

# The African Peer Review Mechanism (APRM) and Democratic Governance

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*'SADC and its external partners do agree that the political values of good governance, democracy, rule of law, and respect for human rights are a necessity... In SADC, we are deeply committed to the new values that should guide the relationships between our states and our peoples. But we believe that it is not wise to push us to implement such values using undemocratic means, with constant interference.'*<sup>1</sup>

## Introduction

The Durban Summit of the African Union (AU) in 2002 ensured that a plan that had been driven largely by a select group of African leaders in the form of South Africa's Thabo Mbeki, Nigeria's Olusegun Obasanjo, Algeria's Abdelaziz Bouteflika, and Senegal's Abdoulaye Wade, was adopted as an official development programme for Africa. This was the beginning of incorporating the New Partnership for Africa's Development (NEPAD) into the mainstream activities of the AU and its organs.

NEPAD was then adopted as an African programme tailored by Africans and driven by Africans for the development of the African continent. Criticism of NEPAD as being presented or portrayed as an organisation independent of the AU was beginning to gain ground, even at international level. This necessitated Mbeki clarifying the matter in his letter to Canadian Prime Minister Jean Chrétien by saying, in part, that:

The AU is the primary organisation that unites the people of Africa. NEPAD is its socio-economic development programme. Accordingly, NEPAD is not an organisation separate from and independent of the AU. It has been authorised by the AU in all its elements, including the peer-review mechanism. Indeed, there is no way in which there can be no socio-economic development programme covering the member states of the AU independent of and outside the AU.<sup>2</sup>

NEPAD makes a direct link between development, peace and security, democracy and governance and economic growth. To ensure that these objectives and values are seen as central to the whole evolving continental governance architecture, African leaders adopted another innovative initiative to be driven by Africans themselves, which Mbeki alluded to in his letter to the Canadian Prime Minister, regarding the African Peer Review Mechanism (APRM). This is the process designed to deal with monitoring and assessment of the nature and extent to which African countries have complied with the dictates of human rights and good governance. It seeks to foster democratic cultures and practices for the realisation of good governance advocated for in the NEPAD framework.<sup>3</sup>

The AU provides the framework under its Constitutive Act to pursue unity and the establishment of democratic cultures and practices through its institutionalised organs, like the Peace and Security Council (PSC), the Pan-African Parliament (PAP) and the Economic, Social and Cultural Council (ECOSOCC). In its vision,<sup>4</sup> the AU Commission articulates a quest for the promotion of peace, security and stability as the prerequisites for the implementation of the development and integration agenda of the Union. The launch of the AU and its adoption of NEPAD are, according to the African Commission, under the leadership of President Alpha Omar Konare, a "reflection of the determination of African leaders to take the continent on another path".<sup>5</sup> This is clearly captured in Mission Five of the Strategic Plan of the African Union Commission, which commits the Union to "play a leadership role for promotion of peace, human security and good governance in the continent".<sup>6</sup> To realise these objectives of the Union and its programme, NEPAD, a peer review has been put in place. This article attempts to assess the extent to which the design and

implementation of the APRM could affect the quality of democratic governance in southern Africa. The article traces the imprints of the African Charter on the peer review process.

A brief outline of key democracy and good governance principles as envisioned under the continental governance architecture; and how initiatives like NEPAD seek to realise such ideals, is captured. The article looks into political contexts and dynamics that inform the AU and NEPAD. The opening quote is interesting to note for analysis on how African leaders interpret issues of human rights, good governance and democracy. It offers an interesting basis for reflection on the question being addressed here. The article concludes by arguing that the emerging African governance architecture sets Africa on the right path to meeting the standards of democratic governance and accountability. It is further argued that while the APRM is another ‘innovative initiative’ (to use Hope’s words) adopted by the African leaders, it would

be meaningless in terms of deepening democratic cultures and practices if civil society does not get involved in shaping this agenda.

### Emphasising good governance

Hope contends that the introduction of APRM within the framework of NEPAD is a unique and innovative initiative. In fact he refers to the latest continental developments as a result of innovative leadership by what he, interestingly, terms ‘enlightened leaders’.<sup>7</sup> The APRM itself he contends, serves as a “sea of change in the thinking of African leaders as they seek to reverse the trend of lack of accountability, political authoritarianism, state failure, and corruption, to embrace and consolidate democracy as well as effect sound and transparent economic management”.<sup>8</sup> In other words, the whole idea of NEPAD for its drivers is to move the continent to good political, economic and corporate governance.

