

# **ST. MARY'S UNIVERSITY COLLEGE**

## **FACULTY OF LAW**

**LL. B THESIS**



**CRITICAL EVALUATION OF THE POWER  
AND RESPONSIBILITY OF NEPAD IN LIGHT  
OF ITS PROGRESS IN AFRICA**

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**ADDIS ABABA, ETHIOPA**

**JULY, 2008**

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**Submitted in partial fulfillment of the requirements  
for the Bachelors Degree of Law ( LL. B) at the  
Faculty of Law, St. Mary's University College**

**ADDIS ABABA, ETHIOPIA**

**JULY 2008**

**I hereby declare that this paper is my original work and I take full responsibility for any failure to observe the conventional rules of citation.**

**Name:.....**

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## **ACKNOWLEDGEMENT**

Thanks to God

Throughout the work with this study I have been privileged to have access to many people whom I could consult, be encouraged by and obtain information from. I, am highly indebted to my advisor **Elise G. Nalbandian** for she valuable scholarly comments and suggestions on the outline and final draft of this paper I thanks Above all. She asked me the right questions to make this study accessible also for materials. I would like to appreciate she is friendly approach and encouragement to write the paper flexibly.

Words fail me to express my deepest gratitude and love to my mother **Amerch Bekle** and, my father **Mekonnen Guta** helps are the ground work for my present success.

I would also like to express my gratitude to **Ato Iskinder** and other staff member of African Union (AU) Library, for providing me with facilities and including me in their research Environment. And my friends specially **Abdurazak Reshd, Fiker Getchw, Gezhage Abera, Samson Wondoson** and **Mesele Taye** has given me prompt and clear feedback on my drafts all the way.

I owe many thanks to several people how are helping me facilitating materials and supporting by morals. Among them are **Dr.Takle Soboke, Bekle Tefru, Etich Urgesa and his wife Tigest Tadese, Saba Endriys, Tarku Mengstu**, who all took the time to discuss a range of issues with me and helped me with materials during my writing time.

Finally, I would like to express gratitude to my family and **all the people** who were have given substantial help for my education to have this end result.

## **ABBREVIATIONS AND ACRONYMS**

**AAP:** Africa Action Plan

**ACHPR:** African Charter on Human and Peoples' Rights

**ACRWC:** African Charter on the Rights and Welfare of Child

**AEC:** African Economic Community

**AfDB:** African Development Bank

**AGOA:** African Growth and Opportunity Act

**APF:** African Partnership Forum

**APR** African Peer Review

**APRM:** African Peer Review Mechanism

**AU:** African Union

**CAADP:** Comprehensive Africa Agriculture Development Programme

**CERD:** Convention on the Elimination of All Forms of Racial Discrimination

**CSO** Civil Society Organization

**COMESA:** Common Market for Eastern and Southern Africa

**CRC:** Convention on the Rights of the child

**CSSDCA:** Conference on Security, Stability, Development and Cooperation in Africa

**DRD:** Declaration on the right to Development

**EAC:** East African Community

**ECA:** United Nations Economic Commission for Africa

**ECCAS:** Economic Community of Central African States

**ECOSOCC:** Economic, Social and Cultural Council (African Union)

**ECOWAS:** Economic Community Of West African States

**EISA** Electoral Institute of Southern Africa (based in South Africa)

**EU:** European Union

**FAO:** United Nations Food and Agriculture Organization

**FDI:** Foreign Direct Investment

**G8:** Group of most industrialized countries

**HIPC:** Heavily Indebted Poor Countries

**HIV/AIDS:** Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome

**ICCPR:** International Covenant on Civil and Political Rights

**ICESCR:** International Covenant on Economic, Social and Cultural Rights

**ICT:** Information and Communications Technologies

**IGAD:** Inter-Governmental Authority on Development

**ISS** Institute of Security Studies

**IMF:** International Monetary Fund

**MAP:** Millennium Africa Recovery Plan

**MDGs:** Millennium Development Goals

**MOU:** Memorandum of Understanding

**NAI:** New African Initiative

**NEPAD:** New Partnership for Africa's Development

**OAU:** Organization of African Unity

**ODA:** Official Development Assistance

**OECD:** Organization for Economic Co-operation and Development

**PSC:** Peace and Security Council (of the African Union)

**REC:** Regional Economic Community

**SADC:** Southern African Development Community

**SARPN** Southern African Regional Poverty Network

**STAP:** Infrastructure Short Term Action Plan

**UDHR:** Universal Declaration of Human Rights

**UEMOA:** West African Economic and Monetary Union

**UN:** United Nations

**UNDP:** United Nations Development Programme

**UNESCO:** United Nations Educational, Scientific and Cultural

**UNHCR:** United Nations High Commissioner for Refugees

**WFP:** World Food Programme

**WHO:** World Health Organization

**WTO:** World Trade Organization







## INTRODUCTION

The New Partnership for Africa's Development (NEPAD) has been hailed as perhaps the oldest new initiative in recent times on the appropriate path which the African continent should be tacking towards its long-term development.<sup>1</sup> NEPAD is in the process of its development, has been called by different names at different times. The New Partnership for Africa Development is product of the continued search by African people and its leaders to create pan-African structures that can lead to the social and economic transformation of the continent in a rapidly "globalizing world", it appears to offer a new basis for some hope that Africa may yet be able to rediscover the path to sustainable development .

NEPAD is an ambitions, long term project aimed at overcoming these tremendous obstacles by eradicating the continents poverty and continued marginalization from the global economy. What is involved here is a new partnership, and the objective of the partnership is the development of Africa. The focus is on partnership, between Africa and the reset of the world with the objective of Africa's development. For over a decade now, the term partnership has been used to describe the relationship between African and the donor countries.<sup>2</sup> NEPAD is different from that partnership because what we have in mind now is establishing a new partnership for African development by African counters and governments.

The African countries and governments have a direct stake and interest in the development of Africa. The primary actors and beneficiary of Africa's development can only be Africans themselves. What might not be so clear is what the interest of the rest of the world, and the most particularly those of the developed world are in Africa's development.<sup>3</sup>

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<sup>1</sup>Adebayo O. Olukoshi : Occasional paper Center of African Studies University of Copenhagen(2002)

<sup>2</sup>By PM.MELES ZENAWI and PROF.KINFE ABRAHAM : Occasional policy papers-19 NEPAD on the concept, implementation, partnership and integration of NEPAD. Available at<<http://w.w.w addis-eiipd.org/index.htm>>( visited on 12-02-08)

<sup>3</sup>Ibid.



NEPAD document named as New Partnership for Africa's Development, was adopted at the 37<sup>th</sup> session of the assembly of heads of state and government in July 2001 in Lusaka, Zambia .NEPAD has met with opposition from many African NGO's who see it as a tool for strengthening western plans of an "African renaissance" developed by President Tabo Mbeki of South African, Olusegu Obasanjo of Nigeria, Abdelaziz Bouteflika of Algeria, and Abdoulaye Wade of Senegal, as well as the United Nation Economic Commission for African [UNECA] .

NEPAD provides a framework for Africa's economic regeneration. It suggests that both economic good governance and political good governance are central to Africa's economic regeneration. It outlines the basic parameters of good economic and political governance and requires each African country to design its policies and structures accordingly. It recognizes that while the critical task of improving the prospects of growth in Africa has to do with implementing the principles and frameworks of NEPAD in each country; it also suggests that regional economic integration has to be an essential part of the solution .It outlines a realistic framework for such economic integration.

The sixty three page NEPAD document is primarily focused on economic concerning such as on bridging the infrastructure gap and the digital divide; on agriculture, science and technology, Capital flows; and market access. Its stated aim is to get Africa out of poverty by achieving the 7 % growth rate set by the United Nation Millennium Development Goals [MDG'S] which it has been estimated as providing additional US \$ 64 billion a year investment, or 12 % African's GDP will be needed. In order to achieve this goal, NEPAD emphasizes both the responsibility of Africa and the concept of "mutual accountability" so that those who trade with or give aid to Africa have their own responsibilities in return.<sup>4</sup>

NEPAD as development strategy is that it explicitly recognizes that; "peace, security, democracy, good governance, human rights and sound economics management are conditions for sustainable development accordingly democracy and good governance ref

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<sup>4</sup> Bronwen Manby: The African Union, NEPAD, and Human Rights: the missing agenda. Page 988-989



from the second point on an eight–Point agenda, by which“ African leaders will take joint responsibilities fore promoting and protecting democracy and human right in there respective countries and regions, by developing clear standards of accountability, transparency and participatory governance at the national and sub national levels.<sup>5</sup>

NEPAD emphasises African ownership and management, setting an agenda for the renewal of the continent. The agenda is based on national and regional priorities are development plan that must by participatory. By it, African leaders pledge to promote peace and stability. Democracy, and to hold each other accountable, bearing in mind that these factors are conditions for sustainable development. <sup>6</sup>

In pursuit of peace and security objectives, the NEPAD sets out inter alias, to promote long term conditions for development and security and to build the capacity of African institutions for early warning and the enhancement of their capacity to prevent, manage and resolve conflicts. In particular, African leaders have pledged themselves to take joint responsibility for strengthen mechanism for conflict prevention management and resolution at the regional and continental levels, and to ensure that these mechanisms are used to restore and maintain peace. They have also agreed to build the capacity of states in Africa to set and enforce the legal framework and to ensure that these mechanisms used to restore and maintain peace. They have also agreed to build the capacity of the states in Africa to set and enforce the legal framework and to maintain law and order.<sup>7</sup> The writer hopes that by so doing, the paper will shade some light on NEPAD and APRM.

APRM is an instrument voluntary acceded to by member states of the African Union as a self–mentioning mechanism for African states. Its main purposes is to foster the adoption of policies, standards and practices that lead to human security and political stability, high economic growth, sustainable development and accelerated sub regional and

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<sup>5</sup>Ibid, page. 989

<sup>6</sup>Nsongurua j. Udombana :The unfinished business: conflicts, the African union and the new partnership for Africa’s development.. Page 71-72

<sup>7</sup> Ibid page 72



continental economic integration, in line with the mutually agreed objectives contained in the NEPAD.<sup>8</sup> The Memorandum of Understanding (MOU) on the APRM in March 2003 came on the heels of the adoption by the African Heads of State and Government of NEPAD as its leading.

In general, this study consists of four chapters. The first chapter is introductory of NEPAD. This chapter deals with initiatives which are background to NEPAD. In the next chapter, it deals with principles and objectives of NEPAD and it discusses the intended outcomes of NEPAD, priority areas of NEPAD, organizational structure of NEPAD, and its implemented partners and the integrations of NEPAD and AU explain briefly. Chapter three deals with conceptualization of the core notions of the study and this chapter explains the power and responsibility of NEPAD and then to see the mandate of APRM, purpose of the APRM, process of APRM and critical evaluation of NEPAD will follow. The last chapter contains conclusion and recommendation.

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<sup>8</sup> The African Peer Review Mechanism (APRM) Base document (2002) Available online at :- <http://www.nepad.org/2005/files/documents/49.pdf> visited on 12-02-08



## CHAPTER ONE

### GENERAL OVERVIEW OF NEPAD

#### **1.1 HISTORICAL CONTEXT OF NEPAD**

The issue of African economic integration is not new. It came up at the dawn of independence of most of the African nations in the Twentieth Century as a demonstration of the willingness of African Leaders to stem the adverse effects of Africa's balkanization. It was the political and economic reactions to these adverse effects that triggered the establishment of a large number of intergovernmental agencies operating in the field of integration, to enable African countries to speak with one voice and to ease the constraints linked to the limited size of national markets. This rapid increase in the number of integration based institutions reached its peak, first in the 1980s, the Lagos Plan of Action and Final Act of Lagos, then in the 1990s and in the year 2000 with the adoption of the Abuja Treaty establishing the Regional Economic Communities and the Constitutive Act establishing the African Union, respectively.

The success of the process of integration is essential for Africa because only the Virtues of integration, in economic and political terms, offer the assets necessary to take up the challenges of globalization and to obtain credible capacity of negotiation in international debates.<sup>9</sup>

The first section reviews the initiatives and results achieved in the 1970s and 1980s that is the Monrovia Symposium Preparatory Meetings, the Lagos Plan of Action (LPA), the Final Act of Lagos (FAL), and the Abuja Treaty. The second section concentrates on the initiatives taken in the 1990s and beyond, particularly the Sirte Declaration, the Constitutive Act of the African Union, and the New Partnership for Africa's

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<sup>9</sup> by *Rene n'guettia kouassi*: The itinerary of the African integration process: an overview of the historical landmarks



Development (NEPAD).<sup>10</sup> All these elements are likely to make known the course achieved by Africa to carry out its economic and political integration, and to better apprehend the contemporary stakes and constraints of the African Union in order draw the line of the way forward. Then at third section I was write the performance of post-colonial Africa.

### **I.1.1 INITIATIVES OF THE 1970S AND 1980S**

The disappointing results of the development strategies of In the early decades of independence led to the many brainstorming sessions devoted to liberating the Continent from the constraints that was likely to lead to stalemate and paralysis due to powers.<sup>11</sup>

The Monrovia Conference (1979) that preceded the adoption of the Lagos Plan of Action and the Final Act of Lagos (1980) are edifying examples. It is also to be recalled that the Lagos Plan of Action and Final Act of Lagos in turn generated the Abuja Treaty (1991) establishing the African Economic Community which entered into force in 1994.

#### **1.1.1.1 THE MONROVIA SYMPOSIUM; PREPARATORY MEETINGS AND RESULTS ACHIEVED**

The conference held in Monrovia, Liberia, in the February 1979 was the outcome of several meetings organized by the African leaders on the continent's economic independence. During these meetings, it was noted with regret that if Africa should permanently rid itself of poverty and misery, it must rely on itself alone. Thus, there was the Addis Ababa Declaration of 1973, proclaimed at the commemoration of the Tenth Anniversary of the Organization of African Unity (OAU). The declaration focuses mainly on the inability of the international community to create the favorable conditions for Africa's development .<sup>12</sup>

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<sup>10</sup> Ibid

<sup>11</sup> Ibid

<sup>12</sup> OAU Archives, successive years. African Integration Review Volume 1, No. 2, July 2007



It recommended introverted, endogenous and self-supporting growth for the continent.<sup>13</sup> This propensity for autonomy and for enhanced economic and technical cooperation among African countries had the strong support of the Third Economic Commission for Africa (ECA) African Ministers' Conference held in Nairobi, Kenya, in 1975.<sup>14</sup> Then, there was the Eleventh Extraordinary Session of the OAU Council of Ministers, held in Kinshasa, DRC, in December 1976. The eleventh session gave rise to the Kinshasa Declaration which recommended the free ownership and control of natural resources by ensuring permanent sovereignty of African countries, the establishment of multinational companies, the establishment of the African common market, the African Energy Commission, and the African Economic Community within a period of 15 to 20 years.<sup>15</sup>

By the same token, the Fourth ECA Ministers Conference held in Kinshasa, in February-March 1977, adopted "the Revised Master Plan for a new international economic order in Africa". The fourth conference further the concept of individual autonomy and collective self-reliance of Africa.<sup>16</sup>

Finally, the OAU Summit held in Libreville, Gabon, in July 1977, adopted the recommendations contained in the "Kinshasa Declaration" and in the "Revised Master Plan". With a view to breaking with the old order and indigenizing the direction of Africa's economic development, the African leaders, at the request of the OAU General Secretariat, met in Monrovia in February 1979.<sup>17</sup> This symposium, whose objective was to redefine the true basis for Africa's growth and development, had as its general theme "prospects for Africa's development and growth by the year 2000."<sup>18</sup>

The conclusions of the above seminar recommended self-sustained and self-supporting Development and democratizations of development. They were later reviewed by the Fifth Meeting of the ECA African Ministers' Conference held in Rabat from 20–28

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<sup>13</sup> Ibid

<sup>14</sup> Ibid

<sup>15</sup> *African Integration Review Volume 1, No. 2, July 2007*

<sup>16</sup> Ibid

<sup>17</sup> Ibid

<sup>18</sup> Ibid





March 1979. The conference took a major decision to devise “the African development Strategy.”<sup>19</sup> The strategy was, in turn, submitted to the OAU Summit held in Monrovia in July 1979. The Summit finally adopted the Monrovia strategy which is encapsulated as “The Monrovia Declaration of Commitment by the OAU Heads of State and Government to the guiding principles to be followed and to measures to be taken in favour of national and Collective self-sufficiency in economic and social development, with a view establishing a new Economic Order in Africa.” In addition, the summit decided to hold an extraordinary Assembly of Heads of State and Government, in April 1980, in Lagos, devoted exclusively to economic issues. The extraordinary session subsequently took place in Lagos from 28 to 29 April, 1980. It approved the Plan of Action previously prepared by the sixth meeting of the ECA Ministers’ Conference held in April 1980. It finally adopted in its final declaration the Lagos Plan of Action and Final Act of Lagos (LPA and FAL) with a view to implementing the Monrovia strategy for the economic development of Africa. Both texts highlight the principles, objectives, stages, measures and priorities for achieving individual autonomy and collective self-sufficiency as well as establishing the African Economic Community, while authorizing the OAU to prepare a draft treaty relating to it.<sup>20</sup>

In conclusion, the initiatives of the early 1970s and 1980s, leading to the adoption of the LPA and the FAL demonstrated Africa’s willingness to take charge of its economic and political destiny by exercising its full autonomy over the choice of policies or strategies for its growth and development.

