

# Putting Parliaments at the Heart of the APRM:

Synopsis of the  
Bagamoyo Workshop  
on the APRM

November 2008



Economic Commission for Africa



Pan-African Parliament (PAP)



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# Abbreviations

ACHPR	African Commission on Human and Peoples' Rights
AfDB	African Development Bank
AISI	African Information Society Initiative
APM	African Parliamentary Meeting
APR	African Peer Review
APRM	African Peer Review Mechanism
AU	African Union
CRM	Country Review Mission
CSAR	Country Self-Assessment Report
CSM	Country Support Mission
CSO	Civil Society Organization
ECA	United Nations Economic Commission for Africa
ECOSOC	Economic, Social and Cultural Council of the African Union
GCIS	Government Communication and Information Network
ICT	Information and Communication Technology
NEPAD	New Partnership for Africa's Development
NGC	National Governing Council
NICI	National Information and Communications Infrastructure
NPoA	National Programme of Action
NWG	National Working Group
RECs	Regional Economic Communities
RICI	Regional Information and Communications Infrastructure

SICI	Sectoral Information and Communications Infrastructure
UNDP	United Nations Development Programme
VICI	Village Information and Communications Infrastructure

# Foreword

Accountability is the life blood of democratic governance. Parliaments have the primary role of both “giving account’ of their actions to the electorate and providing an oversight of public institutions to make them accountable to the citizenry. Essentially, parliaments have a unique role in the accountability matrix in being expected to ensure both vertical and horizontal accountability. Indeed, their role has been characterized as “diagonal” in terms of accountability from below through the civil society and the citizenry, and from above by holding public officials accountable.

It has been said that one of the primary goals of the African Peer Review Mechanism (APRM) is to foster in Africa a culture of domestic accountability which has been lacking for a long time. This implies that all the key institutions of domestic accountability should effectively play their roles in the APRM process. Although the APRM foundational documents spell out clearly the role of all domestic stakeholders in the national and continental process, the role of Parliaments has yet to be claimed or demanded as expected. Indeed, it was expected right from the conceptualization and inception of the APRM that African Parliaments, and therefore African Parliamentarians, would be major stakeholders who must play a central role in the country and continental APRM processes, if the democratic and good governance objectives of the APRM were to be popularized and achieved.

However, this optimism unfortunately seems to have been dampened by the contradictions spawned by both the chequered history of competitive electoral politics, and by the continuing asymmetric executive/legislative relations, resulting in executive predominance, characterized by spiralling accretion of executive branch power under the on-going democratic transitions in many African countries. This asymmetry reflects and attests to the lingering residual effect of the irrelevance of Parliaments, and the desuetude into which they had fallen during several years of authoritarian and personal rule in various African countries. In addition, as repeatedly emphasized during the Bagamoyo Workshop, serious capacity problems continue to dog African Parliaments and hamper the effective exercise of their constitutional powers and functions.

ECA organized the Bagamoyo Workshop in the hope of reversing the marginal role played by Parliaments and putting them right at the centre of the APRM process. It is my hope that the Bagamoyo Plan of Action initiated by a representative sample of African Parliamentarians will provide the road map for action in this regard.

**Abdoulie Janneh**  
**Under-Secretary General and Executive Secretary**  
**United Nations Economic Commission for Africa**  
**Addis Ababa, April 2009**

# Preface

In line with its mandate as a strategic partner in the implementation of the APRM process, UNECA, in collaboration with the United Nations Development Programme (UNDP) Office in Tanzania and the Pan-African Parliament (PAP) secretariat in South Africa, organized a training Workshop on the theme: *Enhancing the Role and Effective Participation of Parliamentarians in the APRM Process*, in the resort city of Bagamoyo, Tanzania, from 12 to 14 November 2008. The Workshop drew about 55 participants including the PAP Parliamentarians from the 14 English-speaking African countries which have acceded to the APRM, parliamentary staff from these countries, representatives of regional economic communities (RECs) and senior staff from the Pan-African Parliament.

The primary motivation for organizing this Workshop was that, although Parliaments are key stakeholders in the implementation of the APRM process at national and continental levels, their role has, at best, been marginalized. This is due to a number of factors. First is the lack of clarity regarding the statutory role and responsibility of Parliaments in the process; and second comes the relative lack of institutional capacity. Thus, the Workshop underscored the potential significance of the APRM in catalyzing a new democratic political and civic culture of ethics and accountability in public political life in Africa, although there was also the general perception, emerging from the presentations, that the marginal role of Parliaments in the governmental process was incapacitating them in playing the central role intended for them in the APRM.

Given this context, therefore, the Workshop was designed to address and redress the deficit of the “technical capacity [of African Parliaments] to participate effectively in the APRM process,” by helping to:

- a. Define the role of Parliaments and their structures in the self-assessment, review and implementation phases of the process;
- b. Inform and empower African MPs to ensure that the process would be credible and transparent;
- c. Enhance the quality of National Country Reviews by incorporating the inputs of Parliamentarians in the national assessment report;
- d. Strengthen the relationship between African MPs and their constituencies, using the APRM consultation process as an outreach vehicle;

- e. Highlight the role of Parliaments in the formulation, validation and implementation of National Programmes of Action;
- f. Establish Member of Parliament [MP] networks among Parliamentarians from APRM-participating countries with a view to improving the continental oversight of the process through the Pan-African Parliament;
- g. Establish networks among MPs from African REC networks so as to encourage and enable them to collectively address sub-regional governance and development agenda.

It was the Workshop's consensus that the major challenge of the fledgling APRM for Parliamentarians was for them to seize the moment and rise above partisan considerations and the historically-induced institutional weakness of African Parliaments. By so doing, they would be able to promote and drive the process through requisite legislation and partnerships with other stakeholders in the State and in the society, and deploy mobilization strategies for advocacy and dissemination of the principles, objectives and advantages of the APRM.

Despite the aforesaid challenge, the country experiences of South Africa, Nigeria, Uganda, Tanzania and Zambia demonstrate that, in spite of their limitations and the constraints imposed by each country's political economy, the APRM country processes are refreshingly creating opportunities and more participatory and inclusive spaces for national dialogue on how best to engender good governance and sustain and consolidate democracy in the acceding member States.

In line with the recognition of the pressingly more active engagement of African Parliamentarians in the APRM, the Workshop produced the *Bagamoyo Plan of Action for African Parliamentarians on the APRM* which charts a road map to action by African Parliaments and Parliamentarians, enabling them to transform themselves into drivers of democracy and good governance both in their countries and collectively at African regional and continental levels, as conceptualized and elaborated in the APRM.

The Workshop was initiated, designed and organized by the APRM Support Unit of the Governance and Public Administration Division (GPAD) of ECA working closely with the UNDP Country Office in Tanzania and the Pan-African Parliament based in South Africa. The ECA team was led by Mr. Kojo Busia and comprised Ms. Hodane Youssouf, Ms. Bethlehem Teshager, Ms. Yetinayet Mengistu and Ms. Rebecca Benyam. ECA acknowledges the contribution of the UNDP Governance Team, especially Ms. Nora A. Pendaeli and Mr. Baffour Agyeman-Duah. The staff of the Pan-African Parliament, especially Mr. Galal Nassir, also made an invaluable contribution towards the success of the Workshop.

## Introduction: Executive Summary

From 12 to 14 November 2008, the United Nations Economic Commission for Africa (ECA), in collaboration with the United Nations Development Programme (UNDP) Office in Tanzania and the Pan-African Parliament (PAP), organized a training Workshop on the theme: *Enhancing the Role and Effective Participation of Parliamentarians in the APRM Process*, in Bagamoyo, Tanzania. The 55 participants at the training Workshop included Parliamentarians from the 14 English-speaking African countries which had acceded to the African Peer Review Mechanism (APRM), parliamentary staff from these countries and representatives of the Regional Economic Communities (RECs).

This synthesis paper embodies the salient points contained in the presentations and the various recurring and cross-cutting issues and viewpoints that dominated the ensuing discussions and recommendations. It provides a comprehensive overview and analysis of the Workshop presentations and the discussions. **Section 2** provides the historical and political context of the Workshop and problematizes the engagement of African Parliamentarians in the APRM process. **Section 3** examines earlier attempts by the Pan-African Parliament to discuss its role and that of national Parliaments in Africa in the APRM. **Section 4** groups together the presentation by Mrs. Evelynne Change on APRM's *Progress, Achievements & Constraints*, and the presentations by Kojo Busia and Adele Jinadu, both of which provide the conceptual/theoretical, historical and geopolitical background to the APRM, and highlight its structures, challenges and, more specifically in the case of Jinadu's presentation, its relevance to the Pan-African Parliament.

**Section 5** looks at the presentations by Jerry Okungu and Thierry Amoussougbo, which explore how the media and ICT use, could best facilitate engagement by African Parliaments in APRM country processes. **Section 6** is devoted to country case study presentations by Hon. Vincent Smith, M.P. (South Africa), L. Adele Jinadu (Nigeria), Mrs. Silvia Angey Ufoyuru (Uganda), Prof. Daudi Mukangara (Tanzania) and Hon. Moses Muteka (Zambia) on APRM country experiences and the challenges they posed to engagement by Parliaments in the processes in South Africa, Nigeria, Uganda, Tanzania and Zambia, respectively. **Section 7** combines three presentations on the building of strategic partnerships between African Parliaments and national Civil Society Organizations by Ozias Tungwarara, Grant Masterson and Tsoeu Z. Petlane. **Section 8** outlines

the recommendations emanating from the discussion at the two parallel breakout sessions which specifically deliberated on the engagement of African Parliaments and Parliamentarians in the APRM, during the Workshop. **Section 9** reproduces the recommendations that emerged from the discussion on the presentations, aggregated to produce what has been described as *The Bagamoyo Plan of Action for African Parliamentarians on the APRM*.

The Workshop underscored the potential significance of the APRM in catalyzing a new democratic political and civic culture of ethics and accountability in public political life in Africa, although there was also the general perception, arising from the presentations, that the marginal role of Parliaments in the governmental process was incapacitating them in playing the central role intended for them in the APRM. This was all the more unfortunate and deplorable because the APRM's redefinition and reconfiguration of "the dynamics between citizens and accountability institutions," should strengthen the place and role of Parliaments in the governance process, "in four major ways": (a) policy-making---by enhancing the links between the citizenry, civil society and Parliament; (b) representation---through consensus-building that encourages Parliamentarians to focus more on broad issues of national interest rather than on narrow or particularistic ones; (c) oversight---the demands of the APRM Master Questionnaire on accountability in the exercise of executive power enhance the oversight role of Parliament; and (d) constituency service---citizens' role in the country self-assessment and the formulation of the National Programmes of Action (NPOA) will provide a "demand-side accountability for public goods" to inform Parliament's role in the policy process.

Drawing on the presentations on the country experiences of South Africa, Nigeria, Uganda, Tanzania and Zambia, and on the relevance of civil society, the mass media and ICTs in facilitating the APRM, the Workshop noted that, in spite of their limitations and the constraints imposed by each country's political economy, the APRM country processes were refreshingly creating opportunities and more participatory and inclusive spaces for national dialogue on how best to engender good governance as well as sustain and consolidate democracy in the acceding member States. It was the Workshop's consensus that the major challenge of the fledgling APRM for Parliamentarians was for them to seize the moment and rise above partisan considerations and the historically induced institutional weakness of African Parliaments. By so doing, they would be able to promote and drive the process through requisite legislation, partnerships with other stakeholders in the State and in the society, and deploy mobilization strategies for advocacy and dissemination of the principles, objectives and advantages of the APRM.

