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Perspective on Governance in Central Africa

Recommendations and Plan of Action

Part I. Introduction and background.

I. Introduction

The aim of this analysis is to examine the progress of implementing governance in the Central African subregion. The study is organized in two parts. The first part is an introduction. The second part is devoted to perspectives on governance in the subregion. The analysis offers some recommendations and a plan of action to strengthen governance in Central Africa.

African countries, especially those of Central Africa, which have long been criticized for their bad governance, have embarked on profound political and institutional reforms. In spite of the civil unrest that some of the subregion's countries have witnessed (Central African Republic, Congo, Chad and Sao Tome and Principe), the majority have embarked on researching means to establish democratic measures and rules in order to promote good governance. The last few years have seen a consolidation of these efforts. However, the implementation of rules and measures comes up against a lack of rigour and follow-up on the part of officials directly involved in implementing the process.

African Heads of State have recognized the importance of good governance in the framework of the New Partnership for Africa's Development (NEPAD). They have acknowledged that the process of reaching socio-economic growth and sustainable development in their respective countries can be influenced by several factors, including governance, conflicts and corruption.

In taking evaluation indicators of the governance process as an analytical basis, especially those developed by the Economic Commission for Africa (ECA) and taken up in large part by the NEPAD programme, it is noticeable that the period under review (the year 2002-2003) is characterized by a lack of new phenomena, with the exception of the socio-political crisis in the Central African Republic and the military coup d'état in Sao Tome and Principe.

To facilitate research and reading, the indicators to follow up the progress achieved in the area of good governance have been chosen among those developed by ECA Development Policy and Management Division (DPMD). They are limited to: political governance (political representation and multipartyism, institutional effectiveness and accountability, respect for human rights, civil society organizations and gender organizations); economic governance; and business management.

II. The situation of governance in Central Africa

i. Political governance

The conclusions of the first two studies undertaken in the subregion show that there is a consensus that governance is an essential factor of sustainable development. In fact, good governance allows a large proportion, if not all the citizens of a country, to participate in development, while at the same time ensuring the implementation of rules and laws. The subregion's countries have taken an important step towards economic growth and promoting sustainable development by undertaking drastic reforms aimed at promoting governance. They comprise of three main elements: improvement of public services; promotion of

decentralization and local governance; strengthening of economic policies and the effective implementation of a transparent judicial system that respects human rights. They should allow for the creation of an environment propitious for the development of the private sector, for the promotion of civil society participation in the management of public affairs and for the strengthening of the involvement of populations, especially women, in decision-making.

Political representation and multipartyism

Africa, especially Central Africa, has become “more democratic” than a few decades ago. Multipartyism has in fact begun to come into effect in almost all of the subregion’s countries, with voting and the passing of laws on the regime of liberties. This is in part due to globalization and the consequential conditions that have been imposed upon countries by Bretton Woods institutions and other financiers. In the great majority of countries, the political system therefore consists of a plural democracy with several political parties and in which the parties in power can be dominant, holding between 51 to 75 per cent of seats in parliament.

Significant advances have been noted as a result of the adoption and progressive implementation of revised constitutions (in Cameroon in 1996), the adoption of laws on the financing of political parties (Cameroon in 2002) and the establishment of national observatories or national electoral commissions (Cameroon in 2002 and Chad). It has been able to achieve this progress by means of the active participation of political parties in national political debates, including parties represented in the national assembly as well as civil society organizations. Over the last few years all of the subregion’s countries have tried to hold liberal and pluralist elections.

The last elections in Cameroon (2002) allowed five parties, out of a total of 47 “large” political groups, to hold seats in parliament with a majority of the Cameroon People’s Democratic Movement (RDPC), which is the party currently in power.

In Gabon, the first round of general elections in 2001 saw the victory of the Gabon Democratic Party (PDG), with 86 seats. Independent candidates who did not belong to any party won about ten seats.

In the general elections in the Congo on 26 May 2002 almost a thousand candidates, of whom 160 were women, took part in the elections with 137 seats to be won. The party currently in power won the majority of seats.

The last presidential elections in Chad were won by the President’s Patriotic Salvation Movement (MPS), with almost 63 per cent of the vote, and this party gained the majority in the general elections, with almost 96 deputies in parliament. The other two political groups, including the Federation Action for the Republic (FAR) and the Rally for Democracy and Progress (RDP), were elected to seats in parliament, either individually or in coalition with several small parties.

To achieve these results, which show that democracy is slowly gaining ground, it has been necessary to establish a favourable environment. In several of the subregion’s countries, such as the Congo, Chad and Sao Tome and Principe, new electoral laws have thus seen the light of day in order to preserve the autonomy and independence of the electoral system in relation to all State organs and political parties.

In practice, however, these new provisions do not offer all the guarantees for a neutral and effective system to prevent or resolve disputes that result from elections or from the cohabitation of parties with the ruling party. For example, in Chad the opposition rejected the results of the presidential elections, denouncing massive fraud by the ruling party. Similarly, in Cameroon, opposition political parties and their candidates considered the established electoral authority, the National Elections Observatory (ONEL), to be under the influence of the Government and the ruling party. Opposition parties signed a manifesto lamenting the fact that the elections date had been announced even before the Observatory had become really operational.

Governments provide very little security for legally recognized opposition parties, with a view to guaranteeing their freedom of movement and functioning throughout the country. Most of the time, these parties are forced to provide their own security. Sometimes, they are at the mercy of all kinds of attacks.