#### **1.1.1.2. THE LAGOS PLAN OF ACTION AND FINAL ACT OF LAGOS**

The cooperation framework envisaged by the Lagos Plan of Action was clearly defined by the OAU Heads of State and Government when they reaffirmed their “Commitment to establish by the year 2000, on the basis of a treaty to be concluded, an African Economic Community in order to ensure the economic, cultural and social integration of Africa”.<sup>21</sup>

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<sup>19</sup> Ibid

<sup>20</sup> Lagos Plan of Action, 1990 African Integration Review Volume 1, No. 2, July 2007

<sup>21</sup> Super note 9



With the LPA and the FAL, Africa adopted a development. The tendency to break with the old order, reached its climax with the international seminar held in Addis Ababa in March 1979 whose main theme was “different development patterns and life styles in the strategy to break with the old pattern, the pressing need to establish the New International Economic Order (NIEO) in Africa and the necessity for Africa to have its own strategy”.<sup>22</sup>

This was based on the principle of individual autonomy and collective self-sufficiency. Indeed, collective autonomy, which characterized the LPA, places emphasis on endogenous, self-centered and self-supporting development, rejection of exogenous lifestyles and dependence as well as a resolute fight against neo-colonialism, by cultivating “the image of self-sufficiency, declaring economic war against the interest of the North, reducing the current extreme dependence of our countries on the export of primary commodities and internalizing the factors and means of production.” In other words, autonomy or self-sufficiency basically means<sup>23</sup>:

- ❖ Intensification of sub regional and regional cooperation through concrete actions in priority and complementary areas, so as to create large quantities of capital and consumer goods to meet local needs;
- ❖ To internalize i.e. render endogenous, goods, factors and means of production by relying on continental, regional and sub regional forces;
- ❖ To promote economic and technical cooperation with developing countries first, before promoting international cooperation and, at any rate, gradually getting rid of the integration modeled on international economic systems or Internationalization and trans-nationalization of regional economies;
- ❖ To abolish or even restructure international division of labour in order to reduce the effects of unequal trade and intolerable disparities; to establish a new international division of labour with the industrialized countries and adopt a regional and international division of labour in line with comparative advantages

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<sup>22</sup> Ibid

<sup>23</sup> Ibid



- in terms of cost and actual endowment in natural, human and energy resources of entities in the region;
- ❖ To design new patterns of trade, including barter, among states in the region, capable of strengthening intra-regional cooperation particularly intra-regional trade;
  - ❖ To strengthen the existing solidarity and cooperation between institutions and create other necessary regional and sub regional institutions with a view to the implementation of the regional strategy;
  - ❖ To establish and strengthen regional organizations of raw materials producing and exporting developing countries with a view to setting up a consortium of producers in the face of the primary commodities consuming industrialized countries i.e. a strong unionization of developing countries in the face of the industrial countries which fix the prices of raw materials;
  - ❖ To set up, as far as possible, an economic liberalization committee, if the need arises, defends the collective self-sufficiency strategy and national autonomy.

In adopting the Final Act of Lagos, the Heads of State and Government present in Lagos, first of all, clarified the objectives, which are summarised as follows in the Lagos plan action<sup>24</sup>:

- i. To promote collective, accelerated, endogenous and self-supporting development of member states;
- ii. To promote cooperation among African countries and integration in all economic, social and cultural fields.

Within the framework of the implementation of the programme, the stages and modalities of its short, medium and long-term implementation, in the light of the priorities set, are outlined as follows<sup>25</sup>:

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<sup>24</sup> Ibid

<sup>25</sup> Ibid



- In the short term (1980-1985), to provide for the implementation of immediate actions, particularly the preparation and development of the Draft Treaty establishing the African Economic Community; creation of necessary national and sub regional institutions; strengthening of existing ones in the spirit of the Lagos Plan of Action, creation of institutional frameworks for vertical and horizontal coordination, drawing up of an operational work programme, mobilization of the necessary financial and human resources, awareness building campaign among African people through seminars and symposia and dissemination of the LPA.
- In the medium term, (1980 - 1990) to explore the possibility of strengthening the existing Economic Communities and creating others where they do not exist, so as to cover the five regions of the OAU; effective strengthening of sectoral integration in priority areas such as agriculture and food, transport and communication, industry, energy etc; promotion of coordination and harmonization of activities and programmes of the existing and future Economic Communities with a view to the gradual establishment of an African Common Market, as a prelude to the establishment of the African Economic Community.
- In the long-term corresponding to the period 1980 – 2000, it was proposed to establish the African Economic Community through greater sectoral integration and the harmonization of development strategies policies and plans of member states.

On the basis of these guidelines, we the Heads of State and Government meeting in Lagos at the 2<sup>nd</sup> extraordinary session devoted to Africa's economic problems, decided to adopt the following plan of action as well as the final act of Lagos. In so doing, we are conscious of the tremendous effort which will be required of us, individually and collectively, to attain the goals we have set for ourselves in these documents.

It is therefore against this background that the African Economic Community, whose establishment is provided for in the draft Treaty, submitted for signature by the Heads of State and Government should be seen.



### 1.1.1.3. THE ABUJA TREATY ESTABLISHING THE AFRICAN ECONOMIC COMMUNITY (AEC)

A new chapter in the history of African integration opened in Abuja, Nigeria, on the 3<sup>rd</sup> of June 1991. Indeed, 49 out of 51 states signed the Treaty establishing the African Economic Community. This firmly committed the continent along the path of economic integration and collective development. The Treaty entered into force on 12 May, 1994.

The establishment of the Community was based on a number of key integrating sectors such as transport and communication, industry, agriculture, energy, education, science and technology, trade, money and finance. A deadline of 30 to 39 years, broken down into six stages, was set for achieving the continent's economic integration objectives. According to the official texts, should this deadline be extended, it should not exceed 40 years. During that period, five years would be set aside for the regional economic communities, pillars of the great Community pyramid. The Abuja Treaty, through its objectives, structures and content, constituted a historic opportunity for African countries to promote their economic activities. This Treaty was seen as a new gamble on the future of Africa, as a whole and particularly its economic and political future.<sup>26</sup>

The AEC has today forms the economic wing of the African Union and relies on the pillars that symbolize the following regional economic communities (RECs)<sup>27</sup>:

- i. Economic Community of West African States (ECOWAS);
- ii. The Common Market of East and Southern Africa (COMESA)
- iii. The Communauté économique des Etats de L'Afrique Centrale (CEEAC);
- iv. The Arab Maghreb Union (AMU);
- v. The Intergovernmental Authority for Development (IGAD);
- vi. The Southern Africa Development Community (SADC);
- vii. The Communauté des Etats Sahelo-Sahariens (CEN-SAD); and
- viii. The East African Community (EAC).

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<sup>26</sup> African Integration Review Volume 1, No. 2, July 2007

<sup>27</sup> Ibid



The Treaty basically aims to achieve the following objectives<sup>28</sup>:

- i. To promote economic, social and cultural development as well as African economic integration with a view to increasing economic self-sufficiency and promoting endogenous and self-supporting development;
- ii. To create a continent-wide framework for development, mobilization and utilization of Africa's human and material resources, with a view to self Sufficient development;
- iii. To promote cooperation and development in all spheres of human activity with a view to raising the living standards of the African people, maintaining and promoting economic stability, establishing close and peaceful relations among member states and contributing to ensuring the continent's progress, development and economic integration; and
- iv. To coordinate and harmonize policies among the existing and future economic communities, with a view to the gradual establishment of the Community.

The establishment of the African Community and therefore its modalities are to be carried out mainly by means of coordination, harmonization and gradual integration of the activities of the Regional Economic Communities. It is to take place over a period 34 years, subdivided into six stages of variable duration. It is to be noted, however, that these stages are not linear. The implementation of the programmes they involve can be carried out in a rather parallel manner, proposed as follows<sup>29</sup>:

- First stage (5 years): Strengthening of existing regional economic communities and creation of new communities where necessary;
- Second stage (8 years): Stabilization of tariffs, customs duty and other barriers to intra-community trade; strengthening of sectoral integration, coordination harmonization of the activities of the regional economic communities, and gradual harmonization of customs duty for third countries:

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<sup>28</sup> For more information's on the strategies, The Abuja Treaty, 1981

<sup>29</sup> Ibid



- Third stage (10 years): Establishment of a free trade area within each regional economic community through the removal of trade barriers, the establishment of customs union and the adoption of a common external tariff;
- Fourth stage (2 years): Establishment of an African Customs Union, with a single external tariff through harmonization of regional tariff and non-tariff systems;
- Fifth stage (4 years): Establishment of an African Common Market through the consolidation of the structure of the common market; the establishment of an African Monetary Union and an African Central Bank, the creation of a Single African Currency as well as the establishment of a Pan-African Parliament elected by universal suffrage; and
- Sixth stage (5 years): Consolidation of the African Common Market through the free movement of people, goods, capital and services; the integration of the economic, political, social and cultural sectors; the establishment of a single internal market as well as a Pan-African economic and monetary union; the completion of an African Monetary Fund; the establishment of an African Central Bank; the creation of an African Currency and completion of the Pan-African Parliament with the election of its members by universal suffrage at the continental level.

The OAU option for the African economic integration process, incorporating the AEC, confirms the idea that integration can be carried out in several ways.<sup>30</sup> The reading of the objectives and implementation modalities of the African economic integration shows that in the long run, the OAU intended to establish economic and monetary union. As the international economic relations are undergoing total transformation, the economic challenges facing Africa have increased and are mainly structured around the following issues: development financing, repayment of a heavy external debt, regional and continental integration, industrialization and economic and political governance. Addressing these matters calls for ways and means beyond the reach of the organization of African Unity established in 1963.

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<sup>30</sup> Super note27



Total adjustment is therefore necessary for the continental organization to enable Africa to find effective and lasting solutions to these challenges. Out of these concerns, shared by the common consensus of almost all the African leaders, the African Union was born. Two major pioneering texts led to its birth, namely: the Sirte Declaration 2001 and the Constitutive Act of the AU.<sup>31</sup> In addition, to enable the new continental organization to achieve the major objectives assigned to it, the African Heads of State and Government adopted the New Economic Partnership for Africa's Development (NEPAD) Programme. This African Union Programme, designed by Africans for Africans is intended to provide Africa with the opportunity to extricate itself once and for all, from the scourge of underdevelopment.<sup>32</sup>

### 1.1.2 INITIATIVES TAKEN IN THE 1990S AND BEYOND

In the late 1980s, African countries faced with several challenges, adopted, against their will, the structural adjustment programmed of the Bretton Woods Institutions in order to carry out far-reaching reform of their economies and adapt them to the global economy.

However, these initiatives were marked with two major challenges.

First, Africa is weighed down by heavy external debt burden on which the numerous initiatives taken to promote Africa's economic and political integration have so far only had limited impact.

Second, the Continent is weakened in a world dominated by the setting up of major economic entities. The quest for efficient and lasting solutions to these major challenges gave rise to the Sirte Declaration in 1999, which in turn, led to the establishment of the AU in July 2001, at the Lusaka Summit, through its founding text, the Constitutive Act. It is worth emphasizing that in establishing the African Union, the Heads of State and

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<sup>31</sup> OAU, Sirte Declaration, 1999. available at [http://www.au2002.gov.za/docs/key\\_oau/sirte.pdf](http://www.au2002.gov.za/docs/key_oau/sirte.pdf). visited on 2-01-08

<sup>32</sup> By *Rene n'guettia kouass*: **The itinerary of the African integration process: an overview of the historical landmarks** *African Integration Review Volume 1, No. 2, July 2007*





Government unanimously agreed to provide the new institution with a Development programmed called New Economic Partnership for African Development (NEPAD).<sup>33</sup>

#### 1.1.2.1. THE SIRTE DECLARATION

In accordance with the Decision of the Thirty-Fifth Ordinary Session of the AU Summit held in Algiers, Algeria, from 12 to 14 July 1999, the Heads of State and Government, at the invitation of the Leader of the El Fatah Revolution, Colonel Muamar Ghadafi, held the Fourth Extraordinary Session of their Assembly in Sirte, in the Great Popular and Socialist Libyan Arab Jamahiriya from 8 to 9 September 1999. Thus, deeply inspired by the ideals of the founding fathers of the Organization of African Unity (OAU), the Heads of State and Government adopted the Sirte Declaration on 9 September 1999, which involved the following Decisions<sup>34</sup>:

- I. to establish an African Union, in accordance with the basic objectives of the Charter of our continental Organization and with the provisions of the Treaty establishing the African Economic Community;
- II. to accelerate the implementation process of the Treaty establishing the African Economic Community, in particular:
  - A. to shorten the timetable for the implementation of the Abuja Treaty;
  - B. to ensure the rapid establishment of all the institutions provided for in the Abuja Treaty, such as the African Central Bank, the African Monetary Union, the Court of Justice and, in particular, the Pan-African Parliament by the year 2000, in order to give a common platform to our people and their community organizations, with a view to ensuring their fullest participation in discussions and decision-making on problems and challenges facing our Continent; and

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<sup>33</sup> By *Rene n'guettia kouassi* The itinerary of the African integration process: an overview of the historical landmarks, *African Integration Review Volume 1, No. 2, July 2007*

<sup>34</sup> OAU, Sirte Declaration, 1999. available at [http://www.au2002.gov.za/docs/key\\_oau/sirte.pdf](http://www.au2002.gov.za/docs/key_oau/sirte.pdf). visited on 2-01-08



- C. to strengthen and consolidate the regional economic communities which form the pillars for achieving the objectives of the African Economic Community and the proposed Union.
- III. To mandate the Council of Ministers to take the necessary measures to ensure the implementation of the above-mentioned Decisions and, in particular, to draw up the Constitutive Act of the Union, taking into consideration the OAU Charter and the Treaty establishing the African Economic Community. Member States must encourage the participation of parliamentarians in this process. The Council had presented its report to the Thirty-sixth Ordinary Session of the Assembly, to enable it to take the appropriate decisions. Member States had to do everything possible to ensure that the ratification process is brought to a successful end before December 2000, to enable the Constitutive Act to be solemnly adopted in the year 2001 during the Extraordinary Summit to be held in Sirte.
- IV. To mandate the then current Chairperson President Abdelaziz Bouteflika of Algeria and President Thabo Mbeki of South Africa to contact as a matter of urgency, Africa's creditors with a view to securing the total cancellation of Africa's debt; efforts were to be coordinated with those of the OAU Contact Group<sup>1</sup> on Africa's external debt.
- V. To convene, as soon as possible, an African Ministerial Conference on security, stability, development and cooperation on the Continent.

A concrete manifestation of the implementation of the Sirte Declaration was the preparation and adoption of the founding texts of the African Union known as the Constitutive Act of the African Union.

### 1.1.2.2. THE CONSTITUTIVE ACT

The Constitutive Act of the African Union entered into force on 26 May 2001 after its ratification by more than two thirds of the Member States of the Organization of African Unity (OAU).<sup>35</sup> Main objectives of the Act: These objectives<sup>36</sup> are:

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<sup>35</sup> By *Rene n'guettia kouassi* :**The itinerary of the African integration process: an overview of the historical landmarks**, *African Integration Review Volume 1, No. 2, July 2007*



- I. to achieve greater unity and solidarity among African countries and among the African peoples;
- II. to defend the sovereignty, territorial integrity and independence of Member States; to accelerate the political and socio-economic integration of the Continent;
- III. to promote and defend the common African position on issues of interest to the Continent and its peoples;
- IV. to promote international cooperation, taking duly into account the Charter of the United Nations and the Universal Declaration of Human Rights;
- V. to promote peace, security and stability on the Continent;
- VI. to promote democratic principles and institutions, popular participation and good governance;
- VII. to create appropriate conditions enabling the continent to play its role in the global economy and in international negotiations;
- VIII. to promote sustainable development in the economic, social and cultural fields as well as the integration of the African economies;
- IX. to promote and protect human and peoples' rights, in accordance with the African Charter on Human and Peoples' Rights and with other relevant instruments on human rights;
- X. to promote cooperation and development at all levels of human activity with a view to raising the standard of living of the African peoples;
- XI. to coordinate and harmonize policies among the existing and future regional economic communities, with a view to the gradual attainment of the objectives of the Union;
- XII. to accelerate the development of the Continent through the promotion of research in all fields, in particular in science and technology; and
- XIII. to work in concert with the relevant international partners with a view to the eradication of avoidable diseases and the promotion of health on the Continent.

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<sup>36</sup> Constitutive Act of the African Union, *African Integration Review Volume 1, No. 2, July 2007*



*Principles of the Union*<sup>37</sup> :These principles are structured around the following elements:

- i) sovereign equality and interdependence among Member States of the Union;
- ii) respect of borders existing on achievement of independence;
- iii) participation of the African peoples in the activities of the Union;
- iv) establishment of a common defense policy for the African Continent;
- v) peaceful resolution of conflicts among Member States of the Union through such appropriate means as may be decided upon by the Assembly
- vi) prohibition of the use of force or threat to use force among Member States of the Union;
- vii) non-interference by any Member State in the internal affairs of another ;
- viii) the right of the Union to intervene in a Member State pursuant to a decision of the Assembly, in respect of grave circumstances, namely: war-crimes, genocide and crimes against humanity;
- ix) peaceful coexistence of the Member States and their right to live in peace and harmony;
- x) the right of Member States to request intervention from the Union in order to restore peace and security;
- xi) promotion of self reliance within the framework of the Union;
- xii) promotion of gender equality;
- xiii) respect for democratic principles, human rights, the rule of law and good governance;
- xiv) Promotion of social justice to ensure balanced economic development;
- xv) respect for the sanctity of human life , condemnation and rejection of impunity, political assassination, acts of terrorism and subversive activities; and
- xvi) Condemnation and rejection of unconstitutional changes of government.

