## Topic 11

# POLITICAL GOVERNANCE

#### Key commitments

Africa: African governments have reiterated on numerous occasions their commitments to good political governance and to taking collective action through continental and regional institutions to improve democratic processes and human rights. The African Union (AU) has adopted a zero-tolerance policy to unconstitutional changes of government. The African Peer Review Mechanism(APRM) provides a framework to monitor and promote good governance. Building on these commitments, the 16th AU Summit in January 2011 established a Pan-African Governance Architecture (AGA) to enhance the capacity of the AU to promote, evaluate and monitor governance trends. Leaders further committed to accelerate ratification and adoption of relevant AU instruments, including promotion of democratic governance, through the September 2011 Cairo Declaration. The AGA consolidates charters and protocols already adopted to improve political governance, including the African Charter on Democracy, Elections and Governance and the Declaration on Democracy, Political, Economic and Corporate Governance, as well as measures to protect and promote human rights including the Human Rights Strategy for Africa. The Charter has been signed by 39 countries and ratified by 15, and entered into force in February 2012. It commits states to establishing independent election bodies, codes of conduct and standards for democratic institutions. rule of law, political, economic and social governance, and creates an obligation to respond to unconstitutional actions within member states. The AU has developed a framework for monitoring implementation of the Charter.

Development partners: Development partners comed Africa's emphasis on good governance. They have committed to support the APRM and related processes, whilst recognising their own limited role in African governance. The ongoing EU-Africa Strategy on governance and human rights has contributed to the focus of the AGA. Under the United Nations, partners are signatories of several international commitments on human, civil and political rights. Responding to regional unrest, development partners reaffirmed their universal commitments to freedom and democracy. The 2011 Deauville Partnership committed partners to support countries engaged in a transition towards free, democratic and tolerant societies

#### What has been done to deliver on these commitments?

Africa: The picture is varied both between countries and across different areas of governance. The 2012 Ibrahim Index of African Governance finds that between 2000 and 2011 overall governance improved in Africa, with improvements in 11 of the 14 sub-categories in the index. The strongest performance has been in the categories of sustainable economic opportunity and human development, whilst safety and the rule of law, and participation and human rights have registered declines. These trends will be examined in more detail in the forthcoming Africa Governance Report III 'Elections and the Management of Diversity in Africa'. Within this overall picture, elections continue to be the most visible and tangible expression of the AU and its member states' commitment to democracy and governance. Between January 2012 and end-March 2013, 30 countries held elections at presidential or parliamentary level. The AU and regional organisations have supported this process through election observation missions and technical assistance for Election Management Bodies. They have also supported the peaceful transfer of power following elections, and have taken an extremely strong stand against unconstitutional changes of government. The roll-out of the APRM process continues: 33 countries have acceded to the APRM, of which 17 have been reviewed and are at different stages of implementing their National Plans. There have been changes at the level of the continent's judicial infrastructure with the establishment of the African Court of Justice and Human Rights and actions at the level of the Pan-African Parliament.

Development partners: Development partners have supported initiatives to strengthen the rule of law and improve parliamentary oversight and civil society engagement. They have provided support for upstream stages of the APRM process through a UNDP Trust Fund, and have helped countries conduct self assessments or design national action plans. Financial assistance has been modest, but is increasing at almost twice the rate of aid to other sectors. Assistance for elections reached US\$260 million in 2011, down from 2010 levels but a three-fold increase over the decade. Assistance supporting democratic participation and civil society increased in 2011 to US\$705 million, more than double 2000 levels. Development partners have also supported development transitions in African establishAU and regional institutions continue to provide strong leadership, but increased efforts needed to strengthen institutions of accountability and promote free and fair elections.

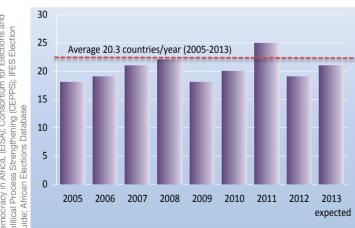


ing the Deauville Partnership through: (i) political processes to support the democratic transition and foster governance reforms; and (ii) an economic stability framework for sustainable and inclusive growth.

