



**Implementation of the African Charter on
Values and Principles of the Public Service
and Administration**



**LEADERSHIP, PUBLIC SERVICE
FOR NATIONAL
DEVELOPMENT: A
CONTINENTAL APPROACH**

**15TH – 19TH
NOVEMBER 2021**

**KENYA SCHOOL OF
GOVERNMENT- MOMBASA**



UN DESA

2021/11/18

1



PRESENTATION OUTLINE

What the Presentation is All About

The African Charter as a Compendium of Values

Evolution of the African Charter

The Charter Implementation Context

African Charter Implementation Disciplines

Selected Case Studies on the African Charter Implementation

South Africa's Domestication Experience

Reporting & Assessment Instruments





This presentation will show:

- 1. The Context within which the Charter was developed and is being implemented**
- 2. The Charter implementation mechanisms.**
- 3. Instruments for reporting on and assessment of implementation**



UN DESA



A Charter is a compendium of Values and Principles



According to Steffani Cameron “A charter is a formal document that is like a road map for what an organization, team or project is intended to be and accomplish

The Charter is a Value System in the Reform Discourse

- Many public organizations have acknowledged the importance of shared values to organizational success by developing a statement of their core values
- These statements are a rich source of data on the values that these organizations deem to be most central to successful governance.
- Some experts argue that a focus on values is a preferable alternative both to restructuring an organization and to relying on rules for internal management ([Kernighan 2008](#)).
- Four Notable Points:

First, the new values associated with the new model of public organization have rapidly permeated the value system of the public service.

Second, some of the new values reinforce some of the traditional ones.

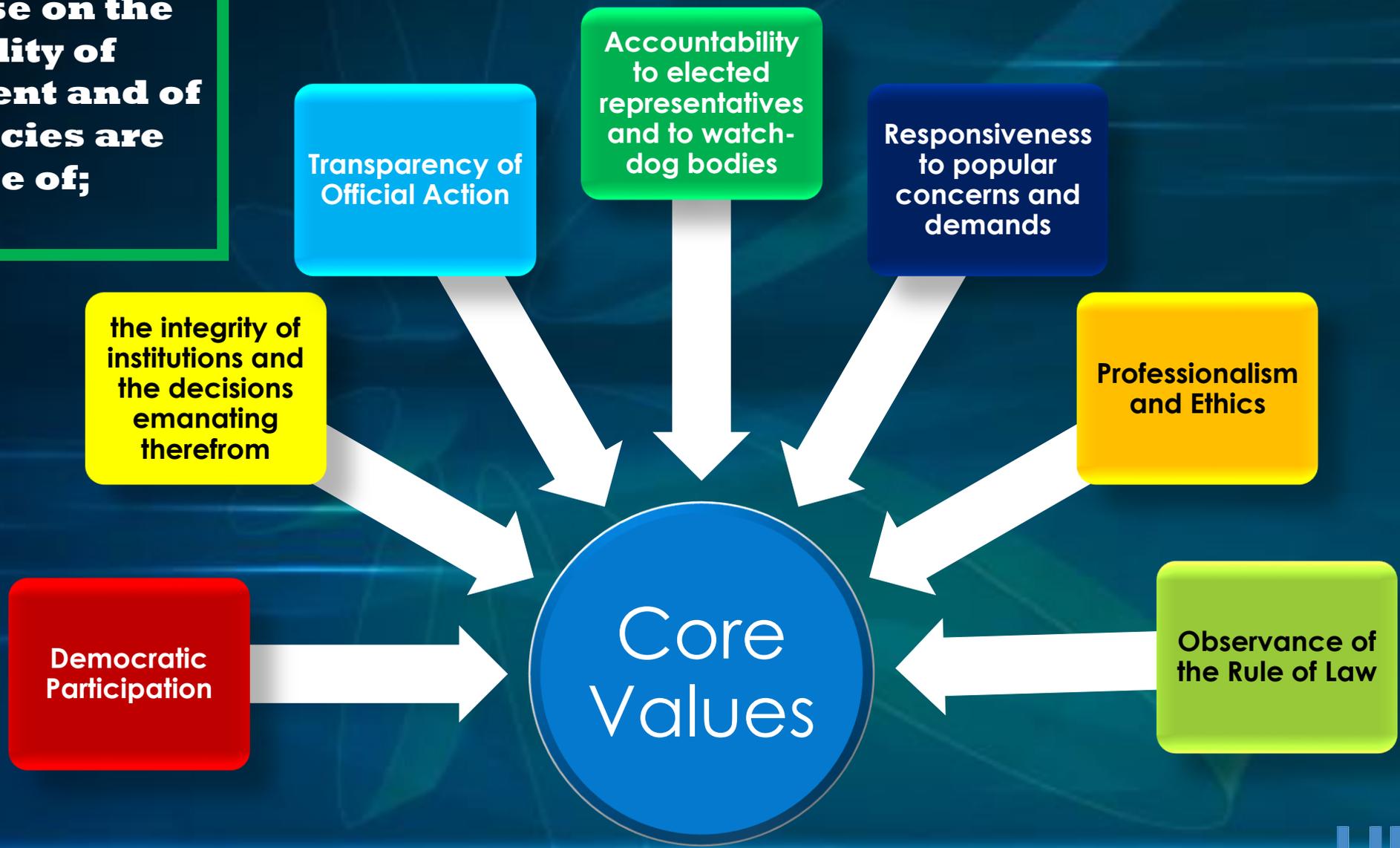
Third, the emerging public service culture will contain a blend of old and new values.

Finally, three traditional values - integrity, accountability and fairness, equity — will occupy an especially prominent place in that emerging culture



The Charter Core Values?

