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ECONOMIC COMMISSION FOR AFRICA

Fourth meeting of the Committee on
Human Development and Civil Society

22-23 November 2007
Addis Ababa, Ethiopia

Governance and Public Administration Division (GPAD)

Statutory Agenda: Issues and Recommendations

I. Introduction and Background

The Economic Commission for Africa (ECA), within the context of the reform of its intergovernmental machinery that took place in 1997, created the Committee on Human Development and Civil Society (CHDCS) by resolution 826(XXXII) of 8 May 1997. The Committee is both a technical and a legislative organ of the Commission. Its members are African experts drawn from governments, private sector and civil society groups. It provides a forum for deepening policy dialogue and interface among the three sectors.

The mandate of the Committee is, among others, to help strengthen civil society and human development activities in Africa. It enables the Commission to capture the opinion of experts from the public and private sectors and civil society on its operations. It reviews activities of regional interest regarding human development and civil society as contained in ECA's program of work. The Committee meets biennially.

The first meeting of the Committee was held in Addis Ababa, from 21 to 23 June 1999. The theme of the meeting was "Popular Participation for Sustainable Social and Human Development." This session approved the Constitution and Functions of the Committee and adopted a resolution on the Establishment of the African Centre for Civil Society.

The second meeting of the Committee took place in Addis Ababa, from 26 to 27 May 2003. The meeting recommended, among others, the following: (a) close cooperation between the three actors be fostered based on a code of conduct; (b) need to address capacity gaps; (c) more channels of dialogue to be created between users and providers of social services; and (d) governments should embrace a bottom-up approach in addressing national development planning issues, thereby including civil society members in the budgetary process.

The third meeting of the Committee was held in Addis Ababa, from 4 to 6 May 2005. The meeting was organized under the theme "Participation and Partnerships for Improving Development and Governance in Africa." The overall objective of the meeting was to find ways and means of strengthening participation and partnerships in development and governance processes with a view to enhance public transparency, strengthen external checks and balances on government and to improve efficiency and accountability in public service delivery. Participants expressed the need to make the Committee more functional as defined in the operational guidelines adopted at its inaugural meeting in 1999.

In 2006, ECA undertook a reform exercise, which came into effect on 3 August 2006 aimed at repositioning the Commission to strategically realign its program priorities with the priorities of the New Partnership for Africa's Development (NEPAD) and the African Union (AU). This was necessary for the Commission in order to achieve results in the most efficient and effective manner according to the overall United Nations system reform program, as well as the renewed international commitment to improving Africa's development prospects. The reform exercise outlined how the Commission is reorganizing itself to better address Africa's development challenges, and how it plans to deepen its work in the identified priority areas. It also highlighted how the Commission plans to work with the AU, the African Development Bank (AfDB), the Regional Economic Communities (RECs), and other development partners to address the continent's development priorities.

As a result of the reform exercise, the Development Policy and Management Division (DPMD) was restructured and renamed as Governance and Public Administration Division (GPAD) to reflect the new priority areas of the Commission. GPAD is organized into four

sections, namely Public Administration, Civil Society, African Peer Review Mechanism (APRM) Support Unit, and Private Sector and Enterprise Development. The overall objective of the Division is to promote good governance practices for all sectors of society including civil service, public sector, private sector and civil society, and to support the APRM process.

A. Public Administration Section

In the course of the last two decades, the African state was demonized and vilified, primarily because it was perceived to be over-extended, neo-patrimonial in its management of resources, inefficient, dictatorial, and authoritarian. Consequently, the African public administration systems have exhibited characteristics including the lack of accountability to citizens, unethical and corrupt practices, and inadequate or abysmal delivery public good and services. Adverse economic and social conditions and subsequent policies of structural adjustment intensified the crisis of African public administration systems. More recently, however, African states are making strenuous efforts in building the capable state which is able to create an enabling environment for peace, security, and stability, but also able to facilitate the efficient delivery of public goods and services in an accountable and transparent manner where citizens participate at all levels of decision making.

Against this background, states are now linked by multiple and extensive social, political and economic networks creating new and demanding challenges for policy makers. The complexities of this new form of interdependence have changed the traditional role of State and its approach to service delivery and hence the advent of the New Public Administration (NPA) paradigm whereby the governments work like the private sector. NPA emphasizes the centrality of the citizen or customer and is driven by efficiency and the use of economic market as a model for political and administrative relationship.

