

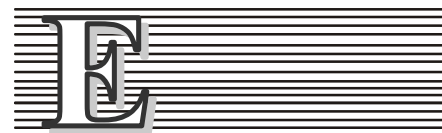


**UNITED NATIONS
ECONOMIC AND SOCIAL COUNCIL**

ECONOMIC COMMISSION FOR AFRICA

Third Meeting of the Committee on Governance and Popular Participation (CGPP)

Addis Ababa, Ethiopia
20 – 21 February 2013



Distr.: **LIMITED**

E/ECA/CGPP/3/3
January 2013

Original: **ENGLISH**

Progress in the Promotion of Popular Participation and Governance in Africa

Contents

I.	Introduction.....	3
II.	Assessing progress in popular participation and good governance in Africa.....	2
A.	Literacy rate, which is an index of the capacity for mass participation.....	2
B.	Freedom of association, especially political association, and presence of democratic institutions, such as political parties, trade unions, people's grassroots organizations and professional associations and guarantee of constitutional rights.....	3
C.	Representation of the people and their organizations in national bodies.....	5
D.	The rule of law and social and economic justice, including equitable distribution of income and the creation of full employment opportunities.	6
E.	Protection of the ecological, human and legal environment	8
F.	Press and media freedom to facilitate public debate on major issues	9
G.	Number and scope of grassroots organizations with effective participation in development activities, producers' and consumers' cooperatives and community projects.....	11
H.	Extent of implementation of promotion of the gender balance and equality in governance and development processes	12
I.	Political accountability of leadership at all levels, measured by use of checks and balances	14
J.	Decentralization of decision-making process and institutions.....	15
K.	Civil society participation in the developmental State.....	16
III.	RECOMMENDATIONS.....	18

I. Introduction

1. Popular participation and good governance are paramount to development in Africa. They imply efficient and accountable institutions – political, judicial, administrative, economic, corporate and entrenched rules that promote development, protect human rights, respect the rule of law, and ensure that people are free to participate in making decisions that affect their lives. Good governance is a leadership issue that encompasses effective, transparent and accountable discharge of responsibilities within the framework of capable States.

2. Popular participation depends on the nature of the State itself and the ability of Government to respond to popular demand. African Governments have a critical role to play in promoting popular participation and should therefore afford the people the opportunity to join in the process to ensure its achievement. Quite often, the social base of power and decision-making is too narrow. This should therefore be broadened so as to galvanize and tap the people's energy and commitment and promote the State's political accountability to the people. A new partnership between African Governments and the people should thus be established without delay to promote societal and accelerated socio-economic development. This new partnership must not only recognize the importance of gender issues but also take action to ensure women's involvement at all levels of decision-making. In particular, Governments should set themselves specific targets for the appointment of women in senior policy and management positions in all sectors of Government.

3. For people to participate meaningfully in self-development, they must be guaranteed freedom of expression and freedom from fear. This can only be assured through the extension and protection of basic human rights. Governments must seriously implement the African Charter on Human and People's Rights, the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the International Labour Organization (ILO) Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize and the Convention on the Elimination of All Forms of Discrimination Against Women.

4. Ending wars and armed conflict is one of the key conditions for ensuring people's participation on the continent. The millions of African refugees and displaced persons are those with the least opportunity to participate in the determination of their future. Governments and all parties to Africa's conflicts, domestic and external, need to seek peaceful means of resolving their differences and establishing peace throughout Africa.

II. Assessing progress in popular participation and good governance in Africa

5. This paper will attempt to assess progress in promoting popular participation and good governance in Africa, on the basis of a few selected indicators that are not very exhaustive. These indicators are based chiefly on the African Charter for Popular Participation in Development and the African Charter on Democracy, Elections and Governance for measuring progress in the promotion of popular participation and governance in Africa.

A. Literacy rate, which is an index of the capacity for mass participation in public debate, decision-making and general development processes

6. Improving access to and education in the use of information and communication technologies could enhance popular participation in public affairs and the accountability of Governments. Free and compulsory basic education should be provided to all, especially girls, rural inhabitants, minorities, people with disabilities and other marginalized social groups. In addition, the literacy of citizens above compulsory school age, particularly women, rural inhabitants, minorities, people with disabilities and other marginalized social groups should be ensured.

7. Over the past few decades, significant progress has been recorded, especially in regions like Asia and Africa, where the literacy challenge has been most pressing. From 1984 to 1994, adult literacy rates in Africa were at 52.1 per cent, while from 2005 to 2009 literacy rates on the continent rose to 63.3 per cent. Similarly, from 1984 to 1994, the youth literacy rate in Africa was 74.5 per cent. Those levels increased to 90.2 per cent in 2009. However, the challenge remains considerable. Women and girls make up more than half the illiterate population, making the scale of the problem even greater, given the disadvantaged and often marginalized position of girls and women. Adult literacy rates were below 50 per cent in Benin, Burkina Faso, Chad, Ethiopia, The Gambia, Guinea, Haiti, Mali, Niger, Senegal and Sierra Leone¹.

