

THE AFRICAN PEER REVIEW MECHANISM IN MAURITIUS

Lessons from Phase 1

June 2007

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Africa Governance Monitoring and Advocacy Project (AfriMAP)



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ISBN 978-1-920051-74-7

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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).

In becoming one of the first four countries to open itself to the critical examination of the APRM, Mauritius contributed to the process of giving a practical form to the mechanism, which many other states have since adhered to. However, the Mauritius process has been on hold for more than one year. Now is the time to re-energise the process and ensure that it is a genuinely inclusive process, as required by the official guidelines for countries to prepare for and participate in the APRM.

This review of the APRM process in Mauritius is one of a series commissioned by AfriMAP, the Africa Governance Monitoring and Advocacy Project of the Open Society Institute's network of Africa foundations. The report – which was written by and represents the views of Sheila Bunwaree of the University of Mauritius – analyses the extent to which the Mauritius process of self-assessment for the APRM has respected the criteria of effectiveness and credibility defined by the APRM founding documents, in particular the extent to which it has been open, participatory, transparent and accountable. Based on interviews with many of the participants, Bunwaree reviews the challenges faced during the process to date, including a failure on the government side to provide real political leadership and the necessary financial resources,

the weaknesses of the National Economic and Social Council as APRM focal point, and a lack of real engagement from civil society. Bunwaree concludes that to be successful, a revived APRM in Mauritius will require 'a major re-think amongst the key players responsible' in order to open up the process to broader participation.

Ozias Tungwarara
Director
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Introduction

Mauritius was among the first countries to sign up for the African Peer Review Mechanism (APRM) and among the first four to be selected for review. The national self-assessment process was launched in early 2004, and a preliminary draft of the self-assessment report prepared by March 2005. The process then stalled, due in large part to ineffective leadership and management of the process, in particular a failure to ensure broad participation from civil society. It is paradoxical that Mauritius – often cited as a developmental success story on account of its remarkable economic achievements, harmonious multi-ethnic make-up and political stability – has not yet been able to deliver on the APRM. The new government, in power since mid-2005, has indicated its willingness to re-launch the process in Mauritius. A private consultancy firm selected by the government to carry out the process recently indicated that the re-launch of the process would start in early June 2007. This will provide an opportunity to rectify previous errors and prepare a high-quality national report and programme of action. However, to do so, there are some challenges that will have to be met, the most significant being to ensure broad and meaningful civil society participation; and for the two ministries largely responsible for implementation of the APRM process – the Ministry of Foreign Affairs and the Ministry of Finance – to agree upon the pertinence of the review for Mauritius and demonstrate the political will for its implementation. Conviction that the review is a valuable instrument towards the deepening of democracy in Mauritius is essential for its success; obtaining this remains elusive.

This paper sets out the different stages of the APRM process that has taken place in Mauritius from the signing of the memorandum of understanding establishing the APRM in July 2003, to the country visit of a team from the APRM secretariat in April 2006 to re-start the process. The

paper then presents an evaluation of the process and the problems it has faced. These factors include the lack of political leadership and a common vision amongst the main actors responsible for implementation of the process; poor understanding and appreciation of the underlying objectives and *raison d'être* of the APRM; a highly state-centric approach; weak participation of civil society; the absence of any prior assessment of the financial costs of the exercise, and confusion regarding sources of funding; the lack of an effective communications strategy; the lack of technical capacity to conduct the review; and failure to comply with the essential guiding principles of the exercise.

The paper concludes by making a number of recommendations. These include revisiting the choice of the focal point, indigenising the questionnaire, appointing expert technical teams and ensuring that the review is research-based. None of these recommendations will be meaningful without the necessary political commitment and the full understanding of the APRM philosophy.

The fact that Mauritius has not been able to deliver on the exercise has been, according to a number of stakeholders, a serious source of embarrassment for the government. Yet if it is merely 'the politics of embarrassment' that will push Mauritius to move forward with the APR, the government would have failed to comprehend the underlying philosophy of the APR, and will end up once again with a report that does not reflect the voices of the people.

The relaunch of the Mauritius APRM process in June 2007 is welcome. It is hoped that this report can make a contribution towards its success.

Country background

Mauritius, lying off the east coast of Madagascar in the southwestern part of the Indian Ocean, has often been referred to as a success story on account of its remarkable economic achievements in the 1980s and 1990s, and its level of democratic governance. It is one of the few African countries to hold elections every five years, with peaceful transitions of government. Mauritius has an independent judiciary, a free vibrant press and a large number of independent associations that constitute its civil society. Multi-ethnic Mauritius has often been held up as a model of peace and social harmony.

Upon gaining independence in 1968, the new government inherited a very poor economy. In less than two decades, Mauritius transformed itself into a middle-income country with a per capita income of approximately US\$5 000 per annum.¹ Amongst the factors driving its economic growth were a successful population control policy; refusal by the government to succumb to IMF/World Bank pressure to abolish free education and free health provision as part of structural adjustment programmes; strong economic diplomacy negotiation skills; the existence of a middle-class; and a substantial amount of local capital.

However, Mauritius is facing new, serious challenges. Cheap labour, the country's only major comparative advantage, is rapidly eroding in the face of competition from countries including China, Bangladesh and Sri Lanka; the dismantling of the international multi-fibre arrangement with its accompanying loss of protected markets and guaranteed prices has affected the important textile industry; and a new European Union sugar regime has led to a major cut

in prices paid for Mauritian sugar. These difficulties have caused ballooning budget deficits as well as a rising level of unemployment that has now reached double-digit figures, with ensuing greater levels of poverty. With the closure of firms in the export-processing zone, many women in particular have lost their jobs, leading to a growing feminisation of poverty.² Most macro-economic indicators are in the red and growth rates have reduced substantially. Compounding this situation is a perceived rise in the level of corruption in the country.³

The current economic decline does not augur well for Mauritian social cohesion, especially in the context of Mauritius' complex ethnic dynamics. Mauritius is an ethnically diverse country as a result of several waves of migration through its history. Today, Indo-Mauritians account for 68 percent of the population, Creoles 27 percent, Sino-Mauritians 3 percent, and Franco-Mauritians 2 percent. Indo-Mauritians are split between Muslims and Hindus; the Hindu majority constitutes some 50 percent of the population while the Muslims represent around 18 percent. Reduced economic opportunities and a growing asymmetry in the distribution of entitlements have given rise to new forms of identity-based politics and pose important challenges for governance. Riots that occurred in February 1999 are largely attributed to the growing frustration and alienation of some segments of the Afro-Mauritian community.⁴

1 Kearney, R., 'Mauritius and the NIC Model Redux or how many cases make a model?' *Journal of Developing Area*, Vol. 24 No 2, 1990, pp.195–216.

2 Bunwaree, S., 2004, "Export oriented employment and social policy in Mauritius", Razavi, S., Pearson, R. and Danloy, C. (ed), *Globalization, Export-Oriented Employment and Social Policy: Gendered Connections*, United Kingdom.

3 De Navacelle, J. and Lapierre, J., *For a Quick and Transparent Outcome to Investigations*, Transparency Mauritius Press Release, 8 July 2004.

4 Bunwaree, S., *ibid.*

The 2002 Sachs Report on Constitutional and Electoral Reform⁵ noted that the Mauritian political system suffers from two major problems: the gross underrepresentation of women in politics; and the electoral system, inherited from its colonial past. Mauritius has a first-past-the-post/block vote system, whereby voters vote for three candidates in each constituency. This is combined with a 'best loser' adjustment according to which eight seats are set aside for each of the different ethnic groups so as to ensure adequate minority representation.⁶ The general tendency is for people usually to vote for three candidates from the same party, and occasionally two from one party and one from another. Though some believe that this system contributes to Mauritius' political stability, it also results in considerable disproportionality between the percentage of votes gained by each party and the number of seats gained in Parliament. Thus, in 1982 and in 1995 the country was left without an opposition, aside from a handful of candidates who entered Parliament through the 'best loser' adjustment.

