

Challenges and Opportunities of the African Union Peer Review Mechanism (AUPRM) in Enhancing Electoral Democracy Kenya Since 2003

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ABSTRACT

The Post-Cold War African Union (AU) adopted a good number of initiatives to address the seemingly perennial problems of poverty, underdevelopment, bad governance, corruption, instability and political decay, with an overarching intention of speeding up development in the continent. One notable initiative in this regard was the African Peer Review Mechanism (APRM). APRM's ideological architecture represented a shift in the ideological thinking of African leaders as they sought to reverse the trend of lack of accountability, political despotism and corruption in an effort to embrace and enhance good governance and electoral democracy. Despite the application of Peer Reviews, conflicts are still rampant and endless threat to peace and security in the continent. Although Kenya has undergone two APRM self-assessment processes, electoral violence and electoral malpractice still bedevils the country. The objective of this study was to evaluate the challenges and opportunities of APRM in the promotion of Electoral Democracy in Kenya. The study was guided by Political Realism, Innovative Diplomatic and Neo-Functionalism Theories. The study employed descriptive research design. The target population included the actors and stakeholders in the APRM process. The sample size was 48. Purposive, census, stratified random sampling were used to determine samples. The questionnaire, interview schedule and FGD were used with Quantitative data being analyzed using descriptive statistics while qualitative data responses were themed and frequencies done. The study established that political interference, inadequate staff, influence of partners, resource constrains, low publicity, delays and postponements, lack of evaluation, lack of an enforcement mechanism and voluntary participation as the main challenges facing APPM in Kenya. The study also identifies opportunities such APRM being benchmark for good governance on international standards, it gives a chance to evaluate governance, APRM helps in mainstreaming of the civil society on governance. Furthermore, it shows cases the country and gives the country an opportunity to evaluate national initiatives and enhance state corporation. The study recommended an all-inclusive process to limit state influence over the APRM process at all stages citing that APRM should be all inclusive. The study also recommended the adoption of an enforcement mechanism to enable implementation. The findings would be beneficial to partner-states of APRM with regard to promotion of Electoral Democracy.

Key words: Democracy, Electoral Democracy, Good governance, Mechanism' Peer Review.

Date of Submission: 09-07-2021

Date of Acceptance: 24-07-2021

I. INTRODUCTION

Universally, peer reviews are conducted on a non-adversarial basis and are based on the mutual trust goodwill and good faith of those involved in the process, as well as a common good will to the outcome of the process. Such a process addresses a number of measurable norms, laws, policies, or quantitative benchmarks, and are steered by peers, or experts appointed by peers, who are both competent and skilled (Kebonang, 2005).

In Africa, the African Union (AU) has taken up the mandate of Peer Review under the African Peer Review Mechanism (APRM)- an offshoot of the New Partnerships for Africa's Development (NEPAD). Integration and Africa's development became a new focus of the African Union after shifting from supporting liberation movement, apartheid. The vision for the Union included accelerating the process of integration in Africa; supporting the empowerment of African states in the global economy; addressing the multifaceted social, economic and political problems facing the continent; and promoting peace, security, stability, democracy, good governance and human rights (AUC, 2013).

The APRM was conceptualized as a voluntary tool through which African countries would analyze their governance strengths and weaknesses in the political, economic, corporate and developmental spheres, and commit to remedies to ameliorate these problems. At first, the process was met with zeal and passion. It was viewed as representing a new era; a new dawn in African politics – ‘African solutions for African problems’ – in contrast to externally imposed, one-size fits- all answers (Steven, 2018). APRM began function in 2003 adopting four broad thematic headings: democracy and political governance, economic governance and management, corporate governance and socio-economic development. (APRM, 2002). The current study sought to interrogate the challenges and opportunities of African Union Peer Review Mechanism on electoral democracy in Kenya.

1.2 Statement of the Problem

The APRM was formed to promote Electoral Democracy in Africa. Despite its reviews in 2006 and 2011, Kenya has witnessed electoral challenges culminating into divisive elections in 2007/2008, 2013 and in 2017. After the March 4th 2013 general elections pockets of opposition strongholds witnessed violence displaying dissatisfaction of the presidential results. In the 8th August 2017 election, human rights were violated immensely due to escalated political tensions, several months of street protests and violence arising out of the disputed 2017 presidential elections.

This is in view of the fact that APRMs’ framework for monitoring the policies and practices of participating states to ensure their conformity to Electoral Democracy values, principles, codes and standards enshrined in the Declaration on Democracy (APRM, 2003). Every election in Kenya comes with a myriad of challenges with the police force using excessive force in handling protestors, concerns of governments influence and election rigging. Even with the African Peer Review Mechanisms in place, Kenya continues to experience electoral vices that do not reflect the goals of successful peer reviews. This research aimed to fill gaps on the weaknesses within APRM’s system with regard to promotion of Electoral Democracy in Kenya.