8. Literacy is not merely the skill to read and write; it is a transformational process that empowers individuals, broadens their critical thinking and provides them with the ability to act. A person without basic literacy lacks real opportunities for effectively engaging with democratic institutions, making choices, exercising his/her citizenship rights and acting for a perceived common good. The consolidation of democracy requires people's participation. However, if literacy is to become an enabler of democracy, it cannot be confined to basic skills, i.e., functional literacy. A study on attitudes towards democracy in Africa examines how low cognitive awareness may impact on the level of democracy demand within societies.

¹ UNESCO Institute for Statistics (UIS) September 2012 available at <http://www.uis.unesco.org/FactSheets/Documents/fs20-literacy-day-2012-en-v3.pdf>

9. Literacy may also facilitate conflict resolution and peace-building. Literacy programmes conducted in Guinea, Sierra Leone and South Sudan, for instance, have drawn on various techniques and teaching and learning models that combined adult literacy with conflict resolution procedures. In such contexts, literacy becomes an entry point for dialogue and debate and has a critical role to play in helping individuals overcome trauma, grief and loss as well as transforming them into agents of positive change.

B. Freedom of association, especially political association, and presence of democratic institutions, such as political parties, trade unions, people's grassroots organizations and professional associations and guarantee of constitutional rights

10. Popular participation, equity, social justice and non-discrimination are essential foundations of democracy. The will of the people shall be the basis of the authority of Government and shall be expressed in periodic and genuine elections, which shall be by universal and equal suffrage and held by secret vote or equivalent free voting procedures. Free and fair elections, popular participation and control, collective deliberation and political equality are essential to democracy and must be realized through a framework of accessible, representative and accountable institutions that are subject to periodic change or renewal.

11. Peace, security and stability in countries, regions and on the continent can be promoted by fostering participatory political systems with well functioning and inclusive institutions, if need be. The role of the people and their popular organizations is central to the realization of popular participation. They have to seize the initiative and be fully involved and committed. In this regard, they must establish independent genuinely grassroots, voluntary, democratically administered and self-reliant people's organizations that are rooted in the tradition and culture of the society so as to ensure community empowerment and self-development. Consultative machinery should be established at various levels with Governments, on various aspects of democratic participation. It is crucial that the people and their popular organizations develop links across national borders to promote cooperation and inter-relationships on subregional, regional, south-south and south-north bases.

12. Most organizations offer a wide variety of member services. For example, in Ghana, Malawi, Mozambique and Zambia, the main focus of informal economy networks is to provide training, dispute resolution, social welfare assistance, representation of members, political mobilization and the allocation of market space to vendors. Some of these organizations can also offer attractive financial incentives to informal workers or employers by types of cooperative arrangements and pooling of resources. Pooling individual resources increases negotiating power and facilitates recognition as a legal entity. These benefits were recently seen in Benin, where some 1,600 microenterprises successfully came together to form 60 mutual savings and loan associations.

13. Created in 2000, the *Reseau des Organisations Paysannes et des Producteurs Agricoles*, known as ROPPA, is an example of a dynamic network of producer groups spanning West Africa. ROPPA is found in Benin, Burkina Faso, Cote d'Ivoire, The Gambia, Guinea, Guinea Bissau, Mali, Niger, Senegal and Togo with its headquarters in Ouagadougou. ROPPA plans to increase the number of farmers' organizations by expanding membership from within ECOWAS. The organization was instrumental in establishing national platforms and coordinating bodies of producer organizations in 10 member countries. Moreover, it is concerned with capacity building and supporting associations by improving visibility and recognition. In Burkina Faso, ROPPA has assisted the *Federation Nationale des Organization Paysannes*, an association comprising 200 unions of producer organizations, with roughly half a million peasant farmers. The establishment of farmers' platforms in addition to the development of federating bodies in member countries has enabled ROPPA to play an instrumental role in providing technical assistance to farmers' groups in terms of research and extension services in Senegal².

14. *Réseau Agricultures Paysannes et Modernisation en Afrique (APM AFRIQUE)* or (Agriculture Peasant and Modernization Network in Africa (APM AFRICA)) is another farmers' network based in West Africa, which brings together various farmers' associations and develops linkages with non-governmental organizations (NGOs) and Government agencies with a specific focus on the role of producer organizations in agricultural development policy and programmes. APM is represented on the Consultative Group on International Agricultural Research (CGIAR) NGO committee and participates in high-level meetings such as the Conference of Ministers of Agriculture for West and Central Africa. It also assists with the sponsorship of regional workshops on key cash crops such as cotton, rice, cocoa and coffee. Promoting the emergence of new farmers' associations is another core activity of APM³.

15. Promoting the participation of producer organizations in Africa has become a central feature of donor approaches to rural development. Tying participation to processes of privatization and decentralization proved vital to the inclusion of producer organizations as an important theme in rural development policy dialogues (ibid).

16. World Bank programmes in West Africa have provided assistance to producer organizations in Senegal, Guinea, Mali and Burkina Faso. The findings of Burkina Faso's joint evaluation of the agricultural structural adjustment plan, as part of liberalization, showed that the private sector had not replaced State activities after the withdrawal of Government assistance to the agriculture sector, prompting the decision to develop a strategy to promote engagement with private sector stakeholders⁴.

