

The APRM MONITOR

NEWS AND VIEWS ON THE AFRICAN PEER REVIEW MECHANISM

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LEARNING LESSONS FROM AFRICAN PEER REVIEW

On 12-13 September 2006 in **Muldersdrift, Johannesburg**, the **South African Institute of International Affairs (SAIIA)** held a conference for participants from the first five countries to participate in the African Peer Review Mechanism (APRM), as well as several upcoming peer review countries. The conference was designed to take forward the review of the APRM begun at the **Africa Governance Forum (AGFVI)** held in **Kigali, Rwanda** in May 2006. Specifically, it aimed to come up with recommendations to strengthen the process and assist new countries beginning peer review.

The conference materials – including country case studies, a detailed analysis of the APRM questionnaire and an overview of the lessons learned in early APRM countries – drew on a research questionnaire administered to participants in the early countries and extensive personal interviews, and incorporated the discussions at the AGFVI and earlier peer review conferences. While the AGFVI presentations were all by government officials, the SAIIA conference attempted to broaden the discussion by bringing in research agencies, national governing council members and civil society representatives.

Discussions focused on comparing experiences and making recommendations in the following key areas: the organisation of national processes and institutions; methods of public consultation and research; the management of political factors affecting peer review; suggested reforms to the APRM questionnaire; the virtues and challenges of using household surveys; the use of the APRM governance standards; and advice for civil society in preparing for and participating in the APRM. Among the issues raised during the conference was the fact that the question of press freedom is absent from the APRM questionnaire. Participants argued for its inclusion, emphasizing that there is a general increase of persecution against journalists throughout Africa.

See the full report on SAIIA's website: www.saiia.org.za

Ousmane Déme, Partnership Africa Canada

Media, cornerstone of democracy, left out of APRM good governance assessment

Media organisations in southern Africa have mounted a protest about what they regard as a serious deficiency in the criteria used in the APRM process to assessment “good political governance” in a country. They say that though the defined criteria are well chosen and appropriate - they deal with the rule of law, an independent judiciary, an efficient civil service, freedom to join political parties and the holding of free and credible elections - the extremely important requirement that a country should promote a free and independent press is omitted.

This requirement was originally included in the self-assessment questionnaire when it was being framed but disappeared without explanation shortly before the questionnaire was presented to **African Union** member states.

A country cannot lay claim to “good governance” if it does not promote free and independent media. Courts in democracies around the world have repeatedly stated unequivocally that press freedom is at the heart of democracy. Edmund Burke in Britain's House of Commons recognised this truth in 1774 when he stated: “There are three Estates in Parliament; but, in the Reporters' Gallery yonder, there sits a Fourth Estate, more important far than they all”.

Another high ranking observer to single out the importance of press freedom in a democracy is former UN Secretary-General **Kofi Annan** who listed press freedom as one of his five criteria for good governance in an address to an African Union summit in 2005 - an observation which appears to have been ignored.

Media organisations believe that the omission of this requirement seriously diminishes the credibility of the African

Peer Review process and point to the International Press Institute having expressed this view in resolutions passed at its annual congresses.

The need for a press freedom section in the questionnaire is of extreme importance in Africa where far too many countries maintain media restrictive laws. The most inhibiting of such laws are the so-called “insult” and criminal defamation laws which are used by heads of state and government to prevent critical reporting and commentary on their conduct. A number of journalists and editors are languishing in jails in Africa as a result of these laws being used against them. Their crime was to report what was really happening in government. Indeed, they were all pointing out the deficiencies in government.

Media organisations point out that these laws are used to censor the media and protect heads of state and officials from criticism, thus thwarting the concept of “good governance”. They also state that they offend against the Declaration of Principles of Freedom of Expression in Africa, adopted by the **African Commission on Human and Peoples' Rights** in **Banjul, Gambia**, in October 2002 and member states of the African Union, as well as other international protocols.

They are demanding that questions relating to the status and conduct of the media, including details of restrictive legislation, must be included in the questionnaire.

Raymond Louw, Deputy-chairman of the South African Chapter of the Media Institute of Southern Africa, African Representative of the World Press Freedom Committee, Editor and Publisher, *Southern Africa Report*, South Africa.

