

# **THE AFRICAN PEER REVIEW PROCESS IN NIGERIA**

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**July 2008**

Open Society Initiative for West Africa (OSIWA)



Africa Governance Monitoring and Advocacy Project (AfriMAP)



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ISBN 978-920299-32-3

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# Table of contents

PREFACE	IV
SUMMARY	1
THE POLITICAL CONTEXT	3
THE NEW PARTNERSHIP FOR AFRICA'S DEVELOPMENT AND THE AFRICAN PEER REVIEW MECHANISM	4
NIGERIA'S NATIONAL APRM COORDINATING STRUCTURE	6
The APRM National Focal Point (NFP)	6
The APRM National Coordinator/APRM National Focal Point Secretariat	7
The APRM National Working Group and National Steering Committee	7
Other elements of the APRM National Coordinating Structure	9
Federalising the APRM Coordinating Structure	10
IMPLEMENTATION OF THE APRM IN NIGERIA: PROCESS AND METHODOLOGY	11
Pre-Test and Domestication of the APRM Master Questionnaire	11
Appointment of the Technical Research Institutions (TRIs)	12
APRM Country Support Mission, 21–24 March 2005	12
Building a consensus about national implementation	13
Establishing the self-assessment methodology	14
Engagement of new Lead Research Organisations and Coordinators	16
Completion of the country self-assessment research and report	16
APRM follow-up mission	16
Nationwide dissemination and validation of the draft CSAR and preliminary NPoA	16
The APRM Country Review Mission (CRM) to Nigeria	19
The way forward: what next?	20
FUNDING THE APRM COORDINATING STRUCTURE AND PROCESS	22
AN OVERVIEW OF THE COUNTRY SELF-ASSESSMENT REPORT AND NATIONAL PROGRAMME OF ACTION	24
The draft Country Self-Assessment Report (CSAR)	24
The preliminary National Plan of Action (NPOA)	24
Public responses to the CSAR executive summary	24
CRITICAL EVALUATION OF THE APRM PROCESS IN NIGERIA: TRENDS, CHALLENGES AND OPPORTUNITIES	28
APRM national coordinating structures	28
Non state actors' participation and involvement in the APRM process in Nigeria	30
Delays in the process	32
The national CSAR and NPoA validation exercise	32
CSAR research methodology and content	33
CONCLUSION	35
A NOTE ON SOURCES	36

# Preface

African states have undertaken a growing number of commitments to respect good governance since the African Union (AU) replaced the Organisation of African Unity (OAU) in 2002. By the Constitutive Act of the AU, member states are bound to promote human rights, democratic principles and institutions, popular participation and good governance. More specific commitments in relation to good governance are included in the framework of the New Partnership for Africa's Development (NEPAD) and the African Peer Review Mechanism (APRM).

Nigeria played a leading role in the process of giving a practical form to the mechanism – indeed the core documents of the APRM were signed in Abuja in 2003. However, Nigeria's implementation of the APRM has been slow. This report attempts an evaluation of Nigeria's APR process, and the extent to which the preparation of Nigeria's self-assessment report really lived up to the requirements of participation and inclusiveness established by the official guidelines for countries submitting to peer review.

This review is one of a series commissioned by AfriMAP, the Africa Governance Monitoring and Advocacy Project of the Open Society Institute's network of African foundations. The report – which was written by and represents the views of L. Adele Jinadu, an independent consultant – analyses

the extent to which the Nigerian process of self-assessment for the APRM respected the criteria of effectiveness and credibility defined by the APRM founding documents, in particular the extent to which it was open, participatory, transparent and accountable. Based on interviews with many of the participants, the report reviews the strengths and weaknesses of the process. Though the report concludes that the Nigerian process did indeed have many strong points, it also draws out important lessons for Nigeria to learn as it takes the process forward, as well as for other countries to benefit from.

AfriMAP hopes that this report will both assist to strengthen the examination of Nigeria's country review report and national plan of action when they are examined in the margins of the African Union summit in July 2008, as well as the monitoring of Nigeria's implementation of the plan of action adopted as the culmination of the APRM review process.

Ozias Tungwarara

Director, Africa Governance Monitoring and Advocacy Project (AfriMAP)

# Summary

This report seeks to identify the challenges – the problems and opportunities – which Nigeria’s implementation of the African Peer Review Mechanism (APRM) has opened up for the country’s governance. How well have the Nigerian government, the country’s political leadership and the political class generally kept faith with the core principles of the APRM? How aware of the APRM are the various stakeholders in the country, and what has been their understanding of their role in the APR process? Has the country’s accession to the APRM made any difference to the character of governance in the country?

The report concludes that the APRM self-assessment process provided Nigerians with a rare and welcome opportunity to express their opinions about the way the country is governed and its challenges faced. However, the process also suffered from too much executive dominance, and greater efforts should have been made to mobilise both independent civil society and other branches of government beyond the federal executive. Moving forward, the implementation of the APRM report’s recommendations will require stronger and more independent institutional structures and an effective monitoring system.

Nigeria’s accession to the APRM represents a reaffirmation of the country’s faith in the pan-African ideal and in the reinvigoration of that ideal seen in recent years. As part of the new commitment to continental progress, the APRM was designed as the institutional conduit to assess the collective responsibility of African governments and peoples, and their civil society in helping to advance democracy, peace, human security and sustainable development. Nigeria under President Olusegun Obasanjo played a leading role in establishing the APRM – indeed its core documents were adopted in Abuja – and in March 2003 was among the first countries to sign the Memorandum of Understanding (MoU) that commits governments to undertake the process.

However, Nigeria’s implementation of the APRM in practice has been slow. After a long preparation period in 2004 and 2005, research for the completion of the country self-assessment only got under way in 2006. The process then seemed to falter once again, as the incumbent administration led by President Obasanjo appeared to wish to amend the constitution to allow for a third term in office during the lead up to elections in April 2007. The country self-assessment report was finally completed only in late 2007.

The coordinating structure put in place to drive the APRM process in Nigeria posed challenges to maintaining the independence of the process. The national institutions established for the APRM are highly dependent on the federal executive, leaving room for doubt, especially during the political crisis created by the third term debate and the ‘high’ politics leading to the 2007 elections, that the review process might fall short of being ‘credible and free from political manipulation’, as required by the APRM country guidelines. In particular, the selection of the members of the APRM National Working Group (NWG), the supervisory body for the process, was not transparent. In part this may have been due to ambiguity in the APRM country guidelines on this process. The NWG also did not have its own independent secretariat; instead it depended on a secretariat attached to the APRM National Focal Point located in the Office of the President and run by senior civil servants appointed by the president.

Although changes were made in the composition of the NWG following the installation of a new administration in May 2007, the federal executive dominance of the national APRM structures remains.

There was also concern about a lack of transparency in the selection, through what appeared to be a form of selective tendering, of the initial ‘technical research institutions’ (TRIs) that were to carry out the survey and other research for

## THE AFRICAN PEER REVIEW PROCESS IN NIGERIA

the country self-assessment report. These TRIs were later summarily dismissed from the project. Finally, after public advertisements were placed inviting new applications to carry out the research, new lead research organisations (LROs) were appointed.

Suspicion of the executive control of the process and the methods by which the TRIs were chosen led several civil society organisations to consider carrying out their own parallel review.

Another weakness in the APRM has been its focus on the federal level of government and the lack of involvement of state and local government structures in the NWG. At all levels, the process has not been very successful in engaging with either the legislative or judicial branches of government, even though they should be critical in the implementation of the national APRM plan of action (NPoA).

Funding of the peer review process in Nigeria has been marked by an opacity not compatible with the very transparency and accountability the APRM is meant to promote. Both the level of funds made available to the APR process in Nigeria and the budgeting procedures put in place remain unknown to the public. The APR was funded from the budget of the Presidency, while international development partners, including the United Nations Development Program (UNDP), have supported specific activities, including outreach to Nigeria's citizens. But no information about the total budget of the APR process as planned or implemented was made available to the public.

Ensuring that the APR process is popularised and participatory has been a major challenge in Nigeria. As stressed in the National Focal Point's own report to the 2006 African Governance Forum, APRM governing bodies struggled for months to put in place a strategy to include the broadest range of citizens in the process, particularly rural populations and the urban poor.

In spite of its shortcomings, the APR process has the potential to have a considerable impact on Nigeria's governance processes and structures. The insertion of the APR process into the governance framework of the country has drawn on a history of robust critical public debate on the nature of politics and governance in the country. Although the full country self-assessment report is not available, the executive summary that was circulated did address many important issues – despite some deficiencies, such as a failure to examine critically the role of local government in Nigeria's federal structure.

A mission from the continental APRM Secretariat and led by the panel of eminent persons visited Nigeria in February

2008 to review the self-assessment report and prepare their independent opinion. In July 2008, the country review report on Nigeria adopted by the eminent persons and the national plan of action to address the problems identified, as agreed with the government, will be presented to the meeting of all heads of state that have signed up for APRM review.

Once the APR process has been finalised, the challenge will be to ensure the effective implementation of the NPoA. To this end, Nigeria should adopt specific legislation, which gives more autonomy to the APRM-NWG, in the form of enhanced functional and operational powers and financial resources.

# The political context

Nigeria's former President Obasanjo was – alongside Presidents Abdelaziz Bouteflika of Algeria, Abdoulaye Wade of Senegal, and Thabo Mbeki of South Africa – a founding father of the New Partnership for Africa's Development (NEPAD) and of the APRM that was designed as part of the NEPAD process.

Nigeria signed the APRM Memorandum of Understanding (MoU), the founding agreement that establishes the mechanism, on 9 March 2003, and was among the first group of countries to do so. The MoU was itself adopted in Abuja, reflecting Nigeria's leading role. President Obasanjo was also elected as the first chairman of the APR Forum, the meeting of heads of state and government that have acceded to the APR process.

This commitment to the APRM should be viewed as an expression of a new political will to come to terms with the country's post-independence constitutional and political history, characterised by yawning deficits in ethics, accountability and transparency in public life and politics, and, until civilian rule was re-established in May 1999, by long periods of military rule.

The progress of the APR process in Nigeria must also be set in the context of national elections in April 2003 and April 2007 and the politics of presidential succession: Nigeria signed the APRM MoU just before the elections, which resulted in the re-election of President Obasanjo for a second and final term in office; the process was reinvigorated following the installation of President Umaru Musa Yar'Adua in May 2007.

The federal and state elections were flawed and controversial in both April 2003 and April 2007, with their contentious outcomes being challenged in court. Nonetheless, the April 2007 presidential elections in particular represented a

milestone in the country's constitutional and political history, marking the first transfer of power from one elected civilian head of state and government to another elected civilian head of state and government. Just a few months earlier, President Obasanjo's Peoples' Democratic Party (PDP) had put forward proposals that the constitution's two-term limit for the presidency be set aside, to enable President Obasanjo to prolong his tenure.

During the lead up to the April 2007 elections and the politicking over the succession to President Obasanjo, from mid-2006 to April 2007, the APR process appeared to stall. Civil society groups involved in the APRM believed that the administration was unwilling to proceed aggressively with a report that might expose a manipulated political process of self-succession that violated the core principles of the APRM. In May 2007, however, the Yar'Adua administration took immediate action to revive the APRM in Nigeria, as part of a wider confidence-building process, which included setting in motion the machinery for electoral reform in the country.

# The New Partnership for Africa's Development and the African Peer Review Mechanism

The New Partnership for Africa's Development (NEPAD) is a strategic framework setting out a 'vision for Africa's renewal'. Five heads of state initiated NEPAD – Algeria, Egypt, Nigeria, Senegal, South Africa – and its founding document was formally adopted by the 37<sup>th</sup> summit of the Organisation of African Unity (OAU) in Lusaka, Zambia in July 2001. NEPAD is now a plan of the African Union (AU), successor to the OAU, though it has its own secretariat based in South Africa to coordinate and implement its programmes. Successive AU summits have proposed the greater integration of this secretariat, and NEPAD in general, into the AU processes and structures.

NEPAD's four primary objectives are to eradicate poverty, promote sustainable growth and development, integrate Africa in the world economy, and accelerate the empowerment of women. It is based on the underlying principles of a commitment to good governance, democracy, human rights and conflict resolution; and the recognition that maintaining these standards is fundamental to the creation of an environment conducive to investment and long-term economic growth. NEPAD seeks to attract increased investment, capital flows and funding; providing an African-owned framework for development as the foundation for partnership at regional and international levels – though some African critics have argued that NEPAD in its present form does not provide an adequate framework for Africa to challenge the hegemonising forces of contemporary globalisation.

A Heads of State and Government Implementation Committee (HSGIC) governs NEPAD. The HSGIC comprises three states for each region of the African Union, with President Obasanjo (Nigeria) as the first elected chair, and Presidents Bouteflika (Algeria) and Wade (Senegal) as deputy chairmen. Prime

Minister Meles Zenawi of Ethiopia is the current chair. The HSGIC reports to the AU Assembly of Heads of State and Government. There is also a steering committee, comprising 20 AU member states, to oversee projects and programme development.

In July 2002, the Durban AU summit supplemented NEPAD with a Declaration on Democracy, Political, Economic and Corporate Governance. According to the declaration, states participating in NEPAD 'believe in just, honest, transparent, accountable and participatory government and probity in public life'. Accordingly, they 'undertake to work with renewed determination to enforce', among other things, the rule of law; the equality of all citizens before the law; individual and collective freedoms; the right to participate in free, credible and democratic political processes; and adherence to the separation of powers, including protection for the independence of the judiciary and the effectiveness of parliaments. The Declaration on Democracy, Political, Economic and Corporate Governance also commits participating states to establish an African Peer Review Mechanism (APRM) to promote adherence to, and fulfilment of, its commitments. The Durban summit adopted a document setting out the stages of peer review and the principles by which the APRM should operate.