The 2005 elections were contested by around thirty-four political parties, but competition rested largely between two major blocks: the *Mouvement Militant Mauricien* (MMM), *Mouvement Socialiste Mauricien* (MSM), and *Parti Mauricien Social Démocrate* (PMSD); and the *Alliance Sociale* composed of the Labour Party, *Mouvement Militant Socialiste Mauricien* (MMSM), *Mouvement Républicain* (MR), *Parti Mauricien Xavier Duval* (PMXD) and *Les Verts Fraternelles*. The *Alliance Sociale*, led by Navin Ramgoolam of the Labour Party, won the elections and obtained 38 out of 70 seats, with 49 percent of the votes. The Labour Party has always had a strong socialist orientation, but the reforms being proposed by the current government under the banner of fiscal responsibility are provoking major resentment amongst large segments of the population.⁷

5 Sachs, A., Tandon, B. and Ahnee, R., 2002 Report of the Commission on Constitutional and Electoral Reform, Port Louis, Prime Minister's Office at <http://www.gov.mu>.

6 S. Bunwaree and M. Yoon, 2006 'Women's Legislative Representation in Mauritius: A Grave Democratic Deficit,' *Journal of Contemporary African Studies*, Vol.24, no.2, pp.229–243.

7 Etienne, P., 'Opposition and unions rave against Sithanen's budget', *Express Outlook*, 29 August 2006, Port Louis, Mauritius.

The New Partnership for Africa's Development (NEPAD) and the African Peer Review Mechanism (APRM)

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 – from Algeria, Egypt, Nigeria, Senegal, South Africa – and its founding document was formally adopted by the 37th summit of the Organisation of African Unity (OAU) in Lusaka, Zambia, July 2001. NEPAD is now a programme 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 underlying principles of a commitment to good governance, democracy, human rights and conflict resolution; and the recognition that maintenance of 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.

NEPAD is governed by a Heads of State and Government Implementation Committee (HSGIC), which finalised the policy framework adopted at Lusaka in October 2001. HSGIC comprises three states for each region of the African Union,

with President Olusegun Obasanjo (Nigeria) as elected chair, and Presidents Abdelaziz Bouteflika (Algeria) and Abdoulaye Wade (Senegal) as deputy chairmen. 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 committed 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 six states agreed to be subject to its terms; as of May 2007, 26 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 APRM process and ensure its integrity.

The APR 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.

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 seven 'eminent persons' are: Marie Angelique Savane (Senegal), Chairperson; 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). 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 APR Secretariat.

The APRM documents identify five stages in the review process. The first and most important is that of self-assessment. A country support mission from the APR 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.

Secondly, a country review team – also led by the eminent person and made up of representatives of the APR 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.

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

The APRM process in Mauritius

Mauritius signed the memorandum of understanding (MOU) establishing the APRM at the 8th Summit of the NEPAD Heads of State and Government Implementation Committee (HSGIC) in Maputo, Mozambique, on 9 July 2003, becoming the sixteenth country to do so since it was first adopted at a summit in Abuja, Nigeria, in March 2003.⁸

The National Economic and Social Council (APR focal point)

In October 2003, the government announced that the APR process in Mauritius would be managed by the National Economic and Social Council (NESC), a statutory body composed of representatives of government, business, labour and civil society. The role of the NESC was to act as the focal point for the APRM process in Mauritius, liaising between national stakeholders and the APR Secretariat, and to be responsible in the first instance for preparing the APR self-assessment report and a preliminary national programme of action (PoA).

The NESC Act of 2001 states that the NESC provides a platform to foster consensus building through dialogue on economic and social issues facing the nation. The NESC consists of 23 councillors from the four sectors, around

half of them government-appointed.⁹ The chairperson and vice-chairperson are elected from the councillors, by the councillors themselves. However, although 'elected' by the councillors, chairpersons of various bodies and organisations are generally chosen by the government and are seen as political nominees. The Council has three 'commissions', set up in accordance with the provision of the NESC Act: on economic affairs; infrastructure, physical resources, environment and sustainable development; and on social affairs and human resource development.¹⁰ Each commission consists of 8 to 12 members, and is chaired by a

8 The African Peer Review Mechanism (APRM): The Rules And Procedures of the APR Panel and the APR Secretariat, NEPAD/APR FORUM1/02-2004/Rules/Doc2a, February 2004, Paragraph 3.

9 The precise composition of the NESC councillors is as follows:
(1) Five from workers' organisations, of whom one is nominated by the Minister of Labour and four by the four largest federations of trade unions;
(2) Five from business organisations, of whom one is nominated by the Minister of Finance and Economic Development and five by the Joint Economic Council;
(3) Eight from civil society, of whom one is nominated by the Mauritius Council of Social Services (MACOSS) from among its member organisations, one by the National Women's Council from among its member organisations; one, a person above the age of 60, by the Senior Citizens Council; one by the National Youth Council from youth organisations; four by the Minister of Finance and Economic Development, to ensure contribution from academia and other specialists in various fields, in light of the different issues at stake at the time of their appointment;
(4) Five councillors from government ministries, namely:
The head of the civil service;
The director-general, Ministry of Finance and Economic Development;
The permanent secretary, Ministry of Social Security, National Solidarity, Senior Citizens, Welfare and Reform Institutions;
The permanent secretary of the Ministry of Labour and Industrial Relations;
The island chief executive of the Rodrigues Regional Assembly or his/her representative.
See NESC Annual Report, 2003–2004, p.2. More on the NESC can be found at <http://www.nesc-mauritius.org>.

10 <http://www.nesc-mauritius.org/commission.asp> (23 October 2006).

commissioner, again chosen by the councillors themselves.

There is also an Executive Committee (EC) of the Council, composed of the chairperson, the vice-chairperson, the three commissioners, and the secretary-general of the NESC. The EC administers the affairs of the NESC and monitors implementation of the commission's work programmes. It prepares budget proposals and accounts for approval by the NESC and appoints working groups on the recommendation of the commissions.

The underlying principle is that each organisation or institution in Mauritius falls under one or more of the existing stakeholder groups that are part of the NESC, including civil society groups, academia, political parties, workers' organisations, business organisations, and government ministries and departments. Given that the NESC operated along a 'holistic and ownership-based philosophy,' the government thought it appropriate to appoint the NESC as the APR focal point since it was in line with the APRM principle of engaging stakeholders from the bottom up in an inclusive manner.¹¹ The NESC acting as focal point would provide a common platform for equal representation of all stakeholders.¹²

The National Coordinating Structure

A few weeks after being established as the APRM focal point, the NESC appointed a National Coordinating Structure (NCS). In effect, the NCS is a steering committee composed of representatives of various ministries, the private sector, the media, labour organisations, political parties, parliamentarians, professional associations, non-governmental organisations (NGOs) and others.¹³ Among the members of the NCS is the Mauritius Council of Social Services (MACOSS), an umbrella organisation grouping over 200 NGOs and established by an act of parliament.

All members of the NESC automatically became members of the NCS. Other members were invited by letter, either sent to organisations and departments asking them to nominate individuals, or to specific individuals. Given the relatively small network of organisations and individuals in Mauritius, a

lot of 'structured informality' and personal contacts informed the issuing of invitations. The membership of the NCS as of March 2005 is provided in Annex 1.

The NCS was set up with the objective of promoting national dialogue around the self-assessment, according to the APRM requirement that performance should be evaluated on the basis of views and 'realities' expressed by all stakeholders.¹⁴ The NCS was also given responsibility for validating the self-assessment report and helping to draft the national PoA. In addition, it was expected that members of the NCS would respond to the APR questionnaire.

