

# Governance Profile - ZAMBIA

## Explanatory Note

The governance profile should provide a qualitative, extensive and detailed assessment that helps identifying the main constraints in governance related areas in the broad sense. It is not meant to be exhaustive but focuses on some core issues of governance. Some governance-related issues are not fully covered by the governance profile, because they are already addressed in other relevant documents (annex on non state actors /local authorities consultation on the CSP, MDG indicators, environmental profile, ...).

The governance profile is a programming tool. Its main objective is to help identifying specific areas of cooperation (weaknesses) and agreeing on benchmarks and targets for reform (Government commitments), or on sectoral performance indicators, if governance is a focal area. It will help to assess the extent to which commitments undertaken by partner country are relevant, ambitious and credible for the “incentive tranche”.

It can furthermore facilitate the Commission assessment of the governance situation 2005-2006 and analysis of the country situation.

The governance profile is not meant to be done necessarily jointly with the partner country but its content should be shared (but not negotiated and agreed) with partner country during the programming dialogue. EU Member States should be associated.

The governance profile is divided in nine sections

- (1) Political /democratic governance
- (2) Political governance/rule of law
- (3) Control of corruption
- (4) Government effectiveness
- (5) Economic governance
- (6) Internal and external security
- (7) Social governance
- (8) International and regional context
- (9) Quality of partnership

The profile, to be updated regularly, should be done for all country situations including, effective and stable partnerships, difficult partnerships and fragile states, post-conflict situations. Depending on the country situation other relevant issues can be addressed in the profile. In countries having completed the African Peer Review Mechanism Process, the profile will be based on the report of this review process.

Relevant sources of information and useful internet links are joined in Annex.

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## I. POLITICAL/ DEMOCRATIC GOVERNANCE (VOICE AND ACCOUNTABILITY FOR WBI)

### A. Human Rights

Does the government have any particular problem to sign, ratify or transpose to domestic law human rights related global/regional conventions<sup>1</sup>? If so, why? Please provide comments on implementation of human rights ratified conventions.

So far Zambia has failed to ratify the Second Optional Protocol to the Covenant on Civil and political Rights, which aims at the abolition of the death penalty. According to the current Constitution, the **death penalty is in force**. A constitutional review process is on-going. However, the draft new Constitution (which will subject to approval in 2007-2008, after the elections to hold in 2006 ) still does not contemplate the abolition of death penalty.

Even though Zambia has ratified Convention on the Elimination of all forms of Discrimination against Women, the Optional Protocol to this Convention –as for most African countries- has not yet been signed. By attempting to conciliate tradition and modernity, the current Constitution risks perpetuating gender discrimination. The draft revised Constitution attempts to adequate the situation to the international practice and standards. Zambia has also **not ratified** the following global instruments:

- the optional protocol on the Convention on the **Rights of the Child** on the involvement of children in armed conflicts
- another optional protocol to the CRC on **child trafficking**
- the Convention on the Protection of **Rights of All Migrant Workers** (MWC)

Zambia has **not ratified** the following regional instruments:

- protocol to the **African charter on human and people's rights on the rights of women**

<sup>1</sup> **Global instruments:** The Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), and the International Covenant on Economic, Social and Cultural Rights (1966), plus a number of specific conventions, such as the International Convention on the Elimination of Racial Discrimination (1965), the Convention on the Elimination of Discrimination Against Women (1979), the Convention Against Torture (1984), and the Convention on the Rights of the Child (1989). **Regional instruments: African countries:** African Charter on Human and Peoples Rights (1990), Grand Bay (Mauritius) Declaration and Plan of Action for the Promotion and Protection of Human Rights (1999), African Charter on the Rights and Welfare of the Child (1990), African Platform on the Right to Education (1999), OAU Refugee Convention (1969), Protocol on the Rights of Women in Africa (2003). **Caribbean countries** (to be completed), **Pacific countries** (to be completed)

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	<p>in Africa  - African charter on the rights and welfare of the child</p> <p>As regards the ratified treaties, there are often problem in the transposition into national legislation. In international fora, Zambia often acknowledges the shortcomings, ascribing them to inadequate financial and technical resources. For instance, the non-transposition of the ratified convention against torture makes eligible in courts of law evidence obtained through heavy-handed interrogations by police. Also, corporal punishment is applied in places of detentions.</p>
<p>Has the government signed and ratified the statute of the International Criminal Court? Has it signed bilateral immunity agreements with third countries (USA)?</p>	<p>The Rome Statute on the International Criminal Court has been ratified by Zambia. But according to Amnesty International, Zambia would have also signed a bilateral immunity agreement with the USA (though not ratified it)</p>
<p>If death penalty has not been abolished, under which circumstances and grounds it is applied (military, sharia courts..)?</p>	<p>Even though death penalty has not been abolished, the Government is applying a retentionist policy on this issue with no death sentences enforced since 1997. The current President Mwanawasa has publicly announced that he would not sign any death sentence. However, several convicts including foreigners are kept in uncertainty pending revision of the sentence/Constitution or expulsion (in the case of foreigners including a few European citizens)</p>
<p>Do the watchdog public institutions (Ombudsman, Human Rights Commission), in case they exist, have problems in exercising effective power?</p>	<p>The Permanent Human Rights Commission was established in 1997 under HR Act; it consists of 7 Commissioners. The President, ratified in Parliament, appoints the commissioners. Apart from their office in Lusaka, the PHRC has planned to create provincial offices (seeking funds from donors in order to do so). The mandate of the Commission covers: 1) Investigation of HR violations 2) Educational programmes. Government is responsible for its running costs (a modest budget of 1.45 M€, 82% of which is for salaries and administration). Assessment: low capacities, slow interventions. Human rights abuses, notably by the police forces, are often not dealt with appropriately. A Police Public Complaints Authority also exists.</p>
<p>Is the principle of non discrimination based on sex, race, colour, language, religion, political or other opinion, national or social origin foreseen by the law and effectively guaranteed? If not what are the main problems?</p>	<p>One of the main problems concerns rather widespread violence against women including children, rape and sex-for-food practices (with its consequences for HIV/AIDS spreading). The Penal Code has been recently amended to widen the scope of sexual crimes and increase the severity of punishments for sexual offences. Women</p>

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	<p>are heavily unrepresented in responsibility and decision-making posts and Zambia's position is still very far from the 30% SADC target.</p> <p>In Zambia there is also widespread use of mob justice that often victimises aged women on grounds of superstition.</p> <p>The preamble of the Constitution as amended in 1996 declares Zambia a Christian nation, but this does not infringe in practice on religious freedom.</p>
Are minorities' and indigenous peoples' political and cultural rights effectively protected? What are the main controversial issues (land rights, political rights,...)?	There has been recently (2006) some concern over a Citizen's Economic Empowerment Bill that includes the ill-defined concept of 'targeted citizen', then changed into 'indigenous citizen', raising concern among the Zambians of European origin. Especially because during debate in Parliament the term 'black empowerment' has been pronounced, with all its associated ideas and evoked implications.
<i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i>	<i>Main human rights issues concern the death penalty, violence against women and torture by police. Attempts have been made to improve the situation in these areas. The current political and constitutional process should provide the adequate ground for putting remedy to these shortages in the human rights field.</i>

### B. Fundamental Freedoms

<p>Are the following fundamental freedoms recognised and effectively exercised by citizens (what are mains restrictions and problems if not respected)</p> <p>- freedom of movement, including entering and leaving the country</p>	<p>The Bill of rights (part 3 of the current constitution) recognises fundamental freedoms but these are often are poorly exercised by the citizens due to low social and economic conditions and to lack of technical capacity. During the debate in and around the Constitutional Reform Commission that between 2004 and December 2005 worked out a draft new constitution, civil society asked for economic social and cultural rights to be enshrined in the bill of rights (some are currently included into part 9 of the Constitution: Directive Principles of State Policy, which also refers to individual initiative and private investment).</p>
- the freedom of thought, conscience and religion	Yes, even though there has been a controversial declaration of Zambia as a "Christian Nation" in the 1996 Constitution amendment.
- freedom of expression	During 2005-2006, Zambia has registered some cases of threat to freedom of expression with independent journalists and opposition leaders being arrested and

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	<p><b>intimidated.</b> During the 2001 general elections campaign opposition candidates were generally denied access, or given very limited access to State-controlled media. State television also followed even ‘implicit’ Government directives cancelling programming of presidential candidates debates (that were supported with funding and training by the European Commission)</p>
<p>- freedom of information (are there restrictions to international media and to access to internet?)</p>	<p>There is a largely free media environment even though there is a concentration of State owned media particularly in television and 2 of the 3 main national newspapers. Media freedom is not explicitly guaranteed in the Constitution but is inferred from the general freedom of expression. Since 2002 two bills (Independent Broadcasting Authority Act and the Zambia National Broadcasting Corporation Amendment Act) have been passed to reform media law seeking to remove the Governments’ power in regulating the broadcasting industry in general and ZNBC in particular. However, controversy erupted over the appointment of the Independent Broadcasting Authority (IBA) and the ZNBC board. Both issues are now before the Supreme Court, through an appeal by Government against a High Court ruling in favour of Media organisations.</p> <p>A third bill, the Freedom of Information Bill intended to increase public and media access to Government documents of public interest, but it was withdrawn by Government in 2002 and never represented since..</p>
<p>- freedom of assembly and association (including meetings held by political opposition, demonstrations). Is the regulatory environment conducive for civil society organisations, professional associations, trade unions, political parties to operate</p>	<p>There is an increasingly active civil society that is relatively free to assemble and demonstrate. However, there have been some recurrent cases of threats to the political opposition leaders in the past years. Demonstrations by opposition parties and civil society on the constitutional review at the end of 2004 were repressed by the police, and there have also been instances of opposition demonstrations attacked by the ruling party militants with no intervention by the police.</p>
<p><i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i></p>	<p><i>The Constitution does guarantee most fundamental freedoms even though implementing legal instruments are often lacking. Most fundamental freedoms are generally recognised in practice, however, freedom of the expression in Zambia does not compare favourably with some of its Southern neighbours including Mozambique. Government control over state-owned media is another concern.</i></p>