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<sup>37</sup> Constitutive Act of the African Union



### Differences between the AU, and the OAU

From 13 to 14 October 2001, at the initiative of Mr. Essy Amara<sup>38</sup>, Secretary-General responsible for ensuring the transition from the OAU to the African Union, a brainstorming session was organized at the OAU headquarters to consider the nature of the future Union to enable the OAU General Secretariat to have a common Vision of the situation in order to be able to prepare the texts that are to govern its main organs and determine the competencies.<sup>39</sup> . During this brainstorming session, the following observations were made to explain the reasons that prevailed at the advent of the AU thus highlighting the difference between the OAU and the AU.<sup>40</sup>

#### ➤ **The Constitutive Act Socio-Economic Context**

Since the early 1980s, Africa has had economic and social difficulties of extreme gravity. At the economic level, there was a sharp decline in its sources of external financing, explained by a slow down or stagnation in the flow of official development assistance, a drop in its share of foreign direct investments and a significant growth in its external debt due mainly to the privatization of international development financing.<sup>41</sup> Similarly the structural adjustment programmes (SAPs) which the Bretton Woods institutions imposed on Africa in diverse forms have failed to put the African economies, which have remained precarious over the years, back on their feet, thus relegating many of the African peoples to a blind alley of poverty and misery.<sup>42</sup>

At the social level, the growing impoverishment of the people was exacerbated by the accelerated spread of pandemic and endemic diseases in the entire Continent. There was widespread unemployment reaching almost the entire youth coming out of universities and other higher education institutions. This resulted in growing insecurity in all areas, as well as easy recruitment of the unemployed into armed rebellions and religious

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<sup>38</sup> Mr. Essy Amara, an Ivorian diplomat was elected OAU Secretary General by the Summit held in Lusaka, Zambia, in July 2002 to establish the organs of the AU, adopted by the same Summit. In July 2002, in Durban when the AU was launched, he was elected as interim Chairperson of the Commission to provide the new Commission with an operational structure and a budget commensurate with its ambitions.

African Integration Review Volume 1, No. 2, July 2007

<sup>39</sup> African Integration Review Volume 1, No. 2, July 2007

<sup>40</sup> Ibid

<sup>41</sup> Constitutive Act of the African Union

<sup>42</sup> OAU Charter, 1963 African Integration Review Volume 1, No. 2, July 2007



fundamentalist groups or still into the so-called populist patriotic movements in the pay of some political parties. All these major challenges seemed to be out of the reach of the OAU. Hence, there was urgent need to establish a new structure capable of transforming Africa into a respected and credible partner in the management of global affairs.<sup>43</sup>

The political context of the Union must be seen against the background of the meetings held in Sirte, in September 1999 and in Lome, in July 2000. During that period, there was indeed, a very quick development of the process that led to the Sirte Declaration, followed by the formal adoption of the Constitutive Act of the African Union by the Assembly of Heads of State and Government, held in Lome in July 2000. The political context consisted mainly of the affirmed political will of the Heads of State and Government to establish an institution which can better meet the demands of its time. The new structure was to make up for the shortcomings of the OAU and contribute to linking the African economies to the driving force of globalization. This enthusiasm or even political fervor took hold of all Africa, which thus launched the African Union in Durban, Republic of South Africa in July 2002.<sup>44</sup>

It is to be noted that the Constitutive Act of the Union, in its current context, is not a global programme of Action. It only defines a global framework for facing up to the major challenges of the continent. Seen from this angle, the Constitutive Act does not abrogate the Abuja Treaty, but, on the other hand, abrogates the OAU charter (Article 33). This clarification is important because a comparative reading of the Constitutive Act and the Abuja Treaty clearly shows that the objective of the Sirte initiative is to accelerate the integration process provided for in the Abuja Treaty, which, as we know, was based on a programme for the continent's integration over a period of 34 years. In addition, several other legal instruments remain in force in spite of the adoption and entry into force of the Constitutive Act. They are: the Cairo Declaration on the Mechanism for the prevention, management and resolution of conflict; the African Charter on Human

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<sup>43</sup> Ibid

<sup>44</sup> Ibid



and Peoples' Rights ;and the protocol on relations between the OAU and the regional economic communities etc.<sup>45</sup>

➤ **The Nature of the Constitutive Act**

At this stage, it is necessary to distinguish between the normative part, and structures and the powers of the different organs. The normative part deals with the provisions governing the objectives and principles of the Union. Articles 3 and 4 of the Constitutive Act constitute the normative part of the Act. Both articles have major provisions which refer to the relevant objectives of the OAU.<sup>46</sup>

But they also introduce new areas of cooperation among member states such as the need to accelerate economic integration, democracy, the rule of law, good governance, human rights etc. These new objectives are important because they give new meaning to the gradual attainment of the objectives contained in the Abuja Treaty. The Constitutive Act reaffirms some of these principles.<sup>47</sup>

In considering them, it should be borne in mind that the African Union is an organization of sovereign states. The question that arises, therefore, is whether in the long run, the proposed Union will take the form of a federation or a confederation. At any rate, the principle of recognition of borders inherited from colonization, enshrined in the Constitutive Act, must not imply that the African states will not go towards a more integrated entity. It should be recognized that Article 4 of the Constitutive Act contains some principles accepted by international law but also others which reflect the political and socio-economic programme of the continent, namely common defense policy, popular participation in the affairs of the Union, the right to intervene directly in a member country in case of crime against humanity, the right to intervene to restore peace and security in a member state at its request, gender equality etc. These principles reflect a new school of thought which existed neither in the OAU Charter nor in the Abuja Treaty. It was therefore necessary, within the framework of discussions on the nature of the Commission and the organs of the Union, to come up clearly and precisely with an

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<sup>45</sup> Constitutive Act of the African Union

<sup>46</sup> OAU Charter, 1963 African Integration Review Volume 1, No. 2, July 2007

<sup>47</sup> Ibid



answer as to the basic differences between the OAU and the African Union in order to be able to determine clearly and precisely what changes need to be made in concrete terms.<sup>48</sup>

The difference between the OAU and the AU are from Unity there is single source of authority that is the Assembly of Heads of State and Government but at the time of the union, many sources of authority this are the assembly of the union, the judiciary and the parliament. The other point objective of unity is collective struggle for the liberation of Africans countries from colonialism and defense of national sovereignty ,but to union basic objective to enable African to meet the challenges of the 21<sup>st</sup> century and strengthen then the continent's position with in the global economy and the international community. The third difference are African economic community are distinct from OAU at the Time of unity but at this time integration of the African Economic Community and its regional integration programme into the African Union. The fourth difference are, decisions are implementation making by heads of State to Union state is different collective decisions making and specific political tasks assigned to the commission. Finally, the OAU & AU differences are OAU was administered by secretariat but in our time it was changes to commission. And one other difference is that the AU is much more committed to African problems muding African solution unlike OAU which looked out towards the rest of the world to cast blame on them for the problem and to look for the solution which is where NEPAD comes in.

### **1.1.2.3 NEW ECONOMIC PARTNERSHIP FOR AFRICA DEVELOPMENT PROGRAM**

The New Partnership for Africa-NEPAD is a product of the continuing search by African people and its leaders to create pan-African structures that can lead to the social and economic transformation of the continent in a rapidly “globalizing world” as part of the African. However, On the other hand, NEPAD is an instrument of contestation between Africans seeking self-determination in their development efforts and those forces that

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<sup>48</sup> STRATEGIC PLAN OF THE AFRICAN UNION COMMISSION . Volume 1: Vision and Mission of the African Union May 2004 .





seek the continuation of the exploitation of the continent's resources upon which the accumulation of their wealth depends.<sup>49</sup>

President Thabo Mbeki of South Africa prior to the crafting of the NEPAD made a ringing call for an "African Renaissance." He also called the 21st century, "an African century." These calls and claims have made South Africa, and Mbeki in particular the central focus for an African rejuvenation. It is not surprising; therefore that South Africa has become one of the major contributors to the NEPAD and the African Union. As a reward for these contributions, Mbeki will become the first Chairperson of the African Union when it is inaugurated in July 2002 in Pretoria. This development will further go towards focusing on South Africa as the venue for an African renaissance and it will be necessary to view the NEPAD as a test of this vision.<sup>50</sup>

To be sure, the linkage of these present efforts aimed at African emancipation has their roots to the historical processes in which pan-Africanism (involving all African nations: relating to the nations of Africa, collectively or in cooperation with one another) arose. It is clearly understood that the New Partnership for African Development-NEPAD, as pointed out by President Mbeki, has to be seen in conjunction with the birth of the African Union-AU, as well as the operationalisation of the Conference on Security, Stability, Development and Cooperation-CSSDC. In short, the NEPAD is part of a process of setting in motion the new institutionalization as part of placing Africa squarely in the globalization process, and to understand this process of new institutionalization, it is necessary to understand how president Mbeki and other African leaders have gone about creating the environment in which the NEPAD has been articulated and negotiated.<sup>51</sup>

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<sup>49</sup> *Prof. Dani W. NabuderE(2002) NEPAD: historical background and its prospects*

Prepared for presentation at the African Forum for Envisioning Africa to be held in Nairobi, Kenya, 26 – 29 April 2002 . page 4

<sup>50</sup> *Ibid.* page 3

<sup>51</sup> PM.Meles Zenawi and Prof.Kinfe Abraham Occasional policy papers-19 NEPAD on the concept, implementation, partnership and integration of NEPAD. Page13-14 Available at<<http://w.w.w addis-eiipd.org/index.htm>>( visited on 12-02-08)



### 1.1.3. THE PERFORMANCE OF POST COLONIAL AFRICA

After four decades of independence and development efforts most African countries are poorer today than they were in the early 60's. Development assistance mainly from the West has not produced the desired change in the quality of lives of Africans. Some of the reasons for this are bad governance, corruption, debt burden, decline in Official Development Assistance (ODA) and Foreign Direct Investment (FDI).<sup>52</sup>

The above predicament of the African peoples has forced African leaders to take a new and critical look at the development scene of the continent.<sup>53</sup> One of the approaches suggested is that it is better to focus on a new partnership with the industrialized countries based on enhanced trade and economic partnership which promote foreign direct investment.<sup>54</sup>

Hence, the New Partnership for Africa's Development (NEPAD) was suggested as a way of pooling resources from the rich industrialized countries and the African states themselves. Some have viewed NEPAD as a mini-Marshall plan. Nevertheless, NEPAD is conceptually different from the old-Marshall plan.<sup>55</sup> This is so because the financial resources which will be generated for it will come both from the rich countries and the African states themselves.<sup>56</sup>

The initial total amount, which NEPAD aims to generate on an annual basis, is USD 64 billion. But, as donors discreetly whisper to one another this is considered far too high to generate under the current economic situation.

## 1.2 THE CONCEPT OF NEPAD

The question that is frequently asked is: what is NEPAD? NEPAD is a holistic, integrated sustainable development initiative for the economic and social revival of Africa. It is a pledge by African leaders, based on a common vision and a firm and

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<sup>52</sup> Ibid page 12

<sup>53</sup> Ibid

<sup>54</sup> Ibid

<sup>55</sup> Janis Van Der Westhuizen ,International Journal(summer 2003 ) :argument ,identity & NEPAD .

<sup>56</sup> Ibid



shared conviction, that they have a pressing duty to the African people to eradicate poverty and to place their countries, both individually and collectively, on a path of sustainable growth and development simultaneously. NEPAD aims to help Africa participate actively in the world economy and body politic.<sup>57</sup>

NEPAD is also anchored on the determination of Africans to extricate themselves and the continent from the pincer-grip of underdevelopment and exclusion in a globalize world. It is predicated on a call for a new relationship of ‘constructive partnership’ between Africa and the international community. Its ultimate aim is to narrow and eventually overcome the development gap between the poor African states and the rich industrialized countries.<sup>58</sup> The NEPAD partnership based on the realization of common interests, obligations, commitments, and benefits leading to equality.<sup>59</sup>

NEPAD involves obligations both from the rich and poor countries. It is premised on the assumption that African states would make commitments to “good governance, democracy and human rights.” At the same time African states are expected to make concerted efforts to prevent and resolve situations of conflict and instability on the continent. Further, they are expected to create conditions conducive for “investment, growth and development in critical sectors,” which are outlined in the NEPAD Programmed of Action, whose priority include: infrastructure, education, health, agriculture and ICT<sup>60</sup>.

### 1.3 THE BIRTH OF NEPAD

During the year 2001, becoming aware of the tremendous backwardness of Africa, of the disastrous condition of its populations and the failure to implement the development strategies after endless efforts made, the Heads of state undertook to prepare plans for

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<sup>57</sup> PM.Meles Zenawi and Prof.Kinfe Abraham :Occasional policy papers-19 NEPAD on the concept, implementation, partnership and integration of NEPAD.Page13-14 Available at<<http://w.w.w addis-eiipd.org/index.htm>>( visited on 12-02-08)

<sup>58</sup> Ibid.page13

<sup>59</sup> Ibid.page13

<sup>60</sup> Ibid.page14



Africa development derived from a totally new spirit.<sup>61</sup> That is the way; President Thabo Mbeki from South Africa launched the idea of African Revival as being the new life to be put into Africa on the eve of the 21<sup>st</sup> century.

At the same pace as the South African President, the President of Nigeria, Olusegun Obasanjo, that of Algeria, Abdelaziz Bouteflika launched the Millennium African Plan, MAP. On his side, President Abdoulaye Wade from Senegal proposed OMEGA plan. Egypt was later co-opted with the 4 latter Heads of State to set up the **initiators' group** called Implementing Committee. The Implementing Committee set up experts' group of initiating countries and also of OAU, AEC and ADB.<sup>62</sup>

MAP was a pledge, devised by President Wade of Senegal, for African leaders to both independently and jointly pursue a path of sustainable development, with the goal of eradicating poverty and actively participating in the world economy. MAP sought to achieve this lofty goal by changing the traditional relationship between Africa and developed nations. Hence, MAP did not call for further foreign aid for African countries nor for marginal concessions. Instead it called for the mobilization of technology, human skills and capital-all of which it stated were already within its grasp-combined with creative new African leadership, and a new global partnership based on joint responsibility and mutual interest.<sup>63</sup>

The overarching theme of MAP was for African and more specifically African leaders to take more leadership and responsibility for the development of the continent, instead of relying on, or blaming others. MAP invited the developed world into a partnership with Africa, based on a more even footed relationship between the parties, with mutual self-interest as the driving force behind it.<sup>64</sup>

The OMEGA plan took a slightly different approach from MAP. First, it sought to assess Africa's need as compared to developed countries in order to see areas where it

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<sup>61</sup> NEPAD: explained ,by vice-presidency Senegal available on <http://www.nepad.org> . visited on 2008.

<sup>62</sup> Ibid

<sup>63</sup>By Josh Startup :**What is NEPAD ?** available on  
<<http://www.uiowa.edu/ifdebook/confernces/postersession/maps.shtm/> (visited on 2-4-2008)

<sup>64</sup> Ibid



needs to bridge the gap in order to be competitive. The plan initially focused on education, health, agriculture and infrastructure. It called for a massive infusion of investment in Africa until it was at a point where it could harness its large human and natural resources, along with modern technology. This would allow Africa to focus on direct production, thereby truly entering the world of international trade and the global economy.<sup>65</sup>

OMEGA parted ways with MAP most distinctly in the area of funding. OMEGA called on African countries with large financial reserves invested in Western markets to lend those resources instead to Africa. The Plan also asked developed countries to use their treasury bills to invest in African resources. It also called for “special drawing rights” designed especially for Africa, as well as interest rate reductions, which eventually would fall to zero for Africa. African leaders recognized the overlap between the two plans, and the fact that debt relief was but one critical aspect to Africa’s development the plans, so they merged them.<sup>66</sup> The merger of the two plans into one named **Nouvelle Initiative Africaine** (New African Initiative) was achieved.

The New African Initiative was adopted by the Summit of the Heads of State in Lusaka, Zambia held from July 6 to 7, 2001; which in one special resolution appointed President Abdoulaye Wade to join the three Heads of State formerly appointed to negotiate the cancellation of the debt and who have already met the G8 in Japan on June 2000 :Obasanjo, Mbeki and Bouteflika and on the other hand, to enlarge the Implementing Committee to 15 members by adding 2 Heads of State by region. The delegation of the 4 Heads of State of the Summit was appointed to present this new African plan to the G8 in Genoa, Italy on July 20 and 21,2001. President Alpha Omar Konare was invited to join the delegation, which was thus composed of five members.<sup>67</sup>

During one of its meetings, the Implementing Committee considered necessary to change the name of the plan to make it from then on **Nouveau Partenariat pour le**

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<sup>65</sup> Ibid

<sup>66</sup> Ibid

<sup>67</sup> NEPAD: explained ,by vice-presidency Senegal available on <http://www.nepad.org> . visited on 2008.



**Développement de l'Afrique**, which English signification was chosen as unique acronym: NEPAD, **N**ew **P**artnership for **A**frica's **D**evelopment.

So that, the present leading organs are:

- The Steering Committee,
- The Implementing Committee.

Five African countries were invited to the G8 Summit in Genoa, Italy to present the new African plan and discuss the relevance of those options. The G8 showed very much enthusiasm before such an entirely African initiative, which contrasted sharply with former methods since it presented a real vision of the future. It answered by a declaration, which became the Genoa Declaration that adopted exactly the outlines of the priorities as specified by the Nouvelle Initiative Africaine (New African Initiative), NIA, which has become NEPAD.

