

Taking Stock of the African Peer Review Mechanism

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Introduction

As the African Peer Review Mechanism (APRM) marks its fifth birthday in 2007, it is appropriate to take stock of this novel and evolving system.² The Governance and APRM programme at the South African Institute of International Affairs (SAIIA) has studied the process in detail since 2002. This article is based on extensive research and interviews with civil society, government and research institute participants in the first five countries to begin APRM reviews and others throughout the APRM system. SAIIA was one of four Technical Support Agencies contracted to compile the South African draft Country Self-Assessment Report. The greater number of examples and more extensive detail on the South African process reflect more first-hand experience in that process and the country's particular management, which highlights key strengths and weaknesses of the overall APRM system.

Designed to help countries improve governance through national and continental reviews, the APRM grew out of the New Partnership for Africa's Development (Nepad) and a broader drive for African reform and self-improvement that gathered strength in the late 1990s. It is arguably the continent's most innovative and challenging experiment to date.

The APRM involves temporary and permanent institutions at national and continental level, which interact in five official stages. In practice, the process subjects a country to five forms of review or analysis. For each country under review, the continental APRM Secretariat conducts a background analysis. At the same time government and civil society in that country work together on a Country Self-Assessment Report (CSAR) and a draft programme of action, which is supposed to contain actions to remedy any governance problems noted in the CSAR. Next, a team of experts visits

the country for several weeks and writes the final APRM report. The fourth form of review comes when the report is presented to and interrogated by participating heads of state. And finally, countries must report back to heads of state every six months on the progress they have made in implementing the programme of action.

So far, the APRM process can claim considerable achievements – including three largely credible and robust country reports on Ghana, Kenya and Rwanda;³ vigorous national conversations about policy and priorities; and growing interest in the potential of this process from Africans and the outside world. But the complexity of the process, its slow pace, and problems in South Africa, Nigeria and Mauritius raise questions that deserve careful scrutiny.

This article assesses the current state of play across countries at different stages of the process, and considers the future of the APRM.

APRM achievements

The scope, scale and ambition of this uniquely African endeavour – monitoring virtually every aspect of political, economic and corporate governance and progress towards socio-economic development – is unprecedented.

Continentially, the institutions to oversee and implement the process – the APR Forum, seven-member APR Panel of Eminent Persons and APR Secretariat based in Midrand, South Africa – are taking root. Within states, the APRM exercise has generated dialogue about critical national policy matters, assessing among other issues: the roles and relative strengths of the executive, legislature and judiciary; the conduct of elections and opportunities for public participation in policy making; the promotion and protection of human rights; the extent of corruption and effectiveness of strategies and institutions to combat it; impediments to growth and constraints within the business environment; problems with service delivery; and progress towards gender equity and social justice. The key question is whether these APRM debates are deep enough or engage political elites sufficiently to generate sustained, substantive change in law and practice. So far, the quality of engagement has varied considerably with some countries seeing the process as an opportunity and others as a threat.

Experiences within pioneer countries have shown that peer review is taken seriously by the Panel of Eminent Persons and the teams of experts used to conduct the Country Review Missions have done their

work diligently. Countries have, in several instances, been surprised by the candour and rigour of the final Panel reports. The reports for Ghana, Rwanda, and Kenya have, by and large, lived up to the APRM's core principles of being 'credible, transparent and free of political manipulation'.⁴ The process has helped to boost these countries' international images, reinvigorated national debates about governance and, arguably, will help to attract much needed aid, trade, investment and debt relief. The process in South Africa was significantly flawed and its programme of action was particularly weak, but the final report did identify and discuss the country's key problems in a robust manner.⁵

The process has now taken on a life of its own, beyond the formal concept of 'presidents reviewing presidents', with peer learning, networking and idea sharing occurring among civil society organisations, researchers, national governing councils, national focal points and governments. And externally, the APRM has generated unprecedented interest and attention from the developed world. The joint presidencies of the Group of 8 (G-8) and European Union (EU) by, in particular, Great Britain in 2005 and Germany in 2007, have given the APRM considerable focus.

Facilitating change

Political systems on the continent, as in many other places, can become stuck in an acrimonious blame-game, characterised by personal attacks, accusations and blanket denials. Economic and social problems can seem to outnumber successes, leading to a political siege mentality. Such an atmosphere can be both cause and consequence of economic and social decline. When decline and non-performance reach a certain point, politicians can find it politically impossible to be candid about the extent or cause of problems. Consequently, political systems can fall into 'a vicious cycle, in which economic decline, reduced capacity and poor governance reinforce each other', as the Nepad framework document put it.

If efficiency alone was the criteria, it would be possible to design a much less elaborate and costly system than the APRM. However change to the systems of governance can be threatening to the main political actors involved. APRM is a unique form of diplomatic intervention designed to be more palatable and consensus-oriented than conditionalities imposed by debt-relief or aid-driven processes. It is not driven by a single institution with the power to coerce, and it involves impartial experts from a variety of nations.

Key APRM Institutions	
APR Forum	The heads of state of participating nations who review final APRM reports.
APR Panel of Eminent Persons	Seven distinguished Africans who act as the board, which sets the rules. One member manages each country review.
APRM Secretariat	Supports the panel with research, policy formulation and co-ordination of reviews.
National Focal Point	Government official of ministerial rank, serving a liaison and diplomatic function.
National Governing Council or Commission	Each country should establish a body to govern the national process, which includes government, business and civil society membership with a non-government majority and non-government leader. Responsible for managing the national process, supervising spending, defining procedures and supervising research institutions.
Independent Research Institutions	Each country is advised to contract independent academic or research institutions to conduct desk research, gather public and expert input and write the country self-assessment report.