² FAO (2010) Producer organizations: Reclaiming opportunities for development. Policy Brief. Available at <http://www.fao.org/docrep/013/am072e/am072e00.pdf>

³ ibid

⁴ ibid

C. Representation of the people and their organizations in national bodies.

17. Full popular participation is feasible only when societies have democratic political and electoral systems which guarantee all their citizens the possibility both to be directly involved in the Government of their country, or through freely chosen representatives, and to have equal access to public service, without discrimination whatsoever as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

18. The situation of indigenous peoples in Africa is extremely serious. Bad governance, corruption, impunity, violent conflict and poverty are rampant on the continent, with indigenous peoples bearing the brunt of the situation. Only a few African countries have so far recognized the existence of indigenous peoples. However, this situation is gradually improving and several Central African countries now recognize the existence of indigenous peoples in their countries. Countries such as Kenya and Namibia are also gradually opening up. However, widespread lack of recognition still persists in all other parts of Africa⁵.

19. Apart from the Republic of the Congo, where on 30 December 2010, Parliament adopted a law for the promotion and protection of the rights of indigenous peoples, no country in Africa has legislation on the protection of indigenous peoples' rights. This situation is thoroughly documented in the research report made by ILO, the African Commission on Human and Peoples' Rights (ACHPR) and the University of Pretoria's "Overview Report of the Research Project by the International Labour Organization and the African Commission on Human and Peoples' Rights on the Constitutional and Legislative Protection of the Rights of Indigenous Peoples in 24 African Countries"⁶.

20. The Congolese law on the promotion and protection of the rights of indigenous peoples is the first of its kind in Africa, and its adoption is a historic development for indigenous peoples on the continent. Hopefully, this law will be a valuable tool for improving the situation of the indigenous peoples in the Congo, and a source of inspiration for other countries in Africa to take similar initiatives⁷.

21. Some promising developments are as follows: In Kenya a new constitution has been adopted, which provides for considerable decentralization and recognition of historically marginalized groups to which indigenous peoples belong. The country has also adopted new national land policy, which provides for collective land rights and decentralized land governance structures. However, there is still no explicit recognition of indigenous peoples in Kenya. In Burundi, the constitution provides for special representation of the indigenous Batwa people in the National Assembly and the Senate. While Cameroon has passed a bill on marginal populations, it does not

⁵ Indigenous peoples in Africa - a general overview available at <http://www.iwgia.org/regions/africa/indigenous-peoples-in-africa>

⁶ *ibid*

⁷ *ibid*

specifically recognize indigenous peoples or address their key concerns. The Central African Republic recently ratified ILO Convention 169⁸. It is the first country in Africa to do so.

22. The past 10 years have also witnessed a more organized and mobilized indigenous civil society that is trying to make its voice heard and advocate its own cause. Indigenous organizations in East Africa, in particular, Kenya, have become stronger and more vocal. They have successfully teamed up with other sectors of civil society to engage in issues such as constitutional and policy reforms. While there are not many national networks, there is the Pastoralist Development Network of Kenya and the Pastoralists and Hunter Gatherer Ethnic Minorities Network. Indigenous organizations in Tanzania are fewer and generally have less capacity than those in Kenya. However, there are two national indigenous peoples' umbrella organizations in Tanzania: the Pastoralists Indigenous Non-Governmental Organisations (PINGOs) Forum and the Tanzania Pastoralist and Hunter Gatherer Organization. Organizations in Tanzania have in recent years tried to address human rights violations and influence policy reform processes⁹.

23. In Central Africa, indigenous organizations are, in general, still small and weak. Some of the most well functioning organizations are found in Burundi and Rwanda, where organizations have carried out successful sensitization and advocacy work. In countries such as the Democratic Republic of the Congo, the Republic of the Congo, Cameroon and Gabon, indigenous organizations and support NGOs also exist and are, to varying degrees, engaged in advocacy and development work. In countries such as the Central African Republic and Chad, indigenous organizations are almost non-existent¹⁰.

D. The rule of law and social and economic justice, including equitable distribution of income and the creation of full employment opportunities.

24. Democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and to participate fully in all aspects of their lives, thereby fostering and protecting human rights and fundamental freedoms. The consolidation of democracy requires that sustained economic growth and sustainable development of countries and communities should promote and consolidate democracies.

25. With the increase in income that accompanies economic growth, Governments and individuals acquire the means to finance further investments in health, education and skills development, as well as physical infrastructure. The additional income also

⁸ *ibid*

⁹ Indigenous peoples in Africa - a general overview available at <http://www.iwgia.org/regions/africa/indigenous-peoples-in-africa>

¹⁰ Indigenous peoples in Africa - a general overview available at <http://www.iwgia.org/regions/africa/indigenous-peoples-in-africa>

allows Governments to finance increased transfer payments, which reduce income poverty, as well as its other dimensions¹¹.