Among the values that keep resurfacing in the discourse on the morality of government and of its agencies are those of;





On Values
and Principles

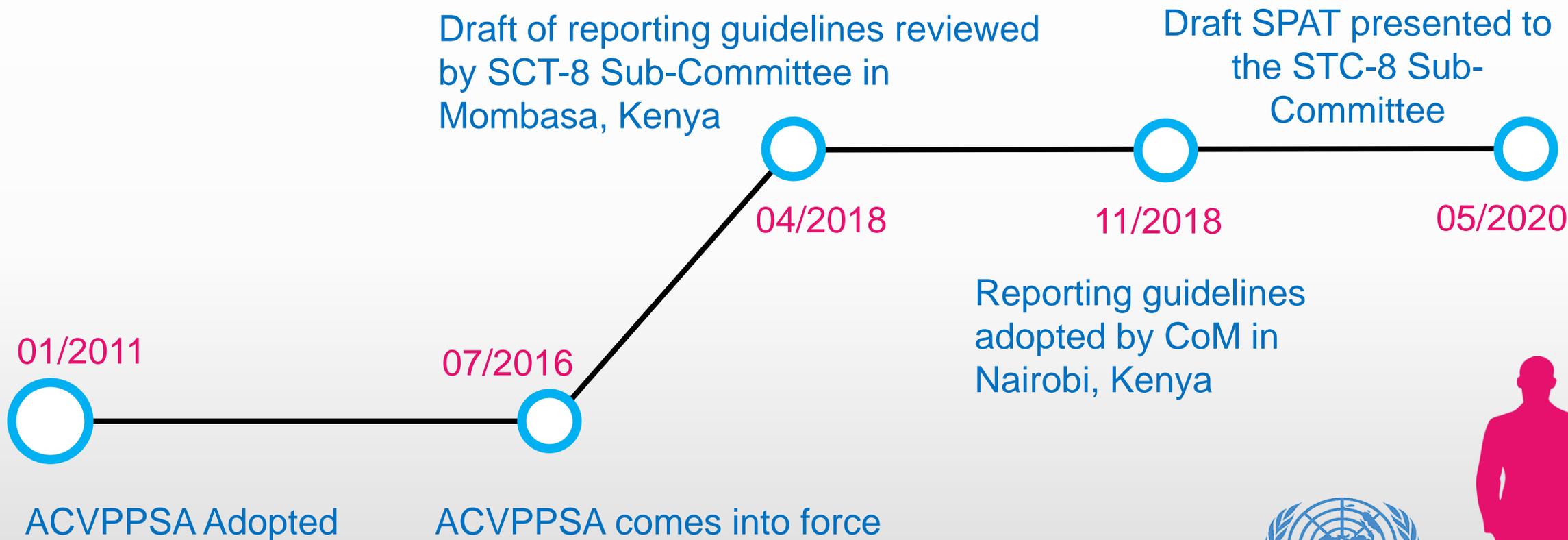
And
Administration



UN DESA



A lengthy and exciting journey



UN DESA





African Charter Evolution Process



**African Union
Ratification**

**Development Consensus
Building Process**



**Domestication
Capacity
Building
Interventions**

**Member State
Accession**



**Reporting, Peer
Review and
Learning
Disciplines**

**Conference of State
Parties Formation**





The Charter implementation Context



UN DESA



The African Charter and the African Union Agenda 2063



UN DESA

The African Charter is one of the programmatic agenda driven by African Ministers of Public Service

- At its 16th Ordinary Session, the African Union ratified the African Charter

Declared a decade of shared values

- to improve public service delivery,
- combat corruption,
- protect the rights of citizens as users of public service as well as
- promote good governance and
- sustainable development on the Continent;

Aspiration 7 of Agenda 2063 speaks of: An Africa that is self-confident in its:

- identity,
- heritage,
- culture and shared values and
- as a strong, united and influential partner on the global stage making its contribution to peace, human progress, peaceful co-existence and welfare.
- In short, a different and better Africa.