The NCS met officially on three occasions between May 2004 and March 2005. Most members of the NCS also attended the sensitisation workshop held in June 2004, during the APR Secretariat's country support mission.¹⁵

Meetings of the National Coordinating Structure

31 May 2004	Opening meeting at the conference room of the National Economic and Social Council, Sir W. Newton Street
29 June 2004	Sensitisation workshop held by the country support mission, at the Domain Les Pailles
9 September 2004	Meeting at Sir Hareelall Vagjee Hall
31 March 2005	First validation workshop for the first draft of the APRM self-assessment report, held in the conference room of the National Productivity and Competitiveness Council, St James Court, Denis Street, Port-Louis

Advance support mission

In January 2004, the APR Secretariat in South Africa sent the NESC a draft memorandum of understanding for the technical assessment mission together with the draft guidelines for countries to prepare for and participate in the APRM. In February, a small advance mission of the APRM visited Mauritius. There is very little information available about this trip, in part because records at the NESC started two months later, in March 2004.¹⁶ A few meetings were

11 Interview with Jayeraj Ramjada, executive secretary of the NESC, Moorgate House, Port Louis, Mauritius, 22 March 2006.

12 This notion was outlined in a conference in Algeria 27–29 November 2005, organised by the Union des Conseils Economiques et Sociaux d'Afrique (UCESA), entitled 'Quel rôle pour les Conseils Economiques et Sociaux dans l'atteinte des objectifs du NEPAD, notamment dans la perspective de la mise en oeuvre du Mécanisme africain d'évaluation par les pairs (MAEP)'.

13 Interview with Riad Sultan, research officer at the NESC, Port Louis, 22 March 2006.

14 Interview with Ram Nookady, executive secretary of the Mauritius Council of Social Services, at MACOSS, Astor Court, Port Louis, 23 March 2005. The issue of 'realities expressed by all stakeholders' was also evoked at the sensitisation workshop on 29 July 2004 in which the author of this report participated.

15 Interview with Jayeraj Ramjada, executive secretary of NESC, Moorgate House, Port Louis, Mauritius, 22 March 2006.

16 Interview with a NESC official, 7 September 2006.

apparently held with the Ministry of Foreign Affairs and the Executive Committee of the NESC to establish the readiness of the country to embark on the APRM process. It was also agreed that the NESC would be responsible for practical management of the self-assessment, but that more strategic issues would be dealt with at the level of the National Coordinating Structure.¹⁷

At the first meeting of the APR Forum in February 2004, made up of representatives of the heads of state or government of all states participating in the APRM, it was officially announced that Mauritius was one of the first four countries to be selected for review (along with Ghana, Kenya and Rwanda). The meeting was attended on behalf of Mauritius by Ambassador S. Servansing, personal representative of the then prime minister. The APR questionnaire and rules of procedure guiding the APRM reviews were also presented, and the meeting instructed the APR Secretariat to forward them to the countries selected for review.¹⁸ In April 2004, the APR Secretariat forwarded to the NESC the questionnaire to be used in the self-assessment exercise.

First meeting of the National Coordinating Structure

At its first formal meeting in May 2004, the NCS examined the questions set in the APR questionnaire and agreed on the methodology to proceed with the APR. A crucial decision taken by the NCS was that whilst government ministries would coordinate the collection of responses from their departments for submission to the NESC (as focal point), private sector bodies, representatives of workers' organisations and civil society groups would send their responses directly to the NESC. The questionnaires were sent to different ministries as well as to MACOSS and other members of the NCS. The NESC advised the ministries to respond to questions and issues relevant to their ministries. The second decision was that the self-assessment report to be prepared by the NESC should be prepared and validated by all members of the NCS.

The country support mission

In June 2004, the APR country support mission visited Mauritius, led by Mourad Medelci, a member of the APR Panel of Eminent Persons. The delegation was composed of Keralla Yansane and Evelynne Change from the APR Secretariat, Michael Mahmoud from the Africa Development Bank, José Dieudonne, Shamika Sirimanne and Guy Ranaivomanana from the United Nations Economic Commission for Africa (UNECA).

A full-day sensitisation workshop was held with all members of the NCS on 29 June 2004, attended by a broad range of stakeholders, including heads of government ministries and departments, representatives of the private sector, trade unions, academia, political parties and civil society organisations. The delegation emphasised the significance of the APRM process and the importance of stakeholders' full participation in the process. The delegation as well as the chairperson of the NESC stressed that the APRM process should be as inclusive as possible, and the NCS was urged to open its membership to wider participation and to publicise the questionnaire more effectively.

On 30 June, a memorandum of understanding was signed by Mourad Medelci on behalf of the APR Panel, and Jayen Cuttaree, then minister of foreign affairs, international trade and regional cooperation, on behalf of the government of the Republic of Mauritius.¹⁹

Responding to the pressure for wider participation from the APRM delegation, the NESC published a notice in the press on 15 July, inviting interested parties to participate in the APRM self-assessment exercise and complete all or any part of the APR questionnaire they deemed relevant to them. A copy of the questionnaire was posted on the NESC website to ensure its wide dissemination. The press notice read as follows:

17 Interviews at the Ministry of Foreign Affairs, Port Louis, 23 March 2006.

18 Communiqué issued at the end of the first summit of the committee of participating Heads of State and Government in the African Peer Review mechanism (APR Forum) Kigali, Rwanda, 13 February 2004.

19 The exact title of the document is 'Memorandum of understanding on the technical assessment and country review visit'.

General Notice, 15 July 2004

The National Economic and Social Council is undertaking an exercise which involves the participation of relevant stakeholders in making a self-assessment of the performance of our country with respect to all aspects of its economic, political and social life.

This exercise termed the African Peer Review Mechanism (APRM) fits with an initiative of the African Union and is being replicated in a number of African countries, which have voluntarily chosen to participate in it. Institutions, which are involved in social and economic activities, can join the list of institutions the NESC has identified for carrying out the APRM.

Participation will imply the filling out of a questionnaire which because of its length has been inserted into the website of the NESC at www.nesc.mauritius.org. Any institutions willing to participate must make its intention known before Friday 23 July 2004 to the secretariat of the NESC at: 7th floor, Moorgate House, Sir William Street, Port Louis.

Tel 213 0772 Fax 213 0765

Email: secretariat@nesc.intnet.mu

The NCS was expanded in August 2004. Letters were sent out to several organisations inviting them to be part of the NCS. The new, enlarged NCS was constituted and a meeting took place in September 2004. Given that there were some additional new members coming from different quarters of Mauritian civil society, the aim and process of the exercise were once more presented and discussed so as to familiarise all those present with the different steps involved. The importance of a validation workshop was also discussed and a provisional calendar established for the submission of replies, the drafting of the self-assessment report and the PoA.²⁰

Producing the first draft of the self-assessment report

Following the meetings of the NCS and the visit of the APR country support mission, the NESC began gathering responses to the APR questionnaire from all stakeholders. The NESC expected MACOSS to play a key role in eliciting civil society views in the APR process. MACOSS convened a few meetings with its members and outsiders with relevant expertise on the different thematic areas of the questionnaire,

but very few people turned up for these meetings. By the end of November 2004, the NESC had received a number of responses, mostly from government ministries, and a few from individuals representing different organisations in the private sector and trade unions.