NEPAD’s philosophy is interestingly premised by an emphasis on good governance as a driving force for development. Inherent in this is an emphasis on democracy as an important element that informs the character of such development. This view by African leaders has borrowed heavily from the thesis advocated by Zack-Williams, that development in Africa in the 21st century should be driven by a philosophy of ‘no democracy – no development’.<sup>9</sup> Amoako, Mbeki and Annan all emphasise good governance as a critical measure in eradicating poverty.<sup>10</sup> This governance

deals with matters of how the affairs of the state are handled, which is about responsibility ‘acquired through elections’. Good governance is thus taken to mean discharging one’s responsibility in ‘an effective, transparent and accountable manner’. Hope thus concludes:

*Good governance entails the existence of efficient and accountable institutions – political, judicial, administrative, economic, corporate – and entrenched rules that promote development, promote human rights, respect the rule of law and ensure that people are free to participate in, and be heard on, decisions that affect their lives.<sup>11</sup>*

The 2002 UN Human Development Report reminds us that good governance should essentially serve human development and, in that way, it becomes democratic governance. Such governance means that “people’s human rights and fundamental freedoms are respected, allowing them to live with dignity”.<sup>12</sup> NEPAD is itself premised on these principles of good governance and stresses the fundamental principles of democracy and human rights. It regards good political and corporate governance, peace and security as inherent requirements if Africans are to succeed in placing the continent on a path of lasting growth and development. It is also a way of impressing upon the world that Africans have taken ownership of their own development as architects of the NEPAD renewal plan.<sup>13</sup> In its attempt to link development to democracy, it concludes as follows:

*Development is impossible in the absence of true democracy, respect for human rights, peace and good governance ... And Africa undertakes to respect the global standards of democracy, the core component of which includes political pluralism, allowing for [the] existence of several political parties and workers’ unions, and fair, open and democratic elections periodically organised to enable people to choose their leaders freely.<sup>14</sup>*

NEPAD arguably makes an interesting departure from other preceding development plans for Africa’s recovery, like the Lagos Plan of Action, with its emphasis on these democratic principles and institutional reforms based on international partnership.<sup>15</sup> Critical to this is the focus on building capacity of Africa’s institutions to focus on: a) strengthening parliamentary oversight, b) promoting participa-

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tory decision making, and c) undertaking judicial reforms.<sup>16</sup>

The UNDP therefore concludes that good governance advances sustainable development. It points to two critical areas relevant to the subject of this article. The first is that enjoying political freedoms as enshrined in all human rights instruments and citizen participation in decision-making are fundamental human rights; and, secondly, that it promotes sustainable development by empowering citizens to influence policies in a way that promotes growth and prosperity and reflects citizens' priorities. The UNDP further stresses that democracy requires effective and functioning institutions.<sup>17</sup> The building of capacity that NEPAD identifies is in line with the universal position held by the international community. Landsberg and Moore, for example, see the central point of NEPAD as being to create conditions conducive for meaningful and sustainable development in Africa.<sup>18</sup> African leaders make commitments to democracy as well as 'good' political and economic governance, while they continue to work towards the prevention and resolution of situations of conflict and instability on the continent.<sup>19</sup>

Speaking on defeating African underdevelopment,<sup>20</sup> Mbeki argued that Africa and the rest of the world must act collectively towards building an "evolutionary movement from neo-colonial dependence to genuine independence and democracy". He sees such a movement as an important and in fact crucial aspect in addressing Africa's quest to defeat underdevelopment; however it is 'dependent' on certain conditions that should be addressed. These conditions deal with issues of governance and he argues that it is in the interests of Africa to address them. He concludes that Africa must organise itself such that:

- Democracy and respect for human rights prevail, underwritten by the necessary constitutional, legislative and institutional arrangements; and
- There exists a system of governance, with the necessary capacity, to ensure that the State is able to discharge its responsibilities with regard to such matters as development, democracy and popular participation, human rights and respect for the rule of law, and appropriate responses to the process of globalisation.<sup>21</sup>

A year later, Mbeki argued that Africa was content in her resolve to realise good governance in its entirety and with confidence. Mbeki stated that this

will happen "not because we seek to improve our relations with the rest of the world as a first objective – critically important as this is – but to end political and economic mismanagement on our continent, and the consequential violent conflicts, instability, denial of democracy and human rights, deepening poverty and global marginalisation".<sup>22</sup>

### The APRM: Its context and outline

An understanding of the APRM mechanism's design and the context in which it is built is necessary, in order for a critical assessment of the extent to which implementation could affect the quality of democratic governance and respect for human rights in Africa.