Mission Statement

- ✓ Who we are
- ✓ What we Value

Vision Statement

- ✓ What we want to becomes

Strategy

How we will achieve our vision

Goals and Objectives

- ✓ How we Gauge our degree of success

The African Charter

Values and Principles and Public Administration

Domestication and Implementation

The Reporting Guidelines and the SPAT





African Charter Interface with National Administrative Reforms Processes



African Charter



Public Sector Administrative Reforms

Member State Domestication



UN DESA

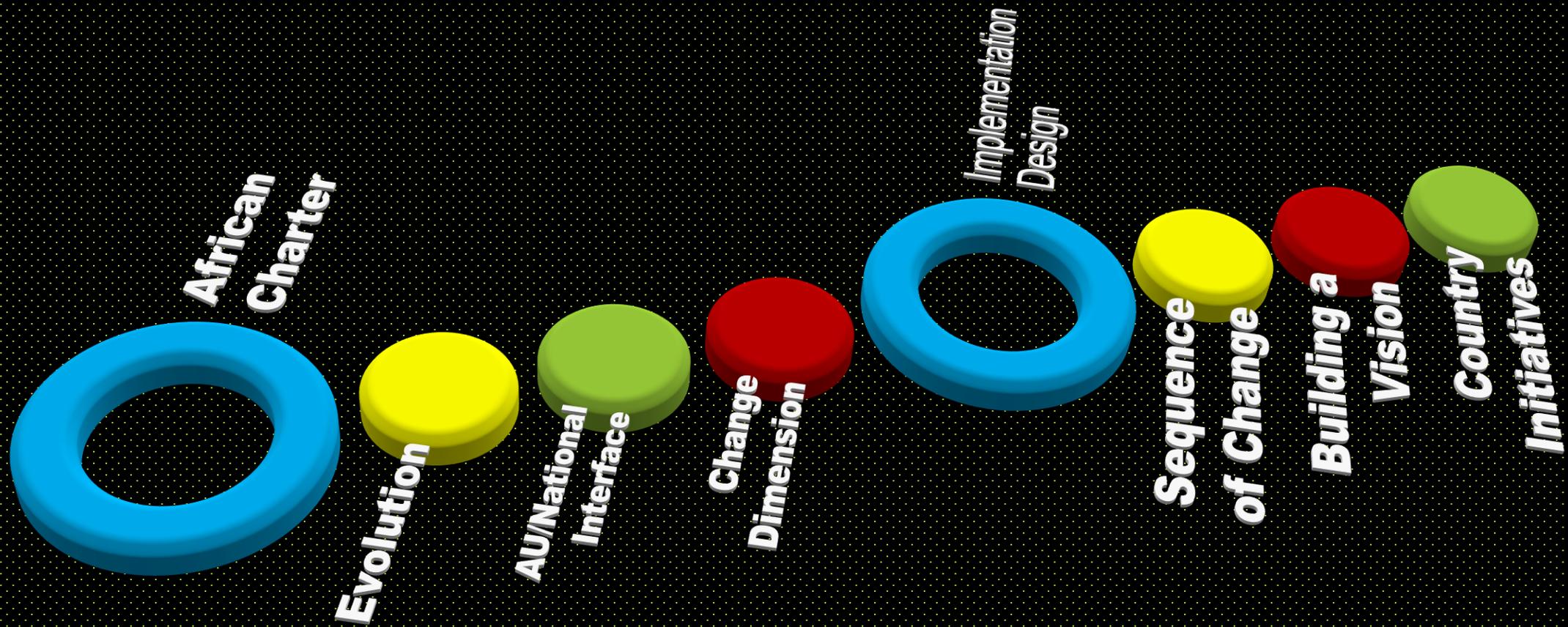


Charter

Implementation

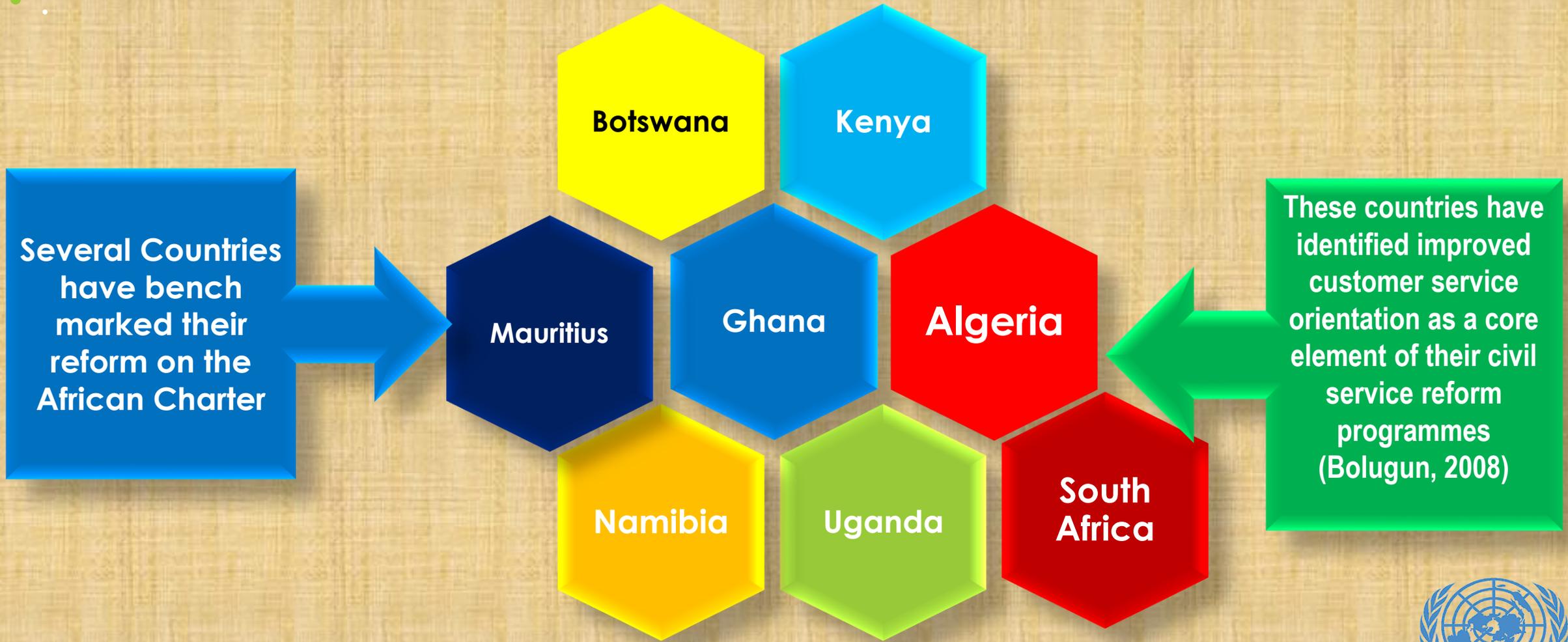
Disciplines







Frontline Countries on the Charter Reform





Conceptual Framework for the Implementation of the African Charter

Respect for Human Rights, Rule of Law, Access to Services, Efficiency and quality, Professionalism and Ethics

Institutional Mechanism

Core Principles

- Established institutional Framework
- Monitoring and Reporting Systems

Standards

Core Principles

- Service Standards
- Access to Services
- Ethics and Values

Capacity

Core Principles

- Competency based HRM &D
- Leadership
- Organizational Management and Development

Accountability

Core Principles

- Results Oriented Planning
- Code of Conduct
- Evidence Based Policy and Management

Transparency

Core Principles

- Access to Information
- E-Government
- Inclusivity and Participation

Legislation

Core Principles

- Transformed Legal Framework
- Legislated Charter Principles

Pillars

Pillars



Selected Country Domestication of the African Charter



African Countries' Initiatives on the African Charter

Ghana

Citizen's Charter System

As way of improving the performance of public services in the sense of striving for the delivery of quality service within the shortest possible time.