1.3 Conceptual Framework

This study was guided by political realism theory, innovative diplomatic theory and the neo-functionalism theory.

The political realism theory revolves around power politics and national interest. Realists acknowledge states as the main actors in international relations and hence it is in their interest that they cooperate with other states to archive self-preservation. The interrelation between the state actor (member state) and the non-state actor (APRM) can be explained by the innovative diplomatic theory. Innovators, acknowledges the focus of states and IGOs in turn suggests a mutual relationship between the two. For instance, in the modern IR system it is evident that global complications, such as conflicts, environmentalism, terrorism, mass migration and poverty, cannot be dealt with as effectively through traditional bilateral diplomacy. The research is finally embedded on the neo-functionalism which explains how the states in the African Union are now cooperation on matters Electoral Democracy as a spillover effect of the political cooperation of the African Union.

1.4 Methodology

This article is set to discuss the challenges and the opportunities of APRM in enhancing Electoral Democracy in Kenya since its advent in 2003. The findings are based on a descriptive design where data was collected by questionnaires and interview schedule. The study employed descriptive research design. The target population included the NGC and staff at the NEPAD Kenya Secretariat (48), Staff at the Ministry of Foreign Affairs (12), Secretaries of political parties in Kenya (68), IEBC Liaison Officer (2), Civil Societies in Kenya (30), Directors of Strategic Partner institution (ADB, EAC, UNDP) (3), Policy Think Tanks on Electoral Democracy and APRM (10) and Kenyan members of the Pan African Parliament (10). The study population was 258. The sample size was 48. Purposive, census, stratified random sampling were used to determine samples. The questionnaire, interview schedule and FGD were used with Quantitative data being analyzed using descriptive statistics while qualitative data responses were themed and frequencies done. The next section presents and discusses findings on the challenges and opportunities of AUPRM on electoral democracy in Kenya.

1.5 Results and Discussions

This section presents and discusses findings on the challenges and opportunities of AUPRM on electoral democracy in Kenya. It begins with the findings and discussions on the challenges. This is succeeded by findings and discussions on opportunities of AUPRM on electoral democracy in Kenya.

1.5.1 Challenges of AUPRM on Electoral Democracy in Kenya

Findings on challenges of AUPRM are presented in Figure 1.

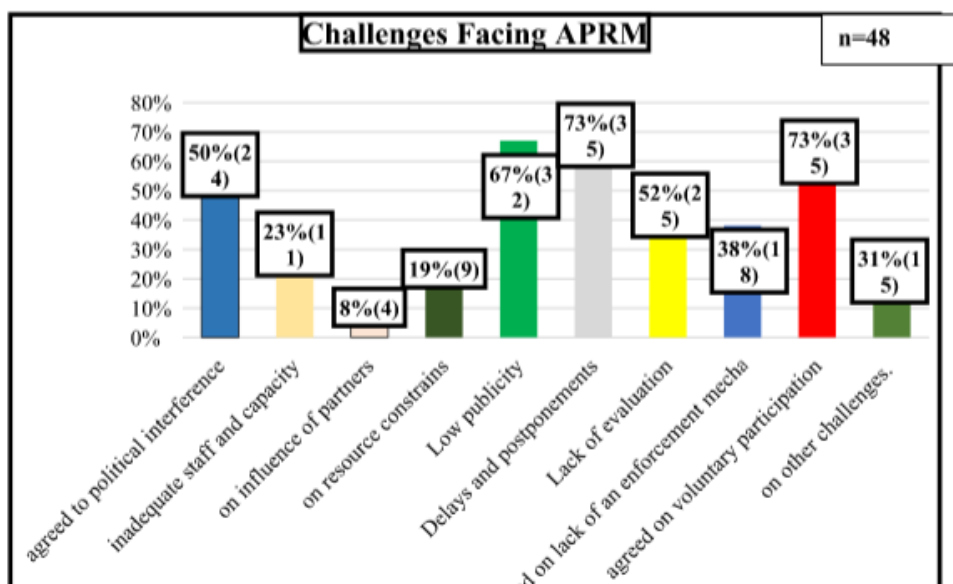


Figure 1.1: Challenges Facing AUPRM in Kenya

Source: Field Data, 2020

1.5.1.1 Political Interference

Findings indicate 24(50%) of the respondents agreed to Political interference the main challenge facing the review of Electoral Democracy by the APRM. Every state protects its sovereignty jealously hence it is difficult to find the truth about Electoral Democracy since it is such a sensitive issue in the hands of a state. Fombad & Kebonang, (2006) and Kajee, (2003) confirm that the independence of the institution may enable to collect accurate information and independent assessment of the settings in the countries being reviewed. However, Fombad and Kebonang (2006) and Taylor (2005) in their analysis of APR Eminent Panel members concluded that they are directly and indirectly serving in different bureaucracies' structures of their government in their earlier period experiences hence there is a tendency of manipulating the review process.