The stakeholders who responded to the APRM process were as follows:

- Audit Department
- Bank of Mauritius
- Ministry of Civil Service Affairs
- Ministry of Education
- Ministry of Environment
- Ministry of Finance & Economic Development
- Ministry of Foreign Affairs
- Ministry of Health
- Ministry of Housing
- Ministry of Industry
- Ministry of Labour
- Ministry of Local Government
- Ministry of Public Infrastructure
- Ministry of Public Utilities
- Ministry of Social Security
- Ministry of Training, Skills Development
- Ministry of Women's Rights
- Police Department
- Prime Minister's Office
- State Law Office
- Central Statistics Office
- Financial Intelligence Unit (FIU)
- Independent Commission Against Corruption (ICAC)
- Institute of Corporate Governance
- Joint Economic Council
- Mauritius Council of Social Services (MACOSS)
- Management Audit Bureau
- Mauritius Industrial Development Authority
- Mauritius Labour Congress
- Metrological Services
- National Archives
- National Library
- National Transport Authority
- Prison Department
- Registrar General
- Registrar of Civil Status
- Registrar Of Companies
- Senior Citizens Council
- *Union Mauricienne*

The NESC did not have the in-house capacity to draft the self-assessment report on the basis of submissions received, and decided to hire a consultant from the University of Mauritius for this purpose. The NESC has maintained that it ensured the consultant took all submissions into consideration, and

²⁰ Telephone interviews with officials from MACOSS and the FPU trade union, 17–24 May 2006.

that whilst information was summarised, the main ideas contained in the different submissions were reported without any bias, and were all included in the self-assessment report.²¹ The consultant classified the submissions according to the thematic areas of the APR, and produced a report with four corresponding chapters: democracy and political governance, economic governance and management, corporate governance, and socio-economic development.

By March 2005, a first draft of the self assessment report was complete. On 31 March 2005, the NCS was convened for the first validation workshop at St James' Court in Port Louis. At the meeting, the NESC presented the draft report, and informed stakeholders that as it stood the report could not be submitted to the APR Secretariat, since important information gaps remained. The NESC reported that more thorough information was needed and appealed for a wider set of submissions in order to be able to develop a relevant PoA.

The low level and poor quality of civil society inputs led members of the NCS to propose that civil society groups should be contacted once more to consolidate the draft self-assessment report. The NESC then called a meeting on 15 April with MACOSS, as well as other NGOs who are not members of MACOSS, a few trade union officials and a few representatives of the business community. The pertinence of the APRM exercise as well as the significance and importance of civil society participation in the exercise was re-emphasised and an appeal made to the different stakeholders to submit their responses to the NESC.

By the end of April 2005, the NESC sent the draft report to the APR Secretariat. The NESC stressed that the report was a work in progress, a draft which still needed to be consolidated, and that as soon as this was done the report would be officially submitted to the APR Secretariat. Nevertheless, the submission resulted in confusion, and was reported in some media as being a validated report to the APR Panel of Eminent Persons.²²

Regional organisations' involvement in the process

The South African Institute for International Affairs (SAIIA), a non-governmental organisation based in Johannesburg, had been conducting research on NEPAD and governance issues in several African countries, including Malawi,

Ghana and Rwanda. Building on their experience in those countries, SAIIA decided to conduct a study in Mauritius on governance issues.²³ SAIIA identified Straconsult, a Mauritian consultancy firm as their local counterpart, and commissioned Amédée Darga, the director of Straconsult and a former parliamentarian, to write a paper. Darga was also a consultant on the UNECA research programme on governance in Mauritius. At the same time, SAIIA researchers undertook many interviews with a broad range of national stakeholders. These interviews and Darga's paper were integrated into a report entitled *Mauritius: The Big Issues*.

On 27 July 2005, SAIIA organised a workshop entitled 'Assessing Governance in Mauritius: Finding Consensus on the Big Issues' at the Labourdonnais hotel in Port Louis. The meeting was intended to provide a platform for further civil society engagement with their draft report. Representatives from approximately 40 civil society organisations from various spheres of activity – government, academia, private sector and civil society – attended the workshop. Some members of the NESC also attended but did not in any way comment on the report presented by Darga and the SAIIA researchers. The issues discussed were based on the four focus areas of the APRM and inputs from participants were gathered to feed into the draft.²⁴

The workshop highlighted to MACOSS the broad extent of civil society participation in the SAIIA report, while MACOSS had faced difficulties in galvanising civil society around the APRM self-assessment exercise. In this context, MACOSS made a request to SAIIA that the SAIIA report be officially submitted as the Mauritius civil society input to the APR process. To this end, SAIIA conducted a two-day workshop in collaboration with MACOSS for a number of NGOs and trade union representatives at Pearl Beach Hotel in Mauritius on 25–26 October 2005. The participants agreed to back the SAIIA report as their joint submission to the NESC. But until today, no one seems to know exactly what happened to the report.²⁵

Interestingly, Darga, SAIIA's initial local counterpart, did not participate in the workshop. However, he was involved with another workshop, 'Civil Society Engagement in the African Peer Review Mechanism: Prospects and Challenges,' organised a fortnight earlier on 14 October 2005 at Domaines Les Pailles, by the Southern African Integration Network (SAINET) in collaboration with Straconsult. SAINET is a regional network working on good governance, housed at the Electoral Institute of Southern Africa (EISA)

21 Interview with consultant Dr Sobhee at the University of Mauritius, 24 May 2006.

22 Interview with NESC officials, 22 March 2006.

23 Although this was after Mauritius had signed up for the APRM, it was not directly related to the APR process in Mauritius.

24 Interview with Steven Gruzd, research manager, SAIIA, 13 September 2006, Muldersdrift, South Africa.

25 Ibid.

in Johannesburg. The main objective of the workshop was presented as facilitating civil society interaction with the APRM process. The opening speech was made by Minister of Foreign Affairs Madun Dalloo.²⁶ In his opening speech at the conference, the minister reaffirmed the commitment of the government of Mauritius to the APRM and concluded by saying that the 'APRM is quite an avant-garde process which is yet to be tested on the African continent. APRM is a process to which we must live up for we have a shared responsibility in ensuring its success.'²⁷

Status of the process today

The APRM process in Mauritius was effectively on hold for more than a year after the 31 March 2005 validation workshop. Amongst the reasons for this is that Mauritius held elections in July 2005, leading to a change of government. The new government took some time to familiarise themselves with the APRM process and to appoint new officials responsible for its implementation. In May 2006, an APR delegation consisting of Sudhir Chukun, a Mauritian based at the APR Secretariat, and Moise Nembot, visited Mauritius with the hope of reviving the APR in Mauritius. The issue was described as being 'somewhat politically sensitive' and needing to be handled diplomatically.²⁸ It was not until June 2006 that a new chairperson of the NESC was chosen, signalling a revival of the process.²⁹ The eminent person assigned to Mauritius, Mourad Medelci, had meanwhile joined the government in his country (Algeria), and was replaced by fellow Algerian Mohammed Babes, who also had to familiarise himself with the process.