26. Economic growth enables countries to increase spending on education and health, which, in turn, helps economic growth. In Mozambique, total public spending doubled from 1992 to 2004, aided as well by an increase in external financial support. The investments increased the educational attainment of the labour force and were estimated to have contributed to close to 14 per cent of economic growth from 1999 to 2004¹².

27. Many of these social policies have important multiplier effects on the local economy. For example, a December 2004 evaluation of a cash transfer programme in Zambia covering the poorest 10 per cent of households in 143 villages and five townships found that the local economy was stimulated through the purchase of food, soap and blankets, as well as agricultural inputs¹³.

28. It is necessary to promote women's engagement in the labour market. Inequality of assets and opportunities hinders the ability of poor people to participate in and contribute to growth. Gender is an important dimension of inequality, as women face barriers having to do with assets, access and participation in the growth process, all of which impede the progress of pro-poor growth.

29. The labour market for poor women tends to be gender segregated. This triggers efficiency and compounds income inequality. Competent female workers are excluded from some of the more productive activities, resulting in welfare losses for society. Gender-segregated labour markets are also associated with higher gender wage inequality, which distorts investment in human capital, prioritizing male income earners and under-capitalizing women earners.

30. Social dialogue when designing policies is important. Participation of employers' and workers' organizations in designing institutions and policies to ensure the smooth running of the labour market and poverty reduction is instrumental. Indeed, a working social dialogue is not only an end for democratic governance of the labour market, but also for society in general, as it improves the participation of various groups of society in decision-making. Social dialogue can contribute to the effective formulation of regulations and policies for achieving employment-intensive and pro-poor growth.

¹¹ C. Ernst and J. Berg (2009) **The Role of Employment and Labour Markets in the Fight against Poverty** available at <http://www.oecd.org/dac/povertyreduction/43280231.pdf>

¹² Virtanen and Ehrenpreis, 2007 in C. Ernst and J. Berg, 2009 available at <http://www.oecd.org/dac/povertyreduction/43280231.pdf>

¹³ Farrington *et al.*, 2005 in C. Ernst and J. Berg, 2009 available at <http://www.oecd.org/dac/povertyreduction/43280231.pdf>

31. Social dialogue requires strong independent trade unions and employers' organizations, with technical capacity and access to relevant information. It also requires political will and commitment, and respect for the fundamental rights to freedom of association and collective bargaining. The State has an important role to play in creating stable policies and a conducive climate for social partners to operate freely, without fear of reprisal.

32. Fragile States, many of which have emerged from conflict situations and are in danger of renewed conflict, require special efforts to compensate for the absence of a functional Government, the need to redefine the rules of the game and the physical and social aftermath of violent conflict or neglect of specific groups or regions in the country.

E. Protection of the ecological, human and legal environment

33. States should implement policies and strategies to protect the environment so as to achieve sustainable development for the benefit of the present and future generations. In this regard, States should accede to the relevant treaties and other international legal instruments.

34. Sub-Saharan Africa suffers from some serious environmental problems, including deforestation, soil erosion, desertification, wetland degradation and insect infestation. Efforts to deal with these problems, however, have been handicapped by a real failure to understand their nature and possible remedies. Conventional wisdom views the people of this region as highly irresponsible toward the environment and looks to the international community to save them from themselves. It tends to blame all of the region's environmental problems on rapid population growth and poverty. Yet, there is no conclusive evidence that Africans have been particularly oblivious to the quality of the environment, nor has the international community shown any genuine concern for it until recently. Clearly, protecting the environment of sub-Saharan Africa is an issue that needs to be examined more carefully and incorporated into an overall strategy of sustainable economic development.

35. Three factors strongly increase the threat of environmental degradation in sub-Saharan Africa: its demographics, its heavy burden of foreign debt and the absence of democracy. Throughout the region, the end of the colonial period saw a tremendous expansion of social services, especially in the areas of education and healthcare. This led to a sharp decline in infant mortality and a rapid increase in population. During the last 25 years, annual growth rates of 2.5 per cent to 3.5 per cent have caused the population of sub-Saharan Africa to double (570 million); at the current rate of increase, it should double again in the next 25 years.¹⁴

¹⁴ The Environmental Challenges in Sub-Saharan Africa, Available at <http://web.mit.edu/africantech/www/articles/EnvChall.htm>

36. A recent study of relationships among population growth and density, intensification of agriculture and the implications for sustainability offers some useful insights on this issue. The study focused on 10 areas with relatively dense populations ranging from 150 to more than 1,000 persons per square kilometer. Five of these were in Kenya, Rwanda, Uganda, and Tanzania in East Africa, while the remaining five were in West Africa, mainly in Nigeria. In all of these areas, the study found that contrary to much conventional wisdom that portrays African smallholders as wrecking their physical resources, particularly in the face of land-intensive conditions, farmers made considerable investments in resource-based capital, thereby protecting their farms from major environmental deterioration and the negative impacts of intensification and production that usually follow¹⁵.