Kouass (2011) emphasizes that The APRM recommendation will put pressures on states to take action. This is the reason why states want to interfere with the whole process to avoid a forced paradigm shift of policies. Ashaye (2013) criticized APRM and cites political interference for the failure of potentially indicating the crisis in the 2011 Mali crisis and the 2007/2008 post-election violence in Kenya confirming that there is still a lingering effect of African Heads of State and Governments' reluctance to challenge the State sovereignty principle and criticize each other.

While the APRM is supposed to be a citizen-driven initiative and a national exercise to be conducted by the government, the analyses of the three CRRs confirmed the concern of many scholars that government, particularly the executive, attempted to dominate and take charge of the APR process. A further concern is brought up by Ojienda (2008), who points out that according to the APRM base document, the research team's draft report is first of all discussed with the government under review. This is "meant to ensure the accuracy of the information and to provide the government with an opportunity both to react to the team's findings and to put forward its own views on how the identified shortcomings may be addressed" (APRM Base Document, 2005: stage 3). This can potentially provide the state under review with a way to manipulate, change or alter the APR Team and its report, in order to give a more promising or fulfilling report of the country, the result of which could be an improved position on the international arena and the consequent receipt of more aid from the international donor community.

In most cases, government officials charged with the responsibility of giving crucial information to aid in the reviews choose to conceal the information so as not to paint the government in bad light. In cases where information is given it is either false or stale hence it is unreliable. Some government departments that are key in the review become unavailable even after the experts confirm the appointments with them. It should be noted that since the inception of APRM it has always operated under the wings of the government of the day. A case example in 2004 when the National Governing Council operated under the Ministry of Planning NGOs and Civil Societies interested in participating in the peer review process protested and accused government of favoring some civil society organization by giving them accurate and timely information allying them to have

an edge over the NGOs that were seen as anti-government. The NGOs and the CSOs threatened to pull out of the review process unless all the groups are treated equally. (Steve, 2007).

In the advent of APRM in Kenya, the independence of the NGC was queried especially after a cabinet minister dismissed three council members, including its chairperson, without a satisfactory procedure. It will be right to conclude that the interest of the government of the day makes peer review a very hectic task. It was equally observed that the executive arm of government tends to overrun the affairs of the parliament and the judiciary, thereby making the separation of powers problematic in the countries' democratic processes and in the implementation of the APRM process. There were lapses observed in the documentation of regional and international protocols and conventions signed by the selected countries.

1.5.1.2 Inadequate Staff and Capacity

Findings also indicate that 22.9% (11) of the respondents agreed to inadequate staff and capacity at the APRM secretariat. The findings of the current study agree with Fombad and Kobanga (2006) that the APR Secretariat is currently under-staffed, short-staffed and has inadequate research capacity to conduct in some key areas not limited to electoral democracy. Since APRM targets have broad, the Secretariat have failed to conduct simultaneous and consecutive peer review in many countries. For instance, while Ghana, Kenya, Rwanda, Mauritius and South Africa were under reviews, Algeria, Senegal and Uganda are waiting in the line to be reviewed. Shortage of competent staff not only delays the review process but also limits the quality of report produced under the mechanism.

Ashaye (2013) concurs that The APRM lacks the institutional capacity and it is understaffed to covers a wide range of objectives, standards and criteria, it is important to note that the APRM has four thematic areas to review at any given time. These include Democracy and Political Governance, Economic Governance and Management, Corporate Governance and Sustainable Socio-Economic Development. Electoral Democracy is just a sub theme on the Democracy and Political Governance theme (NEPAD, 2010). The APRM secretariat is understaffed and, in some cases, lacks the technical manpower to handle complex subthemes such as Electoral Democracy. Capacity challenges have also been attributed to the few numbers of experts deployed to conduct the review, peer review is a complex process hence it requires an adequate number of experts and consultants to be engaged in order to get accurate reports on time.

1.5.1.3 Influence of Partners

Findings indicate that 8.3% (4) of the respondents agreed to influence of partner institution as a challenge. While the APR Panel has endorsed the participation of three categories of partner institutions (strategic partners, regional-resource institutions and international-resource institutions) to reinforce the technical capacity of the review, such 'outsourcing' presents its own fare challenges (Herbert, 2003). In Kenya for example The United Nations Commission for Africa, Giz, Council of Governors and Institute of Certified Secretaries are the strategic partners. In its review work APRM in Kenya fully involves Kenya Institute Public Policy Research and Analysis, Institute of Development Studies, African Centre for Economic Growth and the Centre for Cooperate Governance. In as much as these agencies come in hand to assist APRM to carry out the peer review together with APRM the influence of their interests cannot be ruled out. The ownership of the APRM can be doubted and the secretariate can encounter challenges in synthesizing the outputs from a variety of subcontracted analysis.