Namibia

Institutionalised into a Customer Service Charter

Objective is to provide a framework for defining service delivery standards, the rights of customers, and how complaints from customers will be handled

Nigeria

Civil Service entered into Service Compact with all Nigerians

The Compact's Core provision says: "We dedicate ourselves to providing the basic services to which each citizen is entitled, in a timely, fairly, honestly, effectively and transparently manner"

Kenya

Code of conduct for Public Servants

Enshrined in the Public Service Code of Conduct and Ethics Act 2016

South Africa

Institutionalised under the Service Charter

Charter articles a replica of Batho Bele value statement





SOUTH AFRICA'S IMPLEMENTATION MATRIX



The Constitution of RSA, 1996

Public Service Act, 1994 (as amended)

Employment of Educators Act (55 of 1998)

**The Service Charter:
Resolution 1 of 2013**

Correctional Services Act (111 of 1998)

Police Act (68 of 1995)

Labour Relation Act, 1995

Health Act, 2004

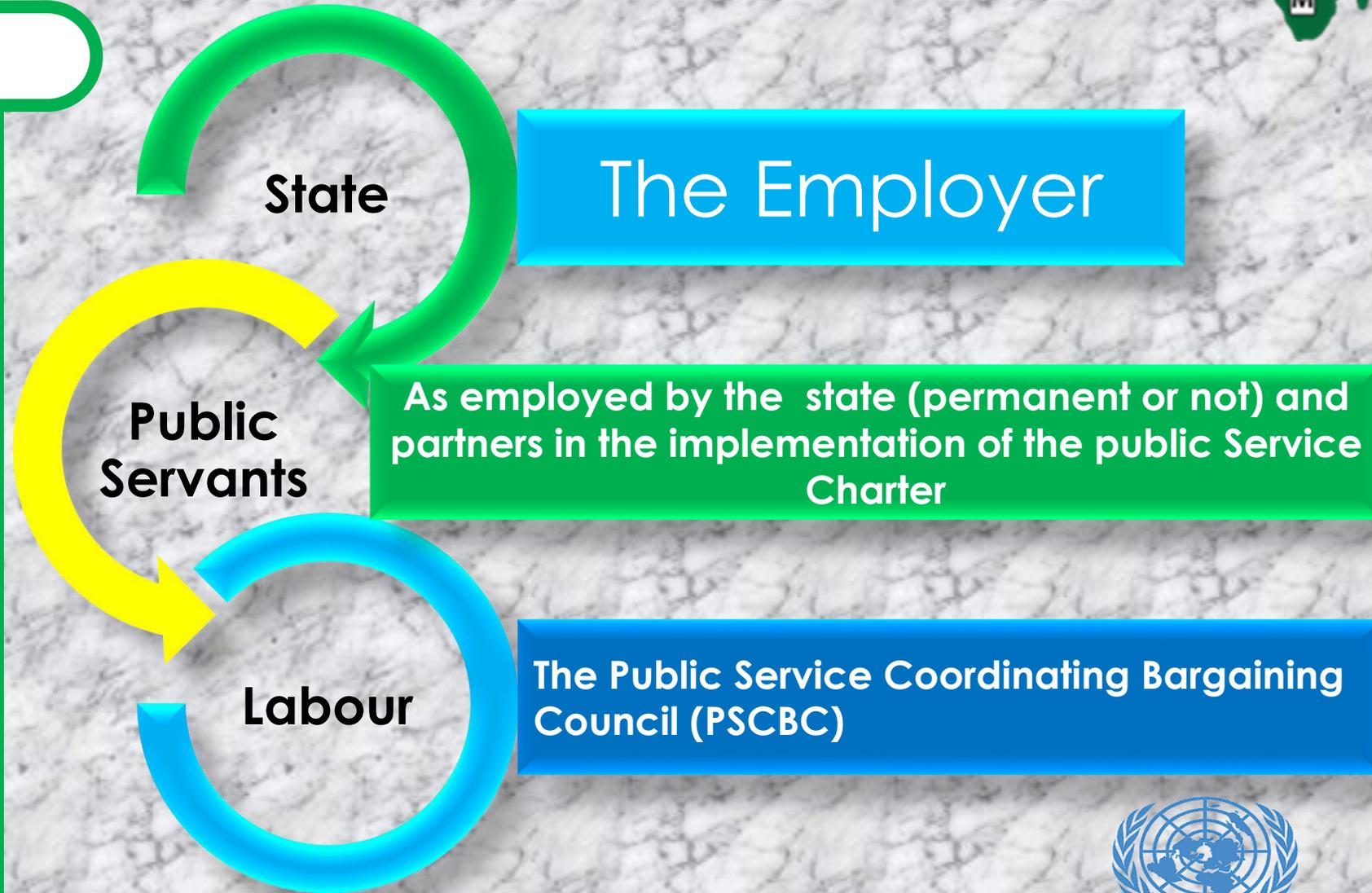


SOUTH AFRICA'S INSTITUTIONALIZATION OF THE CHARTER



Purpose:

- ✓ Defines the services offered by the state to citizens
- ✓ Outlines the service standards
- ✓ Registers the commitments by the state as the employer towards public servants
- ✓ Specifies commitments by public servants towards citizens
- ✓ Improvement of service delivery by the State to the citizens





