



POLITICAL ECONOMY DYNAMICS OF REGIONAL ORGANISATIONS IN AFRICA

PEDRO

The African Union: the African Governance Architecture and the Charter for Democracy, Elections and Good Governance¹

This paper sets out to better inform stakeholders about why the African Union (AU) and national level stakeholders operate as they do, looking at the African Governance Architecture (AGA) and the African Charter for Democracy, Elections and Good Governance (ACDEG). It concludes with implications for support.

Political traction, member states interests and potential

Since its inception, the African Union (AU) has adopted a range of initiatives to promote democracy, good governance and human rights in Africa. The proliferation of instruments and institutions has raised challenges for efficiency, effectiveness and coherence. Although components of a governance framework exist across the continent since 2002, it became necessary to link these institutions, processes and instruments, ensuring that they function as an *architecture*. The framework of such an African Governance Architecture was formally adopted in 2011 by government leaders of the African Union (AU).

The AGA is a platform for dialogue between the various stakeholders mandated to promote good governance and strengthen democracy in Africa. It seeks to implement the African 'shared values' contained in the AU's Constitutive Act and in the African Charter on Democracy, Elections and Governance (ACDEG). These include among other things human rights and the rule of law, democratic governance, respect for the constitution, gender equality, youth empowerment, development, environmental protection, popular participation, democratic elections and durable solutions to humanitarian crises.

AGA is not an official AU policy organ and has no decision-making power. Its mandate is limited to facilitating cooperation and lesson learning among a wide array of actors through the African Governance Platform (AGP), the operating arm of AGA. So far, AGA has provided a space for public participation in governance issues and has managed to bypass the member-state controlled Economic, Social and Cultural Council, an AU organ that is generally considered to be dysfunctional. Further, though the outcomes of discussions are not formal decisions, they are increasingly taken serious by the Peace and Security Council, and by the committee of permanent representatives of the AU member states at the headquarters of the AU.

¹ Based on a March 2017 background paper by ECDPM, available at www.ecdpm.org/pedro/backgroundpapers. The Policy Brief and background paper were prepared under the BMZ-financed project on the *Political Economy Dynamics of Regional Organisations (PEDRO)*. Authors: Faten Aggad (fa@ecdpm.org) and Philomena Apiko (pha@ecdpm.org). Project team leader: Bruce Byiers (bby@ecdpm.org).

In practice, AGA has a broad mandate but lacks the administrative and operational capabilities and resources to monitor, coordinate or otherwise stimulate or enforce compliance with the AU's agreed governance positions. The AGA Secretariat operates as the coordinating hub of the African Governance Platform, and as such, it has increasingly attempted to carve out a more distinctive role for itself to assert its *raison d'être*. This has at times resulted in competition with institutions with overlapping mandates, such as the AU Department of Peace and Security and the African Peer Review Mechanism (APRM). Member states have yet to approve a proposed joint secretarial committee to coordinate and align activities between the secretariats of AGA, APRM and the African Peace and Security Architecture (APSA).

AGA is highly dependent on donor funding. While external financing has allowed the African Union Commission to exercise some agency and push for the governance agenda, it has also strengthened member states in their suspicion towards the activities of AGA. Many of the standards and values promoted by AGA among others, pose an explicit challenge to the way politics are conducted in many African states. Ratification of key governance documents such as ACDEG was initially slow, but has significantly increased since 2015, while some influential 'swing states' continue to challenge clauses such as the limit on presidential terms. Other states with poor human rights records or authoritarian regimes such as Ethiopia and Mauritania have supported ACDEG, which suggests that some countries 'signal' support to certain aspects of the AU governance agenda without putting measures in place to implement them.

To address some of these challenges, AGA has sought synergies with other continental initiatives, notably around peace and security and peer review processes. Pre-election and election monitoring is an area with some traction for AU engagement, with ACDEG providing the overall framework of principles and sanctions for violations. The African Peace and Security Council provides the institutional mechanism for deliberations over application and interpretations of the agreed policies. This AU organ has demonstrated a certain capability to apply sanctions against a number of governments when there were clear cases of non-constitutional transfer of power, such as military coups. Looking forward, the Continental Structural Conflict Prevention Framework foresees closer ties between AGA and the African Peace and Security Architecture in order to address crisis and conflict in Africa. The AU could, for example, strengthen its role in assessing the level of structural stability for countries and sub-regions and support the development of comprehensive structural prevention programmes. In practice, however, the role of the AGA members in such processes is yet to be tested as this involves a deeper commitment by national ruling elites to engage in improving governance in the domestic context.

The AU has actively promoted continental norm-setting that converges with global principles and norms through multiple institutional channels, with AGA stepping up its efforts. Yet is clear, also from experience of the African Peer Review Mechanism, that improved governance as promoted through continental and regional organisations in Africa will only show impact or intermediary results where the interests of national elites align to such governance reforms.

Implications for support

1. Support must recognise the deeply political nature of tackling challenges related to implementation of the agreed values and principles of the continental governance architecture.

- The AU is the only pan-African organisation with the political mandate for continental norm-setting around the broad governance agenda. It has primarily developed an institutional architecture around threats to regional and national security, and in support of electoral processes and the constitutional transfer of power.
- Beyond these areas, AGA has limited power or influence to stimulate, enable or enforce the implementation of the extensive governance agenda at member state level.

2. AGA is heavily dependent on external funding, and given the political sensitivities surrounding the breadth of its agenda this then calls for careful targeting and calibration of support efforts.

- Continental initiatives such as AGA are more likely to contribute to governance reforms where it can build on efforts by domestic reform coalitions. This suggests a need for realistic ambitions and well-designed support that takes into account opportunities, likely setbacks, risks and the longer-time perspective involved in governance and institutional reforms.
- Support can be directed at strengthening core governance functions such as transparency and accountability of the AU and Regional Economic Communities (RECs) towards their key stakeholders, principals and partners.
- Donors need to harmonise their support efforts and operate in ways that reinforce - rather than undermine - the institutional capabilities and governance functions of AU, RECs and AGA.
- Some RECs continue to play roles in the governance agenda, so a careful balance must be struck in terms of enabling cooperation between the AU and RECs by improving task division and collaborative arrangements, often in conflictual or unwieldy contexts.

Behind the formal structures of regional organisations is a messy world of regional power and politics. This messiness is often difficult to capture in the language of development cooperation and institutional development. Working with regional organisations and their programmes therefore implies engaging with complex, multi-level power and interest dynamics.

PEDRO, the **P**olitical **E**conomy **D**ynamics of **R**eional **O**rganisations, is an ECDPM project that looks at the politics behind regional organisations, and the structural factors, institutions and incentives that ultimately define the way in which countries and different stakeholders engage at a regional level. PEDRO covers 17 African regional organisations and 11 policy areas. For each of these, ECDPM has applied a political economy approach to help understand the dynamics and their effects in different regions and policy areas.

The studies are framed around three key questions: the first relates to the political traction of the regional organisation as this helps assess whether the regional organisation has enabled regional decision making and if it has contributed to implementation. The second focuses on the member state interests in engaging with the regional organisation, especially the more resourceful and powerful ones (the so-called 'swing states'). The third looks at the areas with most traction where regional and national level interests seem to be most aligned for regional outcomes.

The reports aim to present information and insights that can help regional stakeholders navigate the obstacles and better respond to reform opportunities. Rather than providing specific operational recommendations, the political economy approach encourages more reality-based discussions among practitioners and reformers about feasible ways to address regional challenges. It is hoped that this may help tailor the ambitions and approaches of donors and reformers and help identify ways to support national or regional champions or coalitions to take regional cooperation and integration forward.