The mission of the Public Administration Section (PAS) of the ECA, therefore, is to assist African countries enhance their public administration systems and improve public service delivery in line with the increasingly changing and complex problems of managing a democratic and pluralistic society. The PAS will focus its work on substantive areas that are essential to the successful implementation of national programmes and policies. These include: governance systems and institutions, decentralization, the changing role of the State and civil service reform, integrity, transparency and accountability systems, fight against corruption, public policy, the use of information technology in government, the role of the public sector in post-conflict reconstruction. PAS activities would also include promotion and advocacy on Public-private partnership (PPP) initiative and dialogue in member states as well as advocacy of Medium Term Expenditures Framework (MTEF) targeting parliamentarians.

B. Civil Society Section

The participation of civil society Organizations (CSOs) in the development process is no longer a contestation, having been widely acknowledged by African national, regional and international initiatives and for a such as their inclusion in the structures of the African Union through the ECOSOCC attests to the legitimacy of the sector as a full partner in the development process.

At the national level, civil society organizations are actively involved, among other things, in advocating for the strengthening of policies and practices that promote political, democratic

and socio-economic governance. CSOs also work to promote human rights and strengthen the independence and integrity of both formal and informal justice systems in order to make them more effective in meeting the need for justice for all.

The emergence of both NEPAD and APRM also presents an opportune moment for competent and optimal civil society participation especially in the peer review process. Civil society has been proven to be effective in bringing forth issues concerning large segments of the population including the rights of women, children and other marginalized groups. Therefore, civil society participation in the APRM process is crucial to the credibility and the informational quality of the peer review processes it will help ensure that the country review report represents a consensus of views on a country's quality of governance. It is also strategically placed to act as a watchdog over political manipulation of the process.

The role of traditional governance institutions in governance has increasingly become an important agenda item on ECA's policy advocacy work due to the recognition that Africa's general crisis is unlikely to be reversed without a coherent and effective system of institutions. Indeed, the Fourth African Development Forum (ADF IV) organized by ECA in 2004, reached a consensus on the role of traditional governance institutions including the following: First, the advisory role to government, as well as their participatory role in the administration of regions and districts; Second, their developmental role, supplementing the government's efforts and mobilizing the population for the implementation of development projects, sensitizing them to health hazards, promoting education, encouraging economic enterprises, inspiring respect for the law and urging them to participate in the electoral process; and Third, their role in conflict resolution, an area where traditional leaders across Africa have already demonstrated remarkable success. ECA could not afford to ignore this strategically sector of in governance in Africa.

However, the persistent capacity deficits amongst civil society and other non-state actors as highlighted in the ECA's African Governance Report (AGR) continue to pose serious obstacles necessitating capacity development strategies to enable them to meaningfully and effectively carry out their roles and obligations and also to partner with effectively continental and international development organizations such as AU, ECA and the UN as a whole.

It is in this context that ECA has in its repositioning exercise established a Civil Society Section, within the Governance and Administration Division to better address the challenges of civil society organizations in Africa. ECA through this newly created civil society section is planning to strengthen its support to African civil society by providing tailored capacity building programmes and through the establishment of new platform for communication, exchange of information and mutual learning opportunities, such as the African Civil Society Forum, which will be institutionalized as requested by the CSOs.

C. Private Sector and Enterprise Development Section

As emphasized in NEPAD, energizing the private sector to be the engine of growth is critical for achieving the MDGs. A flourishing private sector will create jobs that will take people out poverty and will provide taxes for governments to finance the necessary investment in primary and secondary education, health, water, sanitation and other physical infrastructure. Through the divestiture of activities that the private sector can do better, the government can increase the efficiency and effectiveness of public service delivery and retain limited resources for more investments in social services to alleviate poverty.

However, the findings from the UNECA African Governance Report showed that although most African countries are now aware of the merits of good economic and corporate governance and have actually adopted codes and standards, few have actually taken measures to create the enabling environment for private sector-led growth and development. The challenges that the private sector in Africa faces include: lack of access to quality resources to businesses including an educated workforce, land with secure property rights and technology; lack of access to finance, especially for micro- and small enterprises (MSEs); the high costs of doing business as a result of inadequate legal and regulatory framework, inadequate physical infrastructure services, inefficient bureaucracies and corruption; macroeconomic and political instability; and the lack of institutional and other support to businesses.