In the APRM base document, the mechanism is defined as "an instrument voluntarily acceded to by member states of the African Union as an African self-monitoring mechanism".<sup>23</sup>

The APRM focuses on four areas for review: democracy and good political governance, economic governance and management, corporate governance, and socio-economic governance. The whole process of a country's review should be completed within six months. Thereafter the report is made public and is tabled in the AU and its key organs like the PSC, the PAP, the African Commission on Human and Peoples Rights, and other agencies like the United Nations Economic Commission for Africa (UNECA). In terms of organisation and process of the peer review, the overall responsibility for supervision falls under the APR Forum, which is made up of Participating Heads of State and Government (PHSG), a forum composed of leaders of those states, which have acceded to the peer review process. This body appoints a team that will direct and manage the process, assisted by technical experts, which is known as the Panel of Eminent Persons and is drawn from all regions of the AU. Currently members of the Panel are the Chairperson, Ms Marie-Angelique Savane (Senegal), Professor Adebayo Adedeji (Nigeria), Ambassador Bethuel Abdu Kiplagat (Kenya), Dr Graca Machel (Mozambique), Mr Mourad Medelci (Algeria), Dr Dorothy Njeuma (Cameroon), and Dr Chris Stals (South Africa).<sup>24</sup> Among the areas of responsibility of the Panel, as per the given mandate by the PHSG, is to "exercise oversight of the African Peer Review process with a view to ensuring the independence, professionalism, and credibility of the process".<sup>25</sup> These

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members are not representing their countries.

While the process of the APRM is an initiative by African leaders and is African, its operationalisation clearly would not happen without countries' voluntarily acceding to it.<sup>26</sup> It is not about retribution<sup>27</sup> but about sharing experiences, offering a platform to foster democratic cultures and practices, for the realisation of good governance advocated for under the NEPAD framework. Accession by a country means "undertaking to submit to periodic peer reviews, as well as to facilitate such reviews, and be guided by agreed parameters for good political governance and good economic and corporate governance"<sup>28</sup> These areas of review and the general direction taken under the APRM are based on the Declaration on Democracy, Political, Economic and Corporate Governance.<sup>29</sup> It is important to note that APRM is intended to frankly assess all critical challenges in the above-mentioned focus areas so that needed action can be identified, and also secure commitments from the country being reviewed in order for it to fix those areas to which it has committed itself.

According to the APRM Base Document, the countries that have voluntarily acceded as members have committed themselves to:

- Ensuring impartial, transparent and credible electoral administration and oversight systems;
- Promoting a dedicated, honest and efficient civil service, and establishing oversight institutions providing necessary surveillance;
- Ensuring transparency and accountability by all layers of government; and
- Favouring the creation and strengthening of institutional capacity to ensure the proper functioning of democratic institutions and instruments.<sup>30</sup>

The APRM country self-assessment includes nine major objectives to be met under the Democracy and Good Political Governance section. For the purposes of this article, seven of these objectives that have a direct impact on democratic governance are highlighted.

These are:

- Prevention and reduction of intra-and inter-country conflicts;
- Constitutional democracy, including periodic political competition and opportunity for choice, the rule of law, a Bill of Rights and supremacy of the Constitution;

- Promotion and protection of economic, social and cultural rights, civil and political rights as enshrined in African and international human rights instruments;
- Upholding the separation of powers, including the protection of the independence of the judiciary and of an effective parliament;
- Ensuring accountable, efficient and effective public office holders and civil servants;
- Fighting corruption in the political sphere; and
- Promotion and protection of the rights of women.<sup>31</sup>