The ownership of the report can also be put into question since the generation is a whole inclusive process that involves partners who have interests. Sometimes some of the findings in the report maybe exaggerated to achieve a certain goal such as fundraising by partners. More often issues of electoral democracy are overstated to attract support of implementing partners in Kenya. In other cases, the partners and the implanting agencies sugarcoat the reports to justify funding given by donor institutions so as to encourage more funding. This has proved to be one of the challenges with assigning some roles to the APRM partners.

1.5.1.4 Resource Constraints

Findings also indicate that 18.8% (9) of the respondents agreed to resource contains to facilitate a clear comprehensive Peer Review process. Peer Review is an expensive affair since it involves researchers moving across the country to get a feeling of how the policies affect the common *Mwananchi*. It also requires technical experts to handle the data collection and compile a report out of the data after analysis. APRM is an inevitably expensive exercise because its highly consultative. This is especially considering that workshops, meetings and cross-country travel are essential to ensure that the self-assessment phase is as participatory as possible; taking into account the views of the various sections of the society.

Akokpari (2005) tends to agree that financial constraints are challenge in implementing APRM by stating that APRM experience revealed that African countries have had challenges in paying their membership

even for the AU and its predecessor, the OAU. The APRM depends on generous support from South Africa and Nigeria and bilateral and multilateral institutions. Higher amounts of contributions accord them an opportunity to control appointment of officials into international organizations.

In Kenya one outstanding shortcoming is delays in cash transfers /disbursements to NEPAD secretariat and in turn the APRM program. On various instances it is noted that cash transfers to the programme were often outside the quarter cycles and extensive time lapses between requests by the secretariat and actual disbursement from UNDP were often experienced (APRM, 2012). The secretariat identified the lack of consistency in cash transfers and prolonged delays as a major challenge in timely and effective implementation of programme activities.

It was also noted that the amounts allocated vis-à-vis amount requested (especially from government) was inadequate. This means that Peer Review in Electoral Democracy is seriously underfunded. Other primary data on resource mobilization indicated an over reliance on development partner funding and a lack of commitment by the GoK with regards to resource allocation. The sentiments expressed were that direct funding by the GoK towards the APRM has been nominal and the support is skewed unfairly to the disadvantage of development partners. This is resulting in waning support for the APRM programme by development partners. It appears that the level of government support has not been inspiring for the development partner community and has thus dampened their willingness to continue with funding in future.

APRM (2012) notes that additional shortcomings were the unavailability of funds from the basket fund for a whole one year in 2010 and the inability to attract more donors during the period of evaluation. It was however noted by the DPs that the leadership of APRM in Kenya has not succeeded in soliciting for more funding and created a renewed interest in the programme. It was difficult to determine the exact use of financial resources for particular activities from the financial reports produced by UNDP system.

1.5.1.5 Low Publicity

Findings also indicate that 66.7% (32) of the respondents agreed to inadequate publicity of APRM among members of the public. This assertion marries with a study by Hansungule (2014) that emphasizes that the benefits, structure and assessment producers of APRM are not clearly understood by all stakeholders. Most of the Kenyan population lacks the basic knowledge of the existence of APRM and what role it plays in the country. Very little in terms of publicity is done to make the local citizens understand exactly what APRM entails. It is therefore imperative that the APRM secretariat utilizes all forms of media to make this happen. An interview with a key informant revealed:

It is sad to note that most of the people of the participating countries are not well-informed about the APRM and they even ignore that their countries acceded to the mechanism. Few participating countries have conducted adequate publicity to make APRM known furthermore all the APRM instruments are written in English a language that the larger population doesn't not understand (Interview with a secretary of a political party on 18th August 2020, Nairobi).

It is clear that the failure to accomplish these two important components had a negative impact on the efforts to improve the awareness visibility and understanding of APRM by citizens and other stakeholders. Yet, meaningful engagement from stakeholders, and especially the non-state actors, can only be achieved in an environment of high-level awareness and understanding. This concern was underscored during interviews conducted with representatives from development partner agencies who noted that the level of awareness of NEPAD/APRM activities among the public is still low. They noted that whereas regional consultations with various stakeholders and actors were done well, the programme could have done better in creating awareness through the media.