Relationships in a Citizen Charter

CITIZEN

CUSTOMER
Customer Service Pledge: Prompt, efficient, effective and courteous delivery of service. Constant improvements in cost, time, performance and quality

TAX PAYER/CITIZEN
Citizen Charter: Observance of good governance principles (Rule of law, justice, fairness, equity, accountability, probity, transparency, value-formoney)

GOVERNMENT LEADERSHIP CODE:
Honesty, selflessness, Integrity, Objectivity, Accountability, Openness, Leadership-by example, Vision

CIVIL SERVANT
Public Service Professional Code of conduct: Impartiality, transparency, non-partisanship, avoidance of conflict of interest situations, rejection of bribes and gratification, non-betrayal of trust/confidence, security of assets and privileged information, Accountability and Responsiveness, Integrity, declaration of assets and interests, Customer Satisfaction Pledge

Obligations
Basic "Customer"

Tax and Civil Obligations

Employment Rights, Privileges, Immunities and incentives

Political Neutrality





**REPORTING AND
IMPLEMENTATION ASSESSMENT
INSTRUMENTS**



Basis for the Reporting Guidelines – Article 24.1



State Parties to provide biennial reports on legislative or other measures taken to implement provisions of the Chart

AUC prepares a synthesis report for submission to the Assembly through the Executive Council and the Conference of State Parties

Appropriate action taken to address any issues raised in the report.





Necessity for Reporting Guidelines

- Diverse sources of information
 - Different countries and jurisdictions
 - Different forms of government and
 - Different institutional and administrative arrangements
- Reporting guidelines facilitate the provision of relevant and meaningful information from state parties



Rationale for states reporting on charters



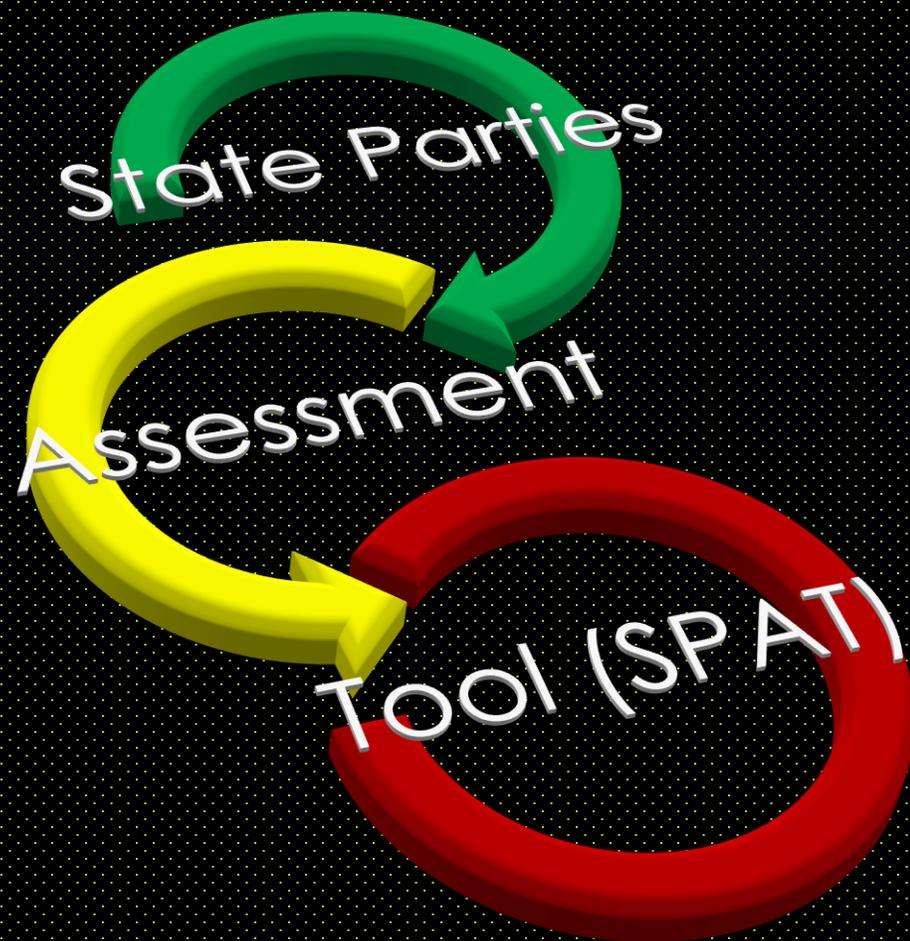
Charter is only a beginning – reports document implementation

- achievements made
- extent of compliance
- Channel for constructive dialogue between the states and the AUC
 - AU Organs
 - Institutions and RECs
 - Other national stakeholders
- Facilitate evaluation on compliance