In almost all of the subregions' countries the electoral system guarantees, in a legal and practical way, registration on the electoral roll, voting and the proclamation of results. However, appeals mechanisms against elections results (when these appear incorrect in the eyes of the opposition) are often ill-adapted. This is the case in Chad, where the presidential elections were contested by means of an appeal to the Supreme Court that did not succeed. In Cameroon, opposition parties decided to lodge a complaint following the general and municipal elections. Appeals are sometimes upheld by the supreme court, which orders elections to be held again: in Gabon, the general elections were held again in several towns; in Chad, the Constitutional Council gave a ruling on several petitions for annulment and pronounced its final decision before proclaiming the definitive results of the general elections; in Cameroon, elections were held again in some districts.

Can it therefore be said that democracy is really getting going in the subregion's countries? It would be difficult to maintain that. Very few of the countries really have a democracy capable of guaranteeing human rights, freedom of the press and independence of the courts. In fact, in its *Human Development Report 2002*, the United Nations Development Programme (UNDP) announced that "the world is more democratic than ever before. But of the 140 countries that hold multiparty elections, only 80 – with 55% of the world's people – are fully democratic by one measure. And 106 countries still limit important civil and political freedoms." Almost all African countries are in this last category of country. In the same report, UNDP indicates that wars between countries have greatly diminished. However, civil war and internal conflicts have grown. These conflicts are the result of a lack of democracy and of civil and political liberties.

Since 1990, it can be considered that the democratization process has been under way in the subregion's countries. In Cameroon, laws re-establishing multipartyism, liberalizing the press and repealing extraordinary legislation were submitted to the National Assembly and in December 1990 the Head of State proclaimed freedom of association. Multipartyism returned and several parties came out into the open, while others were established. Today Cameroon has almost 200 parties.

In Gabon, a national conference on democracy, which was held in March and April 1990, led to the establishment of a new constitution and new institutions. The opening-up of a democratic political system and the refocusing of political activity on the principle of the

Constitution's precedence represent new factors that might reduce the influence hitherto exercised by the Head of State. However, the constitution then underwent several amendments, including modification of electoral legislation.

In Chad, the starting-point of the emergence of a plural democracy was the holding of the Sovereign National Conference (CNS) in 1993. In spite of the financial constraints that limited its length, the Conference established decisive acts for the positive development of the democratic process and the institution of the rule of law. Following the Conference, a period of transition determined the adoption of a series of fundamental texts establishing democratic institutions and planning the framework of their organization and functioning. The new political system proved itself with two presidential elections (1996 and 2001), as well as two general elections (1997 and 2002).

Institutional effectiveness and accountability

In a very few countries, the constitution makes provisions for the total separation of the different powers (executive, legal and judicial). In several others, however, these powers are exercised exclusively by the president of the republic. In most of the countries, the legislature is independent from external agencies in a few important areas of legislation. The legislature is generally an institution empowered to make legislation and discuss issues of national importance and sometimes to hold the executive to account for its management. However, in view of the fact that parliament, in most cases, is made up of representatives of the ruling party and that the executive is all-powerful and the president a member of that party, it may prove difficult for the legislative power to exercise control over the executive.

In a number of countries, parliamentary debates are sometimes fruitful, useful and respond to the needs of populations. (In Cameroon, for example, the opposition severely criticized the State budget during the parliamentary session on the 2002 annual budget.) In almost all of the subregion's countries, the opposition in parliament exerts some influence on policy, programmes and/or legislation implemented by the Government. In almost all the countries, the opposition has demanded the establishment of independent electoral commissions. However, in some countries, the ruling parties continue to exert strong influence on the running of elections by entrusting part of the prerogatives to the ministry of the interior or the ministry of regional administration, which immediately comes into conflict with the "autonomous" organization set up to oversee the elections or controls the organization, thus rendering all its actions null and void.

The judiciary is more or less independent from the other powers (executive and legislative) in its functioning and higher level courts are accessible to citizens in almost all of the subregion's countries. Citizens have the right to go to court, no matter their economic situation. However, as the judiciary is not free from corruption, citizens who have suffered from abuse are reluctant to go to court. Thus, in Chad the problem of corruption in courts has grown to such an extent that a committee to investigate and prosecute judicial personnel and representatives of the law (CEPPAJ) has been established by the chairman of the Supreme Military Council (CSM). CEPPAJ is charged with conducting investigations into civil, criminal, commercial and social cases that have been heard since January 2001, and that have been fiercely contested by persons under jurisdiction, and with instituting legal proceedings for constituent acts of offences blamed on judiciary personnel and representatives of the law.

In Gabon, on the other hand, the quality of services provided by the judiciary remains deficient as a result of a number of difficulties, including the inadequacy of basic training, inconsistency of continuing training, general shortage of magistrates, lack of technical capacity, inadequate financial and material resources and the dependence of the judiciary on the executive.

In Cameroon, the judiciary is not yet free from corruption and the individual's social and economic status still influences his/her access to justice.

Governments are only free to take their own actions in a few major policy areas, the rest being practically decided upon by the Head of State (this is the case in Equatorial Guinea, Gabon and Cameroon), where major political and economic decisions are taken by the Heads of State.

The composition of the senior branches of the civil service in the subregion's countries reflects, to some extent, the diversity of the social strata. In order not to create discontent within a certain social group or tribe, ministerial positions are assigned bearing in mind the major regions of the country. However, a number of countries ensure that key positions (finance, oil, army, foreign and domestic affairs) are assigned to nationals from the same region or even the same ethnic group or tribe as the Head of State or to members of the ruling party.