1.5.1.6 Delays and Postponements

Findings also indicate that 72.9% (35) of the respondents agreed on delays and postponement of peer reviews as a challenge facing APRM in peer review of Electoral Democracy. It is imperative to note that sometimes the APRM secretariat postpones, cancels and reschedules peer review processes. This affects the quality of the report since in any research the timeframe is critical in finding appropriate results. The Second Country review according to the Development Partner Supported APRM matrix for January–March 2012 should have been completed within the 2nd to 3rd quarters (April–September) of year 2011, indicating a slight delay in process. Post review activities commenced in the fourth quarter period (October–December, 2011), which similarly, reflects a delay, as this should have been accomplished within the 2nd and 3rd quarters. In sum therefore, whereas these were successfully initiated, it became necessary to continue them in 2012 owing to the delays experienced.

In the year 2010, APRM 2nd Country Review related activities such District & Provincial Forums, sectorial meetings in Nairobi and post-review activities were also not conducted. This was mainly because of the postponement of the APRM 2nd Country Self Review. During the 3rd and 4th quarter period of 2011, the

programme targeted at identifying county platforms for dialogue through selection of areas for continued dialogue on the APRM process. This component was to be implemented by NEPAD/APRM and the Ministry of Planning at a budgeted cost of US\$49,536 to mainly meet administrative and accommodation costs and to be funded by the GoK (NEPAD, 2012). This simply means that the work plans are not strictly followed to ensure that the process is completed in the stipulated time.

1.5.1.7 Lack of Evaluation

Findings also indicated that 52.1% (25) of the respondents agreed to lack of evaluation of the review mechanism. There was no proper documentary evidence of internal Monitoring and Evaluation. The available M&E documents were not complete. For instance, it was not possible to access all the nine quarterly reports and the complete two annual plans. This is an indication that the M&E system was weak. And as was noted in the 2009 evaluation report, this could partly be attributed to lack of a qualified M&E expert within the APRM structures. The situation was made worse by the inability to recruit technical staff in charge of research and finance for the year 2010 and beyond.

It was also noted that in the programme proposal there were to be both technical and financial reports. However, there was no evidence of separation of the two reports either for the quarterly reports or for the annual report. These anomalies may be as a result of weaker capacity and the lack of proper imparting of requisite skills to the APRM staff. Another shortcoming was the lack of a joint technical/oversight committee. For this reason, the lack of monitoring and evaluation makes it difficult to fill the gaps in peer review and advance the gains achieved by the peer review process.

1.5.1.8 Lack of Enforcement Mechanisms

From the research 37.5% (18) of the respondents agreed that APRM lacks the enforcement mechanism to ensure compliance to some of its recommendations. It is easier said that the APRM secretariat stops at the review and advisory level with guidelines written on the National Program of Action. Mukamanana (2006) agrees in totality by stating that APRM has no authority to enforce principles and values in as much as it is an instrument to promote good governance.

Challenges of enforcement capacity is an inhibition to the work of APRM. The APRM presumes that participating states will act in good faith, and that shortcomings of non-compliance that may arise are to be found in financial constraints or political difficulties, which need to be solved through negotiation and capacity building and not restrictions or sanctions. As it is widely known contentions and international discord may arise when measures are taken against failing states. All the same it is wrong to assume that member states will act in compliance without being followed and action policies which are in consonance with APRM and recommendation. Several requirements both internal and external have a leaning on decisions states make. States may not observe simply because of lack of good will to the reforms. Some powerful groups may abandon the reforms.

Mangu (2007) explains that one of the most serious challenges with the APRM lies in the fact that it has no 'teeth'. There are no serious consequences for shortcomings in states in complying with tenets of democracy and good governance. This is despite the fact that democracy and good governance cannot thrive without any chances of consequences for leaders who have been popular for violation of human rights and rule of law in their countries.

1.5.1.9 Voluntary Participation

Findings also indicate that 72.9% (35) of the respondents agree to voluntary participation as a challenge in the assessment of APRM. APRM remains a voluntary process as a result of the principle of respect of state sovereignty as enshrined in the constitutive act of the African Union. Participation in APRM cannot be imposed on sovereign states hence voluntary participation is the best way to be sure that the state countries have freely or willingly entered into peer agreements and they are aware of the requirements that come along with abiding to the commitments they have made. It is important to note that voluntary participation to the review process raises the question of commitment of leaders to good governance as enshrined in NEPAD.

Tuyiyanski (2008) agrees with this research and affirms that states are at liberty to choose whether to participate in the 'peer review', have the ability to disregard any outcome made by their peer states and are free to move out of the process anytime. The second concern is the APRM's peer review 'toothlessness'. The recommendations made have no capacity to be implemented by the APRM or even punish member states that fail to comply with standards to good governance.