UN DESA

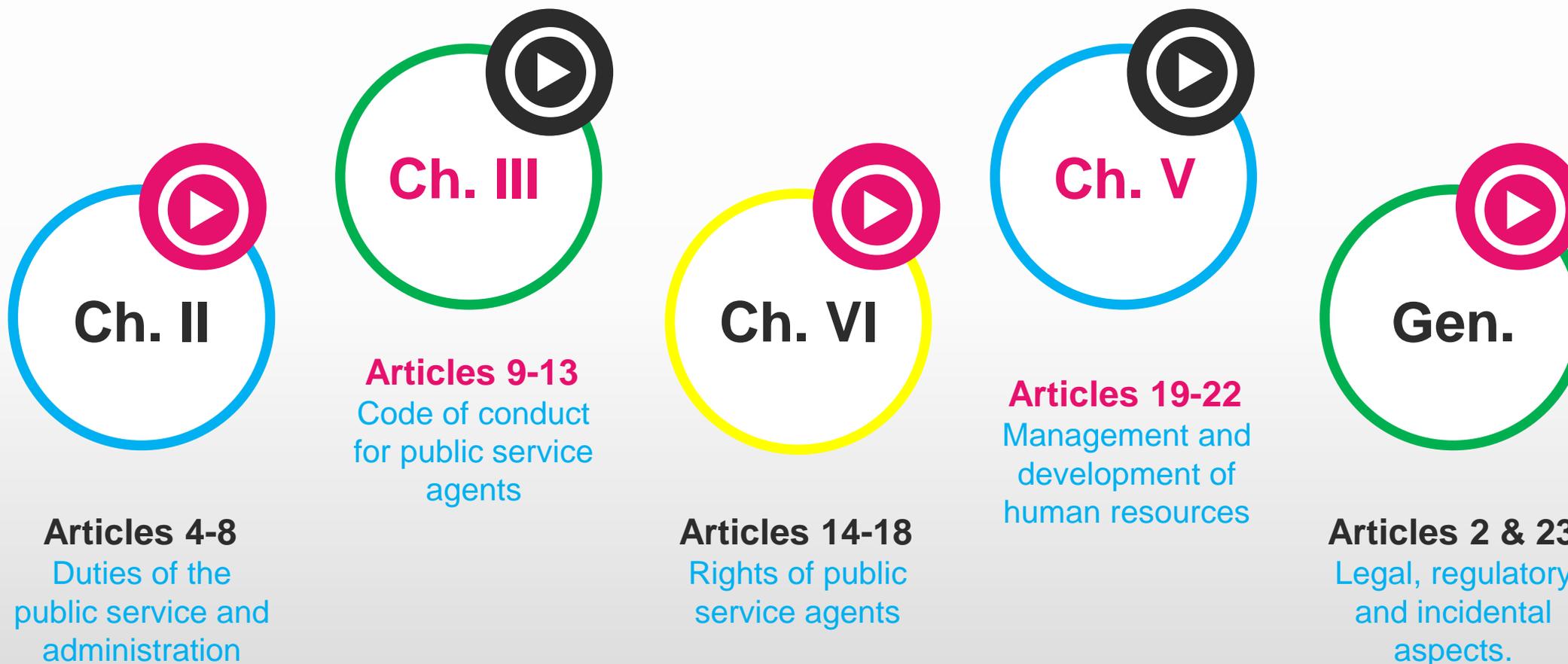
- Framework for SPs to prepare and submit reports -
- Article 24 of the Charter
- Provide structure, scope and methodology for
 - Preparation
 - Submission
 - Review
 - Follow up of implementation in State Parties



UN DESA



SPAT looks at indicators of compliance





SPAT scoring scale



UN DESA

Basis of scoring

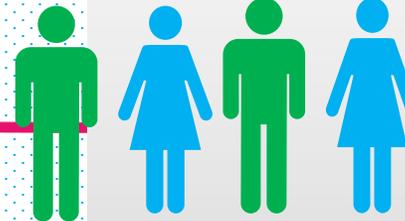
Specified indicators –
Constitutional provisions,
national laws, institutions,
policies and procedures, court
decisions, independent
professional reports, etc.



1 = There is partial evidence
of efforts and actions being
taken (draft documents,
legislative bills, etc.)
towards attainment of the
indicator

2 = There is adequate and/ or
satisfactory evidence that the
State Party has attained or
achieved the indicator

0 = There is no evidence of
any efforts or intent to support
the attainment of the indicator