In March 2003, the NEPAD HSGIC, meeting in Abuja, Nigeria, adopted a Memorandum of Understanding (MoU) on the APRM. This MoU effectively operates as a treaty. It entered into effect immediately in Abuja, when ten states agreed to be subject to its terms; as of January 2008, 29 countries had acceded. Those that do not are not subject to review. The March 2003 meeting also adopted a set of objectives, standards, criteria and indicators for the APRM. The meeting agreed to the establishment of a secretariat for



the APRM, also based in South Africa, and the appointment of a seven-person 'panel of eminent persons' to oversee the conduct of the APR process and ensure its integrity.

The APRM Secretariat, functioning by late 2003, developed a questionnaire based on a wide range of African and international human rights treaties and standards to guide participating states' self-assessments of their compliance with the principles of NEPAD. Its questions are grouped under four broad thematic headings: democracy and political governance; economic governance and management; corporate governance; and socio-economic development. The questionnaire was formally adopted in February 2004, in Kigali, Rwanda, by the first meeting of the APR Forum, made up of representatives of the heads of state or government of all states participating in the APRM. At this point, the formal process of peer review was ready to start: the meeting identified the first four countries to undergo review as Ghana, Kenya, Mauritius and Rwanda. Since then six APRM-acceding countries have completed their reviews: Algeria, Benin, Ghana, Kenya, Rwanda and South Africa.

Each country to be reviewed is assigned to one of the seven eminent persons, who consider and review reports, and make recommendations to the APR Forum. The first set of seven eminent persons, with the position of chairperson rotating among them, is made up of the following: Marie Angelique Savané (Senegal); Adebayo Adedeji (Nigeria); Bethuel Kiplagat (Kenya); Graça Machel (Mozambique); Mohammed Babes (Algeria, replacing the original Algerian appointee, Mourad Medelci); Dorothy Njeuma (Cameroon); and Chris Stals (South Africa). Some members of the panel are due to be replaced during 2008. At the national level, participating countries establish a National Focal Point and a national coordinating committee to drive the review process and liaise with the continental APRM Secretariat.

APRM documents identify five stages in the review process:

### **Stage One: Self-assessment**

A Country Support Mission from the APRM Secretariat led by the assigned eminent person visits the participating country to ensure a common understanding of the rules, processes and principles of the APR. The team liaises with the country focal point and organises working sessions and technical workshops with stakeholders; the eminent person signs a memorandum of understanding with the government on modalities for the country review mission. The country then begins its self-assessment report, based on the APR questionnaire. The country is also expected to formulate a preliminary plan of action based on existing policies,

programmes and projects. The self-assessment is supposed to involve the broad participation of all relevant stakeholders, including civil society organisations as well as government ministries and departments.

### **Stage Two: Country review mission**

A Country Review Team – also led by the eminent person and made up of representatives of the APRM Secretariat and of the APRM partner institutions, which include the UN Economic Commission for Africa (UNECA), the African Development Bank and other institutions – visits the country to carry out broad consultations, clarify any issues that may require discussion, and help to build national consensus on the way forward.

### **Stage Three: Country review report and modification of plan of action**

The Country Review Team drafts a report on the country, based on the information it has gathered during its review mission and on independent issues papers developed by the continental APRM Secretariat, and shares its findings with the government. Based on the self-assessment report and the Country Review Team's report, the country finalises its plan of action outlining policies and practices for implementation.

### **Stage Four: Conduct of peer review**

In the fourth stage, the Country Review Team's report and the plan of action are presented at the APR Forum by the eminent person and the country's head of state or government for consideration by the other participating heads of state and government.

### **Stage Five: Publication of the report and plan of action**

In the final stage, after the report has been considered by the APR Forum, it is tabled at the AU Summit before being made public.

# Nigeria's APRM National Coordinating Structure

The principal coordinating structures put in place to drive the APR process in Nigeria are:

- the APRM National Focal Point, National Coordinator and National Focal Point Secretariat; and
- the APRM National Working Group and Steering Committee.

## The APRM National Focal Point (NFP)

The APRM guidelines require that:

each participating country must establish a Focal Point for the APR process, which should be at a Ministerial level, or a person that reports directly to the Head of State or Government, with the necessary technical committees supporting it. The APR Focal Point can be established as an integral part of existing structures or as new ones.<sup>1</sup>

The focal point should direct the national APR process, and ensure that it is guided by the core principles of the APRM and integrated into the national domestic and foreign policy processes. It is also the contact point with the continental APRM Secretariat and international partners.

How the focal point is appointed, who fills the position, how the office is structured and empowered with human and financial resources are, therefore, critical to the success of the national APR process.

<sup>1</sup> African Union/NEPAD [2003], Guidelines for Countries to Prepare for and to Participate in the African Peer Review Mechanism (APRM), NEPAD/APRM/Panel3/guidelines/11-2003/Doc 8, para.30.

Shortly after the country's accession to the APRM on 9 March 2003, President Obasanjo appointed the Secretary to the Government of the Federation (SGF) as the APRM National Focal Point in Nigeria, with additional coordinating and reporting responsibility to the president for NEPAD implementation in Nigeria. President Yar'Adua kept this designation, though with a different person in the post, when he took office in May 2007. The SGF is a senior executive branch political functionary outside of, though closely integrated into, the federal civil service. With direct and daily access to the president, whose personal appointee s/he is, the SGF possesses strategic leverage and significance in the country's public political life.

The two people appointed as SGF since May 1999 (Chief Ufot J. Ekaette, 1999–2007, under President Obasanjo; Ambassador Babagana Kingibe, since May 2007, appointed by President Yar'Adua) previously served with distinction in the federal civil service, and have extensive networks of contacts at the highest levels in the country's public and private sectors, and with the diplomatic world. Both also have strong political roots and influence in their geopolitical regions of origin in the country.

The designation of the SGF as the APRM National Focal Point, and the consequent location of the national APRM Secretariat in the SGF's office thus indicated the importance which the Nigerian government attaches to the APRM. Making the SGF the focal point is, from this political and public policy strategic vantage point, in line with the country guidelines.

The functions of the National Focal Point are to:

- facilitate the establishment and official take-off of the APRM in the country;

- oversee and coordinate the operations of the in-country APRM structures and processes;
- help to mobilise resources for the APRM country self-assessment process, including the national plan of action (NPOA);
- brief the president on the APR process in the country; and
- liaise with the APR Panel, the continental APRM Secretariat, and international (development) partners on matters related to the APR process in the country.<sup>2</sup>

### **The APRM National Coordinator/APRM National Focal Point Secretariat**

In discharging these functions, the SGF is assisted by the APRM National Focal Point Secretariat. The secretariat is headed by another presidential political appointee, the APRM National Coordinator, and staffed by mainly public servants from the presidency and the federal civil service.

Although s/he also has direct access to the president in her/his capacity as a presidential adviser or senior special assistant, the APRM National Coordinator advises, reports, and is answerable to the National Focal Point on APRM matters. The coordinator should ensure that the APRM National Focal Point/Secretariat is empowered with adequate human, fiscal, and infrastructure resource base, especially for its outreach and related networking and sensitisation/dissemination activities among state and non-state stakeholders.

The first APRM National Coordinator (from 2003–2007) was Ambassador Isaac I. Aluko-Olokun, whose official title was Senior Special Assistant to the President (NEPAD-external). Ambassador Aluko-Olokun once served as a cabinet member on the interim national government in 1993 and as Nigeria's ambassador to Spain. Simultaneously, Chief (Mrs) Chinyere Asika held the position of Senior Special Assistant on NEPAD, in relation to domestic implementation of NEPAD, excluding the APRM – a situation that created some confusion about overlapping responsibilities between the two positions.

Following the handover of power from President Obasanjo to President Yar'Adua in May 2007, Ambassador Tunji Olagunju was appointed Special Adviser (NEPAD) to the President, with responsibility, among other responsibilities, for the Nigeria country APRM process. Ambassador Olagunju previously held the positions of Federal Minister for Special Duties, Special Adviser to the President, and Federal Minister of Internal Affairs, at various times between 1985 and

1993, under President Ibrahim Babangida; and as Nigeria's high commissioner to South Africa between 1999 and 2005, under President Obasanjo. As High Commissioner in Pretoria, Ambassador Olagunju also attended various NEPAD and APRM-related meetings and activities in South Africa, the location of the continental NEPAD and APRM Secretariats.

The designation of Ambassador Tunji Olagunju as Special Adviser on NEPAD/APRM to the president, as opposed to that of Ambassador Aluko as Senior Special Assistant on NEPAD-External, is, perhaps, indicative of the growing importance attached to the APRM by the Yar'Adua Administration. In addition, the new appointment merged the two offices into one, ending the division between NEPAD-External (APRM) and NEPAD-Nigeria, which tended to aggravate bureaucratic conflict between the two offices and their official heads during the administration of President Obasanjo. Prior to the merger, the Office of the Senior Special Assistant to the President (NEPAD-Nigeria) was responsible for popularising and coordinating NEPAD objectives, programmes and activities within Nigeria, while the Senior Special Assistant (APRM) was overseeing the APR process within Nigeria, as National Coordinator. Each office had its own staff.

In practical terms, 'with the transfer of African Peer Review Mechanism (APRM) to NEPAD, NEPAD-Nigeria is now structured into four functional departments, namely, Programmes Development and Implementation (PDI), Planning, Monitoring and Evaluation (PME), Administration and Finance (A&F), and APRM'.<sup>3</sup>

### **The APRM National Working Group and National Steering Committee**

In February 2004, President Obasanjo appointed a 50-member APRM National Working Group (APRM-NWG), chaired by Rear Admiral Murtala Nyako (rtd), a former chief of naval staff, Nigeria, and currently governor of Adamawa State in north-east Nigeria.

The APRM-NWG was designed as the functional equivalent of the body known as the National APRM Governing Council or National APR Commission in other countries, aimed at bringing the input of a broad range of stakeholders to the national APR process. The NWG was made up of representatives of the Presidency, the private sector, academia, the media, labour, civil society

2 Gabriel A. Gundu [2007], Overview of the APRM & Role of the APRM-NWG, paper presented at the 1<sup>st</sup> Meeting of the Expanded APRM Working Group, Abuja, Nigeria, 15–16 November 2007, p.4.

3 E.I. Olugbile (Director, Programmes Development and Implementation, NEPAD-Nigeria) [2007], NEPAD Concept, Principles & Strategy, paper presented at the 1<sup>st</sup> Meeting of the APRM National Working Group (NWG), 15 November 2007, p.7.

## THE AFRICAN PEER REVIEW PROCESS IN NIGERIA

organisations (CSOs), and non-governmental organisations (NGOs). As established in 2004, the breakdown of the different sectors represented in the NWG was 20 per cent government; 8 per cent National Assembly/political parties; 18 per cent private sector organisations; 10 per cent media, and the remainder other civil society representatives (including 28 per cent NGOs/CSOs, 10 per cent professionals and organised labour, and 6 per cent youth organisations).<sup>4</sup>

The APRM-NWG, in addition to serving as an APRM policy forum to bring together the intersecting state and non-state stakeholders, has the following functions:

- Providing guidance, direction and oversight, through the APRM National Focal Point, of the national APRM review process, to ensure the credibility of the process, and that it is professionally and competently carried out. This is a broad function, which includes:
  - ensuring the active participation of stakeholders in the process, including the organisation of nation-wide sensitisation/dissemination activities to popularise the APRM in the country, to achieve broad-based understanding, acceptance and ownership of the of the process by Nigerians; and
  - recommending and engaging the national research institutions to conduct the country technical assessment of the 4 APRM thematic areas.
- Liaising with the continental APRM Secretariat in South Africa, through the National Focal Point, on the country APR process.
- Preparing the country for and facilitating the visit, including the in country work of the country review mission (CRM) from the continental APRM Secretariat.<sup>5</sup>

A 14-member National Steering Committee (NSC) of the APRM-NWG was also established, after due consultation with some members of the APRM-NWG, with the APRM National Focal Point as chairperson. The steering committee was intended to act 'as an executive organ...to pilot the affairs of the NWG' by:

- regularly reviewing the APR process in the country;
- receiving and assessing report from the NWG, as well as stakeholders about the country's APR process;
- serving as a final clearinghouse for APRM policy matters;
- liaising with the continental APRM Secretariat, through the National Focal Point; and

4 Nigeria APRM National Focal Point Secretariat [n.d.], Country Self-Assessment Report (CSAR): Background Information on the APRM and its Implementation in Nigeria, pp.6–7.

5 Nigeria APRM National Focal Point Secretariat [2006], Nigeria Country Report on the African Peer Review Mechanism (APRM) for the 6<sup>th</sup> Africa Governance Forum (AGF V1), Kigali, Rwanda, 9–11 May 2006, p.16.

- reporting to the President on the progress of the APR process in the country.<sup>6</sup>

The APRM-NWG also set up four sub-committees to 'exercise oversight' of the review process, in each of the four APRM thematic areas: democracy and political governance; economic governance and management; corporate governance; and socio-economic development.<sup>7</sup>

In November 2007, President Yar'Adua reconstituted the NWG, and expanded its membership to 250, 'with a view to fostering popular participation, national ownership and sustainability.'<sup>8</sup> Among the new members invited by the national coordinator to serve on the reconstituted APRM-NWG were the secretaries to the state governments (SSGs) of the 36 states of the Nigerian federation. In addition, specific spaces on the new NWG were given to women, 'people with disabilities' and faith-based organisations. Chief (Mrs) Chinyere Asika, former senior special assistant (NEPAD) to President Obasanjo, was elected as chairperson.

