

Briefing on APRM Reports

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Tomorrow (19 December) the Peace and Security Council (PSC) of the African Union (AU) is scheduled to hold a briefing on the African Peer Review Mechanism (APRM) Reports. This session is organized on the request of the APRM secretariat and it is anticipated that a representative of the APRM Panel of Eminent Persons will present the country review reports.

Initiated as a self-monitoring mechanism to which AU member states accede voluntarily, the APRM is a unique mechanism that produces reports of volunteering states based on agreed standards and processes involving self-appraisal and peer review. The reports present assessment of the performance of the state under review in four thematic areas: political and democratic governance, economic governance and management, corporate governance and socio-economic governance.

The number of member states that have subscribed to the APRM has now reached 38. The background note indicates that as at January 2018 twenty-three (23) of the 38 volunteering states have completed the first peer review process, while two (2) countries, namely Kenya and Uganda, have completed their first and second reviews.

The session is organized in accordance with a provision stipulated in the APRM Base Document of 2003 that mandates the APRM to present country review reports to the PSC. Most notably, Paragraph 25 of the APRM Base Document states that 'six months after a report has been considered by the Heads of State and Government of the participating member countries, it should be formally and publicly tabled in key regional and sub-regional structures such as ... the Peace and Security Council...'

Additionally, the presentation is also informed by the

findings of the Progress Report of the Chairperson of the AU Commission on Institutional Reform of the AU. The Report, among others, noted the lack of utilization of the potential of the APRM to enable relevant AU organs to react in a timely manner in the area of conflict prevention, notably through APRM briefings to the AU PSC and the need for improving complementarity between the APRM and peace and security.

The experience of the APRM in implementing paragraph 25 of the Base Document indicates that the APRM has thus far established a practice of presenting country review reports before the Pan-African Parliament and the African Commission on Human and Peoples' Rights (ACHPR).

While there have been various occasions in which the PSC held sessions on governance issues, this is the first time for the APRM to come to the PSC for presenting reports of member states. From the perspective of the APRM the presentation of the reports can serve as mechanism for encouraging implementation of the recommendations of the reports.

This session is an initiative that stands to further deepen the synergy between the governance structures of the AU and the African Peace and Security Architecture (APSA). It is to be recalled that the AU Assembly at its 30th Ordinary Session held in January 2018 acknowledged in Decision Assembly/AU/Dec.686(XXX) the role that the APRM stands to play as an early warning tool for conflict prevention on the continent furthering the synergy between the APRM, the APSA and the African Governance Architecture (AGA). Admittedly, given the multiplicity of governance processes within the AU, this initiative also gives rise to questions of duplication as well.

As indicated in the background note, the presentation of the review reports is expected to contribute to the realization of the role of the PSC, under Article 3(b) of the Protocol on the Establishment of the PSC, in the anticipation and prevention

of conflicts. Although the link between internal governance and regional peace and security is acknowledged in the PSC Protocol, the background note underscores the importance of AU member states 'critically acknowledged the impact of domestic policies, not only on internal political stability and economic growth, but also on the promotion of peace, security and stability as well as the creation of conditions conducive to sustainable development'.

Research reports indicate that some of the APRM reports have indeed highlighted risks of crisis in countries under review and these risks subsequently materialized. A case in point that the researches highlight is the Kenya APRM Report, which warned against ethnic violence in 2006. However, the potential of the early warning role of the reports depends on the quality of the reports.

While the presentation of the APRM reports can innovatively be used for effectively operationalizing the early warning and response responsibility of the PSC under Article 3(b) of the PSC Protocol, whether or not such early warning can be acted upon for taking preventive action is incumbent on the PSC. The role that the APRM presentation of country review reports plays in effectively activating this responsibility of the PSC depends on whether as part of the presentation of the report the APRM offers the PSC practical options on how best the PSC can follow up the PSC relevant issues highlighted in the reports. From the perspective of the work of the PSC, instead of presenting the whole APRM report what would be useful is to draw the attention of the PSC to those issues pertaining to its mandate.

Tomorrow's session being the first meeting of the PSC on APRM reports, which reports and how they are presented and the methodology for how the PSC deliberates on and follows up on the country review reports has as yet to be clarified. It is not clear, for example, whether the PSC will adopt a statement or communiqué highlighting the specific issues raised in the

APRM reports presented and requesting each of the countries concerned to take necessary measures for addressing the issues. Perhaps, this would be one of the issues that can also be elaborated as part of the revision of the working methods of the PSC.

The expected result of the briefing is a communiqué. It is anticipated that the communiqué will establish the modus operandi between the APRM and the PSC, hence establishing the presentation of APRM reports a standing agenda of the PSC. This will clarify how the APRM reports will be presented and used by the PSC as part of the continental early warning system for the PSC to timeously take action for preventing conflicts. In terms of synergy and coordination, the communiqué could also envisage the importance of institutionally feeding the reports to the Panel of the Wise (PoW) for the PoW to use the reports in implementing its mandate.