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### C. Electoral Process

<p>Were the last Presidential, parliamentary and/or local electoral processes considered free and fair by EU and/or other international bodies? If not, what are the main obstacles? Please refer to the following elements to assess the electoral process.</p>	<p>Results of the 2001 presidential elections were contested by a range of election observers, including the EU. The current President of the country was elected with barely 29% of the votes, with the runner-up getting 27%. Three presidential candidates submitted petitions questioning the results, which were finally dismissed in appeal by the Supreme Court in 2005. However, the Court severely criticised the conduct of the Electoral Commission of Zambia in managing the elections (although affirming that the mismanagement equally affected all candidates). The Court also reckoned the use of government resources by the ruling party during the campaign. New presidential elections will probably be held around October 2006, after a compromise was imposed by Government on the issue of electoral reforms and constitutional reform. Thus, the minimal changes Government considered necessary for the smooth running of elections were introduced into a new Electoral Act, but many issues (mentioned below) remain pending..</p>
<p>- specific problems that undermine the independence, impartiality and credibility of the authority in charge of supervising the electoral processes</p>	<p>The Electoral Commission of Zambia (ECZ) consists of a chair and four members ratified by Parliament but appointed by the President. They lead an administrative structure that has its own separate heading in the Government budget, but has to rely, especially in the periphery, on other Government departments in order to perform its institutional duties.</p> <p>In 2001 ECZ maintained a very confrontational attitude towards the EU EOM, and this unfortunately led in the following years to some degree of ‘consensual’ acquiescence –even among donors- about a supposed inadequacy or partiality of the EU EOM (also because it was confused with the 5 M€ 8<sup>th</sup> EDF support to the electoral process).</p> <p>The current, recently appointed chairperson is appearing to be committed to overcome the shortcomings of the past, and has shown political impartiality so far. ECZ has been receiving capacity support from donors but strictly on ad-hoc basis, i.e. there has been no opening of a true, broad ‘election sector dialogue’ between ECZ and donors.</p>
<p>- electoral census and the voters’ registration system</p>	<p>Voter registration improved markedly in view of the next tripartite elections. The</p>

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	<p>voter roll management system has been completely changed, and therefore old voter cards have been invalidated.</p> <p>The technical solutions (IT) adopted for the voter roll management are very advanced (and very costly): although they cannot be a guarantee of free and fair elections, it is generally agreed that they will hopefully ensure more effective (though not efficient) elections management.</p> <p>The voter registration is still based on baseline data from the 2000 national census. These are problematic figures, especially the breakdown at district and constituency level (underestimation).</p> <p>As a result of combined pressure from domestic stakeholders and donors, ECZ set the ambitious target of 5 million registered voters (as compared to the 2,604,761 in 2001). However, ECZ did not manage or did not want to reform the principle of separation of National Registration Card (responsibility of Ministry of Home Affairs) from Voter Card (issued by ECZ), thus slowing down the registration process because of inadequacy of the NRC issuing facilities. Also, in spite of existing legal provision for continuous voter registration, ECZ opened a fixed time window for registration in October 2005 (that was eventually extended twice until December 2005). The result has been just about 4 million registered voters, or about 70% of the eligible voters, with a slight bias in favour of areas traditionally supporting the ruling party.</p>
<p>- specific problems that undermine the principle of equal campaigning opportunities (equal access for all contesting parties to the state-controlled media, availability of published and broadcast media in all constituencies, transparency of financing of political groups / candidates)</p>	<p>Opposition parties complain that they do not have enough leeway to campaign freely under the current Constitution. The situation of state media has been described above. The ruling party has been using government logistics for its campaign in most of the by-elections since 2001, and until very recently. The president and the vice-president have involved themselves –when campaigning- into subtle threats and promises of rewards for people and areas that would support the ruling party..</p>
<p>- existence of mechanisms for checking and validating election results - possibility to use recourse procedures</p>	<p>A formal complain was introduced by three opposition candidates about 2001 elections outcome but the Supreme Court of Justice rejected it in early 2005. Also, at that occasion the Court rejected the claim by Government that it did not have the legitimacy to possibly reverse the results of presidential elections.</p> <p>There has been lively debate surrounding the new electoral law (enacted in 2006)</p>

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	<p>because, among other things, it did not retain recommendations formulated by the Electoral Reform Technical Committee (ERTC) that presidential petitions would suspend the swearing in of the elected new president. The new Electoral Act binds the Supreme Court to a deadline of 14 days after swearing in to pass judgement on petitions.</p> <p>The empowerment of the electoral code of conduct is now more clearly in the hands of the ECZ.</p>
<p>- possibility of requesting an authorised international election observation</p> <p>- possibility for local observers (from independent NGOs or political parties) to operate</p>	<p>The SADC Parliamentary Forum deployed a mission in November 2005 to observe the voter registration process and it will most likely monitor the incoming elections. Local NGOs have plans to field local monitors (as they had also done in 2001), but the Government does not intend to disseminate the voter rolls on CDs, with the risk that hard copies may be availed only at a high cost (as it happened in 2001).</p> <p>The Government has issued invitations to send EOMs to Zambia (including to the EC), but at the occasion the Minister of Information made a statement to the press on the opportunity given by the new electoral act to cancel EOMs accreditation “aimed at avoiding what happened in the 2001 tripartite elections when the EU observers differed with the Zambian government on the outcome of the polls”</p>
<p><i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i></p>	<p><i>The situation presents a mix of positive developments and still worrying aspects. The political situation, characterised by an incumbent in weak health and a divided opposition, with other big players also sick or recently dead, also does not present much clarity. However, there are no indications that the Zambian tradition of <u>relatively peaceful elections will change this time.</u></i></p>

### D) Principles of constitutional democracy

<p>Does the Constitution contain the principle of the separation of powers?</p>	<p>Separation of powers exists in principle. But the current Constitution gives large powers to the President i.e. dissolution of Parliament, appointment of a plethora of other national and local authorities (including the Director of Public Prosecution) and receives oath of allegiance by the Speaker of the Parliament and the Chief of Justice, thus diluting the concept of autonomy among powers.</p>
<p>How does Parliament exercise its main powers? (legislative</p>	<p>Parliament’s functioning is inspired on the Westminster model of separation between</p>

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<p>functions, power to decide the national Budget, oversight of the executive/government's action and capacity to dismiss the executive)</p>	<p>legislative and executive. The main weakness is of course that Parliament cannot dismiss the executive: neither the Cabinet as a whole or individual Minister. Parliament passes laws including the Budget law. Ministry of Finance still holds large discretionary powers over the budget and supplementary budgets are often passed ex-post.</p>
<p>Are there any political parties or similar structures? If not, what are the main obstacles for their formation and functioning?</p>	<p>Return to multi-party politics took place in 1991 so, in principle, there is freedom to establish political parties. Their scope of action is restrained due to poor access to State owned media. It can also be observed that –outside Lusaka- political allegiance tends to follow ethnic lines.</p>
<p>How the political parties ensure political pluralism? (their capability of being representative, their budget, ...)</p>	<p>Political parties are too dependant on individual leaders, with weak political agenda and poor relation with the constituencies (other than of a clientelistic nature).</p> <p>Some ERTC and Constitutional Reform Commission's recommendations, such as presidential nomination to be won by at least 51% of the national votes, precise indication of the month for general elections, no use of public resources or gifts distribution during election campaigns, reinforcement with legal powers of the Inspector-General of Police to prevent political harassment from the Executive, could have enhanced representativity. However, they were not retained in the revised Electoral Act and the new Constitution has been postponed until after elections...</p>
<p>Is the security system, including law enforcement institutions such as police, armed forces, paramilitary forces, etc, under democratic control and oversight by Parliament and civilian authorities? If not, what are the main obstacles?</p>	<p>Military forces have traditionally remained outside politics in Zambia, with the exception of an aborted military coup in 1997. However, personalities from the military have been and still are engaged in politics and holding important posts in Cabinet and government at large. Law enforcement institutions appear to be under civilian government control, but with modest Parliament oversight.</p>
<p><i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i></p>	<p><i>The main problem, recently, has been the reiterated postponement of electoral and constitutional reforms despite opposition and civil society demands. Disagreement also concerns the mode of adoption of these reforms, with opposition and independent forces calling for the establishment of a Constituent Assembly that would prevent Government from tailoring the new document to its own interests. A</i></p>

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	<i>more structural problem is the weakness of Parliament, even in enforcing its relatively limited prerogatives.</i>
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<b>OVERALL ASSESSMENT OF COUNTRY SITUATION 2005-2006 FOR POLITICAL/DEMOCRATIC GOVERNANCE</b>	<b>LEVEL (1 TO 4): 3</b> <b>TREND (1 to 3): 2</b>
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### II. POLITICAL GOVERNANCE/RULE OF LAW: JUDICIAL AND LAW ENFORCEMENT SYSTEM