The points of agreement and the proposed strategic fields of action emerging from the Workshop, which were captured in composite form in the *Bagamoyo Plan of Action* in **Section 9** below, include the following:

- i. The need to distinguish the APRM as a country process from regular issues of governance and policy process in the acceding member States;
- ii. The general feeling that APRM country processes were still fledgling and fragile because of the voluntary nature of the mechanism and the absence of enforcement provisions, beyond mere moral suasion to anchor them and eliciting compliance by acceding member States;
- iii. The seeming executive branch dominance of the APRM country processes calls for more active engagement by Parliaments in acceding member States. In this regard, Parliamentarians owe their countries the responsibility of exercising their oversight role to facilitate public ownership of the processes;
- iv. Therefore Parliaments, be they under presidential, semi-presidential or parliamentary systems, should insist on their constitutional powers and functions, especially budgetary, oversight and investigative powers, and not cede or alienate such powers to the executive branch. This is the best way to ensure the continuity and sustainability of the APRM country processes, because too strong an executive may degenerate into virtual dictatorship, which would be incompatible with core APRM principles and objectives;
- v. The cost implications of the APRM: Although it was agreed that the APRM offered a good governance model, the cost was turning out to be prohibitive, requiring as some of the country experiences showed, external donor funding that might ultimately vitiate its governing principle of African (national) ownership of the process;
- vi. The APRM country processes seemed to drag on for much longer than six to nine months, counting from the start of Stage One ( preparatory process) and the end of Stage Four (submission of the Country Review Report and final Programme of Action to the APR Forum for consideration), prescribed in the *Guidelines for Countries to Prepare and to Participate in the African Peer Review Mechanism (APRM)*;
- vii. As illustrated in the country case studies presented at the Workshop, the missing link or weak chain in the APRM country processes has been the feeble or “scant” engagement of Parliaments in the acceding member States in the processes, with the notable exception of Uganda and South Africa;
- viii. To address this serious deficit, Parliaments should create special or standing committees, not *ad hoc* committees, with responsibility for defining, organizing and overseeing their engagement in, and oversight of the process (including conducting parallel country

self-assessments as was done by the South African Parliament), in line with their constitutional powers and functions;

- ix. Strategic engagement in APRM country processes means that national Parliaments should popularize and mobilize support for the processes. This could take the form of Parliamentarians taking part in country self-assessment and validation exercises and giving visibility to the process, through debates within and outside Parliament and passing requisite APRM legislation and appropriations to push forward the implementation of APRM activities;
- x. Parliaments should synthesize various country experiences to guide their choice of best practices that need to be emulated. The case used to illustrate this suggestion was the Kenyan initiative of going back to the communities to obtain supplementary information for updating the country's APRM report. Other illustrative cases mentioned included the South African Parliament's conduct of a country self-assessment parallel to the official assessment, and Uganda's "model" of engaging other State organs, like the Parliament, the army as well as the police and the prisons department in the country process;
- xi. Governments should bear the responsibility of financing APRM country processes. However, it is noteworthy that not all political heads of government ministries wholeheartedly support the processes;
- xii. Although it is not prudent, for the sake of sustainability of the processes, to associate the APRM with the political leadership or political personalities given the vicissitudes of public political life in Africa, Parliaments should cultivate political support for the APRM on the part of the highest level political actors in the State and in the society, especially Heads of State and Government. Parliaments could assist in this respect by passing requisite legislation to give legal force to the APRM country processes, and thereby ensure their sustainability;
- xiii. To ensure the impartiality, credibility and transparency of the APRM country processes, the APRM country secretariat should function as a semi-autonomous body, while maintaining a "dotted-line relationship" with the APRM National Focal Point;
- xiv. Parliaments should mount sustained, rather than "one-off" advocacy to create necessary interest in, and support for, APRM country processes through "constant engagement" of the general public and of State and non-State actors in various spheres of life;

- xv. Special note was taken of the problems facing acceding countries, like Ethiopia and Nigeria with a federal system of government, in terms of the twin challenge of “federalizing their APRM country processes and securing the “buy-in” and participation of their states, regions or regional governments in the processes;
- xvi. The searchlight should be turned on the engagement and role of political parties in the APRM country processes because of their strategic role in governance;
- xvii. The need to build a conducive economic and socio-political environment to enable Parliamentarians in particular, as well as other stakeholders, notably non-executive branch State players, like the Judiciary and non-State players, to actively engage in the APRM country processes. On the basis of the country experiences of peer-reviewed APRM member States, it was important to create such an environment before the commencement of Stage 1 - the country self-assessment stage of the process. To this end, measures to create such an environment should include the organization of Workshops and Seminars for Parliamentarians to create and enhance their awareness of the APRM and their role in the mechanism;
- xviii. The need to enact legislation making accession to the APRM mandatory and thereby ensuring accountability of the national leadership and sustainability of the APRM country processes;
- xix. Obviating the continued executive branch dominance of the APRM country processes by appointing non-State persons to oversee the country processes and provide “candid” briefs to the Head of State on the outcomes of country self-assessments. This would entail restraining National Focal Points from controlling the country processes, thereby ensuring that non-State actors drive the processes;
- xx. Parliaments should exercise their oversight powers and functions in a way that closely monitors the APRM country processes and brings serious lapses or lack of transparency in the processes to the attention of the executive branch;
- xxi. Parallel assessment of the country processes by non-executive branch actors, like that undertaken by the South African Parliament, should be encouraged and, if possible, undertaken by Parliaments as well.
- xxii. Parliaments should, through MP constituency offices, undertake mass sensitization in rural communities where ignorance and poor infrastructure might undermine APRM objectives.

- xxiii. Parliaments should explore how best to balance the rising expectations generated by the APRM and the resources for prosecuting the country processes, particularly the implementation of National Programmes of Action;
- xxiv. The need to incorporate the role of the Pan-African Parliament (PAP) in the APRM country processes to give it more than a purely advisory role in the processes;
- xxv. Care must be taken to revise the APRM Master Questionnaire to make it more user-friendly and flexible enough to accommodate country specificities;
- xxvi. The APRM continental structures, notably the APRM Forum and Panel of Eminent Persons, should devise ways to reward those acceding member States that are faithfully implementing the APRM;
- xxvii. Parliaments in acceding member States should set up special APRM committees to oversee the APRM country processes;
- xxviii. Parliaments should work closely with national media organizations to popularize and mobilize mass support for the APRM. To this end, African Parliaments should encourage the media to prepare and disseminate information on the APRM at the grassroots. The media would have to be capacitated to undertake this assignment in partnership with national Parliaments;
- xxix. Capacity development was critical and must be actively encouraged and pursued if Parliaments were to engage the APRM country processes effectively. To this end, Parliaments should design ICT master plans to enhance Parliaments' capacity to engage in APRM country processes and in related governance processes in countries, and enable many more Parliamentarians than is currently the case to access ICTs;
- xxx. Parliaments should partner with Civil Society Organizations (CSOs) in popularizing and monitoring the country processes. As the CSOs in most acceding countries were still weak, Parliaments should deliberately intervene to capacitate them so as to foster the demand-side of accountability in African countries;
- xxxi. African Parliaments should encourage responsible journalism as a way of facilitating and consolidating their partnership with the mass media to advance APRM objectives in their countries. As part of its engagement with the media in this regard, media editors have the responsibility to "unreservedly" support APRM country processes and hence convey to their general readership the relevance of the APRM;

- xxxii. Parliaments should establish direct formal contact with the APRM continental secretariat and demand that they be notified directly in advance of country support missions and country review missions fielded from the APRM continental secretariat.
- xxxiii. MPs should lobby subregional Parliaments to bring pressure to bear on non-acceding member States in their subregions to accede to the APR.



*Opening Remarks by  
Prof. Hasa Mlawa,  
Chairman of the  
Tanzanian APRM  
Commission*



## Background to the Workshop: Political and historical context

This Workshop was designed to address and redress the deficit of “technical capacity [of African Parliaments] to participate effectively in the APRM process,” by helping to:

- (a) Define the role of Parliaments and their structures in the self-assessment, review and implementation phases of the process;
- (b) Inform and empower African MPs to ensure that the process would be credible and transparent;
- (c) Enhance the quality of National Country Reviews by incorporating the inputs of Parliamentarians in the national assessment report;
- (d) Strengthen the relationship between African MPs and their constituencies, using the APRM consultation process as an outreach vehicle;
- (e) Highlight the role of Parliaments in the formulation, validation and implementation of National Programmes of Action;
- (f) Establish Member of Parliament [MP] networks among Parliamentarians from APRM-participating countries with a view to improving the continental oversight of the process through the Pan-African Parliament;
- (g) Establish networks among MPs from African REC networks so as to encourage and enable them to collectively address sub-regional governance and development agenda.

Further elaborating on the rationale for, and the expectations from the Workshop, **Hodane Youssouf** of ECA in her *Presentation on the Objectives of the Workshop* reiterated the salient points in the **ECA Aide-Memoire**. To achieve the overall objective of capacitating Parliamentarians to engage the APRM country processes more effectively with a view to redressing their marginal role and that of their Parliaments in the APRM country processes, participants would have to:

1. Explore the key phases and structures of the APRM and identify the major progress achieved and the challenges faced. That was because those phases were not sufficiently clear to many MPs interested in engaging in them;
2. Examine the APRM as an Accountability Mechanism alternative to the national governance structure;
3. Provide an opportunity for an overview of the continent's major oversight structures, such as ECOSOC;
4. Examine such tools as the media and ICT that could make those structures' involvement in the process effective;
5. Learn from countries that had completed the process and discuss the challenges and good practices;
6. Suggest how best Parliaments and CSOs could build constructive partnerships; and
7. Discuss in-depth the two main areas in which their role was critical at the national level: self-assessment and implementation; and monitoring of National Programmes of Action.”

In short, the training Workshop was expected to result in (a) enhanced capacity of participating MPs to engage effectively in the APRM processes at national level; and (b) improved capacity of the MPs to exercise oversight over the implementation of National Programmes of Action.

The Bagamoyo Workshop also focused on and underscored the importance of civil society in the APRM country processes and the challenges Parliamentarians faced in working closely with Civil Society Organizations (CSOs). The challenges included adopting strategies to (a) attenuate or douse the antipathy of the State towards civil society groups as well as the tendency on the part of these groups to adopt a confrontational posture towards the State; (b) address capacity and resource-related problems, such as the lean financial resources, organizational weaknesses and lack of organizational skills of civil society groups and their dependence on external donor funding; and (c) work with these groups, through their local networks, to spread the APRM ‘gospel’ and activities to parliamentary constituencies.

The fundamental question which framed and provided the fulcrum for the presentations and discussions revolved around understanding and analyzing the role of African Parliaments and Parliamentarians in APRM country processes. This question raised the additional issue of how best to actualize the role, given country specificities, the dynamics of the structure of politics and governance, and the interplay of social forces (domestic and external) in each country. Approaching the objectives of the training Workshop through exploration of answers to these questions was a fruitful way to begin. For, it was expected right from the conceptualization and inception of the APRM that African Parliaments, and therefore African Parliamentarians, would be major stakeholders who must play a central role in the country and continental APRM processes, if the democratic and good governance objectives of the APRM were to be popularized and achieved.

The political context in which the expectation was situated was the renascent *Afro-optimism* that flowed from the third wave of independence, in the form of democratic transitions, which has been spreading across Africa since the early 1990s. Much of this optimistic expectation reflected the restorative faith placed in competitive electoral politics and in the active involvement of the civil society as a countervailing force and third sector, and also as an essential component of the anchoring sinews of democratic transitions and consolidation in Africa. Even more significantly, the optimism also grew out of the possibilities and challenges these transitions opened up for capacitating and strengthening African Parliaments, under a system of separation of powers and that of checks and balances, thus enabling them to become a force for advancing democracy and good governance in the continent.

*Pan -African Parliament,  
South Africa*



This optimism unfortunately seems to have been dampened, if not eliminated, by the contradictions spawned both by the chequered history of competitive electoral politics, and by the continuing asymmetric executive/legislative relations, resulting in executive predominance, characterized by spiralling accretion of executive branch power in the on-going democratic transitions in many African countries. This asymmetry reflects and attests to the lingering residual effect of the irrelevance of Parliaments, and the desuetude into which they had fallen during several years of authoritarian and personal rule in various African countries. It continues, as was repeatedly emphasized at the Bagamoyo training Workshop, to create for African Parliaments, including the Pan-African Parliament, serious capacity problems, which dog and hamper the effective exercise of their constitutional powers and functions.

However, the consensus of the training Workshop was that the APRM had rekindled fresh hopes in these Parliaments as sentinels of democracy in Africa. The general opinion was that interposing the APRM, as an external interest, into the governance process in APRM member States, had provided an additional accountability mechanism and point of leverage within which African Parliaments could and should redefine, re-strategize and revitalize their constitutional powers and functions in ways that would enable them to engage more proactively in the governance process generally and in APRM country processes specifically, in the public interest.

The training Workshop, therefore, provided a unique opportunity for the participating Parliamentarians and other participants, particularly during the break-out sessions, to reflect on what would have to be done to pursue the openings offered and the expectations thereby engendered by the APRM for a capacitated and more effective Parliament. This issue was approached from many angles, and was disaggregated into related questions at the Workshop.