RWANDA AND KENYA COUNTRY REVIEW REPORTS SUCCESSFULLY COMPLETED**Rwanda Report**

This report describes several areas where **Rwanda** has achieved what the document calls best practices from which other countries can learn, and other areas where it feels the country must tackle some critical overarching issues in order to improve its governance.

Rwanda has adopted a Constitution that is highly gender responsive, mandating the composition of women in Parliament to be at least 30%. Currently, 48.8% of positions in Parliament are held by women. Some 36% of Cabinet Ministers are women and half of the senators are women. Rwanda has mainstreamed women's concerns through the various levels of decision-making by passing a law to establish women's councils. These councils have decentralised structures from the national level to the village level, and provide a forum for analysis and advocacy on issues affecting women. Rwanda has successfully managed to achieve an equal balance of girls and boys in primary schools.

Compulsory universal and free primary education is being provided, allowing all children to go to school. A cost sharing and financial sector plan for tertiary education has been put in place. Expenditure on education accounts for 25% of the Government's recurrent expenditure. Rwanda has also moved to decentralise its health services, making elected local councils take responsibility for their communities.

Rwanda has institutionalised a participatory and consultative approach at all levels of its society, with the primary purpose of allowing all Rwandans to effectively own and internalise the political, economic and social development processes of their country.

The report discusses some areas of concern and makes recommendations regarding progress towards good governance in Rwanda. These include the following:

There is no greater flashpoint for national conflict in Rwanda than the land issue. The Government needs a clear land and population policy that includes a plan to create more off-farm employment for the youth and rural populations.

It is essential that efforts for improved democratic processes, especially political pluralism, should recognise the need for political parties and civil society to operate freely and express competitive ideas for governance within the rule of law.

Rwanda has clearly made significant efforts in establishing institutions and mechanisms for promoting good governance and socio-economic development. Nonetheless, an emerging challenge throughout the four thematic areas – political, economic and corporate governance and socio-economic development - is the lack of capacity within institutions to perform effectively.

The complete Rwanda Country Review Report, together with its *Programme of Action*, is available at:
http://www.devpartners.gov.rw/docs/documents/Studies%20and%20Reports/APRM_RWANDA_COUNTRY_REPORT_LAUNCH.pdf

Kenya Report

At 410 pages, this is the longest and most detailed APRM country report yet. As with the **Ghana** and **Rwanda** reports, **Kenya's** strengths and challenges are described in great detail.

Compared to its neighbours, who are often plagued by civil unrest and insurrections, Kenya is a bastion of stability. But the country still exhibits many of the factors that have been markers of civil strife elsewhere, such as ethnic divisions, polarised political issues, rampant violence, socio-economic disparities, deepening levels of poverty and endemic corruption.

Recent political changes have opened up the democratic space ushering in several welcome institutional and policy reforms and Kenyans currently enjoy a greater degree of human rights and political freedom than ever before. Corruption, while not receding, is frankly debated in both print and electronic media and there is now a culture of candour, self critiquing and stakeholder engagement. The decentralization model adopted by government has also made room for remarkable grass-root participation in political and economic reforms.

Kenya is endowed with the largest economy in East Africa and the third largest economy in sub-Saharan Africa. Overall, Kenya has some economic strength, but despite noticeable progress in carrying out key reforms in economic governance and management, the country still faces many challenges. HIV/AIDS, which emerged as a public health issue in Kenya in 1984, has had a devastating effect on the economy.

The pursuit of socio-economic development is being done in a spirit of consultation and partnership, within the framework of popular participation in order to ensure national ownership. On the social front, free primary education has been introduced, dramatically increasing enrolment. However, several problems persist, including increasing poverty, a high unemployment rate especially among the youth, poor infrastructure, lack of credit facilities and inadequate access to markets.

Despite numerous accomplishments in gender mainstreaming, disparities still persist due to unequal accessibility to productive resources, social attitudes, harmful cultural practices, unequal educational attainment and low participation of women in decision making processes, both on the political and economic fronts.

A frequently encountered problem and perceivably the greatest challenge to Kenya's democracy is the poor implementation of government policies and programmes. Though Kenya is well serviced with a body of laws, programmes, commissions and agencies that should provide for good governance, these policies and programmes have so far been poorly implemented.

