

A FRAMEWORK FOR THE PREPARATION OF COUNTRY GOVERNANCE ASSESSMENTS

**Governance and Capacity Building Unit
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DESCRIPTION

This document has been prepared to guide the preparation and completion of a Country Governance Assessment (CGA). It consists of a suggested set of sections that a CGA should necessarily include (essentially a basic framework) and several annexes. Each annex corresponds to a specific section of the Framework and provides a series of guide questions pertaining to specific topics in that section. The user is encouraged to use these questions as a means to structure his or her analysis and findings.

The framework and the corresponding guide questions are meant to provide coherence in the preparation of a CGA and some modicum of comparability across CGAs. *At the minimum, the structure of a CGA should conform to the framework and each section of the framework should address the general issues outlined in the "Overall Assessment" at the beginning of its corresponding annex.* The guide questions under each section should be viewed as a menu of specific issues which the user may wish to elaborate.

The Framework allows the user to highlight, de-emphasize, or omit some sections/sub-sections depending on the country circumstance and any agreements between the Bank and the government. It covers the full spectrum of public sector governance, beginning with public administration, which covers the policy/law making and implementation apparatus of the country, and public financial management, which encompasses the financial machinery needed to support policy making and implementation. It then moves on to a larger context, namely the legal and judicial apparatus needed to resolve and address conflicts within and between government and society, and finally to the broadest context, institutional arrangements that define civil society's capacity to hold government (the executive, legislature, and judiciary) accountable for its actions/decisions.¹

¹ Corporate governance is not addressed. A Guide will be prepared in collaboration with the Private Sector Group of the Bank.

THE BASIC FRAMEWORK

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A. Government System

- A.1. Constitution and the Legislature
- A.2. Machinery of Government
- A.3. Participation in Policy Making and Legislative Processes
- A.4. Corruption of Legislators

B. Civil Service

- B.1. Legality and Accountability of Civil Servants
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- B.3. Human Resource Management: recruitment, promotion, compensation, accountability, training

C. Local Governance

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- B.3. Budget Execution
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III. Legal and Regulatory Framework

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B. Regulatory Regimes

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- A. Organization of the Court System
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V. Civil Society and Governance

- A. Freedom of Election
- B. Freedom of Speech
- C. Organizational Arrangements

ANNEX I GUIDE QUESTIONS TO PUBLIC ADMINISTRATION

A. Government System

Objective:

To assess the overall policy making and implementation framework with special attention to understanding the extent to which underlying institutional arrangements/mechanisms are geared to produce substantive, well informed, non-contradictory policies that are sustainable in budgetary terms and implementable.

Overall Assessment:

- The extent to which the legislature has influence over the nature and scope of policies
- The degree to which the system for policy coordination and decision making within the executive provides a foundation for cross-sectoral perspectives and strategic support for the Cabinet.
- The degree to which the impacts of policies are considered.
- The possibilities for the public to influence policy-making
- How effective are on-going reform efforts to address weaknesses?
- Is there political and bureaucratic commitment to reform the civil service and if so which areas are the most promising?
- What contribution can ADB make in the design and implementation of reforms?

Guide Questions:

A.1. Constitution and Legislature:

Is there a written constitution? If there is a written constitution, has it been translated into language(s) that the majority of citizens can read and understand?

Does the constitution call for a separation of powers between the functions of the legislature, the executive and the judiciary?

Are the functions and responsibilities of key actors in the executive (president, PM, Ministers) clearly defined and effective?

Does the legislature have the powers of (a) financial and (b) bureaucratic oversight

A.2. Machinery of Government (Policy-Making and Coordination)

Is the policy-making framework coherent? Is it understood and accepted by all actors? Is the policy development process documented?

Do inter-ministerial consultations take place on policy proposals? Do these consultations focus on financial and legal implications of proposed policies? In general are all concerned ministries consulted?

Is there a process in place to plan the government's agenda? For the short and medium-term?