It required elaboration of the APRM's core principles and *modus operandi*, especially its coordinating structures and institutional processes at national and continental levels. What had the experience of participating countries in implementing the mechanism shown in regard to its problems, challenges and opportunities? How did or should Parliaments at national, African regional and continental levels fit into and engage the APRM process? How far or how well had that engagement by Parliament been pursued? What did it entail for Parliaments to engage in the process at those levels? What institutional and structural reform of Parliament did such an engagement require? What attitudinal changes in the orientation of Parliamentarians to their responsibilities under the process, particularly towards their constituencies and CSOs would it require? How did Parliaments engage the executive and judiciary as well as the private sector and the media in the process?

Those were some of the questions and issues which the training Workshop addressed. However, the discussion at the Workshop was also strategically focused on defining the role of the Pan-African Parliament (PAP) in the APRM process. As **Section 4** of this synthesis makes clear, the PAP has undertaken some initiatives in this regard, initiatives which provide part of the context for situating the objectives of the Bagamoyo Workshop.





## The Pan-African Parliament and the Challenges of the APRM

Before an account of how the questions posed in Section 3 were approached and answered at the Workshop is given, it is pertinent to point out that, at the African continental level, the Pan-African Parliament (PAP) has long appreciated the symbiosis of the APRM process and parliamentary work in Africa. Indeed, the PAP had, almost immediately after the establishment of the APRM, shown interest in engaging the latter, and in mobilizing national Parliaments in support of their country APRM processes.

As **Adele Jinadu's paper** *Continental oversight structures of the APRM: the Pan-African Parliament, the Economic, Social and Cultural Council and the African Commission on Human and Peoples' Rights*, pointed out, participants, including Parliamentarians from 12 participating APRM countries, at the African Parliamentary Meeting (APM V) held in Kampala, Uganda in December 2003, on *African Parliamentarians and the African Peer Review Mechanism*, had implored African Parliamentarians not only to bring their legislative and oversight role to bear on the APRM process but also to provide a forum for national debate on NEPAD/APRM.

To that end, the Kampala meeting had adopted the following recommendations which showed striking similarities with the substance of some of the recommendations of the *Bagamoyo Plan of Action* issued at the end of the training Workshop:

- Parliaments should create a liaison for dealing with the APRM;
- A network for monitoring the APRM should be created and the network used to propagate the peer review mechanism among the people;
- Direct links should be established between the continental APRM secretariat and the various national Parliaments and Parliamentarians;
- The national working group on the peer review or whatever name it is given in a country's national process, should include members of Parliament;
- Members of Parliament should be included in the preparatory stage, country visits and technical visits of the APRM;
- There should be standing committees in the Parliament dealing with the NEPAD/APRM, and those committees should interact with other relevant committees; and

- On return to their countries, participating Parliamentarians should immediately demand
  - ▶ reports on the NEPAD/APRM activities from the Executive branch, and
  - ▶ that the relevant structures in Parliament dealing with the NEPAD/APRM be delineated.

However, the PAP has not done much since the Kampala meeting to follow up on the recommendations of the meeting. A recurrent observation at the Bagamoyo Workshop was the continuing marginalization or irrelevance of national Parliaments in the APRM country processes.

As was pointed out earlier in this synopsis, the Bagamoyo training Workshop was timely in drawing attention to the pressing need for African Parliamentarians to be more constructively and proactively involved in the APRM processes at all levels. To this end, the Parliamentarians at the Workshop were urged to use the Ugandan and South African Parliaments' engagement with their APRM country processes as best practices to design strategic road maps to guide their engagement with the APRM country, African regional and continental processes beyond the recommendations of their Kampala meeting. On this score, the adoption of the *Bagamoyo Plan of Action* reflected the determination of Parliamentarians at the Workshop to take up this challenge of moving the APRM forward.

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## APRM principles, structure and institutions

**Evelynne Change's paper** on *African Peer Review Mechanism: Progress, Achievements & Constraints*, began by linking the adoption of the APRM, which it described as a “voluntary self monitoring tool acceded to by member States of the African Union,” to the establishment of the New Partnership for Africa's Development (NEPAD). Noting that NEPAD had been designed as “Africa's strategic framework for rebirth and renewal,” the paper pointed out that NEPAD's cardinal objective was to eradicate poverty, place African countries, individually and collectively, on a path of sustainable growth and development, and at the same time enable Africa to participate actively in the world economy and body politic. Itemizing the five core principles of NEPAD as good governance; peace, stability and security; sound economic policy-making and management; effective partnerships; and domestic ownership and leadership, the paper claimed that the APRM had emerged as the centrepiece of the good governance initiative of NEPAD and been widely hailed as the ‘crown jewel’ of the policy framework for Africa's renaissance.

The paper defined the key guiding principle as well as the aim or objective of the APRM as a combination of African “ownership and leadership, open and participatory inclusiveness, transparency, accountability, technical competence, credibility and freedom from manipulation.”

The aim of the APRM, as derived from the vision and mission of NEPAD, was targeted, through NEPAD/APRM country, subregional and continental institutional structures and processes, at “encouraging and building responsible leadership through a self-assessment process, constructive peer dialogue and the sharing of information and common experiences with a view to reinforcing successful and exemplary practices among African countries.”

Based on this, the paper argued that the potential value added of the APRM, if faithfully implemented by the acceding member States, was its promise to

- hold all leaders and stakeholders accountable;
- make all forms and levels of government transparent;
- seek collective, sustainable and equitable solutions to common problems;
- launch the process of evolution, rebirth and modernization of Africa's indigenous mode of governance;

- set in motion a strategic re-orientation (renaissance) towards validation of universal and African values; and
- accelerate the process of intra-African technical cooperation through popularization of the best practices identified in each of the countries reviewed.

The paper went on to elaborate on the APRM's continental and national operational structures, processes and stages; its four thematic areas; APRM documents, including the APRM Master Questionnaire; the responsibilities of participating countries; participation by and Parliaments and Parliamentarians, including how they could play that role; APRM implementation status, especially how many countries had acceded to it and how many had launched or begun Stage One of the process; national and continental challenges of the APRM and the innovations introduced to meet those challenges.

The paper concluded that the experience to date demonstrated that the APRM had been of immense benefit to those countries which had participated and maintained that the unique and novel fact that an African country engaged in the widest possible national consultative process with all its stakeholders and sought to address together with all stakeholders its shortcomings through the Programme of Action, was unprecedented in African and even world history, and the true test of the APRM would ultimately be its ability to transform visions into visible improvements in national political and economic governance, reduce poverty, raise trade competitiveness and, indeed, help to achieve the Millennium Development Goals (MDGs)."

The major issues that emanated from the discussion of Mrs. Evelynne Change's paper had to do with:

- a. Putting in place a conducive economic and socio-political environment to enable Parliamentarians in particular, but also other stakeholders, especially non-executive branch State actors, like the Judiciary and other non-State players, to actively engage with the APRM country processes. In light of the country experiences obtained from peer-reviewed member States, it was important to create such an environment before the commencement of Stage 1 - the country self-assessment stage of the process. To that end, measures to create the requisite environment should include the organization of Workshops and Seminars for Parliamentarians to instil and subsequently enhance awareness of the APRM and the role of MPs in the Mechanism.
- b. Enacting legislation to make accession to the APRM mandatory, thereby ensuring accountability on the part of national leadership and sustainability of the APRM country processes.

- c. Ending continued executive branch dominance of the APRM country processes and appointing non-State persons to oversee the country processes and to provide “candid” briefs to the Head of State on the outcomes of country self-assessments. That would entail restraining National Focal Points from controlling the country processes, thereby ensuring that non-State actors drove the processes.
- d. Parliaments exercising their oversight powers and functions in a manner focusing closely on the APRM country processes and bringing to the attention of the executive branch serious lapses or lack of transparency in the country processes.
- e. Parallel assessment of the country processes by non-executive branch actors, like that undertaken by the South African Parliament, being encouraged and, if possible, undertaken by other Parliaments as well.
- f. Parliaments undertaking, through MP constituency offices, mass sensitization measures in rural communities, where ignorance and poor infrastructure might undermine APRM objectives.
- g. Parliaments striking the best balance between the rising expectations generated by the APRM and the resources for prosecuting the country processes, particularly the implementation of NPOAs.
- h. The role of PAP being incorporated in the APRM country processes to give it more than a purely advisory role.
- i. Revising the APRM Master Questionnaire to make it user-friendly and flexible enough to accommodate country specificities.

**Kojo Busia’s paper** on *The APRM as an Alternative Accountability Mechanism in the National Governance System*, addressed a fundamental problem, namely: the lack of transparency and accountability in governance that has continued to vitiate the practice of liberal democracy in Africa. The paper showed the ways in which the APRM offered the possibility of improving on ‘traditional’ accountability mechanisms, with specific focus on African Parliaments, to mitigate the problem. The paper identified the major challenges to good governance in Africa as:

- political authoritarianism and neo-patrimonial rule often associated with one-party rule;
- lack of institutional effectiveness and accountability on the part of the executive;
- lack of sound and transparent economic and financial management leading to corruption;
- disregard for human and peoples’ rights leading to the denial of social and economic development and to absence of the rule of law; and
- lack of accountability of rulers to the citizenry.

Reviewing the considerations and factors that had historically shaped the emergence of traditional accountability mechanisms in Africa, particularly since the 1990s, the paper offered an analysis of the institutional and process forms that the mechanisms assumed, and why they had not been as effective as they should have been. Chief among those factors were:

- the “Third Wave” of democratization marked by a broader process of political liberalization - multipartyism - that swept across Africa in the 1990s;
- the fact that Parliaments emerged from the status of “rubber stamp” of the executive branch to become central players in policy-making; and
- the rising demands and pressures from CSOs and the media for more accountability.

The paper argued that the major forms assumed had been dictated by political and fiscal constraints as well as issues such as elections; separation of powers and the rule of law; legislative oversight; corruption control institutions, such as the Judiciary and quasi-judicial bodies like anti-corruption commissions and the Office of the Ombudsman; and the Office of the Auditor-General, which were complemented by administrative mechanisms like “hierarchical reporting, norms of public sector probity, public service codes of conduct, rules and procedures and public oversight.”

However, those mechanisms were weak and had proved to be inadequate and ineffective in ensuring and guaranteeing accountability in governance, a goal that they were designed to promote. The paper sought the reasons for the inadequacy in a number of salient factors relating to Africa’s political economy and political history, notably the continued marginalization and incapacitation of Parliaments in the policy-making process, as evidenced by their ineffective budgetary oversight and investigatory performance, and by their weak committee systems.

That incapacitation was due to the fact that State machinery allowed ruling parties to control and dominate the legislature using executive branch influence and patronage to ensure the election of compliant leaders to national Parliaments, poor representation of citizens (limited to constituency interest rather than broader issues that affect the national economy or political economy), and weak constituency service as a result of Parliamentarians responding more to local constituency needs usually through personal projects, rather than focussing on the delivery of public goods.

Given that incapacitation, what challenges and opportunities did the APRM offer for making a difference in a manner that would engender, strengthen and enhance the culture of ethics, accountability and transparency in public life and the governance processes of its member States?

The answer lay in the APRM's redefinition and reconfiguration of the dynamics between the citizenry and accountability institutions, with the aim to strengthen Parliament's place and role in the governance process, "in four major ways":

- policy-making---by enhancing the links between the citizenry, the civil society and Parliament;
- representation---through consensus-building that encouraged Parliamentarians to focus more on broad issues of national interest rather than on narrow or particularistic concerns;
- oversight---the APRM Master Questionnaire accountability requirement in the exercise of executive power enhanced the oversight role of Parliament; and
- constituency service---citizens' role in the country self-assessment and in the formulation of the NPoA would provide a demand-side accountability for public goods to shape Parliament's role in the policy process.

The paper attributed the opportunity provided by the APRM for an "alternative accountability culture" in its member States to the combination of two anchoring elements of its design, i.e. the process and the substantive. This combination was made up of (a) the emphasis on ownership of the process through popular participation and inclusiveness; (b) the focus on the implementation of codes, standards and the conventions entered into by member States in the areas of socio-economic rights, particularly of children, women, internally displaced persons and vulnerable groups and in the provision of social and physical structures; (c) the interposition of an external African peer review of implementation status, and (d) the emphasis of the four APRM thematic areas on the "right" and "entitlements of citizens to development, rather than on any previous development approach in Africa."

The paper concluded that the value added of the APRM process consisted of:

- presenting an unprecedented opportunity to African countries to strengthen their accountability culture;
- inaugurating a new approach to policy reform that was essentially driven by *domestic constituents* rather than externally driven accountability *to development partners*"; and
- its broad consultative framework and the inclusiveness of stakeholders which cultivated a culture of domestic accountability in the continent.