<p>What type of judicial systems (modern, religious, traditional,...) coexist in the country? What is their respective jurisdiction?</p>	<p>As in many African countries, there is certain coexistence of a modern judicial system and of customary justice. The latter mainly in the rural areas and for dealing with civil and minor administrative matters</p> <p>The modern judicial power is vested in the Judiciary, comprising the Supreme Court, the High Court, the Subordinate Courts and the Local Courts. The Judiciary was not separated from the Ministry of Legal Affairs (now Ministry of Justice) until 1997. The independence of the Judiciary is explicitly spelt out by the Constitution and the Judicial Code of Conduct Act, but full independence of the institution remains to be adequately consolidated</p>
<p>Do procedures of nomination, removal, sanctions and promotion ensure the independence of judges?</p>	<p>The Director of Public Prosecutions (DPP) is appointed by the President, subject to ratification by the National Assembly. The DPP does not have a regulating Act of Parliament. This has deprived the office of financial and administrative autonomy and it has in this regard been treated as a department falling under the Ministry of Justice.</p> <p>Local Courts are generally run by lay judges, whilst other levels are occupied by graduate lawyers. The higher echelons are generally considered rather professional and independent. Local Courts cater for around 90 % of all adjudications in Zambia (85-90,000 cases) but local court judges are lay people with limited training provided by the Judiciary.</p>
<p>Is the current system conducive to a performing judicial system (appropriate salary, training, transparent disciplinary regulations, trained judges, equipped courts)?</p>	<p>The judiciary is active and assertive but its performance is hampered by lack of means and funds. Lack of personnel: i.a. presently there are 102 magistrates out of an establishment of 242. <b>Professional magistrates are especially in short supply.</b> For</p>

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	<p>example there are only 6 resident magistrates out of 48, and only 4 senior resident magistrates out of 15.</p>
<p>Does the judicial system guarantee the right of every citizen to a fair trial? The following elements could be taken into consideration:</p> <ul style="list-style-type: none"> <li>- Is the access to justice reasonably ensured (including its geographical coverage) and judicial decision taken in a reasonable time?</li> <li>- Is the system for appeal deemed effective?</li> </ul>	<p>Access to justice remains limited for ordinary citizens. The Directorate of Legal Aid was created in 1967 under the Legal Aid Act and is obliged under the constitution to provide legal aid to the poor. Amendments to the Legal Aid Act in 2000 transformed it into a semi-autonomous entity with its own Legal Aid Board. But members of the board were only appointed by the Minister of Legal Affairs in 2002 and the Directorate has yet to be detached from the Ministry of Justice, which still controls the resources, recruitment, discipline, and conditions of service for legal aid personnel. Only last year legislation was tabled to create sixty paralegal posts across the country</p> <p>The backlog situation is serious: one third of the prison population is on remand (app. 4,200).</p>
<p>In the exercise of its functions, does the law enforcement system (police, judges, penitentiary system) guarantee security of citizens and respect of law, while respecting human rights? Are penalties proportional to crimes? Do prison conditions respect human dignity?</p>	<p>The Zambian Police Service is established as an institution by the Constitution and the Zambia Police Act. The Police Service is headed by the Inspector General, the Commissioner and the Deputy Commissioners of Police, all of whom are appointed by the President.</p> <p>The prison service is headed by the Prisons Commissioner, who is appointed by the President.</p> <p>There are regular cases of excessive use of force by police as well as of bribes accepted by police which often are not prosecuted. The present Government created a structure (“Police Public Complaints Authority”) where complaints on police can be reported and filed by the general public. In general, sentences are rather severe but are socially accepted; however it is observed that crimes of rape and of abuse of children (e.g. child trafficking) are sanctioned in a very uneven way, ranging from very mild to very harsh. Conditions in prisons are considered to be in the average of (extremely poor) African standards.</p>
<p><i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i></p>	<p><i>The risk of a dual legal system is the risk of inequality before the law: this may develop into a major problem with the pursuit of modernisation and commercialisation of agriculture, requiring land tenure security, with the possible</i></p>

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	<p><i>emergence of land issues at least in some (more fertile) areas of the country. Also lack of implementation in domestic law of legal protection for certain categories (women, children, aged, rural poor) impacts negatively on poverty reduction efforts. Administration of justice is undermined by insufficient resources (human and financial) allocated to the Judiciary.</i></p>
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<b>OVERALL ASSESSMENT OF COUNTRY SITUATION 2005-2006 FOR POLITICAL GOVERNANCE /RULE OF LAW</b>	<p><b>LEVEL (1 TO 4) : 2</b>  <b>TREND (1 TO 3): 2</b></p>
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### III. CONTROL OF CORRUPTION

<p>What are the sectors in which cases of corruption are reported? What kind of corruption is it?  <i>(ie :customs, public procurement, revenue collection.. ?)</i></p>	<p>Corruption, both active and passive, is quite common in its many forms, <b>between 30% and 40% of managers and users were offered/asked for bribes</b>. It affects, in particular, the areas of public services delivery, permits and licences, and public procurement. The sectors most affected according to the public are Pensions, Traffic Police, Health services, Local councils. Zambia Revenue Authority is also considered (by 40% of sample) to be discouraging undertaking of procedures for fear of requests for bribes. [data from National Baseline Survey of Aug 2004]</p>
<p>Does the country have an appropriated legal framework enabling to fight against corruption ?  <i>(ie Do national law criminalise active and passive corruption to/by a public official, Is an anti-corruption commission or other similar institution in place,..?)</i></p>	<p>After 2001 elections, the Government announced a “zero tolerance” corruption policy. Consequently, a Task Force on Corruption (TFC) was created in 2002 to mainly investigate the alleged plunder of public resources under the previous Government. Therefore, the fight against corruption has primarily been focused on grand corruption. Unfortunately, the TFC has no legal backing, but just recommends action to the Director of Public Prosecutions (DPP). The DPP has been replaced 4 or 5 times in the last four years. No convictions have been pronounced yet on several dozens of cases presented by the TCF to the DPP.</p> <p>A new Bill to strengthen the legal framework for the fight against corruption has also been drafted but Cabinet did not approve the Bill for presentation in Parliament until the policy (currently being developed) to back the fight against corruption is</p>

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	approved.
Is the national legal framework implemented ? Are the institutions adequately financed to fulfil their mandate?	Investigation and anticorruption activities have been slower than expected mainly due to the complex legal system. <b>Fight against small scale administrative corruption could deserve more attention,</b> although it may be difficult to distinguish it from forms of petty rent-seeking allowed by the ineffectiveness and complexity of government bureaucracy. In this respect policy measures such as free basic education and free primary health care may have a positive impact.
What is the position of the country towards international law regarding the fight against corruption (UN conventions, Financial Action Task Force <sup>2</sup> )?	Zambia signed but did not yet ratify the UN Convention against Corruption
Is the country contributing to FATF-GAFI (Financial Action Task Force / Groupe d'action financière)? Is the country implementing FATF/GAFI recommendations on money laundering and terrorism financing <sup>3</sup> ? Through which regional mechanisms <sup>4</sup> ?	Zambia is contributing to FATF-GAFI through GABAOA, the regional East and South Africa countries network on money laundering and terrorism financing..
Do the country have a strategy or reforms addressing the main	There has lately been a practice of recovery of domestic and foreign assets financed

<sup>2</sup> FATF 40 recommendations on money laundering  
[http://www.fatf-gafi.org/document/23/0,2340,fr\\_32250379\\_32236920\\_34920215\\_1\\_1\\_1\\_1,00.html](http://www.fatf-gafi.org/document/23/0,2340,fr_32250379_32236920_34920215_1_1_1_1,00.html)  
FATF 9 special recommendations fighting terrorism financing  
[http://www.fatf-gafi.org/document/51/0,2340,fr\\_32250379\\_32236920\\_35280947\\_1\\_1\\_1\\_1,00.html](http://www.fatf-gafi.org/document/51/0,2340,fr_32250379_32236920_35280947_1_1_1_1,00.html)

<sup>3</sup> FATF 40 recommendations on money laundering  
[http://www.fatf-gafi.org/document/23/0,2340,fr\\_32250379\\_32236920\\_34920215\\_1\\_1\\_1\\_1,00.html](http://www.fatf-gafi.org/document/23/0,2340,fr_32250379_32236920_34920215_1_1_1_1,00.html)  
FATF 9 special recommendations fighting terrorism financing  
[http://www.fatf-gafi.org/document/51/0,2340,fr\\_32250379\\_32236920\\_35280947\\_1\\_1\\_1\\_1,00.html](http://www.fatf-gafi.org/document/51/0,2340,fr_32250379_32236920_35280947_1_1_1_1,00.html)

<sup>4</sup> Such as Groupe d'action financière des Caraïbes GAFIC, [Groupe anti-blanchiment de l'Afrique orientale et australe GABAOA](#)<sup>4</sup>, Groupe Inter-gouvernemental d'Action contre le Blanchiment en Afrique –de l'Ouest- GIABA<sup>4</sup>, [Groupe Asie/Pacifique sur le blanchiment de capitaux GAP](#)<sup>4</sup>