The complete Kenya Country Review Report, together with its *Programme of Action*, is available at:
<http://www.nepad.org/2005/files/aprm/APRMKenya-report.pdf>

CIVIL SOCIETY ADOPTS ITS OWN MECHANISM TO ENHANCE ITS PARTICIPATION IN THE APRM IN MOZAMBIQUE

The President of Mozambique, **Armando Guebuza**, launched the APRM National Forum on 13 July 2006, thus kick-starting the APRM process in **Mozambique**. Aware of the great opportunity that the process provides to broaden the governance spectrum in the country, the **Foundation for Community Development** took the initiative of organizing civil society to participate effectively in the APRM review.

Mozambican civil society organizations decided to adopt their own methodological approach and guidelines to allow for greater participation at all levels, including local communities. The civil society approach comprises the promotion of a wide dialogue among civil society organizations using simpler terminology and concepts adapted from the formal APRM questionnaire. It meant turning questions into sentences, phrasing the words in a simple way to fit the local context and realities and using examples that would be clearly understood and commonly used at the local level.

So far the methodology has worked well and the process has been launched in all 11 provinces in Mozambique and in seven districts. All this has all been happening even before the official national process has commenced its implementation. The Government has simply created the national forum and there are still no concrete activities happening on the ground.

It is known that the next step will be the setting up of a National Secretariat that will be in charge of operationalizing the national review process. It is also known that a civil society desk will be set up as part of the National Secretariat. From then on, all civil society activities will be done in coordination and collaboration with this unit. Central to the collaboration will be the adjustment of civil society actions to fit in the national plan of activities. Negotiation and lobbying are expected to be critical during the process to create a common understanding and conditions for a good participation and an effective contribution of civil society.

Four major civil society deliverables are expected in this process: 1) a comprehensive sector assessment report (not edited separately) which will strengthen civil society contributions to the national report and programme of action, 2) documentation of the process so that the experience can be used in future governance programmes and shared with other countries, 3) a number of Submissions and 4) a Code of Conduct for Mozambican civil society.

Sergio Muchanga

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LIBERIAN CIVIL SOCIETY BREAKS NEW GROUND WITH THE APRM

Until the **Center for Democratic Empowerment (CEDE)**, in collaboration with **Partnership Africa Canada**, held a one-day workshop for Liberian civil society on the African Peer Review Mechanism in Monrovia, 7 November 2006, understanding and appreciation about the APRM was scanty if not non-existent in **Liberia**. This lack of appreciation on the part of civil society can largely be attributed to the war years. Precisely around the time APRM was adopted as an instrument of governance by other nations in 2003, Liberia was at the height of its instability. However, in the face of this historical setback, the workshop created a semblance of a paradigm shift in rethinking governance along the lines of the APRM platform.

Twenty-eight civil society organizations were present at the workshop, together with two government officials - **Hon. Saywah Dunah**, a Member of Parliament on the House Standing Committee on governance, and **Hon. Conmany B. Wesseh**, Deputy Foreign Minister for International Cooperation and Economic Integration, both of whom are former civil society leaders. In separate remarks they welcomed the initiative and pledged the government's support from their respective offices. In his keynote address, Hon. Dunah recommended that civil society include in its network all committees and sub-committees on governance at the Parliament. He also assured participants at the workshop that all necessary cooperation to facilitate and expedite at the level of Parliament Liberia's membership of the APRM would be pursued with commitment. In reciprocation, civil society delegates at the workshop thanked Hon. Dunah and accepted his recommendation as a major first step and promised to act immediately.

The prospect for Liberia's membership of the APRM must be seen in three contexts. One, the presence of the government officials at the workshop demonstrates a strong political will; two, the enthusiasm of civil society remains a rallying point for the advancement of the APRM; and finally, Liberia being a post-conflict state creates an urgent need for membership, for as a country emerging from conflict, the enormity of governance issues cannot be overemphasized. Notwithstanding, one must be cognizant of the mutually reinforced relationship within these three contexts. In other words, Parliament may not act without civil society engagement. What this suggests is that, for the ultimate outcome of the civil society APRM agenda to be achieved, there must be sustained engagement, where government commitment toward the process can be tapped. Until this is recognized through action, the new paradigm explored above may dissipate before it is even realized.