Is there a process of resolving inter-ministerial disagreements on policy issues?

Is there a central administrative management body which ensures coordination (including communicating decisions to all agencies), provides logistical support to decision making, ensures recording and monitors implementation of decisions?

Is there effective central capacity to provide advice to the Prime Minister, Council of Ministers and committees of ministers on strategic issues; is substantive policy advice available through these arrangements?

Are there mechanisms in place that ensure that ministers are fully involved in key budget decisions (e.g. reviewing policy priorities and the resulting budgetary requirements, setting limits on spending at the aggregate and sectoral levels, and resolving inter-ministerial disputes on budgetary matters)

Is the policy preparation cycle include mechanisms to assess the impact (budgetary, economic, social and environmental as well as practicability of implementation) of policies?

Which agency is responsible for preparing draft legislation? Is the work of experienced lawyers sufficient for legal expression of policy?

A.3. Participation in the Policy-Making and Legislative Processes

Is the planned legislative program published / gazetted

Are debates on the progress of legislation available to the public?

Are draft versions of legislation published?

Are drafts circulated in the local language?

Can the public sit in on legislative debate?

Is there a mechanism by which citizens can make known to politicians their needs and preferences? Are there mechanisms for citizens to get legislation onto the government agenda?

Are non-government professionals drawn upon to do undertake needed analysis (e.g. academics, doctors, small-scale businessmen)

Is the process for secondary legislation (regulations) transparent (i.e. drafts published; legislative debate)? Do interested parties have open and transparent mechanisms to present their views?

Are papers on policy issues made available to the public?

Is there provision for civil institutions (NGOs, Universities etc. to participate in policy development discussions? Are Commissions set-up to solicit views and opinions from the public and concerned citizens/organizations? Do citizens' groups have the right to present papers and positions for consideration?

A.4 Corruption of Politicians

Are legal sanctions applied against politicians involved in corruption?

Do codes of ethics exist for: a) Ministers
b) Legislators

Do conflict-of-interest provisions exist regarding receiving gifts? Concurrent holding of office, Political activity, Commercial and business interests

Are leaders required at regular intervals to declare assets and liabilities of:

- a) themselves
- b) Their spouses
- c) Adult children
- d) Other family members

Are declarations of assets and liabilities of leaders and their relatives made public?

Are declarations of assets/liabilities audited?

B. Civil Service

Objective:

To assess the degree to which civil service arrangements are implemented in line with existing laws and to determine whether human resources are managed with reference to accepted public management practices

Overall assessment:

- The extent to which there is an established civil service which acts within an established legal framework
- The progress that has been made in ensuring the impartiality and integrity of civil servants
- The effectiveness of the human resource management (HRM) system
- Are there ongoing reforms -- downsizing, de-concentration, outsourcing, contracting to the private sector – in the civil service and how effective have these reforms been in addressing weaknesses in the civil service?
- Is there political and bureaucratic commitment to reform the civil service and if so which areas are the most promising?
- What contribution (or further contributions) can ADB make to the design and implementation of the reforms?

Guide Questions:

B.1. Legality and Accountability of the Civil Servants

Does a Civil Service Law exist? If a law exists, when was it last revised? Does the law define the status of civil servants?

Are civil servants responsible for implementing government policy, carrying out administrative actions and ensuring service delivery?

B.2. Impartiality, and Integrity of Civil Servants

Are administrative actions taken independently of the interests of public servants?

Are effective accountability mechanisms in place? (e.g. disciplinary councils, inspectorates, ombudsman type arrangements)

Is corruption and other abuses of power subject to effective disciplinary and penal remedies?

Does an Ethics Code exist? Is it enforced?

Does whistle blower legislation exist?

Are there formal rules requiring political independence of civil servants?

Are political appointments identified in the system?

Can political appointments be made to professional civil service positions?

B.3. Management of the Public Service and HRM issues

Is a cross-government management structure established for the civil service (e.g. a Civil service Commission)?

