



THE APRM MOVES FORWARD More countries embark on their governance reviews

Prime Minister **Meles Zenawi** of Ethiopia, Chairperson of the NEPAD Heads of State and Government Implementation Committee (HSGIC) and the African Peer Review Forum, delivered reports on NEPAD and the APRM at the 10th **African Union** (AU) summit, which was convened in **Addis Ababa** from January 31 to February 2, 2008. A day earlier, on January 30, 2008, the **Benin** APRM country report was tabled at the 8th APR Forum. According to an on-line weekly, *NEPAD Dialogue*, published by the NEPAD Secretariat, the Forum “congratulated President **Boni Yayi** for his determination to improve the conditions in Benin”. Other news from the summit included:

- Legal Status of the APRM Secretariat: An agreement through the AU should be reached with the South African government on the legal status of the APRM Secretariat (based in **Midrand, South Africa**).
- Rotation of membership of the APR Panel of Eminent Persons: the term of office of the APR Panel has come to an end. Three new members are to be appointed now and the remaining four to remain until the next AU summit in July 2008.
- The Country Review Reports of **Uganda, Burkina Faso** and **Nigeria** are in the process of being completed and these countries will be due for peer reviews at the 11th Summit of the AU in July 2008.
- Other countries whose APRM processes have begun include **Mozambique, Mali, Gabon** and **Egypt**.

The accession of countries to the APRM has continued, **Mauritania** becoming officially the 28th member of the APRM.

COUNTRIES MAKE PROGRESS ON IMPLEMENTING THEIR NATIONAL PROGRAMMES OF ACTION Extracts from the ECA *APRM Update*

The **Economic Commission for Africa**, together with other strategic partners, has been facilitating dialogue among the APRM pioneer countries – **Ghana, Rwanda** and **Kenya** – with a view to assisting them in identifying a common framework for monitoring and evaluating the National Plans of Action (NPoA), as well as identifying financing modalities for supporting their development goals in the respective programs of action... The APRM presents an unprecedented opportunity to African countries to experiment with a new approach to governance whereby policy-reform is essentially driven by domestic constituents rather than externally driven accountability to development partners, a process that has so far proven to be insufficient or ineffective...

The NPoA is the agreed priorities, key governance issues and challenges identified by the APRM Panel of Eminent Persons as requiring redress in their final reports of the countries that have been reviewed. In many instances, they complement and add value to the existing national development strategies, albeit from the point of view of a long and consultative process with national stakeholders. In essence, the APRM-PoA shows the demand-side of policy reform agenda in Africa. It provides a broad framework for stakeholders to hold government accountable for delivering on existing development strategies. The demand-side of policy reform is often missing from national development strategies, including the Poverty Reduction Strategy (PRS). In most of the APRM participating countries, the monitoring of the PoA implementation is to be undertaken by the National Governing Councils or the National Commissions that oversaw the implementation of the APRM process.

A summary update on progress in implementing the National Programmes of Action in Ghana, Rwanda and Kenya is available in the *APRM Update* at: <http://www.uneca.org/aprm/pioneers.asp> See also Page 3 feature article on Kenya.

REFLECTIONS ON THE SOUTH AFRICAN NATIONAL SELF-ASSESSMENT PROCESS A call for critical and principled participation by civil society

The APRM, with its various thematic areas and with all major social forces inside government and outside government playing a role, provides an opportunity for addressing the internal and external factors that lie behind Africa's problems. It's a time for a fundamental rethink after the failed policies of aid and trade, the raping of raw materials and capital migrations, and anti-people mal governance - coups, military rule, multi party and single party misrule, rampant corruption.

When civil society organisations seek to get involved in the African Peer Review process, as we in South Africa have done, they must be politically aware that Africa has been consciously mal developed over the years through imperialism and, now, globalisation. This opinion piece is a call for critical and principled participation of civil society organisations in a terrain not of our own making.

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I want to propose here some guidelines for effective civil society participation in the APRM. These experiences and reflections are by no means exhaustive but raise some considerations for progressive, mass-based civil society to engage in national processes that have both a national and international impact - real and effective participation that impacts positively on people's lives. To do this effectively, NGOs in South Africa had to work with other organisations and in our case - **SANGOCO** - we sought to work closely with the trade union movement, and also with the faith based communities, in particular the **South African Council of Churches**. We believed that the right to participation is fundamental and avoided the politics of boycott, or that which regards all struggles as preordained failures rather than a process which requires conscious struggle as part of the broader struggle for democracy, justice, against poverty and inequality, and for peace on the continent and in the world. So when our participation in the process was sought, we were armed with the necessity for effective participation.