#### What results have been achieved?

There has been an increase over the last three years in the number of political systems that are largely based on democratic norms, the rule of law and separation of powers, and a decline in the number of autocratic and unaccountable regimes. Most African countries have become electoral democracies of varying degrees and capacity. In two countries elections in 2012 have led to the peaceful transfer of power from one party to another at Presidential level. In the same year the AU responded, in line with its zero tolerance policy, to two coup d'états by supporting regional sanctions and implementing its own. One country was returned to constitutional rule. The APRM has also helped to promote improved governance in countries that have engaged in reform processes. Overall, popular support for democratic institutions and good political governance has become stronger.

Number and type of elections



However despite these advances, there continue to be major challenges: (i) Although the quality of elections has improved, it remains uneven. There have continued to be some cases of election-related conflict and political violence, while peaceful elections elsewhere have not been devoid of tensions. allegations of electoral corruption and intimidation of opponents. Such continued outbreaks reflect not only weaknesses in the governance of elections, the rules of orderly political competition, and the mechanisms to interpret and adjudicate electoral disputes, but also the underlying challenge of managing diversity and promoting social inclusiveness and participation through the electoral process (discussed in the forthcoming African Governance Report). (ii) Broader challenges of political governance include strengthening the institutions of accountability, expanding the political space for citizens to take part in decisions, and consolidating the rule of law, civil liberties and human rights. Many of the necessary normative frameworks in all these areas have been established in the Pan-African Governance Architecture; however, the AU continues to face challenges and constraints in ensuring compliance and implementation.

#### What are the future priority actions?

- Ensure implementation and regular monitoring of the African Charter on Democracy, Elections and Governance including continued strong zerotolerance for unconstitutional changes of power;
- Improve other indicators of political governance including checks and balances, accountability, the rule of law, civil liberties and human rights including through the implementation of the Human Rights Strategy;
- Continue to promote the implementation of the APRM and the resulting National Programs of Action (NPoAs).

#### **Development partners**

- Continue to give political support to the efforts of continental and regional institutions to improve all aspects of political governance;
- Where requested by African institutions, continue to provide practical and financial support for the implementation of the APRM and elections;
- Implement Deauville Partnership to help consolidate North Africa transitions.

### Topic 12

# **ECONOMIC GOVERNANCE**

### Key commitments

Africa: African governments have made commitments in 3 broad areas: macroeconomic policy management, public financial management (including transparency), and tackling corruption. 22 African countries are parties to the Extractive Industries Transparency Initiative (EITI) and in December 2011 governments declared intent to implement their Africa Mining Vision for transparent, equitable exploitation of mineral resources. The AU Convention on Preventing and Combating Corruption (AUCPCC), which entered into force in 2006, covers bribery and money laundering, asset recovery provisions, and corruption in the private sector. The African Peer Review Mechanism (APRM) provides a mechanism for reviewing progress in both economic and political governance (see also Topic 11).

**Development partners:** Development partners have made commitments to support African efforts in these areas and to tackle related issues within their own jurisdictions. G-20 leaders adopted the first Anti-Corruption Action Plan in Seoul in 2010. A revised Action Plan for 2013-2014 was agreed in 2012. The commitments include: (i) tackling corruption including through the UN Convention against Corruption (UNCAC); (ii) tackling foreign bribery, including through active engagement the OECD Anti-Bribery Convention; (iii) pursuing those who receive and solicit bribes; (iv) combating money laundering; (v) denying entry and safe haven to corrupt officials; (vi) supporting the recovery of stolen assets; (vi) promoting transparency, particularly in the extractives sector; and (vii) implementing whistleblower protection rules. The G-8 adopted an Asset Recovery Action Plan for Arab Countries in Transition in 2011 and has made transparency one of its priorities in 2013. Development partners have also made related commitments to promote responsible business (see Topic 4), greater tax transparency (see Topic 14), and greater aid transparency (Topic 16).