Do HRM systems exist?

Do management practices ensure that public servants are motivated to perform well?

Do legal frameworks and management practices provide for the open and competitive selection of public servants? Is this process based on merit? Are criteria transparent?

Is promotion based upon systematic, periodic performance reviews? Is there a performance measurement system in place?

Is there an appeals system in place for employees to contest a staffing decision?

Is there a standardized civil service pay structure applied to the whole of government? How are salary levels and increases determined? Are civil servants paid bonuses? How are bonuses financed?

How does total compensation (salary plus benefits) of a public servant roughly compare with his or her equivalent in the private sector? Does this create recruitment and retention problems especially for specialist categories?

Are the number of staff and personnel costs controlled and published?

Do civil servants get retirement pensions? Are these pensions adequate?

Is there a career development program for professional level government employees?

Does a top management service (SES, EXS, etc) or its equivalent exist?

Do civil servants (especially senior levels) have tenure?

Is there a training system that covers the whole civil service? Are training policies geared to lifelong learning and to help career development? Do all civil servants have easy access to available training?

C. Local Governance

Objective:

To evaluate the capacity of local governments to respond adequately to the real needs of their constituencies

Overall Assessment:

- The extent of autonomy and flexibility from the national government of local government units?
- The accountability of local governments to their community?
- The efficiency and effectiveness of local governments in delivering public services
- How effective are on-going efforts to address weaknesses through reform programs
- Is there political commitment to reforms and if so which areas are the most promising?
- How can ADB contribute (or further contribute) to the design and implementation of the reform process?

Guide Questions:

C.1. Legal Foundation

Is there a legal basis for administrative, fiscal, and political decentralization?

What public services are they directly responsible for?

Do local governments have the autonomy to manage the affairs of their municipalities/towns/cities/provinces?

Are local officials elected or appointed? If the former, how often are elections and how are campaigns funded?

C.2. Public Finances

For a typical local government unit, what is the ratio of local revenue collected to the total revenue of a local government unit?

Is the local budget prepared in consultation with community groups and if so is the consultation structured and are the recommendations of the groups incorporated into and implemented through the budget?

Does the local government publish its annual budget and if so is the published document easily accessible to the general public?

Is local government procurement governed by the same rules that governs procurement by the national government?

How extensive is corruption in procurement?

Is there a local government auditor and whom does (s)he report to?

Are audit reports published and easily accessible by the general public?

C.3. Civil Service

Are local level civil servants subject to the same regulations as national level civil servants?

If not, how are civil servants hired and promoted? How much do political considerations influence hiring and promotions?

How much leeway does the head of a local government unit have in making appointments to the local government staff?

How is compensation determined and is it comparable to private sector compensation (within the locality/region)? How is it comparable to compensation of national level civil servants?

ANNEX II GUIDE QUESTIONS TO PUBLIC FINANCIAL MANAGEMENT

Objective (for the whole section):

To assess how well the public financial management system (ranging in sequence from revenue administration to public expenditure management, to accounting, to auditing, and to inter-governmental fiscal relations) instills aggregate fiscal discipline, promotes allocative efficiency, and enhances operational efficiency of the government.

Overall Assessment (for the whole section):

- How sustainable is the government's fiscal program over the next three to five years?
- To what extent is the PFM system capable of rationally keeping the deficit within sustainable levels?
- How well is the system geared to allocating budgetary resources to programs and projects that are best suited to meeting country's strategic priorities?
- To what extent can the system promote the delivery of public services at a reasonable cost with an acceptable level of quality?
- How vulnerable is the system to leakage, either through corruption or plain inefficiency?
- How effective are on-going efforts to address weaknesses through reform programs?
- Is there political commitment to reforms and if so which areas are the most promising?
- How can ADB contribute (or further contribute) to the design and implementation of the reform process?