The APRM process represents an opportunity for a collaborative search for solutions, which are hopefully based on a broad consensual understanding of the problems and challenges facing the country. It must be a struggle for a developmental paradigm that puts Africa as both the subject and the object of development. African scholar-activists like **Mwalimu Nyerere, Walter Rodney, Babu**, and others have tried to assist a pan African vision that was not controlled by others but by Africans only. This view of African participation was confirmed in the 1990 *African Charter for Popular Participation in Development and Transformation*, which stated:

“It is manifestly unacceptable that development and transformation in Africa can proceed without the full participation of its people. It is manifestly unacceptable that the people and their organizations be excluded from the decision-making process. It is manifestly unacceptable that popular participation be seen as anything less than the centrepiece in the struggle to achieve economic and social justice for all. In promoting popular participation, it is necessary to recognize that a new partnership and compact must be forged among all the actors in the process of social, political and economic change. Without this collective commitment, popular participation is neither possible nor capable of producing results. We, therefore, pledge to work together in this new partnership to promote full and effective participation by the masses together with Governments in the recovery and development process in Africa.”

So, the simple advice I can proffer at this stage of the APRM's development is:

- Participation or non-participation is not just an issue of principle but equally a matter of strategy. To engage in the politics of fundamental change, civil society

participation must be informed relying on knowledge and resources, and having a broad vision and open eyes.

- It goes without saying that civil society is broad and diverse, and this is both a strength and a weakness. The greatest weakness is the failure to organise this diverse mass into clout that can be leveraged alongside the masses of people seeking fundamental change. Hence our NGO alliances with trade unions, faith based organisations, research-technical expertise NGOs and institutions.
- These groupings got involved and met around a platform/set of principles dealing with understanding of the process, the parties involved and what can and must be won, the so-called non negotiable demands.
- As SANGOCO, we prepared our own submission, which we put on our web site, and gave to our members to use when engaging in the four thematic areas (democracy and political governance, economic governance, corporate governance, and socio-economic development) and the subsequent meetings of the National Governing Council, and meetings at the provincial and local levels.
- Despite our best intentions there were weaknesses in the process, some structural to the APRM founding documents and some due to a failure of civil society to consistently participate in meetings tasked with drawing up the National Programme of Action. One point we raised in our strategic document was the control of the process going forward, which we felt must be located in a structure that is relatively autonomous of government and the private sector, and tackle issues of fundamental importance to the country, the sub-region and the continent. Clear budgeting and monitoring measures must be set up to ensure compliance.
- It is important to note that in the Country Self-Assessment Report (CSAR) much of what was asked for did not feature in the report - but that is subject to the continuous struggle that we must engage in. It is clear proof that this struggle is not a sprint (a short run in and around the board room with documents) but a marathon that is long and arduous. Warts and all, the CSAR presents a decent publication from which we can struggle to ensure greater accountability and progress in meeting our challenges.
- Finally, we must be pro-active and seek to get civil society prepared before the APRM show hits town. But to ensure it is not a show, we must get organised. I know that such expertise is difficult to assemble, but it can be acquired and nurtured at home. Government and other parties must provide resources without strings attached for effective participation. These are tall orders, but an urgent necessity if civil society in other African countries is to effectively participate in the process.

Hassen Lorgat, who represented SANGOCO - the South African National NGO Coalition - in the South African APRM process.

WAS THE APRM PROCESS IN KENYA A WASTE OF TIME? Lessons that should be learned for the future *

“There is a need for a healing of the nation. The process of national healing and reconciliation is unlikely to proceed as long as society is still polarized. In addition, without also addressing past crimes, corruption, marginalization and poverty, it is unlikely that reconciliation can be achieved.”

This is not a quote from a report on the recent election violence in Kenya, but from the country review report of the African Peer Review Mechanism, presented two years ago by the APRM panel of eminent persons to African heads of state and defended by President **Mwai Kibaki** himself on the margins of the July 2006 African Union summit. The report went on to consider previous violence in Kenya, making observations that are just as valid today as when its writers made them. The APRM eminent persons noted “the role of prominent members of the ruling party and high ranking government officials in fuelling the so-called ethnic clashes”. They complained that many of the people involved “have neither been investigated nor prosecuted. Some have continued to serve as senior officers, ministers, or members of parliament. The inability to act [against them] tends to underline general public perception of impunity, while at the same time constricting the ability of people to come to terms with the past experiences of injustice and violence thus further aggravating and reinforcing polarities and suspicion”.

All in all, the APRM country review report made a remarkably frank assessment of Kenya’s problems. The report did not shy away from highlighting issues of corruption, especially in land allocation, nor from the ethnic tensions that have been so horribly demonstrated in recent weeks. It identified “overarching issues” that Kenya would need to address, starting with “managing diversity in nation building”, and going on to filling the “implementation gap” between policy and action on the ground; addressing poverty and wealth distribution; land reform; action against corruption; constitutional reform; and addressing gender inequality and youth unemployment. Finally and notably, the report called for “transformational leadership” – leadership that “recognizes the need for dramatic change in a society” and that “entails not simply directing change but managing it in a way that ensures broad ownership, legitimacy and self-directed sustenance and replication of change in all associated systems.”

Thus, just two years ago, Kenya was being lauded as one of the first countries in Africa to complete the process of examination by the APRM, while the resulting report provided a hard-hitting analysis of the challenges the country faced and made some important recommendations on the way forward. The country’s decision to sign up for the APRM was supposed to be an indication of commitment to good governance and respect for the principles of democracy and human rights.

Had the problems the APRM report then highlighted been tackled, it is possible that the violence and distress of the 2008 crisis could have been avoided. And yet nothing was done. What went wrong?

