The Executive Secretariat may, as part of the WEFE Nexus review and analysis, request from Member Countries any additional technical data that it deems relevant.

The file of the proposed development programme or project may be considered complete once the Executive Secretariat receives relevant data. Once complete, the submission is examined and analysed by the Executive Secretariat.

The results of the WEF Nexus review and analysis carried out by the Executive Secretariat are communicated to the Member Countries concerned for consideration.

Article 16. Simplified evaluation of the Water, Energy, Food Security, and Environmental Sustainability Nexus

Projects will be subject to a simplified assessment either when they are included in the NBA Operational Plan or at any time deemed appropriate by countries and the Authority .

The simplified assessment of the contribution of the programme or project to water security, energy security, food security, and environmental sustainability will be based on a seven (7)-point scale as described in Annex II to these Guidelines.

To this end, the Executive Secretariat will avail Member Countries with a software or an online tool to facilitate the implementation of this methodology.

The methodology for a simplified WEF Nexus evaluation is set out in Annex II to the Guidelines.

Article 17. Detailed evaluation of the Water, Energy, Food Security, and Environmental Sustainability Nexus

A detailed assessment is strongly encouraged when development programmes and projects are likely to have significant intersectoral effects, based on the simplified methodology.

The technical studies related to the latter must contain an annex in which the project's impacts on the water, energy and food security, and environmental sustainability in the affected Member Countries are analysed.

The evaluation shall be carried out based on objective data and analysis tools corresponding to the state-of-the-art in the field considered.

The analysis tools will be validated beforehand by the Executive Secretariat. The Executive Secretariat sends a WEFE Nexus endorsement note to the country after a positive review of the programme or project documentation.

The non-exhaustive list of data required for each type of project for the detailed WEFE Nexus analysis appears in Annex I to these Guidelines.

CHAPTER IV. CONTROL OF THE INTEGRATION OF THE WATER, ENERGY, FOOD SECURITY, AND ENVIRONMENTAL SUSTAINABILITY NEXUS INTO DEVELOPMENT PROGRAMMES AND PROJECTS

Article 18. Integration of a Water, Energy, Food Security and Environmental

Sustainability Nexus analysis

For development programmes and projects in the Basin, the control of the WEFE Nexus evaluation will be done by the Executive Secretariat internally or by resorting to national or international service providers competent in this field.

Article 19. Results of the evaluation of the integration of the Water, Energy, Food Security, and Environmental Sustainability Nexus in programmes and projects

The Executive Secretariat's assessment of the inclusion of the WEFE Nexus approach is justified.

When the Executive Secretariat concludes that the WEFE Nexus is successfully integrated, the programme or project concerned continues its development process.

When the evaluation of the integration of the WEFE Nexus reveals that the integration of the WEFE Nexus is insufficient, the Executive Secretariat may indicate to the Member Country concerned the considerations which motivated its decision and makes recommendations in order to better integrate the WEFE Nexus in the planned programme or project.

The country concerned may request the support and guidance of the Executive Secretariat for better integrating the WEFE Nexus into the programme or project in question.

CHAPTER V. PROMOTING THE INTEGRATION OF THE WATER, ENERGY, FOOD SECURITY, AND ENVIRONMENTAL SUSTAINABILITY NEXUS IN DEVELOPMENT PROGRAMMES AND PROJECTS

Article 20. Building stakeholders' capacity

The Authority supports Member Countries in building the capacity of national stakeholders to promote the integration of the WEFE Nexus in development programmes and projects.

The Authority may develop and implement a regional WEFE Nexus capacity-building programme.

Article 21. Regional Dialogue Network on the Water, Energy, Food Security, and Environmental Sustainability Nexus

The Authority, in cooperation with Member Countries, could foster the promotion of regional dialogues on the Water, Energy, Food Security and Environmental sustainability Nexus.

CHAPTER VI: FINAL PROVISIONS

Article 22. Monitoring the implementation

The Executive Secretariat monitors the implementation of these Guidelines for the integration of the WEFE Nexus into development programmes and projects.

The Executive Secretariat may regularly evaluate these Guidelines for the integration of the WEFE Nexus into development programmes and projects at the regional level.

The evaluation reports of these Guidelines for the integration of the WEFE Nexus into development projects and programmes shall be widely published among basin stakeholders.

Article 23. Adoption

These Guidelines on the integration of the WEFE Nexus into investment programmes are adopted by the Council of Ministers.