Guide Questions:

A. Revenue Administration

A.1. Internal Revenue Administration

Are tax revenue projections undertaken and if so by whom and for how many fiscal years?

Are the projections contestable, i.e. are there alternative projections presented by different parties other than those of the Ministry of Finance, and is there a systematic process for reconciling the differences?

Over the past five years, how have actual tax revenue collections compared with the projections? If collections have been below projections, by how much (5% - 10%, 10% - 20%, more than 30%)?

What is ratio of tax revenue collections to GDP and how does this compare with countries in the same region and with countries at the same level of GDP per capita?

How stable has the ratio been over the last ten years?

Are there any surveys of businessmen that pertain to the efficiency of tax collection in the country? If so, what are their basic implications?

A.2. Customs/Excise Tax Administration

What is the ratio of trade taxes/fees collected to the sum of exports and imports and how does this compare with countries in the same region and with countries at the same level of GDP per capita?

How has the ratio varied over the last ten years?

From the time goods arrive at the port of entry, what is the average waiting time for the goods to be released by the Customs Bureau/Agency?

B. Public Expenditure Management

B.1. Budget Formulation

Is there a national development/economic plan that establishes the strategic priorities for the country over the medium term? If so is the budget linked systematically to the plan such that budgetary allocations are made to meet these priorities?

How reflective are these priorities of the underlying needs and demands of civil society?

Does the government set fiscal targets such as deficit to GDP and debt to GDP? If so are these targets met?

Are there credible hard budget constraints at the aggregate level? At the sectoral level?

Is the budget prepared on an annual basis or on a multi-year rolling basis? If the latter, are the budgets for the years beyond the first reasonably stable so that line agencies can be more or less certain about how much they will get in those years?

How much flexibility do line agencies have in determining the programs and projects to be funded over the medium term?

Does the government prepare a medium term public investment program and if so does the program incorporate the maintenance and operating expenses required to maintain and sustain proposed capital investments over the medium term?

Are ex-post evaluations of programs and projects undertaken and are the results of these evaluations used in preparing the budget? (For instance, if a program is found to be performing poorly because of a faulty design, is it scrapped and the budget planned for it re-allocated to other programs/projects).

Is the budget comprehensive or are there significant extra budgetary funds?

Does the budget reflect the possible cost to government of contingent liabilities that may become real?²

Is the budget as prepared by the Executive published and made available to the public?

B.2. Budget Approval

Does the budget prepared by the Executive require approval by the Legislature?

How different is the budget approved by the Legislature from the one submitted by the Executive for approval?

Is the budget as approved by the Legislature published and made available to the public?

Does the Legislature conduct hearings to assess whether the budget has been used as approved? If so, do its findings influence the budget proposed for the following year?

B.3. Budget Execution:

Does the government have a general ledger? How about a Treasury single account?

How much flexibility do the line agencies have in managing their budgets?

How are they held accountable for the use of their budgets?

How does the Ministry of Finance or the Budget Agency (if separate from the MOF) manage the budget when there is a significant shortfall in revenue collections?

B.4. Procurement:

Is there a prime law that covers all public procurement – civil works, goods/supplies/materials, contractual services, and consulting services – including those under Build-Operate-Transfer projects and other public-private partnership arrangements?

Is there a professional cadre of procurement specialists in government? What kind of training is available for specialists and for procurement in general? Is procurement recognized in the civil service code in terms of career path. Promotion, and remuneration? Does the code make provisions for certification and sanction?

² A contingent liability is a liability which the national government may have to pay and/or absorb should certain events occur. It can be explicit -- it is mandated by law, or implicit – not mandated by law but the government effectively has a moral obligation to cover it. A national government guarantee of a loan made by a government owned corporation is an example of the first type; borrowings of local governments without any sovereign guarantee are an example of the latter (if the local government unit is large enough, the national government will have no choice but to cover any default by the local government unit). A more detailed note on this issue is available from SPD.

Is procurement centralized in one agency or do line agencies conduct their own procurement?