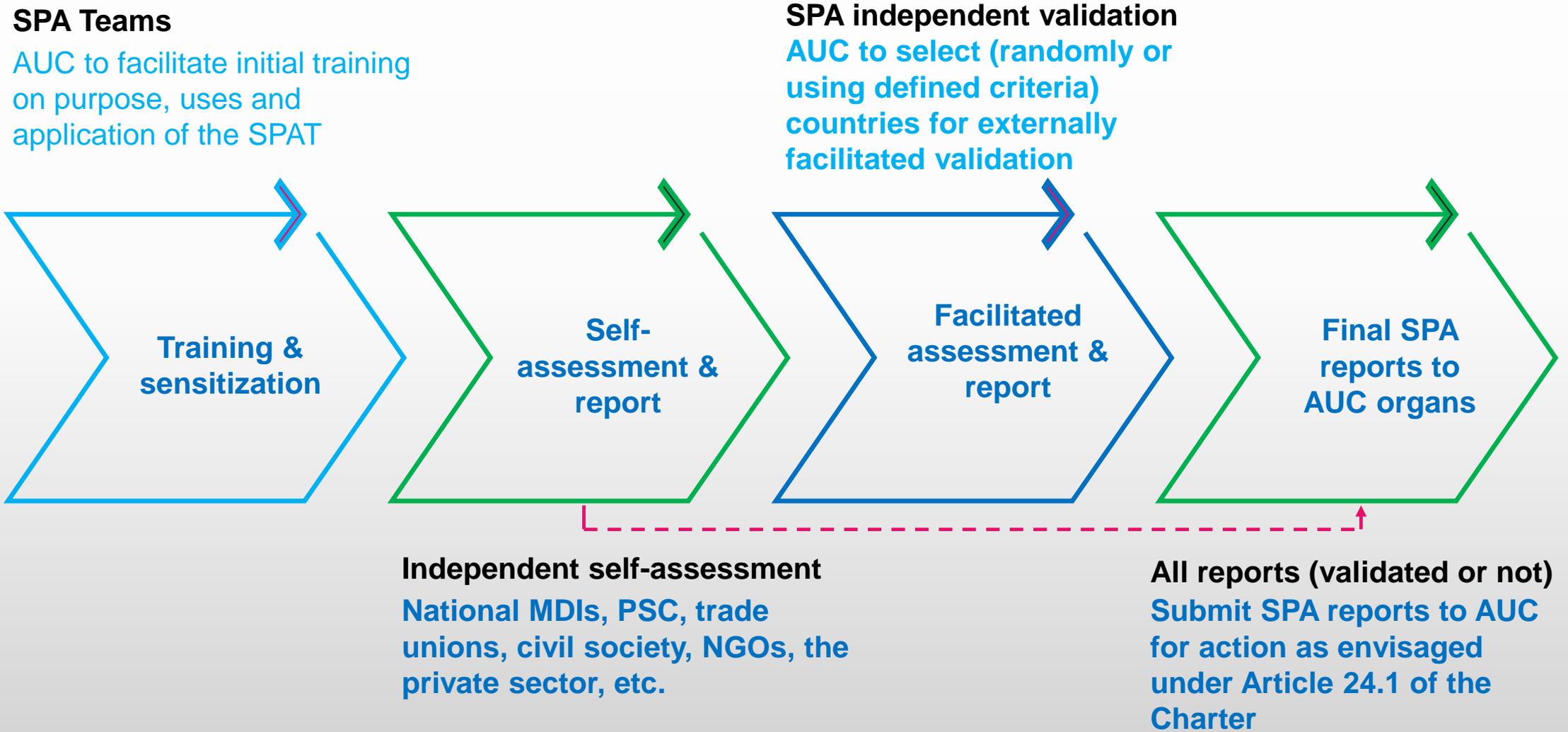


Composition of SPAT Team

Relevant government MDIs,
public service commission, trade
unions, national human rights
institutions, NGOs, the private
sector, relevant institutions and
other stakeholders



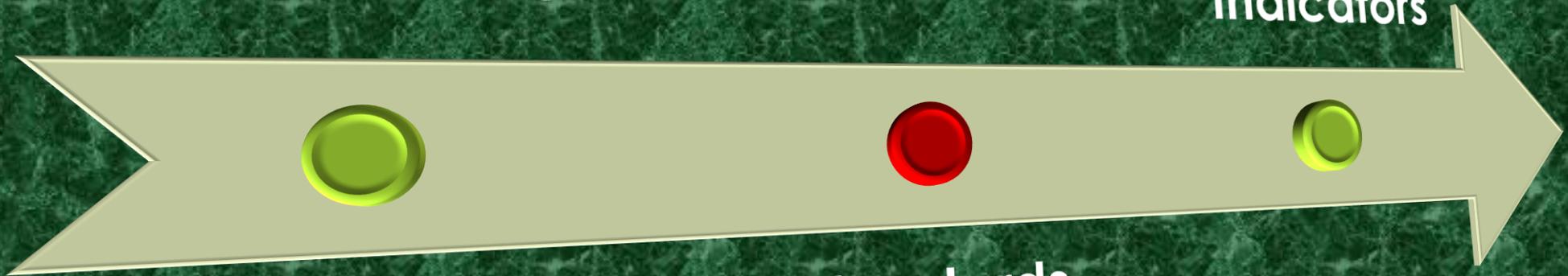
SPAT administration process





Questions

Indicators



Standards



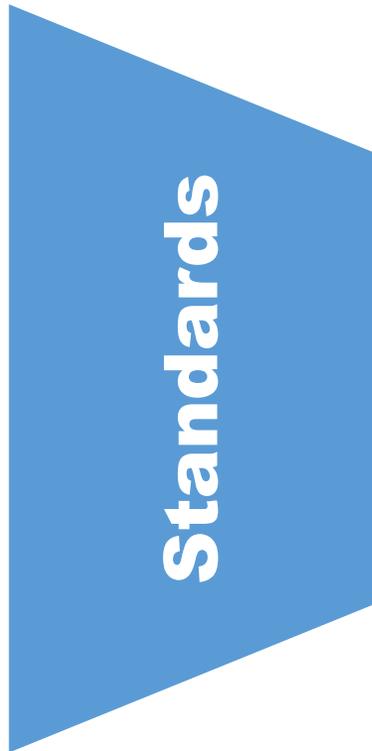
UN DESA



Explanatory Note

The Framework is based on a platform of citizen-centred public service with six (6) Pillars that promote the aspirational achievements identified before.

The Pillars are:





Standards, Questions and Indicators

Standards



- are those set out in the African Charter and approved by African countries, individually or collectively, with regard to 'how' they transform the public service and administration.
- State Parties will not be marked against whether they adhere to these or not
- the purpose being to ascertain their familiarity with these standards and codes and the extent of their application

Questions



- serve to focus on what the country has done with regard to the objectives and standards ,
- how the country has implemented the standard and with what results

Indicators



- are the type of evidence that is expected in the responses of countries
- serve to highlight aspects of the objective and standard that are generally recognized as measures of performance and results



STANDARD: **Institutional Framework**

QUESTIONS:

What Institutional Framework is in place to domesticate and implement the Charter?

INDICATORS:

Institutionalization through:

1. Legislative Provisions
2. Policy Stipulation
3. Frameworks
4. Demand side capacity measures



STANDARD: **ACCESS TO INFORMATION**

QUESTIONS:

Is there legislation or policy instrument on Access to Information?

INDICATORS:

Evidence of :

1. Constitutional Stipulation.
2. Legislative Provisions.
3. Policy Stipulations,
4. Court Decisions reinforcing the right to access to information.



STANDARD: Preventing and Combating Corruption

QUESTIONS:

What legal, policy and mechanisms are in place for fighting corruption?

