AFRICAN DEVELOPMENT BANK GROUP

REPORT

Civil Society Organization Forum

July 2013

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1. Introduction

During its 2013 Annual Meetings, the African Development Bank organized a side-event forum for Civil Society Organizations in the continent. The forum was held on May 28th, 2013 in Marrakech, Morocco. 60 participants attended the forum, including Civil Society Organizations (CSOs) and Bank staff.

Objectives

The overall goal of the CSO forum was to strengthen the partnership between the Bank and CSO's across Africa, by providing a platform for dialogue and information exchange. The Forum provided an opportunity to discuss important issues concerning: i) The Bank's new Disclosure and Access to Information Policy; ii) Integrity and the fight against corruption; iii) The Bank's Independent Inspection Mechanism (IIM)

Expected Outcomes

The outcome of the forum was to enhance partnership between the Bank and African CSOs that included:

- CSOs familiarized with the Bank's new Disclosure and Access to Information Policy and how partnership can be enhanced to prevent corruption and increase monitoring of Bank's programs;
- CSOs briefed on how can the Bank and CSOs work together to fight against corruption in Africa;
- CSOs briefed on how the Bank's Independent Inspection Mechanism work in relation to its programs.

2. Presenters and Participants

11 Speakers, each representing different Bank Departments and CSOs, drew from their experiences and the work of their departments and organizations to make substantial contributions to the topics being discussed. In addition to the 11 key speakers, representatives from invited Civil Societies participated in the open discussion. Each of the three sessions of the conference included moderators, discussants and presenters as listed below:

Session 1: **Presentation from the Integrity and Anti-Corruption Department (IACD) on "How we can work together to fight against corruption in Africa?"**

- **Moderator** – Ms. Anna Bossman, Director of the Integrity and Anti-Corruption Department, AfDB.
- **Discussants** – Mr. Anthony Okon Nyong, Division Manager of the compliance and safeguards division, AfDB.
    - Mr. Abesselam Aboudrar, President of the Central Authority for the Prevention of Corruption, Morocco.

- Mr. Ezzeddine Nciri, Chief Integrity and Prevention officer, IACD, AfDB.

Session 2: Presentation from SEGL on the Policy on Disclosure and Access to Information

- **Moderator** – Mr. Marc Cohen, Division Manager, ORQR2
- **Presenter** – Mr. Mike Salawou, Assistant to the VP-SG, SEGL and DAI Team Coordinator
- **Discussant** – Mr. Gary Pienaar, CSO Coalition Member

Session 3: Presentation from the Compliance and Mediation unit (CRMU) on "The role and procedures of the Independent Inspection Mechanism

- **Moderator** – Ms. Ginette Ursule Yoman, Manager of the Gender and Social Development Division, AfDB.
- **Discussant** – Mr. Sékou Toure, Director of the Mediation and Compliance Unit (CRMU), AfDB.
- **Case Study presenter** – Mr. Ahmed Chebouni, Director of the Development Center of TENSFIT, Morocco.

Throughout the day's event, there were about 60 participants that included staff members from multiple AfDB departments, invited Civil Society representatives from different organizations across the continent and other invited members who were participating in the week long events taking place during the Bank's 2013 Annual Meetings. The agenda of the Forum including the presenters is attached in *Annex C.*

3. Presentation

In his opening remarks, AfDB Vice-President, **Mr. Aly Abou-Sabba** formally initiated the forum by commending the Gender and Social Development Division (ORQR4) for providing a platform for Civil Society Organizations to openly discuss specific themes of interest with representing departments of the African Development Bank. He stressed the importance of building a stronger partnership between CSO's and the Bank that will help achieve inclusive growth and development for the African Continent and its people.

Dr. Emmanuel Akwetey, Executive Director of the Institute for Democratic Governance in Accra, addressed the forum in a speech that highlighted the importance of Civil Societies in their role to achieve sustainable development. He indicated that Civil Societies represent the voice of the African people and a partnership between CSO's and the Bank is crucial in the fight against corruption, poverty, the lack of transparency and accountability and the struggle to achieve sustainable development.

3.1 Session 1 IACD: How we can work together to fight against corruption in Africa

The AfDB's Department of Integrity and Anti-Corruption has chaired this session.

Moderator: Ms. Anna Bossman, Director, IACD, AfDB
Discussant: Mr. Anthony Okon Nyong, Division Manager, ORQR3, AfDB
Mr. Abesselam Aboudrar, President of the Central Authority for the Prevention of Corruption, Morocco.
Mr. Ezzeddine Nciri, Chief Investigations Officer, IACD, AfDB.