Is public, competitive bidding the main form of procurement? What are other forms and how often are they used?

How transparent and competitive is the bidding process? What are the requirements for advertising? For public bid opening? Are these requirements adhered to?

How long does it generally take to complete a public bidding (from the invitation to bid to the award of the contract) of the following: a civil works contract, purchase of goods/equipment, purchase of supplies/materials, consulting services.

Are the results of the bidding, i.e. who won the bid and at what price, made available to the public? If so, how soon after the bidding and in what form?

Is there a formal procedure for reviewing complaints of bidders/suppliers and if so is it administrative based or court based or both?

What are the requirements for classification, registration, licensing of suppliers, contractors, and consultants? How is this administered? Does it apply to foreign firms as well as local firms?

Are firms blacklisted if they are found to pay bribes and/or violate bidding regulations?

How much does it cost the government to procure a pencil (of a given type, say type 2) and how does it compare with the typical cost (of the same pencil) in a retail outlet?

C. Public Sector Accounting and Internal Control

Does the budget classification system meet international standards, for instance, the fiscal transparency standards set by the IMF?

Is there a central agency responsible for establishing accounting rules and guidelines and monitoring their appropriate use? Does the agency follow international standards?

Is there an agency responsible for reconciling all the accounts of individual departments/ministries/agencies?

Are the financial statements for individual departments available to the general public

Is there a fundamental difference between the accounting system in the public sector from that typically used in the private sector?

How are physical assets treated in the public sector accounts? What about inventories of goods and supplies?

Is there a system in place to prevent and take action against irregularities and recover amounts?

D. Public Sector Auditing

Is there an independent general auditor for the whole government (Supreme Audit Institution) and to whom is his office accountable to (Legislature, Executive branch, President, etc.)?

Does this Office (SAI) have clear authority to audit all public and statutory funds, trust funds, resources, bodies and entities? Does it have unrestricted access to the record of all government agencies, entities, and funds

What types of audit does his office undertake (financial, value for money, revenue, work, performance, procurement audits)?

If a program is audited, how soon after its completion is this undertaken and how long does it take to complete the audit?

Are audit reports prepared in a fair, factual and timely manner?

Do audit findings, recommendations, and related audit reports undergo quality assurance review within the SAI?

Are audit reports made public or, if not, are they available upon request? How soon after the completion of the audit are they made available to the public?

Does the SAI have the authority to formulate/review/update auditing standards? To what extent are internationally accepted auditing standards (INTOSAI) used?

Is the work of the SAI effectively considered by Parliament (e.g. designated committees)? Does a system exist for following up on outstanding audit recommendations and reporting to Parliament or to whichever body to whom audit reports are sent?

What proportion of audits result in findings of malfeasance? What proportion of these audits lead to prosecution and of these what proportion result in convictions or significant penalties?

Do individual ministries/departments have internal auditors?

E. Inter-Governmental Fiscal Relations

Does the National Government make transfers to local government units and, if so, what criteria govern these transfers?

Do local government units have the authority to borrow money to fund their operations or investments? If so, how are their borrowings monitored?

What types of taxes and fees do local governments have the authority to collect?

F. Specific Anti-Corruption Efforts:

Indicate if there are or have been any specific anti-corruption efforts, e.g. establishing an anti-corruption commissions and provide an assessment of their efficacy.

ANNEX III
GUIDE QUESTIONS TO LEGAL AND REGULATORY FRAMEWORK

Objective (for the whole section):

To assess the extent to which the rule of law applies, as manifest in a country's legal and regulatory regimes.

Overall Assessment (for the whole section):

- Has the government established an adequate regulatory regime which it can enforce?
- Is the regulatory regime transparent? To what degree can the public seek redress?
- Has the government put in place a deregulation process which follows good practice?
- How effective are on-going reform efforts to address weaknesses?
- Is there political commitment to reforms and if so which areas are the most promising?
- How can ADB contribute (or further contribute) to the design and implementation of the reform process?