Respect for human rights

Civil and political rights guaranteed by the constitution are generally respected in a number of the subregion's countries. However, in other countries, they are sometimes violated for "State reasons" or in order to get rid of opponents who prevent the current government from managing the affairs of the country. For instance, according to the Democracy Observatory in Africa (DEMOCRAF), the Central African Republic has, over the past years and particularly in 2001, violated the human rights of the Central African population. Extrajudicial executions took place after the attempted coup. According to the Government of the time, these acts were perpetrated by uncontrollable or uncontrolled elements within the police force. Even the president of the Movement for the Defence of Human Rights kept the matter going after conducting an opinion poll on whether the President of the Republic should resign or remain in power in February 2001. The results of the poll were not favourable to the President. In Cameroon, the case of the nine people reported missing in Bépanda, which nearly stirred up political activity, is also an example of human rights violation.

Civil society organizations (CSOs)

Throughout the world, civil society is perceived as playing a mediating role between the State and its citizens. Indeed, it was through the various components of civil society - trade unions, professional associations, human rights leagues, development non-governmental organizations, women's organizations, youth associations, to mention but a few - that a change occurred within the socio-political and economic management of most of the subregion's countries.

In the vast majority of the subregion's countries, civil society is authorized and encouraged to operate independently of all organs of the State and/or of the ruling party to

become a powerful centre helping to strengthen the power of social groups. In Cameroon, for example, the 1990 legislation on associations and the 1999 legislation governing the activities of non-governmental organizations afford civil society organizations the opportunity to take part in political debates and sometimes in decision-making. They are often consulted on conflict management, prevention and resolution. (Congo, Central African Republic and Chad). In almost all the countries, established consultation mechanisms enable civil society organizations to influence government policies and programmes. In a number of the subregion's countries, civil society has spearheaded popular demands. For example, in Chad and Cameroon, civil society organizations have allowed for the construction of an oil pipeline measuring more than 1000 kilometres between the two countries, taking into account environmental and other conditions. There is a similar situation in Gabon, where teachers unions often bring pressure to bear on government policy in the areas of education and social welfare.

In addition, civil society organizations are often instrumental in promoting accountability and transparency in government affairs, such as in Cameroon where they participated actively in the last discussions between Central African States and funding agencies under the Heavily Indebted Poor Countries (HIPC) initiative and the Cotonou Agreements. They have also attended major gatherings, such as the France-Africa Summit, the United Nations Industrial Development Organization (UNIDO) Conference, the World Trade Organization (WTO) Conference, conflict resolution in Congo Brazzaville, Chad and the Central African Republic.

However, many deficiencies persist within civil society in the subregion. These deficiencies are largely due to its recent establishment. It is not experienced enough, it is not trained and it lacks real resources (financial, material and human) capable of enabling it to better play its advocacy role and its intermediary role between the people and the Government. In order to make up for these deficiencies, it should take advantage of the capacity-building prospects offered to it by financing institutions, development agencies and the United Nations system.

As far as the mass media is concerned, it operates in a free and competitive environment in the majority of the subregion's countries. However, sometimes Governments take oppressive measures. This is the case in Chad, where the higher committee on communication took the decision to prohibit private community or association radio stations from scheduling political broadcasts and debates during the entire duration of the last presidential and general election campaigns. It was also the case in Cameroon, where Radio Freedom and Radio Vatican as well as one newspaper were quite recently closed down on the orders of the Ministry of Communication.

With the exception of Sao Tome and Principe, Gabon and Congo, where the public media and other public resources are equally accessible to all legally recognized political parties during elections, the other countries in the subregion still limit the use of the public media by political parties. To overcome these difficulties, a large number of political parties have established their own newspapers and radio stations, often monitored by the ruling party.

Approach to gender

In Central Africa, the approach to gender is taken very seriously. A constant effort is made in all the subregion's countries to create gender equality between women and men. Girls have the same entitlements as boys in relation to school admission. Similarly, in terms of women's involvement in decision-making, no Government has been left behind. In Sao Tome and Principe, for example, the Government of national unity, which emerged from the recent elections held in 2002, was thus made up of five women out of 11 ministers and secretaries of State.

Despite some efforts among countries in the subregion, women's representation in positions of responsibility within the central State administration remains low. In Chad, for example, only 8% of government employees and 5.16% of the National Assembly were women in 2003. Aware of these problems, the Government subscribed to the commitments made at the various international and regional conferences held to promote women and adopted national legislation to promote the effective integration of women in the development process.

In Gabon, women represented only 14% of the members of government in 2002, 9% of the members of parliament, 22.2% of the constitutional court and 8.6% of the economic and social council. At the same time, women demonstrated a strong desire to contribute to community development and local democracy by requesting membership roles in regional and municipal councils. The local elections of 1996 recorded the victory of 311 women, including 68 in district councils, 174 in municipal councils and 69 in regional councils.

Conflict resolution: effectiveness of dialogue

As pointed out earlier, the subregion's countries have in recent years developed programmes to promote good governance and reforms already underway have placed emphasis on public services, decentralization and local governance, efficiency of the judicial system and respect for human rights. Most of the subregion's countries have understood that without a opening-up of the democratic system, through which constitutions assist in organizing free and pluralist elections, their governments will continue to live through difficult times and remain vulnerable to conflicts and insecurity.

It is noticeable today that in most of these countries political parties governed by different constitutions have more or less abided by the rules of the democratic game.

However, the Central African Republic has experienced political instability that has undermined and paralysed development efforts undertaken after independence. In the course of 2002 and in early 2003, the situation worsened with coup d'états that forced the "democratically elected" president into exile. This permanent crisis situation has had tremendous negative impact on the country's economy as well on the economies of the subregion as a whole and has caused a slow down in trade (goods and services), especially with Cameroon and Chad.