#### What has been done to deliver on these commitments?

Africa: Many African countries have taken major steps to develop sound macro-economic policy. They have instituted reform across the public resource management cycle including the reconstitution of national revenue administrations, modernising legal frameworks including in procurement, creating new

structures in the budget preparation process and strengthening supreme audit institutions. However, progress remains inhibited by a significant transparency deficit, inadequate accountability, limited political will to adhere to constitutional frameworks, tax and budget management laws, and technical and managerial capacity shortfalls. Further, limited implementation and execution of national budgets, together with weak laws are undermining the effectiveness of reforms to promote transparency in budget processes. A common African position on development effectiveness around natural resources was reached in July 2011 with parliaments, regional economic communities and civil society. By March 2013, 11 African countries had been designated as EITI compliant, and 7 were candidate countries. 19 have met the minimum requirements of the Kimberley Process Certification Scheme. Regional initiatives have addressed illegal exploitation and trade of natural resources. 34 countries have ratified the AUCPCC and 45 have ratified the UNCAC.

Coordinated anti-corruption mechanisms are now active. The African Union Advisory Board on Corruption (AUABC) is combating corruption and has developed, with the UN Economic Commission for Africa (UNECA), a five-year Regional Anti-Corruption Programme including policy research, training and capacity development, knowledge exchange and anti-corruption advocacy activities. The African Association of Anti-Corruption Authorities was established in 2011 to strengthen cooperation in detecting, tracing and recovering assets and investigating corruption cases. The High Level Panel on Illicit Financial Flows was launched in February 2012. At the regional level Northern Africa launched the Arab Forum on Asset Recovery, and the Southern Africa region established the Asset Recovery Inter-Agency Network of Southern Africa (ARINSA) in 2012.

**Development partners:** The G-20 Anti-Corruption Working Group has issued two reports which show that progress in implementing the Seoul Anti-Corruption Action Plan has been uneven. G-20 leaders emphasised the need to close 'the implementation and enforcement gap' at Los Cabos in 2012. Whilst some countries have passed legislation criminalising foreign bribery and many have passed legislation protecting whistleblowers, others have still to ratify the UNCAC. According to OECD data, 14 of the 40 Parties to the OECD Anti-Bribery Convention have sanctioned individuals and/or companies for foreign bribery. In a 2012 review Transparency International recorded active enforcement of the Convention in 7 of the 39 Parties (the same figure Robust macro-economic policy expected to return fiscal balances to pre-crisis levels. Accelerated efforts needed on transparency, corruption, asset recovery and illicit financial flows, and requires both collective international and African action.

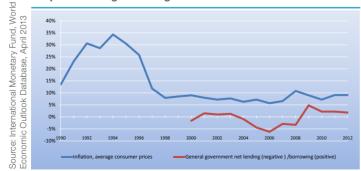


as 2009), moderate enforcement in 12, little enforcement in 10 and no enforcement in 8. A recent OECD study concluded that there was a mixed record among OECD countries in implementing the anti money-laundering regimes (essential for tackling illicit flows), with significant weaknesses in due diligence and the availability of beneficial ownership information. Many financial institutions remain safe havens for illicit financial flows. Although some countries have published asset recovery guides, significant barriers to asset recovery remain and international co-operation is slow and cumbersome. The mandatory reporting of payments made to governments by companies operating in the oil, gas and mineral sectors has been introduced in one major jurisdiction, and approved in principle in another case, with the addition of the logging sector. Few development partners have signed up to the EITI.

#### What results have been achieved?

**Macro-economic policy management:** sound domestic macroeconomic policy created the space for African governments to adopt counter-cyclical policies to mitigate the effects of the crisis. Aided by rising revenue, fiscal balances are set to revert to pre-crisis levels although rising food and fuel prices may affect this outcome. Public resource management: some areas of the management cycle, such as budget preparation, are improving. But a review of 20 African countries for which historical data on public financial management (PFM) is available finds about half showing no clear trend