Guide Questions:

A. Legal Framework:

Are politicians and officials subject to all normal civil and criminal laws, without immunity? Do legislators have immunity from prosecution?

Can citizens bring charges against politicians and officials?

What remedies are available for citizens affected by acts of mal-administration? Is there an ombudsman or equivalent?

What mechanisms are there for citizens to bring cases against the government, without cost, e.g. consumer courts?

Have any politicians been punished/censured for publicly known illegal acts in the last five years?

Are there publicized whistle-blowing procedures for citizens to report departures from the laws?

Can citizens be appointed to public boards, oversight bodies, local court operations, etc.?

Are there legal mechanisms for alternative dispute resolution?

B. Regulatory Regimes

B.1. Organizational issues:

How are government regulations administered? By government departments? A separate bureau or independent regulatory agencies?

Are government regulations clear, consistent, comprehensible and accessible to users?

Are regulatory bodies fully funded through the national budget or can they raise revenues through fees? To what extent do they depend on the national budget for support of their operations.

In which of the following areas have regulatory bodies been established: banking, insurance and finance; securities and stock exchange; competition and consumer protection; public utilities; environmental protection; corporate governance; professional associations; media/press?

What organizational forms do such regulatory bodies have? To whom are they formally accountable?

Does the government regulate the prices of utilities and public services? In what areas – energy and fuel, transport, water, drugs and health products?

How does the government achieve compliance?

B.2. Transparency and accountability:

Do public agencies disclose information on their regulatory actions?

Do they publish regular reports with financial statements?

Are regulations a) published in a language that most citizens use in daily life, b) made available to any inquirer?

B.3 Redress mechanisms:

Is there a system of judicial review for challenging administrative actions and seeking redress?

In addition to judicial review, what mechanisms exist for those challenging regulators' actions to seek criminal prosecution, financial compensation for damages, or injunctive relief?

B.4. Efficiency and effectiveness:

Is the volume of government regulation increasing or decreasing?

How "heavy" is the regulatory environment, e.g. price caps for utilities, public hearings, and environmental rules?

What steps are being taken to deregulate, streamline and lighten the regulatory process, improve enforceability?

What is the overall quality and appropriateness of government regulations?

Does the government set time limits between the request for (e.g.) a license or price change for a utility or public service and the regulator's ruling? Are these limits complied with?

B.5. Property Rights:

How well are property rights defined and administered? For example, how enforceable are contracts between private parties?

Is land titled? How reliable is the titling system?

IV. JUDICIAL SYSTEM

Objective (for the whole section):

To assess the degree to which the rule of law applies, as manifest by the operations and effectiveness of the judicial system.

Overall assessment (for the whole section):

- To what extent can and does the judiciary exercise independence in decision making?
- Does the judiciary have the administrative and substantive capacity to adequately handle all judicial cases? If not, what are the basic bottlenecks/weaknesses?
- How effective are on-going reforms efforts in addressing weaknesses in the judiciary?
- Is there political commitment to reforms and if so which areas are the most promising?
- How can ADB contribute (or further contribute) to the design and implementation of the reform process?

Guide Questions:

A. Organization of court system:

How many levels of courts are there? Is the system decentralized at regional and/or local level? Are there informal village courts?

How is the court system administered, e.g. through the ministry of justice or an autonomous government agency?

Are cases assigned to judges and courts on an impartial basis – a) for higher courts, b) for lower courts?

Is there an appropriate court infrastructure?

To what degree courts and the justice system use information technology (easy access to jurisprudence, case histories etc)

B. Budget, finances and accountability:

How is the budget for the judiciary prepared, as part of the national budget or separately?

How capable is the judiciary of preparing its budget?

Is the judicial budget protected from cuts affecting the national budget?

Are there any independent sources of revenue for delivery of judicial services, e.g. court fees? Are such fees retained by the court system or paid into the national budget?