Annex I. Non-exhaustive list of data required by type of project for the detailed analysis of Nexus

1. Hydro-Agricultural development projects

- a. Geographic location of the site (longitude/latitude or polygon, watershed and sub-basin);
- b. Area to be irrigated in ha (existing/planned/potential);
- c. Monthly water needs per Ha, or type of crops planned with their cropping calendar and the local climatology;
- d. Annual water consumption ($\text{m}^3/\text{year}/\text{ha}$);
- e. Percentage of annual consumption as used each month (%);
- f. Characteristics of the weather station closest to the site (name, latitude, longitude, elevation);
- g. Expected crop yields (Tonne/ha or Kg/ha);
- h. Topography;
- i. Paedology;
- j. Water source (surface water, aquifer);
 - i. Flows into the watercourse (if applicable);
 - ii. Aquifer depth and annual recharge (if applicable) and;
 - iii. Water quality;
- k. Energy needed to pump water (KWH/m^3) or technical data to calculate it;
- l. Monetary values of all costs incurred during projects' implementation (land purchase, irrigation infrastructure, seeds purchase, fertilizer purchase, water withdrawal cost, energy cost, labour cost, pesticide cost, etc.);
- m. Institutional costs (staff involved, transport and data monitoring);
- n. Market price of the various crops grown on the site (CFAF/Kg), and;
- o. Demographic data (affected populations, beneficiaries, water user associations).

2. Dam

- a. Reservoir objectives (hydropower production/agricultural production/low water level support/water supply);
- b. Geographical location (longitude/latitude or polygon);
- c. Characteristics of the reservoir;
 - i Maximum volume (m^3);
 - ii Dead stock (m^3);
 - iii Active reserve (m^3);
 - iv Volume-height-area curve;
 - v Buffer zones and conservation areas (m^3);
 - vi Area flooded (km^2);
- d. Turbine characteristics (if applicable);
 - i Installed capacity (MW);
 - ii Average head (metres);
 - iii Turbine efficiency (%);
- e. Characteristic of associated projects;
- f. Other withdrawals on a monthly basis (m^3/month);
- g. State of ecosystems downstream of the dam and their needs in terms of flow and levels on a monthly basis;
- h. Monthly contributions.

3. Environmental protection

- a. Project description;
 - i Project purpose;
 - ii Surface area to be protected (ha)
 - iii Area original purpose.

b. Food production in the area

- i Volume of water withdrawn from the reservoir for agriculture and livestock development (m^3/month);
- ii Fresh water supply source;
- iii Cropping land area (ha) and crop kinds;
- iv Crops grown;
- v Agricultural production in the reserve that could be lost in this area;
- vi Number of agricultural producers or sedentary farmers to relocate/displace;

c. Hydrology

- i Monthly rainfall;
- ii Monthly flows and volumes in water courses (if applicable);

d. Energy production;

- i Firewood volume extracted /deforestation (m^3);
- ii Riparian populations' energy needs (KWH);

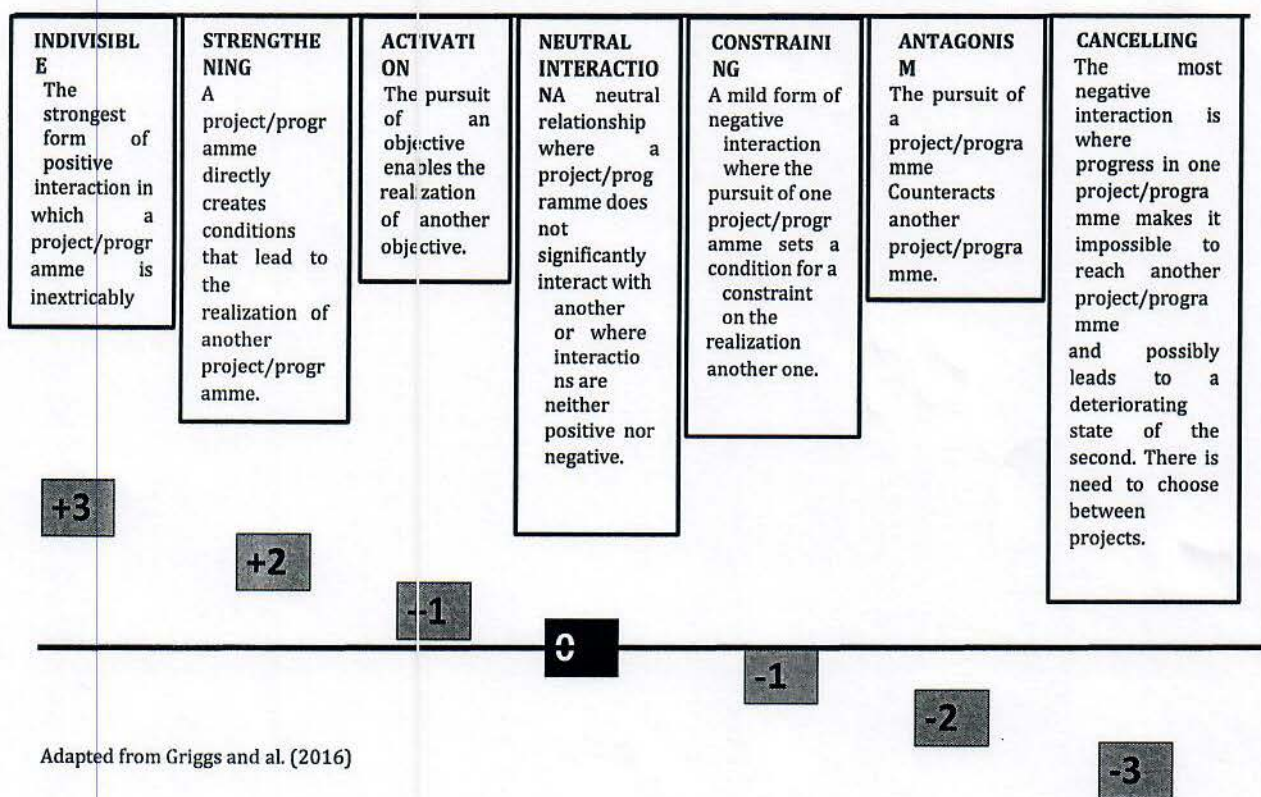
e. Environment;

