



Maintaining Momentum? Civil Society and the APRM in Zambia

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RECOMMENDATIONS

- Civil society must work with the media to ensure that coverage – hence public awareness – is increased. Similarly, the Zambian government needs to continually inform media and civil society of progress in implementing the NPoA.
- Future national development plans should include clear references to the APRM, both to ensure that it is implemented and to raise the mechanism's public profile.
- Government and civil society have to work together to ensure broad ownership of the APRM, including surveying progress at the local level.
- The continental APRM Secretariat needs to provide sufficient guidance to member states in budgeting for NPoAs.

EXECUTIVE SUMMARY

The African Peer Review Mechanism (APRM) is intended to assist member states to identify and eradicate governance problems. The review of Zambia found positives as well as negatives in the country's governance practices. Without the participation of civil society and on a very modest budget the APRM is, however, struggling to bring about positive change. This policy briefing looks at when and why enthusiasm for the process began to wane, taking into account that Zambia was once pioneering innovative practices in conducting the review. Civil society, government and development partners in Zambia all recognise that the APRM could play a central role if utilised effectively. Overcoming current challenges could be achieved by ensuring that the APRM once again becomes a countrywide process given due prominence in Zambia's development planning.

INTRODUCTION

Zambia's democratic practices are maturing. This is evident from the changes of government that have taken place peacefully following the defeat of incumbent presidents, as well as from the National Assembly's rejection of legislation deemed potentially discriminatory and inadequate in the promotion of constitutionalism and democracy. Yet challenges remain. These include a weak legislature; a lack of checks and balances; pervasive patronage; a lack of economic diversification; high inflation; social inequality; a narrow economic base and a failure to respect labour rights; undue dependence on external funding; and low wages and unemployment. Areas for improvement were identified in the 2013 Country Review Report (CRR) of the APRM. Following completion of the review Zambia was supposed to embark on a nationwide campaign to eradicate identified problems.

The APRM process in Zambia is, however, seeing a loss of momentum, lack of funding and inability to attract sustained involvement by civil society.

Given that at one point the country was pioneering innovative practices such as the establishment of a civil society APRM Secretariat, it is reasonable to ask where and why things have gone wrong.

One possible reason may be that the entire process in Zambia spanned just over eight years and three different presidential administrations: it simply took too long. Zambia acceded to the APRM on 22 January 2006, it was reviewed on 27 January 2013 and its final CRR was launched on 6 March 2014. In those countries where the APRM has success, civil society has always acted as one of its main drivers. Yet in Zambia, engagement with the process over long periods has proved challenging, mainly due to a lack of funding and shifting national priorities.

THE APRM IN BRIEF

As of October 2014 the APRM boasts 34 member states, 17 of which have undergone their first review. Such reviews examine governance under four broad thematic areas, respectively: democracy and political governance, economic governance and management, corporate governance, and socio-economic development. The review process is voluntary and open to all interested members of the African Union. Following a 'peer review' by participating heads of state a CRR is published and the reviewed state embarks on implementing its National Programme of Action (NPOA), a detailed plan designed to eradicate the governance deficiencies identified.

CIVIL SOCIETY INVOLVEMENT

Zambia's process is guided by APRM documentation, which stresses the importance of civil society involvement. According to the APRM Base Document, paragraph 19,

In Stage Two, the Review Team will visit the country concerned where its priority order of business will be to carry out the widest possible range of consultations with the government, officials, political parties, parliamentarians and representatives of civil society organisations (including the media, academia, trade unions, business, professional bodies).²

The APRM also clearly sees civil society as important

to the democratic development of member states. The recently revised APRM Questionnaire, used for the assessment of a country's standards of governance, contains numerous references to the role of civil society. It claims that an effective civil society network is vital for the protection and promotion of civil and political rights; raises questions on the vibrancy, independence and influence of civil society; and enquires into mechanisms in place for the promotion and protection of civil society, and the extent to which civil society is involved in the design, formulation and implementation of development policies and strategies.³