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<p>weaknesses identified here above? Are these strategies / reforms integrated in the poverty reduction strategy ?</p>	<p>from big scale corruption. These measures, together with the wide publicity and the prosecution of big cases of mismanagement of public resources, are starting to have a deterrent effect.</p> <p>At sector dialogue level donors are also pushing for improvements, especially in the context of the Public Expenditure Management and Financial Accountability Programme, as well as in Health and Education. Government is committed to deep reform of Public Finance Management (a condition for HIPC completion point) and Public Procurement.</p> <p>The Anti-Corruption Commission has drafted a National Corruption Prevention Policy and Strategy (NCPSP) which they are currently consulting with stakeholders. It is expected that the policy will be approved by the end of 2006.</p>
<p><i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i></p>	<p><i>The 2005 Transparency International Corruption Perceptions Index (TI CPI) had 159 countries surveyed. Zambia's score remained at a modest 2.6, maintaining the same position as last year, with corruption still perceived as prevailing at a high level. This positioning of Zambia poses a challenge to all concerned citizens that corruption is a major problem that is constraining the development of the country. Despite public declarations, in general, Task Force activities have been slower than expected and results should be improved.</i></p>
<p><b>OVERALL ASSESSMENT OF COUNTRY SITUATION 2005-2006 FOR CONTROL OF CORRUPTION</b></p>	<p><b>LEVEL (1 TO 4): 2</b> <b>TREND (1 TO 3): 2</b></p>

### IV. GOVERNMENT EFFECTIVENESS

#### A Institutional capacity

<p>What are the main obstacles for public institutions (ministries, central bank, tender authority, audit) to exercise their power in an effective manner? The following elements could be taken into consideration: - is their mandate clearly defined?</p>	<p>Cabinet coordinated the institutional mandates of Ministries, supervising their institutional strategic plans, approving their establishments. Ministry of Finance sets sectoral ceilings for three years periods in the national MTEF.</p>
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## Governance Profile - ZAMBIA

<ul style="list-style-type: none"> <li>- do they dispose of qualified staff and adequate budgetary resources?</li> <li>- is there an effective coordination between the central and local level government?</li> <li>- is the national and local administration able to formulate and implement policy initiatives?</li> <li>- are they able to manage external aid?</li> <li>- do they have the capacity to respond effectively to natural disasters?</li> </ul>	<p>A National Decentralisation Policy exists so far rather on paper, and there is no good coordination between vertical line Ministries structures and local government structures.</p> <p>Some line ministries are indeed able of developing annual plans in coherence with broader multi-annual sector plans and national PRSP/National Development Plans. The main problem is the weakness of Ministry of Finance in linking planning and budgeting, leading to gaps unaccounted for. The better organised ministries have managed then to advocate, allocate and integrate external aid in their plans, developing well functioning SWAPs. This is however not the case for many Government departments. In fact, according to KKZ indicators, Government effectiveness is the governance area in which Zambia is most badly performing, well below the Sub Saharan African average. Zambia's Government continues to struggle with accountability for public resources and inability to effectively deliver services. A Public Sector Reform Programme has been developed and running for some time, rightsizing of the public service took place with considerable reduction of the number of civil servants to a more manageable wage bill (about 8% of GDP). Salaries in the civil service remain however uncompetitive and generate serious human resources problems.</p> <p>The office of the Vice-president has a disaster preparedness unit that has shown capacity of intervention in specific cases. However, the recurrent food crises are of such magnitude that little can be done with the scarce means available to Government for emergency interventions.</p>
<p>If a decentralisation process is ongoing,          Are the relevant competencies devolved to local authorities?          Are appropriate resources (staff and budget) secured through allocations in the State's budget or through their own revenues?</p>	<p>The National Decentralization Policy (adopted in 2004) aims at achieving a fully decentralized and democratically elected system of governance characterized by open, predictable and transparent policy making and implementation processes. Decentralisation also seeks to improve on effective community participation in the decision-making and administration of local affairs, while at the same time</p>

## Governance Profile - ZAMBIA

	<p>maintaining sufficient linkages between the centre and the periphery. But the decentralisation process has been slow, the institutional and financial structure for decentralisation remains unclear and most of the tasks earmarked for devolution to Local Authorities are still performed by the devolved, local structures of central government ministries/institutions.</p>
<p><i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i></p>	<p><i>The credibility of the public sector as a whole, which is of critical importance, is seriously at stake, but, overall, in the past few years it has shown signs of improvement. Improving budget management processes, including those related to service delivery, together with an efficient and well-motivated civil service are still important challenges. Decentralization needs to be implemented as a really owned policy, with much more commitment and consideration for its sustainability.</i></p>

### B. Public Finance Management (PFM)

<p>Is there an up-to-date assessment of PFM in the country?</p>	<p>The latest PFM assessment for Zambia was carried out in December 2005; the Evaluation Report was part of the review of the PEMFA programme (see below), and it set a baseline against which to assess future progress, by adopting the PEFA Performance Measurement Framework. It also identified a number of priority areas as well as their sequencing.</p>
<p>Describe if there are problems with:</p> <ul style="list-style-type: none"> <li>- the realism of the budget document?</li> <li>- the execution of the budget?</li> <li>- the comprehensiveness and the transparency of the budget ?</li> <li>- internal controls?</li> <li>- external scrutiny and audit?</li> </ul>	<p><u>Realism of the budget document:</u> the Zambian budget suffered from large variances between actual expenditure and original allocations, but this was greatly improved in 2004 and 2005 compared to earlier years, also thanks to specific PFM indicators introduced in the PRBS 1 EC programme, which were triggers for the variable tranches.</p> <p><u>Budget execution:</u> fiscal discipline has improved substantially in 2004 and 2005, but budget implementation still lacks effectiveness (cash management leads to recurrent cost servicing before capital costs) and full efficiency (value for money is generally not the guiding spending principle, also due to poor tender regulations and procedures). Nevertheless, allocations to priority poverty programs (mainly capital) were fully released for the first time ever in 2004. In addition, with the introduction of</p>

## Governance Profile - ZAMBIA

	<p>quarterly cash allocation plans and cash-flow frameworks, predictability of the availability of funds has been enhanced.</p> <p><u>Comprehensiveness and transparency of the budget:</u> the budget captures government revenue and donor inflows relatively well, but lacks information on local government (though amounts are negligible), assets, and some funds (Road Fund, Pension Fund). In addition, quasi-fiscal operations related to the remaining key parastatals in utilities (i.e. ZAMCO, ZESCO, ZAMTEL) are not captured in the budget.</p> <p><u>Internal controls:</u> financial management has been improved, with the provision of monthly expenditure returns and quarterly expenditure reports, and so have accounting regulations, with the introduction of ABB and new Finance Act. However, compliance with accounting regulations remains difficult and the Controlling Officers of each ministry are rarely held to account. In addition, internal procurement oversight is still weak.</p> <p><u>External scrutiny and audit:</u> under the current administration, audited financial reports were presented to Parliament for the first time in a decade. However, recommendations by the Office of the Auditor General (OAG) and Parliament Public Accounts Committee are not often followed-up by the executive. In addition, the independence of the OAG is hampered by lack of adequate staff and financial resources. As a result audits do not meet INTOSAI standards in terms of coverage.</p>
<p>Is there a reform programme to improve the quality of PFM?          - <u>If not</u>, is one being drafted?          - <u>If yes</u>, Is there evidence of the authorities' commitment to its implementation</p>	<p>The Public Expenditure Management and Financial Accountability (PEMFA) programme is the main reform programme in the country to improve the quality of PFM. Its overall objective is to improve efficiency, effectiveness and accountability in the management and utilisation of public financial resources to support the implementation of Zambia's National Development Plan (NDP). It is a comprehensive programme covering 12 components spanning budget planning, budget execution and control (also through an Integrated Financial Management System –IFMIS), transparency and accountability. After extensive assessments (most notably the November 2003 PEMFA Report led by the WB and supported by a number of CPs) and negotiations with GRZ, the programme was initiated in December 2004 with the signature of a MoU between GRZ and CPs, under the</p>

## Governance Profile - ZAMBIA

	<p>leadership of the EC and Norway. The EC is contributing to the PEMFA programme (overall amount of around euro 58 million) with 15.5 euro million in budget support (2.5 million already disbursed under the existing PRBS 1, and 13 euro million covered in the March 2006 FA for PEMFA). The current administration is committed to the programme, which is evident in a number of areas where reforms have proceeded well, especially in the run-up to the elaboration and negotiation of the programme itself (2004 and early 2005). Main achievements include: introduction of an Activity-Based Budget (ABB) in 2004, which led to a more effective framework for the translation of policy priorities into the budget; preparation of a rolling MTEF, with a macroeconomic and fiscal framework in line with PRGF-projections; introduction of quarterly cash allocation plans and cash-flow frameworks; adoption of a new Finance Act, and drafting of new Financial Regulations and Procurement Act; computerization of the Financial Management System; more frequent and publicly available reporting on expenditures, and a timely delivery of audit reports to Parliament.</p>
<p><i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i></p>	<p><i>Starting from a low base, the overall progress made by Zambia in recent years in PFM reforms is commendable, but many weaknesses remain and will require strong government commitment to be properly tackled. Moreover, while GRZ is formally committed to PFM reform and to the PEMFA programme, in practical terms progress under PEMFA has been slower than planned during 2005 and the early months of 2006, especially for the crucial IFMIS component (which had to be re-tendered). This may have been due to the delayed staffing of the PEMFA Secretariat (concluded in March 2006), which should provide leadership for the whole programme, but may also denote a certain ‘fatigue’ to provide political steer from the MOFNP. <b>This is an area that could benefit from strengthened commitments in the context of the incentive tranche.</b></i></p>

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<b>OVERALL ASSESSMENT OF COUNTRY SITUATION 2005-2006 FOR GOVERNMENT EFFECTIVENESS</b>	<b>LEVEL (1 TO 4): 3</b> <b>TREND (1 TO 3): 2</b>
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### V. ECONOMIC GOVERNANCE (REGULATORY CAPACITY FOR WBI)