At the sixth Africa Governance Forum held in Kigali during 9–11 May 2006, Mauritius found itself in the embarrassing situation of having not yet submitted its APR report. A press article entitled 'Mauritius on the stand in Kigali' which appeared in *Le Mauricien*, one of the main newspapers in Mauritius, noted that Mauritius was referred to several times during the meeting, forcing the Mauritian delegation to defend itself. Ambassador Cure, head of the Mauritian delegation at Kigali, had to redouble his efforts to reassure other state representatives present that Mauritius had not withdrawn from the APR and would submit its report within

a reasonable period.³⁰

Another press article reported on rumours that the Mauritian report had been rejected by the APR central bodies, but quoted Bernard Kouassi, executive director of the APR Secretariat, refuting these allegations: 'The Mauritian report has never been rejected by the [APR] panel or forum. The process of revising the report in Mauritius is still under way, and an extension was granted to Mauritius after the recent general elections in the country.'³¹

According to Mauritian officials, by mid-2006, the government was willing to move ahead with the process, and resources had been earmarked in recent budget discussions at the level of the NESC's new Executive Committee, suggesting a desire and willingness to move forward. Mohamad Vayid, the new chairman of the NESC, is believed to have the necessary drive and capacity to ensure implementation of the process. Communication regarding the APR in Mauritius has been taking place between the Ministry of Foreign Affairs and the NESC. The former asked the NESC to prepare the terms of reference for a tender inviting consultancy firms to bid. A selection process was set in motion by the NESC, which resulted in the selection in early February 2007 of a private consulting firm, Ernst and Young Mauritius, to carry out the exercise.³²

On Monday 14 May 2007, NESC Chair Mohamad Vayid held a press conference to explain the objectives and importance of the APRM process in Mauritius. On 23 May, a roundtable discussion on the APRM was broadcast on national television with the participation of Marcello Yeung, team leader at Ernst and Young; Mohamad Vayid, NESC chair; Jane Ragoo, a trade unionist; and Victor Glover, former Chief Justice of Mauritius. The programme was meant to inform the Mauritian population about the aims and objectives of the APRM exercise. The NESC chairperson insisted on the importance of the study and emphasised that Mauritians will be given a chance to participate in the assessment of the country's performance on different aspects of governance. During the programme, it was announced that the relaunch

26 Phone interview with Gilles Joomun, research officer at Straconsult, 22 May 2006; interview with Grant Masterson, researcher at EISA, 13 September 2006, at Muldersdrift.

27 Cited in 'Report on SAINET workshop on civil society engagement in the APRM process in Mauritius on 14 October 2005', Straconsult, Port Louis, Mauritius.

28 Interview with officials of the APR Secretariat, 22 September 2006.

29 Interview with Government officials, Beau Bassin, 25 August 2006.

30 'Maurice sur la sellette à Kigali', *Le Mauricien*, 11 May 2006:

'L'Ambassadeur Cure qui dirige la délégation mauricienne à Kigali s'est vu forcé de multiplier les efforts pour rassurer les responsables des pays présents que Maurice ne s'est pas exclu du mécanisme d'évaluation et soumettra son rapport dans un délai raisonnable.'

31 'African Peer Review Mechanism – Gouvernance: Dossier Mauricien Rejeté', *L'Express* 20 May 2006: 'Le rapport mauricien n'a jamais été rejeté par le panel ou le forum. Le processus de révision de Maurice est toujours en cours. Une remise à jour a été reçue par Maurice après les récentes élections générales dans ce pays' citing *Kenya Daily Nation* of 19 May 2006.

32 Le National Economic and Social Council relance l'exercice à Maurice », *Le Mauricien*, 5 February 2007, <http://lemauricien.com/mauricien/070426/EC.HTM#1> (last visit, 29 May 2007).

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of the APRM in Mauritius would take place on 6 June 2007 and that the exercise would last approximately six months.

Although no allusion was made to the first attempt to carry out the APRM self-assessment, a lot of emphasis was placed on the importance of engaging civil society, adapting the questionnaire to the local context, ensuring objectivity and so on. This gives the impression that there is considerable knowledge regarding the problems encountered during the first attempt to carry out the study – even if there has been no formal acknowledgement of the problems encountered so far. Both during the press conference and the TV programme speakers emphasised the importance of the self assessment report and the high expectations of bodies like the European Union and the United Nations Development Programme (UNDP). Some comments were also made to the effect that the Mauritius study, despite its problems, may serve as a model to the rest of the continent.

The questions that are still raised during informal discussions with other stakeholders are whether the communication strategy adopted so far by the NESC is good enough; to what extent is civil society really going to be involved in the second phase of the process; whether the exercise will not be an elitist one; and whether different personalities involved in the process will be able to work together and have a common vision³³. To avoid these potential obstacles, a thorough evaluation of the process in its first failed phase is needed in order to draw important lessons and propose practical recommendations for the second phase of the APRM assessment in Mauritius.

Chronology of events

October 2003	Appointment of the National Economic and Social Council as the APRM focal point
January 2004	Receipt of the Draft Memorandum of Understanding on the Technical Assessment Mission and the Country Review Visit Receipt of the draft guidelines for countries to prepare for and to participate in the APRM
February 2004	Visit of Advanced Support Mission
April 2004	Receipt of questionnaire from the APRM Secretariat
May 2004	National Coordinating Structure (NCS) set up by the NESC

31 May 2004	First meeting of the NCS
27–30 June 2004	Visit of the Country Support Mission (CSM) Briefing session with the NESC on the APR process Working sessions with the NESC and all major stakeholders Sensitisation workshop with stakeholders Consultation with major stakeholders Signing of the memorandum of understanding
July 2004	Publication of press notice to invite wider participation; posting of the APRM questionnaire and other documents on NESC website
August 2004	Structure and composition of the NCS finalised Participatory process finalised Programme of activities for the implementation of the APRM in Mauritius finalised
September 2004	Second meeting of the National Coordinating Structure
November 2004	Submission of responses to the questionnaire by members of the NCS to the NESC
February 2005	Drafting of self-assessment report
March 2005	First validation workshop of self-assessment report with members of the National Coordinating Structure
April 2005	Meeting with civil society groups: submission of responses to the APRM questionnaire re-opened
27 June 2005	SAIIA workshop
15 October 2005	SAINET workshop
25–26 October 2005	Second SAIIA workshop
May 2006	Visit by APRM Secretariat delegation
February 2007	Ernst and Young selected to lead new self-assessment review
14 May 2007	NESC holds press conference to explain importance of APRM to Mauritius
6 June 2007	Relaunch of the APRM in Mauritius

33 Interviews, May 2007.

Evaluation of the APRM process to date

There are several reasons for the slow progress of the APRM process in Mauritius, among them a lack of political leadership, a failure to mobilise resources, weaknesses of the NESC as a focal point, poor participation of civil society, difficulties in accessing information, failure to popularize the questionnaire (including by translating it into Creole), and a weak communications strategy.

Lack of political leadership

At the outset of the process, the government failed to provide the necessary political leadership, including a clear vision of the objectives of the self-assessment exercise and the implementation process that should be followed. As a consequence, stakeholders did not have a unified vision of the APR, and were left with different views and perspectives. Most of those involved took a functional approach rather than perceiving the self-assessment as a tool for the consolidation of democratic governance. As one government official said, 'When we went into the exercise, we were attracted by the idea that we may be able to use it to highlight our democratic state of affairs and perhaps attract donors, but we did not realise the extent of the resources required to make the exercise meaningful.'³⁴

Another factor which may have hampered the process was its timing, commencing in the year prior to general elections, when the attention of key political players was focused on

34 Interview with a high-ranking government official, 23 March 2006. This argument emerged practically from most interviews although they were captured differently by different people.

campaigning. Given the client relations between the state and some segments of society, individuals were hesitant to express their real views.

Failure to assess financial costs and mobilise resources

Perhaps the most visible indication of lack of sufficient political interest in the APR process was the failure of the government and the NESC to conduct a technically sound assessment of the financial costs of the process and to mobilise the resources needed to implement the assessment. No prior assessment of the costs of the review took place, reflecting a serious lack of planning. The United Nation Development Programme (UNDP) provided a grant of US\$20 000 to the NESC for the APRM process in the first quarter of 2004. That was the only financial backing given to the NESC for implementation of the initial stages of the review. In comparison to the budgets of other countries under review (Ghana: US\$800 000 and Rwanda: US\$500 000), the Mauritian government did not make the financial commitment required. It was expected that the government would provide additional funds to close the shortfall, but this did not happen.