Further, Mukamanana (2006) agrees by stating that voluntary participation downplays joint efforts to enhance governance. It further undermines the credibility of the peer review activities and objectives in Africa. Voluntary participation may mean that states which are committed to good governance, may still be brought back by neighbor states that are not reforming. A case in study political instability in one state may affect the

whole region both politically and economically hence voluntary participation constitutes a serious challenge to the objectives of the stability, economic growth and integration that leaders seek to archive through NEPAD and APRM.

Verwey (2005) adds weight by stating that the fact that the peer Review is a voluntary mechanism has made interested parties to inquire whether it can have sufficient clout to influence governance improvement. Turiyanski (2008) observes that there are some concerns due to the APRM’s voluntary nature. The concept that the process is voluntary and does not include consequence and sanctions raises doubt that if it will be effective due to its ‘toothless’ nature. Of one checks the past record of African states, which includes human rights abuses, corruption at the highest levels and other undemocratic practices. The peer review critics purport that a voluntary peer review in Africa can never be strict enough to make sure that governance will be improved even if it is not contrary to the interests of the elites. (Verwey, 2005).

The current study notes that commitment and political will to peer review is essential political. Furthermore, APRM is based on a participating states submission to regional and international standards and codes as well as with NEPAD objectives. As it has been observed the success of peer review in Africa depends on commitment and political will of African leaders. The truth that some African Union member states have not ratified some decisions some failing to comply with terms and objectives they acceded years before can be concluded that political will or commitment to democracy is lacking.

1.5.2 Opportunities for AUPRM on Electoral Democracy in Kenya

Findings on the opportunities are presented on Figure 2.

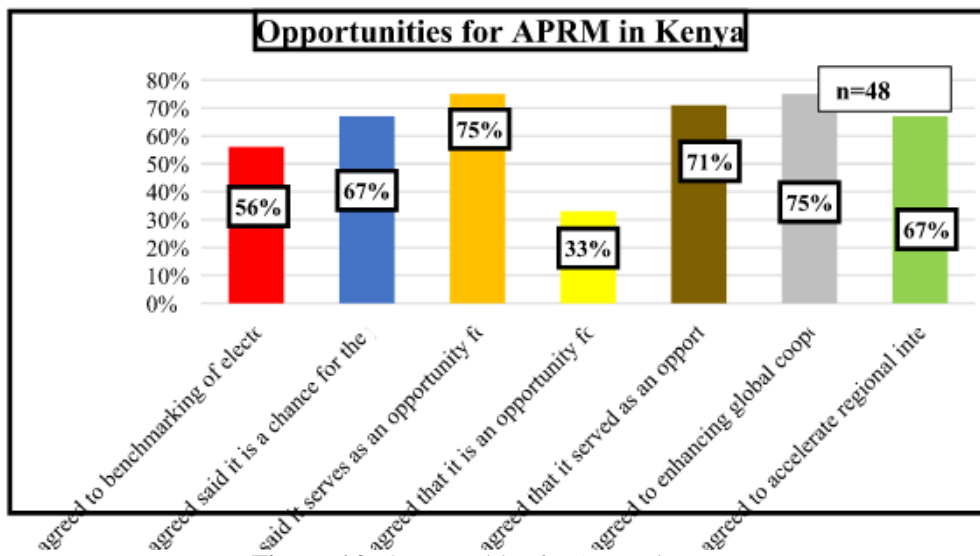


Figure 6.3: Opportunities for APRM in Kenya

Source: Field Data (2020)

1.5.2.1 Bench-marking Good Governance on International Standards

Findings indicate that 56.3% (27) of the respondents agreed APRM presents an opportunity for bench-marking democracy and good governance at a regional and international standard. As a matter of policy and due to changing times Kenya had prioritized democracy and good governance as important ingredient in the country’s struggle for social economic progress. The advent of APRM made Kenya to not only review its standards domestically but also benchmark on national and regional standards because of the statues and treaties Kenya signed to protect dignity, freedom, democracy and citizen rights.

It is however clear that not all the progress is directly attributable to the APRM programme, though the structure and level of engagement between state actors and non-state actors have significantly improved and largely follow the aspirations of the APRM. Structures of the AU, NEPAD and APRM are now directly engaging the citizens directly or indirectly through CSOs. There was no evidence of captured and maintained verification of the impact attributed to the APRM programme activities per se as recognition of its endeavor to sustain the dialogue. Further data is therefore needed to conclusively comment of the impact of APRM programme especially on its target beneficiaries.

1.5.2.2 An opportunity for citizens to Evaluate Democracy and Governance

Findings also indicate 66.7% (32) of the respondents agreed that APRM an opportunity for the citizens to evaluate democracy and governance. In as much as most initiatives to enhance democracy and good governance are under the national government like in the office of the registrar of political party, parliament, ombudsman, APRM provides a chance for the citizens to participate one on one n matters democracy and good governance. In an interview with a key informant at the Ministry of Foreign Affairs revealed;

APRM is the first initiative by the African Union to enable citizens of a specific country have a chance to evaluate matters governance. They do this through engaging the citizens directly or through civil societies. The population has a chance to evaluate their government and see their leaders being interrogated and given recommendations (Interview with Ministry of foreign affairs key informant on 17th August 2020, Nairobi).