The salient points of the ensuing discussion of some of the issues raised by the paper were as follows:

- a. There was a general feeling that the APRM country processes were still fledgling

and fragile, as a result of the voluntary nature of the mechanism and the absence of enforcement provisions, beyond moral suasion to anchor them and eliciting compliance by acceding member States.

- b. The seeming executive branch dominance of the APRM country processes requires more active engagement by Parliaments in APRM member States. In that regard, Parliamentarians owe their countries the responsibility of exercising their oversight role to facilitate public ownership of the processes.
- c. The APRM continental structures, especially the APRM Forum and Panel of Eminent Persons should devise ways of rewarding those member States that were faithfully implementing the APRM.
- d. Parliaments in APRM member States should set up special APRM committees to oversee the APRM country processes.
- e. Parliaments should work closely with national media organizations to popularize and mobilize mass support for the APRM.
- f. Capacity development was critical and must be actively encouraged and pursued if Parliaments are to effectively engage with the APRM country processes.
- g. Parliaments should partner with CSOs in popularizing and monitoring the country processes. As the CSOs in most acceding countries were still weak, Parliaments should deliberately intervene to capacitate them so as to strengthen the demand-side of accountability in African countries.

**Adele Jinadu's paper** titled: *Continental oversight structures of the APRM: the Pan-African Parliament, the Economic, Social and Cultural Council and the African Commission on Human and Peoples' Rights*, with specific focus on the Pan-African Parliament, argued that PAP's oversight role vis-à-vis the APRM derived from the implied powers and functions conferred on it by, for example, Article 11 (1) and (9) of the *PAP Protocol*, paragraph 25 of the *APRM Base Document* and by the objectives and principles enumerated in the *Constitutive Act of the African Union*. The paper went on to observe that PAP's oversight role in the APRM was located at three levels: (a) the African continental; (b) the subregional; and (c) the national.

There were two APRM challenges for the PAP, namely: (a) in collaboration with national and African regional Parliaments, to ensure sustainability of the APRM through legislation and related enabling actions and activities; and (b) to define, map out and imaginatively strategize its own role within the African Union and its relationship with national and regional African Parliaments. The

paper linked this twin challenge to two factors, the first factor being “the high politics” of the African Union, especially issues surrounding and arising from (a) the legislative competence of the PAP and (b) integration of NEPAD/APRM into the structure and processes of the African Union.

Regarding the legislative competence of PAP, it was imperative for the occasion of the current debate about the future of the African Union to be turned into an opportunity to lift the *ad interim* suspension of the legislative powers of the PAP, under Article 11 of the PAP Protocol, and to make a strong case, in line with the core principles of the *African Charter on Democracy, Elections and Governance* and its derivative restatement in the APRM, for the democratization of the mode of elections of members of the PAP. Direct elections, as the Audit Report of the African Union ... had pointed out, would enhance the PAP’s legitimacy and make its oversight role of the APRM more credible.

The second factor was the material and political context of the APRM challenge for the PAP. That was because the APRM was deeply embedded in power relations, and in competitive and oppositional politics in its member States, touching upon sensitive issues of domestic public policy and programmes, and creating in the process new public bureaucracies and coalition of stakeholders, with interest in controlling the huge public expenditures on the APRM.

Implied was the ultimate challenge for PAP members in their role as representatives of all the peoples of Africa, as Article 2(2) of the PAP Protocol characterized them, to mobilize the political will to steer the APRM successfully through shark-infested political waters to prevent reversals of the public enthusiasm it had generated and consolidate the limited gains experienced.

Concluding, the paper put forward a number of recommendations on the strategic actions which the PAP could take at the African continental, regional and national levels, in furtherance of its APRM oversight role.

#### ***4.1 Action at continental/PAP level***

At continental level, PAP should take an expansive or liberal view of its mandate and work with other AU organs to further democratize these organs, including the PAP and related AU processes. To this end, the PAP would have to:

- a. Work with other African Union (AU) organs to integrate the NEPAD/APRM into AU structures and policy processes;
- b. Establish formal relationships on APRM matters with APRM strategic partners, more specifically ECA and AfDB, on how best to enhance its own capacity to play

- its oversight role over the APRM;
- c. Establish an APRM professionalized research unit, or identify and engage African-based research institutions or think tanks to advise it and prepare technical papers on the APRM;
  - d. Establish a specifically designated NEPAD/APRM committee as one of its standing committees;
  - e. Mandate its members from member States to serve as virtual liaison with national Parliaments on NEPAD/APRM matters, and to receive and consider reports from them on APRM-related matters;
  - f. Work with the RECs and their regional Parliaments to design and implement a 3-to-5 year strategic plan in each subregion to enhance the oversight, including the budgetary role, of national Parliaments in each subregion as outlined below in (f), under **Action at subregional level**;
  - g. Take interest in the selection (nomination and election) processes of the APRM Panel of Eminent Persons, and to canvass for a consultative and advisory role in the processes;
  - h. Devote special sessions to consider Final APRM Reports formally tabled before it at the end of Stage Five of the APR country reviews;
  - i. Utilize its participation in extra-African Inter-Parliamentary fora to disseminate trends and progress in the APRM to showcase its uniqueness and the lessons which others could learn from it;
  - j. Liaise with the African Commission on Human and Peoples' Rights (ACHPR) to receive its country reports as input to its own (i.e. PAP's) consideration of Final APRM Country Reports; and
  - k. Send delegations to APRM member countries on fact-finding missions with a view to encouraging peer-reviewed countries to implement their National Programmes of Action (NPoA).

#### **4.2 Action at subregional level**

At subregional level, the PAP should work with the RECs through their Parliaments where they

exist, or through relevant organs of the RECs, to pursue the following objectives:

- a. Integration of the APRM into the structures and organs of the RECs, more particularly in the establishment of APRM professionalized and research units.
- b. Periodic meetings of members of Parliament from the subregion to discuss APRM country processes, share experiences and seek ways of building cooperation and providing assistance especially in respect of implementation of NPOAs.
- c. Encouragement of member States of the RECs yet to accede to the APRM to do so.
- d. Urging national Parliaments to domesticate the codes and standards entered into by the country, and to work towards subscription to other codes and standards yet to be entered into by the country.
- e. Given the centrality of electoral processes and elections in promoting and protecting the people's mandate, the RECs, especially subregional Parliaments where they exist, should send election-observer/monitoring teams to witness elections in member States and report to them not only on the credibility of the elections but also on the prevailing antecedent elections where these affect the *ex ante* indeterminacy of the elections.
- f. Design and implementation of a 3-to-5 year strategic plan to enhance the oversight, including the budgetary role of legislatures in the subregions. The objective is to build and enhance the capacity of Parliaments and, thereby, strengthen their internal structures and organization, especially through the application of IT and their research and library resources.

### ***4.3 Action at national level***

In regard to action at this level, the PAP will be required to urge national Parliaments to get more involved in APR country process in the following manner:

- a. Where a country has not acceded to the APRM, Parliament should make a strong case for accession; where a country has acceded to the APRM, Parliament should initiate legislation for an enabling law to ensure sustainability of the accession.
- b. Parliament should take its membership of the APRM Governing Council seriously.

- c. Parliament should create a specifically designated APRM committee of Parliament.
- d. Parliament should require APRM National Governing Councils to submit annual reports on their activities for consideration by Parliament.
- e. Parliament should take stock of the codes and standards which are yet to be ratified and/or domesticated and initiate legislative action to that end.
- f. As part of efforts to routinize and consolidate the culture of accountability and transparency in public life on which the APRM is anchored, Parliament should exercise its oversight and investigatory powers to ensure accountability in public life. To this end, it must act on Auditors-General's annual reports to Parliament.
- g. In peer-reviewed countries, Parliaments should subject the NPoA to detailed scrutiny before appropriating moneys in its favour, and design monitoring mechanism to ensure its faithful implementation.

The ensuing discussion focused on the weakness of PAP arising from (a) its lack of legislative powers; in other words, a weakness arising from its current function as an advisory and consultative organ of the African Union, and (b) its insufficient human, financial and logistic resources in relation to its oversight role. It was suggested that serious effort should, therefore, be made in line with the observation in the paper, for a review of the PAP Protocol with a view to giving the PAP legislative competence and capacitating it.

## The Media and ICT: Implications for APRM

**Jerry Okungo's paper** entitled *Managing the Media and Parliament in the APRM Process*, began by highlighting the similarities in the work of Parliamentarians and journalists, deriving in particular from their shared interest in protecting the “common man,” and in searching for information enabling them to analyze policy issues and undertake their oversight roles in society. The paper argued that, in view of their shared public interest and oversight roles, the media and Parliament are critical in ensuring the success of the APRM for the following reasons: (a) they are influential; (b) the general public tends to have faith in them; (c) they have the power to influence government decisions and policies; (d) if they are against an initiative like the APRM or NEPAD, they have the power to kill it; and (e) they can force the government to finance or not finance the APRM process.

According to the paper, these shared roles provide reasonably compelling justification for APRM country and continental structures to target journalists and Parliamentarians, by engaging and sensitizing them to the core principles and the four APRM thematic areas which coincide with their shared public interest role in improving governance structures and processes. According to the paper, journalists and Parliamentarians, “when ... talking of democracy, clean politics, human rights issues and the rule of law,” and when they advocate for better healthcare, clean water, working transport system, sanitation, housing, education, food security and safety in our society, ... and about poverty reduction, wealth creation or job opportunities, [will need to know that] they are talking APRM.”

The paper emphasized the constitutional powers of Parliament in giving “the [APR country] process autonomy and teeth, and statutory powers such that its reports and NPoAs could be implemented by both State and non-State actors in a structured process.” It also suggested that Parliamentarians, “media owners at CEO level” and journalists should be represented on APRM National Governing Councils, as a way of integrating the media and Parliament into APRM country processes as interested and committed stakeholders and advocates.

However, as the paper made clear, the critical shared roles of the media and Parliament required visionary and purposeful leadership of the APRM, as illustrated by the examples of the “Nyong’o

and Machel factors” in Kenya; the “Rosario factor” in Mozambique; the “Mbeki factor” in South Africa; and the “Kagame factor” in Rwanda in moving the APRM country processes in their countries forward. This was because, the paper argued, “when top political leadership buys into the APRM, Parliamentarians, journalists and the public are likely to fall in line. When they do, the APRM will become part of our national and continental culture.”

The ensuing discussion on the paper underscored the importance of partnership between Parliament, the media and the civil society in driving the APRM country processes and diminishing or holding at bay executive branch dominance and finally pointed out the following suggestions in regard to what should be done to actualize the possibilities thrown up by the partnership:

- a. African Parliaments should encourage the media to prepare and disseminate information on the APRM at the grassroots. This would require capacitating the media to undertake this assignment, in partnership with national Parliaments;
- b. African Parliaments should incorporate and institutionalize the APRM in their legislative processes; and
- c. African Parliaments should encourage responsible journalism, as a way of facilitating and consolidating their partnership with the mass media to advance APRM objectives in their respective countries. As part of its engagement with the media along these lines, media editors have the responsibility to “unreservedly” support the APRM country processes and thus convey to their general readership the relevance of the mechanism.

**Thierry Amoussougbo’s paper** on *Strengthening African Parliaments’ Role through the Use of ICTs: ECA’s Experience*, illustrated how the use of ICT’s could assist African Parliaments to “tackle a wide range of health, education, social and economic challenges... creating not only... new opportunities, but also casting old issues in a new light.” If ICTs held out this promise, the paper set the promise against the daunting obstacles to effective ICT application owing to the ever-widening “digital gap and economic disparities” in African political economies, as underscored by poverty, urban/rural dichotomy and lack of access to information.

The need to confront this challenge to harvest the potential benefits of ICT led to a “rethink of the relevance of Information Society for Development,” and to adoption by the AU of the “African Plan of Action for harnessing ICT for socio-economic development - the African Information Society Initiative (AISII),” with ECA being assigned the responsibility of coordinating its implementation.”

The paper pointed out that AISI's key component was the development of ICT policies and plans, commonly called e-strategies to assist in the reduction of poverty, improve healthcare delivery, provide education opportunities for all, particularly for the girl-child, and create employment opportunities.