Net public lending/borrowing and inflation in Africa



while the other half is almost equally split between countries with either improving or deteriorating PFM systems. Transparency: Africa lags behind the rest of the world in transparency of oil, gas and mining revenues and the budget. Africa (excluding North Africa) had an average score well below the global average in the latest 2012 Open Budget Survey (31 out of a possible score of 100, compared to a global average of 43). The North African countries covered had an average score of 19. Corruption: Every year an estimated US\$20-40 billion in stolen assets is lost to developing countries through corruption, much of which finds safe haven in international financial centres. Some African governments have made enormous efforts to curb corruption, but the full impact of new institutions and laws remains to be felt. Measured through perceptions, progress continues to be slow: Transparency International's 2012 Corruption Perceptions Index indicates that public sector corruption is seen as endemic in the region with only 4 countries in the upper half of the index. Recovery of stolen assets: some African countries have recovered stolen assets but differences in legal jurisdictions mean this is often complex and costly. Leaving aside one specific case in North Africa, the amount repatriated to Africa between 2010-12 was US\$46 million, slightly over 10% of the total sum repatriated over this period.

### What are the future priority actions?

#### **Africa**

- Improve transparency in PFM systems;
- Accelerate efforts to counter bribery and corruption through implementation of the AU Convention and increase AUABC support, including the Regional Anti-Corruption Programme for Africa;
- Strengthen legal, institutional and operational capacities to pursue asset recovery cases.

#### **Development partners**

- Promote improved transparency of payments made by companies to African governments, in all sectors;
- Step up efforts to stem illicit flows, including support for the High Level Panel;
- Fully implement existing commitments, including through the G-8 and G-20 processes, to support Africa's efforts to identify and recover stolen assets.

### Topic 13

## PEACE AND SECURITY

### Key commitments

Africa: African Governments have emphasised as imperative the need to intensify security cooperation under the African Peace and Security Architecture (APSA) and have institutionalised innovative conflict prevention, management and resolution mechanisms at continental and regional levels. They have established the Peace and Security Council (PSC), a 15,000-troop-strong African Standby Force (ASF), a Special Peace Fund, a Panel of the Wise, and a Continental Early Warning System (CEWS). Recent commitments have reaffirmed the principle of 'African solutions to African problems', building on pledges to consolidate progress, strengthen institutional capacities, secure flexible but predictable funding and build relationships with the UN and other partners. African governments have also adopted a number of common positions, including on the Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, the Prevention and Combat of Terrorism, the Prevention and Control of Organized Transnational Crime and the Protection of and Assistance to Internally Displaced People.

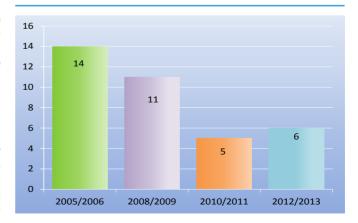
Development partners: Development partners have made commitments in three areas: support to African efforts in peace-building, including through commitments to train and equip peacekeeping forces, build institutional capacities, and improve their funding and disbursement mechanisms. They have committed to support the global peace and security architecture through the UN system. They have also pledged to address drivers of conflict and insecurity, including terrorism, the trafficking of small arms and light weapons, and the illicit trade in natural resources and narcotics.

### What has been done to deliver on these commitments?

Africa: Over the past decade the PSC has emerged as the central pillar of the APSA and has become a focus of collective security decisions by Africa. In doing so it has shifted the African Union (AU) from a tradition of non-interference in domestic affairs to a new approach using sanctions and more assertive regional diplomacy to help ensure peace

and security. It has increased coordination and cooperation with Regional Economic Commissions (RECs) and regional mechanisms for addressing crisis and conflict situations. In 2012 it was active in 7 cases of ongoing. renewed and new conflicts. Actions have ranged from political statements and interventions, travel bans and freezing funds, to military action. The AU has conducted a number of peace operations, ranging from election support, to a hybrid mission with the UN; and full blown peace enforcement operations. RECs have also been very active in this area. The PSC has also considered a number of policy issues, such as post-conflict reconstruction and development, and the situation of refugees and internally displaced persons (IDPs). Cooperation between the AU and the UN has been strengthened in areas ranging from conflict prevention, management and resolution, to post-conflict reconstruction and development. Overall, the participation of African peacekeepers in UN, AU and regional missions in Africa has increased fourfold over the last decade, and, including all troops, military observers, police and civilian personnel, reached over 86,000 in 2012. Set against this, there remain significant challenges in the implementation of the APSA. The financial and military burden is carried by only a few states. There is still only limited capacity to mount quick military responses where necessary through the African Stand-by Force,