Does the judiciary publish an annual report on its work and finances? Are its financial reports audited by an independent body?

C. Appointment and remuneration of judges:

Are members of the superior level judiciary independent of political parties and control by the government in respect of: appointment, removal from office, remuneration?

In the case of superior court judges, is appointment done through an independent, consultative process?

Are lower level court judges or officials appointed on merit?

What formal qualifications and experience is required of court judges? Is there continuing training for judges? What is the quality of this training? Is it well attended?

Do judges have tenure? Have there been recent instances of their being removed by government?

Are judges and court officials paid as public/civil servants? Or do they have a special pay system designed to ensure neutrality/independence? Do judges receive salaries close to (e.g. within 20%) of comparable private sector professionals (e.g. lawyers, doctors)?

Are judges permitted to supplement their salaries with other income, e.g. from private work?

D. Efficiency and effectiveness:

Are time limits set, under judicial procedures, for the resolution of legal actions?

Are contract rights enforced? What about property rights?

How long does it typically take for the courts to resolve a criminal case such as petty theft? What about cases of grand larceny and misappropriation?

How long does it take for the court to resolve a civil case such as tenant-landlord disputes? What about tax evasion cases?

How accessible is the justice system to people in the rural areas? What about to the poorer classes?

Does a witness protection program exist?

Is the court system reinforced by a police system that is independent of political pressure, i.e. a) has its own budget, b) manages its own merit-based staffing system, c) removal from office of senior ranks is by an independent group established in law?

ANNEX V GUIDE QUESTIONS TO CIVIL SOCIETY and GOVERNANCE

Objective (for the whole section):

To assess the capability of civil society to organize and its ability to scrutinize the operations and activities of government.

Overall assessment (for the whole section):

- What is the capacity of the institutions of civil society to exert effective pressure for beneficial change?
- Are there active and honest public debates on improving the performance of the government (the executive, legislature, judiciary)?
- Are minority interests and particularly the interests of the poor and oppressed freely and well represented?
- How effective are on-going reforms efforts in addressing weaknesses in the judiciary?
- Is there political commitment to reforms and if so which areas are the most promising?
- How can ADB contribute (or further contribute) to the design and implementation of the reform process?

Guide Questions:

A. Freedom of elections:

Are elections free?

Were any electoral candidates murdered or assaulted in the last election?

Are any politicians imprisoned for their political beliefs?

B. Freedom of Speech:

Is there a free press and other media?

Is a majority of the press and other media owned by interests not aligned with the government? Is the press regulated or censored by the government?

Do citizens have power to sue the media for libel?

Is there freedom of information enabling private citizens and the media to gain access to information concerning the exercise of power by state officials?

Does the press regularly report issues critical of the government? Does the press regularly report the findings of NGOs like Amnesty International and Transparency International?

Are all court hearings held in public? Is the press able to report and comment on court cases without censorship?

Have any media outlets been closed down in the last 5 years? Has a journalist been murdered in the last 5 years? Has a journalist been imprisoned in the last 5 years for something he or she has written?

Are there prison inmates convicted for their political beliefs?

Is there academic freedom? Are academic posts controlled by the Government?
Are citizens freely able to assemble and protest matters of public interest?

C. Organizational Arrangements:

Does the local Chamber of Commerce belong to the International Chamber of Commercences?

Is there a peak organisation for NGOs and if so does it have a set of rules which NGOs have to meet to belong to the peak organisation?

Are there formal arrangements whereby the Government regularly consults with NGOs about issues of mutual interest?

Are the majority of NGOs not owned by government interests?
Is the greater part of the activities of these NGOs in activities other than the implementation of donor assisted projects?

Is the broad NGO movement unpopular with the bureaucracy?

Are international NGOs able to operate without restriction in the country?

Are there independent organizations representing workers? Are workers free to strike?

Is there an official independent organization which investigates complaints against the police?