Finally, in terms of the post-review, under paragraph 32 the APRM's 'Guidelines for Countries to Prepare for and to Participate' stresses that a range of stakeholders, including government, civil society and the private sector, bear a responsibility for implementing NPOAs.⁴ The document also states that 'participation by civil society and the private sector in implementing the Programme of Action can strengthen capacity, share responsibilities and better create synergies with existing efforts'.⁵

In practice, however, the APRM tends to be a countrywide process only until the review is completed and the CRR published, after which it once again becomes dominated by government: in most member states implementation, monitoring and reporting on the NPOA have been solely within government's purview. Many countries therefore publish NPOA implementation reports that are unbalanced and in which the voices of civil society are not heard. In future, Zambia must resuscitate the enthusiasm among civil society entities that initially prevailed, to avoid the same fate.

VIEW FROM CIVIL SOCIETY

Zambia's civil society has a long and proud history of involvement in the APRM. It established an independent APRM Civil Society Secretariat in 2007 and helped with the popularisation of the process and capacity-building activities, engaged actively with the Country Review Mission, and provided written inputs into the Country Self-Assessment Report (CSAR) and CRR. Civil society enthusiasm waned, however, after the Secretariat was disbanded in 2011. Susan Mwape, executive director of the non-governmental

organisation Common Cause Zambia and former member of the Civil Society Secretariat, says civil society is distancing itself from the APRM for reasons that include undue dependence on donors, a scramble for necessary organisational resources, lack of knowledge and interest, and a paucity of funding. The most important point cited, however, is a failure of co-ordination within civil society itself. Organisations prefer to work individually with official structures, rather than attempting to do so as an alliance. An independent evaluative report on the Civil Society Secretariat also notes that involved organisations did not institutionalise the APRM in their own programmes and viewed the umbrella body's work as a stand-alone activity. Combined with the absence of a long-term strategic plan, this approach undermined the sustainability of the project.

Furthermore, according to Mwape the APRM process has not taken centre stage in Zambia's governance discourse. A large number of contentious governance issues, including action on corruption, the constitution-making process, elections, and legislation on access to information and service delivery, are all being discussed in public forums without any reference to the APRM. It must be noted, however, that Zambia is not unique in failing to put the APRM centre stage: Lesotho and South Africa were also unsuccessful in creating a link between the issues of the day and the APRM review.⁶ As a consequence the APRM in all three countries has a low public and media profile. The public often sees it as an elitist process and is unaware of its potential for improving governance and consequently livelihoods.

McDonald Chipenzi, executive director of Zambia's Foundation for Democratic Process, points to the disbandment of the vibrant civil society APRM Secretariat as the moment when the process started fading. Mwape echoes this and adds that after the Secretariat was disbanded, civil society's enthusiasm for engaging in the process diminished significantly. Chipenzi suggests that to make the public once more excited about the APRM, commitments made in the NPoA must be translated into tangible benefits for ordinary people. This, however, will not be easy. As noted above, most APRM states have struggled not only with NPoA implementation but also with attributing any progress to the APRM. If citizens are not made aware that positive change occurred as a

consequence of the review, they have little reason to be interested in the mechanism.

An August 2014 SAIIA workshop in Lusaka on independent monitoring of APRM NPoAs showed that there is still some enthusiasm for the process among civil society organisations. Workshop attendees were interested in cases where non-governmental coalitions and platforms in Lesotho, South Africa and Uganda published independent reviews of governance through the prism of the APRM. During the last session all 30-odd participants expressed interest in conducting a similar project in Zambia. Although this was a positive development, it remains to be seen whether the enthusiasm can be sustained.

ZAMBIA'S APRM BUDGET

Zambia's CRR and NPoA unfortunately do not inspire confidence. The CRR lists three very different budgets for the NPoA in various sections. The executive summary mentions a (highly unrealistic) \$80,211,973,432, the narrative section on the NPoA allocates \$4,948,600 and the NPoA itself budgets \$50,031,900.

