

STATUTES
of the Volta Basin Authority
(VBA)

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PART I : Purpose

Article 1 :

The purpose of these Statutes, adopted in conformity with Article 9 of the Convention on the Status of the Volta River and the Establishment of Volta Basin Authority, is to provide for the specific objectives rules and procedures for the operation of the organs of the "Authority".

PART II : Specific objectives

Article 2 :

The specific objectives of the Authority shall be :

1. To organize and reinforce consultations among the riparian countries of the Volta on the one hand and also between these riparian countries and all the development partners interested in and concerned with the development of natural resources and, in particular, the water resources of the Volta basin, on the other hand;
2. To harmonize the national policies relating to the management of the water resources of the Volta basin, through the adoption and enforcement of Integrated Water Resources Management throughout the basin;
3. To mobilize the human, technical, and financial resources necessary for undertaking studies, research activities and works aimed at sustainable management of water resources for the socio-economic development of the Volta basin;
4. To coordinate studies, research activities and works initiated in the basin for the development of the water resources of the basin, especially those relating to the provision of potable water and sanitation for the population,

hydro-power production, irrigation, livestock, fish farming, navigation and the preservation of aquatic ecosystems;

5. To create and or improve the tools and networks for the collection, processing, storage and dissemination of data and information necessary for the activities of scientific research, planning, development and management of the natural resources of the basin and in particular, its water resources;
6. To develop and implement the institutional mechanisms and tools for monitoring, evaluation and planning for an efficient and sustainable management of the water resources of the Volta basin;
7. To initiate any other action in the common interest of the Parties, in line with the sustainable management and utilisation of the water resources of the basin;
8. To promote cooperation between the Authority and other similar regional and international organisations;
9. To authorize the development of infrastructure and projects planned by the States Parties and which could have substantial impact on the water resources of the basin;
10. To develop joint projects and works;

PART III : Legal Authority

Article 3 :

For the effective execution of its mandate and the achievement of its objectives, the Authority shall have a legal status and more specifically shall have the capacity :

1. To enter into contracts;
2. To acquire and dispose of goods, movable and immovable;

3. To receive gifts, grants, legacies and other bequests;
4. To sue and be sued;

PART IV : Functions of the Organs

Article 4 :

The permanent organs of the Authority as stated in Article 8 of the Convention shall be :

1. The Assembly of Heads of State and Government;
2. The Council of Ministers in Charge of Water Resources;
3. The Forum of the Parties involved in the development of the Volta basin;
4. The Committee of Experts;
5. The Executive Directorate of the Authority.

Article 5 :

1. The Assembly of Heads of State and Government, hereinafter referred to as the "Assembly" shall be the supreme policy decision-making organ of the Authority.
2. The Assembly shall consist of the Heads of State and Government of the Parties or their duly mandated representatives.
3. The Assembly shall define the general framework of the cooperation and developmental policies of the Authority and shall ensure their implementation.
4. The Assembly shall meet once every two years in the State Party occupying the chairmanship of the Assembly and the quorum for all meetings shall be the simple majority of Parties.
5. The Assembly may at the request of the President or any State Party convene an extraordinary session.

6. The decisions and recommendations of the Assembly shall be adopted by consensus and shall be binding on the Authority and the State Parties.
7. The Assembly shall appoint a President in a rotational manner according to the alphabetical order of the State Parties in French for a period of two years.

Article 6 :

(1) The Council of Ministers, hereinafter referred to as "the Council", shall be responsible for the formulation and control of the programmes and policies of the Authority in conformity with the cooperation and development policies defined by the Assembly and shall supervise and monitor the activities of the Authority.

(2) The Council shall consist of the Ministers in charge of Water Resources of the State Parties or their duly mandated representatives provided that these Ministers may be accompanied by other members of government.

(3) The State Parties shall be obliged to attend meetings of the Council.

(4) Without prejudice to the powers of the Assembly, the Council shall exercise overall responsibility over all the organs of the Authority and shall legally represent the Authority in all matters provided that the Council may expressly delegate some of its powers to the Executive Director.

(5) The Council shall control the activities of the Executive Directorate and shall approve the budget of the Authority and determine the financial contributions of the State Parties.