#### A. Private sector/market friendly policies

<p>Is the business climate attractive for private sector investment in particular taking into account</p> <ul style="list-style-type: none"> <li>- The time and cost to start/end a company</li> </ul>	<p>Officially, the Government promotes investments, but in reality business people are confronted with a multitude of administrative barriers and inconsistent policy implementation. Administrative and regulatory procedures are also a significant adverse factor in the overall investment climate, not least because of their cumulative impact.</p> <p>As a response, Government embarked in 2004, on a Private Sector Development Reform Programme with the aim of accelerating private sector led economic growth. A PSD Action Plan was developed, grouping actions under six main reform areas: Policy Environment and Institutions; Trade Expansion; Infrastructure; Citizens Empowerment; Business Facilitation and Economic Diversification; and Laws and Regulation. The Plan sets out no less than 85 reform actions, including the creation of a Zambia Development Agency as a one-stop-shop for new investments. In December 2005, a MoU was signed between the Government and donors supporting this programme.</p> <p>The Government of the Republic of Zambia has demonstrated its commitment to the programme by developing structures to support its implementation. It has also encouraged private sector involvement in the process. <b>The next steps must focus on promoting private sector leadership in many of these activities.</b></p>
<p>-The level of access to capital market ; Inadequate bank supervision</p>	<p>The private sector continues to suffer from the macro-economic situation with high inflation and high interest rates, which has rendered the access to affordable capital very difficult. In spite of this, commercial bank lending to the productive sectors of the economy saw an increase over the 2002-2005 period. As a ratio of GDP, it rose</p>

## Governance Profile - ZAMBIA

	<p>from 6.2 percent in 2002 to 7.9 percent in 2004. Nonetheless, this was still one of the lowest in Sub Saharan Africa.</p> <p>The government is aware that despite the overall strength of the domestic banking sector, vulnerabilities still exist and hence, there is <b>need to continue taking measure to improve the banking system</b>. The government intends to establish a credit reference bureau (CRB) to foster availability of credit to support growth.</p>
<p>-The customs regulations and the application of the rule</p>	<p><b>Recent surveys rank Zambia's trade and exchange control regimes among the most open and liberal.</b> Nevertheless customs regulations are ranking by private sector among the most important administrative barriers to business together with tax administration, customs regulations, labor regulations, business licensing and operating permits, and duty draw back. While no single procedure has a "make-or-break" characteristic, together they make the <b>process of establishing and operating a business more onerous than necessary.</b></p>
<p>-The property regime</p>	<p>Not perceived as a constrain for the development of private sector</p>
<p>-The labor regulations</p>	<p><b>Lack of labour flexibility adds to the dissatisfaction of private sector with regulatory policy.</b> While some labour laws have been amended in recent years most <b>have not substantially changed since the socialist period.</b> <b>One of the greatest complaints of employers is the requirement that they pay termination benefits of two or three months salary for every year of service.</b> This measure was intended for workers employed to minimum wage or low salaries but it is being used (and abused) by managers with high remunerations. <b>This cost acts as a deterrent to increasing staff, even when needed to meet demand</b> and is one of the reasons that prevents some business to shift to the formal sector.</p>
<p>-The unofficial payment for firms to get things done</p>	<p>Widespread crime and corruption increase the cost of doing business. In terms of perception of corruption business owners and managers rate Zambia a little better than average for some neighbouring countries as Kenya or Tanzania. Nevertheless it has been reported that firms spend on average 1,7 % of their revenues on bribes in order to "get things done" and that a government contract usually requires a bribe of 3,7 %</p>

## Governance Profile - ZAMBIA

	of the value of the contract
<p><i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i></p>	<p>– <i>Zambian firms ranked <b>tax rates as the third most important constraint to growth</b>. This dissatisfaction derives mainly from the fact that: the frequent changes in tax policy are either unjustified or not adequately unexplained to the business community. The value-added tax (VAT) has also been plagued by various problems, including lengthy procedures for registration, unclear eligibility criteria, and delays in refunds. The Zambia Revenue Authority inappropriately puts the burden of proof on firms where penalties and appeals are concerned. Some ZRA staff lack the skills needed to perform their duties, and are not given clear guidelines on how to interpret tax rules. In addition, tax officials are given wide discretionary power, which creates opportunities for corruption and unofficial arrangements to settle tax payments. There is also anecdotal evidence of unfair negotiating practices, and of officials granting special “concessionary” tax terms on a project-by project- basis (especially in the mining industry), which violates the legislated general tax regime. Such practices reduce the predictability of the tax regime and make it more difficult to collect legitimate taxes.</i></p> <p>– <i>The real exchange rate has exhibited high volatility, which increases uncertainty for investors in terms of the cost of imported capital and returns to investment</i></p>

### B. Management of natural resources

<p>Has the country adhered to the EITI (Extractive Industries Transparency Initiative)? If not, what are the problems regarding the adhesion?</p> <p>Has the country encountered any problems in the implementation of the EITI (programme, activities, creation of a EITI specific department)?</p>	<p>Zambia has not yet adhered to the EITI. According to the statements of Ministry of Mines the problem regarding the adhesion is simply the lack of capacity of the Ministry to implement the subsequent programme. Nevertheless Ministry of Mines declares their willingness to adhere. The possible review of the contractual fiscal regime agreed some years ago with copper mining investors, has been raised recently.</p>
<p>In case the country is concerned by the illicit production and trade of “conflict diamonds”, is the Government involved in and cooperative</p>	<p>There have been suspicions, investigated by the UN, of the involvement of Zambian business people in illegal trade of “conflict diamonds” in provenance of Angola.</p>

## Governance Profile - ZAMBIA

<p>with the Kimberly Process Certification System (KPCS)?          Has it put in place the appropriate controls to eliminate the presence of conflict diamonds in the chain of producing and exporting rough diamonds?</p>	<p>Zambia does not participate in implementing the Kimberley Process Certification Scheme, but it is notable that Angola, Botswana, DRC, Namibia, Tanzania and Zimbabwe (all neighbouring countries of Zambia) do. Again the problem seems to be the lack of capacity of Ministry of Mines.</p>
<p>FLEGT (Forest Law Enforcement, Governance and Trade)          Is the country affected by illegal logging and the trade in illegally-harvested timber? If yes, what steps has the government taken to strengthen forest sector governance, and address underlying causes of illegal logging?          Has there been dialogue between the government and the Commission concerning the EU FLEGT Action Plan, and is the country a potential candidate for a partnership under the FLEGT Action Plan?</p>	<p>In the past, traditional values and practices in rural areas reinforce a high degree of social responsibilities, and resources from large areas were shared within a sustainable natural balance. But increased population pressure has depleted the environment, and alternatives to traditional land management systems have not yet been put in place. Zambia's forests is under tremendous pressure as a result of a variety of reasons with wood harvesting for fuel wood (mainly charcoal) and timber, and clearance for agriculture and human settlement being the primary ones. The rate of deforestation that has been for decades quoted to be about 300,000 hectares per annum is currently reported to be 800,000 hectares per annum. The deforestation problem is further compounded by increasing poverty levels. At this rate of reduction, unless drastic measures are taken to arrest the rampant illegal and unregulated destruction of this vital resource, Zambia risks having her forests wiped out in the next two decades. Additionally there is a lack of up to date information on the status and productivity of forests resources to the extent that it is not possible to prepare forest management plans from a national perspective. The last forest inventory was undertaken in the early 1970s.</p> <p>The supportive environment has however improved recently, with the final draft of the National Policy on the Environment (NEP) having been finalised in 2005 following widespread consultations. This document forms the basis for revising environmental degradation and strengthening poverty reduction efforts. Environmental issues have also been given much more prominence in the National Development Plan as compared with the previous PRSP and it sets out comprehensive guidelines on how Zambia can use natural resources without risking environmental degradation. The NEP seeks to give poor people alternatives to unsustainable land use practices. One possibility is community-based natural resource management which</p>

## Governance Profile - ZAMBIA

	<p>gives those living in or close to protected areas a say in how they are used and a share in the revenues that may be generated. However, before community-based resource management can expand in Zambia, laws for resource rights and wildlife management have to be changed. Transparent, fair systems to share tourist revenues between communities, private companies and government organizations are also needed.</p> <p>Zambia seems therefore to fulfil the requirements to be a potential candidate for a partnership under the FLEGT Action Plan.</p>
<p>Does the country implement the FAO Code of Conduct for Responsible Fisheries (CCRF)?</p>	<p>Zambia participates with the other lacustrine States (Burundi, DRC and Tanzania) in the CIFA Lake Tanganyika Sub-Committee. The Sub-Committee in its Eight Session (May 1999) adopted a regional Framework Fisheries Management Plan (FFMP) for the lake, which was drafted on the basis of review and discussion with all national fisheries authorities and a series of consultations with local resource user groups. Consistent with the CCRF, the FFMP calls for use of the precautionary approach, promoting of local stakeholder group involvement in decision-making and securing compliance, greater control of access and fishing rights at local community levels, and economic diversification to reduce pressure on fisheries resources and accommodate interactions between fisheries and non-fisheries sectors.</p>

<p><b>OVERALL ASSESSMENT OF COUNTRY SITUATION 2005-2006 FOR ECONOMIC GOVERNANCE</b></p>	<p><b>LEVEL (1 TO 4): 3</b> <b>TREND (1 TO 3): 2</b></p>
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### VI. INTERNAL AND EXTERNAL SECURITY (POLITICAL STABILITY AND ABSENCE OF VIOLENCE FOR WBI)