As a new section of GPAD in UNECA, the main mission of the Private Sector and Enterprise Development section (PS&EDS) is to foster a sustainable and stable business environment for the creation of viable private sector enterprises in African member States by addressing their major binding constraints to their existence and growth. GPAD will achieve this mission through advocacy and capacity building activities, based on in-depth research and technical assistance and support. The priority areas for PS&EDS include: (i) Legal and regulatory framework and investment climate conducive to private-sector development (PSD); (ii) Productive capacity and supply-side constraints to PSD; (iii) MSEs and Informal Sector issues including access to finance and institutional support; (iv) Enterprise and Entrepreneurship Development; and (v) Private sector development policies, participation and support including public-private partnerships.

D. APRM Support Unit

The APRM provides a platform for African governments, civil society, NGOs and their external partners to discuss and build consensus on the state of governance at the national level. At the continental level, it is a framework for systematic review of African states' performance by other African states with the objectives of helping the reviewed state adopt optimal practices in all aspects and levels of governance. Thus, the exercise is inherently a state-centric initiative, pitched at the level of African political leadership taking responsibility for the continent's development. The expectation is that internal self-assessment and peer review would necessarily lead to the entrenchment of the principles of accountability and transparency that constitute the bedrock of good governance. The African Peer Review Mechanism (APRM), therefore, is geared to enabling African countries to share best practices with their peers and to obtain a candid assessment of their own performance in all areas of governance.

ECA was designated as a strategic partner to the implementation of the APRM process given its comparative advantages and will therefore seek to offer comprehensive support to the APRM process, using its technical and analytical expertise in all the APRM assessment areas and the wealth of data on African governance system derived from its flagship African Governance Report. Since its roll-out in 2005, the ECA's has provided comprehensive support to the process, spanning the provision of technical and advisory support at all stages from the APRM Country Support Missions and Country Review Missions. In addition, ECA has provided direct support to countries on request for preparation for the self-assessment and drafting of the National Program of Action. More recently, the completion of the review process by five participating countries has required ECA to provide another level of technical support in the area of integrating the APRM-National Program of Action

with the existing national development strategies (PRSPs) and the MDGs. ECA remains the leader among the three strategic partners both in terms of the number of technical experts fielded per mission and the breadth of substantive involvement in the entire APRM process,

II. Recommendations for Partnerships and Composition of Technical Committee and Legislative Body

GPAD needs to work in close collaboration with other Divisions of ECA, SROs and other UN Departments, including UNDP, UNDESA and UNPAN. In addition, the Division needs to work with the parliaments in Africa, ministers of public service, ministers of local government, the judiciary, the Civil Society Organisation, the private sector, the Africa Association for Public Administration and Management (AAPAM), the Africa Union Commission, the NEPAD Secretariat, the regional economic communities (RECs), other sub regional organizations, CAFRAD, the AfDB, OECD, International Monetary Fund (IMF), the World Bank.

The Division needs also to partner with UNIDO, Global Corporate Forum, Centre for Corporate Governance, Secretariat, AfDB, OECD, IDASA. It needs also to strengthen its partnership with: CONGO, FEMNET, and other UN agencies.

Lack of parliamentarians' involvement in the budgeting exercise is one of the areas where the Division has a niche (MTEF). Although a number of networks such as the Collaborative Africa Budget Reform Initiative (CABRI) are already tackling the issues, a partnership with such networks will be of great importance for the Division.

GPAD needs to work with a complex network of civil society organizations, government National Focal Points for the APRM, as well as private sector organization in ensuring the effective implementation of the APRM at both the national and continental levels. As the process moves toward the implementation of the National Program of Actions, GPAD needs to strengthen its partnership with Ministries of Planning, Public Service, as well as other sectoral Ministries responsible for implementing the APRM-NPoA.

III. Issues to be discussed

The ECA repositioning exercise outlined how the Commission is reorganizing itself to better address Africa's development challenges, and how it plans to deepen its work in the identified priority areas. It also highlighted how the Commission plans to work with the AU, the African Development Bank (AfDB), the Regional Economic Communities (RECs), and other development partners to address the continent's development priorities.

In the light of new program orientation of the Commission, including that of the Division, the purpose of this statutory agenda paper is to reflect on the new mandate of GPAD and its constituent sections in order to chart a strategic future direction; suggest how the Division could improve its governance and public administration activities and working relations with continental, regional, national institutions and non-state actors such as the AU, the African Development Bank (AfDB), the Regional Economic Communities (RECs), and other development partners to better enhance national capacity and capability and to support the APRM process.

In addition to reflecting on the broad mandate of the GPAD and its constituents; and in order to capture the new organizational structure of the Division, the following specific issues will also be addressed:

- a) The change of the name of the Committee;
- b) The preparation/drafting of the new constitution/statute of Committee and;
- c) The identification of the focal ministry for the Committee in every country.