Table 1 shows the distribution of the members of the reconstituted APRM-NWG by stakeholder group. State stakeholders (with 81 members) constituted approximately 37.5 per cent of the membership, and non-state stakeholders (with 135 members), approximately 62.5 per cent.

The new National Focal Point, Ambassador Baba Gana Kingibe, justified the expanded APRM-NWG as follows:

You will recall the existing APRM-NWG comprised 50 members. It is now clear to us that this number does not meet the requirement of the broad-based representation and inclusiveness contemplated in the APRM Country Guidelines. Additionally, the coming into office of a new Administration has changed the composition of the APRM stakeholders in both the legislative and executive arms of government. This is why the composition of the NWG has been reviewed and expanded to conform to the APRM Country Guidelines, which aim to ensure popular participation, national ownership and sustainability of the APRM in Nigeria.<sup>9</sup>

The National Steering Committee (NSC) was also reconstituted into a 42-member body shortly after the inauguration of

6 Nigeria APRM National Focal Point Secretariat [2006], Country Report, p.16.

7 Gundu [2007], Overview of the APRM, p.6.

8 Gundu [2007], Overview of the APRM, p.4.

9 Nigeria APRM National Focal Point Secretariat [2007], Address by the APRM National Focal Point and Secretary to the Government of the Federation, Ambassador Baba Gana Kingibe, at the Inauguration of the Expanded APRM National Working Group (APRM-NWG), held at Abuja, 9 November 2007, p.1.

**Table 1: Distribution of stakeholder groups: APRM-NWG**

Stakeholder group	Number of members	% (Approx)
<b>A. State actors</b>		
(a) Executive (federal/state)	74	34.2
(b) National Assembly	6	2.7
(c) Judiciary (federal)	1	0.5
<b>B. Non-state actors: Non-CSO</b>		
(a) Organised private sector	10	4.6
(b) Mass media	7	3.2
(c) Political parties	6	2.7
(d) Academia	15	6.9
<b>C. Non-state actors: CSOs/NGOs</b>		
(a) Women NGOs	12	5.5
(b) Labour/unions	9	4.1
(c) Professional associations (including doctors and lawyers)	5	2.3
(d) Youth/childrens' NGOs	11	5.1
(e) Physically challenged NGOs	6	2.7
(f) Senior citizens' NGOs	3	1.3
(g) Other NGOs/CSOs	16	7.4
<b>D. Non-state actors: Others</b>		
(a) Traditional rulers	6	2.7
(b) Ethnic/cultural associations	5	2.3
(c) Religious/faith groups	3	1.3
(d) Nigeria diaspora groups	3	1.3
(e) Others – individual recognition	18	8.3
TOTAL	216	100

Source: The Presidency, NEPAD Nigeria, Members of the African Peer Review Mechanism: National Working Group (APRM-NWG), Abuja, 14 November 2007

the reconstituted APRM-NWG. Chief (Mrs) Chinyere Asika became the chairperson of the steering committee, as well as of the new National Working Group. Designed and described as the executive organ of the APRM-NWG, the new NSC is made up of 38 members of the APRM-NWG, who were chosen by other members of the APRM-NWG; two members representing the government (the permanent secretary-political in the office of the SGF, and the permanent secretary in the office of the head of the civil service of the federation); and two co-opted members.

### Other elements of the APRM National Coordinating Structure

Subordinate elements of the APRM national structures include the following:

- Technical research institutes (TRIs) – later replaced by lead research organisations (LROs) – to undertake the country self-assessment survey.

- APRM Coordinators for:
  - democracy and political governance/socio-economic development;
  - economic governance and management/corporate governance; and
  - statistics, to advise on the country self-assessment process.
- An APRM monitoring and evaluation team, made up of a core team at the national level, and zonal teams, comprising non-state stakeholders, in each of the country's six geopolitical zones. The monitoring and evaluation team has yet to be formally established.
- APRM advocacy and sensitisation task team, made up of stakeholders from the print and electronic media, and mandated to widely disseminate the APRM to the Nigerian public and to mobilise support for it.<sup>10</sup>

<sup>10</sup> Nigeria APRM National Focal Point Secretariat [2006], Country Report, pp.17–19.

## **Federalising the APRM National Coordinating Structure**

Although there was, from the beginning, awareness of the need to establish APRM coordinating structures at the state and local government levels, concrete measures were not taken to create them until November 2007, when the National Working Group was reconstituted.

Following the general elections of April 2007, which brought new administrations to most states, state governors were among those who considered a memo on the APRM and the structure of the process in the country, from the APRM National Focal Point, during the 14 October 2007 meeting of Nigeria's Council of States, an advisory body in which they are represented.<sup>11</sup>

The National Focal Point Secretariat then sent briefing letters on the APRM to all secretaries to state governments (SSGs) on 15 October 2007. He subsequently held a retreat with all the SSGs in Cross River State, in November 2007, to brief them on the APRM and their role in the country's APR process.

The SSGs were thus designated to serve as the APRM Focal Point in each state, with parallel structures to the national/federal ones to be put in place at the state and local government levels.

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<sup>11</sup> The Council of States is an advisory federal body, established by Section 153 of the Constitution of the Federal Republic of Nigeria 1999, and comprising the following: the president, as chair; the vice-president, as deputy chair; all former presidents of the federation and all heads of the government of the federation; all former chief justices of Nigeria; the president of the Senate; the speaker of the House of Representatives; all the governors of the states of the federation, and the federal attorney-general and Minister of Justice.

# Implementation of the APRM in Nigeria: process and methodology

In March 2005, the visit of the APRM country support mission signalled the formal start of the APR process in Nigeria, following the establishment of the national APRM structures and a period of preparation.

Nigeria did not complete the drafting of its country self-assessment report (CSAR) and draft national plan of action (NPoA), however, until late 2007. In July 2007, following the installation of the new government, the APRM Secretariat sent a follow-up mission to review progress so far and establish a new timetable. An extensive in-country validation process was conducted from 18 November 2007 to 7 December 2007. The validated CSAR and NPoA were then approved by the Federal Executive Council, presided over by the president, and submitted to the continental APRM Secretariat in January 2008.

A month-long country review mission from the continental APRM Secretariat followed, from 3 February 2008 to 2 March 2008.

## **Pre-test and domestication of the APRM master questionnaire**

The APRM master questionnaire on the four thematic areas (democracy and political governance; economic governance and management; corporate governance; and socio-economic development) is central to the methodology of the APR process. The questionnaire is designed as a consistent framework for use in all the review processes, but there is also a realisation of the need to adapt or 'domesticate' it to take account of national specificities.

In July 2004, as a first step towards domesticating the master

questionnaire in Nigeria, the National Focal Point conducted an in-country pre-test of the questionnaire. This consisted of distributing the pre-test questionnaire to a sample of respondents, drawn from state and non-state stakeholders, who were invited to complete the questionnaire.

In December 2004, the National Focal Point convened a consultative workshop on the APRM in Abuja to discuss the outcome of the pre-test and other matters related to the domestication of the master questionnaire, and the APR process generally in Nigeria. Invited to the workshop were some of the organisations later appointed as 'technical research institutions' (TRIs) to complete the CSAR, as well as members of the federal cabinet, heads of key federal institutions, members of the National Assembly, members of the APRM-NWG, and consultants and experts on NEPAD.

Addressing the workshop, APRM National Coordinator Ambassador Isaac Aluko-Olokun observed that only about 30 per cent of the people who had been given the questionnaire during the pre-test had completed it, with most responses being sketchy. At the same workshop, one of the respondents to the pre-test exercise, Federal Minister of Information and National Orientation Chief Chukwuemeka Chikelu observed that, 'completing the questionnaire was not an easy task, because of [its] detailed nature'. Ambassador Aluko-Olokun pointed out that 'the questionnaire did not have a feel of homegrown peculiarities...[and was] too in-depth for people'. It needed not only to address the country's peculiar social structure, like the role of traditional rulers, but also to be simplified to facilitate understanding by the common people.<sup>12</sup>

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<sup>12</sup> Nigeria APRM National Focal Point Secretariat [2004], Report of the Consultative Workshop on the African Peer Review Mechanism (APRM), held at the SGF's Conference Hall, Federal Secretariat Complex, Maitama-Abuja, 2-3 December 2004, pp.3-5.

**Table 2: Chronology of the APRM in Nigeria**

Activity	Dates
Appointment of National Focal Point, National Coordinator and NWG	February 2004
Advocacy, sensitisation and dissemination/popularisation activities	From February 2004
Pre-test and domestication of the APRM master questionnaire	July–December 2004
Country Support Mission from the APRM Secretariat	March 2005
Organisation and conduct of the country self-assessment process	June–December 2006
Follow-up mission from the APRM Secretariat	July 2007
Completion of the draft country self-assessment report (CSAR) and draft national plan of action (NPoA)	August–October 2008
Nationwide validation of the draft CSAR and draft preliminary NPoA	November–December 2007
Adoption of validated CSAR and NPoA by APRM-NWG and Federal Executive Council, and	December 2008
Submission of the validated CSAR and NPoA to the continental APRM Secretariat	January 2008
Country review mission from the APRM Secretariat	3 February–2 March 2008
Planned consideration of Nigeria's APRM report by the APR Forum in the margins of the AU summit	July 2008

The workshop decided that a critical first step to get the survey phase of the process going was for the TRIs to 'unbundle' and simplify the master questionnaire. The TRIs were told to ensure that the questionnaire related to previous and ongoing multi-sector (economic, political and social) reforms in the country, with 1960 as a baseline. The questionnaire should also mainstream gender as a crosscutting issue in the four thematic areas. The TRIs were to determine a common methodology to be used for the survey in the four thematic areas, taking into consideration the lessons and experiences from other countries which had undergone peer review. It was agreed that the domesticated questionnaire would include, as an introduction, summaries of the objectives of the four thematic areas in the questionnaire.

It was also agreed that the management and administration of the questionnaire would require not only the identification of specific target audiences among the relevant stakeholder groups in the country (including foreigners), but also the sensitisation of Nigerians generally, and the assistance of professional associations, such as the Nigerian Economic Association, the Nigerian Political Science Association, and the Nigerian Medical Association.

### Appointment of the technical research institutions (TRIs)

In early 2005, the National Focal Point, presumably on the basis of *selective tendering*, invited the organisations listed in Table 3, most of which had participated in the December

2004 meeting, to be the technical research institutions (TRIs) that would conduct research for and prepare the draft country self-assessment report (CSAR). The organisations had established national and international standing, were distributed around the country to reflect the geo-political and socio-cultural diversity ('the federal character') of the country, and were split between state and non-state organisations.

However, the National Focal Point made this selection without consultation with the National Working Group (NWG) and without broader advertisement of the positions. This lack of transparency in the selection process and concerns over the independence of the research were much criticised by other NGOs.

### APRM Country Support Mission, 21–24 March 2005

The Country Support Mission, led by Ambassador Bethuel Kiplagat of Kenya, a member of the APR panel of eminent persons, visited the country from 21 to 24 March 2005 to assess Nigeria's progress so far and to sign a memorandum of understanding on the further implementation of the APRM and the role of the continental secretariat. The mission met with the APRM National Focal Point, Chief Ufot Ekaette, and held a working session with the ten TRIs, as well as meeting with various state and civil society stakeholders, including an 'open forum' of around 200 participants at which the APR process was presented.



**Table 3: The technical research institutions (TRIs) and their thematic and zonal assignments**

Technical research institute	Thematic area assignment	Zonal assignment
1. Africa Leadership Forum (ALF), Ota [Non-state]	Democracy and Political Governance	South-east and south-west
2. Centre for Advanced Social Science (CASS), Port Harcourt [Non-state]	Socio-Economic Development	South-east and south-south
3. Centre for Democratic Research and Training (CDRT), Kano [Non-state]	Democracy and Political Governance	North-east and north-west
4. Centre for Public-Private Cooperation (CPPC), [Non-state], Ibadan	Corporate Governance	North-central, north-east, north-west, south-east, south-south and south-west
5. Centre for Social and Economic Research (CSER), Ahmadu Bello University, Zaria (to collaborate with Nigerian Institute for Social Research (NISER), Ibadan [State])	Economic Governance and Management	North-central, northeast, northwest, southeast, south-south and south-west.
6. Institute for Governance and Social Research, (IGSR), Jos [Non-state]	Democracy and Political Governance	North-central and south-south
7. Nigerian Economic Summit Group Ltd/GTE (NESG), Lagos (to collaborate with Centre for Public-Private Cooperation (CPPC), Ibadan [Non-state])	Corporate Governance	North-central, north-east, north-west, south-east, south-south and south-west
8. Nigerian Institute of International Affairs (NIIA), Lagos [State]	Socio-Economic Development	North-central and south-west
9. Nigerian Institute for Social and Economic Research (NISER), Ibadan (to collaborate with Centre for Social and Economic Research (CSER), Ahmadu Bello University, Zaria) [State]	Economic Governance and Management	North-central, north-east, north-west, south-east, south-south and south-west
10. Shehu Shagari World Institute (SSWI), Sokoto [Non-state]	Socio-Economic Development	North-east and north-west

Source: National Focal Point Secretariat, Abuja, February 2005

At the end of the visit, Ambassador Kiplagat and Chief Ekaette signed a document spelling out in detail the various stages for the implementation of the APRM in Nigeria.