While emphasizing the role of Parliament in the evolution and development of "the fundamentals for an inclusive Information Society in Africa," the paper elaborated on four levels of Parliament's involvement and engagement with AISI, namely:

- Village Information and Communications Infrastructure (VICI) - at national level;
- Sectoral Information and Communications Infrastructure (SICI) - at the national level;
- National Information and Communications Infrastructure (NICI) - at national level; and
- Regional Information and Communications Infrastructure (RICI) - at Regional Economic Community level.

How, then, could ECA assist African Parliaments in their engagement with the APRM country process, in line with the objectives of AISA? The paper provided the answer to this question by analyzing ECA's supporting and reinforcing activities vis-à-vis African Parliaments, the aim being to strengthen their "representative, legislative and oversight functions through ICT Master Plan-strategy." Specifically, ECA's support was illustrated by activities aimed at (a) strengthening Human and Institutional Capacity: Making ICT work in Parliaments; (b) enhancing oversight of e-strategies; (c) harnessing ICT for promotion of effective democracy; and (d) promoting ICT for constituency/community development and inter-parliamentary cooperation.

The paper examined the various opportunities and challenges which ICT utilization could provide for empowerment and more effective engagement of Parliament with the APRM process. According to the paper, these include providing information data base, where Parliamentarians could not only find knowledge but also learn how to share information, or how to connect to existing networks, like the Government Communication and Information Network (GCIS). ICT could also make it easier for constituents to interact with their MPs in ways that enable them to influence legislation. The paper summarized the opportunities offered by the ICT in this respect, as its potential to: (a) enable MPs to be aware of the demands of the stakeholders and hence become more responsive to their needs; (b) render MP's role in the APRM country processes more efficient by providing citizens with the means to express their concerns online; (c) provide both MPs and citizens with access to ready-to-use, reliable data and specialized information; (d) encourage, through e-mail correspondence and more open constituents' comments on

governmental activities; (e) capacitate individual MPs to create their own networks of people and groups; (f) coordinate research with focus groups; (g) poll people throughout the society, and coordinate activities within larger groups of people; (h) provide politically useful advice for national MPs through fellow MPs from different countries by means of ICT tools, e-mail, e-discussion and parliamentary Intranet.

In light of ECA's experience in coordinating the implementation of AISI, what should now be done to further strengthen Parliament's role in the APRM process using the ICTs? The paper's answer came in the form of the following rhetorical questions: (a) is it possible to request the creation of APRM Observatory Portals/database in collaboration with the executive and of links to existing and new databases? (b) for effective participation of Parliament and to harness the enormous potentials of ICT, can we have ICT Committees in place? (c) to tackle the issues at their very root, can we advocate for e-government/e-governance strategy development with the establishment of an Observatory System? (d) to sustain MPs' involvement, is it possible to create APRM committee in Parliament? (e) can Parliament adopt a core list of APRM indicators with computerized data collection and analysis mechanism?

Discussion on the paper stressed the urgent need to design an ICT master plan to enhance the capacity of Parliaments in engaging with the APRM country and related governance processes in countries, and to enable many more Parliamentarians than is the case presently to access the ICT. The discussion also emphasized the need to facilitate access to ICT for the poor.

## APRM country case studies: Experiences and implications for APRM

The next set of papers focused on what acceding member States' experiences with the APRM country processes portend for Parliaments' engagement with the processes.

**Hon. Vincent Smith's paper** entitled *South Africa*, situated the South African Parliament's engagement with the APRM country process against the background of the following considerations: (a) avoidance of duplicating the process "driven by the Peer Review Governing Council," while focusing on "strategic issues where Parliament can add value" to the process; (b) given the fact that "the effectiveness and efficiency of Parliament as a democratic institution in South Africa was considered as an important dimension of the review," Parliament decided to embark "on a comprehensive self-assessment to be conducted by an independent panel"; (c) the determination, using "the South African context, where the independence of Parliament and its oversight of government are constitutionally mandated, to define the active and independent participation of Parliament in the peer review process," in such a manner as will "contribute significantly to strengthening other Parliaments in Africa"; (d) Parliament's engaging Civil Society Organizations, corporate South Africa and ordinary citizens in the process, although "the limited time for completion of the process negatively affected the extent of the engagements"; and (e) the importance of Parliament's "on-going role in overseeing the implementation of the programme of action that will emanate from the peer review mechanism."

The paper pointed out that initial steps towards the South African Parliament's engagement with the APRM country process, in the form of its own parallel country self-assessment, independent of that carried out by the APRM National Governing Council, included the setting up of the following "joint structures ... to streamline" the engagement: (a) a joint Coordinating Committee, co-chaired by the Presiding Officers; and (b) Joint *Ad Hoc* Committees for all the four APRM thematic areas, each of which not only called for public views on APRM-related issues through public hearings and written submissions but also "conducted independent research and received briefings from identified stakeholders and held community consultations ... in municipalities across the country." Furthermore, as the paper recounted, the Joint Coordinating Committee assigned to "an independent panel" the task of analyzing and assessing Parliament's performance in respect of the sections of the Master Questionnaire pertaining to the role of the Parliament.

The paper illustrated the South African experience about Parliaments' engagement with the APRM country processes by first highlighting the limiting economic and political environment within which the role was to be carried out, notably, "tight frameworks, compromised public participation and unavailability of stakeholders," and "communication gaps between Parliament and civil society." Given those limitations, the engagement with the process had been anchored on a combination of capacity-building and institutional reform within Parliaments and "community consultations" with the private sector, the civil society and vulnerable groups in the society. The idea was to enable Parliament to exercise more effectively its general oversight and legislative functions and powers, in addition to empowering and capacitating institutions like the Offices of Auditors-General and Human Rights Commissions, "established to strengthen democracy."

To that end, the paper recommended the following initiatives for action by Parliaments:

- helping to raise and strengthen "public awareness of the institutions established to strengthen democracy";
- refocusing legislation and policy on sustainable development to alleviate the plight of "vulnerable groups like women, the youth, people with disability and rural communities with a larger share of the poverty burden";
- enhancing Parliament's oversight role in the implementation of "international commitments and platforms";
- facilitating, by putting in place various mechanisms and measures, "the active participation of "the broader population ... in the governance ... of [their countries]";
- opening up parliamentary sessions and activities, especially the budget-related work of Parliaments, to the general public and the media, so as to accelerate [dissemination] of information relating to policies and laws";
- creating "mechanisms to [enable Parliaments] respond and attend to public queries";
- establishing institutional linkages and structures to "enhance the integration and participation of the civil society in [Parliaments'] oversight work, especially in initiatives ... aimed at taking Parliament to the people," including ratifying and implementing "the resolution taken at the 113<sup>th</sup> General Assembly of the Inter-Parliamentary Union on the importance of civil society in a democracy"; and
- taking legislative action to ensure the accessibility of the people to the courts.

**Adele Jinadu's** paper on *The APRM: Nigeria's Experience*, began with the general observation that the country's accession to the APRM in March 2003, making it one of the first countries to do so, gave the country a rare and welcome opportunity to discuss governance issues, particularly in the unique form of the nation-wide validation of the draft country self-assessment report, the draft NPoA and the country review report. Yet, this positive development must be placed in the context of the apparent executive dominance of the APRM country process and its slow implementation between

2004 and 2007, owing to the politics of federal and state political succession that culminated in the federal and state executive branch (presidential and gubernatorial) and legislative elections in April 2007.

According to the paper, Nigeria's APRM country coordinating structure comprised (a) the national focal point; (b) the APRM national coordinator/presidential adviser on NEPAD/APRM; (c) the APRM National Working Group (APRM-NWG); (d) Technical Research Institutes; and (e) APRM coordinators for the 4 APRM thematic areas. The paper observed that one basic problem that the APRM country process continued to face was, in view of the country's federal structure, how to federalize the APRM country coordinating structure, and secure the buy-in of state and local governments into the process, in view of their constitutional autonomy. Although, as the paper claimed, the criteria for selection/appointment of members of the APRM-NWG remained unclear, non-state stakeholders accounted for about 62 percent of the membership, while state stakeholders represented about 37.5 percent, of which executive branch members claimed 34.2 percent; the legislative branch, 2.7 percent; and the judiciary, 0.5 percent.

The paper outlined in detail the implementation of the base cycle of Nigeria's APRM process, beginning with the pre-test, including the domestication of the APRM master questionnaire in July 2004 and the first visit of the country support mission from the APRM continental Secretariat in March 2005, up to the country's peer review in November 2008. The cycle was marked by advocacy, sensitization and dissemination activities which climaxed in extensive nation-wide consultations and validation of the draft country self-assessment report and draft NPoA by stakeholders at State and society levels and in the private sector, conducted by the APRM-NWG between 18 November and 7 December 2007; and by the APRM Country Review Mission from 3 February to 2 March 2008.

The paper pointed out that the process was funded entirely from internal sources - part of budgetary allocations to the Presidency - amounting to N1.6 billion (about US\$14million), most of which was spent on nation-wide validation exercises by the APRM-NWG and the Country Review Mission, although a number of sensitization, outreach and other APRM-related activities was covered by external donor sources.

According to the paper, the NPoA was projected to cost, for the period 2009-2012, an estimated US\$20 billion, with the following parameters used in the costing: (a) human and institutional capacity-building, 60 percent; (b) monitoring and evaluation for quality assurance, 25 percent; and (c) sensitization for sustaining popular participation and national ownership, 15 percent. The APRM thematic distribution of the projected US\$20 billion cost of the NPoA was as follows: (a) socio-economic development, US\$8 billion or 40 percent; (b) democracy and political governance, US\$5

billion, or 25 percent; (d) economic governance and management, US\$4 billion, or 20 percent; and (d) corporate governance, US\$3 billion or 15 percent.

Regarding the trends as well as the challenges and opportunities offered by the APRM country process in Nigeria, the paper identified the following as the most critical:

- a. The location of the APRM national Secretariat in the Presidency, thereby contributing to the weakening of the oversight role of the APRM-NWG;
- b. The apparent powerlessness of the APRM-NWG, reflected in its unclear powers, its lack of a functional Secretariat outside of the Presidency, and its lack of a budget;
- c. Decentralizing the APRM country coordinating structure, including the establishment by state governments of parallel structures at state and local government levels; and
- d. The need for more active engagement in the process by other than executive branch stakeholders and by non-state stakeholders in the private sector and the civil society.

The paper made reference to the seemingly marginal role of the Nigerian Parliament or National Assembly, comprising the Senate and the House of Representatives, in the process. It claimed (a) that there was little evidence to show that Parliament was involved in or kept abreast of the discussion leading to the country's accession to the APRM; (b) that, of the 81 state actors on the APRM-NWG, only 6 or 2 percent were Parliamentarians; (c) and that, up till the time of the validation exercises in November/December 2007 and February/March 2008, Parliament showed little interest in the APRM. Indeed, its representatives on the APRM-NWG did not participate actively in its deliberations or activities.

However, the paper pointed out that the visit of the Country Review Team in February/March 2008 and the media exposure that it received brought home to federal and state Parliamentarians the significance of the APRM country process to governance in the country generally, and particularly to their oversight, monitoring and investigatory functions. The paper suggested that with that realization of the significance of the APRM in their conventional legislative work, Nigerian Parliamentarians could easily immerse themselves in constructive engagement with the APRM country process. They could do this by building on their own robust and vigorous pursuit - across partisan political party divide, especially at the federal level, since the return to democratic rule in 2007 - of their oversight, budgetary and investigatory role in governance issues covered by the APRM thematic areas, a role that they had carried out under the watchful eye of, and in partnership with, a critical media and enlightened Civil Society Organizations.

What the Nigerian experience, therefore, showed was the need to distinguish between the APR

process and a country's general debate on local, state, national, African and global governance issues, and to incorporate the APRM as an integral part of that debate's focus. The paper, in conclusion, pointed to capacity gaps that Parliament must bridge to enable it to more actively and effectively engages the APRM country process.

**Silvia Angey Ufoyuru's paper** titled *The African Peer Review Mechanism (APRM) Experience in Uganda* began with a summary of the structure and location of the key APRM country institutions in Uganda, followed by an analysis of the role of Uganda's Parliament in the APRM country process. Regarding the country's APRM structure and institutions, the paper pointed out that following Uganda's accession to the APRM in 2003, the National Planning Authority, with the Minister of State for Finance, Planning and Economic Development (Planning) exercising oversight role, was designated as the APRM National Focal Point, with responsibility "to set up national structures in 2004 and ensure that NEPAD initiatives and APRM/NPoA [National Programme of Action] were integrated into the national planning processes."