Objective: To present and discuss the role of the Bank's Integrity and Anti-Corruption Department in the fight against corruption in relation to the programs/ projects that the Bank undertakes with Regional Member Countries (RMCs). And to share with CSOs the procedures used to undertake investigation concerning fraud and corruption.

Ms. Anna Bossman opened up the discussions with the question, "How can we work together to fight against corruption in Africa." She began her presentation by proving an example of a project that was financed by the African Development Bank but was initiated by a RMC. Due to corruption and lack of monitoring the project was never completed and this was reported and documented by local members of the community. Ms. Bossman highlight the importance of the Integrity and Anti-Corruption unit in following such cases and ensuring that programs and projects are monitored in order to achieve sustainable development without corruption. She stressed the importance of Civil Societies as key players in communicating issues of corruption as they occur on the ground.

Mr. Anthony Okon Nyong spoke of the role of his division in charge of Climate Change, Safeguards and Compliance. He highlighted the importance the Bank projects passing through safeguards and compliance procedures at each development stage of the project to ensure that certain regulations and rules are being followed. The Bank makes it mandatory for all projects to go through safeguards monitoring as a way of ensuring sustainable development.

Mr. Abesselam Aboudrar highlighted the importance of Civil Societies Organizations to lead the struggle against corruption. He urged for a stronger relationship between all developments actors to fight against corruption on all levels.

Mr. Ezzeddine Nciri presented the AfDB's strategy to fight Fraud and Corruption and the role of IACD. He highlighted the procedures used to carry out investigations of fraud and corruption when it comes to Bank projects and the Bank's sanction regime. He also presented the procedures that can be used by Civil Societies to file a claim against corruption in relation to Bank projects. He stressed the importance of building a partnership between CSO's and local communities so that any allegations of fraud can be investigated.

Please find all discussions and questions raised during this session in *Annex A.*

3.2 Session 2 SEGL: Policy on Disclosure and Access to Information

The AfDB's, General Secretariat Office is in charge of implementation of the Disclosure and Access to Information (DAI) Policy has chaired this session.

Moderator: Mr. Marc Cohen, Division Manager, ORQR2, AfDB
Discussant: Mr. Mike Salawou, Assistant to the VP-SG, SEGL and DAI Team Coordinator, AfDB
Mr. Gary Pienaar, CSO Coalition Member

Objective: To have an open discussion with Civil Societies about the Bank's DAI Policy and its implementation, as well as the impact this new Policy has on the Bank's operations. To exchange on the issues of transparency and openness and the role CSO's can play in this regard and, to highlight the importance of disclosure and access to information in the context of the implementation of the Bank's Ten Year Strategy.

Mr. Marc Cohen opened the discussion by talking about the importance of transparency and dissemination of information related to the Bank's projects to the public, especially to CSOs who are concerned with the fight against corruption. For the Quality Assurance and Results Department, any information concerning the Bank's activities, such as Project Completion Notes, should be provided to the public so that they could monitor whether the project is being compliant and following safeguards regulations.

Mr. Mike Salawou provided a detailed overview of the Bank's DAI Policy. The main objectives of this Policy are: to maximize disclosure, facilitate access and information sharing, promote good governance, especially transparency and accountability; to improve implementation effectiveness and disclosure processes; to give more visibility to the Bank's mandates, strategies and activities, support effective consultations and ensure harmonization with other DFI's. Mr. Salawou, pointed out the list of exceptions where the Bank can reserve its right to withhold certain information; these restrictions are detailed in the DAI Policy and in the Staff Handbook available to the public.

Mr. Gary Pienaar emphasized the importance of information dissemination and transparency in fighting corruption. When no information is available on the activities and projects, it creates a gap between the Bank and the beneficiaries of its programs. It is important for CSO's to build a strong partnership with the Bank so that they can assist in the dissemination of information on the ground. A platform needs to be set up between all key players (governments, international organizations, CSO's, private sector) to leverage communication and enhance the exchange of knowledge and ideas. DAI has to be seen as a profitable investment and CSO's have to get all the support necessary from the Bank to combat corruption and promote transparency.

Please find all discussions and questions raised during the session in *Annex A.*

3.3 Session 3: CRMU: Role and procedures of the Independent Inspection Mechanism

The AfDB's Unit of Compliance and Mediation has chaired this session.