#### A. Internal stability/conflict

<p>What kind of internal ethnic/regional conflict can be identified? Please specify its causes and the ongoing conflict resolution process, if any.</p>	<p>So far, there has not been any internal ethnic or regional conflict, despite big socioeconomic differences between urban and rural areas. There is no major discord between ethnic groupings. There is no sign of spillover from crisis in neighboring countries. One thing Zambians can indeed be proud of is that they have, since</p>
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## Governance Profile - ZAMBIA

	independence in 1964, avoided civil strife.
Can signs of civil unrest be detected? If yes, which sectors of society are affected?	Unrest, in the form of demonstrations, has recently been limited and has mainly to do with political tension due to the slowness and uncertainties of political and economic reforms. In the nineties there were violent demonstrations often resulting from impact of liberalisation policies. The Oasis Forum, which is the main civil society coalition, has warned about a deterioration of the social climate if society's demands for a more open and transparent political system are not met.
<i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i>	<i>The overall appreciation for internal stability is positive, but the internal political dialogue is insufficient.</i>

### B. External threats and global security

Is the country respecting international/regional agreements related to Antipersonnel Landmines, Explosive Remnants of War and illicit trafficking and spread of Small Arms and Light Weapons	Zambia complies with international and regional agreements related to small arms and landmines. Zambia has never been a factor of stability in a troubled geographical context.
Does the country respect international law and its regional obligations in managing external conflicts? Is the country involved/affected by any external conflict?	Zambia has never been involved in an external conflict or war and there is a sense of national pride about this. Zambia has eight neighbours and enjoys good relations with all of them. Zambia is recurrently engaged in borders demarcation. Currently, it is working on clearly demarcating the Zambia/Malawi border. Zambia has continued to host large numbers of refugees from the Great Lakes Region (GLR) and Angola.
Is the country contributing positively (troop contributions to PK by UN) to the maintenance of peace in the world, continent, region?	Zambia's Armed Forces and Police have been/is actively involved in peace-keeping operations under AU and/or UN responsibility (Sierra Leone, Sudan, Kosovo etc.) . Zambia has signed the following SADC protocols: <ul style="list-style-type: none"> <li>(1) Protocol on Politics, Defence and Security Cooperation.</li> <li>(2) Protocol on the Control of Firearms, Ammunition and other related materials.</li> <li>(3) SADC Defence Pact.</li> </ul> Zambia is member of the SADC Defence Joint Cooperation that meets often to share and strategise on peace & security.

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Is the country involved actively in peace mediations?	Zambia was actively involved in the earliest stages of cease-fire/peace mediation in the DRC conflict (Lusaka Agreement). Zambia is one of the eleven core countries participating in the Great Lakes Region peace process.
Is the country committed to implement UN Security Council Resolution 1373 (2001) and UN Convention on Terrorism? Does the country have the institutional capacity/legislation to contribute to the fight against terrorism?	Zambia's commitment in the fight against terrorism has been made clear in a number of occasions but its capacity remains limitedq
Does the country comply with and implement international norms and convention against the proliferation of weapons of mass destruction and their means of delivery?	The EU troika conducted a demarche on the BTWC on 8 <sup>th</sup> of March 2006. The troika was received by the MFA who stated that Zambia has no difficulties in adopting the Convention and will do everything possible in order to speed up the process which would lead to its signing.
<i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i>	<i>The overall appreciation for external security is positive, but the problem of capacities remains..</i>

<b>OVERALL ASSESSMENT OF COUNTRY SITUATION 2005-2006 FOR INTERNAL/EXTERNAL SECURITY</b>	<b>LEVEL (1 TO 4): 4</b> <b>TREND (1 TO 3): 3</b>
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### VII. SOCIAL GOVERNANCE

Does the government have any particular problem to sign, ratify or transpose to domestic law the eight fundamental ILO Conventions <sup>5</sup> ? If so, why? Please provide comments on implementation of ILO ratified conventions, in particular on children	Zambia has ratified forty-one ILO Conventions, including the seven core ILO Conventions such as Convention 98 on the right to organise and collective bargaining, Convention 100 on equal remuneration, and Convention 87 on freedom of association and protection of the right to organise. All these conventions were ratified in 1997.
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<sup>5</sup> Conventions on freedom of association and collective bargaining (conventions 97, 98) , on elimination of forced and compulsory labour (conventions 29, 105), on elimination of discrimination in respect of employment (Conventions 100, 111), on abolition of child labour (Conventions 138, 182)

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The “Industrial and Labour Relations Act” provides for the right to join a trade union and perform union-related activities, and protection from dismissal due to participation in trade union activities and the “Minimum Wages and Conditions of Employment Act” set forth minimum wages for different categories of workers, establishes that the normal weekly hours of work for any employee shall not exceed forty-eight hours and provides for overtime, annual leave, paid sick leave, maternity leave, retirement benefits, early retirement, medical discharge, redundancy benefits, repatriation benefits, funeral assistance, and lunch allowance. This act applies to all employees except those of the Government, those engaged in domestic service, those of district councils, and those in occupations where wages and conditions of employment are regulated through the process of collective bargaining. The Government of Zambia ratified ILO Convention 138 on February 9, 1976, Convention 182 on December 10, 2001. As per the terms of Convention 182, the government has identified a list of occupations considered as the worst forms of child labor. The laws against child labour in Zambia are spread across various parts of the constitution. The Constitution also prohibits trafficking of children under 15 years old and the penal code prohibits the trafficking of girls and women for sexual purposes.

The Employment of Women, Young Persons and Children Act (Chapter 505 of the Laws of Zambia) is the most explicit legal act about working children. This Act makes it an offence for any person under the age of 14 to be employed in any industrial concerns except where all employees in the enterprise are members of the same family. The Act also seeks to prevent the exposure of children to harsh working conditions. Under the Act, violators of the law can be fined and/or imprisoned for up to 3 months. The Ministry of Labour and Social Security, which is responsible for enforcing labour laws, established a Child Labour Unit to specifically address issues relating to child labour.

Nevertheless according to the Government of Zambia, there are some 595,000 child workers in Zambia. Of these, 58% are 14 or younger and, thus, ineligible for any form of employment under the Employment of Young Persons Act. The vast majority

## Governance Profile - ZAMBIA

	<p>(about 90 %) of working children are employed in the agricultural occupations, most of whom in the rural areas. Occupations relating to trading accounted for the largest occupations in urban areas. Street vending or hawking is predominantly an urban phenomenon.</p>
<p>Does the country have a National Strategic Plan to enable it to respond to the challenges of HIV/AIDS e.g.; a national Coordination Committee etc.?</p>	<p>With respect to HIV/AIDS, Zambia has taken a multi-sectoral approach in the fight against the pandemic. In December 2002, Government enacted the National HIV/AIDS/STI/TB Council (NAC) and Secretariat to coordinate and support the development, monitoring and evaluation of the national response to HIV/AIDS. The NAC has just produced its second multi-annual strategic plan, it acts as secretariat of the GFATM's Country Co-ordinating Mechanism in Zambia. The new National Development Plan 2006/10 has a HIV/AIDC chapter.</p>
<p>Where national strategies and structures exist to respond to the challenges of HIV/AIDS, how far is there the political will and the commitment of domestic resources to ensure that they are effective?</p>	<p>The NAC has 14 members with wide representation of government and society in Zambia, including key players such as the Zambia Network of AIDS NGOs and the network of people living with HIV/AIDS.</p> <p>The current strategy has eight priority areas plus two remaining priorities of co-ordination and M&amp;E (54 reference indicators), implemented by the NAC Secretariat. Each priority area in the strategy was detailed, linked to specific targets and budgeted.</p> <p>Zambia declared HIV/AIDS a national emergency and, in June 2005, the government removed the cost-sharing fee of K40,000 (\$8), granting free provision of anti-retroviral (ARV) therapy. As of December 2005, about 50,000 people were receiving ARV drugs, compared to about 15,000 one year earlier. The major obstacle to improving ARV provision is lack of qualified health staff. On the prevention side, substantial progress has been made in scaling up national response through mass prevention campaigns, Voluntary Counselling and Testing Centres and Prevention of Mother To Child Transmission. In addition, several large bilateral initiatives are channelling resources towards fighting the disease. Nevertheless, co-ordination among stakeholders remains poor, with a plethora of actors and little willingness of many donors to mainstream support long national strategies.</p>

## Governance Profile - ZAMBIA

<p>Does the government have any particular problem to sign, ratify or transpose to domestic law the most important international conventions and declarations on gender equality?<sup>6</sup> If so, why? Please provide comments on implementation</p>	<p>Zambia has ratified the Convention on the Elimination of all forms of Discrimination against Women and also took part in the 1994 International Conference on Population and Development (ICPD) adopting the agreed 20-year Programme of Action (PoA) that built on the success of the population, maternal health and family planning programmes of the previous decades while addressing, with a new perspective, the need of the early years of the twenty-first century.</p> <p>During the presentation of the last National Action Plan submitted to CEDAW in 2002 the expert members of the Committee on Elimination of Discrimination against Women warned Zambia's Government representatives that pervasive traditional stereotypes and prejudices regarding women, as well as across-the-board discriminatory provisions in the country's legislature and common law, were undermining most of the country's efforts at ensuring gender equality and equal representation. The experts also expressed their concern about the conflicts between the country's customary and statutory law. On such matters as inheritance, marriage or compensation for property, traditional courts uphold customs that discriminate against women by considering them to be subordinate to or property of men and their families.</p>
<p>Has the country put in place strategies and structures to respond to the challenges of gender equality, e.g. a national strategic plan, a coordination committee or the like?</p>	<p>The Gender Development Index of 0.383 (130 among 144 countries) indicates the existence of large disparities between men and women in Zambia. Significant progress has been made in the country with the introduction of free basic education that has greatly improved access of the girl child to school (almost 1:1 in grades 1 to 4), although early marriages and early pregnancies cause many more girls to drop out than boys in later years. Zambia has had a National Gender Policy since 2000. The Government is working on a strategic plan that outlines how gender concerns can be included in all national policies, plans and programmes and to strengthen the legal</p>