Following the visit of an APRM Support Mission to the country in February 2005, the signing of the APRM Memorandum of Understanding [MoU] between the President of Uganda and the APRM Panel, and the setting up of an NEPAD/APRM Unit in the National Planning Authority, an APRM Country Programme Manager was appointed in August 2005 and an independent Uganda National APRM Commission, initially made up of 17 and later expanded to 21 members, was established and "inducted" in September 2005, with the mandate to: (a) provide leadership, guidance and direction to the APRM process; (b) mobilize resources; (c) ensure Government and Parliament's involvement in the process; and (d) mobilize citizen participation in the process.

Appointed by the National Focal Point, Uganda's APRM National Commission had its membership distributed as follows : (a) 9 from the civil society; (b) 4 from Government ministries; (c) 3 from statutory bodies; (d) 1 from the private sector; 1 from the trade unions; and (e) 3 from Parliament, with the members/commissioners' electing their Chairperson and Deputy Chairperson. The NEPAD/APRM Unit with the National Planning Authority provides "secretariat, technical and administrative support to the Commission," in addition to ensuring "coordination with APRM Secretariat in South Africa, Panel Member responsible for Uganda and ... National Focal Point."

The paper summarized the country self-assessment stage of the APRM country process launched by the President of Uganda in February 2007. It pointed out that after the initial engagement of 12 Technical Partner Institutions (TPIs) to work with the APRM National Commission to "domesticate the APRM [Master] Questionnaire," and to undertake desk research, the list was pruned down to 5; 4 for the thematic areas and the Uganda Bureau of Statistics (UBS), the National Sample Survey, the "field consultations and thematic report writing."

To ensure “quality control,” the paper noted that the APRM National Commission engaged the services of (a) a Research Methodologist, who “developed Research Methodology, amalgamated Thematic Reports into Country Self-Assessment Report (CSAR) and the draft NPoA”; (b) 4 Review Consultants “to internally peer review the desk research reports and support domestication of the questionnaire; (c) 4 Resident Consultants, “(during field research) to work with each thematic TPI and the APRM National Commission’s Thematic Committee to ensure adequate consultations and quality report”; (d) 4 Reference Group Members, who “independently checked the final thematic area reports to ensure quality”; and (e) Ministry Nominees, “for costing of NPoA.”

According to the paper, the major highlights of the terminal stage of country self-assessment phase of the process were (a) national and regional validation Workshops, October 2007; (b) submission of the CSAR to APR Panel, President, Cabinet and Parliament, November 2007; (c) Country Review Mission from the continental APRM Secretariat, February 2008; (d) Draft Country review Report, March 2008; (e) Government response, April 2008; (f) Revised NPoA with costing, based on the recommendations of the Country Review Mission, April 2008; and (g) Peer review of Uganda, June 2008.

What challenges emerged from the APRM country process in Uganda? The paper pointed to the following as the most critical challenges:

- delay in mobilizing resources for the process, with consequential delays in the “time frame for sensitization, contracting TPIs and subsequently field research;
- the slow pace of the process between October 2005 and May 2007 caused by the February 2006 elections and the installation of a new government in May 2007;
- balancing Representation, Eminence and Technical Expertise on the [APRM National] Commission,” because “many people have expertise in mobilization but less in document review and critique”;
- weak private sector participation; and
- initial general scepticism towards the country process, although “as the assessment progressed people realized it was an important exercise.

The major issues raised in the Uganda Country Review Report included concerns about (a) the slow ratification and domestication of standards, (b) high population growth rate; (c) policy implementation gaps, (d) managing transition, (e) resolving conflict in the northern part of the country, (f) decentralization and managing diversity, (g) corruption, and (h) overdependence on aid.

Regarding the involvement or “role” of stakeholders in the Uganda APRM country process, the paper observed that their role had been defined and played out on the understanding that “the

APRM process [is designed to provide] a neutral space for interaction on good governance” between government, the civil society and the private sector, notably through: (a) monitoring the process, by “providing views on governance in the four [thematic] areas and input to the Programme of Action”; (b) “participating in Validation of CSAR and POA”; (c) “monitoring the Programme of Action to ensure that good practices are entrenched and recommendations implemented”; and (d) “ensuring that APRM is on the Agenda,” and disseminating information about the APRM “to their respective constituencies.”

Given this broad characterization of the role of stakeholders in the APRM country process, how did the Ugandan Parliament engage with the process? The paper provided a two-part answer to the question. The first part was that the role of the Ugandan Parliament was an intersecting one, involving (a) keeping NEPAD/APRM on the parliamentary agenda, and monitoring the APRM process as a constitutive aspect of the general parliamentary oversight role of the governance of the country, including the general policy process, and input to the draft country self-assessment report and to the preliminary NPoA as well as their validation; (b) legislative action to facilitate and, thereafter, monitor the implementation of the NPoA and the national budget, “to ensure that good practices are enhanced and recommendations implemented”; (d) information dissemination about the APRM in their constituencies by Parliamentarians.

The second part of the answer enumerated the following strategies adopted to involve the Ugandan Parliament in the APRM country process: (a) meetings between support missions from the continental APRM Secretariat and the Speaker and Deputy Speaker of the Ugandan Parliament; (b) representation of the Ugandan Parliament by two members of Parliament, one each from the government party and the opposition party, on the APRM National Commission; (c) participation of Parliamentarians in such APRM related activities as the launch of the process, research, regional Workshops and validation of the CSAR; (d) formal presentation of the CSAR and NPoA by the APRM National Commission to the Speaker, Deputy Speaker, Leader of Opposition and chairpersons of committees of the Ugandan Parliament.; and (e) distribution of the CSAR to all members of the Ugandan Parliament.

**Daudi R. Mukangara’s paper** on *The Experience and Design of the Tanzanian APRM Process*, began with an account of the mode and criteria of appointment of members of the APRM National Governing Council (NGC) in Tanzania, with emphasis on the measures taken to ensure its autonomy particularly vis-à-vis the government. This was then followed by the steps taken to (a) capacitate the NGC, including the emplacement and staffing of a Secretariat; (b) ensure the integrity and legitimacy of the country assessment process, through credible research methodology and inclusive participation by “key” stakeholders [“legislators, the media, Civil Society Organizations, central government officials, regional and district stakeholders, women, the youth, CSA leaders, the

academia, the disabled, judges, trade unions and cooperatives”]; and (c) engage Parliamentarians in the Union and in Zanzibar in the process.

On the mode and criteria of appointment and selection of members of the NGC, the paper pointed out that some members were “appointed,” while others were “endorsed.” However, the civil society was assured prominent “voice ... at least in numbers” in the NGC, through “limiting government representation to 4 of 20 members.” However, there was provision for membership of Parliamentarians from both political divides [in the NGC] but the number of politicians was limited to avoid politicizing it or swaying it in favour of one side.”

Autonomy of the NGC was expectedly guaranteed by the fact that it “is fully empowered to take policy and other decisions on APRM Tanzania and on the assessment process,” by the requirement that no minister shall be a member of the NGC, and by “denying membership to the Focal Point while obligating it to work closely with and support APRM Tanzania.”

The paper made reference to “complaints about the composition of the NGC,” notably its size [“perhaps it is too small”] and its inclusiveness [“when considered in terms of individual key groups in politics and social organization”].

Among the measures needed to capacitate the NGC and its Secretariat, the paper highlighted the following: (a) provision of “adequate” infrastructure and logistics support like “modern premises,” “means of transport,” “modern means of communication,” “staffing of the Secretariat,” with “recruitment by public advertisement; and selection by merit”; (b) in-house training, seminars and Workshops, with “extensive APRM ToT provided to senior staff resulting in trainer self-sufficiency for sensitization seminars,” and support for “some international travel and exposure to NGC and Secretariat members”; and (c) exclusive NGC induction and sensitization seminars.”

The paper indicated that “the integrity of the Assessment Process,” and of the “Legitimacy of the Assessment Methods” had been promoted through respect for the “APRM principles that both the NGC and the Secretariat only oversee and not conduct the assessment.” To this end, the paper added, the NGC appointed four Technical Assessment Teams (TATs), one in each of the 4 APRM thematic areas, thus ensuring in the process not only that “professional evaluation based on merit and competitiveness guides the selection ...” but also that “the job of technical assessment is publicly and widely advertised,” and that “draft technical reports [are subjected to] scrutiny, debate and endorsement or correction by competent representatives of key stakeholders.” Regarding the methodology of the assessment, this was achieved through a combination of desk research, perception surveys of “household opinion survey and expert panel opinion survey,” as well as special group discussions.

According to the paper, the TATs conducted the technical assessment from October to December 2007, and presented their draft reports to Workshops of “technical representatives of stakeholders,” which lasting four days between March and May 2008. The TATs also conducted “countrywide household and expert panel surveys of public opinion on governance in Tanzania” in August 2008, with the expectation that (a) “the draft CSAR, with its accompanying Programme of Action” would be tabled for discussion in validation Workshops in November 2008; (b) the CSAR would be submitted in December 2008; (c) external assessment by the Country Review Team from the APRM continental Secretariat would be carried out in February 2009; and (d) the peer review of Tanzania would take place in May 2009.

Narrowing the stakeholders’ engagement with the APRM country process in Tanzania to the Parliament, the paper recounted the following highpoints: (a) sensitization seminars for Parliament in February 2005 at the onset of the process in the country, and subsequently in February 2008 and August 2008; (b) demand in October 2007 by the parliamentary committee on foreign affairs to be briefed by the APRM country Secretariat on progress with the APRM; (c) parliamentary questions at various parliamentary sittings and budget hearings between 2007 and 2008 on APRM-related issues.

What does this say about the role of Tanzanian Parliamentarians in their country’s APRM process? The paper’s answer was that “generally, therefore, legislators in Tanzania have been engaged in the APRM process and they have shown interest in it. In more recent times, they have had very engaging debates about and even “crusades” against such bad governance incidences as corruption, fraudulent international agreements and banking malpractices, including money laundering ... high on the APRM areas of assessment.”

The paper concluded on the following note: “If you look at the ... APRM Tanzania process, you realize that you win and lose some things at the same time. You probably get marks for deliberate inclusiveness and thoroughness, but probably lose them in terms of the speed with which the APRM assessment is accomplished ... So, some of the positives that emerge from the Tanzania experience are also fraught with danger. They have to be handled carefully.”

**Hon. Moses Muteteka’s paper** entitled *The Position of Zambia, - APRM*, provided an overview of the limited progress achieved with the APRM country process in Zambia, since its accession to the APRM in January 2006. According to the paper, the limited progress was due partly to the fact that “Zambia was undergoing or was overwhelmed with the 2006 tripartite elections.” This, according to the paper, effectively delayed the take-off of the process in the country. With the conclusion of the elections, the Zambian Government began in earnest to set the process in motion, with the objective of “preparing the Zambian National Governing Council [NGC] towards the implementation of the APRM.” The NGC was inaugurated on 8 September 2008, “to spearhead the implementation

of the African Peer Review Mechanism (APRM),” although preparatory to the inauguration, the paper pointed out, various “brainstorming” meetings and seminars had been held with various stakeholders, including Zambian Parliamentarians, “to equip them with skills,” and to sensitize them to the APRM country process.

Membership of the NGC, the paper pointed out, was drawn up through “a consultative process that was undertaken by Government,” in the spirit of the APRM Guidelines. Made up of 46 members, representing “the Government, the civil Society, Parliament, the Judiciary, professional bodies and other stakeholders,” the NGC had the important function of (a) providing (a) oversight and leadership in the implementation of the APRM, “in consultation with Government,” and flowing from this, (b) ensuring “the integrity of the [country] Peer Review Process” by making it “transparent, inclusive and accountable.”

The paper further indicated that the “NGC is at liberty to constitute committees and retain consultants and experts and fuse them within the existing structures of the APRM,” and was expected “to complete its work within one year because Zambia is in a hurry to implement APRM activities.”

The paper argued, in conclusion, that “if planned and executed transparently, the APRM presents a real opportunity to build a better Zambia,” and that this is best guaranteed through “a tripartite arrangement of the civil society, the corporate sector and the Government.”

The ensuing discussion on the five papers, covering the country experiences of South Africa, Nigeria, Uganda, Tanzania and Zambia with the APRM, started with an appreciation of the contribution of the APRM country processes, despite their limitations and the constraints imposed by each country’s political economy, in terms of creating the much, and indeed the badly, needed spaces for national dialogue on how best to engender good governance and sustain and consolidate democracy in the acceding member States. The apparent consensus was that the cardinal challenge of the fledgling APRM country processes for Parliamentarians was to seize the moment, and rise above partisan considerations and the historically-induced institutional weakness of African Parliaments so as to champion and drive the process through requisite legislation, partnerships with other stakeholders in the State and society, and mobilization of strategies for advocacy and dissemination of the virtues and advantages of APRM.