#### **1.4 THE RATIONALE OF NEPAD**

As alluded to earlier, NEPAD is a holistic, comprehensive and integrated strategic framework for the socio-economic development of Africa. The NEPAD document provides a vision for Africa, a statement of the problems facing the continent and a Programme of Action to deal with these problems in order to realize the vision.<sup>68</sup>

NEPAD has been its emphasis on African ownership of Africa's problems and solutions. The project commits African countries to set up and police standards of good governance across the continent, to respect human rights and work for peace and poverty reduction.

In return for this, African governments expect enhanced partnership through increased aid, private investment and the reduction of trade barriers by the rich countries. The primary objective of NEPAD is to eradicate poverty in Africa and place the continent on the road of sustainable development. It also aims to bring Africa to the global market place.<sup>69</sup>

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<sup>68</sup> By PM.MELES ZENAWI and PROF.KINFE ABRAHAM :**Occasional policy papers-19 NEPAD on the concept, implementation, partnership and integration of NEPAD.**Page15 Available at<<http://www.addis-eiipd.org/index.htm>>(accessed on 12-02-08)

<sup>69</sup> Ibid page 15



## CHAPTER – TWO

### PRINCIPLES AND OBJECTIVES OF NEPAD

The principal objective of NEPAD is “to eradicate poverty in Africa and to place African countries, both individually and collectively, on a path of sustainable growth and development”.<sup>1</sup>

Africa is the only continent in the world where, in the past two decades, income per capital has been in decline.<sup>2</sup> At a time when the rest of the world including the rest of the developing world has experienced rapid economic growth, most of the people of Africa have been left behind, with nearly half its people living on less than \$1 a day.<sup>3</sup> But Africa is changing. The last few years have seen far less conflict and far more African governments elected than in the 1980s. The African Union (AU) is providing new political leadership. Though the New Partnership for Africa’s Development (NEPAD), and in many other ways at the country level, Africa is tackling on its own economic and social problems: and, according to World Bank indexes, governance has been improving faster in Africa than in most other areas in the developing world. Fifteen countries in Africa showed average growth rates faster than 4% p.a over the decade of the 1990s. Many of these countries have seen income poverty fall over an extended period. There is powerful evidence to show that strong external support now will be far more effective than it might have been 10 or 15 years ago.<sup>4</sup>

However, Africa’s problems whether based in history and geography or caused by weak governance, disease, conflict and the changing global climate have constituted a complex set of barriers that have constrained development.<sup>5</sup> The New Partnership for Africa’s Development centers around Africa ownership and management. Though this program, African leaders are setting an agenda for the renewal of the continent. The agenda is

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<sup>1</sup> NEPAD framework, Para.67

<sup>2</sup> The African economist, vol . xi no.32 January 2005.

<sup>3</sup> Ibid

<sup>4</sup> Ibid

<sup>5</sup> Ibid



based on national and regional priorities and development plans that must be prepared through participatory processes involving the people.<sup>6</sup>

In this chapter, the writer of the thesis is proceed to discuss the new programmed of action of the AU.NEPAD which is designed to long term objectives, principles, intended out comes of NEPAD and there are other urgent priorities are of NEPAD. Then it is tried to discuss organizational structure of NEPAD and its implementing partners and the integration of NEPAD and AU.

## 2.1 PRINCIPLES OF NEPAD

The overarching principles of NEPAD, inter alia, aim to ensure<sup>7</sup>:

- Good governance as basic requirement for peace and security and sustainable political and socio economic development.
- African ownership and leadership as well as broad and deep participation by all sectors of society.
- Anchoring the development of Africa on its resource and resourcefulness of its people
- Partnership between and among African peoples.
- Accelerating or regional and continental integration.
- Building competitiveness of Africa countries and the continent.
- Forging a new international partnership that changes the unequal relationship between Africa and the development world.
- Ensuring that all partnership with NEPAD are linked to the millennium development goals and other agreed development goals and targets.

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<sup>6</sup> NEPAD framework, Para.47

<sup>7</sup> NEPAD framework, Para.





## 2.2 OBJECTIVES OF NEPAD

NEPAD therefore represents a broader perspective on which Africa's development was to be based. The main objective of NEPAD is to place African countries individually and collectively on a path of sustainable growth and development and by so doing put a stop to the escalating marginalization of the continent.<sup>8</sup>

Besides the above, NEPAD also set goals to record and sustain an average gross domestic product (GDP) growth rate of 7% per annum for the next 15 years. It also aimed at bringing Africa in consonance with international Development Goals (IDGs), especially in the areas of productivity.<sup>9</sup>

NEPAD also set goals for, among others, education for all children of school age, environmental recovery system as well as Reproductive Health Services by the year 2015.<sup>10</sup>

To achieve this objective, African leaders will take joint responsibility for the following<sup>11</sup>:-

- Strengthening mechanisms for conflict prevention, management and resolution at the sub regional and continental levels, and to ensure that these mechanisms are used to restore and maintain peace;
- Promoting and protecting democracy and human rights in their respective countries and regions, by developing clear standards of accountability, transparency and participatory governance at the national and sub national levels;
- Restoring and maintaining macroeconomic stability, especially by developing appropriate standards and targets for fiscal and monetary policies, and introducing appropriate institutional frameworks to achieve these standards;
- Instituting transparent legal and regulatory frameworks for financial markets and the auditing of private companies and the public sector;

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<sup>8</sup> NEPAD framework, Para.67

<sup>9</sup> Ibid, Para 68

<sup>10</sup> Ibid, framework, Para.68

<sup>11</sup> Ibid, Para.49



- Revitalizing and extending the provision of education, technical training and health services, with high priority given to addressing the problem of HIV/AIDS, malaria and other communicable diseases;
- Promoting the role of women in social and economic development by reinforcing their capacity in the domains of education and training; by developing revenue generating activities through facilitating access to credit; and by assuring their participation in the political and economic life of African countries;
- Building the capacity of the states in Africa to set and enforce the legal framework, and to maintain law and order;
- Promoting the development of infrastructure, agriculture and its diversification into agro-industries and manufacturing to serve both domestic and export markets.

### **2.3 INTENDED OUTCOMES OF NEPAD**

The strategy has the following expected outcomes<sup>12</sup>:

- Economic growth and development and increased employment;
- Reduction in poverty and inequality;
- Diversification of productive activities, enhanced international competitiveness and increased exports;
- Increased African integration.

### **2.4 PRIORITY AREAS OF NEPAD**

The New Partnership for Africa's Development is envisaged as a long-term vision of an African-owned and African led development programmed. It differs in its approach and strategy from all previous plans and initiatives in support of Africa's development, although the problems to be addressed remain largely the same. The action programmed of NEPAD includes the top priorities structured in the same way as the strategy outline, which priorities may be revised from time to time by the Heads of state implementation

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<sup>12</sup> Ibid, Para.69



committee.<sup>13</sup> The programmed covers what needs to be done in the short term, though on a wide scope.<sup>14</sup>

Therefore, the NEPAD document has a structure made up of three sections setting out the top priorities, which the member states commit themselves to observe in giving effect to the NEPAD development strategy.

The conditions for sustainable development provided are the Peace, Security, Democracy and Political Governance Initiatives, the Economic and Corporate Governance Initiative and the Sub-regional and Regional approaches to development. The Sectoral priorities include bridging the Infrastructure Gap, the Human Resource Development Initiative, the Agriculture Initiative, the Environment Initiative, the Cultural Initiative and Science and Technology Platform. The third component concerns the mobilization of Resources, referring to the Capital Flows Initiative and the Market Access Initiative .

As can observed elsewhere in this paper, this section of NEPAD encompasses the largest part from the whole document .Hence this section, being NEPAD's programmed of action covers a wide scope of actions to be taken through it is planned for a short term .<sup>15</sup>

Therefore, at this sub-section, the writer is not going to deliberate upon all the priority and sectoral priority areas mentioned in the document leaving some as they are self-explanatory and making the writer's focus on those that need a brief explanation to be made on them .

## **2.4.1 CONDITIONS FOR SUSTAINABLE DEVELOPMENT**

### **1. THE PEACE, SECURITY, DEMOCRACY AND POLITICAL GOVERNANCE INITIATIVES**

Peace and security is recognized as the absolute prerequisites for the establishment of an effective economic integration, alongside the attainment of good governance and

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<sup>13</sup> By: T.O. Ojienda, implementing the New Partnership for Africa's Development (NEPAD): whither the African Peer Review Mechanism?

<sup>14</sup> Ibid

<sup>15</sup> NEPAD framework, Para70.



economic development.. Experiences of Africa leadership however, negatively attest to these very important conditions. By the middle of 1990s for instance threats to peace, security and the preservation of human rights posed by armed conflicts in Africa became a source of concern for African leaders and the broader international community.<sup>16</sup> The widespread armed conflicts in Africa made it clear to Africa leaders that it would be difficult to achieve any meaningful development within the continent.

Recognizing that development occurs within the context of peace and stability, NEPAD's Peace and security initiatives aim to promote long-term peace through developing regional and sub-regional early warning systems and strengthening conflict management institutions.<sup>17</sup> Additionally, NEPAD's Peace and security Initiatives calls for strengthening of Africa's regional and sub-regional organizations to mediate conflicts, intervene effectively as peacekeepers, and design programs for post-conflict peace building.

In addition, it is generally acknowledged that development is impossible in the absence of true democracy, respect for human right, peace and good governance with the democracy and political governance initiative, Africa undertakes to respect the global standards of democracy; the core components of which include political pluralism, allowing for the existence of several political parties and workers' unions and fair, open and democratic elections periodically organized to enable people to chose their leaders freely.<sup>18</sup>

Through this initiative, NEPAD aims to strengthen the political and administrative frame work of participating countries, in line with the principles of democracy, transparency accountability, integrity respect for human rights and promotion of the rule of law. In order to strengthen political governance and build capacity to meet these commitments, NEPAD leadership will target administrative and civil services, strengthening parliamentary oversight, promoting participatory decision making, adopting effective measures to combat corruption and embezzlement and undertaking judicial reforms.<sup>19</sup>

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<sup>16</sup> Ibid

<sup>17</sup> Ibid, Para.72

<sup>18</sup> Ibid, Para.79

<sup>19</sup> Ibid, Para83



A peer review process is currently established to monitor the progress of African countries toward these goals<sup>20</sup> known as the African Peer Review Mechanism (APRM).

## 2 . ECONOMIC AND CORPORATE GOVERNANCE

The Declaration underlines the significant role of economic and corporate governance in promoting economic growth and poverty reduction. Respect for the related international codes and standards is a key component to “promote democracy and market efficiency, control wasteful spending, and encourage private financial flows”.<sup>21</sup> Prioritized international Codes and Standards, “that need to be complied with as a minimum requirement” are solemnly endorsed by African leaders. These Codes are fundamental instruments that have been agreed to by the international community, and developed with the participation of African experts and leaders.<sup>22</sup>

States have a major role to play in promoting economic growth and development and in the implementation of poverty reduction programmes. However, the reality is that many governments lack the capacity to fulfill this role. As a consequence, many countries lack the necessary policy and regulatory frameworks for private sector-led growth. They also lack the funding to implement programmes even when funding is available.<sup>23</sup> For this reason therefore any targeted capacity building should be given a high priority. Programmes in every area must be preceded by an assessment of capacity followed by the provision of appropriate support.<sup>24</sup> Which is raised as in on chapter three.

### 2.4.2 SECT ORAL PRIORITIES

NEPAD estimates that it is true that everything is a priority in Africa, there are however sectoral priorities, some kinds of bases without which no development is possible. That is

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<sup>20</sup> The African Peer Review Mechanism (APRM) Base Document(2002) ,Available on line at : <http://www.nepad.org/2005/files/documents/49.pdf>. visited on 2-4-2008

<sup>21</sup> By Prof W. NKUHLU ,a summary of NEPAD action plans . available on <http://www.nepad.org> visited on 2-4-2008

<sup>22</sup> Ibid

<sup>23</sup> Ibid

<sup>24</sup> Ibid



why NEPAD proposes a partnership with rich countries for the preparation together and execution of an emergency plan of super priorities.<sup>25</sup>

In the NEPAD framework, NEPAD had indicated ten priority sectors these are:

**1. Political good governance:** democracy being visible through free and honest elections as well as the respect of human rights, women's and children's rights, transparency in the management of public property and the eradication of corruption.

**2. The economic governance and private capital flow:** by an independent and honest justice in the conflicts involving foreign investors, the honest and transparent management of private companies, etc.

**3. Infrastructures:** roads, railways, ports and airports, transportation that are cost elements, which impact heavily on the competitiveness of African products likely to be sold abroad. Moreover, facilities can develop and create economic activities.<sup>26</sup>

**4. Education:** Science and technology are the prime stimulators of national development. Under-investment in the two areas has been identified as the cause for the parlous state of affairs of declining or stagnating scientific and technological growth. Because science and technology are products of education, the latter has been identified as the ultimate propeller of national and human development. However, the overall quality of education in Africa has continued to deteriorate over the past two decades, as had been the case with respect to the overall state of African economies. The New Partnership for Africa's Development (NEPAD) has therefore made the revamping of the education sector a top most priority goal.<sup>27</sup>

**5. Health:** is one of the most serious causalities consequent on the poverty, social exclusion, marginalization and lack of sustainable in Africa. Africa faces a huge burden of preventable disease and disability that not only causes unnecessary death and suffering, but also undermines economic development and damages the continent's social fabric.<sup>28</sup> The burden is in spite of the availability of suitable tools and technology for

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<sup>25</sup> NEPAD explain by vice president of Senegal available on <http://www.nepad.org> visited on 2008.

<sup>26</sup> NEPAD framework, Para .99

<sup>27</sup> By Prof W. NKUHLU ,a summary of NEPAD action plans . Available on <http://www.nepad.org>  
Accessed on 2-4-2008

<sup>28</sup> NEPAD Health strategy : executive summary. Available on <http://www.nepad.org> visited on 24-4-2008



prevention and treatment and is largely rooted in poverty and in weak health systems. Yet, where the necessary conditions have been created, there have been important successes.<sup>29</sup>

The HIV/AIDS epidemic poses an unprecedented challenge, while malaria, tuberculosis communicable diseases of childhood and non-communicable diseases all add to the untenable burden. Women and adolescents face unique health challenges, while deaths from conditions related to pregnancy and childbirth are at horrendous levels.<sup>30</sup>

NEPAD Health vision is an African rid of the heavy burden of avoidable ill-health, disability and premature death, especially for its poorest people.<sup>31</sup> Thus, the battle for health becomes also a super priority for Africa.

**6. ICT:** The New Communication and Information Technologies have the advantage to be accessible to all the people, in the sense that they only require intelligence. Fortunately, this is equally shared between human communities. They represent a permanent contact factor for exchanges of goods and services at the same pace for all, the speed of light.<sup>32</sup>

Economically speaking, ICTs provide huge income-generating services. African people should have access to these new technologies at a very early age and this should be extended to all the activities: agriculture, industry, transportation, services and exchanges.<sup>33</sup>

**7. Agriculture:** Africa is lagging behind as regards agriculture. This tremendous backwardness results in its food dependency. This is hardly acceptable for such a vast continent endowed with land and water.

At a time when western consumers turn away from the agricultural products made in their countries because of pesticides, bio-agriculture offers to Africa a unique opportunity to produce and export goods to earn the necessary currencies for the financing of its development.

For that purpose, Africa needs the technology and know-how of developed countries, and expects that from the G8. Agriculture will largely contribute to the increase of Africa's

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<sup>29</sup> Ibid

<sup>30</sup> Ibid

<sup>31</sup> Ibid

<sup>32</sup> NEPAD explain by vice president of Senegal available on <http://www.nepad.org> visited on 2008

<sup>33</sup> Ibid



share in international trade if G8 countries remove the non tariff barriers to allow access to their market and create the conditions of a real international competitiveness.<sup>34</sup>

**8. Energy :** It is commonly known that energy is one dimension of development. Yet, most African countries are not oil producers and only have hydraulic energy badly spread in the territory. To such an extent that most of the countries suffer from the fluctuations of oil prices and governments are obliged to increase the prices of oil when the price of crude oil goes up. This situation affects immediately the living conditions of workers and more generally of masses.<sup>35</sup>

Energy is one of the super priorities in the agenda of NEPAD which is calling the international community to think over it.<sup>36</sup>

**9. Access to the markets of developed countries :** The will to develop and diversify agriculture can only be effective if developed countries open their borders to us as mentioned above.

**10. Environment :** It is clearly established that a deterioration of the environment affects the condition of the populations, especially in big urban areas. Beside the most commonly known aspects, desertification and drought are serious threats to the very life of sub-Saharan people. The core objective of the environment initiative are combating poverty and contributing to social-economic development in Africa.<sup>37</sup> The environment initiative is targeted eight sub-themes for priority.<sup>38</sup>

### 2.4.3 MOBILIZING RESOURCES

To finance these priority sectors and achieve the forecasted 7 % annual growth rate, African countries will need to fill an annual resource gap of 12 % of their GDP, the equivalent of \$64 billion.<sup>39</sup> NEPAD identifies the resource mobilization on a combination of two strategies:

- **The Capital Flows Initiative**

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<sup>34</sup> Ibid

<sup>35</sup> Ibid

<sup>36</sup> NEPAD framework, Para.112

<sup>37</sup> Ibid, para.139

<sup>38</sup> Ibid, para.141

<sup>39</sup> Ibid, Para.147





Firstly, NEPAD seeks to optimize the mobilization of domestic resources. In particular, the Plan of Action focuses on the need to increase national savings by both firms and households, and to rationalize public expenditure and tax collection.