Today, with the cessation of hostilities, it is necessary to heal the pain left by the numerous crises on populations and the national economy. To achieve that goal, Central Africans decided to establish a national dialogue within the entire political class, expanded to cover all social strata in order to establish lasting peace and lay the foundation for sustainable economic development. During the dialogue, the constitution and the electoral code were reviewed to identify the deficiencies that had caused this crisis.

In Gabon, within the framework of dialogue between the authorities and the populations, the Government has called for a truce from civil society organizations, particularly the trade unions. In this regard, negotiations were held on 8 September 2003 between the Government and trade unions to revive the economy that was suffering from a latent crisis due to a drop in oil production, a slump in certain Gabonese raw materials and particularly the poor management of revenue from the sale of these products.

Still within the framework of conflict resolution through dialogue, the National Assembly of Congo Brazzaville passed an amnesty law in favour of the “ninja” militia who had fought against the regular army in order to calm people down and establish lasting peace in the country. A ministry in charge of disabled war veterans has been established to ensure their rehabilitation and integration into the country’s socio-economic activity.

Administrative reforms in Central Africa

The complexity of public administration and the stakes of good governance have made it necessary to create new tools to guarantee the coherence of reforms and the success of new approaches to citizens. It is in this spirit that most of the subregion’s countries have set up, either separately or with other entities, ministerial departments in charge of administrative reform and/or governance (Cameroon and Congo). National governance programmes have also been set up that often focus on promoting effective participation of populations in the management of public affairs, implementation of the decentralization process, improvement of the information system and facilitation of common projects elaborated by the populations.

Effectiveness of regional institutions

Subregional institutions, including the Central African Economic and Monetary Community (CEMAC) and the Economic Community of Central African States (ECCAS), have played a leading role in promoting good political governance in Central Africa. The aftermath of the coup d’état in the Central African Republic was managed with some degree of success through the joint efforts of CEMAC member countries in collaboration with the international community. It was in this framework that troops were sent to the country under the banner of CEMAC to ensure the cessation of hostilities. In order to prevent crises, subregional country leaders have made a commitment to control light weapons. For that purpose, a training programme for senior army and security officers in the control of light weapons and small arms in Central Africa was organized in Yaoundé, Cameroon in September 2003, with the assistance of the United Nations Regional Centre for Peace and Disarmament in Africa. The training programme brought together experts from 11 ECCAS countries. All those who took part in the training programme were of the opinion that African countries must highlight the importance of dialogue and mutual respect in order to prevent conflicts. Indeed, crisis management costs a lot more than its prevention.

In Sao Tome and Principe, the attempted coup d’état made by young soldiers against the “democratically elected” president ended without bloodshed thanks to the intervention of regional institutions that used dialogue as a solution to the conflict.

Economic and corporate governance

The legal system is one of the institutions that may or may not promote foreign investment in a given country. Legal slowness can easily deter foreign investors or the local investors of a country. This reality is not unknown to the authorities of the subregion's countries that have in recent years laid particular emphasis on strengthening good governance practices in the area of economic management.

In Cameroon for example, the building of new law courts and the establishment of new tribunals, particularly in Yaoundé and Douala, should help to overcome the slowness of deliberations and judgements on cases dealing with investments.

In addition, a meeting of the heads of appeals courts was organized in Yaoundé in September 2003, in order to enable them to adapt to new national and international legislation on investments and more generally on trade matters. One of the three major themes of this meeting also related to the new standards of the Organization for the Harmonization of Business Law in Africa (OHADA) and their application. In addition to the heads of appeals courts, the conclusions of the meeting were sent to all magistrates, clerks and representatives of the law to guarantee increased efficiency and effectiveness on the ground and the credibility of the Cameroonian judicial system.

It has been proved that good corporate governance facilitates access to the capital market, builds investor confidence and contributes to corporate competitiveness. From this point of view, significant efforts have been made at the national and international levels to promote and encourage the practice of good economic and corporate governance.

Private sector development in all of the subregion's countries is often fostered by government policies that seek to create a favourable environment. Governments recognize the importance of the informal sector in the economy and actively promote its development and evolution towards the formal sector. However, the informal sector suffers from a lack of financial and human resources and does not develop fast. The private sector is sometimes involved in the formulation of policies that influence its development through dialogue between employers and the Government as well as trade unions (Gabon, Cameroon).

The two subregional economic communities, CEMAC and ECCAS, have allowed Central Africa to have a coherent entity as well as an economic market, strengthened by the lifting of most tariff and non-tariff barriers. The lifting of barriers has made it possible to establish the free movement of consumer goods and other products and to strive for the free movement of persons.

III. The African Governance Project

i. Introduction

The Economic Commission for Africa (ECA) has been at the forefront of the governance debate, repeatedly pointing out the centrality of governance factors and stressing the current African predicament and the interrelationship between good governance and sustained economic development. ECA has maintained the importance of proactive, democratic States, which have the best prospects for the region's development and recovery. ECA advocates that a reversal of the economic decline requires proactive Governments with improved capacity to formulate policies, manage essential services and show evidence of transparency and accountability.

In its efforts to promote African development and in its capacity as the lead agency of the “governance” component of NEPAD, ECA has committed itself to helping enhance government capabilities in the area of governance and to helping consolidate institutions and good governance practices in the continent.

ECA has embarked on an ambitious programme to study and measure the many complex aspects of governance in Africa. The African Governance Project monitors the progress that African countries are making towards enhancing democratic values and governance, and it compiles a report on the results of this evaluation. The project is complimentary to the efforts of Governments and it seeks to establish consensus among stakeholders on how good governance can be enhanced in the continent.