37. Other aspects of the macroeconomic policies pursued by most African Governments simply served to deepen poverty and exacerbate the negative impact of people's activities on the environment. Widening budget deficits eroded the value of national currencies, fueled inflation, undermined peoples' real income and encouraged excessive exploitation of natural resources to maintain a subsistence level of existence.

38. It is clear that the environmental challenges in sub-Saharan Africa are more complex than the simple model linking environmental degradation to population growth and inappropriate macroeconomic policies indicates. Because of this complexity, no easy solutions are available. However, whatever policies are adopted, to succeed they must: increase people's interest in protecting the environment by involving them directly in the process; curb the incidence of poverty to reduce the pressure on natural resources; and show people how a high level of resource use can go hand-in-hand with maintaining environmental quality.

39. The State can play an important role in promoting sustainable development and improving the environment. By setting the correct investment priorities, it can provide needed infrastructure, services and education. In urban areas, it should focus on providing safe water, collecting and disposing solid waste, and improving the physical layout of congested areas. In the rural areas, it should focus on health, education and basic sanitation.

F. Press and media freedom to facilitate public debate on major issues

40. The role of independent and pluralistic media in fostering participation is critical, as the media report on aspects of the decision-making process and give stakeholders a voice in that process. Freedom of the media allows for the formation of a public sphere in which a wide range of debates can take place and a variety of viewpoints represented. The citizenry may then use the media to express their assent or dissent or explore aspects of issues not considered through official channels. Government has responsibility to allow the media to contribute to the participation

¹⁵ *ibid*

process, especially in areas where face-to-face participation is not possible. More liberal media landscapes are therefore widely regarded among popular commentators, donor agencies and the international community as strengthening democratization processes.

Ensuring wider access to information, through the enactment of freedom of information legislation, ensures greater citizen participation in governance. This makes for maximum verifiability of information and allows all stakeholders to come to the table equally on important issues.

41. Governments should also explore ways to strengthen “e-governance” which provides media and citizens with direct access to administrative information and decision-making processes. Openness and transparency in the electoral process is also critical. Media coverage is a crucial component of elections, and it is of vital importance that journalists should be trained to cover election campaigns and the elections themselves in a fair and impartial manner, giving equal coverage to the different viewpoints expressed.

42. In countries with emerging independent media capes, professional media industry associations can take the lead in assisting various media outlets to understand their role as independent media and encourage them to find ways to be economically self-sustaining. This should include both media and information services such as news agencies, community-based radio, web-based distribution and media production networks.

43. A major concern in the social construction of the press communication system is the elite’s capture of the press. The elite may deploy press organizations as tools for ventilating parochial political interests rather than as a public arena for robust democratic expression. Elite manipulation of press organizations in Nigeria and Madagascar fit the above description. In Madagascar, wealthy people established media organizations and utilized them to articulate their political propaganda¹⁶. In response to elite capture of the private press, religious organizations produced publications to contest for space in Madagascar’s public sphere.

44. Striking a balance between competing concerns (public right to know and the need for political stability or national security) is a major challenge to press organizations in Nigeria. Similarly, recent situations in Kenya have uncovered the enormity of the dilemma facing press organizations in their attempt to produce balanced reporting. Press organizations in Kenya complied with the Ministry of Information’s directive to delay news broadcasts in view of post-election violence and the importance of national security.

45. A study of population comprising members of staff of print and electronic media organizations located in Lagos and Oyo states showed that three out of every

¹⁶ Tetey 2008 in Akinwale (2010), Repression of Press Freedom in Nigerian Democratic Dispensations

five respondents (59.6 per cent) stated that information, education, enlightenment, entertainment and public awareness were the top priority of their press organizations. Very few (8.5 per cent) admitted that advertisements and profit were their top priority. Over 91 per cent of respondents confirmed that press freedom had not been fully achieved in all democratic dispensations in Nigeria. The findings of the study also reflect several reports on harassment of members of the press as well as human rights abuse in Nigeria. In the debate on the relationship between democracy and the press, an overwhelming majority (87.3 per cent) strongly believed that the press promoted democracy in Nigeria and 85.1 per cent stated that without the press, Nigeria's democracy would not survive. Obviously, Governments have succeeded in controlling press organizations in Nigeria, given that more respondents (97.9 per cent) felt that Government opinions were always in the news compared to those (72.4 per cent) who felt the opinions of ordinary people were always published. There were no significant differences in the reactions of members of staff of electronic and print media organizations to repression of press freedom in Nigerian democratic dispensations. Two out of every three respondents (68.2 per cent) were aware of specific policies that created obstacles to press freedom¹⁷.

46. Some developing nations, such as Mali, Benin, and South Africa, scored well on journalistic freedom. Benin is widely regarded as a successful African democracy with constitutional checks and balances, multiple parties, a high degree of judicial independence and a lively partisan press which is often critical of Government¹⁸.

47. The national and regional media should make every effort to fight for and defend their freedom at all costs, as well as champion the cause of popular participation, publicize its activities and programmes and generally provide access for disseminating information and education programmes on popular participation. Combining their indigenous communication systems with appropriate use of modern low-cost communications technology, African communities and NGOs and trade unions and other mass organizations must strengthen their communication capacities for development.