According to the NEPAD framework, however, most of the required resources “will have to be obtained from outside the continent”<sup>40</sup>.

- Debt relief should help African countries narrow the resource gap, notably by setting debt service caps as a proportion of fiscal revenues through negotiations with donor countries. The debt relief initiative also provides for the creation of a “forum in which African countries may share experiences”<sup>41</sup>.

- Furthermore, NEPAD advocates reform of Official Development Assistance (ODA), notably through the creation of supervising and monitoring mechanisms to assess donor and recipient countries’ performance.

Although the implementation of NEPAD pledges is based on an increase in ODA flows, African leaders acknowledge that sound economic management is a “prerequisite for enhancing African countries’ capacity to utilize increased ODA flows”<sup>42</sup>.

- These measures involve national and international public institutions and are considered as a short- to medium-term way to strengthen basic growth determinants. But, according to the Base Document, long-term economic growth can only be ensured by developing private capital flows. NEPAD therefore “seeks to increase private capital flows to Africa, as an essential component of a sustainable long-term approach to filling the resource gap.”<sup>43</sup>

In order to foster private investment and more specifically Foreign Direct Investments (FDI), NEPAD intends to lower or eliminate the perceived “High risk” factors that discourage potential investors.

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<sup>40</sup> Ibid, Para.147

<sup>41</sup> Ibid, Para.150

<sup>42</sup> Ibid, Para.151

<sup>43</sup> Ibid, Para. 153



NEPAD thus plans to establish a new initiative aimed at ensuring both assessment and ownership, and closer partnership between public and private spheres. However, national institutions are only given a mere regulating role.

• **The Market Access Initiative**

Many African economies are still vulnerable because of their poor trade performance, dependence on primary production and resource – based sectors, and their narrow export bases.<sup>44</sup> One of the main objectives of the New Partnership for Africa's Development (NEPAD) is to set a comprehensive strategy to overcome the problem of trade deficiencies and the decline in exports earnings. This strategy aims to adopt adequate legal and regulatory trade frameworks of the national, sub -regional, and regional levels and taking a series of procedures to increase intra -African trade and promote exports and integrate Africa's trade into the international trading system

This Initiative fosters better integration of Africa into the global economy and sets a number of measures to be adopted at both continental and international levels, in the form of an agenda.

The NEPAD Base Document sets out the major issues to be addressed by national strategies and developed countries. Diversification of production is the prerequisite for fostering a development strategy based on a broader range of products. African economies would thus be less vulnerable to international markets fluctuations and enhance their absorption capacity in the event of economic shocks.<sup>45</sup>As the main productive sector in Africa, agriculture is fully integrated into NEPAD initiatives. Agricultural productivity will be increased, particularly in order to ensure food security, which is a key factor in poverty reduction. The mining industry is another of Africa's asset and will also be developed through public and private investments. Growth practicability and sustainability will also be ensured by “the increase of production, improvement of the competitiveness and diversification of the domestic private sector,

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<sup>44</sup> Prof W. Nkuhlu Chairperson, NEPAD Steering Committee A summary of NEPAD action plans .

<sup>45</sup> By: T.O. Ojienda, implementing the New Partnership for Africa's Development (NEPAD): whither the African Peer Review Mechanism .



especially in the agro-industrial, mining and manufacturing sub sectors, with potential for exports and employment creation<sup>46</sup>.

Therefore, In the meantime, non-tariff barriers represent the major hindrance to the development of trade between Africa and developed countries. The removal of these barriers therefore remains the principal prerequisite to Africa's sustainable development that can only happen if Africa is free to export its products in a fair and equitable trade system.

## 2.5 ORGANIZATIONAL STRUCTURE OF NEPAD

The institutional framework for the follow-up and the NEPAD initiative's leadership structure is three-tiered.<sup>47</sup>

### 1. The Implementing Committee

The implementing committee Comprising firstly, the leading initiative at the political level,<sup>48</sup> the Heads of State and Government Implementation Committee (HoSGIC). This committee was constituted in consultation with the OAU and is comprised of 15 Heads of State representing the five regions of the OAU.<sup>49</sup> To this committee, the AU Assembly delegated the mandate of ensuring a continuous follow-up on the NEPAD initiative, particularly the establishment of the relevant management institutions. Thus, the main purpose of the committee is to provide dedicated political leadership and to set the policy and programme to be pursued. The HoSGIC has to report to the AU Assembly, which also provides guidance as to how the NEPAD process should progress. Representatives of regions are the board.<sup>50</sup> The board is composed by two representative per region .The

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<sup>46</sup> NEPAD framework Para. 158

<sup>47</sup> Evarist Barmin, 'Introduction to Africa's continental organizations; The African Union, African Economic Community and NEPAD in Human Rights: Law in Africa, Christof Heyns (ed) op.cit

<sup>48</sup> Mandated by the OAU Summit in Lusaka on July 11, 2001

<sup>49</sup> These states are Algeria, Egypt, Tunisia, Nigeria, Senegal, Mali, Cameroon, Gabon, Republic of Congo, Ethiopia, Mauritius, Rwanda, South Africa, Botswana and Mozambique.

<sup>50</sup> NEPAD: explained ,by vice-presidency Senegal available on <http://www.nepad.org> . visited on 2008.



other point the implementing committee shall meet at least three times a year and upon notification by the chairman.<sup>51</sup>

## 2. The Steering Committee

The second tier of the management in support of the HoSGIC is that of the steering committee (SC) is composed of the personal representatives of the 5 initiating presidents<sup>52</sup>, representatives of African economic and financial institutions and representatives of other Heads of State of the implementing committee shall attend these meetings.

Its role is developing the Terms of Reference for identified programmes and projects, and with overseeing the work of the secretariat. The SC meets on a regular basis and a number of targeted workshops are lined up to assist in the development of specific programmes and projects in respect of each priority area. These are to be the basis of a comprehensive and coherent integrated development plan.<sup>53</sup>

## 3. The Secretariat

The last and the third level is the secretariat. the secretariat is in charge of the administration of the running of NEPAD as well as the coordination with the different structures<sup>54</sup>. To carry out its mission, the secretariat may request the assistance of African or foreign experts.<sup>55</sup> The secretariat comprises a small team of full-time staff tasked with the functions of liaison and coordination, administration and logistics. The Secretariat is located in Midrand, South Africa.

The NEPAD secretariat liaises with the Regional Economic Communities (RECs) as they are regarded as key agents for achieving programme implementation and integration in Africa. The NEPAD secretariat works with the RECS to ensure that mechanisms are put

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<sup>51</sup> Ibid

<sup>52</sup> The states are Nigeria, South Africa, Algeria, Senegal and Egypt.

<sup>53</sup> By: T.O. Ojienda :Implementing the New Partnership for Africa's Development (NEPAD): whether the African Peer Review Mechanism?

<sup>54</sup> Due to its small composition, the secretariat outsources much of the detailed work to lead agencies, such as the OAU, the ECA and the ADB, as well as to identified continental experts

<sup>55</sup> NEPAD explain by vice president of Senegal available on <http://www.nepad.org> visited on 2008.



in place and that the capacity exists to broaden the ownership of and participation of NEPAD attempted an identification of contact persons, priority areas determined in meetings with the RECs to strengthen the energy between NEPAD, the AU and RECs.<sup>56</sup>

## 2.6 NEPAD AND ITS IMPLEMENTING PARTNERS

NEPAD's implementation rests heavily on its relations with its external implementing partners, among the most important of which are: the Group of Eight, United Nation Development Program and the World Bank.

### A. Group of Eight(G-8)

The NEPAD is premised upon the hope that the G-8 development partners' will provide the required financial backing its implementation.<sup>57</sup> Indeed at the very inception of the Map and the Omega Plan, the thinking behind the tow' initiatives' was that if African is to get out the development trop, it must do so by becoming fully integrated into the global economy . There are now just ten years in which to take the action needed for all development countries to meet the goals at the millennium summit in 2000. we should continue the G-8 focus on AFRICA, which is the only continent not on track to meet any of the goals of the millennium declaration by 2015.<sup>58</sup> At G-8 meetings were intended to put across this conviction to the economic super powers and to appeal to them for support the program upon the understanding that a new African had come to the realization that it must be responsible for its own development so long as the donor community plays its part, this was the approach taken at the worlds economic forum at davos on the 21<sup>st</sup> July 2001. <sup>59</sup>G-8 is one of the implementing partner of NEPAD and APRM program.

### B. The United Nations

Though African governments have the primary responsibility for mobilizing resources from domestic and external sources for the implementation of NEPAD, the United

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<sup>56</sup> NEPAD/HSGIC-03-2003/APRM/Guideline/OSCI 9 March 2003. <http://www.nepad.org> visited on 2008

<sup>57</sup> By Prof .Daniw Nabudere .NEPAD: historical background & its prospects by Prof .Daniw Nabudere.

<sup>58</sup> G-8 clenges 2005 .

<sup>59</sup> By Prof .Daniw Nabudere NEPAD: historical background & its prospects.



Nations system can “play an important catalytic and supportive role”<sup>60</sup> in that process through the vast range of activities it provides (loans, grants, technical assistance, advocacy...).

Since 2002, the United Nations have affirmed their support to NEPAD through 4 Resolutions adopted by the General Assembly: Through this Resolution, the General Assembly reaffirmed and updated its commitments, and called for the United Nations system to enhance its support to African countries and NEPAD Secretariat in elaborating projects and programmes within the framework of NEPAD priorities. United Nations system support for NEPAD has been organized around 6 thematic clusters that broadly correspond to the NEPAD priorities. Each of these clusters is composed of sub-clusters tasked with specific issues and closely working with related United Nations agencies and organs.<sup>61</sup>

### **C. World Bank**

The involvement of the World Bank through its programmes on the fight against poverty. Poverty reduction is one of NEPAD’s sectoral priorities. In its base document, NEPAD expresses its will to “support existing poverty reduction initiatives at the multilateral level, such as the Poverty Reduction Strategy approach linked to the HIPC debt relief initiative and work with the World Bank to accelerate implementation and adoption of the Comprehensive Development Framework, the Poverty Reduction Strategy and related approaches<sup>62</sup>”.

At the end of the 1990s, the World Bank started underlining the vulnerability of the poorest populations in the face of macro-economic instability – itself generated by the implementation of the policies recommended by the international financial institutions.<sup>63</sup>

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<sup>60</sup> Economic and Social Council, Committee for Programme and Coordination, report of the Secretary-General, 31st March 2004

<sup>61</sup> Sidiki Kaba ,a Human Rights Approach to the New Partnership for Africa’s Development (NEPAD) and the African Peer Review Mechanism (APRM), November 2004. Accessed on 20-2-2008

<sup>62</sup> NEPAD Base Document, Para. 115

<sup>63</sup> Sidiki Kaba ,a Human Rights Approach to the New Partnership for Africa’s Development (NEPAD) and the African Peer Review Mechanism (APRM), November 2004.



Since 1999, the Bank has furthermore proposed the enforcement of what it defines as a new approach to the fight against poverty in highly indebted countries. Such countries can see their debt alleviated, provided they adopt adjustment programs, known as PRSPs (Poverty Reduction Strategy Papers), in collaboration with, and if need be with the assistance of, the World Bank and the International Monetary Fund. The PRSP has thus become the key mechanism to coordinate loans and grants from the World Bank and the IMF to highly indebted countries. This orientation is designed to link debt alleviation and international aid to concrete results in the fight against poverty.<sup>64</sup>

Finally, the World Bank has adopted through the poverty reduction strategy papers (PRSP) and their accompanying poverty reduction strategy credits (PRES), the words bank hopes to create the framework for a more integrative approach to development.<sup>65</sup>

## 2.7 THE INTEGRATION OF NEPAD AND AU

NEPAD was initially conceived and approved by the Organization of African Unity (OAU) as the development blueprint for the future African Union. During the transition from OAU to AU, the institutional and operational relations between NEPAD and the AU is identified by chapter one of in this paper. NEPAD was considered by the Heads of State and Government Implementation Committee (HSGIC) as the socio-economic programmed of the African Union.<sup>66</sup>

At the end of the 8<sup>th</sup> summit of HSGIC of the NEPAD, having considered the draft declaration on the implementation of NEPAD, the decided that the draft declaration should be amended to take into account the role of youth and women and to acknowledge the linkage between the work of the committee of African ministers of public service and

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<sup>64</sup> “The World Bank and Human Rights”, FIDH report n° 354, January 2003, Available on line at : <http://www.fidh.org> Accessed on 23-2-2008

<sup>65</sup> Ibid

<sup>66</sup> NEPAD: five years later: critical institution and civil society perspectives July 2007. International peace academy.



the programmatic thrust of NEPAD.<sup>67</sup> The HSGIC adopted the Draft Declaration on the Implementation of NEPAD, with the above amendments, for submission to the AU Assembly.<sup>68</sup>

Therefore, NEPAD shall be fully integrated into the structures and processes of the Union by the end of the transitional period. NEPAD includes review of the contents of NEPAD programmes and the portfolio of the African Union as well as integration of the processes and structures. The NEPAD Secretariat has been harmonizing and synchronizing the programs and projects with those developed by the African Union. Joint meetings were held in all areas of NEPAD and the processes are being discussed between the NEPAD Secretariat and the African Union Commission for the provision of legal status and international Until then, the NEPAD structures remain independent of the AU Secretariat (the Commission), though the AU organs and the NEPAD Secretariat are expected to work in close cooperation and collaboration. Official institutional links between the NEAD and the AU processes already exist, these is;

- The African Union's Chairperson and the Secretary-General are ex-officio members of the Implementation Committee.
- The AU Commission (Secretariat of the Union) participates in NEPAD's Steering Committee meetings.
- NEPAD Heads of State and Government Implementation Committee has to report annually to the African Union Summit.<sup>69</sup>

## **2.8 NEPAD AND AFRICAN PEER REVIEW MECHANISM (APRM)**

Peer review practices were first developed by the Organization for Economic Cooperation and Development (OECD) in the 1960's, and then extended to other international organizations such as the EU, the IMF and the WTO.<sup>70</sup>

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<sup>67</sup> Draft Communiqué issued at the end of the 8<sup>th</sup> Summit of the heads of state & government implementation committee (HSGIC) of the New Partnership for Africa's Development, Maputo, Mozambique, 09 JULY 2003.. Available on line at : <http://www.nepad.org> .

<sup>68</sup> Ibid

<sup>69</sup>





The APRM adopted within the framework of NEPAD, however, is a mutual political review process and as such covers a wider range of issues than the mechanisms existing within the EU and OECD. Indeed, the political dimension of the process, which intends to be free of any political manipulation, completes the mainly economic NEPAD objectives and gives full credibility to the initiative.<sup>71</sup>

### **Peer review process: By OECD Definition**

“Peer review can be described as the systematic examination and assessment of the performance of a State by other States<sup>3</sup>, with the ultimate goal of helping the reviewed State improve its policy making, adopt best practices, and comply with established standards and principles. The examination is conducted on a non adversarial basis, and it relies heavily on mutual trust among the States involved in the review, as well as their shared confidence in the process. [...] With these elements in place, peer review tends to create, through this reciprocal evaluation process, a system of mutual accountability<sup>72</sup>”

Peer review is when parties (governments, society or others) agree to exchange their experiences on the basis of a common intellectual and moral ground and to identify consensual principles and shared values. It is a systematic assessment of the performance of a country by other countries (peers) and/or institutions in a position to do so. The ultimate purpose of peer review is to help the countries concerned make improvements to the way they develop their policies, adopt best practices and respect standards, principles, established codes or other contracted obligations. It is a smooth process and relies greatly on mutual co-operation, trust and understanding between reviewers and reviewed.<sup>73</sup>

Peer review can focus on a broad field or a specific theme (e.g. health, environment, governance). It can also explore the overall condition of a country, as is the case

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<sup>70</sup> Available on <http://www.oecd.org/dataoecd/33/16/1955285.pdf> Accessed on 15-6-2008

<sup>71</sup> Ibid

<sup>72</sup> Ibid

<sup>73</sup> APRM, African Peer Review Mechanism (APRM): Base Document, available on [www.nepad.org](http://www.nepad.org).



with the APRM. Regardless of the nature of the review, its credibility depends on the regularity of the assessments. In addition, “each review must produce a report that measures the progress made, indicates any shortcomings and makes recommendations.”<sup>74</sup> In general, however, most peer reviews tend to focus on promoting a good governance framework, as the APRM does, through education and the sharing of best practices.

Finally, the APRM is a mutually agreed instrument for self-monitoring by the participating member governments of the African Union.<sup>75</sup> It was adopted in March 2003 by African heads of state.

### **2.8.1 Mandate of the APRM**

The mandate of the APRM is to ensure that country’ policies and practices are consistent with shared values in the field of political, economic and corporate governance, as well as with the codes and standards of its declaration on democratic, political, economic and corporate governance.<sup>76</sup> There is a willingness to take into account all the problems related to the issue of African development. The APRM is also a realistic initiative in that it considers dialogue to be paramount. Coercive measures are only envisaged as a last resort. Evidently, in the African context, highly coercive policies and measures have rarely had the desired effect. The APRM’s role is to reassure and to convince all stakeholders (especially malfunctioning governments), and encourage states to undertake the necessary reforms and to include any changes in a medium- or long-term perspective.