Aaron B. Weah

Center for Democratic Empowerment (CEDE), Liberia

MEDIA WATCH

The **Accra Daily Mail**, reported on November 20, 2006, that **Dr Francis Appiah**, the Executive Secretary of the National APRM Governing Council, had cautioned Ghanaians not to politicise the APRM to derail its benefits. He said there are numerous benefits in the APRM for the nation, as its primary purpose was to ensure the adoption of policies, standards and practices that would lead to political stability, high economic growth, sustainable development and accelerated sub-regional and continental economic growth.

Dr Appiah, was speaking at a day's workshop on APRM aimed at disseminating the findings of the APRM country review report to stakeholders, outlining their role and responsibilities in the programme of action and eliciting their participation and support in the monitoring and evaluation. He underscored the importance of civil society and the media and stated that these institutions had historically facilitated governance by helping to resist oppressive rule and encouraging grassroots political participation.

Business Day (Johannesburg), reported on December 6, 2006, that if there were still any doubts that the APRM team is able to come up with credible reports on the countries it is assessing, these must have been dispelled with news that the APRM panel will release a report on **South Africa** that conflicts with the government's self-assessment paper, released in June. The APRM report brushes aside South Africa's self-assessment report, which was described in a weekend newspaper as being "hurried, bland and self-congratulatory". It should come as no surprise that the two reports differ on what should be South Africa's top priorities. Indeed, it shows the system is working.

There are at least three important lessons an observer may derive from the uncompromising report by the APRM panel. Firstly, the credibility of the panel, the country being reviewed, and indeed the entire **NEPAD** initiative, depends on the review being conducted in a convincing manner. Second, contributions from civil society groups and non-government submissions are crucial as they convey the views of people and communities who know the concerns that shape their lives far better than anyone else. And third, there is no place for cosmetic self-assessment reports.

Le Soleil (Dakar) reported on December 21, 2006 that civil society organisations, the Conseil de la République, Parliament, the private sector and trade unions would be part of a broad consultation that will prepare for the arrival of an APRM mission to **Senegal**. The announcement was made by **Abdoul Aziz Sow**, Minister for NEPAD, Economic Integration and Good Governance, who indicated that the government of Senegal would not hide in the face of bad governance.

According to Abdoul Aziz Sow, good governance involves applying democratic principles, respecting human rights and providing for a stable environment. There are many things which could have been hidden, he said, but which have been brought to everyone's attention. "The fact that this is coming out and that we are putting the spotlight on it, is irrefutable proof that the government is bent on attacking bad governance."

INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION SUPPORTS APRM

The Second Summit of the **International Conference on the Great Lakes Region**, which took place in **Nairobi** on December 14-15 2006, saw the signing of a Pact on Security, Stability and Development in the Great Lakes Region. The Pact provides a legal framework governing relations between the Member States and comprises a number of protocols and programmes of action. Various projects in the area of democracy and good governance were approved and one project aims to create a Regional Centre on Democracy, Good Governance, Human Rights and Civic Education. The Centre will serve as a framework for monitoring the undertakings to strengthen democratic governance by stimulating observatories and various forums for promoting democracy, good governance, human rights and civic education in the region. The Centre will encourage all 11 countries in the Great Lakes Region to adhere to the African Peer Review Mechanism.

Visit the International Conference web site: www.icglr.org

HALF OF AFRICAN COUNTRIES HAVE NOW JOINED THE APRM

Twenty-five countries have formally acceded to the African Peer Review Mechanism:

Algeria, Angola, Benin, Burkina Faso, Cameroon, Republic of Congo, Egypt, Ethiopia, Gabon, Ghana, Kenya, Lesotho, Malawi, Mali, Mauritius, Mozambique, Nigeria, Rwanda, Senegal, Sierra Leone, South Africa, Sudan, Tanzania, Uganda and Zambia.

Countries that have yet to join the APRM are:

Botswana, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Côte d'Ivoire, Democratic Republic of Congo, Djibouti, Equatorial Guinea, Eritrea, Gambia, Guinea, Guinea Bissau, Liberia, Libya, Madagascar, Mauritania, Morocco, Namibia, Niger, Sao Tome and Principe, Seychelles, Somalia, Swaziland, Togo, Tunisia, Zimbabwe and Western Sahara.

The APRM MONITOR is a periodic newsletter on the implementation of the African Peer Review Mechanism (APRM). It seeks to promote the active involvement of African civil society in the APRM process in order to strengthen the APRM and ensure that it promotes better governance and leads to lasting benefits for Africa.

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