Citizen participation in policy making and governance programme development has been enhanced through county dialogue forums. According the views of UNDP and SIDA representatives from interviews conducted during the reviews, the greatest achievement of the programme was to be found within the area of stakeholder participation in debating policy issues. It was observed that the meetings that were held with local authorities, churches, Community Based Organizations (CBOs) and people at the grassroots proved to be highly stimulating and useful for gathering information. It was felt that through programme activities, the CSOs, Private Sector Organizations (PSO's) and citizens have been sufficiently involved in the programme and their engagement been fairly systematic.

It was also noted by APRM partner's representatives during the interview conducted that the Kenya government must be given credit for allowing Kenyans to enjoy substantial democratic space. This has facilitated the free expression of ideas and views among the citizens, with the effect that stakeholder participation forums attract vivacious discussion.

1.5.2.3 Mainstreaming Civil Society on Governance Issues

Findings indicate that 75% (36) of the respondents agreed to mainstream civil society on governance issues. Importantly, in the initial stages of the APRM process the significance of a fully consultative process is outlined. Participation of civil society organization and civic organization is strongly advocated by the base documents of the APRM. In Section 1.3 of the APRM base document titled 'Objectives, Standards, Criteria and indicators for APRM emphasizes the ultimate goal of APRM is all the member states to expediate their advancement towards adopting and or implementing the tenets of the New Partnership for Africa's Development (NEPAD), attaining the mutually agreed ideas and adherence with the best practices in view of the areas of governance and development. This can only be achieved through the sustained efforts of the country itself, involving all stakeholders. It requires that each country carefully develops a Programme of Action with time bound objectives and linked to national budgets to guide all stakeholders in the actions required by all – government, private sector, civil society – to achieve the country's vision (Section 1.3 – OSCI 2003).

One area of debate is the idea of the state and non-state actors explaining the structure role and scope of the civil society in state and political interactions CSO are acknowledged by the state as becoming perfect agents in executing and monitoring policy hence governments have started to define their divergent concept of civil society. In the same breath, the much space in the operations of civil society has led to the rise to the civil society self-reflection of their purpose in the political arena specifically in view of the declining role of the nation state in ab highly globalized world. Eventually this has resulted to a discussion at different levels regarding the importance and structure of the Civil society at the state level and beyond.

Civil society continues to be vague and eventually a problematic concept to quantify, define and reduce. However, the essential of civil society in its different pretexts in increasingly playing a more crucial role in the governance issues at the citizen level. Civil Society importance to the APRM process is key yet there appears no conclusive document on the involvement of civil society in the APRM process. This can be attributed to the deliberate steering away of APRM from common prescriptive interventions in favor of reassuring each member state to describe its own processes and mechanisms for engagement of stakeholder and other actors

1.5.2.4 Showcasing the Country

Findings also indicate that 33.3% (16) agreed that APRM Peer Review is an opportunity for the country to showcase itself in the international system. In Kenya APRM is a chance to revel just how far the state has progressed after the 2007/2007 election violence. For years the international community has had an image of Kenya that is full of mayhem and violence. Catastrophic as the actions of the post-election violence were, Kenya had mad so much tremendous progress but very few people had known about this progress. The team from APRM had a chance to walk thought the country band saw the much progress and transformation

that the country had gone through after the violence. The APRM process was, therefore, a show casing opportunity and an image- building window for Kenya which also could be for other APRM member states. Despite the challenges Kenya has faced its rapport with the African Union has been enhanced majorly by the decision of Kenya to accept to have the two Peer Reviews.

1.5.2.5 Evaluation of Ongoing National Initiatives

Findings indicate that 70.8% (34) agreed that APRM is a chance for evaluating national activities and programs. This confirmed the study by Herbert and Grudz (2008) which emphasizes that African leaders use ethnicity to advance their politics by pleasing their ethnic and regional representation in national government rather than advocating particular policy changes to give up poverty and underdevelopment. The reviews bring up an opportunity to change have a paradigm shift in the political discourse and focus on conversations on policy and progress. National initiatives such as the vision 2030 have been evaluated when the country is going through review hence killing two birds with one stone therefore APRM offers a chance for a midterm review of national programs.

National programs are important in the sense that they help keep the country on focus in socio economic development hence any form of assistance to propel the national initiative highly valued by member state.

National programs such as the Implementation of the National Accord, Implementation of Electoral reforms, the Constitution 2010, implementation of the Vision 2030, the Big Four Agenda and the Big four Agenda also gain a lot of support when they are reviewed against a backdrop of the APRM.