NEPAD aims to tap massive Western aid for rapid development of the world’s poorest continent in return for a commitment by its leaders to adhere to good governance and

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<sup>74</sup> Jean Baptiste Natama, “*Le rôle du MAEP dans l’évaluation de la bonne gouvernance en Afrique*” [“The role of the APRM in assessing good governance in Africa”], presentation given in Ouagadougou, Burkina Faso, March 2004.

<sup>75</sup> Current APRM members number 23 countries: Algeria, Angola, Benin, Burkina Faso, Cameroon, Republic of Congo, Egypt, Ethiopia, Gabon, Ghana, Kenya, Lesotho, Malawi, Mali, Mauritius, Mozambique, Nigeria, Rwanda, Senegal, Sierra Leone, South Africa, Tanzania and Uganda.

<sup>76</sup>The African Peer Review Mechanism (APRM) base document (2002). Available online at: <http://www.nepad.org/2005/files/documents/49.pdf> . 7/7/2002



democracy. NEPAD's APRM envisages setting such good standards for review, that those donor countries will substitute their own monitoring and conditionality processes with it and accept the outcomes of the APRM.<sup>77</sup> The APRM is the mutually agreed instrument for self-monitoring by the participating member governments.<sup>78</sup>

### **2.8.2 Purpose of the APRM**

The primary purpose of the APRM is to foster the adoption of policies, standards and practices that lead to political stability, high economic growth, sustainable development and accelerated sub-regional and continental economic integration through sharing of experiences and reinforcement of successful and best practice, including identifying deficiencies and assessing the needs for capacity building.”<sup>79</sup> It is a tool that allows all those involved in Africa's development to work together to ensure better transparency in the management of their affairs. It is designed to help reinforce good governance in Africa and assess member states' level of socio-economic development. Reviews must, in all cases, be followed by an action plan that engages the countries in a dynamic to resolve those problems that have been identified.<sup>80</sup> Moreover, it provides NEPAD officials with a forceful argument in convincing the international community of the seriousness of Africa's commitment in taking on this new struggle.

The APRM is an initiative of African heads of state intended, on the one hand, to promote a culture of political dialogue among various national stakeholders and, on the other, to encourage the exchange of experiences among countries. It is ambitious yet realistic. It's ambitious first of all, in that it targets all aspects of governance.<sup>81</sup>

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<sup>77</sup> Ibid

<sup>78</sup> Ibid

<sup>79</sup> Ibid

<sup>80</sup> Ibid

<sup>81</sup> Ibid



### **2.8.3 Principles of the APRM**

Every review exercise carried out under the authority of the Mechanism must be technically competent, credible and free of political manipulation. These stipulations together constitute the core guiding principles of the Mechanism.<sup>82</sup>

### **2.8.4 APRM PROCESS**

The APRM Process requires each country to develop programs of action linked to its specific national situation. It also requires that each country develops a Program of Action with time bound objectives. Key objectives, standards, criteria and indicators in the Questionnaire should therefore be adapted to the specific situation in each country. As explained in the NEPAD document "Objectives, standards, criteria and indicators for the African Peer Review Mechanism" the Questionnaire will only provide indicative criteria and some examples of indicators. The development of these components is a technical task which should be undertaken by those with expertise in specific fields involved in the assessments at the country level.<sup>83</sup>

The APR process follows five broad phases:<sup>84</sup> this are **Stage one** begins with an initial consultation between the APR Secretariat and the country to be reviewed. In **stage two** an expert team visits the country, meeting with government, business, academics, parliamentarians, the media and other members of civil society to assess the draft national Programme of Action. During **stage three**, the country review team drafts its report, sharing its findings with the government being assessed. Government responses are then appended to the team report and, if needed, the national Programme of Action is modified according to the team's findings. In **stage four**, writing recommendations for policy reforms based on the review team's

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<sup>82</sup> Ibid. par. 4

<sup>83</sup> See: Objectives, standards, criteria and indicators for the African Peer Review Mechanism, Available on <http://www.nepad.org/2005/files/documents/110.pdf> Accessed on 15-6-2008

<sup>84</sup> Some frequently asked questions on the African Peer Review Mechanism .Available on [www.nepad.org](http://www.nepad.org) Accessed on 15-6-2008



findings. In **stage five**, which must be completed within six months of the start of the review, the final report is made public and tabled in the African Union, Pan-African Parliament, Peace and Security Council, Economic, Social and Cultural Council and other relevant bodies.<sup>85</sup> The duration of the review process per country should not be longer than six months, Commencing on the date of the inception of Stage One up to the date the report is submitted for the consideration of the Heads of State and Government.<sup>86</sup>

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<sup>85</sup> Ibid

<sup>86</sup> The African Peer Review Mechanism (APRM) base document (2002). Available online at: <http://www.nepad.org/2005/files/documents/49.pdf> . par 26 7/7/2002



### **CHAPTER THREE**

#### **CRITICAL EVALUATION OF THE POWER AND RESPONSIBILITY OF NEPAD IN LIGHT OF ITS PROGRESS IN AFRICA**

In the previous chapter, it is indicated that the historical background, principles and objectives of NEPAD. In this chapter the writer of the paper will try to see the NEPAD current progress.

At a time when the rest of the world including the rest of the developing world has experienced rapid economic growth, most of the people of Africa have been left behind, with nearly half its people living on less than \$ 1 a day.<sup>1</sup> But African is changing for the last few years have seen far less conflict and far more African governments elected than in the 1980s.<sup>2</sup>

However, Africa's problems whether based in history and geography or caused by weak governance, disease, conflict and the changing global climate have constituted a complex set of barriers that have constrained development.<sup>3</sup> NEPAD is designed to address the current challenges facing the African continent. Issues such as escalating poverty levels, underdevelopment and the continued marginalization of Africa needed a new radical intervention spearheaded by African leaders, to develop a new vision that would guarantee Africa's renewal.<sup>4</sup>

Under NEPAD objectives the state has a central role in promoting economic and human development, but often fails to deliver, because of weak governance and capacity. Without strong progress here most development efforts can not succeed.<sup>5</sup> NEPAD has highlighted these difficulties as being the root of many of Africa's

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<sup>1</sup>The African economist, January 2005.Vol 11 NO 32.

<sup>2</sup> Ibid

<sup>3</sup> Ibid

<sup>4</sup> What is the need for NEPAD? Available on <http://nepad.org/2005/files/video>. Accessed on 2-5-2008

<sup>5</sup> The African economist, January 2005.Vol 11 NO 32.



development problems, and has proposed and is implementing the African peer review mechanism.<sup>6</sup> Its main objective is to place African counters individually and collectively on a path of sustainable growth and development and by so doing to put a stop to these escalating marginalization of the continent.<sup>7</sup>

In this chapter the writer of this paper are intends to show a critical evaluation of the NEPAD framework and current progress to achieve UN MDG, and other agreed development goals, with the powers, responsibilities and relationship of NEPAD and APRM. Then finally the writer will show the legal and the practical problems of NEPAD and APRM.

### **3.1 THE POWER OF NEPAD TO ACHIEVING SUSTAINABLE DEVELOPMENT IN THE 21<sup>ST</sup> CENTURY**

The new partnership for Africa's development differs in its approach and strategy from all previous plans and initiatives in support of Africans development, although the problems to be addressed remain largely the same.<sup>8</sup>

The NEPAD'S aim is to achieving sustainable development in the 21<sup>st</sup> century by ensuring democracy, human rights and good governance. This is a central features of NEPAD. To achieve NEPAD'S objective, African leaders take responsibility for eradicate poverty, sustainable economic growth and to participate actively in the world economic and body policy through a number of ways, including and protecting human rights, good governance and democracy based approach. NEPAD acknowledge that African leaders have learnt from their own experiences that peace, security, democracy, good governance, human rights and sound economic management are conditions for development.<sup>9</sup> The NEPAD document reiterates that development is impossible in the absence of truth democracy, respect for human rights and good governance.

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<sup>6</sup> Ibid

<sup>7</sup> NEPAD base document .par 67

<sup>8</sup> Ibid par.59

<sup>9</sup> Ibid par.71



### **3.1.1 HUMAN RIGHTS BASED APPROACH**

NEPAD is, in a sense, at the regional level adopting a human-rights based on approach to development. In the context of the new African Union, NEPAD was adopted as the road map for development in all of Africa. Whereby, the pledge by African leaders to consolidate and accelerate the gains in the protection of human rights and people-centered development is a long-term vision of an African-owned and African-led development programmed. For NEPAD to continue to be a human-right based on approach to development popular participation must be encouraged. While information officers are being appointed and the institutional mechanisms are being strengthened, there is an important role for national institutions in Africa to get the NEPAD message out.<sup>10</sup>

The Universal Declaration of Human Rights described a Variety of rights including the rights to life, liberty and security of person; freedom from slavery; freedom from arbitrary arrest; a fair and impartial trial; the right privacy and the right to education.<sup>11</sup>

In Human rights and development there exist a human rights based approach. Hence, a human rights approach promotes development (human-centered development). It concentrates on people. By recognizing each person's inherent dignity and worth without discrimination, it promotes equal opportunities and choices. Each person has the opportunity to develop his or her own unique potential. They are then in a position to contribute to the economic and social progress of a society.<sup>12</sup> These initiatives spread current thinking about a human rights-based approach to development that contributes to the fulfillment of universal human rights and dignity.

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<sup>10</sup> Ibid

<sup>11</sup> Howard, Peter. "United Nations." Microsoft® Encarta® 2007 [DVD]. Redmond, WA: Microsoft Corporation, 2006.

<sup>12</sup> Ibid





At the international level the United Nations Declaration on the Right to Development defines the right to development as the right by which everyone is entitled to participate in, contribute to, and enjoy economic, social, cultural and political development. This right includes:<sup>13</sup>

- Permanent sovereignty over natural resources;
- Self-determination;
- Popular participation;
- Equality of opportunity; and
- The advancement of adequate conditions for the enjoyment of other civil, political, economic, cultural and social rights.

The right to development belongs both to individuals, and collectively to peoples. It is an obligation of the international community, for example in promoting fair development policies, and on individual states. The human rights imperative of such approaches also means that particular attention must be paid to discrimination, equality, equity, vulnerable groups and including in them women, minorities, indigenous peoples, and prisoners.<sup>14</sup>

However, In order to ensure peace and security on the continent, they propose a three part of intervention: promote such long term conditions: build the capacity of African institutions for conflict prevention and resolution; and institutionalize the commitment of Africa leaders to wards the core values of the NEPAD.<sup>15</sup>

Also, issues of governance is the central concern of NEPAD; the program acknowledges that African leaders will take joint responsibility for promoting and protecting democracy and human rights and promoting the role of women.<sup>16</sup>

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<sup>13</sup> A Human Rights Based Approach to Development: Strategies and Challenges

By Orest Nowosad Office of the High Commissioner for Human Rights. UNITED NATIONS

<sup>14</sup> Dorsen, Norman, and Lieberman, Jethro K. "Civil Rights and Civil Liberties." Microsoft® Encarta® 2007 [DVD]. Redmond, WA: Microsoft Corporation, 2006.

<sup>15</sup> Declaration on democracy ,political , economic and corporate governance (Declaration on Democracy and Governance).AHG/235(XXXVIII)

<sup>16</sup> Ibid



NEPAD'S human rights based approach to facilitate the development NEPAD members undertakes to "work with renewed determination to enforce the rule of law, the equality of all citizens before the law and the liberty of the individuals", as well to enforce "individuals and collective freedoms".<sup>17</sup>

As the explanatory document of NEPAD, the Declaration on Democracy and Governance adds important new language to the NEPAD document on human rights. It states:<sup>18</sup>

In light of Africa's recent history, respect for human rights has to be accorded an importance and urgency all of its own. One of the tests by which the quality of a democracy is judged is the protection it provides for each individual citizen and for the vulnerable and disadvantaged groups. Ethnic minorities, women and children have borne the brunt of the conflicts raging on the continent today we undertake to do more to advance the cause of human rights in African generally and, specifically to end the moral shame exemplified by the plight of women, children, and the disabled and ethnic minorities in conflict situations in Africa.

The benefit of a human rights-based approach is that it is based on both moral consensus and legal obligation. The approach stresses the following key elements: express linkage to rights, non-discrimination and attention to vulnerable groups, participation, empowerment, and accountability. The relevant duty holders and beneficiaries are identified and policy-makers are enabled to evaluate an initiative's impact in terms of people's enhanced dignity. As it is a home-grown and people-centered development it cannot be reversed by the withdrawal of outside charity. A challenge to the human rights based on approach is that it is not only be process oriented but also focuses on the result.<sup>19</sup>

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<sup>17</sup> Ibid Para 15.

<sup>18</sup> Declaration on democracy ,political , economic and corporate governance (Declaration on Democracy and Governance).AHG/235(XXXVIII) art .70

<sup>19</sup> Dorsen, Norman, and Lieberman, Jethro K. "Discrimination." Microsoft® Encarta® 2007 [DVD]. Redmond, WA: Microsoft Corporation, 2006.



The objectives of development and aid are defined in terms of particular, legally enforceable rights with express links to international, regional and national human rights instruments. Human Rights based approaches are comprehensive in their consideration of the full range of indivisible, interdependent and interrelated rights: civil, political, economic, social and cultural rights. This reflects a development framework with sectors mirroring internationally guaranteed rights covering a whole host of rights relating to health, education, housing, the administration of justice, personal security, political participation, and so on.<sup>20</sup>

An important challenge for NEPAD will be the attention which needs to be paid to vulnerable and marginalized groups. NEPAD reinforces the social, economic and cultural rights and the right to development provisions of the African Charter, but adopts a gender-neutral approach. A conscious effort should be made to ensure that the human rights approach to development that is explicit in the documents sufficiently recognizes the needs of women and young people at the implementation stage.

Finally I will show the critiques that are raised by many scholars and civil society on NEPAD human rights approach, that are:-

- ❖ makes very few references to human rights and these are largely rhetorical,
- ❖ deals only superficially with the impact of HIV-AIDS upon people lives,
- ❖ does not guarantee self determination for the people and contains policies that contradict and incompatible with democracy and human rights,
- ❖ promotes regional economic integration but it is totally silent on the right of people to freely move and seek employment across borders in AFRICA

The writer this paper argue that we commit ourselves to continue our struggle for human rights in the fullest meaning including political, civil, economic, social, women's, cultural and environmental rights.

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<sup>20</sup> Ibid



### **3.1.2 GOOD GOVERNANCE BASED APPROACH**

In the last twenty years, the concept of governance and good governance have become widely used in both the academic and donor communities. These two traditions have dissimilar conceptualizations. The academic approach focuses mainly on the study of the different ways in which power and authority relations are structured in a given society. In the other side there is the donor community approach, which puts emphasis on the role state structures play in ensuring social, economic and policy equity and accountability through open policy processes.<sup>21</sup>

Good governance in both communities has abroad reform strategy, a particular set of initiatives to strength the institutions of civil society with the objective of making government more accountable, more open and transparent and more democracy.<sup>22</sup>

Good governance contributes to Gross National Happiness (GNH) in the creation of an enlightened society in which happiness and well being of all people is the ultimate purpose. The outstanding feature of GNH sustainable development Bhutanese ethos, equalitarian distribution of income and cooperation in community life-find resonance in Bhutan's constitution.<sup>23</sup>

Good governance must be involve the following notions:-

- ❖ Participation
- ❖ accountability
- ❖ responsiveness
- ❖ transparency
- ❖ effective and efficient institutions
- ❖ rule of law
- ❖ consensus

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<sup>21</sup> Good governance, Available on [http://www.wmd.org/documents/nepad\\_and\\_good\\_gov.doc](http://www.wmd.org/documents/nepad_and_good_gov.doc). Accessed on 2-5-2008

<sup>22</sup> Ibid

<sup>23</sup> Good Governance, Available on <http://www.undp.org.bt/governance/docs/rc-on-grand07pdf> Accessed on 2-5-2008



NEPAD considers good governance as paramount for the achievement of human development, security and the protection of human rights and promoting the rule of law, participation, and accountability. Democracy's based on the principle that public decision making this requires access to public information and civil education on the functioning of the democratic system and its institutions.

Secretary-General Kofi Annan said that<sup>24</sup>:-

“Good governance and development are important goals in their own right and they reinforce each other. Without the rules of law and respect for human right with out transparency and accountability; and unless government drive their power legitimately and gains would remain fringe and reversible”.

Effectiveness and efficiency make up the lost dimension of good governance of the technical dimension. Effectiveness means that the professes and the institution produce results that meet of society, while making the best use of resources, ensuring the protection environment as well as sustainability.<sup>25</sup>

### **3.1.3 DEMOCRACY BASED APPROACH**

It is general acknowledged that development is impossible in the absence of true democracy. Thus the New Partnership for Africa's development, Africa undertakes to respect the global standards of democracy, the core of components of which include political pluralism, allowing for the existence of several political parties and workers' unions, and fair, open and democratic elections periodically organized to enable to choose their leaders freely.<sup>26</sup>

NEPAD on democracy based approach it aim to protect democracy in Africa by enjoying political freedom and participating and protect people from economic and political

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<sup>24</sup> Mr.kofi A.Annan, former UN secretary general.

<sup>25</sup> Super note 21

<sup>26</sup> NEPAD base document par.79



catastrophes. It was also contribute to political stability, providing open space for political opposition and handovers. Moreover, wars were more frequent in non – democratic regimes and had much higher economic costs. NEPAD was it’s aim to protect democracy in Africa, but the NEPAD democracy based approach is faces legal and practical problems.