Since its introduction in 2001, the African Governance Project has focused on three of the seven Central African countries covered by the Subregional Office for Central Africa, namely Cameroon, Gabon and Chad.

ii. Some important observations

It is necessary to wait for all the national reports to get a general idea of tendencies. Preliminary observations indicate a growing interest in enhancing governance in the Central African subregion.

In relation to peace and security, changes are being undertaken and the countries are taking responsibility for combating important crises in the subregion. For example, we witnessed the restoration of the constitutional order in Sao Tome and Principe following the attempted coup d'état in July 2003. The improvement of crisis situations in the Central African Republic and the Republic of the Congo also represent commendable developments.

In terms of economic management, several changes have been undertaken in the economic, political and social systems at the subregional level. These changes have brought unprecedented improvements in the living conditions of some citizens of subregional States. These improvements have been achieved as a result of the technological breakthroughs in the areas of agriculture, medicine, genetics, the environment, transport and information and communication in particular.

Governance should operate in a context that favours interaction between State and civil society. Governance is an old subject that dates from the pre-colonial era to the struggles for national independence and includes the colonial era. Good governance is not only limited to the establishment and implementation of a multiparty political system or to the organization of free, fair and legitimate elections or to the application of the supremacy of law. While these factors are necessary, they are not sufficient. Good governance requires more commitment, respect and interaction on the part of those who set in place rules and laws as well as on the part of the populations who should respect them. Above all, good governance requires a good constitution that does not need to be amended at the convenience of Governments or at the will of a small group of persons. It also requires regulatory institutions that are capable of fighting against corruption and promoting individual freedom, while at the same time involving these individuals in development.

Even though governance in the subregion's countries is not adequate at present, the perspectives give a certain amount of hope because States themselves have adhered to the principles listed above that underlie good governance. Through their national plans, they have committed themselves to playing the role of partner in order to allow each stakeholder to bring his/her contribution to the efforts being undertaken to transform public services from their status of "public power" to that of provider of public service. These national governance plans have kept the consolidation of the public sector/private sector/civil society partnership as one of the main objectives after that of the effective management of the State.

The fight against corruption is experiencing significant progress. As evidence of this, during the third regional conference of the African chapters of Transparency International, held at Yaoundé in October 2003, leaders of 16 African countries decided to intensify and pursue the fight against corruption. During the same meeting, it was decided to establish a national observatory to fight corruption in Cameroon through the cells set up in ministerial departments. Transparency International also passed a resolution to assist African countries in the fight against corruption through the New Partnership for Africa's Development (NEPAD). If these initiatives are repeated throughout the subregion, good governance will experience remarkable progress.

Furthermore, the adoption of a new convention on the prevention and fight against corruption by African Union, which was signed at Abuja and in Mozambique, will provide a firm foundation for an African approach to fighting corruption. It will complement the Vienna convention.

The elimination of illiteracy is also one of the factors that could contribute to improving governance in Central Africa, as a literate people cannot ignore the laws and rules that govern them. Illiteracy is in fact being overcome in the subregion's countries, especially in Gabon, the Congo and Burundi. However, efforts should still be made to allow every individual to learn to read and write, to know his rights and duties. The subregion could therefore not only achieve one of the Millennium Development Goals but could also, above all, allow good governance to be definitively established in countries that are rich in unexploited natural resources.

Adult literacy rate (% of the population above the age of 15)

| | 1992 | 1993 | 1994 | 1995 | 1998 | 2000 | 2001 |
|------------------------------|------|------|------|------|------|------|------|
| Angola | 42,5 | 42,5 | 42,5 | 42,0 | 42,0 | 42,0 | 42,0 |
| Burundi | 32,9 | 33,7 | 34,6 | 35,3 | 45,8 | 48,0 | 49,2 |
| Cameroon | 59,6 | 60,8 | 62,1 | 63,4 | 73,6 | 75,8 | 72,4 |
| Central African Republic | 53,9 | 56,0 | 57,2 | 60,0 | 44,0 | 46,7 | 48,2 |
| Chad | 44,9 | 46,0 | 47,0 | 48,1 | 39,4 | 42,6 | 44,2 |
| Congo | 70,7 | 72,1 | 73,9 | 74,9 | 78,4 | 80,7 | 81,8 |
| Democratic Republic of Congo | 74,1 | 75,2 | 76,4 | 77,3 | 58,9 | 61,4 | 62,7 |
| Equatorial Guinea | 75,3 | 76,4 | 77,8 | 78,5 | 81,1 | 83,2 | 83,1 |
| Gabon | 58,9 | 60,3 | 62,6 | 63,2 | 63,0 | 71,0 | 71,0 |
| Rwanda | 56,8 | 58,0 | 59,2 | ... | 64,0 | 66,8 | 68,0 |
| Sao Tome and Principe | 60,0 | 60,0 | 67,0 | 75,0 | ... | 83,1 | 73,1 |

Source: UNDP, *Human Development Report* (1995, 1997, 2000, 2002, 2003)

The cessation of conflicts and wars is also an encouraging sign for governance. Even though specialists maintain that war and open conflicts allow nations to achieve a certain level of growth, in the subregion these conflicts have in fact made economies decline and poverty and epidemics increase in member countries. They have increased the plundering of natural resources, insecurity and bad governance.

It is for these reasons that the efforts made by subregional organizations to put an end to conflicts and re-establish democracy lead us to maintain that good governance has quite positive prospects for the future.