Among the more recurring observations and proposed strategic fields of action emerging from the discussion, the following were the most conspicuous:

- a. It is useful to distinguish the APRM as a country process from regular issues of governance and policy process in the acceding member States;

- b. Although the APRM offers a good governance model, the cost is turning out to be prohibitive, requiring as some of the country experiences show, external donor funding that could ultimately vitiate its governing principle of African (national) ownership of the process;
- c. The APRM country processes seem to be dragging on for much more longer than the 6 to 9 months counting from the start of Stage One (preparatory process) and the end of Stage Four (submission of the Country Review Report and final Programme of Action to the APR Forum for consideration), prescribed in the *Guidelines for Countries to Prepare and to Participate in the African Peer Review Mechanism (APRM)*;
- d. The missing link or weak chain in the APRM country processes has been the feeble or “scant” engagement of Parliaments in acceding member States in the processes, with the notable exception of South Africa and Uganda;
- e. To address this serious deficit, Parliaments should create special or standing committees, rather than *ad hoc* committees, with responsibility for defining, organizing and overseeing Parliaments’ engagement with, and oversight of the process, including conducting parallel country self-assessment as was done by the South African Parliament, in line with their constitutional powers and functions;
- f. Parliaments’ strategic engagement in their APRM country processes should include popularizing and mobilizing support for the processes. This could take the form of Parliamentarians participating in country self-assessment and validation exercises, and giving visibility to the process through debates within and outside Parliament, and passing requisite APRM legislation and appropriations to push forward implementation of APRM activities.
- g. Parliaments should synthesize various country experiences to guide their choice of best practices that need to be emulated. The case used to illustrate this suggestion is the Kenyan initiative of going back to the communities to obtain supplementary information for updating the country’s APRM report. Other illustrative cases mentioned included South African Parliament’s conduct of country self-assessment parallel to the official one, and Uganda’s “model” of engaging the Ugandan Parliament in particular, as well as other State organs, like the army, police and prisons department, in the country process.
- h. Governments should bear the responsibility of financing the APRM country processes. However, it is noteworthy that not all political heads of government ministries wholeheartedly support the processes.

- i. Although it is not prudent, for the sake of sustainability of the processes, to associate the APRM with the political leadership or political personalities, because of the vicissitudes of public political life in Africa, Parliaments should cultivate political support for the APRM on the part of the highest level political actors in the State and in the society, especially Heads of State and Government. Parliaments could assist in this respect by passing requisite legislation to give legal force to APRM country processes and thereby ensure their sustainability.
- j. To ensure the impartiality, credibility and transparency of the APRM country processes, the APRM country Secretariat should function as a semi-autonomous body, while maintaining a “dotted-line relationship” with the APRM National Focal Point.
- k. Parliaments should mount sustained, not “one-off” advocacy to create necessary interest in, and support for APRM country processes through “constant engagement” of the general public and of State and non-State actors in various spheres of life.
- l. Special note was taken of the problems facing acceding countries, like Ethiopia and Nigeria with a federal system of government, in terms of the twin-challenge of “federalizing their APRM country processes and securing the “buy-in” and participation of their state or regional governments in the processes.
- m. Searchlight should be turned on the engagement and role of political parties in the APRM country processes because of their strategic role in governance.

*Focal Persons at the  
APRM National Focal  
Points Workshop  
UNCC, Addis Ababa,  
February 2007*



## Strategizing APRM Partnership: Parliaments and Civil Society Organizations

**Ozias Tungwarara** started his paper, *Effective and Strategic Partnership between CSOs and Parliament in the APRM Process*, from the premise that “good governance is a will of all key actors in the development process,” each stakeholder is having “different mandates and roles.” The paper went on to explore how best Civil Society Organizations and Parliament could “forge effective and strategic partnerships, on the basis of the following “partnership principles”: (a) common goal; (b) mutual benefit; (c) shared risk and resources; (d) added value; and (e) shared vision, among others.

He argued that African CSOs had generally served as a countervailing force, pressing for transparency and accountability in public affairs and serving as sentinel for good governance and for the widening of public political and economic spaces to give voice to excluded and marginalized groups. It was this broad definition of the role of CSOs in the governance process in Africa, which they shared with Parliaments that provided the basis for devising a common platform and a “strategic partnership” anchored on their shared networks in the State and society, and enabling them to engage the APRM country processes. In that sense, the APRM provided new and exciting opportunities for the CSOs and Parliaments to pursue and advance democracy and good governance in Africa.

The specific forms of CSOs engagement with Parliament in the APRM country processes included (a) mobilizing community involvement in the processes at constituency level; (b) providing research-generated data on public issues to Parliament to assist it in its legislative and oversight functions; (c) working with Parliament to ensure legislative action and focus on the pressing governance issues identified in the country review reports and NPoA.

**Grant Masterson’s paper** titled *Enhancing Engagement between Parliaments and Civil Society through the APRM*, covered much the same ground as the paper presented by Ozias Tungwarara, but with specific focus on South African experience, as a case study. Observing that “the structures of the national process informs the rational levels of engagement in the process,” the paper located and analyzed the engagement between Parliament and the civil society in open hearings in, and written submissions to Parliament, in “national road shows” by Parliament and in the involvement of regional Parliaments.

Parliament should engage with or seek civil society input to the APRM country processes because of a combination of the following three prerequisites: (a) the need for technical expertise in the civil society to strengthen Parliament's engagement with the process; (b) ensuring or generating popular or broad-based support for and buy-in to the process; and (c) meeting the requirements of the APRM. Regarding civil society groups with which Parliament should work to meet the objectives of the APRM country process, the paper maintained that, in the spirit of the APRM principles, Parliament should look much "deeper" beyond engaging with "formal NGOs to establishing linkages with "local charities, faith-based organizations, trade unions, social movements and ethnic associations".

Regarding the strategically appropriate time for Parliament's engagement with these various civil society groups to shape and influence the process, the paper identified the following as the most critical: (a) at the time when the country is about to accede to the APRM, (b) during the country support mission from the APRM continental Secretariat, (c) during Parliamentary hearings, (d) during the country review mission, and (e) when the final country review report, including the NPoA, is presented.

**Tsoeu Petlane's paper** on *Building Strategic Alliances between Parliament and Civil Society*, began with the observation that Parliament's traditional roles of oversight, legislation and representation offered a basis for its engagement with the APRM country process. The paper argued that in forging "non-confrontational," but "strategic alliance" with Civil Society Organizations (CSOs) to pursue APRM objectives, Parliament must identify and "complement" the strength and advantages which the CSOs could bring to the process, while also drawing on its shared functional role with CSOs as "interest lobbies ... representing distinct needs/demands of their constituencies," and as "watchdogs monitoring the performance of the Executive and Government."

The paper provided a number of "pointers" to help Parliamentarians in their "strategic alliances" with CSOs but also generally with other stakeholders. Thus, the paper enjoined Parliament to "take all opportunities to engage," and make input to such critical aspects of the APRM country process as:

- formal APRM events;
- composition and membership of APRM National Governing Council;
- APRM advocacy, dissemination and sensitization activities;
- country self-assessment activities and the validation of the country self-assessment report and NPoA and
- APRM monitoring and evaluation activities.

The paper suggested that, beyond Parliament's strategic alliance with CSOs, and with a view to strengthening it [the alliance], Parliamentarians should "work with their constituency as a sounding board," to ensure grassroots ownership of, and interest in, the APRM process. Through this, the APRM would become an "Alternative Programme for Re-engaging the Masses!"

The ensuing discussion on the three papers generally underscored the importance of the civil society in the APRM country processes and the challenges Parliamentarians faced in working closely with Civil Society Organizations. These challenges include adopting strategies to :

- attenuate or douse the antipathy of the State towards civil society groups as well as the tendency on the part of these groups to adopt a confrontational posture towards the State;
- address the capacity and resource problems, such as the lean financial resources, organizational weaknesses and lack of organizational skills, facing civil society groups and their dependence on external donor funding;
- work with them, through their local networks to spread the APRM 'gospel' and activities to the Parliamentarians' constituencies.



## Parallel/Breakout Sessions

To round up the working sessions of the training Workshop, participants were divided into two parallel sessions, with **Group A** discussing *MPs role in the self-assessment exercise*, and **Group B**, *Monitoring and tracking the implementation of the APRM National Programme of Action (NPoA)*. The following is a summary of the conclusions of the discussions on the reports emanating from the two break-out sessions.

### Group A: On the role of Parliamentarians:

- a. For MPs to play an effective role in the self-assessment process, they must engage the process during the period between their country's accession to the APRM through the preparation of the country self-assessment report. This should be done with maximum effect in the form of input to the establishment of APRM national coordinating structures, representation on some of these structures like APRM National Governing Councils, involvement in "national and sectoral" sensitization actions and in the collection of data during the survey stage of the self-assessment.
- b. Parliament's involvement should be disaggregated into the twin role of the MP as a representative and as a party member, and the role of Parliament viewed at four levels: provincial/regional/state/local, national, African regional and continental.
- c. Individual MPs should engage in APRM advocacy and dissemination activities in their constituencies, and package popularized information for targeted audiences in their constituencies in simplified language. By doing so, they would help to sensitize and mobilize their constituents to secure their input to and buy-in of the APRM country process.
- d. MPs should collect and use as much information about the APRM as possible for their own self-development and "self-empowerment."
- e. MPs should link and relate their activities in their communities/constituencies to APRM thematic issues.

- f. Parliaments, be they under presidential, semi-presidential or parliamentary systems, should insist on their constitutional powers and functions, especially oversight and investigative functions and not cede or alienate them to the executive branch. This is the best way to ensure the continuity and sustainability of the APRM country processes, because too strong an executive may degenerate into virtual dictatorships, which would be incompatible with the core APRM principles and objectives.
- g. Parliaments should establish direct formal contact with the APRM continental secretariat and demand that it be informed directly ahead of country support missions and country review missions from the APRM continental Secretariat.
- h. MPs should lobby subregional Parliaments to bring pressure to bear on non-acceding member States in their regions to accede to the APRM.

**Group B: Monitoring and tracking implementation of the NPoA:**

- a. Parliament should create a parliamentary APRM committee or identify existing relevant committee, to consider the country review report and NPoA, and report back to Parliament in plenary for debate and adoption.
- b. The President or APRM supervising Minister shall be required to make a formal presentation of the country review report and NPoA before Parliament.
- c. The APRM National Governing Council shall be required to defend the NPoA before Parliament.
- d. Parliaments, through their APRM committee, should check whether the appropriation bill includes budget for NPoA and other APRM-related matters, during budget defence by ministries, departments and agencies.
- e. Parliaments should legislate, and “put in place” a permanent statutory independent body or agency to monitor the APRM country process, which shall be required to submit regular/annual reports to Parliament on the state and status of the process.
- f. Parliaments should strengthen their oversight and investigatory role through capacity building and enhancement.

## **Annex: The Bagamoyo Plan of Action for African Parliamentarians on the APRM**

An important outcome of the Workshop was the policy document, *The Bagamoyo Plan of Action for African Parliamentarians on the APRM*, which was adopted to guide the engagement of the Pan-African Parliament, regional Parliaments and national Parliaments with the APRM.