INDICATORS:

Evidence of:

1. Signatory to:
 - a) UN Convention on Anti-Corruption
 - b) AU Convention on Anti-Corruption
 - c) REC Convention on Anti-Corruption
2. Legislative Stipulation
3. Policy measures
4. Code of Conduct.
5. Integrity Systems
6. Independent Law Enforcement Institutions
7. Asset Forfeiture Instruments
8. Successful Convictions on Mega corruption Cases



STANDARD: Declaration of Assets

QUESTIONS:

Is there legal and/or Policy obligation to declare assets?

INDICATORS:

Evidence of:

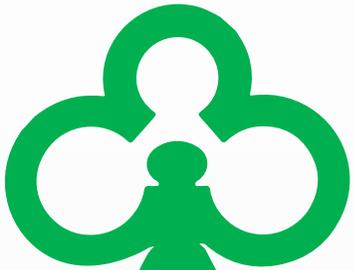
1. Legislative Stipulation
2. Policy measures
3. Register for Declaration of Assets
4. Monitoring and Reporting Systems
5. Consequent management measures



Way forward – Future scenarios

Bright outlook

Several potential applications and uses



 **Non-competitive**

 **Competitive ranking**

 **Online tool**

 **Gold standard**

Current proposal to initially use progressive developmental purposes – capacity development focus



Could be used to produce country performance rankings and indexes such as TI CPI, WB Doing Business Report



Can be used as an online tool for completion by state parties and submitted to AUC for processing and archiving.

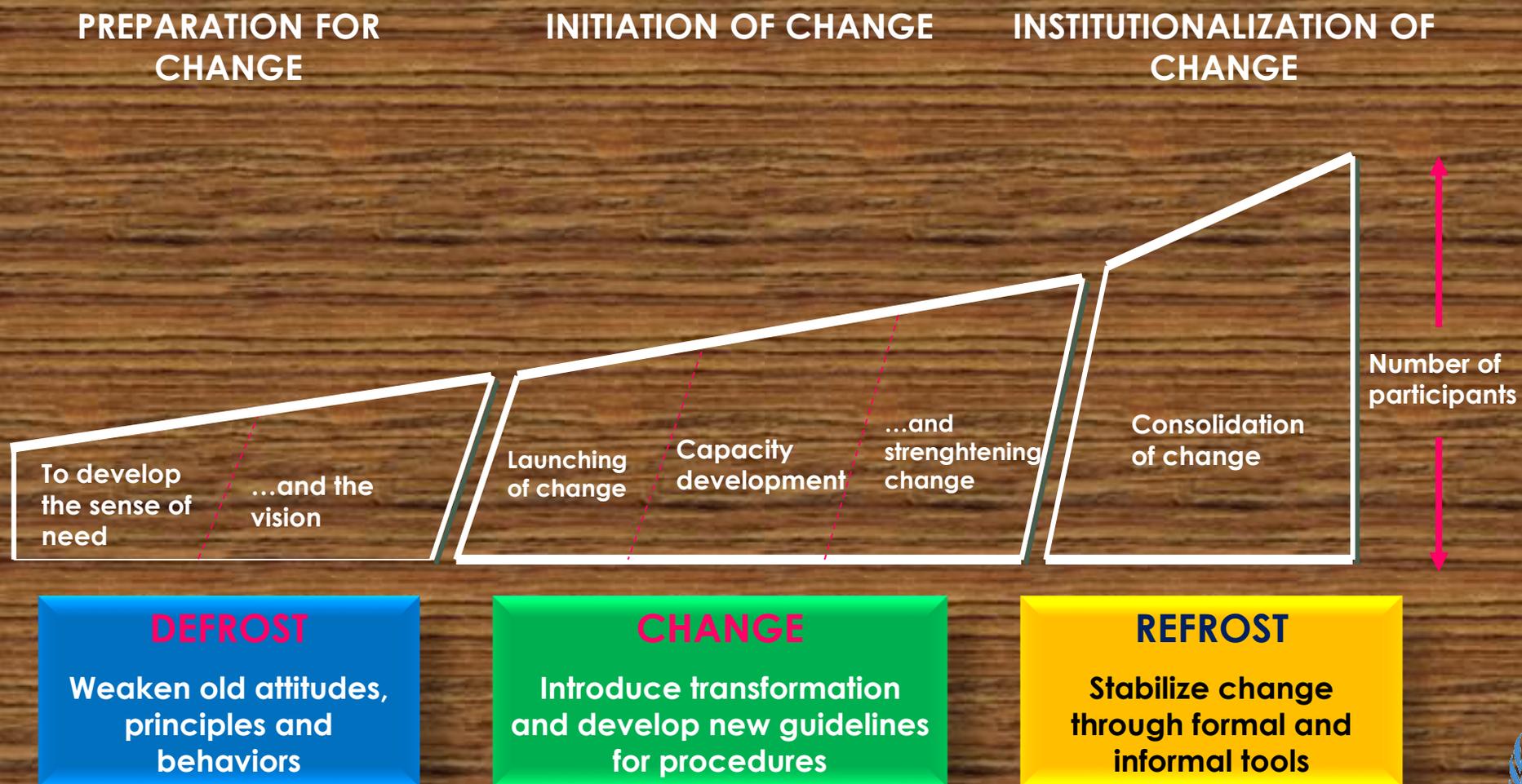


Could be the standard template for all Charter reporting for AU and other international organisations





SEQUENCE OF CHANGE



Conclusion And Reflection

Charters and value systems are veritable catalysts for administrative Reform Programmes

Charters and Value Statements can and should be used to ensure higher levels of accountability. Often this needs to be coupled with changes in mind-sets.

A great deal of effort should be focused on building consensus for change, as part of the Charter process

Citizens must hold departments accountable for Charter implementation. The feedback system is essential for the accountability process.

The APRM process provides an opportunity to domesticate and assess implementation of the Charter at national level.



End of Story

Thank You



UN DESA