Information and communication technologies (ICTs) represent a considerable asset for enhancing governance in the subregion's countries. Particular emphasis should be placed on capacity-building of civil servants and users of these technologies.

It is necessary, nonetheless, to stress that these efforts will be in vain unless there is a radical change in the behaviour of each individual in relation to the State and if States do not focus their efforts on good governance instead of focusing exclusively on researching economic stability. Today, more than ever, it is necessary to embark on productive investments that bring revenue to populations so that they escape from poverty.

Though a number of positive changes are being made, some bad governance practices persist in Central Africa, such as a lack of accountability and transparency, impunity, exclusion and socio-economic marginalization. Similarly, an absence of rules and laws and a lack of respect for human rights continue to prevail in the subregion's governance scene.

Part II. Perspectives on governance in the Central African subregion

I. Subregional consultation

The ADF IV subregional workshop for Central and West Africa was held in Accra, Ghana, from 1 to 3 December 2003. Its aim was to facilitate consultations among the various collaborating institutions of the "African Governance Report", including Central African research institutes from Cameroon, Gabon and Chad and West African research institutes from Benin, Côte d'Ivoire, Gambia, Ghana, Mali, Niger, Nigeria and Senegal. Government officials and representatives from the private sector, gender organizations, non-governmental organizations, media, intergovernmental institutions, HIV/AIDS groups, parliament, academia and other stakeholders also participated. Three speeches left their mark on the opening ceremonies: the first by the Director of the Subregional Office for West Africa (ECA/SRO-WA), the second by the Minister of Justice of the Republic of Ghana and the third by the Chairman of the Council of State of the Republic of Ghana.

The Director of the Subregional Office for West Africa, in his remarks, stressed the importance of the ADF process, emphasizing that ADF IV would be enhanced by the empirical findings of the studies undertaken in the 13 African countries and by the resulting "African Governance Report". The Minister of Justice and Attorney-General of the Republic of Ghana, the hon. Mr. Papa Owusu-Ankomah, confirmed government commitment to the principles, values and practices of democracy and governance that inform the approach to subregional and continental economic development and conflict management. The Minister

expressed the view that the workshop provided the occasion to share and exchange ideas, in order to draw appropriate lessons and develop best practices for good governance in the subregion and at the national level. Finally, the Chairman of the Council of State of Ghana, Prof. Alex A. Kwapong, who chaired the function, indicated that the workshop provided the ideal opportunity for deepening consultation, exchanging ideas and building consensus on the issue of good governance. He emphasized that bringing a stakeholder group representing key segments of society together with governance experts from the various countries in the two subregions of Central Africa and West Africa provided a good chance for building up strong momentum for ADV IV and the peer review mechanism of NEPAD.

II. The challenges of governance and the way forward

The situation that has been described above shows that, despite the various advances that should still be made to achieve an acceptable level of governance, countless efforts have been undertaken either by Governments or by populations themselves through civil society organizations or by the international community.

The decisions of African Union and the goals of NEPAD, which require African countries to go beyond the national State through real decentralization towards society, regional integration and inter-African cooperation, seem appropriate to us. This brings power, democracy, the nation and development back to the level of the people and the subregion. As we have emphasized above, these actions require capacity-building and advocacy in order to establish good governance. Civil society organizations have an important role to play in this advocacy.

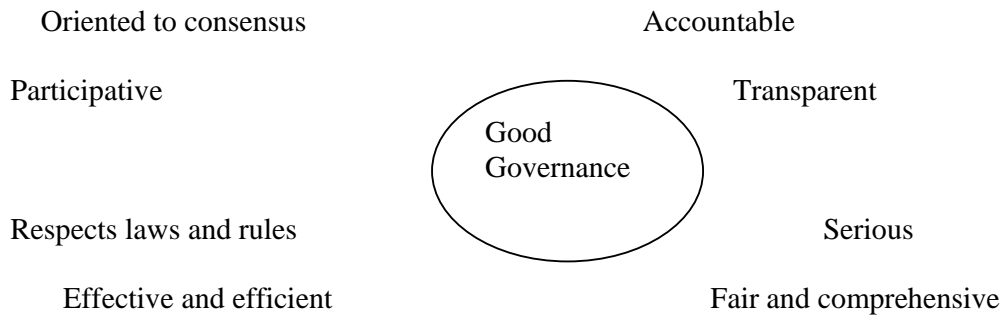
However, governance is not only limited to political decisions that have not been applied or to elections that have been hastily organized or even fixed. Governance is a dynamic process of political development that takes into account the democratic values and culture in all sectors of society.

1. General recommendations

In order that good democratic governance should be definitively rooted in our countries, it is necessary to set up or strengthen viable institutions consisting of the following:

- A system of representation, with political parties and defence groups that function;
- An electoral system that guarantees free elections that are not marred by irregularities or tricks, as well as universal suffrage;
- A fair system based on the separation of the judiciary and the legislative power;
- A dynamic, developed and proactive civil society that can accompany the Government in all its actions and the private sector in all its practices, and that can propose improvements to the social, economic and political life of the country;
- Free and independent media that respect the sector's ethics and code of practice;
- Effective civilian control of the army and other security forces to avoid abuse of populations on the part of these forces;
- Strengthening of education for individuals to give them the possibility of participating more effectively in the socio-economic development of their countries;
- Encouragement for the development of civil society groups and other informal organizations to allow democratic institutions to better represent public opinion.

Characteristics of good governance



1. Specific recommendations

1. Political representation

(a) **Low participation of political forces in the electoral process and low participation of populations in elections.** A withdrawal and lack of motivation of the population in relation to the electoral process in several of the subregion's countries is noticeable and this leads to quite low participation rates in the elections.