Finally the writer of this paper shows that the critical overview of NEPAD on Democracy and Good Governance approaches. I have discussed the nature and the role of the post-colonial state in Africa ,and the role of development state in the earlier economic, social and human development achievements following independence, I noted that NEPAD <sup>27</sup>

- ❖ Ignores the way the state has , it self ,been undermined as a social provider and vehicle for development, particularly under the world bank’s tutelage;
- ❖ Ignores the way that the ‘structurally adjusted’ state has, in turn, been undermining institutions and process of democracy in Africa.
- ❖ Does not reflect the historic struggles in Africa for participatory forms of democracy and decentralization of power ;
- ❖ Promises of democracy and good governance are largely intended to satisfy foreign donours and to gives guarantees to foreign investment.

The writer of this paper agrees with the conclusion given by African civil society declaration on NEPAD<sup>28</sup>.

1.while we are committed to good governance in Africa , we do not accept the interpretation and content that this is given in NEPAD ,including questionable economic policies that we do not accept embedded within ‘good governance’.

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<sup>27</sup> Africa civil society declaration on NEPAD “we do not accept NEPAD!! Africa is not for sale!!” available on <http://www.igt.org/pdfs/121.NEPAD.pdf>. Accessed on 17-5-2008

<sup>28</sup> Ibid



2. we call on African people to mobilize for a development participatory state responsive to their needs and aspirations, and to build popular and democratic movements that can hold our states to their responsibilities.

NEPAD has been designed by experts and adopted by governments with little public consultation .there is some popular discontent over this ,and the weakness of consultation means that opportunities are being missed for strengthening popular ownership and ensuring that NEPAD promoted democracy.<sup>29</sup>

NEPAD will succeed only if participating leaders are ready to monitor fellow-participants and ensure the restoration of good governance in any African country that has departed from international norms of democracy and state legitimacy.<sup>30</sup>

African leaders who participate in the New Partnership for Africa's Development (NEPAD) accept that democracy, good governance, human rights and sound economic management are essential for sustainable development. They undertake joint responsibility for promoting and protecting democracy and human rights in their countries and regions.<sup>31</sup>

### **3.2 THE RESPONSIBILITY OF NEPAD**

The responsibility of NEPAD is to implement the short term and long term objectives, when NEPAD are the primary objective are to eradicate poverty, to place African counters both individually and collectively on a path of sustainable growth and development, and to halt the marginalization of Africa in the globalization process and enhance beneficial integration in to the global economy. This objective are currently faces many problem and challenges, the source of the problem is legal and practical. The other points for the responsibilities of NEPAD are what activities

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<sup>29</sup> EISA Occasional paper number 14, November 2003. Available as <http://www.eisa.org.za/pdf/op14.pdf>  
Accessed on 12-2-2008

<sup>30</sup> Ibid

<sup>31</sup> NEPAD's Commitment to Democracy and Good Governance Available on:  
<http://www.zwnews.com/Crisis.doc>. Accessed on 2-6-2008



are done by NEPAD priorities and how the NEPAD's implementation progress. The problems relating to the responsibility of NEPAD are discussed as follow.

### **3.2.1 ERADICATE POVERTY**

Eradicating extreme poverty is the primary responsibility of NEPAD. They key feature of development is poverty. Entire economies can be poor or they can grow but, still leave large sections of their people in poverty. In the second half of the 20<sup>th</sup> century, economists became acutely aware of the difficulties of a large number of countries in the developing world. Development economics became more or less synonymous with the study of how these countries could progress out of poverty.<sup>32</sup>

Poverty, condition of having insufficient resources or income. In its most extreme form, poverty is a lack of basic human needs, such as adequate and nutritious food, clothing, housing, clean water, and health services. Extreme poverty can cause terrible suffering and death, and even modest levels of poverty can prevent people from realizing many of their desires.<sup>33</sup> The world's poorest people, many of them live in Africa, they struggle daily for food, shelter, and other necessities. They often suffer from severe malnutrition, epidemic disease outbreaks, famine, and war. Extreme poverty, which threatens people's health or lives, is also known as *destitution* or *absolute poverty*. Extreme poverty in developing nations, as defined by international organizations, means having a household income of less than U.S. \$1 per day. *Relative poverty* is the condition of having fewer resources or less income than others within a society or country, or compared to worldwide averages. In developed countries, relative poverty often is measured as having a family income less than one-half of the median income for that country.<sup>34</sup>

Africa includes some of the poorest countries in the world. In much of Africa south of the Sahara, harsh environmental conditions exacerbate the conditions of poverty. Dry and barren land covers large expanses of this region. As the poor try to take out

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<sup>32</sup> Corbett, Thomas J. "Poverty." Microsoft® Encarta® 2007 [DVD]. Redmond, WA: Microsoft Corporation, 2006.

<sup>33</sup> Ibid

<sup>34</sup> Ibid





livings through farming and other subsistence practices, they exhaust the land, using up the soil nutrients needed to grow crops. Over time this has led to desertification, a process in which once fertile land turns to desert. During the late 20<sup>th</sup> century, desertification contributed to famines in a number of African nations, including Somalia, Ethiopia, and Mali. Political instability and wars in many sub-Saharan countries have also contributed to poverty. As a result of such factors, the number of people living in extreme poverty in sub-Saharan Africa grew from 217 million in 1987 to more than 300 million in 1998.<sup>35</sup>

But present trends see no alleviation of the burden of poverty in Sub-Saharan Africa, where more than 360 million people will continue to live less than \$1 a day.<sup>36</sup> Since November 2000, poverty reduction is explicitly stated as the principal aim of Community development co-operation. Poverty, which includes the concept of vulnerability, results from many factors. The Community continues to make an active contribution to the development as well as the implementation of poverty reduction strategies. Those strategies integrate the multiple dimensions of poverty and are based on the analysis of needs, constraints and opportunities in individual developing countries. NEPAD it works to achieve its goal of poverty reduction .The challenge for Africa, therefore, is to develop the capacity to sustainable growth at levels required to achieve poverty reduction and sustainable development. This, in turn depends on other factors such as infrastructure, capital accumulation, human capital, institutions, structural diversification, competitiveness, health, and good stewardship of the environment.<sup>37</sup> The poverty reduction strategies the new long - term vision will require massive and heavy investment to bridge existing gaps.<sup>38</sup> It is a duty to all NEPAD member state is participate to achieve its long term objective.

In my observation relating to achieve and sustain an average gross domestic(GDP) growth rate of above 7 percent per annum for the next 15years and achieve the

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<sup>35</sup> Ibid

<sup>36</sup> Facts are mentioned in this introduction are all taken from recent MDG related reports by UN agencies.

<sup>37</sup> NEPAD base document. par 64

<sup>38</sup> Corbett, Thomas J. "Poverty." Microsoft® Encarta® 2007 [DVD]. Redmond, WA: Microsoft Corporation, 2006.



agreed international development goals (IDGs) to achieve all NEPAD counters are difficult for current Africa situation. The long term objective are faces many problems. For example, the Darfur and Somali crisis are not solve, on this ground to achieve UN MDG or NEPAD long term poverty eradication strategy it is difficult. Many counters are under civil war day to day by cause of election are happen conflict, the other thing current economic crisis are other impact and additional oil press increase are problems for Africa state to achieve the goal.

### **3.2.2 SUSTAINABLE ECONOMIC GROWTH**

The other long term objectives are sustainable economic growth. Economic growth are promotion of more intensive and more advanced economic activity through such means as education, improved tools and techniques, more available financing, better transportation facilities, and creation of new businesses.<sup>39</sup>

To achieve sustainable Economic growth there is some preconditions are listed under NEPAD base document under Art.71.these are:-

African leaders have learnt from their own experience that peace, security, democracy, good governance, human rights and sound economic management are conditions for sustainable development. They are making a pledge to work, both individually and collectively, to promote these principles in their countries, sub-regions and the continent.

NEPAD indicates that the moment is mature for integrating existing peace and security issues within a unifying framework, in such a way that retain their essential autonomy and dynamism, but complement one another more effective.<sup>40</sup> The combination of the AU and NEPAD provides a framework for bringing peace and security issues together with the question of governance and constitutionalism (the

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<sup>39</sup> "Economic Growth." Microsoft® Encarta® 2007 [DVD]. Redmond, WA: Microsoft Corporation, 2006.

<sup>40</sup> African Development Forum III, Defining priorities for Regional Integration 3-8 march 2002, A.A Ethiopia.



core of AU) and economic development and international partnership (the core of NEPAD).<sup>41</sup>

NEPAD's initiatives on peace and security is intended to support the protocol related to the African unions proposed mechanism for prevention, management and resolution of conflict and to complement the various efforts made by the union and the regional economic communities to bolster their own mechanisms of a similar type.<sup>42</sup>

It is three pronged initiatives, more precisely<sup>43</sup>:-

- Long term promotion of conditions which encourage security and development:
- Consolidation of early warning capabilities among African institutions and the improvement in their ability to prevent ,manage and resolve conflicts
- Institutionalization of commitments towards the core NEPAD values through its leaders.

It is obvious that as far as the first factor is concerned, the long term conditions that would create a climate for peace and security in Africa require, indeed, demand measures that can successfully counter the social and political vulnerabilities at the root of conflicts.<sup>44</sup>

It thus becomes easy to understand that issues of peace, stability and security remain intrinsically linked to those of good governance. which is why they are taken up by another initiatives linked to those of good governance. which is why they are taken up by another.

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<sup>41</sup> Ibid

<sup>42</sup> The New Partnership for Africa's Development an instrument for conflict prevention and management, the Darfour case, Available online at:

[http://www.hss.de/downloads/COMMUNICATION\\_NATAMA\\_ENG.pdf](http://www.hss.de/downloads/COMMUNICATION_NATAMA_ENG.pdf). Accessed on 2-6-2008

<sup>43</sup> NEPAD base document par.74

<sup>44</sup> The New Partnership for Africa's Development an instrument for conflict prevention and management, the Darfour case, Available online at:

[http://www.hss.de/downloads/COMMUNICATION\\_NATAMA\\_ENG.pdf](http://www.hss.de/downloads/COMMUNICATION_NATAMA_ENG.pdf). Accessed on 2-6-2008



Under NEPAD base document, Africa civil society declaration on NEPAD discussed how the conflicts on the continent have their sources in the legacy of colonialism, economic, exclusion, political intolerance, social polarization, artificial borders and unequal access to resource. I will show some of the missing point of NEPAD:-

- ❖ ignores all these factors and approaches these problems mainly as technical peace-keeping<sup>45</sup>
- ❖ does not point to the structural adjustment policies of IMF and world bank in exacerbating conflicts leading to for further wars;<sup>46</sup>
- ❖ does not point to the interest of corporations, war profiteers and war-lords, in their determination to control and exploit our resources, as major source of war and conflicts in African;<sup>47</sup>
- ❖ With regard to Migration, nationality citizenship there can be now doubt. This is another huge problem for African. For example recent problem of S.A citizen and foreigners crisis. The merit of the conflict are to prevent crime and other illegal business are wanted by the people. The first option taken by the S.A peoples are strongly complained to went out the foreign national citizens. Because the major participatory in crime and illegal business are foreigner citizens. Because of this many Mozambican and other nation citizens are compelled to go refugee comps and many people are migrant [home less].<sup>48</sup> NEPAD has got the completely wrong angle on this kinds of problem to solve, only it pays attentions to the migration in the sense of a brain drain and not at all the IDP or refugee problems derived from conflicts.

Finally, the writer of this paper is conclude that Peace based on democracy and guaranteeing human security requires an environment that fulfils people's needs, and livelihood needs free from all forms of discrimination. Peace demands a pan-African response to the divisions and tensions created by the legacy of arbitrary colonial borders and divisive social relations The Kampala declaration establishing the conference on

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<sup>45</sup> Africa civil society declaration on NEPAD “we do not accept NEPAD!! Africa is not for sale!!” Available on <http://www.igtn.org/pdfs/121.NEPAD.pdf>. Accessed on 2-6-2008

<sup>46</sup> Ibid

<sup>47</sup> Ibid

<sup>48</sup> ETV.NEWS. Jun 17,2000 E.C .



security, stability development and cooperation [ESSDCA] can be an important instrument for peace building. without peace and stability, there can be no hope of development.<sup>49</sup>

### **3.2.3 TO PARTICIPATE ACTIVELY IN THE WORLD ECONOMY AND BODY POLICE**

The responsibility of NEPAD to participate actively in the world economy and body policy it is the long term objective, if all Africa countries are eradicate poverty and achieve sustainable economic growth then it is a power to participate actively in the world economy and body policy involves the growth of multinational corporations. Otherwise, it sinks under Globalization.

On globalization, NEPAD says there are 'increase of costs' caused by globalization and on 'Africa's ability to compete'. NEPAD states that costs of global processes 'have been born disproportionately by Africa'. The absence of fair and just rules mean there has been an increase in '...the ability of the strong to the detriment of the weak', and that 'increasing polarization of wealth and poverty is one of the number one processes that have accompanied globalization'. NEPAD speaks of '...negative as well as positive aspects of globalization'.<sup>50</sup> However, NEPAD also perceived 'the unparalleled opportunities that globalization has offered to some previously poor countries', and that 'pursuit of greater openness of the global economy has created opportunities for lifting millions out of poverty'. NEPAD speaks out against the polarization and 'widening wealth-poverty gap'. What NEPAD should also have done is to speak out against the particularistic policies of specific countries, notably the G-7, and how the policies and behavior of such countries determine the effects globalization. After all, NEPAD seeks a 'new partnership' and association, a transformation of power relations between Africa and the west.<sup>51</sup>

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<sup>49</sup> Super note 45

<sup>50</sup> South Africa- Nepad. NEPAD: What is it? What is missing? Available on <http://www.alrn.org/modules.php?Op=modload&name=news&file=index&cited=6&camsSid=14602b95bdbb51ecf8675654a29897bo>. Accessed on 2-6-2008

<sup>51</sup> Ibid



One of the key problems of the 21st century will be determining to what extent markets should be regulated to promote fair competition, honest dealings, and fair distribution of public goods on a global scale.<sup>52</sup>

NEPAD speaks out and attacks the 'absence of fair and just rules' as far as the global trading system is concerned, and seeks to address the 'unfavorable terms of trade' facing Africa. It also speaks out against 'biases in economic policy and instability in world commodity prices' that affect Africa negatively. As such, NEPAD seeks 'a new global partnership' and pronounce that international multilateral institutions and the world's most industrialized nations have an 'obligation' to negotiate more favorable terms of trade for African countries within the multilateral framework'. NEPAD further encourages African states to actively engage the multilateral system of rules and regulations being created and implemented under the World Trade Organization (WTO). NEPAD also recognizes 'the new trading opportunities that emerge from the evolving multilateral trading system.

NEPAD makes a strong plea that Africa's marginalization needs to be ended as a matter of urgency and that Africa needs to be reintegrated into the global economy. In my opinion globalization is some impact for Africa , so that NEPAD are not fully successful.

### **3.2.4 HOW IS NEPAD IMPLEMENTATION PROGRESS AND PARTENER SUPPORT WORK IT**

Implementation of the New Partnership for Africa's Development programmes are implemented in collaboration with development partners: these sectoral priorities programs are Health(communicable disease HIV/AIDS, malaria and tuberculosis), information and communications technology, debt reduction and Market access program. The basic thing, is it effectively support ? It is questionable in my personal observation I have seen many weakness and some works that are to do by some implementation partner, but it was weak.

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<sup>52</sup> Tabb, William K. "Globalization." Microsoft® Encarta® 2007 [DVD]. Redmond, WA: Microsoft Corporation, 2006



Before to show the problem of implementing partner, I want to write sectoral priorities program in current situation. The NEPAD sectoral priorities programs are divided by five section, these are:-

- 1) policy reforms and increase investment in the following priority sectors, agriculture, human development with a focus on health, education, science and technology development;
- 2) building and improving infrastructure, including information and communication technology (ICT), Energy, transport, water and sanitation;
- 3) promoting diversification of production and export, particularly with respect to industries, manufacturing, mining, mineral beneficiation and tourism;
- 4) accelerating intra-Africa trade and improving access to markets of development and
- 5) the environment.

Some sectoral priorities programs are not want form the implementation partner. One of NEPAD top priorities is the creation of short-term regional infrastructure program to work on transport energy, water and sanitation and information and communication technology, however, actual implementation of projects has been slow for example, the African Development Bank, which is financing some of NEPAD's short term action plan, is implementing less than half of them at any stage.<sup>53</sup> Capacity building projects and investment projects are lagging even further behind.

Critical evaluation for some of top priorities programs having problems are discussed as follow. The first weakness is relating to Health programmes, it was aim a number of goals and targets have been set for reduce burden of disease in Africa. Africa is not on track to achieve these goals and targets, because<sup>54</sup>:-

- A. Health systems and service are too weak to support targeted reduction in disease burden;

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<sup>53</sup> NEPAD Main Report[draft] Short-term Action Plan Infrastructure. May 2002. Available on <http://www.nepad.org>. Accessed on 2-7-2008

<sup>54</sup> NEPAD Health Strategy Executive Summary. Available on <http://www.nepad.org>. Accessed on 2-7-2008



- B. Disease control programmes do not match the scale of the problem;
- C. Safety in pregnancy and childbirth has not been achieved
- D. People are not sufficient empowered to improve their own health;
- E. Insufficient resources
- F. Widespread poverty, marginalization and displacement on the continent.