G. Number and scope of grassroots organizations with effective participation in development activities, producers' and consumers' cooperatives and community projects

48. The right to development is a crucial area of public affairs in every country. It requires free, active and meaningful popular participation. The State should ensure and promote strong partnerships and dialogue among Government, civil society and the private sector. Appropriate structures should be used to ensure citizen participation in development. The State should promote participation of social groups with special needs (including the youth and people with disabilities) in the governance process. It should also ensure systematic and comprehensive civic

¹⁷ Akinwale (2010), Repression of Press Freedom in Nigerian Democratic Dispensations.

¹⁸ See <http://www.hks.harvard.edu/fs/pnorris/Acrobat/Driving%20Democracy/Chapter%208.pdf>

education in order to encourage full participation of social groups with special needs in democracy and development processes.

49. Cooperatives are based on democracy. Members of cooperatives have freedom of speech, freedom of association, movement and trade. These freedoms enable cooperatives to function in an orderly way. Members are also entitled to cooperative education and information, especially on their right and responsibilities in their cooperative.

50. Cooperatives facilitate decentralization as grassroots organizations. They are effective tools for achieving decentralization as envisaged in the country's community development framework.

51. A cooperative can be defined as an autonomous association of persons united voluntarily to meet their common economic, social and cultural needs and aspirations, through a jointly owned and democratically controlled enterprise, according to internationally recognized cooperative values and principles. Members contribute equitably to, and democratically control, the capital of their cooperative. Part of that capital is usually the common property of the cooperative.

52. Cooperatives play a significant role in agriculture in many African countries. A recent ILO publication shows that in Kenya, for instance, more than 50 per cent of the overall agricultural output is marketed through cooperatives. In developing countries, cooperatives play a significant role in many rural areas with agricultural marketing and supply cooperatives as the major type in Africa.

H. Extent of implementation of promotion of the gender balance and equality in governance and development processes

53. States should adopt legislative and administrative measures to guarantee the rights of women, ethnic minorities, migrants, people with disabilities, refugees and displaced persons and other marginalized and vulnerable social groups. They should also respect ethnic, cultural and religious diversity, which contributes to strengthening democracy and citizen participation.

54. States should recognize the crucial role of women in development and strengthening of democracy. The creation of the conditions needed for full and active participation of women in the decision-making processes and structures at all levels is a fundamental element in the promotion and exercise of a democratic culture. All possible measures should be taken to encourage the full and active participation of women in the electoral process and ensure gender parity in representation at all levels, including legislatures.

55. In the last decade, significant progress was made in women's participation in political processes. In the 2012 (as of 31 October 2012) ranking by the global

organization of parliaments, 14 African countries were among the top 50, with three of them in the top 10: Rwanda (1st), Senegal (6th), South Africa (8th)¹⁹.

56. The following legal dispositions and voluntary political party dispositions have contributed to enhancing women's participation²⁰.

57. Article 9 [4] of Rwanda's Constitution stipulates that women should be granted at least 30 per cent of positions in decision-making bodies. The 80 members of the Chamber of Deputies are elected as follows: 53 members elected by direct universal suffrage through a secret ballot using a closed list; 24 women, two from each province, and from the city of Kigali by an electoral college with a women only ballot; two members elected by the National Youth Council; and one member elected by the Federation of the Associations of the Disabled (Constitution, Article 76).

58. The electoral law in Senegal was amended in 2010, providing a mandatory requirement that all candidate lists for legislative, regional, municipal and rural elections be comprised of equal number of male and female candidates. Implementation of this quota legislation contributed to the doubling of the number of women elected in June 2012 to the National Assembly.

59. Parties in local council elections in South Africa must seek to ensure that 50 per cent of the candidates on the party list are women (Local Government Act, Schedule 1, Section 11 [3]; Schedule 2, Sections 5 [3] & 17 [5]). In 2011, women accounted for 38 per cent of all representatives at local level²¹.

60. In Mozambique, the *Frente de Libertação de Moçambique* (Mozambique Liberation Front) (FRELIMO) has used gender quotas since 1994. The party's policy requires that 40 per cent of candidates to the national assembly and local government should be women. In addition, the quota system was accompanied by a commitment to balance the distribution of men and women through the list. Currently, FRELIMO holds 191 seats out of a total of 250 in the national assembly, a three-fourths majority.

61. Women members must not be less than 30 per cent in the National Assembly of Tanzania. Special seats for women are shared among political parties in proportion to the number of seats awarded in Parliament. (Constitution, Article 66-1. (b))

62. The Parliament of Uganda comprises: 238 constituency representatives; 112 district women representatives, previously indirectly elected, but since 2006 elected by all voters on a special ballot in each district for women candidates only; 10 Uganda People's Defense Forces Representatives, two of whom must be women; five youth representatives, one of whom must be a woman, five representatives of persons

¹⁹ Source: (IPU 2012) available at <http://www.ipu.org/wmn-e/classif.htm>

²⁰ IDEA (2012) available at <http://www.quotaproject.org/index.cfm>

²¹ SADC Gender Protocol 2011 Barometer, p. 62

with disabilities, one of whom must be a woman; five representatives of workers, one of whom must be a woman.