The overall objective of the APRM as outlined in the base document in as far as democratic governance is concerned, is "fostering the adoption of policies, standards and practices that lead to political stability..." Through sharing of experiences and reinforcement of successful and best practice, including identifying deficiencies and assessing the needs of capacity building<sup>32</sup> Furthermore, this process will lead to "sharing of information that will focus on mutual learning in areas of high priority in NEPAD such as strengthening institutions of democracy and human rights"<sup>33</sup>

There is no intention in this article to go into details in terms of all the steps to be followed in the review process, suffice to highlight the first three and detail the last two as they are critical in the entire analysis of the subject at hand. The first stage is two-fold in that the country under review 'takes necessary steps' in preparing a national Programme of Action, and the preparation of background information about the country. The second stage involves country visits by the APR Team, and the role of the country is to assist in enabling this team to have access to all areas of its source of information. The third stage is about the preparation of the report in a draft form and discussing it with government, and government responses are attached to the final report. The fourth stage is about sending the report to the APR Forum, which meets to consider it and decide on the course of action to be taken, which is then communicated to the Head of State or Government of the reviewed country. In that regard, Article 24 of the base document reads:

*If the government of the country in question shows a demonstrable will to rectify the identified shortcomings, then it will be incumbent upon participating Governments to provide what assistance they can, as well as to urge donor governments and agencies also to come to*

*the assistance of the country reviewed. However, if the necessary political will is not forthcoming from the Government, the participating states should first do everything practicable to engage it in constructive dialogue, offering in the process technical and other appropriate assistance. If dialogue proves unavailing, the participating Heads of State and Government may wish to put the Government on notice of their collective intention to proceed with appropriate measures by a given date. The interval should concentrate the mind of the Government and provide a further opportunity for addressing the identified shortcomings under a process of constructive dialogue. All considered, such measures should always be considered as a last resort.<sup>34</sup>*

It is interesting to note the use of three important and loaded concepts in this Article 24, which shall be visited later. Firstly, the position by the AU here in seeking to achieve its objective of promotion of good political governance and good economic and corporate governance as part of the promotion of democracy and human rights, is dependent on a 'demonstrable will' of a reviewed country. Secondly, another important concept is the use of 'constructive dialogue' as means of persuasion of the reviewed country to address certain issues highlighted by the APR Team. The last concept is the requirement that notice be given to a country if dialogue fails, of the other members' 'collective intention to proceed with appropriate measures' that are not spelt out, basically stopping short of providing for particular sanctions. The last step that follows this 'constructive dialogue' is to make the document public six months after it has been considered by the APR Forum, by tabling it at key regional structures like the PAP, the African Commission on Human and People's Rights, the PSC, and the ECOSOCC. This becomes the final step in the process.

### **Diagnosis of APRM in the context of AU, SADC and NEPAD**

The African governance, security and human rights architecture is intertwined with and interlinked to various protocols at continental and international levels. The APRM seeks to enhance the implementation of NEPAD, which is a programme of the AU. The tendency is to discuss NEPAD and all its processes outside the broader governance and African human rights regime.<sup>35</sup>

There are three fundamental instruments in this

regard that require interrogation. These are the Constitutive Act of the AU, the African Charter, and the SADC Treaty. The African Charter arguably represents a comprehensive instrument to assess relative matters of democracy, human rights and all other positive principles that should govern and inform the African continent as one which respects fundamental principles of democratic governance. Since its adoption in 1981, the African Charter has offered a basis for the Constitutive Act of the AU and NEPAD's Declaration on Democracy and Governance in formulating principles for solid and sustainable democracy. Today, the African political landscape is dominated by concepts of democracy that are based on good political and economic governance, respect for the rule of law, and participatory democracy through an entrenched concept of public participation.

The AU Commission, in its Strategic Plan tabled at the Addis Ababa Summit in 2004, argued that the Regional Economic Communities, as envisioned by the AU, should drive the integration of the African continent. This makes SADC a regional body that falls under scrutiny on how it plays its role in the promotion and protection of democracy and human rights. The key organ in SADC for interrogation is the Protocol on Politics, Defence and Security Co-operation, which came into effect in 2002. The objective of the protocol on promoting democracy is covered under Article 2 (g), in the following terms:

*To promote the development of democratic institutions and practices within the territories of State Parties and encourage the observance of universal human rights as provided for in the Charters and Conventions of the African Union and United Nations respectively.<sup>36</sup>*

During the sixth Summit of the Heads of State and Government Implementation Committee of NEPAD, African leaders agreed on a framework for a peer-review mechanism designed to tackle obstacles to growth and development on the continent.<sup>37</sup> The framework is aimed at encouraging and building responsible leadership within the continent, and will involve voluntary self-assessment, constructive peer dialogue and the sharing of common experiences. The idea is to expose under-achievers and identify problems, as well as provide corrective measures and support.