Among other critical inputs, the support mission recommended that the NWG be expanded to include more civil society groups and that the chair of the group should not come from government.<sup>13</sup>

## Building a consensus about national implementation

### *Initial sensitisation and awareness-raising activities*

Working in collaboration with such non-state stakeholders as the Africa Leadership Forum (ALF) – a non-governmental

organisation established by President Obasanjo, and the Centre for Democracy and Development (CDD), with support from the United Nations Development Programme (UNDP) and the British Department for International Development (DFID), among others – the NFP organised a series of sensitisation and awareness-raising workshops and seminars on the APRM in 2004 and 2005. The objective of the meetings was to deepen understanding of the APR process among various groups of stakeholders.

### *National Africa Governance Forum consultative workshop, September 2005*

In mid-September 2005, a two-day workshop was held at the ALF headquarters in Ota, Ogun State, to discuss and make inputs to the draft framework for the Nigeria country report on its APRM implementation, which was to be presented at the 6th Africa Governance Forum (AGF) to be held in Kigali, Rwanda, in March 2006. The AGF, organised by UNDP, had as its theme 'Implementing the African Peer Review Mechanism: Challenges and Opportunities', and was

13 Communiqué of the African Peer Review Mechanism (APRM) Support Mission to Nigeria, 21–24 March 2005.

**Table 4: APRM workshops for stakeholder groups**

Type of workshop	Venue and date
National Workshop on APRM	Abuja, 2–3 February 2004
National Consultative Workshop on APRM	Abuja, 2–3 December 2004
Zonal APRM Workshop for CSOs	South-West Zone: Ota, Ogun State, 4–5 March 2005 North-Central Zone: Abuja, FCT, 18–19 March 2005 South-East/South-South Zones: Port Harcourt, Rivers State, 8–9 April, 2005 North-East/North-West Zones: Kaduna, Kaduna State, 4–5 May 2005

Source: National Focal Point Secretariat, Abuja; and Africa Leadership Forum, Ota

a major continental review of national experiences of the APR process so far.<sup>14</sup>

#### *Technical workshops, September to December 2005*

With support from the UNDP, and in collaboration with the NFP, the ALF scheduled a series of 10 national technical workshops on the implementation of the APR process in Nigeria between September and December 2005 at Ota. The primary objective of the workshops was to facilitate monitoring of the implementation of the APR process in the country. Each two-day workshop was attended by a different sector: media, federal legislators, speakers and deputy speakers of all Nigeria's legislatures, trade union leaders, civil service, federal and state judiciary, and the private sector.

The workshops consisted of in-depth presentations and discussion of the problems of governance in Africa and Nigeria; the concept, principles and structures of the APRM, the country self-assessment report and the national plan of action; and the challenges of monitoring and evaluating the APRM in Nigeria and the implementation of the NPoA after the report was completed.

### **Establishing the self-assessment methodology**

The NFP also held a series of meetings between February and November 2005 with the TRIs to finalise the structure and form of the questionnaire and the survey methodology.

#### *Meeting of National Focal Point Secretariat and TRIs, 17–18 February 2005*

The National Focal Point held 'technical discussions' with the TRIs from 17–18 February 2005 to discuss the administration of the APRM questionnaire, the survey methodology, and the terms of engagement of the TRIs in the process. This meeting was to facilitate discussion of the Nigeria process with the country support mission from the continental APRM Secretariat, expected in the country in March 2005.

#### *TRI methodology retreat, 9–10 March 2005*

The February 2005 meeting was followed by a TRI methodology retreat from 9–10 March 2005 to further discuss and agree on:

- the domestication of the master questionnaire, including the mainstreaming of gender, youth, the physically challenged, and other marginal groups in the four thematic areas;
- the methodology of the survey;
- the sampling frame;
- techniques of fieldwork, including the appropriate modalities for engaging the three tiers of government, at federal, state, and local government levels, in the country self-assessment process; and
- a work plan for the social survey or country self-assessment phase of this stage of the process.

It was agreed that the proposed methodology would be anchored on a descriptive research design, using the survey method. This would be augmented by literature review and secondary data. A combination of purposive and multi-stage sampling methods, with the local government area (LGA), as the basic sampling unit, based on proportional representation, would be adopted. Twenty per cent of the LGAs in each state would be sampled, at 50 questionnaires per LGA, taking into consideration the population density of each state.

<sup>14</sup> See the website of the AGF:  
[http://www.undp.org/africa/agf/full\\_agf6\\_archive.html](http://www.undp.org/africa/agf/full_agf6_archive.html).

It was noted, however, that further work was required to finalise:

- the methodology and methodological framework, including the checklist for the primary data collection of the survey;
- the local government areas in which the survey would be carried out;
- the domestication of the master questionnaire; and
- the TRI work plan.<sup>15</sup>

*The TRI retreat on the country self-assessment process, 9 November 2005*

Final agreement was reached on the domestication of the master questionnaire and on the methodology and sample frame of the survey only at the 4<sup>th</sup> TRI retreat on 9 November 2005 in Abuja. The methodology finally agreed upon incorporated five complementary research methods:

- Desk research: Focus on relevant literature on APRM-related governance issues in Nigeria since 1960.
- Self-administration of the APRM questionnaire by randomly sampled/selected respondents.
- Elite/decision-maker interviews: To capture elite/decision-makers' perceptions of governance issues in the country
- Focus group discussions: To capture the views of non-elite and local opinion leaders through issues-based discussion on governance issues.
- Mass household survey: To capture mass households' perceptions of governance issues in the APRM master questionnaire.

It was also agreed that the samples for the self-completion questionnaire administration, elite/decision-maker interview, mass household survey, and the focus group discussion would be drawn from one local government area from each of two of the three senatorial districts in each state. One of the LGAs selected would be in the senatorial district in which the state capital is located, while the second LGA would be selected on the basis of either its being farthest from the LGA chosen from the state capital, or on the basis of other relevant demographic or geophysical differences or communal ones. In each selected LGA, two communities would be selected for sampling, selected in such manner as to reflect cultural, population, and rural/urban diversities, among others. The sampling or working universe would be selected, on the basis of stratified random sampling, from the adult (18+years) population in each LGA.<sup>16</sup>

15 Nigeria APRM National Focal Point Secretariat [2005], Summary of Conclusions of TRI Methodology Retreat, March 2005.

16 I.A. Aluko-Olokun [2005], Briefing Note on the Criteria for Selection of LGAs & Sampling Universe for the Nigeria APRM Country Self-Assessment Process, in mimeo, 9 November 2005, pp.1–3.

There was controversy, however, surrounding the last-minute decision of the National Focal Point (NFP), without consultations with the APRM-NWG and the TRIs, to employ the services of the National Bureau of Statistics (NBS) for the mass household survey. The NBS had not been part of the almost one-year long discussion between the NFP and the TRIs on domesticating the master questionnaire, and the appropriate methodology to be used for the survey phase of the country self-assessment. Some of the TRIs had suggested that the offices of the NBS and of the Independent National Electoral Commission (INEC) at the local government council level could provide field support for the TRIs, but not that these institutions would be leading the research. The National Focal Point Secretariat argued that the NBS would have to play a more central role in the survey phase of the process, based on the role which its sister body had played in the Kenya APR process.

The retreat thus reached a stalemate, as some of the TRIs expressed principled reservations and misgivings about the appropriateness of the NBS involvement. In addition, there was disagreement over the professional fees to be paid to the TRIs for their engagement.

*5<sup>th</sup> NFP-TRI retreat, 5–6 December 2005*

Another NFP-TRI retreat, chaired by Ambassador Bethuel Kiplagat, member of the APR Panel of eminent persons, was held on 5–6 December 2005 to resolve outstanding matters relating to the TRIs' fees for their services, and the methodology and assignment of survey responsibilities among the TRIs, including the National Bureau of Statistics. The retreat agreed that the TRIs should focus on only three of the self-assessment research tasks: the desk research, elite interviews, and focus group discussions, while the National Bureau of Statistics would conduct the mass household survey.

The issue of the survey fieldwork budget, and the fees for the TRIs, which remained unresolved, was deferred till another meeting between the NFP and the TRIs on 20 December 2005. The TRIs were expected to re-submit activity-based budgets, implementation plan, domesticated thematic questionnaires and list of survey LGAs, not later than 13 December 2005.

However, shortly before the 20 December 2005 meeting, the NFP terminated further discussion with the TRIs, without financial compensation for the time and work they had expended on the process. The APRM National Coordinator sent an email arguing that this step was necessary 'if Nigeria's self-assessment must stay on course',<sup>17</sup> citing the

17 APR National Coordinator [2005], E-Mail addressed to all TRIs on The APR Country Self-Assessment Report in Nigeria, 19 December 2005.

**Table 5: Lead research organisations (LROs)**

Name of LRO	Thematic assignment
1. Centre for Democracy and Development (CDD), Abuja	Democracy and Political Governance
2. African Institute for Applied Economics (AIAE), Enugu	Economic Governance and Management
3. Research International Market Trends (RIMT), Lagos	Corporate Governance
4. Research Marketing Services (RMS), Lagos	Socio-Economic Development
5. National Bureau of Statistics (NBS)	Mass household survey

Source: National Focal Point Secretariat, Abuja

failure by most of the TRIs to submit activity-based budgets and work plans by the 13 December deadline as the reason for the termination.

### Engagement of new lead research organisations and coordinators

In early 2006, the NFP placed an advertisement in a number of national daily newspapers, requesting proposals from interested institutions to undertake the country's APRM country self-assessment survey. None of the disengaged TRIs submitted proposals in response to the advertisement. On the basis of responses to the advertisement, five new lead research organisations (LROs) were contracted in March 2006 to conduct the survey – one for each APRM theme, and the NBS to conduct the household survey – out of 60 that submitted proposals (see Table 5).

In addition to these five LROs, the National Focal Point appointed three consultants/experts as thematic coordinators for the APR process: Professor Alex Gboyega of the Department of Political Science, University of Ibadan; Professor F.O.N. Roberts, political scientist from the Nigerian Institute of Social and Economic Research (NISER), Ibadan; and Mr Benson Ekujimi of the National Bureau of Statistics. The role of these thematic coordinators, appointed with the help of German Technical Cooperation (GTZ), was to provide general coordination for the survey by the LROs, harmonise their report into a composite CSAR, produce the NPoA, and 'advise and enhance the capacity of the APRM National Focal Point Secretariat in the prosecution of Nigeria's governance self-assessment process'.<sup>18</sup>

Each of two thematic coordinators had responsibility for a group of two thematic areas only, while the third coordinator

had responsibility for statistics, cross-cutting the four thematic areas, as follows:

- democracy and political governance/socio-economic development: Professor Alex Gboyega;
- economic governance and management/corporate governance: Professor F.O.N. Roberts; and
- statistics (cross-cutting the four thematic areas): Mr Benson Ekujimi.

The thematic coordinators were to ensure the diligence and competence of the LROs in carrying out the desk research, the field survey and in their analysis of the data. They also had the responsibility of putting the CSAR together as a composite, integrated report.

### Completion of the country self-assessment research and report

The LROs conducted the survey work and other research for the country self-assessment report between June and December 2006. While the methodology used by the LROs remained the same as previously agreed with the erstwhile TRIs, the scope, including the sampling frame of the survey, was revised as shown in Table 6.

Using this material each LRO completed by April 2007 a section of the draft country self-assessment report<sup>19</sup> and of the draft national plan of action for the theme that they were assigned. The drafts were then merged into a single report by the three thematic coordinators, and the final draft was submitted to the National Focal Point June 2007. The draft NPoA was costed by an inter-ministerial committee.

<sup>18</sup> Nigeria APRM National Focal Point Secretariat [2006], Country Report, p.18.

<sup>19</sup> NEPAD Nigeria [2007], APRM Country Self-Assessment Report (CSAR): Executive Summary.

**Table 6: Survey methodology and sample frame of self-assessment process**

Methodology/Survey Instrument	Sampling Frame
1. Elite/decision-maker interviews	Average national sample size of 120 respondents for each of 3 LROs in two states in each of the country's six geopolitical zones and the Federal Capital Territory (FCT), Abuja, with a fourth LRO, the CDD, sampling 200 respondents.
2. Focus group discussions (FGDs)	Average sample size was two FGDs in two states in each of the country's six geopolitical zones and the FCT.
3. Mass household survey	National sample size used was 22 200 Household Units in 1 110 enumeration areas across 111 local government areas in 108 senatorial districts in the country.

Source: Abstracted from NEPAD Nigeria [2007], APRM Country Self-Assessment Report (CSAR): Executive Summary, pp.1–2.

While the draft CSAR 'chronicles the challenges, institutional weaknesses and best practices on governance as seen by Nigerians', the draft NPoA 'is designed to incorporate the present Administration's Seven-Point Agenda and NEEDS-2 [National Economic Empowerment Development Strategy]'.<sup>20</sup>

Four new research organisations or think tanks were thereafter contracted by the National Focal Point Secretariat to peer-review the draft CSAR, to ensure that it had been professionally and competently done, as envisaged by the APRM guidelines. Each research organisation was contracted to peer review the thematic area in which it was most expert. Each peer-reviewed section of the draft CSAR was thereafter submitted to the National Focal Point by the end of October 2007.