#### Number of countries experiencing conflict in Africa



Significant African-led achievements in reducing conflict over the last decade. However, new conflicts in 2012 demonstrate the need for continued African efforts and ownership for resolving conflicts, with coordinated international support.



or through regional forces. This has meant that timely and effective African-led security efforts have been absent in a number of cases.

**Development partners:** Development partners have supported African efforts to resolve conflict on the continent in 4 main ways: through the general provision of financial assistance and support for capacity building; through equipment, training and logistical assistance for specific peacekeeping operations; through political support for African peace initiatives and peace-keeping efforts, and, on occasion, through direct military intervention, enacted within a United Nations framework and with the objective of handing over to African-led security efforts as soon as these can be put in place. Development partners are providing most of the funding for AU and REC operations within a broader framework of support and cooperation through the UN, with a global 2012/13 peacekeeping budget of US\$7.33 billion. Of this, US\$5.03 billion is budgeted for operations in Africa, which accounts for 7 of the 14 current UN peacekeeping operations. Total ODA to conflict, peace and security in Africa reached US\$886 million in 2011, with almost half focused on peacebuilding and conflict prevention and resolution activities. The establishment of the African Peace Facility has created a more secure financial basis for future efforts. Substantial sums have also been pledged through ad hoc appeals in specific cases. Even so, mobilising the required funding on a timely basis continues to remain a challenge and legal constraints on the uses to which some funds can be put have limited development of regional and continental military capabilities. The UN Security Council continues to explore modalities for funding future AU peacekeeping operations.

### What results have been achieved?

Looking across a longer time horizon, there has been a significant reduction in the number of conflicts since the 1990s and early 2000s, and one region affected by long-term civil unrest that drew in a number of countries has now become stable. However, 2012 saw the emergence of new conflict and the spill over effects from another region into the Sahel. There is currently one low-intensity and one dormant inter-state conflict in Africa. in which the AU is actively mediating. Four countries are currently experiencing internal conflict, of which two are drawing in other actors. This represents

a significant decline, down from 11 countries just three years ago and 14 countries six years ago. Although Africa still accounts for 29% of refugees and 43% of IDPs worldwide, it is no longer true that the majority of wars are fought on African soil. There have also been a number of successes in building stability post-conflict. As a result of effort put into post-conflict reconstruction, including work on political transition and building institutions, elections were held in 6 post-conflict countries in 2012 (see also Topic 11). Africa currently faces threats to peace, security and stability from 4 main sources: firstly, the spill-over effect from conflict in North Africa, including the proliferation of weapons and armed criminal and terrorist groups in the Sahel and the Northern regions, creating security issues which have in turn had a knock-on effect on political stability; secondly, governance-related intra-state conflicts and violence, including those related to elections (see also topic 11); thirdly, border disputes which threaten relations between neighbouring countries; and fourthly, the destabilising as well as the humanitarian impact of droughts and famine.

#### What are the future priority actions?

#### **Africa**

- Step up efforts at continental and regional levels to manage and resolve conflict through African-led peace operations, wherever feasible, and enhance cooperation with the UN system as development partners;
- Address the root causes of conflict by aligning the African Peace and Security Architecture and the African Governance Architecture;
- Address the drivers of conflict through implementation of agreements relating to conflict resources and the spread of small arms and light weapons.

#### **Development partners**

- Continue political support for continental, regional and sub-regional peace and security initiatives;
- Provide financial, and where needed, logistic support for Africa-led peacekeeping and peace building efforts:
- Enhance efforts to address the illicit trade in natural resources and narcotics and increase maritime security to support the fight against piracy.