The NESC embarked upon the review faced with this serious financial constraint.³⁵ In addition, it faced other critical capacity problems. An official of the Ministry of Foreign Affairs noted: 'NESC does not have the capacity. When we signed the MOU, NESC had only started with some seed money. But I do not only mean that they lack only financial

35 Interviews at the NESC secretariat, 22 March 2006.

resources: they lack all forms of capacity – administrative, technical and academic; there are numerous deficits.³⁶

Whilst stakeholders in other countries undergoing review have displayed a *savoir faire* in mobilising resources from donors, Mauritius has not demonstrated any capacity in this regard. Arguably, because Mauritius is classified as a middle-income country and seen as having a relatively good developmental trajectory, accessing donor funds and support is more difficult.³⁷ The minister of foreign affairs describes Mauritius as a ‘victim of its own success’.³⁸ However, this should not have prevented the NESC and MACOSS from being more proactive in raising funds for the APR. Their legitimacy and credibility as independent and autonomous institutions would have been enhanced.

Problems with the NESC as focal point

The choice of the NESC as the APR focal point was inappropriate. Although supposed to be an independent forum, it is widely regarded as a sinecure, lacking the institutional capacity to coordinate and lead the APR process. In particular, the NESC did not have the will or capacity to galvanise broad participation in the process.³⁹ The NESC failed to understand that engaging broad participation in the review was as important as the final report, instead ‘focusing too much on the product rather than the process’.⁴⁰

The lack of technical capacity within the NESC resulted in a number of methodological flaws. The NESC did not have a specific strategy to ensure that the review was broadly participatory, taking the form of a national dialogue. The NESC failed to complement the APRM questionnaire with other appropriate methods and instruments of information gathering and analyses, such as surveys, focus group discussions or informal meetings. In effect, the process consisted of convening a few workshops and requesting different ministries as well as some civil society

representatives to fill in parts of the questionnaire that they deemed relevant to them.

The NESC did not provide any guidance on research methodology: respondents were given the questionnaire without any technical guidelines on administering it. Although it was argued that the questionnaire was long, tedious, and in certain parts irrelevant, the NESC did not make any attempt to adapt it to the national context. A UNDP official noted, ‘Whilst the exercise was adopted and implemented, it was not sufficiently grounded at the grassroots, and very few people knew about it... The response has been really poor. And more importantly, people need to be able to relate to things, in this case it seems that there were questions which were not adapted to Mauritian reality at all.’⁴¹

NESC’s institutional weakness was such that it did not even comply with basic guidelines set out by the APRM Secretariat. At a recent workshop that SAIIA organised in Johannesburg,⁴² Michael Mahmoud, senior financial adviser with the African Development Bank (ADB), highlighted the important role played in the review process by the national technical expertise teams. These teams were set up in the three other countries first undergoing review, but no teams of technical expertise have yet been set up in Mauritius. As a result, the APR in Mauritius was not sufficiently research-oriented, in part explaining the poor quality of the report. Amédée Darga of Straconsult asserts that the Mauritius report was described by the APR Secretariat as ‘perfunctory and lacking substance’.⁴³

Poor participation of civil society

The self-assessment process was further weakened by the lack of quality participation from civil society organisations, in part due to their own internal weaknesses, and in part due to poor mobilisation by the NESC and NCS.

Whilst many speak of a vibrant civil society in Mauritius, the reality is that the country’s civil society organisations are fairly apathetic with little popular debate.⁴⁴ Although the NCS was eventually enlarged to include civil society organisations willing to participate in the exercise, most of

36 Interview, Ministry of Foreign Affairs, 23 March 2006.

37 According to an NGO activist, ‘There seems to be a lack of transparency around this exercise, NESC is like a big white elephant; the protégées of the state. They only absorb resources but they have not tried to help in securing resources from elsewhere.’ Interview with an NGO activist who wanted to remain anonymous, 25 August 2006.

38 Interview, Ministry of Foreign Affairs, Government House, Port Louis, 23 March 2006.

39 Darga, A., ‘Resolving the APRM Challenge: the Tools’, paper presented at seminar on ‘NEPAD Five Years Later, Critical Institutional and Civil Society Perspectives’, organised by the International Peace Academy in collaboration with Centre for Policy Studies, Nairobi, Kenya 27–29 April 2006.

40 Interview, UNDP office, Port Louis, 19 May 2006.

41 Interview with Roland Alcindor, responsible for APRM at UNDP and with Magda Verdickt at UNDP office, Port Louis, 19 May 2006.

42 SAIIA workshop ‘APRM Lessons Learned: A Workshop for Civil Society, Practitioners and Researchers’, Johannesburg, 12–13 September 2006.

43 Darga, A., ‘APRM – The Mauritius Experience’ paper presented at the above-mentioned workshop.

44 *Mauritius Competitiveness Report*, National Productivity Council, Port Louis.

the responses submitted to the APRM questionnaire were from government ministries and departments. Only a few civil society groups responded, including MACOSS, the Mauritius Labour Congress, the Senior Citizens Council and the Union Mauricienne party.

Seventy-two political parties registered for the July 2005 general elections, amongst which the largest and most powerful were the *Mouvement Militant Mauricien* (MMM), the Labour Party (LP) and the *Mouvement Socialiste Mauricien* (MSM), none of which made a submission to the APRM self-assessment.⁴⁵ Also absent was the Mauritius Employers' Federation and trade union federations such as the *Confédération Mauricienne des Travailleurs*, *Fédération des Travailleurs Unis* and the Federation of Civil Service Unions.

The poor representation and general weakness of civil society has been underscored by a number of observers and participants to the process. At a seminar on NEPAD held in Nairobi, in April 2006, organised by the International Peace Academy and Centre for Policy Studies based in Johannesburg, Amédée Darga argued: 'In a way, the inability to deliver is a demonstration of the inability of the representatives of civil society to assume their responsibility. This puts into question the legitimacy of these representatives and relates to the overall weakness of civil society.'⁴⁶

The NESC did not strategise on how to galvanise civil society and engender debate on governance issues, but relied heavily on MACOSS for this purpose. However, MACOSS has its own internal governance issues and remains weak in its role as an umbrella organisation of NGOs in Mauritius. One of MACOSS's objectives is to organise workshops, seminars, conferences and training courses for NGOs, and hence, logically, it could have been expected to be well positioned for playing a coordinating role for civil society groups in the APR process. However, according to observers, very few of MACOSS's members are professionals with the capacity to engage in the APRM exercise.⁴⁷ MACOSS itself largely depends on the state for its funding, a factor which affects its independence. It does not have a culture of debate and barely engages in advocacy work.⁴⁸ As one NGO activist said,

'This is supposed to be an exercise based on a wide series of consultations with the people, but the consultations we have had leave a lot to be desired. We see the same leaders of the different interest groups in consultative meetings but these leaders do not necessarily connect with the people.'

At the 31 March 2005 validation workshop, the author of this report attended the meeting as a member of civil society and emphasised the importance of publishing the self-assessment report in its entirety in the national media: 'In a true spirit of inclusiveness and to give credence to the spirit of the APRM exercise, it is important that the wider public, i.e. civil society at large, gets an opportunity to respond and interact with some of the issues captured here. This will enlarge the space for some kind of consultations.'⁴⁹ The NESC resisted the idea, and the full self-assessment has never been publicly published.

Problems in administering the questionnaire

The draft self-assessment report contains chapters on 'Evaluation of Responses of Stakeholders' and on a 'Proposed Framework for the Programme of Action'. These chapters were prepared by the consultant commissioned by the NESC, based on the responses received – in effect, predominantly inputs from government ministries and departments, since there was such a low level of response from civil society.