### APRM follow-up mission

Following the April 2007 elections, Ambassador Babagana Kingibe, the new secretary to the government of the federation and APRM National Focal Point, hosted an APRM follow-up mission to Nigeria from the continental APRM Secretariat. The July 2007 follow-up mission was to review progress on the APR process in the country, and to agree with the NFP on a roadmap leading to the visit of the country review mission to Nigeria. Following this mission and a further meeting in September in Pretoria, South Africa, between the continental APRM Secretariat and the Nigeria National Focal Point Secretariat, there was agreement on a revised APRM timeline for completion of the APR process in Nigeria. The major activities in the revised roadmap are

summarised in Table 7 (overleaf), and these deadlines were largely met.<sup>21</sup>

### Nationwide dissemination and validation of the draft CSAR and preliminary NPoA

One of the first acts of the APRM National Focal Point and the Special Adviser (NEPAD) to the President was to issue and widely disseminate to the public the executive summary of the CSAR as part of the nationwide validation exercise of the report. The national coordinator promised to print and distribute 40 million copies of the CSAR, made up of 10 million copies each in English, Hausa, Igbo and Yoruba, Nigeria's 'constitutional languages'. Although it was not clear the exact number of copies eventually printed, copies were distributed to the 36 states and the Federal Capital Territory between November 2007 and January 2008 by members of the APRM-NWG. The executive summary of the CSAR was also serialised in select national dailies and weeklies at various times between November 2007 and December 2007. The full draft CSAR was not, however, released to the general public, in line with the guidelines from the continental APRM Secretariat.

Following the inauguration of the expanded NWG by President Yar'Adua in November 2007, the NFP constituted four teams, each comprising about 50 members of the NWG, to undertake a nationwide validation exercise of the draft CSAR and preliminary NPoA, based on the circulated CSAR executive summary.

<sup>20</sup> Gundu [2007], Overview of the APRM, p.8; Nigeria National Focal Point, address by the APRM National Focal Point, p.6.

<sup>21</sup> Abstracted from, Gundu [2007], Overview of the APRM, p.9, and Nigeria National Focal Point [2007], Revised APRM Nigeria Roadmap at a Preparatory Meeting for the Country Review Mission (CRM) to Nigeria, Pretoria, South Africa, 30 September 2007, pp.1–3, 15 October 2007.

**Table 7: Revised Nigeria APRM timetable**

Activity	Timeline
Memo on implementation of APRM in Nigeria to be sent to National Economic Council	14 October 2007
Brief on the APRM to secretaries to state governments from NFP	15–19 October 2007
Thematic consultants to submit updated draft CSAR and NPoA issues to NFP	25 October 2007
Review and submission of peer review of updated draft CSAR and NPoA by the 4 research institutions contracted to do so	26 October 2007– 15 November 2007
Translation of the executive summary of the updated draft CSAR into Hausa, Igbo and Yoruba	26 October–15 November 2007
Submission of updated and peer-reviewed CSAR and NPoA to the continental APRM Secretariat	15–20 November 2007
Production of the translated executive summary of the CSAR and NPoA, and full text of the CSAR and NPoA	15–23 November 2007
Inaugural meeting of the expanded APRM-NWG	29 November 2007
APRM media advocacy and outreach: serialisation of English version and Hausa, Igbo and Yoruba versions of the executive summary of the CSAR in national dailies; posting of executive summary of CSAR on the APRM and NEPAD websites	30 November 2007– January 30 2008
Nationwide validation of the CSAR and NPoA, through workshops with state and non-state stakeholders	19–30 November 2007
Production of the validated CSAR and NPoA	December 2007
Adoption of validated CSAR and NPoA by the APRM-NWG and the Federal Executive Council	January 2008
Submission of the adopted CSAR and NPoA to the continental APRM Secretariat	1st week of January 2008

The 'overarching objective' of this process was to formally present the draft CSAR and the preliminary NPoA to the Nigerian public, through selected state and non-state stakeholders, and to determine and assess the extent to which the draft CSAR and preliminary NPoA reflected the opinions and perceptions of the average Nigerian. Through this validation, it was hoped that there would emerge suggestions on the way forward towards meeting the APRM objectives.<sup>22</sup>

The four teams held an intensive schedule of meetings from 18 November to 1 December 2007 in 14 of the 36 states of Nigeria. Representatives of the other 22 states were invited to attend their nearest meeting place by geographical cluster.<sup>23</sup>

The validation exercise in each of the group of states visited lasted two days, with a pre-meeting courtesy visit to the governor of the state hosting the exercise. The meetings had a standard format: during the first day, the draft CSAR

was presented to representatives of the state ministries, legislature and judiciary; during the second day, the report was presented to non-state stakeholders, including media, academics, professional organisations, NGOs, traditional leaders and political parties. A media event was also usually held on both evenings.<sup>24</sup>

The nationwide validation exercise concluded with a series of validation sessions in Abuja, the Federal Capital Territory, for state and non-state stakeholder groups from 3–4 December 2007. These workshops were conducted following the same programmatic format as the nationwide exercise, but with more specialised focus on relevant state stakeholder groups in respect of the thematic breakout sessions. These meetings were followed by validation sessions with the judiciary.

On 11 December 2007, President Yar'Adua chaired a 'National APR Dialogue' in the Banquet Hall, State House, Abuja, with the participation of several state governors, heads of diplomatic missions in Nigeria, members of the Federal Executive Council (Cabinet), federal permanent secretaries and heads of federal ministries, departments and agencies (MDAs), traditional rulers, and members of the APRM-NWG.

22 See, Prof. F.O.N. Roberts [2007], CSAR Validation Workshops, 18 November to 7 December 2007, Pre-Validation Orientation: Guidelines for Chairpersons, Resource Persons, and Rapporteurs, 17 November 2007, p.1.

23 Nigeria APRM National Focal Point Secretariat [2007], Programme of Events for the CSAR Validation Workshops, 18 November to 7 December 2007, pp.1–6.

24 Nigeria APRM National Focal Point Secretariat [2007] Programme of Events for CSAR Validation Workshops, pp.1–2.

**Table 8: State stakeholder groups at Abuja validation workshop 3–7 December 2007**

<b>Thematic area break-out session</b>	<b>Sample list of state stakeholder groups participating</b>
Democracy and Political Governance	National Human Rights Commission Economic and Financial Crimes Commission Independent Corrupt Practices Commission National Boundary Commission National Centre for Women Development
Economic Governance and Management	Central Bank of Nigeria Debt Management Office Nigerian National Petroleum Corporation Senate and House of Representatives Appropriations Committees, and Accounts Committees Office of Auditor-General for the Federation
Corporate Governance	Securities and Exchange Commission Bureau of Public Enterprises Corporate Affairs Commission Federal Mortgage Bank National Insurance Commission
Socio-Economic Development	National Planning Commission Millennium Development Goals Office Ministries of Education, Health, Women's Affairs and Youth National Action Committee on AIDS National Agency for Food and Drug Administration

Source: Abstracted from, National Focal Point, Programme of Activities for CSAR Validation Workshops, pp.7–9

With the conclusion of the in-country validation of the draft CSAR and the preliminary NPoA in December 2007, the APRM-NWG organised zonal sensitisation workshops in the country's six geopolitical zones from 17–31 January 2008, to prepare the country for the impending Country Review Mission (CRM) from the continental APRM Secretariat. The workshops were organised by the National Steering Committee in collaboration with the NFP, who had appointed and inaugurated an organising committee for the mission. Dr A.R. Mohammed, permanent secretary of political affairs in the SGF's office, chaired the organising committee with Chief (Mrs) Chinyere Asika, chair of the APRM-NWG Steering Committee, and eight other members of the steering committee as members. The APRM-NWG also appointed centre coordinators to work with other NWG members to ensure the smooth deployment of the CRM in 16 clusters of states.

### **The APRM Country Review Mission (CRM) to Nigeria**

The APRM Country Review Mission visited Nigeria for one month, from 3 February to 2 March 2008. The President of Nigeria, Alhaji Umaru Shehu Yar'Adua formally launched the

CRM in Nigeria on 5 February 2008, with Senate President David Mark, Speaker of the House of Representatives Dimeji Bankole, Chief Justice Idris Kutigi, several state governors, and ministers of the federal government, in attendance.

The leader of the CRM was Ambassador Bethuel A. Kiplagat (Kenya), a member of the APR panel of eminent persons. Dr Graca Machel (Mozambique), another member of the APR panel who was initially designated as the co-leader of the CRM, was unable to join the team on the visit to Nigeria, because of her role in mediating the Kenyan election crisis. The team also included Mr Alhaj Ahmad Tejan Kabbah, former president of Sierra Leone; 14 experts from different African countries, covering the four thematic areas; eight members representing strategic partners of the APRM Secretariat (the African Development Bank and UN Economic Commission for Africa); and four staff members from the continental APRM Secretariat, including the executive director, Dr Bernard Kouassi.

The mission embarked on an intensive round of stakeholder consultations throughout the country. For the purposes of these countrywide visits, the CRM was divided into two teams. Each team visited eight centres, with each centre comprising a cluster of states, including the Federal Capital Territory of Abuja. In addition to calling on the host state

governor, the teams met separately with state and non-state stakeholder groups. The CRM also held special meetings with two former presidents of Nigeria: President Shehu Shagari, in Sokoto, and President Olusegun Obasanjo, in Abeokuta and Ota.

In addition to these countrywide meetings with stakeholders at the state level in the 16 centres, the CRM also held sector-specific meetings in Abuja in early February. An 'open forum', including parallel discussions of the four APRM themes, was held with non-state stakeholder groups on 6 February. On 7 February, one CRM team met with the Senate of Nigeria and the other with the House of Representatives. On 8 February the CRM met representatives of Nigeria's development partners and leaders of the diplomatic community; and on the same day with members of Nigeria's judiciary.

The CRM held a wrap-up session with the NFP, the special adviser to the president on NEPAD, and the APRM-NWG on 29 February 2008. On the same day, a debriefing session was to have been held with President Yar'Adua. Since he was away on a state visit to the People's Republic of China, the Rt Honourable Dimeji Bankole, speaker of the House of Representatives, represented him. Also present at the debriefing session was former president Shehu Shagari, as well as a number of deputy governors, the NFP, several ministers of the federal government, and members of the APRM-NWG.

At the request of a member of the CRM, Professor Shadrack Gutto, some members of the CRM, including Ambassador Bethuel Kiplagat, met with a select group of 12 Nigerian intellectuals in Abuja on 1 March 2008. Two people from universities and research institutes in each of the six geopolitical zones (north-central, north-east, north-west, south-east, south-south and south-west) were selected to participate in the meeting, with the special adviser (NEPAD) to the president also attending. The meeting discussed the renewed interest in the African Renaissance, its implications for pan-Africanism, the reform of the African Union, and the core principles of the APRM. The meeting resolved to sustain its purpose through the creation of a three-member committee, selected from among those present at the meeting and charged with the responsibility of mapping the way forward.

### *Preliminary observations by the CRM on Nigeria's APR process*

The CRM used the opportunity provided by a number of public appearances and media interviews to make observations on Nigeria's APR process. From the reports of these comments it is clear that the CRM found the CSAR credible, and a mirror of the character of the governance

process in Nigeria. In the view of the CRM, it is a self-critical report, which highlights what is good and what is problematic about Nigeria's performance in the four APRM thematic areas. Compared with CSARs of other countries, which have been peer-reviewed, the CRM considered Nigeria's CSAR to be one of the best among them. The CRM found its countrywide consultations tiring but exciting, providing members of the CRM with a rare opportunity to appreciate the diversity of Nigeria and the immensely rich human and resource endowment and potential of the country.

Comments by Ambassador Kiplagat and other spokespeople during the final meetings in the country indicated that the CRM had found that the APRM-NWG had done a good job of sensitising the various stakeholders and communities of the importance of the APR process. The validation and interactive sessions were well attended, especially the breakout sessions on democracy and political governance, and were characterised by frank, vibrant, and open discussions, with no holds barred. In the view of the CRM, the discussions underscored the high expectations of the participations and their commitment to the APR process, and generally to democracy and the rule of law. The CRM also found a refreshing and encouraging sense among the participants of the importance of Nigeria for Africa, and particularly of the expectations of the rest of Africa about Nigeria's continental leadership role.<sup>25</sup>

## **The way forward: what next?**

During the wrap-up session with the APRM-NWG, the CRM outlined the timelines and way forward towards meeting the next stages of the country's APR process.

The CRM said that it would send its own independent report, the APRM country review report, together with the modified NPoA, to Nigeria by end of March 2008. Nigeria would be expected to react to the country review report and modified NPoA by the end of April 2008, in time

for the continental APRM Secretariat to forward them to member-states of the APR Forum by the third week of May.

The country review report, with Nigeria's comments annexed, and the finalised NPoA agreed between the Nigerian government and APRM Secretariat would then be considered by heads of state and government of participating states during the APR Forum held in the margins of the AU

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<sup>25</sup> Notes taken by the author during the debriefing sessions of the CRM with the president of the federal republic, and during the CRM wrap-up meeting with the APRM-NWG. Similar comments were made at the media event at the Sheraton Hotel, Abuja on 29 February 2007.



summit scheduled for Egypt 1–3 July 2008.

Once the NPoA has undergone peer review, Nigeria would be expected to present a progress report on its implementation to the continental APRM Secretariat every six months. The CRM advised that, following the presentation of the Nigeria country review report at the APR Forum, it would be desirable for Nigeria to organise national and sub-national workshops to sensitise those who would be charged with implementing the recommendations of the country review report and the NPoA. To this end, it might be helpful to issue simplified or popular versions of the report.