I. Political accountability of leadership at all levels, measured by use of checks and balances

63. Promotion of best practices in the management of elections is necessary for political stability and good governance. States should commit themselves to promoting democracy, the principle of the rule of law and human rights. They should recognize popular participation through universal suffrage as the inalienable right of the people.

64. They should promote citizen participation in the development process through appropriate structures and strive to institutionalize good political governance through:

- Accountable, efficient and effective public administration
- Strengthened and effective parliaments
- An independent judiciary
- Relevant reforms of public institutions, including the security sector
- Compliance with the principle of the rule of law

States should adopt and implement policies, strategies and programmes required to generate productive employment, mitigate the impact of diseases and alleviate poverty and eradicate extreme poverty and illiteracy.

65. In reality, the legislative and judicial arms of Government in Africa are weak and usually ineffective in the face of the executive. A major challenge confronting advocates of good governance in Africa is constraining the executive's power and at the same time refraining from diminishing its ability to fulfill its constitutional obligations and electoral mandate. Various constitutional and governance reforms have been undertaken to restrain the executive, yet the tendency for the executive to dominate the other institutions of Government continues to be a major concern for those promoting good governance in Africa.

66. The executive appoints ranking bureaucrats, directors of national institutes, heads of parastatal bodies and watchdog organizations such as the ombudsman, human rights commission and anti-corruption commission.

67. It controls the bureaucracy, making decisions on promotions, transfers, deployment and remuneration and working conditions of the ranking civil servants. In a highly centralized governance system with a strong presidency, as in Kenya, the executive appoints all important administrative positions. It appoints the chief justice, judges and magistrates and controls the budget of the judiciary. It also has the constitutional power to dissolve the legislature at its own discretion, thus perpetually threatening legislators, and in the process, undermining their independence and

effectiveness. In such circumstances, it is very difficult, and certainly politically problematic, for the legislature to try to check the powers or regulate the discretionary authority of the incumbent executive.

68. In Ghana and many other African countries, the constitution empowers the president to appoint as many members of parliament as ministers or deputy ministers as deemed necessary, potentially diminishing the independence of the legislature and its effectiveness in checking the executive. In Nigeria, the executive is perceived as extraordinarily powerful and dominant across the entire governance system.

69. Over the past two decades, many African countries have reviewed and rewritten their constitutions. Implicit in the constitutional reinventions were reforms and restructurings of the executive, legislative and judicial branches of Government and the administrative apparatus to enhance their capacities and make them more accountable and transparent.

70. The principle of separation of powers is now entrenched in the constitutions of almost all African countries. The reforms in recent decades have created a more propitious environment for democracy and good governance. The once dominant civilian and military authoritarian regimes in Ghana, Liberia, Nigeria and Lesotho, for instance, were obliged to embrace a multiparty system. Single-party systems such as those in Angola, Cameroon, Republic of Congo, Djibouti, Ethiopia, Côte d'Ivoire, Kenya, Malawi, Mozambique, Mali, Seychelles, Swaziland, Sierra Leone and Zambia have also embarked on multiparty systems and decentralization²².

71. In the case of Ghana, separation of powers between the three arms of government is emphasized in the 1992 Constitution. Executive powers are subject to checks by Parliament, the judiciary, and to a limited extent, the Council of State, an advisory body, as well as by constitutional oversight institutions. The Government generally obeys the laws of the land and abides by court decisions and rulings of quasi-judicial bodies. In several cases, since the reestablishment of civilian rule, the Government has been forced, under difficult circumstances, to pay compensation to persons who were wrongfully dismissed, or has complied with politically contentious judgments against it.²³

J. Decentralization of decision-making process and institutions

72. Although many African States have pursued substantial decentralization reforms in the past 20 years, many of these reforms are still experiencing problems in bringing about effective local governance. Quite often, the problems grow from difficulty in translating general reform initiatives that are effective in several key processes and operations into specific working arrangements at the local level.

²² ECA (2009) African Governance Report (AGR II)

²³ Ghana Justice Sector and the Rule of Law (2007) – A DISCUSSION PAPER – The Open Society Initiative for West Africa - Available at http://www.afrimap.org/english/images/report/AfriMAP_Ghana%20JusticeDD.pdf

Specifically, these include planning and capital investment, budgeting and fiscal management, personnel systems and management and finance and revenue. A combination of central Government reluctance to relinquish authority in these key areas and the complexity of organizational redesign to support decentralization seem to explain these problems.

73. Decentralization of decision-making requires the promotion of good governance by ensuring transparent and accountable administration. Political institutions need to be strengthened to entrench a culture of democracy and peace. Suitable conditions must be created for civil society organizations to exist and operate within the law. The State should establish public institutions that promote and support democracy and constitutional order. The independence or autonomy of the said institutions is guaranteed by the constitution.

74. States should decentralize power to democratically elected local authorities as provided in national laws. However, given the enduring and vital role of traditional authorities, particularly in rural communities, the State should strive to find appropriate ways and means to increase their integration and effectiveness within the larger democratic system.