In my observation the NEPAD sectoral priorities programs are in general some challenges are faces this are:- lack of access to capital to support major sub-regional and regional projects, policies restrictive government policies that in habit or make it very expensive to procure, deploy and rollout the infrastructure, lack of Human Resource capacity in key technical skill areas this is a major challenge for the effective implementation of sectoral priorities programs.

### **3.3 Critics on APRM**

The writer of this paper can this should be has say that NEPAD and the peer review concept have been the lack of ownership by African citizens and the top-down approach, both at continental level and within individual countries. While there is some defense for this approach in the establishment of this structures at continental level, for NEPAD and Peer Review to really become established at the heart of good governance at contently level, improved information dissemination and enhanced participation are necessary.<sup>55</sup>

Without explicit mechanisms to get ownership and buy in at all levels of governance, parliament and the private sector, peer review will fail to achieve its aim s of grater accountability and good governance within each country.<sup>56</sup>

A peer review of political governance is a novel practice, never before tried anywhere in the world. It is the most challenging aspect of review as many African conflicts are the result - in part - of poor governance practices. Political governance peer review requires the resolution of major questions; the Accord on the APRM (January 2003) singles out

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<sup>55</sup> The African Peer Review Mechanism (APRM) base document (2002). Available online at: <http://www.nepad.org/2005/files/documents/49.pdf> . par 26 7/7/2002

<sup>56</sup> Ibid





issues such as electoral democracy, human rights, and an active civil society, that need to be addressed. It also raises questions about what institutions and mechanisms should be established in African countries to realize the APRM's objectives<sup>57</sup> There has been growing pessimism over the unwillingness of more than 71% of the AU states to subject themselves to peer scrutiny at the time of writing. The other point state are to sign APRM are not implemented properly, for example Mozambique are one of the country which are accept and sign the APRM but current time there is conflict at that country because of election the observers said the election lacked credibility. Another example Kenya election problems the same thing happen in Kenya European observers said the election lacked credibility. In January 01, 2008 in Kenya's Police opened fire on rampaging opposition supporters who were burning houses and cars, looting businesses and attacking people Monday as the death toll in Kenya's post-election violence climbed to at least 125.<sup>58</sup>

But there is still skepticism about how far African leaders are prepared to go to put pressure on their peers. The number of states that are reluctant to participate in the APRM testifies to this. The effectiveness of peer review processes is also dependent on self-discipline to maintain the standards set by the APRM. There is still a great deal of work to be done by African governments to develop a culture that will conform to the standards on good governance, and political and economic cooperation that they have set for themselves. Peer countries that are conducting a peer review can negatively affect the process if they can allow a peer country under review to interfere with the results of the findings.

The peer review mechanism will not be effective given the reluctance of the AU and African leaders to criticize and ostracize one another.

For example, The APRM in the first countries undergoing the process has raised critics about the independence of the civil society representatives on the National

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<sup>57</sup> Malachia Mathoho, An African Peer Review Mechanism: a panacea for Africa's governance challenges? Policy brief 29.

<sup>58</sup> Available on <http://us.mc520.mail.yahoo.com/mc/compose?to=robyn.dixon@latimes.com> Accessed on 19-5-2008



Co-coordinating Mechanism. SAIIA conducting seminar on civil society and the APRM in various countries. In all cases there was a lack of information regarding civil society role and the opportunities for engagement with the process.<sup>59</sup> The critics are raised at seminar in Ghana during November 2003, community-based organizations in that country, were concerned that their rural membership would not be heard. Ghanaian civil society players in general were outraged at the lack of consultation and what they perceived as a non-democratic process of representation.<sup>60</sup> The government has since engaged in a broader process of consultation. The same problems are happen in Kenya and South Africa.<sup>61</sup> The Key challenges in governance and socio-economic development in Kenya from the Peer Review are:<sup>62</sup>

- An inability to address the colonial legacy, and the need to set a political agenda for real and strong national unity;
- Historical imbalances in the channeling of resources and development programmes to certain regions in Kenya, which has perpetuated regional and ethnic inequalities;
- The delay in promulgating a new constitution in spite of the Boma draft being the product of the most extensive constitutional consultations in Africa's history;
- The absence of broad-based and inclusive political parties, cutting across the racial and ethnic divides and anchored on a truly national agenda;
- The lack of confidence and trust in public institutions coupled with pervasive corruption despite the substantive legal and institutional frameworks instituted to curtail it;
- The high incidence of poverty and pervasive unemployment, especially for youth;
- The under-representation of women in key positions of leadership at all tiers of government and the private sector;

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<sup>59</sup> Ibid

<sup>60</sup> Ibid

<sup>61</sup> Key Issues from the APRM Annual Progress Report. Available on <http://www.nepadKenya.org/aprm.htm>. Accessed on 15-5-2008

<sup>62</sup> Ibid



- The lack of efficient public sector service delivery and enforcement mechanisms as well as the weak implementation of policies and programmes;
- The ineffectiveness of the Parliamentary Oversight Committees;
- The limited access to finance for small business; and the
- Low probability of meeting MDG goals with the exception of universal primary education and fall in HIV/AIDS rates.

In Rwanda, the crucial absence of civil society voice is causes for concern regarding the independence of the review. Government players in all these countries have given assurances that the criticisms will be considered and steps taken to ensure the APRM's integrity. These countries may indeed be sincere in their assurances, but concern remains that a largely government controlled process in the first countries to be assessed will culminate in a review that is neither credible nor independent.<sup>63</sup>

The other criticism frequently expressed by civil society players from business, labour, academic, media and NGO's has been the lack of ownership of the APRM by African citizens and Communication with, and information flow from, the continental NEPAD and APRM secretariat is problematic at best, a concern raised by players from across the government and civil society sectors in different countries. The communication problems point directly to the ownership and competence issues.

The peer review mechanics to achieve its goal it faces many problems, so to crate a problem and achieve a goal are a basic thing for success and fully functioning peer review mechanism are competence, independence; competition, ownership and communication are major point for success.

In the writer's opinion peer review is currently by and meaningless large but has potential for great improvement.

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<sup>63</sup> APRM Annual Progress Report. Available on <http://www.nepadRwanda.org/aprm.htm> Accessed on 19-5-2008



## CHAPTER FOUR

### CONCLUSION AND RECOMMENDATION

#### 4.1 CONCLUSION

Development is the question all of countries it is not the only questions of Africa state. In September 2000 world leaders from 189 nations agreed and signed the UN Millennium Declaration, binding them to a global project to decisively reduce extreme poverty in all its key dimensions. The Millennium Development Goals (MDGs) that derive from this Declaration provide an agenda for global action. This agenda and the outcomes of the World Social Summit, the World Summit on Sustainable Development, the Doha Development Agenda and the Monterrey Consensus are mutually supportive processes and essential building blocks of a worldwide partnership for sustainable development.

On chapter one NEPAD framework development briefly discussed. The Africa state is to achieve this UN MDG's and other agreed development goals are drafted the NEPAD framework. NEPAD is a plan to redevelop the African continent developed by and for Africans. NEPAD is the culmination of the merger of the Millennium Partnership for the African Recovery Program (MAP) and the OMEGA Plan, which was finalized on July 3, 2001. The above discussions are legal and practical skeleton which will be fleshed out over time with NEPAD and APRM.

The principal objective of NEPAD is to eradicate poverty in Africa and to place African countries, both individually and collectively, on a path of sustainable growth and development. As briefly discussed under chapter two of this paper.

The NEPAD problems are the proposal to continue using the development and economy police framework, One problem raised is NEPAD's framework is did not conduct sufficient consultations with the private sector, trade unions and civil society organization during the drawing up of the initiative, it was an essentially elite drive initiative drafted almost exclusively by heads of state and government, and state-dominated institutions Another Problem is that NEPAD's will be unable to honor Its own Commitments on good governance and human rights; by healthy strategy of NEPAD HIV/AIDS are the



impact of development, peace and security, but the issue has been mentioned very marginally by NEPAD, another problem NEPAD has got completely pays attention to the migration in the sense of brain-drain and APRM will not be effective this and other major problems of NEPAD and APRM are discussed.

The writer of this paper is to consider this situation on third chapter give critical evaluation and check progressive work of NEPAD and APRM. Before winding up however, there are certain recommendations to be forward.

#### **4.2 RECOMMENDATION**

Finally, the writer of this paper strongly recommends that NEPAD's to achieve it's long term and short term goals are to check the following things:

- ✓ First NEPAD has create Awareness and Ownership for Africa's state is the first thing, because The first challenge to meaningful participation is the still fairly pervasive lack of awareness of NEPAD among both government and civil society in many, if not most African countries it may not be an exaggeration to say that NEPAD remains better known in the west that on the African continent. Lack of awareness of a vision constrains potential ownership of the vision there is still a lot of work required especially in the area of awareness creation on NEPAD since many people still do not understand what NEPAD really is.
- ✓ The other point, the NEPAD secretariat has to play a valuable role to bringing coherence and new ideas including the evaluation of the effectiveness of current strategies and monitor international and other commitments.
- ✓ NEPAD member states have to refrain from adopting or implementing policies or programmes that could jeopardize the full enjoyment of economic, social and cultural rights, the other thing to protect their citizens by preventing violations of their rights and member States have to adopt policies and programmes – within NEPAD - which will contribute to the full realization of human rights, good governance and democracy. The last recommendation for member state is to



participate actively by APRM system and give available information for the review process.

- ✓ The partners of NEPAD are to keep their promise and to support for the following programs: this are contributions to the APRM trust fund, support to international advocacy for NEPAD, Health, Debt reduction, Market access program, the CADDP process, ICT program and other programmes, which are want's to development partner.
- ✓ The other thing Countries giving money to NEPAD member States have to make sure that the money is being spent in priority towards the realization of programmes which contribute to the full realization of fundamental economic and social rights in the receiving country.
- ✓ Private Companies are in the framework of NEPAD to give direct Obligation to respect and protect human rights in their field of activity and sphere of influence, so to perform its duty.
- ✓ Finally, recommend that every person to participate actively to NEPAD programmes to achieve it's goal.
- ✓ The effectiveness of peer review depends up on the combination of number factors: the first one are value sharing are one of precondition for an effective peer review is convergence among the participation countries on the standard of criteria against which no evaluate performance .a strong common understanding on these will prevent uncertainty or backtracking.
- ✓ Furthermore Peer review can functionally properly only if there is an adequate level of commitment by the participating countries must not place adequate financial means at the disposal of the secretariat; they must also be fully engaged in the process at different times as examiners, as active members of the collective body, and so subject of the examination.
- ✓ The third points for the effectiveness are Mutual trust, since peer review is, by its nature, a co-operative, non-adversarial process; mutual trust is an important basis for its success.
- ✓ The last and the basic point for the effectiveness are credibility the credibility of the peer review process is essential for its effectiveness, and to



its added value in comparison with governmental reports or consultants, certifications. To ensure credibility, the reviewer organization must guarantee independence, transparency and quality of work.



### 4.3 BIBLIOGRAPHY

#### A. BOOKS

- ❖ Peter Anyang Nyong'o, Asegedech Ghirmazion, Davinder Lamba [editors], New Partnership for Africa Development [NEPAD] a new path? Heinrich boll foundation, 2002.
- ❖ M.bogo Fatoumatta African commitments to civil society engagement a review of 8 NEPAD countries, the African human security initiative, 2004.
- ❖ Cherubin Doumbia, Giliance :-African commitment to human right a review of 8 NEPAD counters.
- ❖ Bronwen Manby, human right quarterly –Volume26, Number-4, November 2004.

#### B. Tables of documents

- ❖ The New Partnership for Africa's Development [NEPAD] Framework document, 2001.
- ❖ Communiqué issued at the end of the second meeting of the HSIC, Abuja Nigeria, 23, October 2001.
- ❖ Communiqué issued at the end of the second meeting of the HSIC, Abuja Nigeria, 26 March 2002,
- ❖ African development forum 3. Addis Ababa. ETHIOPIA 3-8 March 2002
- ❖ African civil society declaration on NEPAD, a declaration by some 40 African NGO'S denouncing NEPAD, JULY 2002.
- ❖ Communiqué issued at the end of the third meeting of the heads of state and Government of the HSIC, Rome, ITALY on 11, JUNE 2002
- ❖ The African union, NEPAD and human rights: the missing agenda. Human rights quarterly-volume 26, Number4, November 2004.
- ❖ Unpublished notes by Elise Nalbandian, part of human rights in the developing world course work, LLM course at school of oriental and African studies, university of London union.
- ❖ The African Economist, Vol.16 No .32 January 2005





- ❖ Tabb, William K. "Globalization." Microsoft® Encarta® 2007 [DVD]. Redmond, WA: Microsoft Corporation, 2006
- ❖ STRATEGIC PLAN OF THE AFRICAN UNION COMMISSION . Volume 1: Vision and Mission of the African Union May 2004 .
- ❖ Howard, Peter. "United Nations." Microsoft® Encarta® 2007 [DVD]. Redmond, WA: Microsoft Corporation, 2006.
- ❖

c. Internet link

- ❖ Len vermeil, NEPAD and civil society participation in the APRM, IDASA- budget information service- African Budget project. Available at< [http; //w.w.w. idasa .org. za](http://w.w.w.idasa.org.za)>
- ❖ Prof.kinfe Abraham, linkages of NEPAD to the Millennium Development Goals and other agreed development goals and targets. Available at<[http://w.w.w addis-eipd.org/index.htm](http://w.w.w.addis-eipd.org/index.htm)>
- ❖ -----, why the NEPAD message has failed to register interview with peteondeng occasional paper july31,2004, available at< [http; //w.w.w a fracas files, org](http://w.w.w.afracasfiles.org) >
- ❖ By Ian Taylor, Why NEPAD and African politics don't mix<[http://www .fpif.org](http://www.fpif.org)>
- ❖ South Africa poverty debt, [http://www.safm. co.za/webfeatures/feature List.jsp?featureID=12](http://www.safm.co.za/webfeatures/featureList.jsp?featureID=12)
- ❖ President Mbeki's comment is available on the ANC website at <http://www.anc.org.za/ancdocs/anctoday/2004/at47>
- ❖ UN Integrated Regional Information Networks (IRIN) <http://www.irinnews.org>
- ❖ Africa Focus Bulletin For a full archive and other resources, see <http://www.africafocus.org/>
- ❖ idasa - budget information service - Africa budget project <http://www.idasa.org.za>



- ❖ MATCH International Centre, MATCH International Review of the NEPAD, February 2002, [www.web.net/~matchint/en/ES-NEPAD](http://www.web.net/~matchint/en/ES-NEPAD).
- ❖ Millennium partnership for the African recovery programme[Map] and omega plan.<http://www.policy.org.za/govdocs/misc/mapomega.htm>.
- ❖ “Communiqué of the Fifth meeting of the APRM Panel of Eminent Persons (APR panel)”, 29-30 April 2004, Johannesburg, South Africa. [http://www.sarpn.org.za/documents/d0000801/P918-Communique\\_5thAPRPanel\\_April2004.pdf](http://www.sarpn.org.za/documents/d0000801/P918-Communique_5thAPRPanel_April2004.pdf)
- ❖ “Communiqué issued at the end of the First Summit of the Committee of Participating Heads of State and Government in the APR Forum” held in Kigali, Rwanda on the 13th of February 2004. <http://www.iss.co.za/AF/RegOrg/nepad/aprmcomfeb04.pdf>
- ❖ “The APRM: An Assessment of Concept and Design” A Paper by Ravi Kanbur, January 2004. <http://www.arts.cornell.edu/poverty/kanbur/APRM.Pdf>
- ❖ A paper on “The NEPAD, The APRM”. <http://www.dfa.gov.za/au.nepad/nepad49.pdf>
- ❖ APRM Organization and Processes, March 2003. [http:// www.touchtech. biz/nepad/files/documents/48.pdf](http://www.touchtech.biz/nepad/files/documents/48.pdf)
- ❖ “Objectives, standards, criteria and indicators for the APRM”. <http://www.iss.co.za/AF/RegOrg/nepad/aprmobject.pdf>
- ❖ “Memorandum of Understanding on the APRM.” March 2003. <http://www.iss.co.za/AF/RegOrg/nepad/aprmmou.pdf>
- ❖ An article by Matome Sebelebele: “AU's peer review kicks in” 2003. [http://www.safrika.info/what\\_happening/news/au-peerreview\\_060803.htm](http://www.safrika.info/what_happening/news/au-peerreview_060803.htm)
- ❖ “Communiqué issued at the end of the third meeting of the APRM Panel of Eminent Persons” Issued in Abuja (Nigeria), 14-15 November 2003. [http://www.sarpn.org.za/documents/d0000605/P631\\_Communique18112003.pdf](http://www.sarpn.org.za/documents/d0000605/P631_Communique18112003.pdf).
- ❖ United Nations: [www.un.org](http://www.un.org)
- ❖ [http://beta.krazyboyz.co.za/aprm.org/index3.php?filename=SA%20Country%20Review%20Report%20%28French%29%2018%20June%202007\\_2f8c04](http://beta.krazyboyz.co.za/aprm.org/index3.php?filename=SA%20Country%20Review%20Report%20%28French%29%2018%20June%202007_2f8c04)



6fd8d20d10aaeca255348150d7.pdfThe 4th Summit of the Committee of  
Participating Heads of State & Government of the APR Forum

- ❖ NEPAD official website: [www.nepad.org](http://www.nepad.org)
- ❖ SARPN, South African Regional Poverty Network  
[http://www.sarpn.org.za/nepad\\_1.php?id=48](http://www.sarpn.org.za/nepad_1.php?id=48)