# Funding the APRM coordinating structure and process

The federal government funds the activities and programmes of the various bodies in the country's APRM coordinating structure from the annual budget of the Presidency. While this is an indication of the government's support of the APR process, it can sometimes be problematic because of inter-ministerial bargaining over the quantum of money to be allocated to the APR process. There is also the problem of delay in releasing funds, owing to bureaucratic politics and red tape in the budget release, accounting and auditing processes within the federal civil service.

Nigeria's report on the APRM process to the 2006 6<sup>th</sup> Africa Governance Forum observed that 'a preliminary budgetary estimate of the process in Nigeria by the National Focal Point (NFP) Secretariat reveals that the country will need to spend several millions of US dollars to faithfully and diligently prosecute the APRM process successfully'.<sup>26</sup> According to information supplied by the APRM National Focal Point secretariat in May 2008, the total spending by the federal government alone on the APRM process in Nigeria from January 2004 to March 2008 was N1,615,128,868 (roughly US\$14 million), with the great majority of that money spent in 2007-2008, on the validation exercises and country review mission. This information has not, however, been published.

The United Nations Development Program (UNDP) and other international development partners have supported some of the activities and programmes of the National Focal Point, including sponsoring radio jingles for raising public awareness of the country APR process, and provided grants for APRM workshops for stakeholders, and the preparation of the Nigerian country report on the APRM for the 6<sup>th</sup> Africa Governance Forum. The UNDP also partnered with

the Economic Community of West African States (ECOWAS) secretariat and the Addis Ababa-based UN Economic Commission for Africa (UNECA) in offering technical advice in the selection of the TRIs/LROs, and in designing the country's APR process monitoring and evaluation mechanism. Germany's state-funded aid agency, GTZ, provided support for other segments of Nigeria's APR process.

During 2006, the National Focal Point, in partnership with the UNDP, explored the possibility of establishing a multi-donor APRM Nigeria trust fund, which would be made up of financial contributions from federal, state and local governments in the country, from the private sector, civil society, and international development partners.<sup>27</sup> This was done in line with the guidelines in the APRM base document on not compromising the national ownership of the country APR process.<sup>28</sup> The exploration resulted in the integrated project implementation plan (PIP), which was considered at a donor roundtable on an APRM Nigeria trust fund in March 2006. Arising from these exploratory discussions, the National Focal Point designed a financing framework in early 2006, with an activity-based budget, and a financial management framework, to be worked out eventually, in order to enable donors to determine which activities and programmes to support.<sup>29</sup>

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<sup>26</sup> Nigeria Country Report on the APRM for the 6<sup>th</sup> Africa Governance Forum, at Kigali, Rwanda, May 9-11 2006, p.14.

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<sup>27</sup> Nigeria APRM National Focal Point Secretariat [2006], Country Report, p.21.

<sup>28</sup> According to APRM documents, '[i]t is essential...that the APRM does not rely on external partners for funding, although such partnerships could be welcomed if they are managed in a way that clearly respects African ownership of the APRM and all its processes', see: NEPAD/HGSIC-3-2003/APRM/Guideline/O&P, 9 March 2003.

<sup>29</sup> Nigeria APRM National Focal Point Secretariat [2006], Country Report, p.21.

At the debriefing session held at the end of the country review mission on 29 February 2008, a policy statement made on behalf of the president of Nigeria indicated that an inter-governmental implementation committee, with representatives from federal, state, and local governments and the corporate world, would be established to determine the formula for sharing the cost of the NPoA among the three levels of government.

# An overview of the Country Self-Assessment Report and National Programme of Action

## The draft Country Self-Assessment Report (CSAR)

The full draft CSAR was not circulated for public discussion during the nationwide validation exercise. What was presented and circulated for discussion was the executive summary of the main findings and recommendations of the CSAR. Listed below are some of these recommendations, by thematic area:

## The preliminary National Plan of Action (NPoA)

The preliminary NPoA, which had been subjected to initial validation between March and April 2007, was updated on the basis of comments and recommendations during the nationwide validation exercise in November–December 2007. Covering the period 2009/2012, and incorporating the Yar'Adua administration's 'seven-point agenda' and the National Economic Empowerment and Development Strategy-2 (NEEDS-2), the NPoA is designed to map out policy measures to address the governance challenges and shortcomings which the CSAR identified.

The projected annual cost of the NPoA, representing about 12.4 per cent of the country's GDP of US\$161 billion, is US\$20 billion, which is to be sourced from:

- National and state budgets;
- Contributions from the private sector; and
- Support from international development partners.

The projection is also based on the assumption that the country's projected annual GDP growth rate is 10.5 per cent, with its annual average budget implementation rate at 60 per cent. While the APRM-NWG will be responsible for governance and oversight issues of the implementation of the NPoA, a joint monitoring and evaluation team made up of state and non-state stakeholders will be established, with implementation activities across the four thematic areas 'grouped for action by designated clusters of cognate implementing agencies.'

The NPoA prioritises the APRM governance thematic issues in the following descending order of importance:

- Socio-economic development;
- Democracy and political governance;
- Economic governance and management; and
- Corporate governance. This prioritisation is reflected in the projected ('costed') annual budget of US\$20 billion for the NPoA, with the projected breakdown for each of the four thematic areas as shown in Table 10 on page 25.

## Public responses to the CSAR executive summary

Issues that participants at the nationwide validation workshops for the APRM country self-assessment underscored for pressing attention included:

- Inadequate knowledge of the Nigerian constitution, requiring more public enlightenment and civic education to enable the ordinary Nigerian to know not only his/her rights but also his/her obligations and civic responsibility;

**Table 9: Major recommendations of the CSAR**

<b>Thematic area</b>	<b>Major recommendations</b>
Democracy and Political Governance	Constitutional review Capacity-building of legislature and judiciary to strengthen checks and balances Empowerment of CSOs Affirmative action for women Enhanced autonomy for anti-corruption agencies
Economic Governance and Management	Economic reform programme to be faithfully implemented Capacity-building to deepen new budget orientation to institutionalise monitoring and evaluation by CSOs Capacity-building of public servants to operate the new Public Procurement Law Passage and operation of the Fiscal Responsibility Bill
Corporate Governance	Wider jurisdiction and strengthening of the Investments and Securities Tribunal Regulatory and enforcement agencies to insist on corporate social responsibility as a corporate obligation rather than philanthropy Corporate integrity measures to apply to private sector also Corporations in the oil and gas industry should be signatory to the Nigerian Extractive Industries Transparency Initiative (NEITI)
Socio-Economic Development	Enhanced institutional capacity for effective implementation of National Economic Empowerment and Development Strategy (NEEDS), State Economic Empowerment and Development Strategy (SEEDS), and Local Government Economic Empowerment and Development Strategy (LEEDS) Better coordination of development planning at all tiers of government Poverty reduction programmes to be better funded Massive infrastructural development to reduce costs to business and promote private sector growth Sustained and more vigorous implementation of the MDG programmes Increased access to credit for small and medium enterprises Vigorous promotion of girl-child education

Source: Abstracted from, NEPAD Nigeria [2007], APRM CSAR Executive Summary

- the imperative of physical and social infrastructure development, and of human and institutional capacity-building, especially in science and technology, as an investment in the country's economic growth and social development;
- reduction, if not suspension, of the country's international peacekeeping commitments, in order to save resources for a refocused attention on internal security enhancement and internal conflict resolution and management for sustainable peace and development in the country; and
- effective containment and management of the inflationary spiral.

Table 11 provides a sample (objectives 1 and 2 in each thematic area) of reactions to the CSAR executive summary by the representatives of various stakeholder groups and other participants during the nationwide validation exercise of the two documents, in four validation centres (Awka, Owerri, Uyo, and Yenagoa), in the country's south-east and south-south zones, comprising the Federal Capital Territory and nine of the 36 states of the federation: Abia, Akwa Ibom, Anambra, Cross River, Bayelsa, Ebonyi, Enugu, Imo, and Rivers States.

**Table 10: Thematic distribution of costing of Nigeria’s NPoA**

<b>Thematic area</b>	<b>Projected cost (US\$)</b>	<b>Project cost as % of annual NPoA budget</b>
Socio-Economic Development	8 billion	40
Democracy and Political Governance	5 billion	25
Economic Governance and Management	4 billion	20
Corporate Governance	3 billion	15
Total	20 billion	100

Source: Abstracted from, NEPAD Nigeria [2007], APRM CSAR Executive Summary

The costing was arrived at through the following weighted parameters: (a) Capacity-building (human and institutional): 60 per cent; (b) Monitoring and Evaluation (M&E) (for quality assurance): 25 per cent; and (c) Sensitisation (for sustaining popular participation and national ownership): 15 per cent. Source: Nigeria National Focal Point Secretariat, APRM Nigeria’s National Programme of Action (NPoA), 2009–2012, Abuja, 2007, p.373; also Dr Gabriel Gundu, Overview of the Updated and Costed NPoA, 2009–2012, presentation at 2nd Meeting of the APRM-NWG, 28 December 2007, p.6.

**Table 11: Stakeholders' reactions to the CSAR and NPoA in the South East**

<b>Thematic areas</b>	<b>Validation stakeholders' reactions to CSAR</b>
Democracy and Political Governance	Standards and Codes (S&Cs): <ul style="list-style-type: none"> <li>– Executive to expeditiously implement domesticated S&amp;Cs</li> <li>– Wider consultations with people and CSOs before signing, ratifying and domesticating S&amp;Cs</li> </ul> Objective 1: <ul style="list-style-type: none"> <li>– Strengthening and building capacity of traditional institutions, CSOs and FBOs to help prevent communal conflicts</li> </ul> Objective 2: <ul style="list-style-type: none"> <li>– Granting financial autonomy to local government councils</li> <li>– Constitutional provision for traditional rulers</li> </ul>
Economic Governance and Management	Objective 1: <ul style="list-style-type: none"> <li>– The federal government should implement Land Reform to free latent capital in land and drive wealth creation</li> <li>– Economic diversification to transcend agriculture and industry to include tourism and other selected sectors</li> </ul> Objective 2: <ul style="list-style-type: none"> <li>– National Assembly should be Approving Authority for annual budgets of the Central Bank of Nigeria and the Nigerian National Petroleum Company. Oversight functions of the National Assembly and the State Houses of Assembly should be strengthened through capacity-building</li> </ul>
Corporate Governance	Objective 1: <ul style="list-style-type: none"> <li>– Establishment of rating agencies for risk analysis of institutions</li> <li>– Company registration should be made easier and cheaper, particularly to encourage youths and young entrepreneurs</li> <li>– Corporate Affairs Commission should decentralise registration to state level in all states of the Federation</li> </ul> Objective 2: <ul style="list-style-type: none"> <li>– Community leaders, CSOs in all tiers of government should ensure full implementation of corporate social responsibility</li> <li>– Implementation of MoUs entered into between companies and communities</li> </ul>
Socio-Economic Development	Objective 1 <ul style="list-style-type: none"> <li>– Enthronement of mechanism to enhance multi-stakeholders' monitoring and evaluation of programmes and projects</li> <li>– Establishment of community-based economic empowerment and development strategy (CEEDS), as counterpart of SEEDS and LEEDS to spread development to the local grassroots level</li> </ul> Objective 2: <ul style="list-style-type: none"> <li>– State governments should construct storage facilities for agricultural produce</li> <li>– States should demonstrate their commitment to the Universal Basis Education (UBE) Scheme by paying their counterpart funding timeously</li> </ul>

Source: Abstracted from Chief (Mrs) Chinyere Asika [2007], Report of the Country Self-Assessment (CSAR) Validation Workshops in the South East Geopolitical Zone, APRM/CSAR/Workshop/Team 2 Report, 3<sup>rd</sup> December.

# Critical evaluation of the APR process in Nigeria: trends, challenges and opportunities

## APRM national coordinating structures

The 'country guidelines' issued by the APRM continental structure state that the critical objective in establishing national APRM institutions is to ensure that the review process is 'credible and free from political manipulation', both by the government in power and by other stakeholder groups.

Nigeria's APR coordinating structure has matured over the past five years, since the country's accession to the APRM in March 2003. What continues to be its strength in one respect is also, in another respect, its weakness: the role of the secretary to the government of the federation as the National Focal Point, and the location of the NFP/APRM Secretariat within the presidency. Perhaps as a consequence, the National Working Group is relatively powerless, and needs to be strengthened.

### *National Focal Point (NFP), National Coordinator and National APRM Secretariat*

The designation of the secretary to the government of the federation as the National Focal Point is consistent with the recommendation in the guidelines that the NFP should either be at the 'ministerial level', or 'in the office of the presidency', reporting directly to the head of state or government. Owing to the heavy schedule of the SGF, his APRM workload has been delegated with the appointment initially of the APRM National Coordinator, and later in June 2007 of the Special Adviser (NEPAD) to the President, who reports both to the SGF and President on NEPAD/APRM matters, oversees and coordinates the work of the other organs of the national coordinating structure, liaising between them, the government, and the APRM Continental Secretariat.

According to the 'country guidelines', the national APRM Secretariat should 'provide administrative and technical support to the national commission [in Nigeria's case, the APRM-NWG], ideally established outside government and with adequate budget'. The location and deployment of staff of the national APRM Secretariat substantially from within the federal civil service seems, at face value, to be at variance with the country guidelines' recommendation that it should be 'outside government'.

While locating the national APRM Secretariat within the Presidency has created access at the highest political level and to the federal bureaucracy, it has also led to a bureaucratisation of the APR process and fed the suspicion that the process is government-controlled. The national secretariat is not accountable to the APRM-NWG, and reports directly to the NFP, through the Special Adviser (NEPAD) to the President. Except for the external consultants and the TRIs/LROs, staff of the secretariat are drawn from the federal civil service, and are deployed to serve in the secretariat, either in the SGF/NFP's office, or in the office of the Special Adviser (NEPAD) to the President. This fact raises critical issues of the accountability and loyalty of the national APRM Secretariat, and of where the authority to control, reward and discipline lies.