Civil society groups, workers' organisations and business organisations required to participate in the review, in addition to their usual activities, faced difficulties in administering the questionnaire. The complexities and length of the APRM questionnaire meant that many participants who had agreed to be a member of the NCS did not then actively participate in the process. There was a lack of commitment, and also of expertise and resources. Those civil society organisations that did participate in the exercise provided very weak and incomplete responses. It was expected that responses would be backed as far as possible with objective facts and analyses, which could eventually lead to a programme of action. However, in many cases, organisations put forward criticisms based on value judgements and opinions alone.⁵⁰

Even the responses received by the different government ministries were not always complete or accurate. It was taken for granted that the ministries would be able to supply

45 Bunwaree, S. and Kasenally, R., 'Political Parties and Democracy in Mauritius', *EISA Research Report 19*, Electoral Institute of Southern Africa, 2006.

46 Darga, A., 'Resolving the APRM Challenge: the Tools', paper presented at seminar on 'NEPAD Five Years Later, Critical Institutional and Civil Society Perspectives', organised by the International Peace Academy in collaboration with Centre for Policy Studies, Nairobi, Kenya, 27–29 April 2006.

47 Interview with Roukoya Kasenally and Sanjeev Sobhee at the University of Mauritius, 24 May 2006.

48 Interview with Ram Nookady, secretary of MACOSS, 22 May 2006, Astor Court, Port Louis.

49 Oral intervention by Sheila Bunwaree at the validation workshop.

50 Interview with Sobhee at the University of Mauritius.

accurate information and data regarding relevant parts of the questionnaire. However, in reality, responses were often disorganised, repetitive and needed more detailed information. The inputs often did not reflect deep analyses of the issues but tended to describe plans, strategies and other work of government ministries and departments. Moreover, given the complexities of the questionnaire, many sections were left unanswered or answered with irrelevant information and no objective evidence.

With these problems, it is not surprising that some participants at the 31 March 2005 validation workshop felt that the draft report was biased in favour of government, merely extolling the accomplishments of certain ministries. Yet whilst government through the NESC relied heavily on departments within the different ministries to respond to the self-questionnaire, the state itself was perceived as detached and indifferent to the APRM process taking place in the country.⁵¹

Poor access to information

Difficulties in accessing government-held information caused further problems for civil society groups attempting to respond to parts of the questionnaire. Legislation regulating freedom of information has been repeatedly promised by various political parties when they are in opposition. The current government included a pledge for legislation in this area in its manifesto during the 2005 electoral campaign. However, Mauritius still does not have legislation providing a right to government information, leading to a lack of transparency and accountability. Frequently, reports produced by the different ministries or state agencies are not circulated openly, and when requested by researchers, are usually said to be 'confidential'. Although Mauritius has a relatively well-organised Central Statistics Office, some data remain confidential and inaccessible. Moreover, a lot of the statistics are not disaggregated, rendering accurate analyses difficult. According to officials within the Central Statistics Office, much data collected is not effectively used or disclosed when deemed 'too sensitive' or if 'disclosure may cause instability in the country'.⁵²

Absence of an effective communications strategy

The NESC did not develop a communication strategy around the APR. Interviews with community development workers, social workers, local government councillors and academics for this report confirmed that whilst generally well informed regarding current affairs, many of them did not know much at all about the APRM. One trade union official said: 'All I know about the APRM is that it is to do with NEPAD, but there is hardly any information which has come through from the press.'⁵³ An academic at the University of Mauritius noted: 'I have heard of it but I am not sure what it stands for exactly and what the idea behind it is.'⁵⁴

Communication with the media was very poor, with no concerted effort to deploy the media as part of the process. On the other hand, some argue that the media was contacted, but was indifferent. It is not clear whether this is because the media itself was not sufficiently interested in the APR or because the NESC was not proactive enough with the media. Aside from a communiqué inviting public participation in the APR process that was sent to the media on 15 July 2004, there was very little, if any, interaction between the NESC and the media.

Language barrier

Creole is the language spoken by the majority of Mauritians, whilst the languages of the colonisers, English and French, are spoken by the elite. However, the questionnaire was not translated into Creole, and hence large segments of the population were automatically excluded from participation, and the process was by definition, elitist.⁵⁵

51 Telephone Interview with a member of an opposition political party, 25 August 2006; Interview with Radakrishna Sadien, president of the government civil servants association, at Unity House, Beau Basin, 25 August 2006.

52 Interview with experts at the Central Statistics Office, Port Louis, 18 May 2006.

53 Interview with Jane Ragoo, trade union official, at Federation of Progressive Unions offices, Rose-Hill, 23 May 2006.

54 Interviews with Jennifer Ah-Kion, Uma Bhowon and Roubina Juwaheer, University of Mauritius, Reduit, 24 May 2006.

55 Telephone interview with Ram Seegobin, 25 August 2006.

Conclusions and recommendations

The revival of the APR process in Mauritius is welcome, but if this is motivated solely by the need to save face on international and regional platforms, then the essence of the exercise would once more have escaped the Mauritian government. Deepening democracy and engaging with the broader population goes beyond such politics. A major re-think amongst the key players responsible for implementation of the APRM is necessary, in particular towards opening up the process to broad participation. It is crucial to prove wrong the concern expressed by many that Mauritius may once more fail to organise wide consultation, and compile the report through a handful of consultants with no broader participation.

From interviews carried out for this report, it is clear that there is wide belief that the NESC lacks the necessary competence, autonomy, credibility and legitimacy to lead the process. A successful revival and implementation of the process will therefore require substantial efforts to make the NESC more credible and legitimate.

Given the plethora of problems encountered, it is evident that Mauritius was not prepared for the APR. This raises the question of why Mauritius volunteered to undergo peer review. Is it because government believes the country has done so well that it genuinely has some 'best practices' to offer to other countries on the continent? Or is it because it thinks that by engaging in such an exercise, it will be able to improve its standing with donors and attract aid and other forms of investment or preferential agreements at a time when the economy is experiencing painful decline.

At a meeting in Nairobi in April 2006, Ambassador Bethuel Kiplagat said that it was not necessarily the case that all

heads of state who had signed up for the APR knew exactly what was entailed.⁵⁶ In light of the process that took place, Mauritius may well have been one of the countries. It seems that key players viewed the exercise from a 'functional' perspective rather than as 'a tool to deepen democracy'.⁵⁷ Deepening democracy through the APR implies giving a 'voice' to citizens, allowing for a bottom-up approach and ensuring that citizens' concerns and views are taken on board in shaping and formulating policies that will affect their lives and livelihoods. Citing Ravi Kanbur, Mutume notes: 'A major test for success will be civil society participation. The process would benefit from a vibrant civil society dialogue and a wide range of reviews conducted by various sectors of society.'

Although the relaunch of the APRM self-assessment in Mauritius has been announced, certain key questions still remain unanswered. Who will define the methodologies to be used? How will consultation with stakeholders be organised? Are the financial resources to ensure the exercise is a thorough one now available? Who will work on the programme of action for Mauritius, and how will this be approved?

56 Kiplagat, B., Intervention during floor discussions at seminar on 'NEPAD Five Years Later, Critical Institutional and Civil Society Perspectives', organised by the International Peace Academy in collaboration with Centre for Policy Studies, Windsor Golf and Country Club, Nairobi, Kenya 27–29 April 2006.

57 Darga, A., 'Resolving the APRM Challenge: the Tools', paper presented at seminar on 'NEPAD Five Years Later, Critical Institutional and Civil Society Perspectives', organised by the International Peace Academy in collaboration with Centre for Policy Studies, Windsor Golf and Country Club, Nairobi, Kenya 27–29 April 2006.

Broadening the view of democracy

In a 2004 article entitled 'The African Peer Review Mechanism: An assessment of concept and design,' Kanbur notes that 'while the APRM is a welcome addition to an African institutional structure, its design will have to be improved for it to be truly successful'. He suggests three criteria required for success: competence, independence and competition.⁵⁸ To these Kajee adds ownership and communication.⁵⁹ In analysing the APRM process in Mauritius, it becomes clear that all of these criteria have been missing. In addition to these, it is critical to have broad participation in the process.