(6) The Council shall approve the financial and employment regulations and shall employ the senior staff of the Authority on the recommendations of the Executive Director, among the nationals of the State Parties on the basis of competence and equitable distribution.

(7) The Council shall examine all projects submitted to the Authority and may authorise their execution.

(8) The decisions of the Council shall be binding on all State Parties.

(9) The Council shall meet once a year in an ordinary session convened by its President provided that the President at the request of a State Party may convene an Extraordinary Session of the Council.

(10) The sessions of the Council shall be held in a rotational manner among the State Parties according to the alphabetical order of the States in French.

(11) The meetings of the Council shall be chaired by its President and the quorum for all meetings shall be two-thirds of the State Parties.

(12) The decisions of the Council shall be adopted by consensus. In the event of persistent disagreement, decisions shall be adopted by two-thirds majority of State Parties.

(13) The tenure of office of a President shall be for one year and shall be appointed alternatively among the Ministers in charge of Water Resources of the State Parties according to the alphabetical order of the States in French.

(14) The President shall in between sessions of the Council represent the Council and shall take any decision within his competence in the interest of the Authority and shall report to the Council at its next meeting.

(15) The President of the Council may, in the event of an emergency and in consultation with other members of the Council, take any appropriate measure within the jurisdiction of the Council.

(16) The Council in all matters shall exercise its power in accordance with the mandate assigned to the Authority.

(17) The Council shall report the activities of the Authority to the Assembly through its President.

(18) The Council shall adopt its own internal rules and procedures in the performance of its mandate.

Article 7 :

(1) The Forum of the stakeholders involved in the development of the Volta Basin, hereinafter referred to as "the Forum", shall be an advisory body instituted by the Council.

- (2) The Forum shall consist of :
- (a) The representatives of various categories of water users; Civil Society involved in water resources management; and decentralized local authorities in each portion of the basin of the State Parties,
 - (b) The representatives of the National Focal Bodies,
 - (c) The representatives of the neighbouring trans-boundary basin organizations,
 - (d) The representatives of research centres operating in the water and environment sector.
- (3) The Forum shall meet at least once a year at the request of its President in consultation with the President of the Council.
- (4) The Forum shall submit to the Council the opinions and proposals of the stakeholders involved in the development of the basin and shall inform stakeholders on the activities and achievements of the Authority.
- (5) The Forum shall support the work of the Authority through the promotion of education and sensitization of the population of the basin on joint issues relating to integrated water resources management.
- (6) The Forum shall develop its own internal rules and procedure which shall be submitted to the Council for approval.

Article 8 :

- (1) The Committee of Experts, hereinafter referred to as "the Committee" shall consist of two representatives each from a State Party, one of whom shall at least belong to the National Focal Bodies.
- (2) The Committee shall be responsible for:
- (a) Preparation of the meetings of the Council;
 - (b) Supporting the Executive Directorate in the execution of its functions especially in its relationships with the National Focal Bodies and the other actors operating in the basin;

(3) The Executive Director shall convene the meetings of the Committee in consultation with the President of the Council as and when necessary;

(4) The Committee shall develop its own internal rules and procedure which shall be submitted to the Council for approval.

Article 9 :

(1) The Executive Directorate shall be the executive body of the Authority and shall enforce the decisions of the Council and report regularly on their implementation.

(2) The Executive Directorate shall provide secretarial support for all the bodies of the Authority.

(3) The Executive Directorate of the Authority shall be headed by an Executive Director who shall be appointed by the Assembly upon the recommendation of the Council for a period of four years with the option to renew for another four year term only, in accordance with the procedures set forth in the Staff Regulations.

(4) The administrative structure of the Executive Directorate shall be developed by the Executive Director and shall be approved by the Council.

(5) The Executive Director shall represent the Authority mainly in its relationship with bilateral and multilateral institutions on any issue relating to the water resources of the Volta basin. He shall take all the decisions within his mandate subject to the directives of the Council.

(6) The Executive Director shall be the budget holder of the Authority.

(7) The Executive Director shall be the head of the administration of the Authority and shall be responsible for the management of the assets and the staff of the Authority and shall have supervisory power over all the staff and activities of the Authority.

(8) The Executive Director shall report to the Council on the management and the activities of the Executive Directorate.