Recommendations:

- Establish independent electoral commissions in countries where they do not yet exist;
- Remove from ministries of the regional administration or of the interior the monopoly on supervising the electoral process;
- Fix a percentage of votes required to claim reimbursement of the deposit;
- Strengthen the capacity of political forces through civic education;
- Involve international organizations in the electoral process, from the taking of a census of voters to the proclamation of results;
- Involve all the life blood of the nation (political parties, civil society organizations) in electoral commissions in order to avoid conflicts;
- Demand of election candidates programmes that will be assessed by voters and that might be used to mobilize voters;
- Consult with parliaments when making strategic decisions, especially concerning long-term contracts for the nation's resources, such as oil, mining and forest resources.

(b) **Low impact of the opposition on decision-making in parliament.** In a number of the subregion's countries the opposition is in a minority in the national assembly, though represented in parliamentary commissions. Increased participation of the opposition in debates to compensate for this imbalance requires actions such as training and proceedings for the admissibility of laws.

Recommendations:

- Strengthen the capacity of opposition deputies;
- Review mechanisms for the admissibility of bills;
- Initiate these deputies in parliamentary debates.

(c) **Lack of civic education among citizens and civil society.** Information relating to the governance process is not at the disposal of all partners and requires an increased popularization of all texts.

Recommendations:

- Include information, education and communication plans in good governance programmes.

(d) **Involvement of civil society in the management of public affairs.** The role of the State in governance is to assist in improving the social and economic environment by involving all social actors. Since the 1990s, civil society has emerged in a context in which the actors appear to oppose the State, and this is why public authorities distrust them. Nevertheless, in the governance process civil society is called upon to act as a partner of the State. It seems necessary to organize it and to involve it.

Recommendations:

- Take a census of duly registered civil society organizations;
- Set up a database;
- Support the implementation of networks, with a view to reinforcing civil society capacities, thus establishing the foundations for a partnership with the State, the private sector and development partners;
- Lead the State to assist civil society in better organizing itself.

2. Institutional effectiveness

(a) **Problems linked to the functioning of the executive.** The absence of a notion of public service manifests itself in the non-application of rules and procedures.

Recommendations:

- Respect and apply laws that are in force;
- Establish career plans for State officials;
- Take into account rank for nominations for the various positions of responsibility;
- Improve the purchasing power of State officials.

(b) **Problems linked to the functioning of the legislative power.** In order to enhance governance, it is necessary to tackle the problem of the non-application of rules and procedures that results from the lack of a notion of public service.

Recommendations:

- Strengthen institutional capacity and the human capacity of deputies;
- Draw up a statute for the opposition;
- Increase the representation of the opposition in the setting up of commissions;
- Set up public financing mechanisms for political parties and election campaigns.

(c) **Problems linked to the functioning of the judiciary.** The lack of a notion of public service undermines the governance process in Central Africa.

Recommendations:

- Strengthen the independence of magistrates and the legal system;
- Strengthen the principle of the irremovability of judges from their seats;
- Raise the level of magistrates' training and coordinate this training.

(d) **Deficiencies in electoral systems.** Electoral systems have many deficiencies in their functioning. These deficiencies provoke tensions in the electoral process and sometimes create conflicts.

Recommendations:

- Popularize all the texts relating to citizens lives;
- Establish the post of ombudsman in countries where this post does not yet exist.

(e) Problem of decentralization. Decentralization is an essential element of governance. However, in several of the subregion's countries, the decentralization process is still in its early stages and should be strengthened.

Recommendations:

- Strengthen institutional and human capacities of local authorities;
- Transfer skills and essential means for their functioning.

3. Economic management

Problems linked to economic management. Without improving taxation and allocation of resources, economic governance will remain a source of tension. In addition, without a macroeconomic, legal and judicial environment that is propitious for investment, the problem linked to economic and financial management will hinder the improvement of governance in Central Africa. This situation is characterized by the following: ineffective allocation of resources; a lack of transparency in public management; poor mobilization of available resources; low involvement of civil society organizations in development programmes; inadequate macroeconomic and judicial environment for promoting the private sector; poor access to socio-economic services and basic infrastructures, as well as to employment and professional training.

Recommendations:

- Direct the allocation of resources according to the priorities identified in Poverty Reduction Strategy Papers (PRSP);
- Carry out decentralization and capacity-building of tax services;
- Carry out manual audits of expenditure;
- Streamline the public expenditure line;
- Stabilize the legal and judicial environment so as to secure investment;
- Simplify bureaucratic procedures for setting up businesses;
- Apply macroeconomic convergence criteria (respecting the CEMAC fiscal and customs reforms);
- Promote the law of the Organization for the Harmonization of Business Law in Africa (OHADA);
- Develop economic policy in partnership with the private sector;
- Promote trade liberalization;
- Apply CEMAC and ECCAS laws relating to the free circulation of persons and goods;
- Reduce the costs of access to basic social services;
- Draw up laws that from now on involve civil society in development strategies;
- Encourage the conversion of natural resources in order to generate employment;
- Promote a policy that adequates training and employment.

4. Miscellaneous issues

(a) The participation of women. The role of women has not been specified in the governance process in several countries. Nevertheless, women participate in the socio-economic development of all countries.

Recommendations:

- Institute a system of quotas or of equality, depending on the country;
- Strengthen women's capacity so that they can effectively participate in the management of public affairs;
- Set up women's organization to promote women.

(b) Capacity and independence of the media. The role and involvement of the media are essential for the good running of governance, especially during electoral processes.