75. Decentralization measures and strengthening of local institutions and civil society organizations were put in place to enhance capacity and promote local government ownership, accountability and transparency, thus developing public trust in Government and State legitimacy. Measures were put in place to strengthen the media to ensure the widest possible dissemination of information and knowledge²⁴.

76. Many African countries are decentralizing executive power and devolving some central Government functions to local governments, primarily through administrative rather than constitutional, means. They permit the administrative performance of specific functions at the local level but do not transfer the actual constitutional powers to initiate, implement and sustain the functions. Even so, such decentralizing strengthens local governance capacity, empowers people, enhances ownership and cultivates a habit of accountability and responsiveness in Governments²⁵.

K. Civil society participation in the developmental State

77. Civil society participation plays a key role in development by ensuring the support of society at large for the effective implementation of development strategies. Such strategies should be developed in the context of building a social compact, based on partnership within a broad consensus. Successful strategies need to take into account the priorities of the society, which are not always necessarily those of a bureaucracy drawn from the elite. For example, typical priorities of civil

²⁴ ECA (2009) African Governance Report (AGR II)

²⁵ *ibid*

society organizations in poverty reduction strategic plan processes in several African countries focused on education, health care, agriculture, water and sanitation and economic infrastructure. While these are areas directly connected to people's daily lives, they are also vital sectoral developments essential to the success of the developmental State in governing development and achieving economic transformation.

78. In several African countries, civil societies are directly engaged in a variety of development activities, including education, health care, cooperatives, water and sanitation, agriculture, economic infrastructure and microfinance. In Kenya's highlands, local civil societies in villages, unable to obtain connections from the State electricity corporation have harnessed small mountain streams to provide their own hydroelectricity. In northern Ethiopia, the Tigray Relief and Development Society engages in a wide variety of local rural development activities. In a number of African countries, national family planning associations like the Family Planning Association of Mauritius and the Ethiopian Family Guidance Association provide vital reproductive health services to poor women, who might otherwise be unable to afford them.

79. Botswana, for example, has manifested some of the key attributes of a developmental State. It has built a professional and competent bureaucracy and attracted foreign direct investment, mainly to the mineral sector, the main source of its wealth. This has contributed to a vast increase in the country's per capita Gross National Income (GNI). However, the country has failed to adequately diversify its economy and create significant employment. Despite mining revenues accounting for 50 per cent of Gross Domestic Product (GDP) they have not curbed continuing high rates of poverty, unemployment and inequality. In this respect, Botswana's GNI ranking is 60, while its Human Development Index ranking is far lower, at 125²⁶. This indicates significant income inequalities

80. Mauritius would appear to be the best example of a developmental State in sub-Saharan Africa with annual growth rates averaging about 4.61 per cent from 1970 to 2007. During that period, the contribution of agriculture to GDP declined from 24 per cent to less than 4 per cent. During the 1970s and 1980s, there was a significant increase in industrial development, followed by an increase in services from 51 per cent to almost 70 per cent. This successful transformation is largely attributed to national development plans and Government policies that provided a conducive environment for the private sector, reduced obstacles such as export taxes and enhanced its human capital by providing key social services such as education, health and housing, as well as safety nets.

²⁶ Human Development Report 2009 Country Fact Sheets, in *The Developmental State in Africa*, Peter Meyns and Charity Musamba (eds.) INEF-Report 101/2010, Institute for Peace and Development (INEF), University of Duisburg-Essen

81. Mauritius also tended to be more proactive in collaboration with civil society, for example, in facilitating women's reproductive health, which, through civil society organizations such as the Family Planning Association of Mauritius, addressed threats to women's health arising from multiple and too-closely-spaced pregnancies. This also helped to slow down rapid population increase that at the time posed a significant threat to efforts at poverty reduction.

III. RECOMMENDATIONS

- People's participation should be given paramount importance in Africa's recovery and development efforts;
- National Governments and the international community should be sensitized to the dimensions, dynamics, processes and potential of a development approach rooted in popular initiatives and self-reliant efforts;
- Obstacles to people's participation in development should be identified and overcome. Appropriate approaches to the promotion of popular participation in policy formulation, planning, implementation, monitoring and evaluation of development programmes should be outlined;
- Governments should build an enabling environment for authentic popular participation in the development process and encourage people and their organizations to undertake self-reliant development initiatives;
- Exchange of information, experience and knowledge for mutual support among people and their organizations should be facilitated;
- Indicators for the monitoring of progress in facilitating people's participation in Africa's development need be developed;
- States should promote and deepen democratic governance by implementing the principles and core values of the New Partnership for Africa's Development (NEPAD) Declaration on Democracy, Political, Economic and Corporate Governance and, where applicable, the African Peer Review Mechanism (APRM);
- States should pursue sustainable development and human security through achievement of NEPAD objectives and the United Nations Millennium Development Goals;
- States should commit themselves to implementing the objectives, apply the principles and respect the commitments enshrined in the African Charter for Popular Participation in Development and the African Charter on Democracy, Election and Governance.