*The Bagamoyo Plan of Action* reads as follows:

We, Members of the Pan-African Parliament, Members of Parliaments from Nigeria, South Africa, Tanzania, Uganda and Zambia, Members of Parliament from Regional Economic Communities' Parliamentary Forum, Representatives from the Regional Economic Communities, APRM National Focal Points, Members of NGOs, CSOs and African Research Institutes, meeting in a training Workshop, entitled *Enhancing the Role and Effective Participation of Parliamentarians in the APRM Process*, organized from 12 to 14 November 2008, in Bagamoyo, Tanzania, by the United Nations Economic Commission for Africa (ECA), in collaboration with the UNDP Office in Tanzania and the Pan-African Parliament:

- a. Having exhaustively discussed the presentations at the Workshop on the APRM principles and objectives, in the broader context of good governance initiatives in the African Union and the New Partnership for Africa's Development;
- b. Having also deliberated intensively on APRM country case studies on Nigeria, South Africa, Tanzania and Zambia, as well as on the intersecting role of Parliamentarians and other stakeholders, principally the executive, the judiciary, the private sector, the civil society, the mass media, African peoples, the APRM strategic partners and the international community, in the APRM, at the Workshop;
- c. Realizing on the basis of country experiences from peer-reviewed APRM member States that it is important to create a conducive economic and socio-political environment to enable Parliamentarians, in particular, but also other stakeholders, notably non-executive branch state actors, like the judiciary and non-state ones, to actively engage the various stages of the APRM country processes;

- d. Convinced that the seeming executive branch dominance of the APRM country processes requires more active engagement by Parliaments in acceding member States;
- e. Having carefully considered the marginal role, which African Parliaments and Parliamentarians are playing in APRM processes at national, regional and continental levels, as a result of executive dominance of the processes;
- f. Recognizing and concerned that the marginal role of the African Parliaments, so concretely illustrated in the Workshop presentations and discussion, is against the spirit and letter of the APRM;
- g. Convinced, however, that the APRM provides a laudable and credible alternative accountability mechanism in national governance systems in Africa;
- h. Realizing, therefore, the unique opportunity the APRM provides for African Parliaments in cohort with other stakeholders and particularly African peoples, to improve governance and engender a culture of accountability, ethics, inclusiveness, participation and transparency in public political life in Africa;
- i. Concluding, therefore, that African Parliamentarians at national, regional and continental levels owe their countries and African peoples the responsibility of exercising their oversight role to facilitate public ownership of the APRM,

Hereby recommend the following Plan of Action for the Pan-African Parliament and African Parliaments, to be known as the *Bagamoyo Plan of Action*, to pursue at the continental, regional and national levels of the APRM.

### ***IX.1 Action at continental/PAP level***

At the continental level, PAP should take an expansive or liberal view of its mandates and work with other AU organs to further democratize these organs, including the PAP, and related AU processes. Doing this will require the PAP to:

- a. Take immediate steps/action to incorporate its role (i.e. PAP's) in the APRM country processes to give it more than purely advisory roles in the processes.
- b. Accordingly, incorporate and institutionalize the APRM in its (PAP's) legislative processes, as outlined in this section of the *Bagamoyo Plan of Action*.

- c. Work with other African Union (AU) organs to integrate the NEPAD/APRM into AU structures and policy processes.
- d. Engage APRM continental structures, notably the APRM Forum and Panel of Eminent Persons to devise means of rewarding acceding member States, which are faithfully implementing the APRM.
- e. Establish formal relationship on APRM matters with APRM strategic partners, specifically United Nations Economic Commission for Africa (ECA) and the African Development Bank (AfDB), on how it can enhance its own capacity and that of regional and national Parliaments to undertake its oversight role over the APRM, in view of the fact that capacity development is critical and must be actively encouraged and pursued if Parliaments are to engage the APRM country processes effectively.
- f. Establish APRM professionalized research unit or identify and engage African-based research institutions or think tanks to advise it and prepare technical papers on the APRM.
- g. Establish a specifically designated NEPAD/APRM committee as one of its standing committees.
- h. Mandate its members from member States to serve as virtual liaison with national Parliaments on NEPAD/APRM matters, and to receive and consider reports from them on APRM-related matters.
- i. Work with African RECs and their subregional Parliaments to design and implement a 3-to-5 year strategic plan in each subregion to enhance the oversight, including the budgetary role of national Parliaments in each region, as outlined below in (f), under *Action at subregional level*.
- j. Take interest in the selection (nomination and election) processes of APRM Panel of Eminent Persons, and in canvassing for a consultative and advisory role in the processes.
- k. Devote special sessions to consider the Final APRM Reports formally tabled before it at the end of Stage Five of the APR country reviews.
- l. Utilize its participation in extra-African Inter-Parliamentary fora to disseminate trends and progress in the APRM to showcase its uniqueness and the lessons which others can learn from it.

- m. Liaise with the African Commission on Human and Peoples' Rights (ACHPR) to receive its country reports as input to its own (i.e. PAP's) consideration of Final APRM Country Reports.
- n. Take urgent measures to capacitate national and subregional Parliaments, through budgetary allocations, research and development, and particularly in the area of ICTs if they are to engage the APRM country processes effectively at the national, regional and continental levels. Regarding ICTs, Parliaments should design an ICT master plan to enhance the capacity of Parliamentarians to engage the APRM country processes and related governance ones in various countries, and to enable many more Parliamentarians than is the case presently to access the ICTs, in line with the recommendation in (i) above.
- o. The PAP should send delegations to APRM member countries on fact-finding missions with a view to encouraging peer-reviewed countries to implement their National Programmes of Action (NPoA).

### ***IX.2 Action at subregional level***

At subregional level, the PAP should work with the RECs through their Parliaments, where they exist, or through relevant organs of the RECs to pursue the following objectives:

- a. Integration of the APRM into the structures and organs of the RECs, including in particular the establishment of APRM professionalized and research units.
- b. Periodic meetings of members of Parliament from the region to discuss APRM country processes, share experiences and seek ways of cooperation and assistance especially in respect of implementation of the National Programmes of Action (NPoAs).
- c. Encouragement of members of the RECs yet to accede to the APRM to do so.
- d. Urging national Parliaments to domesticate the codes and standards entered into by the country, and to seek subscription to outstanding codes and standards yet to be entered into by the country.
- e. Given the centrality of electoral processes and elections in promoting and protecting the people's mandate, the RECs, especially regional Parliaments where they exist in the region, should send election-observer/monitoring teams to witness elections in member States and submit report to them not only on the credibility of the elections but also on the prevailing antecedent elections affecting the *ex ante* indeterminacy of the elections.

- f. The design and implementation of a 3-to-5 year strategic plan to enhance the oversight, including the budgetary role of legislatures in the regions. The objective is to build and enhance the capacity of Parliaments, and thereby strengthen their internal structures and organization, especially through the application of ICTs and its research and library resources.
- g. Take urgent measures to capacitate national and regional Parliaments, through budgetary allocations, research and development, particularly in the area of ICTs, if they are to engage the APRM country processes effectively at the national, regional and continental levels. Regarding ICTs, Parliaments should design an ICT master plan to enhance the capacity of Parliamentarians in engaging the APRM country processes and related governance ones in various countries, and to enable many more Parliamentarians than is the case presently to access the ICTs, in line with the recommendation in (f) above.

### ***IX.3 Action at national level***

Action at this level will require the PAP to urge national Parliaments to get more involved in APR country process as follows:

1. Parliaments should take urgent measures to capacitate themselves, particularly in the area of ICTs, through budgetary allocations and research and development, if they are to engage the APRM country processes effectively. Regarding ICTs, Parliaments should design an ICT master plan to enhance the capacity of Parliamentarians to engage the APRM country processes and related governance ones in various countries, and to enable many more Parliamentarians than is the case presently to access the ICTs.
2. Parliaments should, therefore, design and implement a 3-to-5 year strategic plan to enhance their oversight, investigatory and budgetary roles. The objective is to build and enhance the capacity of Parliaments, and thereby strengthen their internal structures and organization, especially through the application of ICTs, and their research and library resources.
3. Enactment of legislation to make accession to the APRM mandatory, as a way of ensuring the accountability of the national leadership and the sustainability of the APRM country processes.
4. Where a country has not acceded to the APRM, Parliament should make a strong case for accession; where a country has acceded to the APRM, Parliament should initiate legislation for an enabling law to ensure its sustainability.

5. For MPs to play an effective role in the self-assessment process, they must engage the process during the period between their country's accession to the APRM and through the preparation of the country self-assessment report. This should be done with maximum effect in the form of input to the establishment of APRM national coordinating structures, representation on some of them like APRM National Governing Councils, involvement in "national and sectoral" sensitization and in the collection of data during the survey stage of the self-assessment.
6. Parliament's involvement should be disaggregated into the twin role of the MP as a representative and as a party member, while the role of Parliament should be viewed at four levels: provincial/regional/state/local, national, African regional and continental.
7. Individual MPs should engage in APRM advocacy and dissemination activities in their constituencies, and package popularized information for targeted audiences in their constituencies in simplified language. By doing so, they will help to sensitize and mobilize their constituents to secure their in-put to and buy-in of the APRM country process.
8. MPs should collect and use as much information about the APRM as possible for their own self-development and "self-empowerment."
9. MPs should link and relate their activities in their communities/constituencies to APRM thematic issues.
10. Parliaments, be they under presidential, semi-presidential or Parliamentary systems, should insist on their constitutional powers and functions, especially oversight and investigative ones and not cede or alienate them to the executive branch. This is the best way to ensure the continuity and sustainability of the APRM country processes, because too strong executive may degenerate into virtual dictatorships, which would be incompatible with the core APRM principles and objectives.
11. Parliaments should establish direct formal contact with the APRM continental secretariat and demand to be informed directly ahead of country support missions and country review missions from the APRM continental secretariat.
12. MPs should lobby subregional Parliaments to bring pressure to bear on non-acceding member States in their regions to accede to the APRM.
13. Parliaments should take their membership of the APRM Governing Council seriously, by demanding equitable representation on it in relation to other stakeholders, and by playing an active part in its deliberations.

14. Parliaments should create specifically designated APRM committees of Parliament, preferably in each of the four APRM thematic areas.
15. Parliaments should require APRM-National Governing Councils to submit annual reports on their activities for consideration by Parliament.
16. Parliaments should take stock of the codes and standards which are yet to be ratified and/or domesticated and initiate legislative action to that end.
17. As part of efforts to *routinize* and consolidate the culture of accountability and transparency in public life on which APRM is anchored, Parliaments should exercise their oversight and investigatory powers to ensure accountability in public life. In that respect, they must act on the annual reports of Auditors-General to Parliament.
18. In peer-reviewed countries, Parliaments should subject NPoA to detailed scrutiny before appropriating monies for it, and it should design monitoring mechanism to ensure and follow up on its faithful implementation.
19. To prevent continued executive branch dominance of the APRM country processes, there is need for legislation enabling Parliaments to appoint non-State persons to oversee the country processes to provide “candid” briefs to the Head of State and to Parliament on the outcomes of country self-assessment exercises. This would constrain National Focal Points from unduly controlling the country processes and it would interpose a public interest in the APRM country processes, thereby ensuring that they are driven by non-State actors.
20. Parliaments should exercise their oversight powers and functions in such a manner as to closely monitor the APRM country processes and to bring to the attention of the executive branch serious lapses or lack of transparency in the country processes.
21. Parallel assessment of the APRM country processes by non-executive branch actors, like that undertaken by the South African Parliament, should be encouraged and, if possible, undertaken by other Parliaments as well.
22. Parliaments should, through the constituency offices of Parliamentarians, undertake mass sensitization in rural communities, where ignorance and poor infrastructure might undermine APRM objectives.
23. Parliaments should work closely with and encourage national and local media organizations to prepare and disseminate information on the APRM, as well as to popularize and mobilize mass support for the APRM, particularly at the grassroots.

This will require capacitating the media to undertake this assignment, in partnership with national Parliaments.

24. Parliaments should encourage responsible journalism as a way of facilitating and consolidating their partnership with the mass media to advance APRM objectives in their countries. As part of its engagement with the media along this line, media editors have the responsibility to “unreservedly” support the APRM country processes in order to convey to their general readership the relevance of the APRM.
25. Parliaments should partner with CSOs in popularizing and monitoring the APRM country processes.
26. As CSOs in most acceding countries are still weak, Parliaments should deliberately intervene to capacitate them in order to strengthen the demand-side of accountability in African countries.
27. Parliaments should address how best to balance the rising expectations generated by the APRM and the resources for prosecuting the country processes, particularly the implementation of National Programmes of Action.
28. There is need for legislation to incorporate the role of the Pan-African Parliament (PAP) in the APRM country processes to give it more than a purely advisory role in the processes.
29. Revising the APRM Master Questionnaire to make it more user-friendly and flexible enough to accommodate country specificities.
30. Parliaments should create Parliamentary APRM committees or identify existing relevant committees, to consider the country review report and NPoA, and report back to Parliament-in-plenary for debate and adoption.
31. The President or APRM supervising Minister should be required to make a formal presentation of the country review report and NPoA before Parliament.
32. The APRM National Governing Council should be required to defend the NPoA before Parliament.
33. Parliaments, through their APRM committees, should check whether the appropriation bill includes budget for NPoA and other APRM-related matters, during budget defence by ministries, departments and agencies.

34. Parliaments should legislate and “put in place” a permanent statutory independent body or agency to monitor the APRM country process, which shall be required to submit regular/annual reports [to Parliament] on the state and status of the process.
35. Parliaments should strengthen their oversight and investigatory role through capacity building and enhancement.



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