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<sup>6</sup> Convention on all forms of discrimination against women (CEDAW, 1979), the Cairo Programme of Action (1994), the Beijing Platform for Action (1995)

## Governance Profile - ZAMBIA

	framework and law enforcement guaranteeing women's rights.
<i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i>	<i>The UNDP-Human Development Report 2005 places Zambia in position 166 out of 177 countries according to their Human Development Index (HDI) in 2003. The index of Zambia stood at 0.394 and represented a lower level than the average index of the Sub-Saharan African zone (0.515). The positive development recorded for some social indicators was not sufficient for Zambia to improve its HDI rank. In fact Zambia's HDI has only slightly increased since 2000 (0.389).</i>

<b>OVERALL ASSESSMENT OF COUNTRY SITUATION 2005-2006 FOR SOCIAL GOVERNANCE</b>	<b>LEVEL (1 TO 4): 2</b> <b>TREND (1 TO 3): 2</b>
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### VIII. INTERNATIONAL AND REGIONAL CONTEXT

#### A. Regional integration

Niveau de mise en oeuvre des obligations nationales vis-à-vis de l'agenda d'intégration économique relatif, principalement, à la création d'une zone de libre échange ou une union douanière.	Zambia is a member of both SADC and COMESA. The COMESA Free Trade Area (FTA) came into force in October 2000. In 2000, Zambia also signed the SADC Trade Protocol for duty-free access to the regional market for specified products. Implementation of the SADC Trade Protocol commenced in September 2000 with the introduction of tariff preferences leading to an Article XXIV compatible FTA by 2008. Within the FTA of COMESA, it has taken an advanced position concerning autonomous tariffs reductions. Currently there are four MFN bands: zero, 5%, 15%, and 25%; the modal rate is 15% and applies to around 33% of tariff lines. The highest 25% rate applies to consumer and 'non-essential' goods. To encourage foreign direct investment, a number of duty and tax concessions has been put in place, which may worsen even further the fiscal impact of trade liberalization. Customs revenue losses is also a reason why Zambia is unlikely to push for faster attainment of COMESA Customs Union (foreseen for 2008), together with its attachment to SADC, its main
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## Governance Profile - ZAMBIA

	<p>trading partner (nearly 70% of imports), compared to COMESA (around 8%). However, its decision to negotiate an EPA within the ESA (Eastern and Southern Africa) region should bode well for the regional integration process of COMESA. In addition, Zambia is negotiating bilateral trade agreements with Botswana, the Democratic Republic of the Congo, Mozambique, Namibia, Tanzania, and Zimbabwe.</p>
<p>Niveau d'application des programmes ou plans d'action régionaux des autres politiques régionales (politiques des transports, facilitation du commerce, ..;) qui font partie de « l'acquis communautaire/régional »</p>	<p>Zambia current priorities are: improving rules of origin (RoO), reducing the transaction costs of cross border trade, harmonization of policies and overlapping trade agreements, and promotion of joint infrastructure projects. The benefits to Zambia from increased market access to the non COMESA SADC countries, mainly SACU, have been severely constrained by the complex and onerous rules of origin. Zambia must still implement new regional legislation, in particular on safeguards (imports) consistent with COMESA and SADC agreements, and transpose regional COMESA/SADC transport agreements to national legislation.</p>
<p>Niveau d'engagement dans les institutions régionales, notamment respect des obligations financières du pays, et respect des décisions juridiques des organes juridictionnels régionaux.</p>	<p>As a Member of COMESA, Zambia should contribute to the COMESA Fund. The Fund is designed to support the trade liberalization process of its members, either via a 'Special Facility' window (e.g. support to customs revenue losses) or the 'Infrastructure' window (development projects). It is not yet clear whether the contribution has been paid, given that the Fund is not yet operational. This issue is currently being followed-up.</p>
<p>Cohérence et compatibilité technique et juridique de la position du pays vis-à-vis des différents agendas régionaux auxquels il participe et niveau d'engagement dans le processus de rationalisation des RECs.</p>	<p>Unless both SADC and COMESA share identical common external tariffs, it will not be possible for Zambia to belong to both customs unions. Zambia has decided to discuss the future EPA with the EU in the Eastern and Southern Africa (ESA) grouping in coordination with COMESA. But Zambia has been recently advised (DTIS, October 2005) to use its limited negotiation capacity to strengthen SADC's FTA arrangements through improving its very restrictive RoO, removing other barriers to intra-SADC trade, and pushing for harmonization of SADC and COMESA objectives, so that it can continue membership in both. Zambia hosted in March 2006 an AU technical seminar on RECs rationalisation.</p>

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	At the multilateral level Zambia has been co-ordinating the LDC Group in Geneva since January 2005, until July 2006 when Bangladesh will take over. It remains to be seen whether its position within the LDCs group is fully coherent with the on-going negotiation process within the EPAs. This will be clearer after the next meeting at the WTO in June/July 2006.
<i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i>	<i>Zambia has so far fully assumed regional integration responsibilities, but must still define its position in relation to SADC and COMESA processes. At the institutional level, the Ministry of Commerce, Trade and Industry has a number of capacity constraints to address, both in the short and the medium term. This stems from the various negotiating processes that are all taking place at the same time (EPAs, COMESA, SADC and WTO) which require high and numerous expertise. Close monitoring and possibly assistance in strengthening institutional capacity will therefore be necessary in the next years.</i>

### B. Involvement in regional initiatives on governance and peer review mechanisms (such as APRM)

Is the country actively participating in regional initiatives on governance ?	Yes, in particular under the SADC institutional framework: Parliamentary Forum, Media Institute of Southern Africa, Protocol on Gender...
Has the country acceded to the Africa Peer Review (APR) process? Is the country being reviewed or has it been reviewed? Is APR programme of action integrated in the PRS, in the MTEF, etc	Zambia only acceded officially to APRM early this year (2006), but it has not been reviewed for the moment
<i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i>	<i>Zambia has been participating in SADC initiatives and has acceded to the APRM/NEPAD</i>

### C. Migration

Has the country been invited to deepen the dialogue with the EU on the broad agenda of migration related issues contained in art. 13 Cotonou? If yes, has it responded positively? Have interlocutors been identified? Has an agenda for dialogue been proposed / agreed?	Invitation to verify; in any case, no follow-up
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## Governance Profile - ZAMBIA

<p>Is there an open debate and good cooperation on the implementation of the readmission obligation?</p>	
<p>In case where development aspects of migration have been identified as an important issue (e.g. brain drain / return of qualified nationals, remittances, relation with diaspora), does the country show willingness to address them in the programming dialogue? Does the country pursue a pro-active approach in this policy field? What steps have been taken in this context?</p>	<p>The problem of the brain drain is acute and deeply rooted in Zambia. The retention of skilled nationals who either receive or have received costly education and training at home is a very serious problem, in particular in the health sector. The Ministry of Health has formulated and presented in October 2005 a <u>Human Resources for Health Strategic Plan</u>, which is currently being endorsed by the Cabinet. The government has requested support for this Strategic Plan under the 9<sup>th</sup> EDF NIP. This first support (sector budget support modalities) to be implemented, could continue under the 10<sup>th</sup> EDF.</p>
<p>In case where refugee aspects of migration have been identified as an important issue (either as a host country or as a country of origin), does the country show willingness to address the position of refugees in the programming dialogue? Does the country, when appropriate, cooperate on initiatives to enhance domestic or regional protection capacity? Does the country pursue a pro-active approach in this policy field? What steps have been taken in this context?</p>	<p>Zambia has continued to host refugees from the Great Lakes Region (GLR) and beyond. About 80,000 refugees (of total number of refugees in Zambia being approximately 155 000-160 000) still remain in the designated camps/settlements and of these more than 70,000 are currently receiving food assistance from WFP. A tripartite exercise by Zambian Government (Ministry of Home Affairs), the United Nations High Commissioner for Refugees (UNHCR) and Angola is in progress in which Angolan refugees (17,600 in 2005) have been repatriated back to Angola. A total amount of € 5,5 million from 9<sup>th</sup> NIP envelope B has been utilised by ECHO to fund the repatriation of Angolan refugees since 2004. However, refugees from the DRC, Rwanda, Burundi and other countries are yet to be repatriated.</p> <p>In collaboration with UNHCR, the Zambian Government has implemented since 2004 a programme called Zambia Initiative promoting among others local integration and self-reliance of refugees</p>
<p>In case where illegal migration, smuggling and/or trafficking of human beings have been identified as an important issue, does the country show willingness to address these issues in the programming dialogue? Does the country pursue a pro-active approach in this policy field?</p>	<p>The government has requested to fund an ILO study on child trafficking under the 9<sup>th</sup> EDF NIP. The results of this study could be considered for subsequent actions</p>