The Kenyan APRM report does have some weaknesses. Most importantly, it does not identify the issues relating to the independence of the Electoral Commission of Kenya that were so critical on election day and in the following period. This in turn reflects a weakness in the APRM questionnaire that guides the reviews, which does not focus on electoral management and its independence, but rather the simple fact of holding elections.

A much greater weakness lies in the gap between the country review report and the programme of action which is supposed to set out concrete, costed actions that will address the problems identified in the report. For example, the review report decries the lack of independence of the judiciary, and especially the vulnerability to executive influence of the process for nomination and appointment of judges. The eminent persons noted that during their visits to Kenya, they had received reports of incidents in which prominent government officials either disobeyed court orders or expressed an intention to disobey them. They state forthrightly that, “The Chief Justice being an appointee of the President is not trusted to be able to take an independent decision” – the very reason why **Raila Odinga** and his ODM party rejected the insistence by the incumbent PNU that any challenges to the election results should take place in court. Yet the programme of action talks only of “enforcement of judicial reforms and existing administrative measures to ensure members of the bench improve efficiency, accountability and monitoring of judicial functions”. There is no mention of steps to end executive interference and ensure respect for the rule of law.

In other areas too, the programme of action shies away from the difficult political issues, focusing rather on capacity building and resource mobilisation; matters to which even President Kibaki could happily agree – and in many cases had already done so as part of ongoing donor-financed reforms. But the biggest concern is the issue of political will. Was the Kenyan government ready to try to fix what was broken? Were the APRM eminent persons and secretariat willing to hold them to account? And were other African heads of state who had signed up for the APRM process – to whom the APRM eminent persons and secretariat report – ready to urge remedies for poor performance, or would their own glass houses discourage the throwing of stones?...

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* The full article can be found at: www.afrimap.org

MEDIA WATCH

Apanews reported that “Benin is a country that has made enormous progress as far as democracy is concerned, but is a country that is having great difficulty developing,” said **Marie Angélique Savané**, head of the APRM mission to Benin. According to her, “The democratic process has made great advances, especially with respect to the multiparty process, the freedom of the press, respect for human rights and fundamental freedoms.” But she deplored the slow economic growth, adding “what’s holding back Benin’s take-off is not only corruption, but also the exclusion of 51% of people – women.” Benin, whose country report was presented at the APR heads of state summit in January 2008, became the sixth African country to complete its APRM evaluation.

Panapress reported on February 2, 2008, that the APRM country mission was satisfied with **Nigeria’s** self-evaluation report. Ambassador **Bethuel Kiplagat**, head of the APRM team, stated that “the Nigerian self-evaluation reports are the best so far. The research has been thorough, with over 20,000 families covered. The questionnaire had been translated into some local languages, which is something that had not been done in other countries up to now.” President **Yar’Adua** stated that Nigeria was ready to make adjustments in the sectors where the evaluation identified inadequacies. The Nigeria country report is expected to be presented to the APR heads of state summit in July.

The New Times (Kigali) that “NEPAD tasks media to probe governments on good governance”. At a media training programme in **Arusha, Tanzania**, media veterans and experts on African issues “called on journalists to check and expose all governance malpractices to help build good systems on a continent largely characterized by bad leadership”. **Jerry Okungu**, media and communication specialist at the Kenya NEPAD Secretariat, stated “the role of the journalist in the course of governance is to be a social mirror or the interpreter. Journalists should be able to keep the Government in check. A journalist should go an extra mile and check out other issues beyond the public sector, but professionally so”. **Roland Amoussouga**, spokesman and Senior Legal Advisor of the International Criminal Tribunal for Rwanda (ICTR), said that “media was an integral component of civil society, and thus has a very important role to play in raising public awareness, exposing the ills in their societies, and building a coalition to combat them”.

EISA APRM Toolkit for Civil Society

The APRM Toolkit designed for civil society organizations engaged in the APRM was developed by **EISA** for the Southern African Integration Network, a network of NGOs and CSOs engaged in efforts at integrating and coordinating civil society within Southern Africa. The toolkit is currently available in English and Portuguese. The aim of this toolkit is to enhance the knowledge and information available to civil society organizations on many aspects of the APRM process. In addition to mere factual information, however, this toolkit also provides practical experiences and guidelines for civil society organizations on how to go about engaging with official APRM structures, and as new countries experience their own peer reviews, this section of the toolkit will be continually expanded to offer ever more practical and applicable guidelines and strategies which civil society organizations can apply to their own circumstances.

The APRM Toolkit for Civil Society is available at: <http://www.aprmtoolkit.org>

MORE THAN HALF OF AFRICAN COUNTRIES HAVE NOW JOINED THE APRM

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

Algeria, Angola, Benin, Burkina Faso, Cameroon, Republic of Congo, Djibouti, Egypt, Ethiopia, Gabon, Ghana, Kenya, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Nigeria, Rwanda, Sao Tome and Principe, 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, Equatorial Guinea, Eritrea, Gambia, Guinea, Guinea Bissau, Liberia, Libya, Madagascar, Morocco, Namibia, Niger, 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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