Recommendations:

- Strengthen institutional and human capacities;
- Apply texts that advocate free access to public service media;
- Involve women and men in the media in the implementation of good governance programmes.

(c) Traditional governance. A limited acceptance of modern governance by traditional communities is noticeable. This situation is worth rectifying.

Recommendations:

- Involve traditional rulers in media campaigns on governance.

(d) Impact of HIV/AIDS on governance. Since the 1990s, the HIV/AIDS pandemic has become a blight that decimates millions of people every year in a large part of Central Africa. This illness, magnified by malaria and tuberculosis, in fact destroys entire families and generates a significant loss to the able-bodied workforce, especially in rural and peri-rural areas. The subregion's countries should therefore take concerted actions, setting in place strategies to fight this epidemic.

Recommendations:

- Implement the decisions taken during ADF II, as well as during the Head of States Summit on AIDS that was held at Abuja;
- Negotiate as a group with the large pharmaceutical companies, with a view to procuring medicine to prevent and treat HIV/AIDS at a reasonable cost.

(e) Governance and the regional process of economic integration. The subregion's countries do not apply the decisions and commitments made at the level of regional economic communities. The transition from practising national laws to practising community laws has always been a factor that delays regional integration. These problems should be resolved in order to achieve the goal of African integration.

Recommendations:

- Delegate power to subregional groups and mechanisms;
- Strengthen the capacities of community institutions (parliament, court of justice etc.)

(f) Youth participation in the governance process. The role of youth in the governance process has not been adequately specified in the majority of the subregion's countries. Nevertheless, this youth is called upon to apply the rules of good governance when in business.

Recommendations:

- Involve youth in the dissemination and practice of good governance.;
- Introduce, starting in primary school, classes on democracy, good governance and economic integration.

(g) Peace, stability and security. Good governance can only exist in a context of peace, stability and security.

Recommendations:

- Promote peace, security and stability at the national and subregional levels;

- Create jobs for young people so that they are not tempted by easy ways of earning (enrolling in the militia or taking part in rebellions, trafficking in or consuming drugs, prostitution etc.).

PLAN OF ACTION

| Context and problem | Actions | Strategies | Actors | Resources |
|---|---|------------------------|---|------------------|
| Electoral system, codes of conduct and laws Low opposition involvement in decision-making in parliament Poor civic responsibility | Undertake legal and electoral reforms Improve the participation of political parties and encourage a greater involvement of the population in the electoral process and in governance Undertake parliamentary reforms, give members of parliament the power to make decisions, promote capacity-building Promote education among the population in order to increase civic awareness | Multisectoral approach | Electoral commissions, regional administration ministry, executive and judicial powers, international organizations, political parties, civil society organizations National assemblies, opposition deputies, executive power Civil society, civic education centres, citizens, international organizations, political parties and national education | |
| Low involvement of civil society in promoting good governance | Take a census of civil society organizations to create a database and undertake capacity-building of civil society organizations | | Civil society, private sector, development partners, international organizations, political parties | |
| Impunity, corruption and arbitrary nature of civil servant recruitment and appointments | Capacity-building of recruiters Improve the purchasing power of civil servants | | Executive power, civil society, supervisory institutions and authorities | |

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|--|--|--|---|--|
| Corruption, inadequate training of members of parliament | Capacity-building of members of parliament | | National assemblies, international organizations, political parties, civil society organizations, executive power | |
| Corruption, judicial slowness, lack of moral integrity, inadequate knowledge of the law on the part of populations | Capacity-building of populations in the areas of basic law and civic responsibility | | Executive and judicial powers, international organizations, civil society, supervisory institutions and authorities | |
| Limited institutional and human capacities of local communities | Institutional and human capacity-building of local communities | | Executive power, local communities, civil society, international organizations | |
| Bad economic management and lack of accountability and transparency | Managerial capacity-building of entrepreneurs, especially those in the informal sector | | Executive and judicial powers, local communities, regional institutions, civil society, private sector | |
| Low participation of women in management of public affairs | Promote the gender aspect at all socio-economic levels and allow women access to all positions of responsibility and decision-making | | Executive power, civil society, international organizations and women's organizations | |

| | | | | |
|---|---|--|---|--|
| <p>Limited media capacity and lack of free access to public service media</p> | <p>Strengthen laws governing freedom of the press and of expression; and capacity-building of media employees with regard to the code of practice of the press and the communications industry</p> | | <p>Media employees, civilian population, States</p> | |
| <p>Limited integration of traditional governance in the modern system of governance</p> | <p>Capacity-building of traditional rulers in the area of modern governance and encourage traditional rulers to become more involved in decision-making involving their populations</p> | | <p>Traditional rulers, executive power, civil society, legislative power, subregional international organizations</p> | |
| <p>HIV/AIDS epidemic, malaria and other epidemic illnesses</p> | <p>Fight AIDS and other illnesses by setting up awareness and research programmes Hold meetings with medicine producers to obtain prices within the reach of African pockets; Encourage African researchers to invest more in researching medicine using local medicinal plants</p> | | | |

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|--|--|--|--|--|
| <p>Low youth involvement in the good governance process Several conflicts that destabilize the region</p> <p>Compliance of national policies with regional economic integration agreements</p> | <p>Organization and capacity-building of youth in the area of good governance</p> <p>Carry out an opening-up of a democratic political system and share revenues</p> <p>Establish a culture of integration, organize meetings or conferences advocating economic integration</p> | | <p>Civil society, education system</p> <p>Regional institutions, executive power, international organizations</p> <p>Executive power, international organizations, civil society, private sector, legislative power, community organizations</p> | |
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