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What steps have been taken in this context?	
<i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i>	<i>The government is adopting an active position in dealing with the human resources crisis in the health sector, but the specific strategy considered must still be coherently funded and implemented; the strategy must also be coordinated with horizontal reforms in the public services and other measures to retain skilled professionals.</i>

<b>OVERALL ASSESSMENT OF COUNTRY SITUATION 2005-2006 FOR INTERNATIONAL AND REGIONAL CONTEXT</b>	<b>LEVEL (1 TO 4): 3</b> <b>TREND (1 TO 3): 2</b>
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### IX. QUALITY OF PARTNERSHIP

#### A. Political dialogue

Are there agreed terms of reference, joint agendas and established calendar for article 8?	A certain lack of continuity was noted in the progress of Zambia-EU political dialogue since 2003. But this dialogue has recently (2006) gained momentum, with monthly meetings between EU HoMs and Zambia MFA to discuss national (including elections 2006) governance and regional issues (mainly Zimbabwe and the COMESA/SADC issue). The Article 8 political dialogue was regrettably not fully understood in Zambia in the past, and it was most probably associated with opening doors to Art 96 and 97 discussions.
Would you qualify it as open and constructive? If not, what are the main difficulties? Did the political dialogue lead to any concrete achievement?	YES, but the dialogue from the Zambian side is dominated by the person of the current Minister of Foreign Affairs. EU HOMs have expressed the wish to extend the dialogue to wider circles both inside and outside the Administration including the National Assembly.
Within art. 8 is dialogue on essential elements systematic and formalised? Have specific benchmarks or targets been agreed?	YES, see point 1.

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### B. Programming dialogue

<p>Does the government involve Parliament, non-state actors and local authorities in the programming dialogue?</p>	<p>The government has involved local authorities, NSAs and is <b>supposed to involve Parliament</b> in the process of preparation and formulation of the 5<sup>th</sup> National Development Plan (FNDP) 2006-2010. This national policy and programming document will be the framework for the Joint Assistance Strategy Zambia (JASZ) to be agreed with cooperating partners.</p>
<p>Was the programming exercise effectively a joint and open process? Did the Government actively promote co-ordination and harmonisation with other donors?</p>	<p>The purpose of the JASZ is to focus and organise development assistance provided by cooperating partners to support the implementation of Zambia's national development goals currently being defined in the 5<sup>th</sup> National Development Plan (FNDP) 2006-2010 to be adopted in the coming months. This is in line with the Paris Declaration to which Zambia and its cooperating partners are signatories. The JASZ is meant to harmonise and align the many individual country strategies that cooperating partners in Zambia are currently using. The EU Member States and this Delegation have been playing, and still do play a pivotal role in this process. The JASZ should be the adequate instrument to progress towards further harmonisation following the requirements of the Cotonou Agreement and the EU development strategy.</p>
<p><i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i></p>	<p><i>The development cooperation with Zambia is characterized by an advanced and wide process of harmonisation and coordination, assumed and promoted by the government. Human capacities to coordinate and monitor the implementation of policies and programmes are still lacking.</i></p>

### C. Non State Actors

<p>Participatory approaches to development: does the government involve non-state actors and local authorities in the PRS process (preparation, follow-up)? <i>Note: an assessment of the quality of participatory approaches should be provided in Annex 5 to CSP</i></p>	<p>The Government of Zambia has endorsed the principle of widest possible participation of all sectors of society in the policy formulation and implementation process. The Zambia PRSP also recognises the key role of civil society in the monitoring of the implementation of the poverty reduction strategy. The Government is responding to this demand by increasingly involving Non-State Actors in the Sector Advisory Group meetings that accompanied in the past three years the implementation</p>
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	<p>of the Poverty Reduction Strategy Paper, the definition of a National Development Plan 2006-11 and a long term national “Vision 2030”. Non-State Actors are gradually involved by Government in policy debates such as the Constitutional Review process. Non-State Actors also took part in the mid-term review of the Country Strategy Paper and National Indicative Programme between the European Union and the Government of Zambia</p>
<p><i>Other relevant information, overall appreciation and summary of the main problems identified in this area</i></p>	<p><i>The Government agreed to carry out a mapping study of the NSAs in Zambia end of 2005. The findings of the study show that non-state actors still lack the capacity to fulfil their role to the full, both in terms of policy dialogue and advocacy, and service delivery. For this reason it has been agreed to follow the process of involvement of non-state actors in the development process and to allocate funds from the 9<sup>th</sup> European Development Fund (EDF) in support to civil society. The Delegation will submit in 2006 a 9<sup>th</sup> EDF funded project to support NSA capacities.</i></p>
<p><b>OVERALL ASSESSMENT OF COUNTRY SITUATION 2005-2006 FOR QUALITY OF PARTNERSHIP</b></p>	<p><b>LEVEL (1 to 4): 4</b> <b>TREND (1 to 3): 3</b></p>

### OVERALL CONCLUSION

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## GOVERNANCE DATA – EXAMPLES

Details and internet links to the tools below as well as to other guides are provided in Annex.

- Governance country diagnostics by the World Bank Institute (available for a very limited number of countries)
- Economic Commission for Africa
- International IDEA
- Africa Development Bank's Governance Profiles

## ANNEXE - OUTILS – GUIDES DISPONIBLES

### Websites externes

**APRM** - <http://www.nepad.org/2005/files/aprm.php>

### **Ranking of countries according to the evolution of selected governance indicators over time:**

World Bank Institute - the link below present the updated aggregate governance research indicators for 209 countries for 1996–2004. Six dimensions of governance are examined: (1)Voice and Accountability (measuring political, civil and human rights), (2)Political Stability and Absence of Violence (measuring the likelihood of violent threats to, or changes in, government, including terrorism), (3)Government Effectiveness (measuring the competence of the bureaucracy and the quality of public service delivery), (4)Regulatory Quality/Burden (measuring the incidence of market-unfriendly policies), (5)Rule of Law (measuring the quality of contract enforcement, the police, and the courts, as well as the likelihood of crime and violence) and (6)Control of Corruption (measuring the exercise of public power for private gain, including both petty and grand corruption and state capture)

<http://info.worldbank.org/governance/kkz2004/>

TI Corruption Perception Index (2005 and previous years)

[http://www.transparency.org/policy\\_and\\_research/surveys\\_indices/cpi/2005](http://www.transparency.org/policy_and_research/surveys_indices/cpi/2005)

### **Governance diagnostics**

World Bank Institute – Governance country diagnostics

<http://www.worldbank.org/wbi/governance/capacitybuild/d-surveys.html>

African Development Bank – governance profile and other relevant data per country are available in the “African Development Report 2005”: <http://www.afdb.org>

### **Signature and ratification of international instruments**

Human rights – Global conventions

<http://www.ohchr.org/english/countries/ratification/index.htm>

Final version 17/05/2005.

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## ILO Conventions

<http://www.ilo.org/ilolex/english/convdisp2.htm>

(state of ratification of each convention - click on the reference on the left hand side)

OAU/AU Treaties, Conventions, Protocols, Charters, including the list of countries which have Signed, Ratified/Acceded

<http://www.africa-union.org/root/au/index/index.htm>

(select “documents” in the left, then click on “Treaties, Conventions & Protocols”)

Interamerican Convention Against Corruption (1996)

<http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.upd.oas.org>

(select “corruption” under Sectors and topics, in the top)

ADB-OECD Anti-Corruption Initiative for Asia-Pacific

<http://www1.oecd.org/daf/asiacom/index.htm>

## **Sites intranet de la Commission**

Nous avons développé des outils méthodologiques qui devraient faciliter l’élaboration du profil gouvernance, le dialogue de programmation ainsi que l’instruction des projets/programmes.

- Le nouveau format de CSP pour les pays ACP situe l’analyse des questions liées à la gouvernance dans le contexte plus large de l’analyse de la situation politique et fournit des indications utiles à ce sujet. Le but est de faciliter le lien entre l’analyse et la stratégie de réponse.
- Des fiches de programmation par sous-secteur (droits de l’homme et démocratie, Etat de droit -Judiciaire et Parlements-, Anti-Corruption, Décentralisation, Réformes Economiques et Institutionnelles -Appui budgétaire-) sont disponibles sur le site du iQSG. Ces fiches contiennent des éléments d’analyse plus détaillés et des indications sur des orientations possibles pour des interventions dans chacun des domaines.  
<http://www.cc.cec/home/dgserv/dev/newsite/index.cfm?objectid=E20B9EA4-ABD6-296E-65D6BCC3AE40E935>  
<http://www.cc.cec/home/dgserv/dev/newsite/index.cfm?objectId=E2D48344-DB4E-ED35-45155B9BE3AD8217>
- Le « handbook on Good Governance » produit par un réseau thématique de la Commission coordonné par Europe Aid facilitera l’identification de projets dans les « six clusters » (1)Support to democratisation including electoral processes and observation, (2)Promotion and protection of human rights, (3)Reinforcement of the rule of law and the administration of justice, (4)Enhancement of the role of non-state actors and their capacity building, (5)Public administration reform, management of public finances and civil service reform and (6)Decentralisation and local government reform and capacity building;  
[http://europa.eu.int/comm/europeaid/projects/eidhr/themes-governance\\_en.htm](http://europa.eu.int/comm/europeaid/projects/eidhr/themes-governance_en.htm))
- Some of the issues examined in the Commission’s “**Check list for root-causes of conflict**” are relevant for the governance profile  
[http://europa.eu.int/comm/external\\_relations/cpcm/cp/list.htm](http://europa.eu.int/comm/external_relations/cpcm/cp/list.htm)