

COMMUNIQUE: CONCLUSIONS OF A CIVIL SOCIETY WORKSHOP HELD IN BANJUL, THE GAMBIA, 26-28 JUNE 2006

Civil society organizations from 19 African countries met in Banjul, the Gambia, 26-28 June 2006, in advance of the AU Assembly of Heads of State and Government, to discuss African civil society organizations' skills and capacity to monitor compliance with commitments made under African Union treaties, with particular reference to the African Peer Review Mechanism (APRM).

The workshop was a follow-up to a similar meeting held in Addis Ababa, Ethiopia, in January 2006, and discussed presentations from organizations that have engaged with the APRM in countries where the process has been undertaken, and from organizations working on independent civil society efforts to monitor compliance with African and other international standards. The workshop was addressed by Dr. Bernard Kouassi, CEO of the APRM Secretariat, during its opening session.

The participants at the workshop reached the following conclusions and recommendations:

In relation to the APRM

The workshop welcomed the institution of the APRM as a useful new process to monitor states' compliance with their obligations under African treaties and to provide a space for national dialogue on democracy, human rights and the rule of law. In order to strengthen the contribution that the APRM assessments can make, participants recommended that:

- National APRM processes should improve the quality of civil society participation in self-assessment reports, in particular by:
 - Ensuring that national APRM governing councils represent the broadest spectrum of civil society
 - Making draft APRM report available for public comment as soon as they are completed, well before they are adopted by the APR forum
 - Welcoming rather than discouraging independent civil society efforts to contribute complementary or shadow reports to the APRM self-assessments
 - Increasing efforts to inform and involve the media and grassroots organizations in the assessments
- The APRM process should be regularly reviewed to evaluate its success in improving governance and to ensure that it is not simply duplicating other processes. It should go beyond simply assessing effectiveness and efficiency. As part of an early review process, the APRM questionnaire should be amended to sharpen its focus on critical issues, in particular:
 - Freedom of expression and of the media
 - Citizenship, nationality and discrimination

- Access to information about the APRM must be improved at both continental and national levels. The APRM secretariat should have its own regularly updated website, with detailed progress reports, and national focal points should provide much wider access to information about the self-assessment reports and the data collected to complete them.
- There should be a CSO focal point at the APRM secretariat.

In relation to ensuring compliance with African standards more generally

The challenges faced by the APRM highlight problems relating to the means of ensuring compliance with African standards more generally. Workshop participants recommended that:

- The African Union should strengthen mechanisms to ensure that there are consequences if African states do not comply with their obligations under African treaties, including reporting obligations, the detailed implementation of treaties in national law, and especially gross abuses of the rights of African citizens.
- The African Union should develop new treaties to strengthen the rights of Africans to citizenship and nationality on a non-discriminatory basis.
- The reporting process under international treaties in general needs simplification, to reduce the burden on states in preparing reports under all the different treaties.

In relation to civil society organizations' own activities

Civil society organizations (CSOs) at the workshop discussed their own strengths and weaknesses, taking cognizance of the challenges they face, and recommended that:

- CSOs must develop their own capacity to engage with efforts to monitor compliance with international standards, especially at a detailed policy level.
- CSOs should develop improved coordination and networking, especially to share information and strategies relating to engagement with the APRM.
- CSOs should ensure greater respect for their own internal democracy and transparency, as well as urging governments to respect these standards.
- Urban-based CS groups must reach out more effectively to rural and grassroots organizations and mobilize their leadership in national political processes.
- CSOs should also reach out to the media, to assist journalists' ability to report on these issues and processes.
- CSOs should organize to engage the state and non-state actors on their own initiative.
- CSOs should seek to engage the APRM secretariat, AU and other African institutions.

Access to information

A key theme that emerged from the workshop's various discussions was that of access to information. Independent civil society monitoring of government performance is impossible without access to good quality, up to-date information. Yet, information about government activities is often poor and hard to obtain - even by other government departments and even when such information is required to be made public by law. Accordingly:

- Participants called on African governments to enact freedom of information laws on an urgent basis, and ensure their effective implementation, but also noted that such laws are not sufficient.
- African states should change their other laws and policies to create a presumption that official information is public, unless there are specific and justifiable reasons why it should not be.
- African states should strengthen their officials' own capacity to produce and make available information to their citizens.

Citizenship, Discrimination and Participation

Another substantive theme discussed was participation seen through the lens of citizenship. The denial of legal citizenship is often a means to marginalize groups, and different categories or classes of citizenship can entrench discrimination in political participation and in access to public social services. The situation in each country is context-specific and many countries were discussed. Several broad trends were identified. Specially:

- Where it occurs, discrimination in access to national citizenship and national identification blocks members of specific groups from the benefits of economic and political participation and education.
- In certain countries, barriers to political participation arise from the creation of different local and regional "citizenships" that are based on ethnicity or origin.
- Allocation of public expenditure may reflect discrimination against certain social groups and regions, and perpetuates exclusion.
- Legal remedies for citizenship-linked discrimination may face substantial procedural and cost barriers, but can give new empowerment to marginalised groups.
- To ensure effective citizenship and participation, political advocacy must accompany litigation.

AU-civil society relations

Finally, the workshop welcomed the fact that the AU Commission has held a civil society forum in advance of the current AU summit, after the absence of such a forum at the last two summits. However, it expressed its disappointment that the Coordinating Committee set up by the Gambian Government to oversee the summit has blocked the organization of a forum on freedom of expression. Civil society organizations should be free to organize their own events, without the need for permission from the African Union or the host country of a summit.