Moderator: Ms. Ginette Ursule-Yoman, Division Manager of ORQR4, AfDB.
Discussant: Mr. Sékou Touré, Director of the Mediation and Compliance Unit (CRMU), AfDB
Mr. Ahmed Chebouni, Director of the Development Center of Tensfit, Morocco

Objective: To outline the functions of the CRMU department; to present the Bank's Independent Review Mechanism (IRM) and sensitize CSOs on the role the Bank's compliance mechanisms can play in holding key players accountable for corruption.

Ms. Ginette Yoman opened the discussions by stating that a large percentage of the population in rural areas does not have a voice in the preparatory phase of the project. It is important for the Bank to build a strong partnership with CSOs across the continent so they can be provided with information they could use to hold key players responsible for compliance mechanisms on projects being completed in their communities.

Mr. Sékou Touré presented a detailed presentation on the Independent Review Mechanism, what it means and what role CSOs play. He highlighted that the importance of the IRM is to provide populations on the ground with a tool that they can use to hold the Bank accountable if it does not comply with its own policies and procedures. There are two key functions when it comes to the IRM. The first is compliance review or investigation. The IRM investigates any allegations of violations against the Bank's policies and procedures. These investigations are conducted by Independent Review Panels, which include 3 IRM experts. The second important function of the IRM is mediation problem-solving. The IRM facilitates a dialogue amongst parties to reach an agreeable solution to the issues in the complaint. This is usually facilitated by the CRMU Director and staff, with assistance from external consultants.

Mr. Ahmed Chebouni talked about the importance of disseminating information to the public and providing training especially to CSO's so they can monitor and report any allegations of corruption or fraud. Accountability is at the heart of development and this is where CSO's come in. The general public does not have access to information concerning the Bank Disclosure policy. This hindered their ability to claim their rights and file a complaint. Transparency is key in ensuring sustainable development and in minimizing corruption.

Please find all discussions and questions raised during this session in *Annex A.*

4.0 Closing Remarks of the CSO Forum

Closing remarks were made by Ms. Ginette Ursule-Yoman, Manager of the Gender and Social Development Monitoring Division.

Ms. Ginette Ursule-Yoman thanked and congratulated the participants for their active participation in the Forum. She indicated that this Forum was in line with the operationalization of the Bank's Framework for an enhanced engagement with CSOs adopted in October 2012. The Framework provides an opportunity to exchange ideas on concrete cooperative modalities under the Bank's Strategy for 2013-2022. Specifically, It explores ideas on potential new engagement mechanisms, and instruments of communication and outreach with key Departments in the Bank, namely the Secretary General, IACD and CRMU.

Ms Yoman also commanded the fact that the three sessions were successfully conducted; it provided a forum to exchange views on both key topics and the modalities of the Bank's Ten year Strategy. She highlighted that in the near future the Bank Field Offices will organize open day to CSOs in the Regional Member Countries to share more information concerning the Bank activities with CSO's. She concluded by strongly emphasizing the importance of building a partnership between all key development partners in order to promote sustainable growth and reduce poverty.

5.1 Annex A: Questions and Discussion raised during the conference sessions

Session 1: IACD "How we can work together to fight against corruption in Africa"

Questions Raised	Responses from the Panelists
The Bank does not work in isolation, when it comes to combating issues related to corruption and fraud. How well does the Bank link with other organizations to fight corruption?	✓ When it comes to the fight against corruption, all development partners' work uses similar but different procedures especially when it comes to monitoring of projects. There needs to be an international system used by all key players to combat corruption on different levels for example, economically and politically. ✓ Additional resources have to be pulled together to ensure that effective monitoring is done. The idea of an integrity pact was mentioned. The pact would act as a bonding agreement that forbids corruption within the bodies outside and inside the agreement. A monitoring assessment could also be done to ensure that the agreement is followed.
What does the Bank do to support an enabling environment for Civil Societies (for example financial assistance) when it comes to the fight against corruption? What are the entry points for CSOs to engage with the AfDB to the fight against corruption and promote development?	✓ At the moment the Bank does not directly finance Civil Societies. In terms of fighting corruption, the Bank is focusing on building a stronger partnership with credible Civil Societies on the ground, in order to enhance monitoring of Bank projects. ✓ CSO's on the ground are important in helping citizens understand the rights they have. For example, CSO's could use capacity building to help local citizens monitor and report corruption on the ground especially, if it relates projects being completed in their area. ✓ The other entry points include, dialogue and partnership. Civil societies can come and present the problems and situations that their nations are facing. The Bank greatly supports dialogue with Civil Societies.