1.5.2.6 Enhancing Partnership and Cooperation

Results also show that 75% (36) of the respondents agreed that peer review enhances partnership and cooperation of states in the international system. This confirms a study Kouassi (2011) that stated APRM has encouraged broad-based promotion of democracy in Africa. Since APRM documents embraces wide diversity of stakeholders, it is an opportunity for academia, opposition parties, civil societies and media to influence the government policies and actions. APRM enables Africa to identify and pursuit of common national goals through engaging stakeholders in the formulation of NPoA in their long journey to achieve economically prosperous and politically stable Africa. Archer (2001) also affirms the assertion that the setting up of international organization infers nothing more than that among the states a limited pact has been agreed upon as an official form for multilateral conduct of government activity in a certain field.

Mukamunana (2006) also emphasizes that the APRM provides an international and regional outline for policy cooperation between states and development partners. Multilateral development agencies and multilateral donors through programs such as the G8-africa Action Plan promised more engagements and partnerships for member countries that adhere to the tenets of APRM. Participation in the peer review is projected to attract more financial flows, through more donor funds and development assistance to countries that agree to be reviewed.

Mbazira (2004) asserts that peer review has been defined as the mechanism that has positive results since it enhances accountability by the government. He further argues that peer review as a tool of diplomacy cannot be undervalued and this will be correct if all the recommendations of APRM will be implemented.

Herbert and Grudz (2008) also agree by stating that APRM provides new chances for enhancing democracy to ensure that the foundation of governance exceeds the small confines of individual rule, patron client relations and ethnic and religious politics.

Unlike other African development initiatives, NEPAD and APRM have given weight on south -south cooperation, Africa to Africa initiatives using multilateral and bilateral agencies. APRM review and assessment presents member states opportunity to fight graft, strengthen institutions and inculcate market-oriented policies at the same time respecting the rule of law and enhancing human rights. The international community states have to enhance their role in areas of international trade, aid, FDI, and debt relief. The G8 countries showed their obligation to back NEPAD and the APRM at their 2002 Summit which released a G8 Africa Action Plan. The G8 Africa action plan recognized the promises made by member states of the APRM in focusing on good governance, human rights as important preconditions for Africa economic growth in order to reduce poverty (Hope,2005).

Furthermore, Taylor (2005) emphasizes the that APRM process might just be used by the G8 countries to determine those state that are eligible for funding since they requested the international donner community to check for opportunities provided by NEPAD and APRM. The first world has assured “enhance partnership” if African countries hold themselves to the tenets of democratic and economic reforms through self-monitoring instrument of APRM (Hope, 2005).

1.5.2.7 Accelerating Regional Integration Process

From the findings 66.7% (32) of the respondents suggested that APRM peer review has resulted to the acceleration of regional integration process. These finding are supported by Mukamanana (2006) that peer review helps developing countries to subscribe to policies that enhance best practices hence contributing to regional integration. First the review of political governance aims to reduce all kinds of conflict both interstate and intrastate and this results to good neighborliness in countries that have been marred by conflict hence cooperation. Second the review on the economic front will enhance financial stability of member states hence encouraging investors through FDI to invest in Africa hence speeding regional integration. Thirdly APRM and NEPAD are recognized to speed up integration as they encourage aid packages and investment opportunities to African counties as a block rather than dealing with different units separately.

Cooperation in peer review has led to deeper interactions of nation states in Africa, peer review gives the heads of states reasons to meet on a common agenda hence building trust and cooperation in other areas. It is common nowadays to have election observers from the African Union, the East Africa Cooperation and this enhances Electoral Democracy.

Therefore, APRM, which mainly used AU and UN documents as indicative criteria, has play indisputable role in institutionalizing the universal accepted principles good governance and socio-economic development in Africa to promote regional integration based on shared and agreed standards.

II. CONCLUSION

Arising from the findings, the study concludes that APRM lacks enforcement mechanisms to oversee its recommendations on implementation and thus the persistence of the challenges on electoral democracy in Kenya. It is clear that the APRM country review process found state interference as a major challenge to electoral reforms in Kenya. Therefore, APRM presents a number of opportunities that should be harnessed to improve on governance and enhance electoral democracy in Kenya with the hope that such improvements are likely to yield a “peer pressure” effect in a region that is records relatively high tendencies of undemocratic practises.

III. RECOMMENDATIONS

The study recommends that partner states device ways on how to make the process more inclusive of other actors, especially non-state actors such as academics, former diplomats and other technocrats in the sphere of governance and African International relations. Therefore, from the study a comparative study be conducted on State and Non-State Diplomatic interactions in the Economic realm vis a vis the Political realm with the latter focusing on AUPRM.

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