PART V : National Focal Bodies

Article 10 :

- (1) The Minister in Charge of Water Resources in each State Party shall establish a national focal body which shall be responsible for coordinating the activities of the Authority at the national level.
- (2) The specific functions and composition of the National Focal bodies shall be defined in joint agreement with the State Parties.

PART VI : Financial Provisions

Article 11 :

- (1) The Council shall approve the annual budget of the Authority and the budget shall be in a convertible currency.
- (2) The budget of the Authority shall be made up of :
 - a. Subscriptions of State Parties,
 - b. Any other funds allocated by State Parties,
 - c. Subventions, gifts, grants and loans granted to the Authority,
 - d. Any other money accruing to the Authority in the performance of its functions.
- (3) The financial resources of the Authority shall be determined by the Council.
- (4) The State Parties shall be obliged to pay regularly their contribution to the annual budget of the Authority.
- (5) In the event of a default of a State Party to pay its contribution that State Party shall be liable to sanctions as shall be provided in the financial regulations.
- (6) All the expenses of the Authority, including those of the specialized bodies of the Executive Directorate, shall be approved by the Council and chargeable to the annual budget, under the conditions that shall be set forth in the financial regulations.

PART VII : Transitional Provisions

Article 12 :

The existing members of the Volta Basin Technical Committee (VBTC) shall assume the functions of members of the Committee of Experts until the setting up of the organs of the Authority.

Article 13 :

The Council, upon adopting these Statutes, shall appoint an acting Executive Director till the appointment of the substantive Executive Director.

PART VIII : Final Provisions

Article 14 :

(1) These Statutes may be amended upon the request of one of the State Parties and the proposed amendment shall be sent in a written form to the President of the Council who shall submit it to the Council for consideration at the next appropriate session.

(2) The proposed amendment shall be adopted upon the two-thirds majority vote of the State Parties.

Article 15 :

These Statutes shall enter into force as of the date signed by all the members of the Council.

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IN WITNESS WHEREOF, the ministers or duly mandated representatives have signed these Statutes in Ouagadougou, on 16 November 2007, in six (6) original copies in English and French, both versions shall be deemed authentic.

For the Republic of BENIN,
For the Minister of Mines, Energy
and Water,
The General Secretary



DANSOU LOKOSSOU Gabriel

For the BURKINA FASO,
The Senior Minister, Minister of
Agriculture, Hydraulic and Fishery
Resources



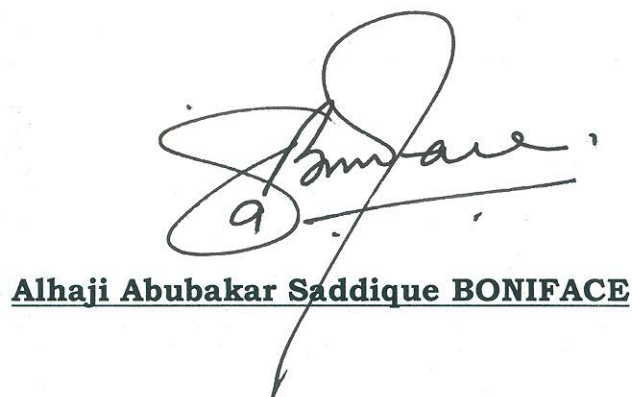
Salif DIALLO

For the Republic of COTE D'IVOIRE,
The Minister of Environment, Water
and Forestry,
The Director of Cabinet



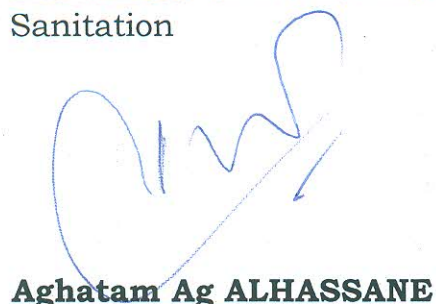
KOUASSI KOUADIO Mermoz

For the Republic of GHANA,
The Minister of Water Resources, Works
and Housing



Alhaji Abubakar Saddique BONIFACE

For the Republic of MALI,
For the Minister of Energy, Mines,
and Water,
The Minister of Environment and
Sanitation



Aghatam Ag ALHASSANE

For the Republic TOGOLAISE,
For the Minister of Water and Fishery
Resources



Yao Florent MAGANAWE