- i Current biomass (tonnes);
- ii Biomass lost over the last 10 years in relation to current climate change (tonnes);
- iii Expected biomass in 10 years (tonnes);
- iv Loss of biodiversity;
- v Frequency of bushfires;
- vi Rainfall (mm/month), and;
- vii Minimum monthly flow required.

Annex II. Methodology for a simplified analysis of Nexus links

This approach provides a simplified way of assessing the contribution of a project or programme to water security, energy security and environmental sustainability. This is done using the 7-point scoring framework developed by Griggs et al. (2016) and adopted by the International Science Council - formerly the International Council of Science Universities - to analyse the linkages among the Sustainable Development Goals. The figure below shows the framework for a simplified cross-sectoral assessment of the trade-offs and synergies of a project or programme proposed in the matter of water, energy and food security and environmental sustainability.

Nexus Programme/Project Scoring System in 7-Points

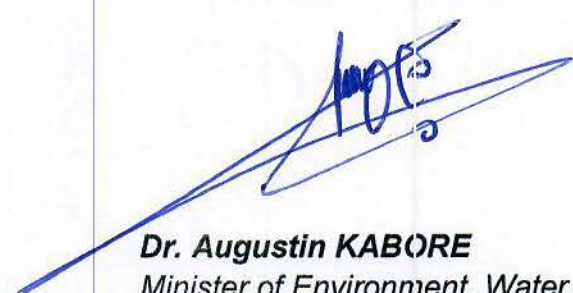


A score of 3 indicates that the project is essential to achieve a certain sectoral objective; a score of 2 indicates that the project is important to achieve a certain sectoral objective; a score of 1 means that the project helps to achieve a certain sectoral objective. For each positive score, a brief explanation is given of how synergies between positive interactions can be strengthened. A score of 0 indicates that there is no significant link between two sectoral objectives; a negative 3 score suggests serious negative damage to another sectoral

objective to the extent that the pursuit of one objective would negate the other sectoral objective; a minus 2 score means substantial negative impacts on another sectoral objective; a minus 1 score indicates that the opposing project or intervention constrains to some extent the realization of another project or intervention. For each negative score, an explanation is added on how the negative impacts can be reduced. This analysis will be done, at a minimum, for water, energy and food security and for environmental sustainability. Other sectors could be taken into consideration if they are related to the ongoing project, e.g. mining, transport, navigation, as indicated in the Water Charter.

During the implementation of the project, representatives of the sectors identified with positive and negative linkages will be consulted to ensure that the positive linkages identified (synergies) are actually enhanced and the negative linkages identified (trade-offs) are actually reduced. The assessment will be reviewed and updated during implementation, as other unexpected Nexus links may be identified during implementation. These steps will be made available to the actors as referred to in Article 14 in an online tool.

Done in N'Djamena, on 8th December, 2022
The Chairman of the Council of Ministers,



Dr. Augustin KABORE
*Minister of Environment, Water and
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