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## Governance, democratisation and the rule of law

The AU's objectives on issues of governance, democratisation and the rule of law include:

- Greater political participation, pluralism, transparency, accountability and freedoms for the citizenry to participate and entrench democratic governance processes;
- Establishing and strengthening organs and mechanisms of good and democratic governance such as the Pan-African Parliament (PAP), the African Court of Justice, ECOSOCC, and the Regional Economic Communities;
- The involvement and participation of civil society in governance;
- Promoting and protecting human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant instruments;
- Strengthening efforts such as the Peer Review Mechanism;
  - Effective promotion and protection of human rights; and
  - Addressing issues of humanitarian and refugee crises.<sup>38</sup>

*The logic of NEPAD is thus to create a clear link between development and stability.*

The above objectives are premised on the attainment of peace and stability through sound governance based on democratic values and principles. A critical analysis of the situation, however, suggests that the commitment of some of the AU's member states to the values of

democratic governance as outlined in its Constitutive Act, the African Charter on Popular Participation, and most importantly the African Charter including NEPAD, remains weak. This is further complicated by the fact that the AU has inherited a very weak, chronically debt-burdened organisational apparatus from the OAU, and runs the risk of becoming a litany of constitutional and legal provisions, declarations and protocols that lack a tangible implementation capacity.

The logic of NEPAD is thus to create a clear link between development and stability. It singles out three prerequisites for social and economic regeneration, poverty alleviation and empowerment. These are: (a) peace and security; (b) democracy and political governance; and (c) economic and corporate governance. This is clearly illustrated by the dictum: "no peace without development; no development without peace".<sup>39</sup> NEPAD goes further and asserts that, of crucial importance to Africa and the rest of

the world, is the establishment and consolidation of a political order and system of governance that is:

- Legitimate and enjoys the support and loyalty of the African people;
- Strong enough to advance the interests of African people; and
- Able to address the fundamental development interests of African people.<sup>40</sup>

NEPAD acknowledges that in those regions and countries marred by armed conflict, the overwhelming priorities are: to achieve peace, disarm and demobilise combatants; and to resettle refugees. Africa's capacity to prevent, mediate and resolve conflicts on the continent must strengthen, including the capacity to deploy African peacekeeping forces when necessary.<sup>41</sup> NEPAD recognises that if peace and security are to lead to sustained growth and development, it is of the utmost urgency that the capacity of the state in Africa to fulfil its responsibilities should be strengthened. These responsibilities most importantly include:

- Entrenching democracy;
- Protecting and promoting human rights; and
- Respect for the rule of law.<sup>42</sup>

As far as the issues of governance, democratisation and the rule of law are concerned, African states need to entrench democratic governance processes by ensuring greater political participation, pluralism, transparency, accountability, human rights and fundamental freedoms for all, as these factors will enable the citizenry to participate fully in the decision-making processes.

Landsberg notes that African leaders adopted the Constitutive Act of the African Union, which was to become the article of faith and constitutional legal framework of the African Union, the member states of the Organisation of African Unity (OAU) and African Economic Community (EAC), articulating the vision of a people-centred African Union.<sup>43</sup> The preamble to the Constitutive Act states that the AU would be "guided by our common vision of a united and strong Africa and by the need to build a partnership between governments and all segments of civil society, in particular women, youth and the private sector, in order to strengthen solidarity and cohesion among our people".<sup>44</sup> Article 3 of the Act makes a commitment to "promote democratic principles and institutions, popular participation and good governance".<sup>45</sup> Thus the AU recognises

that the full realisation of its common vision of a united and strong Africa requires the building of partnerships between governments and all segments of civil society – in particular women, youth and the private sector.