The present arrangement has weakened the oversight powers of the APRM-NWG over the National Focal Point and the Special Adviser (NEPAD) to the President, giving them a lot of discretionary power and control over the country's APR process. This situation has been facilitated by the fact that the APRM-NWG meets irregularly, and sometimes at the pleasure of the NFP/APRM Country Secretariat.



*The National Working Group (APRM-NWG)*

The APRM country guidelines provide for an autonomous national commission or national governing council, made up of a diverse ensemble of stakeholder groups, representing 'a wide range of interest', and 'responsible for overseeing the national process'.<sup>30</sup> In Nigeria, the APRM National Working Group plays this role. The 'country guidelines' leave the details and manner of its composition to the discretion of the national government. However, in the spirit of the core values and principles of the APRM it is expected that the composition would be based on extensive consultations not only between the government and the various stakeholder groups, but also within each stakeholder group, depending on the nature and operation of its mechanisms for internal democracy.

The problem is also how to determine not only who or what is a stakeholder group, but also, since the membership cannot be infinite, which are the critical stakeholder groups to be provided with APRM-NWG membership. Another problem arises from the fact that both within government and the stakeholder groups, the APRM-NWG might be seen as just another type of government patronage.

The initial approach of the NFP to this challenge was to constitute a 50-member APRM-NWG, consisting of a majority of civil society representation.<sup>31</sup> However, the selection of groups did not, for example, include specially designated organisations representing women or other marginalised groups as specific categories separate from NGOs/CSOs category. The government category was also limited to the federal level. This 50-member APRM-NWG was also criticised by the APRM Country Support Mission in March 2005 as being overly dominated by the executive, and not sufficiently representative of civil society.

It was not until November 2007 that the NWG was expanded. The new working group, inaugurated in November 2007, is made up of more than 60 per cent non-state stakeholders (see Table 1) and specifically includes women, representatives of people with disabilities, and faith-based organisations as non-state stakeholder groups. It also adds secretaries to state governments as a state-actor stakeholder group, though local government councils as a specific state-actor stakeholder group remain unrepresented.

What remains unclear was the combination of criteria and process for nominating or inviting stakeholder groups'

representatives to serve on the APRM-NWG. This is an important issue that goes to the heart of accountability and transparency of the process. The general tendency in constituting the APRM-NWG seems to have been for the NFP either to request for nomination from each identified stakeholder group or to issue direct invitations to specific nationally distinguished individuals to represent specific stakeholder groups on the APRM-NWG. The selection of the new chair and the selection of the membership of the APRM National Steering Committee were also carried out in circumstances that appeared less than transparent to some members of the APRM-NWG. Moreover, the chair of the body, although no longer holding a political appointment, did previously serve under former President Obasanjo as a senior special assistant on NEPAD, and is still perceived by some members of the APRM-NWG as a government appointee. But she is popular with the generality of the APRM-NWG, most of whom appreciated her knowledge of the APRM, and contributions during the various meetings the body held in November–December 2007.

Related to its problematic composition is the relative powerlessness of the APRM-NWG. Its powers and functions are not clear, it lacks a functional secretariat and its own budget, and it is virtually under the direction of the NFP/APRM Secretariat.

Nonetheless, the reconstitution of the APRM-NWG in late 2007 was significant in that it came after a long lull, when some stakeholders were worried that the process had ground to a halt. Other changes also seem to indicate a trend towards giving the APRM-NWG a more active role in the country's APR process. These include the merger of NEPAD/APRM in one agency, instead of two separate agencies (NEPAD-Nigeria and APRM), thereby giving the national APRM Secretariat more technical and professional empowerment for the more efficient and effective implementation of its activities. In addition, there are informal indications from officials involved that, once the peer-review is concluded, attention will be directed to improving the structure of the NWG, based on best practices in some of the other countries which have undergone peer review.

It is hoped that the new NWG to emerge thereafter will be detached from the bureaucratic apron strings of the NFP and the federal bureaucracy, and will be given independence through legislation, with its own budget and the powers to appoint its own executive secretary and recruit its own staff. Models for such a structure include the national stakeholders' working group (NSWG) of the Nigerian Extractive Industries Transparency Initiative (NEITI), as well as the national APRM commission established in Ghana.

30 See African Peer Review Mechanism: Annual Report 2006, APRM Secretariat, 2007.

31 Nigeria APRM National Focal Point Secretariat [n.d.], Country Self-Assessment Report (CSAR): Background Information on the APRM and its Implementation in Nigeria, pp.6–7.

### *Decentralisation of the APRM structures*

Involving state and local governments more actively in the APR process remains a great challenge. The federal structure of the country makes it constitutionally and politically unfeasible for the federal government to impose a structure on lower levels of government. A related problem is that under the country's federal constitution, external affairs, under which the APR process falls, is an item on the exclusive federal legislative list over which lower levels of government have no authority.

What is clear from the initial approach of the NFP to defining and categorising stakeholder groups is the exclusion of state governments and local government councils as distinct stakeholder groups in their own right; rather than dissolving their identities in the categories of 'National Council of State', and 'Governors' Forum'. Only at the end of 2007 was action taken to redefine the APR stakeholder groups to include representation for state governments in the APRM-NWG.

The problematic import of the country's federal structure for the APR process was illustrated by the cautionary observations of Chief (Mrs) Chinyere Asika, chairperson of the APRM-NWG, during her introductory remarks at the wrap-up meeting at the end of the country review mission with the NFP, APRM-NWG, and special adviser (NEPAD) on 29 February 2008. She remarked that her impressions, arising from her participation in the nationwide validation sessions with stakeholders, were that state governments not only wanted to know how they were to be integrated into in the APR process, but also, more importantly, requested reassurances on the benefits of the process to their states.<sup>32</sup>

These challenges relate more generally to the nature, if any, of the intra-governmental (federal/state) consultations preceding the federal government's decision to sign international treaties such as the APRM MoU; and the mechanisms for ensuring that state governments implement them without compromising or alienating their legislative powers and autonomy. In this regard, an important issue raised by state government functionaries at a number of meetings was that they were neither consulted before the country acceded to the APRM MoU, nor appropriately briefed after the accession, about its implications for their own constitutional powers, functions, and responsibilities.

Federalising the APR coordinating structure in the country and devolving more responsibilities for implementation of the NPoA to the states will thus require hard political bargaining,

relating particularly to cost sharing, given the imbalance in favour of the federal government in the financial revenue base and fiscal strength of the federal, state and local governments. In an address given on behalf of the president by the speaker of the House of Representatives at the debriefing session on 29 February 2008, he indicated that an inter-governmental panel would be established to work out a sharing formula for the implementation of the NPoA, and other follow-up activities for the APRM in the country.

### **Non-state actors' participation and involvement in the APR process in Nigeria**

The APRM country guidelines enjoin participating countries 'to organise a participatory and transparent national process' which will:

- define, in collaboration with key stakeholders, a roadmap on participation in the APRM, which should be widely publicised and provide information about national structures, the stages of the APRM, and the roles and responsibilities of stakeholders from government, non-government organisations, private sector and international development partners;
- establish and publicise feedback mechanism between different levels of government and with non-governmental stakeholders; and
- ensure participation by relevant stakeholders in the implementation of the Programme of Action.<sup>33</sup>

In organising the APR process in the country, therefore, the NFP is expected to ensure the integration and active participation of non-state-actors, 'key stakeholders' in the country's APR coordinating structure and activities. This is a critical dimension of ensuring the ownership of the process by Nigerians, as well as providing for 'local accountability'.<sup>34</sup>

### *Defining the APR stakeholder groups*

But who or what are the 'key stakeholders'? Are they categories of individuals, institutions, communities, and organisations? Who determines who or what they are, and by means of which criteria and through what processes?

In his address to the National Workshop on the APRM in March 2005, the NFP Chief Ufot Ekaette asserted that 'participation' in the APR process 'is open to all stakeholders including parliaments, business, labour, academia and

32 Notes taken by author, relating to comments by Chief (Mrs) Chinyere Asika, at the Wrap-Up Session Meeting between the CRM, the APRM-NWG, and Special Adviser (NEPAD), 29 February 2008.

33 African Union/NEPAD [2003], Guidelines for Countries, pp.11–12.

34 African Union/NEPAD [2003], Guidelines for Countries, p.13.

civil society' and not only government.<sup>35</sup> At the same workshop, Ambassador Aluko-Olokun, the APRM national coordinator, referred to 'state actors and non-state actors' as stakeholders in the country's APR process.<sup>36</sup> Ambassador Aluko-Olokun indicated what the government understood to be the 'APRM target audience' among the country's public and private sectors. From the state sector, he identified the National Council of State, the Governors' Forum, the Federal Executive Council, the National Assembly, the judiciary, and government officials in general. From the non-state sector, he listed private business, civil society organisations (including faith-based organisations as well as registered NGOs and other civil society groupings more generally), traditional rulers, labour unions, academia, and the media.<sup>37</sup>

The Nigeria report on its APRM implementation to the 6<sup>th</sup> Africa Governance Forum made reference to 'a partnership framework for the APRM between the public sector, private sector, civil society organisations, community-based organisations and the international donor community'.<sup>38</sup> The challenge of defining and categorising APR process stakeholder groups for the NFP/APRM Secretariat was primarily that of determining and designing 'the scope, extent, and representativeness of stakeholder participation in the process', in such a way 'as to extend beyond the federal to the other tiers of state and local government', while also giving consideration to the plural ethno-communal and religious structure of the country', and the western educated/ uneducated (literacy/illiteracy) gap in the country.<sup>39</sup>

Yet, from the outset, the selection of non-state actors to participate in the APRM structures – and in particular the National Working Group – was problematic. Although a fairly wide range of organisations were eventually included in the NWG in late 2007, most of the APRM self-assessment process has taken place under the nominal guidance of a group of organisations selected by the executive. Even for the reconstituted NWG there were no clear and transparent criteria for inclusion in the working group. This remains a serious weakness of the Nigeria APRM structure.

35 Chief Ufot J. Ekaette, [2005], Opening Address by Chief Ufot J. Ekaette, CFR, Secretary to the Government of the Federation at the National Workshop on the African Peer Review Mechanism (APRM), Ota, Ogun State, 4 March 2005, p.3.

36 Ambassador I.A. Aluko-Olokun [2005], Introductory Remarks at the National Workshop on the African Peer Review Mechanism (APRM), 4–5 March 2005, Ota, Ogun State, p.4.

37 Ambassador Isaac Aluko-Olokun [2005], The African Peer Review Mechanism: Objectives, Process and Current Continental Status, paper presented at the National Workshop on the African Peer Review Mechanism, Ota, Ogun State, 4 March 2005, p.2.

38 Nigeria's APRM National Focal Point Secretariat [2006], Country Report, p. 6.

39 Nigeria's APRM National Focal Point Secretariat [2006], Country Report, p.11.

Civil society's lack of confidence in the autonomy of the process was made clear from the suggestion during the preliminary phases of the country self-assessment by some CSOs that they would undertake a parallel or 'shadow' assessment.<sup>40</sup> The APRM Secretariat increased the suspicion by the manner in which the initial TRIs were summarily removed from the process and replaced by the LROs without reference to, or approval of, the APRM-NWG; and by a lack of transparency over the budget for the country self-assessment exercise, about which the APRM-NWG was equally unaware.

Civil society gained the perception that the NFP was not enthusiastic about a technically competent and professional conduct of the country self-assessment, especially against the broader background of the controversy over political and constitutional reform and the debates over removing the constitutional two-term limits for presidential and gubernatorial elections.

#### *Advocacy, dissemination, sensitisation and mass participation in the APR process*

Popularising the APR process, in order to facilitate inclusiveness and local ownership, continues to be one of the major challenges facing the National Focal Point and the APRM-NWG. The character of this major challenge is captured in the observations in Nigeria's country report on the APRM presented to the 6<sup>th</sup> AGF in Kigali, Rwanda in May 2006 about the need:

- to touch base with the rural population and the urban underclass by establishing linkages with them, for example through a multipronged multimedia strategy, which disaggregates the media, based on their applicability and relevance to different strata of society and the different tiers of government;
- to build bridges to narrow or eliminate the gap between the state at various levels of government and the citizenry, to ensure their participation in, and ownership of, the APR process;
- for a strong civil society conscious of its social responsibility to act as partner in engendering a critical mass of actors to push forward the APR process; and
- for more consultative and confidence-building measures by government at all levels to diminish the impact of perception that the APR process is state-driven and, for that reason, unless the consultations and participation elements of the process are broadened and meaningfully inclusive, its expected results may not materialise.<sup>41</sup>

40 See, for example, Abimbola Akosile, Beyond a Civil Society Shadow Report, *This Day* (Lagos), 1 March 2005.

41 Nigeria APRM National Focal Point Secretariat [2006], Country Report, p.11.

In facing this challenge, the NFP, in close collaboration with the APRM-NWG and a number of non-state stakeholders and international development partners and donor agencies, embarked on a series of intersecting dissemination activities, including establishing a website and media task force, and conducting sensitisation seminars and training workshops.