In an interview in the *Financial Times*, Prime Minister Navin Ramgoolam said that Mauritius was paying the price of its success: 'Here is a paradox. We are saying, Europe is saying and other countries are saying, that we have to write off the debt of poor indebted countries and we have to promote democracy, you have to promote good governance and all of this. You don't have to promote democracy in Mauritius: it already exists. We have good governance, we have institutions... we have not gone with a begging bowl all over the place. We have used the advantages that we have... and now we are going to be – I don't know whether I can use the word "punished" – but punished for our success.'⁶⁰

To advocate that there is no need to promote democracy in Mauritius implies a very restrictive view of democracy. Whilst it is true that Mauritius has a number of achievements to its record, democratic deficits still persist. Unless there is a change in thinking, towards understanding that democracy also involves citizen participation and empowerment, the APRM is unlikely to succeed in Mauritius.

To ensure participation and empowerment of citizens, the nature of civil society in Mauritius also needs to be examined. Civil society in Mauritius is not a homogenous bloc and there is an urgent need for research in this area. New NGOs are mushrooming daily but it is unclear to what extent they are truly making a difference on the ground. If we are to strengthen and consolidate civil society, it is imperative that a thorough research of the sector is first conducted.

The pride of some key stakeholders has been hurt by the fact that Mauritius has not been able to successfully complete the APR and submit a report. It is becoming increasingly

seen as important to move the process forward in order to avoid further losing face. In interviews for this paper, both the minister of foreign affairs and the new chairman of the NESC indicated that it was important to move the process forward and that every effort will be made in that direction. But whether these good intentions will actually be translated into reality is a question that still surfaces. Moving the process forward demands an interplay of several factors and a general political will.

Some specific recommendations

1. Reconstitute the National Coordinating Structure, with wider representation and participation from civil society groups.
2. Appoint expert technical teams early on in process, and ensure that the review is research-based.
3. Develop a comprehensive communications strategy and seek to gain consensus around the process.
4. Use print and broadcasting media in both Mauritius and Rodrigues to inform people of the exercise as well as its pertinence.
5. Provide training through intensive short courses to parliamentarians on governance issues.
6. Adapt the questionnaire to the national context by translating it into Creole so that it becomes accessible to each and all.
7. Undertake a planning exercise to estimate costs of revamping the APRM exercise in Mauritius and raise funds accordingly.
8. Identify relevant structures such as social welfare centres, youth and community centres where meetings could be held to facilitate the decentralising of the exercise. There is a need to take the APRM to the people rather than the people to the APRM.

Once the recommendations made above are in place, the pool of technical experts should devise an appropriate methodology, and using the strong institutional base that the country possesses to engage different segments of Mauritian society in national dialogue. However, without political commitment, it will be impossible to address the present stalemate.

58 Kanbur, R. (2004), *The African Peer Review Mechanism: An Assessment of Concept and Design*, at www.people.cornell.edu/pages/sk145

59 Kajee, A. (2004), NEPAD's APRM: A progress Report – Practical limitations and challenges, *SA Yearbook of International Affairs 2003/2004*, SAIIA, Johannesburg, South Africa.

60 David White and John Reed, 'Interview: Arguing the case for some special treatment', *FT.com*, 13 March 2006.

Annex 1: The National Coordinating Structure

Government/ministries

- Prime Minister's Office
- Ministry of Finance & Economic Development
- Ministry of Foreign Affairs
- Ministry of Industry
- Civil Service Affairs
- Ministry of Education
- Ministry of Social Security
- Ministry of Housing
- Ministry of Tourism
- Ministry of Health
- Ministry of Labour
- Ministry of Environment
- Ministry of Public Infrastructure
- Ministry of Local Government
- Ministry of Public Utilities
- Ministry of Training, Skills & Development
- Ministry of Women's Rights
- Central Statistics Office
- Management Audit Bureau
- Meteorological Services
- National Archives
- National Library
- National Transport Authority
- Prisons Department
- Registrar General Office
- Registrar of Civil Status
- Registrar of Companies
- Island Chief Executive – Rodrigues
- State Law Office
- Police Department
- Bank of Mauritius
- Audit Department
- Electoral Commissioner's Office

- Financial Services Commission
- Financial Intelligence Unit (FIU)
- National Productivity and Competitiveness Council
- Board of Investment
- Independent Commission Against Corruption (ICAC)
- Mauritius Industrial Development Authority

Private sector bodies

- *Association Des Hoteliers et Restaurateurs – Ile Maurice (AHRIM)*
- Association of Mauritian Manufacturers
- Bar Council
- Corporate Governance – Rogers
- Export Processing Zones Development Authority
- Joint Economic Council
- Mauritius Bankers' Association
- Mauritius Chamber of Agriculture
- Mauritius Chamber of Commerce & Industry
- Mauritius Employers' Federation
- Mauritius Export Processing Zone Associations
- Mauritius Sugar Producers' Association
- Medical Association
- Notaries Association

Trade unions

- *Confederation Mauricienne des Travailleurs*
- *Federation des Travailleurs Unis*
- Federation of Civil Service Union
- *Federations des Syndicats des Corps Constituees*

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- Free Democratic Union Federation
- Mauritius Labour Congress
- National Federation of Young Farmers
- National Trade Union Confederation
- General Workers Federation
- State Employees Federation
- Mauritius Labour Federation
- Sugar Industry Staff Employees Association

Civil society organisations

- Mauritius Council of Social Services (MACOSS)
- Transparency Mauritius
- Senior Citizens Council
- National Youth Council
- National Women's Council
- SOS Children's Village
- Sorooptimist IPSAE
- Trust Fund for the Social Integration of Vulnerable Groups
- Presbyterian Church of Mauritius
- CEDREFI
- MEDIA Trust
- University of Mauritius
- Centre for Applied Social Research
- Consultancy firms (Straconsult & DCDM)

Parliament and politicians

- National Assembly
- Public Accounts Committee
- Political parties (10)
- Parliamentarians

Source: National Economic and Social Council

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Annex 3: List of persons interviewed

1. Ambassador Patrice E. Cure, official of the Ministry of Foreign Affairs
2. Yousouf M. Ramjanally, official of the Ministry of Foreign Affairs
3. Ram Nookadee, official of MACOSS
4. Madun Dulloo, Minister of Foreign Affairs
5. Brigemohn, official of NESC
6. Jayeraj Ramjadah, official of NESC
7. Loga Virahsawmy, Media Watch representative
8. Yusuf Sooklall, trade union representative
9. Deepak Benydin, trade union representative
10. Aisha Timol, CEO of Mauritius Bankers' Association
11. Riad Sultan, official of NESC
12. Rosa Fanny, research officer at MACOSS
13. Roland Alcindor, UNDP, Port Louis
14. A. Darga, Straconsult, Mauritius
15. Sanjeev Sobhee, University of Mauritius, consultant who was hired to compile the self-assessment report
16. Roukoya Kasenally, University of Mauritius, Communications Unit, Faculty of Social Studies
17. Uma Bhowon, Department of Psychology, University of Mauritius
18. Jennifer Ah-Kion, Department of Psychology, University of Mauritius
19. Roubina Juwaheer, Faculty of Law and Management, University of Mauritius
20. Cassam Uteem, former president of Mauritius
21. Indira Seebun, Minister of Women's Rights
22. Nando Bodha, leader of the opposition
23. Riaz Chuttoo, trade union official
24. Magda Verdict, UNDP
25. Jean Claude Bibi, President of Justice
26. Gilles Joomun, research officer, Straconsult
27. Grant Masterson, researcher at EISA, Johannesburg
28. Steven Gruzd, research manager at SAIIA, Johannesburg
29. Claude Ricaud, former chairperson of the NESC