### From institutional matters to substantive issues

The organisation and design of the APRM emphasises the principle of constructive engagement where the reviewed country will be persuaded to act on the issues highlighted in the review process. Masterson argues that NEPAD seeks “to promote African development on African terms, through governance reforms and increased transparency and accountability”.<sup>46</sup> He correctly observes that APRM is central to this process, as ‘part and parcel’ of it.<sup>47</sup> This process is in terms of a concept based on the model of the Organisation for Economic Co-operation and Development (OECD), whose intention is to “bring together like-minded states committed to principles of good political, economic and corporate governance”.<sup>48</sup> He takes a swipe at those critics of the APRM that suggest that it is a ‘toothless’ instrument because it is not punitive to those countries which are non-compliant with the standards, criteria and indicators of the mechanism, by comparatively analysing the OECD model that suggests that such criticism is out of order.<sup>49</sup> Pagani had concluded in his definition of the term, ‘peer review’, that:

Over the years, the expression in the practice of international organisations had come to mean a systematic examination and assessment of the performance of a state by other states, with the ultimate goal of helping the reviewed state improve its policy making, adopt best practices and comply with established standards and principles. The examination is conducted on a non-adversarial basis, and it relies heavily on mutual trust among the states involved in the review, as well as on their shared confidence in the process.<sup>50</sup>

The APRM also adopts this soft approach of persuasion to achieve ‘mutual accountability’ that Pagani states is important in stimulating the state to change, attain goals of the review and meet outlined standards. He further makes an interesting and important case for peer review in other areas like human rights and democratic governance, which is central to Africa’s whole development agenda. These involve transparency, which he sees as very important towards public opinion as it contributes to the effectiveness of the process; and compliance with internationally agreed standards.<sup>51</sup> He thus concludes

that “[i]n many contexts, the soft law nature of peer review can prove better suited in encouraging and enhancing compliance than a traditional enforcement mechanism”.<sup>52</sup>

Africa has not been left out of the global trend of democratisation; and promotion and protection of human rights. According to Mutua, this new acknowledgement of democratic principles that relates to demands for more open political processes may auger well for protection of civil and political rights, particularly in these emergent democracies, as they are more “inclined than their predecessors to respect human rights at home and to agree to a more viable regional system”.<sup>53</sup>

### Conclusion

The emerging African governance architecture, as advanced through the continental body – the AU and its organs like the Pan African Parliament, ECOSOCC, and NEPAD’s APRM, offers an opportunity for developing the region as one that is democratic and respects human rights. As mentioned earlier on, the SADC Protocol on Politics, Defence and Security Co-operation further entrenches these principles at a regional level.

All these principles are inherent in the APRM as a conscious approach to enhancing the AU and NEPAD in the promotion of democratic governance, which places the importance of human rights at the centre of the democratisation discourse, in line with the overall principles contained in the African Charter. The UNDP thus concludes that, “democracy is inseparable from human rights and is founded on the primacy of the law, for which judicial institutions and independent, impartial, effective oversight mechanisms are the guarantors”.<sup>54</sup> The Constitutive Act recognises this principle and is a legally binding instrument, as is the African Charter, which the Act refers to as its body representing African leadership’s commitment to human rights-centred governance. However, we cannot afford to miss the point made by Mutua that its irony is that it was adopted by people who themselves did not practice the same democratic principles it provides. He highlights the claw-back clauses, saying that “the post-colonial state, like its predecessor, impermissibly restricts most civil and political rights, particularly those pertaining to political participation, free expression, association and assembly, movement, and conscience”.<sup>55</sup>

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Hope summarises this point well in his assessment of the benefits the APRM brings to member states, and the region as well, saying:

Peer reviews have been demonstrated to have a number of beneficial effects as applied across the world. As African countries seek to improve their governance and march towards sustainable development, peer reviews can provide the basis for policy changes to meet commitments and to observe the agreed standards and codes.<sup>56</sup>

Africa has long suffered under dictatorships and bad governance. The accession to APRM means that countries open themselves to scrutiny through monitoring their compliance to standards and would therefore move to comply, because they know that they are being monitored. Those who

lack institutional capacity open themselves to intervention from their peers to build such institutions that are relevant for instilling good governance. Acceding to APRM indeed implies a 'sea change' in leadership. The success of this project in advancing democratic governance is dependent on a vigilant civil society as well. Civil society should effectively develop engagement strategies for influencing Africa's inter-state institutions and programmes. For civil society not to engage would be to leave integration programmes and structures to elitist and state-driven agendas. Engagement should seek to make these initiatives people-centred. The cost of non-engagement is to leave Africa's inter-state bodies as mere extensions of governmental interest.