The NFP set up a media advocacy task force to devise advocacy and dissemination strategies to popularise the APR process and to sensitise the general Nigerian public about the significance of the APR process to good governance and development in the country. To this end, the NFP also developed materials such as an APRM information digest, an APRM handbook, flyers, stickers, handbills, posters and billboards for distribution and display throughout the country, and also jingles to be aired in the broadcast media (radio and television) on various aspects of the APR process.

Participants at the nationwide validation workshops also suggested the wider circulation of the CSAR executive summary, in the form of popular versions and translations into Nigerian languages.

Although it neither featured in the CSAR, especially the methodology section, nor during the stakeholders' validation of the draft CSAR and the country review mission meetings, it is not unlikely that access to, and reliability of, information and data must have been a major problem for the preparation of the country self-assessment report. Researchers seeking to track oil revenues and expenditure, for example, have found it very difficult to gain access to budget and other financial information.<sup>42</sup> A Freedom of Information Bill has been debated for several years in the National Assembly, and in fact adopted before the 2007 elections, but not signed into law by President Obasanjo. A new version of the bill was voted down in the House of Representatives in April 2008. It would have been fruitful to know how the LROs overcame or coped with this problem.

Moving forward, for the APR process and other reforms to be credible, it will be important for the government to improve both access to, and the reliability of, information and data on public affairs for the general public.

### Delays in the process

From mid-2006 to mid-2007, the APR process in Nigeria fell victim to the acrimonious politics of succession in the country. There were fears that the outcome of the data

<sup>42</sup> See, for example, L. Adele Jinadu et al., *Democracy, Oil and Politics in the Niger Delta: Linking Citizens' Perceptions and Policy Reform*, p.20, Port Harcourt: Centre for Advanced Social Science, 2007.

gathering and field activities of the self-assessment process by the LROs and the National Bureau of Statistics might be kept confidential. Some of the LROs even considered publishing their own findings and reports, independent of government, if the draft CSAR was either unduly delayed or not released by government; one of them threatened court action to enforce its contractual entitlements. On the other hand, it appears from discussions with the NFP Secretariat that, except for the section on democracy and political governance, which was competently and professionally done by the contracted LRO, the other sections of the draft CSAR, especially the one on socio-economic development, did not meet up to expectations. Extra work had to be done on the three sections by the thematic coordinators, to make them 'technically competent, [and] credible...' as required by the APRM country guidelines.

By June 2007, it had taken the country an embarrassing two-and-a-quarter years since the conclusion of the country support mission in March 2005 signalled the formal commencement of the self-assessment process. The APRM follow-up mission of July 2007 reenergised the process, as did the appointment of Ambassador Tunji Olagunju as Special Adviser (NEPAD) to the President by President Yar'Adua in June 2007 in place of Ambassador Isaac Aluko-Olokun, who had been expected to continue in the position. The Special Adviser (NEPAD) to the President's release of the executive summary of the country self-assessment report, and initiation of the process of national validation of the CSAR, was also an indication of renewed commitment to the process.

As of April 2008, Nigeria appeared to be on track for the country review report prepared by the APRM Secretariat to be presented and defended by President Yar'Adua at the APR Forum to be held in the margins of the African Union summit in Egypt, July 2008.

### The national CSAR and NPoA validation exercise

The nationwide validation exercise of the CSAR and the NPoA based on the circulated CSAR executive summary was generally well attended. It was given wide coverage in the national and local print and electronic media, and was generally marked by differing levels of enthusiastic participation by the various stakeholder groups.

Assuming the form and character of a town-hall meeting, the validation process generally provided participants with a rare and welcomed opportunity for the expression of their perceptions and feelings about federal, state, and

local governance issues in the country: what was wrong, what was commendable, where the country was coming from, lessons to learn, and what now needed to be done to strengthen what was commendable, and to redress and correct what was bad. In a number of cases, special sessions in local languages were organised for participants who demanded them, so that they could better understand the issues at stake.

The reactions of the participants showed an acute awareness of the issues raised in the executive summary of the CSAR. As the executive summary of the CSAR itself noted: 'There is very low awareness of the New Partnership for Africa's Development (NEPAD) and the APRM and its processes among Nigerians, but very high level of awareness of the relevant governance issues assessed under the four thematic areas.'<sup>43</sup>

However, participants also showed a sceptical attitude towards the exercise, in respect of whether their observations would be faithfully relayed to government and, if relayed, whether they would be attended to, and thereby make any positive difference to the country's governance processes and their lives.

Among the weaknesses of the validation process was the pronounced absence of representatives of the legislature and judiciary at most of the validation exercises at both federal and state level. Their presence should be critical, given the constitutional role of the two branches of government: the judiciary's central position in ensuring the rule of law and accountability of the executive, and the powers of the legislature to ensure law reform and vote public funds to implement the NPoA.

At the federal level, concerns about separation of powers raised questions about institutional hierarchies, and the appropriateness of the executive branch initiating the validation exercises with the legislature and judiciary. There were also concerns about the form the validation should take. After the concerns were resolved, the validation assumed a less public form than was originally planned, especially with the judiciary, which preferred to be out of the public eye. The problem here was that the leadership of these two branches of government viewed the coordinating structure and the APR process generally as essentially executive branch initiatives, which might infringe their independence.

The organised private sector, including those in the most important sectors, such as the banking and the oil and gas industries, also had little presence at the validation workshops despite receiving invitations. It is also unclear

how much input they had generally into the CSAR, through the questionnaire for interviews of key decision makers. This seems to reflect the fact that the banking industry and the oil and gas industry had no representation on the reconstituted APRM-NWG, being only indirectly represented by the national president of the National Union of Banks, Insurance and Financial Institutions Employees (NUBIFE), and the chairman of the Nigeria Extractive Industries Transparency Initiative (NEITI).

Finally, the uniformed services – the police, military and others – were hardly represented in the process. Given the culpability of the security agencies in human rights abuse in the country catalogued in the officially unpublished 2002 'Report of the Human Rights Violation Investigation Commission' (known as the Oputa Report, after the chair of the commission), this is also an important omission.

## CSAR research methodology and content

### *Sampling technique*

Although the CSAR executive summary refers to the sample size and distribution of the population utilised for the mass household survey (MHS) and elite/decision maker interviews (EDMI), it made no reference either to whether and how the respondents were randomly selected, nor did it indicate the response rate to the questionnaire administered to both groups (MHS and EDMI). It was also unclear how the questionnaire in both cases was administered, especially in the case of MHS, where respondents who are non-literate in English were concerned. These matters may be explained in the full report, but the lack of information means that it is difficult to know what validity to accord the results reported.

There is also little evidence from the CSAR executive summary about the disaggregation of respondents and their responses along stratified sample size in either the MHS or the EDMI. Nor was there evidence of cross-comparison of the responses of MHS and EDMI respondents to specific questionnaire thematic objectives. This may be owing to a problem arising out of the fact that, while one LRO, the National Bureau of Statistics, administered the MHS across the four thematic areas, the other LROs administered the EDMI and conducted the focus group discussions in their respective areas of thematic assignment, and had to integrate data from the MHS for analysis in their respective thematic assignments.

<sup>43</sup> NEPAD Nigeria [2007], APRM CSAR: Executive Summary, p.2.

### *Neglected or inadequately addressed crosscutting issues*

#### State level analysis:

It was realised at the point of domesticating the APRM master questionnaire that Nigeria's federal political system would create a peculiar level-of-analysis problem for the country self-assessment: would the focus be on federal government policies only, or it would also be on the state and local governments? What level of government would 'government' or 'national' policy refer to? Does national refer to federal policy alone, or to an aggregation or synthesis of federal, state and local government policies? Are respondents sure which level 'government' refers to in answering the questionnaire? It is not clear from the CSAR executive summary how this problem was approached and, if at all, resolved. For it seems from the executive summary that the primary, if not the only, focus was on federal government policies.

#### Nigeria's rating on Human Development Index:

The CSAR executive summary seems not to have explicitly addressed the consequences of Nigeria's rating on the human development index in the annual UNDP Human Development Reports, and its progress towards the millennium development goals (MDGs), in areas like poverty reduction, inflation, unemployment, and human security generally. This is an area where government at all levels has fallen far short of the expectations raised by Nigeria's own constitutional 'Fundamental Objectives and Directive Principles of State Policy', and accession to related international conventions, codes and standards on economic, social and cultural rights.

It is in this context, too, that the executive summary fails to identify the Niger Delta Crisis as a microcosm of the wider problem of Nigeria's persistent low human development index, and its slow progress towards the MDGs.

#### Regional disparity in development:

The CSAR executive summary fails to address the issue of the political asymmetry between the states/zones of the federation. It consequently also does not address how the asymmetry has impacted on state and/or zonal disparity and its consequences for inter-governmental relations in the federation, and for economic and political governance, and for socio-economic development in the country.

#### Capacity-building/retention and the crisis in higher education, and knowledge creation generally:

A central cross-cutting issue in the four APRM thematic areas is the twin issues of capacity-building and capacity retention. The CSAR executive summary has not specifically addressed this issue, despite the crisis in higher education and the general crisis of knowledge creation, including the

promotion and utilisation of indigenous knowledge systems. To this must be added the lack of reference in the executive summary to the virtual absence of a national policy on research and development, national social science policy, and a coherent science and technology policy, all linked to the broader issue of state capacity, development and human security in the country.

#### The ambiguous role and neglect of local government:

The CSAR executive summary hardly addresses the ambiguous role and neglect of the local government council in the political and economic governance as a major deficit in the country's practice of constitutional democracy.

# Conclusion

Nigeria's accession and commitment to the APR process must be viewed through the lens of the country's historically deep-rooted commitment to pan-African ideals in both domestic politics and foreign policy. This commitment is reflected in the adoption in Nigeria of many key documents on African Unity, including the 1990 Lagos Plan of Action for the Economic Development of Africa, the 1991 Abuja Treaty establishing the African Economic Community, and the APRM core documents themselves. The limits and possibilities of the APR process in Nigeria must also be set in the broader context of the long drawn out struggle for democratic governance and for ethics, transparency and accountability in the country's political and public life.

The generally enthusiastic reception accorded the nationwide CSAR and NPoA validation exercise underscored the significance of the APR process for good democratic governance and sustainable development in the country. The APR process is designed to impel good governance in the country towards capacity development. Its primary objectives include confronting the opportunities and problems posed by globalisation, and taking the requisite policy action to meet the MDGs.

To this end, the APR process focuses on institutional reform, investment in capacity development in the private and public sectors, the rule of law, a competitive electoral process, a transparent policy environment, the protection of human rights; as well as guaranteed provision of physical infrastructure (electricity, railways, roads, and water, among others) and public service delivery to all (in education, electricity, health, housing, and water)

Nigeria's country report presented to the 2006 Africa Governance Forum identified the challenges of the APR process as follows:<sup>44</sup>

- Linking the process to all levels of government and all strata of the Nigerian society, thereby engendering feedback mechanisms between government and the citizenry.
- National cultural reorientation to reflect the core APRM principles in the country's institutions and political practice and behaviour.
- Focusing on youths as tomorrow's leaders and thereby preparing them for leadership roles.
- Paying more critical attention to reforming institutions and processes, for political elite recruitment and reproduction.
- Entrenching accountability in the country's institutions, particularly through the work of M&E (Monitoring and Evaluation) Team.
- Learning from the country's own experience and that of other counties in the APRM.

Confronting these challenges and opportunities proactively, however, would require that the APRM-NWG show greater efforts than so far to mobilise both non-state and state stakeholders, including the judicial and legislative branches of government at the federal and state levels, as well as the security, military, police and other uniformed agencies, to participate in, and commit themselves to, the process.

What this requires is a new national APRM coordinating structure empowered by specific legislation which vests more autonomy in the APRM-NWG, in the form of enhanced functional and operational powers and greater financial resources. It also requires federalising the structure at state, and ideally local, government level in order to ensure the implementation and sustainability of the APRM NPoA as a cooperative national (federal/state/local government) development project.

The future of the process is, therefore, bound up with the institutionalisation of an intra-governmental monitoring and evaluation mechanism and with participation by the private

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44 Nigeria APRM National Focal Point Secretariat [2006], Country Report, p.24.

sector and civil society, to oversee and keep on track the country's compliance with the core principles of the APRM and the faithful implementation of the NPoA.

These problems highlight the critical issue of the political will, not only among the political class but also within the federal bureaucracy, to move the APR process forward, under a new legislative framework, in partnership with the private sector, the CSOs and other non-state stakeholders, on the basis of mutuality, recognition and reciprocity.

The APRM still offers the country the opportunity of using the process, alongside other pro-democracy initiatives, within and outside the country, to reform its politics and economy, in ways that will strengthen democracy, accountability, and transparency in public life.

## A note on sources

This report is based on a combination of desk research and participant observation in a number of APRM-NWG activities and programmes, supplemented with informal, unstructured discussions on the APRM and the APR process in the country with various stakeholders, notably:

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Dr Anthonia Adindu, University of Calabar, Calabar  
Dr Olumide Ajayi, Africa Leadership Forum, Ota  
H.E. Ambassador Isaac A. Aluko-Olokun, Former APRM National Coordinator  
Professor Ademola Ariyo, University of Ibadan, Ibadan  
Chief (Mrs) Chinyere Asika, Chairperson, APRM-NWG  
Mr Benson Ekujimi, APRM Consultant  
Professor Alex Gboyega, APRM Thematic Consultant  
Dr Gabriel Gundu, Director (APRM), NEPAD Nigeria  
Dr Jibrin Ibrahim, Executive Director, Centre for Democracy and Development, Abuja  
Professor Okechukwu Ibeanu, University of Nigeria, Nsukka  
Professor Attahiru Jega, Bayero University, Kano  
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