The area of AfDB intervention for corruption is very limited. How can the Bank only focus on fighting corruption in Projects only? How can corruption be fought fully?	✓ Currently the IACD Department deals with monitoring and investigating Bank's financed projects. There is a governance department within the institution that deals with monitoring corruption within governments.
In regards to IACD, do key players/countries know that their projects are being monitored to prevent corruption? Can Civil Societies play a role in preventing the project from moving forward if fraud is found?	✓ There is an announcement in the contract that states that any key player has to follow the procedures of integrity and corruption. Monitoring will be completed in the middle and the end of the project. ✓ There have been cases where the bank has refused to fund projects due to their lack of compliance with the Bank's regulations and rules. ✓ The Safeguards and Compliance unit ensures that all Bank projects follow certain safeguards to ensure that that local communities and the environment are not harmed. ✓ Civil Societies can play an important role in accountability. Making sure that those responsible for fraud and corruption are held accountable for their actions. ✓ Seminars can be held (online as well) to ensure that all the public knows about the Bank's safety mechanisms. Transparency is key, especially when it comes to fighting corruption and promoting sustainable development.
How does IACD combat corruption other than monitoring? Is there a proactive role that the department gives to sector based projects that have higher risk of corruption such as in the energy sector	✓ There is a division within IACD that works proactively to fight corruption. Observing trends and working alongside other MDBs to combat the problem without having to wait until investigations are done. The Bank also works to ensure that other MGD'S recognize any sanctions that the AfDB has placed on certain key players.

Session 2: Session 2 SEGL: Policy on Disclosure and Access to Information

Questions Raised	Responses from the panelist
What support do Civil Society organizations get from the Bank in terms of the disclosure and access to information to the public?	✓ Building partnerships with CSO's is very important for the Bank and a platform on which communication can be enhanced is being developed to allow greater access to its information. ✓ As for now, financial assistance is not directly provided to CSO's but partnership with the AfDB is highly supported. All CSO's across the continent can have access to information on projects, country strategy reports, supervision reports and so forth. The only concern is that many CSO's do not know whether this information is available because of the wide gap between the Bank and Civil Societies. Additionally, communication on its information is very limited; not all CSO's know how to navigate the Bank's website or benefit from the support of the Field Offices.
Does the Bank reserve the right to not disclose certain information? How is this decided?	✓ Yes, the DAI Policy provides the provision of no disclosure should the information fall under one of the eight restriction categories. Information that could threaten safety and security, financial information, internal administrative information, personal information, incomplete reports, are examples of some information that cannot be disclosed by the Bank.
Is there a right to information for the public? In cases of information provided in confidence, what is the company's interest in withholding information? How does one balance competing rights between the Bank's prerogative and public interest?	✓ In general, the public has a right to know what the Institution is doing. The African Development Bank is the continent's Bank and it is in its advantage to make its information public. As discussed, the DAI Policy

	has the provisions for a limited number of restrictions, where the Bank holds its right to withhold certain information. ✓ Protection of commercial rights and business for private sector entities is an example of information withholding ✓ The disclosure of information related to sovereign projects is subject to the country's consent and to the list of exceptions, the Bank considers presumption of disclosure and public interest as a priority.
When democracy in a country is not efficient, how can the Bank help in this instance when it comes to information disclosure?	✓ Firstly, the Bank has a Governance Department that deals with democracy, good governance and fight against corruption on a political level. ✓ As for disclosure and access to information regarding to sovereign projects/programs, the Bank plays a key role in mobilizing governments and informing them on their benefits in making the information available, such as building public trust. In the field, actors such as CSO's play a key role in fighting corruption and demanding transparency from their governments.
It is important to have various tools providing information to the public, how can information be accessible through other means than the Bank's website?.	✓ The Bank recognizes the importance of sharing and disclosing information on its activities and projects. Information will be disclosed online for the public to have easy access. In areas where internet accessibility is limited, the Bank will be conducting dissemination campaigns, where CSO's can be an important tool in reaching out to communities and spread knowledge on the Bank's programs.