Vanny Hampondela, acting director and monitoring and evaluation specialist in the Ministry of Justice (Zambia's APRM focal point), considers that APRM member states need guidance on costing NPoAs. Hampondela explains that there was a mix-up of figures in the CRR that was finalised and printed by the continental APRM Secretariat in South Africa. The purported \$80,211,973,432 was a cost for the NPoA derived from the CSAR. This figure was seen as too ambitious and thus the budget was re-assessed. Hampondela further stated that \$4,945,600 is the correct figure. When asked whether this was not too small Hampondela indicated that the actual figures would rise. The cabinet has issued a circular to APRM-implementing institutions asking them to budget NPoA items according to current circumstances. Monitoring and reporting on NPoA implementation will therefore take place based on the figures in the 2015 budget. Hampondela added that funding has been a challenge not only for the APRM but for many programmes in Zambia. Some of the problems identified in the CRR have, however, been included as national development priorities and a number of projects, such as improved road and educational

infrastructure and the social cash transfers scheme⁷ have already been initiated.⁸

According to Milena Tmava, governance advisor at the German development agency GIZ, a few of the action items listed in the NPoA has already been included in the 2014 Revised Sixth National Development Plan. Although she admits that the APRM could potentially add high value she sees a risk in duplicating efforts, and emphasises the importance of mainstreaming the NPoA by using it as an advocacy tool harmonised with existing plans and strategies for Zambia's development. Tmava added that the government's implementation strategy for the NPoA seems ambiguous and there is a lack of civil society activity around the process.

CONCLUSION

One of the inherent dangers in the APRM is that its rules do not prevent government's dominating the process and hindering participation from non-state actors. Similarly, founding documents do little to ensure that civil society is included in the post-review stages. While the APRM process in Zambia has mostly been open and inclusive the country, like many others, needs to find ways to include civil society in NPoA implementation and reporting.

Two threads become evident from interviews with stakeholders in Zambia: the APRM is not central to the country's governance improvement, development and planning initiatives; and civil society is not sufficiently involved in the post-review process.

Civil society has the potential to generate enthusiasm for the APRM, to ensure that the process remains vibrant and to press for the NPoA to be implemented. It is not doing so in Zambia at the moment. Given the recent death of Zambia's President, Michael Sata, the future of the process may appear uncertain. Yet based on discussions with government officials and civil society representatives, it was never a high priority for the executive. In fact, it is evident that both government and civil society are waiting for each other to take the initiative. Civil society claims that government needs to involve it in APRM

activities and reporting while government wants civil society to be more proactive. A positive aspect is that each camp is willing to engage with the other. Mutual suspicions make for an uneasy partnership; despite this it is clear that both parties need to make an effort jointly to make NPoA implementation a success.

ENDNOTES

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- 2 APRM Secretariat, *Base Document*. Midrand: APRM, September 2003, p. 4.
- 3 APRM, Secretariat, *Revised Country Self-Assessment Questionnaire for the African Peer Review Mechanism*. Midrand: APRM, 2012.
- 4 APRM Secretariat, *Guidelines for Countries to Prepare for and to Participate in the African Peer Review Mechanism*. Midrand: APRM, 2003, p. 10.
- 5 *Ibid.*, p. 14.
- 6 SAIIA, CPS (Centre for Policy Studies) & AfriMAP (Africa Governance Monitoring and Advocacy Project), 'Implementing the APRM: Views from Civil Society'; South Africa Report, September 2011. Johannesburg: SAIIA, http://www.saiia.org.za/images/stories/pubs/books/aprm_amp_report_sa_20110628.pdf; SAIIA, CPS & AfriMAP: 'Implementing the APRM: Views from Civil Society'; Lesotho Report September 2011. Johannesburg: SAIIA, http://www.saiia.org.za/images/stories/research/aprm/aprm_lesotho_amp_report_sept_2011.pdf.
- 7 Social cash transfers were implemented to assist Zambian households headed by widows, children, the disabled, the elderly or those chronically ill. The scheme provides small but regular cash transfers to such households. Zambia's CRR identifies it as one of the country's best practices.
- 8 Personal interview, Vanny Hampondela, M&E Specialist, Ministry of Justice, Lusaka, Zambia, 19 August 2014.

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