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- 3 Ibid
- 4 See Vision of the AU Commission Vision
- 5 Ibid
- 6 Ibid
- 7 See Hope, K.
- 8 Ibid
- 9 See Zack-Williams, A. 2001. No Democracy, No Development: Reflections on Democracy in Africa. *Review of African Political Economy*, 28(88): 285.
- 10 See Hope, K.; also Amoaka, K. 2000. *Perspectives on Africa's development*. United Nations: New York.
- 11 Ibid
- 12 See paragraph 51 of APRM Base Document
- 13 For the debate on good governance within the context of NEPAD and the AU, see Moore, C. 2003: *Democratic peace and governance: Two sides of the same coin?* Centre for Policy Studies Policy Brief 27, Johannesburg, April. See also Landsberg, C. 2003: *Building sustainable peace requires democratic governance*. Synopsis, 7:1, Centre for Policy Studies, April.
- 14 See NEPAD Base Document, Para. 17
- 15 See Gumede, W. 2005. *Thabo Mbeki and the Battle for the Soul of the ANC*. Cape Town: Zebra Press, pp208.
- 16 See NEPAD Base Document, 18
- 17 See UN Human Development Report 2002: 'Deepening Democracy in a fragmented world', pp1 available at <http://hdr.undp.org/reports/global/2002/en/pdf/overview.pdf>
- 18 See Landsberg and Moore (note 107 above)
- 19 Ibid
- 20 See Mbeki, T.
- 21 Ibid
- 22 Ibid
- 23 See APRM Base Document
- 24 See Hope, K.
- 25 See the African Peer Review Mechanism Organisation and Process: NEPAD Heads of State and Government Implementation Committee Sixth Summit, NEPAD/HSGIC/03-2003/APRM/Guideline/O&P, 9 March 2003, Abuja, Nigeria.
- 26 See paragraph 7 of the Memorandum of Understanding on the African Peer Review mechanism, which states that countries enter this process as a mutually agreed instrument voluntarily acceded to by member states of the African Union as an African self-monitoring mechanism, available at [www.nepad.org/2005/files/documents/111.pdf](http://www.nepad.org/2005/files/documents/111.pdf).
- 27 See Hope, K.
- 28 See APRM Base Document
- 29 Ibid
- 30 APRM Base Document
- 31 Ibid
- 32 Ibid 40
- 33 Ibid 41
- 34 Ibid 21
- 35 See Masterson, G. 2005. An Analysis of the Implementation of the African Peer Review Mechanism in Ghana, Kenya and Mauritius. Johannesburg: EISA.
- 36 See Art. 2 (g), SADC Protocol on Politics, Defence and Security Co-operation, available at [http://www.iss.co.za/AF/RegOrg/unity\\_to\\_union/pdfs/sadc/1Protocol\\_on\\_Defence\\_Organ.pdf](http://www.iss.co.za/AF/RegOrg/unity_to_union/pdfs/sadc/1Protocol_on_Defence_Organ.pdf)
- 37 See Landsberg, C.
- 38 See Article 3 of the Constitutive Act of the AU.
- 39 See NEPAD Base Document, Par. 79.
- 40 Ibid
- 41 Ibid Par. 16
- 42 Ibid
- 43 See Landsberg, C.
- 44 Constitutive Act of the AU, Preamble, Para 7
- 45 Ibid 4
- 46 See Masterson, G.
- 47 Ibid
- 48 See F. Pagani 'Peer Review as a Tool for Co-operation and Change. An analysis of the OECD working method', SG/LEG (2002) 1, available at <http://www.oecd.org/dataoecd/33/16/1955285.pdf>
- 49 Ibid
- 50 Ibid
- 51 Ibid
- 52 Ibid
- 53 See Mutua, M.
- 54 See UN Human Development Report 2002
- 55 See Mutua, M. pp 6
- 56 See Hope, K. pp 295