Session 3: CRMU "Role and Procedures of the Independent Inspection Mechanism"

Questions Raised	Responses from the Panelist
What role can Civil Societies play when it comes to the Independent Inspection Mechanism?	✓ CSO's play a number of crucial roles when it comes to the IRM. They can submit complaints on their own or on behalf of their communities. They can participate as facilitators in IRM problem-solving. They monitor the implementation of settlement agreements reached during problem solving. CSO's can participate in CRMU outreach/training activities. Most importantly they can distribute IRM information to local communities, government. Lastly they can also contribute comments for the IRM review which is done every four years.
Who can send a request to IRM?	✓ Any group of two or more people, appointed representatives or organizations, associations can submit a request to IRM. In some exceptional cases, foreign representatives and the bank's board can also submit requests.
How easy is it for Civil Societies to reach out to the African Development Bank and how long does it take to investigate claims?	✓ The Bank is working to build stronger partnership with Civil Societies across the continent. Forums such as this provide an opportunity for open dialogue between the Bank and CSO's to share information on topics such as corruption, transparency and accountability. It is become easier for credible CSO's reach out to the Bank. They can raise issues concerning Bank projects and the time it takes to investigate these claims depends on the type of case.

5.2 Annex B: Concept note

Introduction

The African Development Bank will host a Civil Society Organizations (CSO) Forum during its 2013 Annual Meetings in Marrakech, Morocco. In line with the Bank Framework for Enhanced Engagement with Civil Society Organizations, which was adopted by the Board of Directors in 2012, the CSO Forum will provide an opportunity to strengthen the partnership between Civil Society Organizations and the African Development Bank Group.

In continuation to the adoption of the Framework, that strongly emphasizes cooperation between Civil Societies and the Bank, the Gender and Social Development Monitoring Division (ORQR4) decided to devote this day to three departments of the Bank, whose missions are central to the purpose of the new Framework. The three key departments include the Secretary General's office (SEGL), the Integrity and Anti-corruption Department (IACD) and the Unit of Compliance and Mediation (CRMU).

Objective

The overall objective of the Forum is to strengthen the partnership between the Bank and CSO's across Africa, by proving a platform for dialogue and information exchange.

The Forum is organized with CSOs in mind and provides an opportunity to discuss important issues concerning:

- The Bank's new disclosure policy and access to information;
- Integrity and the fight against corruption
- The Independent Inspection Mechanisms (IIM).

Participation

Thirty members from diverse CSO's across Africa have been invited to participate in this year's Forum. Also included are staff and Senior Management from the Bank.
The forum will be fully participatory. Participants will be offered the opportunity to actively interact in dialogue and discussion and to share their experiences concerning the topics.

All interested parties are encouraged to participate. A special invitation is extended to members of the Board of Directors, Managers and Staff of the Bank.

Agenda

The program for the Civil Society Forum is attached to this information note. The event will be held on May 28th 2013, at the Palmeraie Complexe Diamant in Marrakech, Morocco.

5.3 Annex C: The Program

08:30 -09:00 **Registration of Participants and Opening of the Exhibition**

09:00- 09:45 **Opening Ceremony**
Opening remarks: Dr. Ali ABOU SABAA, Vice-President, OSVP
Presentation of CSO Framework: Ginette Ursule YOMAN, Division Manager, ORQR4

09:45- 11:15 **SEGL: Policy Disclosure and Access to Information**
Moderator:
Mr. Marc COHEN, Division Manager of ORQR2
Presenter:
Mr. Mike SALAWOU, Assistant to the VP-SG, SEGL and DAI Team Coordinator
Discussant:
M. Gary PIENAAR, CSO Coalition Member

11:15 – 11:30 **Coffee-Break**

11:30-13:00 **IACD: How can we work together to fight against corruption in Africa?**
Moderator:
Ms. Anna BOSSMAN, Director, IACD
Panelists:
Mr. Anthony Okon NYONG, Division Manager, ORQR3
Mr. Abesselam ABOUDRAR, President of the Central Authority for the Prevention of Corruption, Morocco.
Mr. Ezzeddine NCIRI, Chief integrity and prevention of corruption, IACD

13:00-14:30 **Lunch-Break**

14:30-16:45 **CRMU: Role and procedures of the independent Inspection Mechanism**
Moderator:
Ms. Ginette Ursule YOMAN, Division Manager, ORQR4
Presenter:
Mr. Sékou TOURE, Director of the Mediation and Compliance Unit (CRMU)
Case Study:
Mr. Ahmed CHEBOUNI, Director of the Development Center, of TENSFIT, Morocco

16:45-17:15 **Coffee-Break**

17:15-17:30 **Closing Ceremony**
Words of thanks, M. Mamadou GOITA, Chair of the CSO Coalition
Closing remarks, M. Simon MIZRAHI, Director, ORQR

5.4 Annex D: List of Participants

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