The APRM requires countries to diagnose their governance systems in a highly public and participative manner. Such scrutiny brings political risk, particularly as reviews overlap with elections. Within governments there is substantial hope of positive benefits, but also concern about the negative impact APRM might have on aid or investment.

Although the APRM is positioned as a technical and non-political review, perceived risks by states exposing weaknesses make it a highly political and social undertaking. As a result, the perceived fairness of the process used to arrive at recommendations can be crucial to the success of the exercise and extent to which incumbent politicians are able to embrace the recommendations stemming from it.

The APRM attempts to get governments and their critics to discuss problems and build consensus around solutions. The final report is not merely the work of outside experts but it builds on a mandatory country self-assessment that must involve broad public input. To ensure the self-assessment is taken seriously within the nation, it is supposed to be assembled by a team of independent research institutes and managed by a governing council that is led by an

eminent non-government figure and contains a non-government majority. The APRM is open to any African nation regardless of its current state of governance or development. It does not offer a score against absolute standards or a comparative ranking, but a narrative report outlining successes, challenges and recommendations.

The creation of a Panel of Eminent Persons was intended to guarantee the integrity of reviews and insulate them from the political pressures individual heads of state may be tempted to exert. The use of a standardised questionnaire and panels of credible experts to draft country reports have also helped to ensure the integrity of the system. The APRM has been deferential to the concerns of governments while offering advice and some pressure behind the scenes. The APRM Panel and Secretariat have been steadfast in not publicly contradicting or criticising how particular governments choose to manage an APRM review, even when those choices have run counter to APRM guidelines. The process is intended to be credible without being confrontational.

Are the APRM's procedures sufficient to encourage the kind of transformation that Africa requires? Each country under review manages the process differently and responds to its recommendations differently. Clearly, the APRM offers the opportunity to initiate substantial governance reforms, but it cannot force participating nations to embrace the final recommendations. Nations that are open to change can use the process to position the government as a champion of change. Nations that are defensive will gain less.

A roundup of country progress

The 27 countries participating in the peer review system are at vastly different stages of the process, with early states streaming far ahead of new entrants and others who have done little at national level despite having joined several years ago.⁶ Four main categories of countries are discernable:

- *Pioneer states:* Ghana, Rwanda and Kenya were the first three states to undergo peer review. Ghana was reviewed in Khartoum, Sudan, in January 2006, and the other two in Banjul, the Gambia, in June 2006.
- *The second wave:* Two countries — South Africa and Algeria — completed the APRM process with reviews before heads of state at the APR Forum meeting held in Accra, Ghana, on 1 July 2007.

- *Past the starting gate:* In addition to the five countries that have completed or nearly completed the process, a further eight have received a country support mission from the APRM Secretariat: Benin, Burkina Faso, Lesotho, Mauritius, Mozambique, Nigeria, Tanzania and Uganda. Benin is the most advanced of this group. It has received its country review mission and could be ready for its heads of state presentation in early 2008.⁷
- *Slow starters:* The remaining 14 countries include some that have actively begun to establish APRM institutions and plans. Egypt, Ethiopia, Malawi, and Sierra Leone signed on several years ago, but are yet to progress to a point where they can host a support mission. Mali received its country support mission on 23-25 June 2007, but does not yet have a governing council. Others, like Sudan and Zambia acceded in January 2006, São Tome and Principe joined in June 2006, and Djibouti in July 2007. Although Angola, Cameroon, Senegal and Gabon were among the first to accede, progress is barely visible. Congo-Brazzaville has presented a plan for managing its process to cabinet for approval.

Assessing the delays

With five stages, thousands of participants, an internal self-assessment and analyses by external experts, the APRM is complex and lengthy. With only five reviews complete after five years, the speed of the APRM process has become a focus of concern. As Abdoulie Janneh of the Economic Commission for Africa noted,

From experience, a number of partners and observers of the APRM consider the process to be too long to complete, from prolonged support missions to the finalisation of the Country Review Report. Naturally, the APRM trajectory is lengthy because it has required and benefited from an extensive process of planning and consultations among multiple stakeholders. While this is crucial for the credibility and success of the APRM, we hope that we can leave this meeting with some recommendations to simplify and improve upon the methodology and the duration.⁸

The process of establishing the APRM system took a year and a half before the first review of Ghana got under way at the end of 2003. In the start-up phase, rules had to be defined, the APRM Secretariat

established and staffed and the APRM questionnaire formulated. Even allowing for this, the process has been slower than anticipated.

The process envisioned each country undergoing review within 18 months of signing up, and the review process itself should not be longer than six months from launch to review before heads of state. At the present pace of roughly one review per year, it will take more than 20 years to get the remaining 22 participating nations through their first reviews, and more countries are expected to accede. Countries are supposed to receive follow-up reviews every two to four years, which will further complicate matters.⁹ While South Africa came closest to meeting this deadline, country experiences show that this is simply too short a time for a process that examines the totality of governance in a robust and credible manner.¹⁰

It took South Africa five times longer than the time envisioned in the original APRM protocol – 33 months from the time government began working until the heads of state review. Other nations have taken comparable amounts of time. There is a growing consensus that the complexity of the system, the intended time-frame, the management and staffing of the Secretariat and the extent of training and support offered to countries need to be reassessed.

Accelerating the pace of reviews is vital to the credibility of the APRM system. If reviews cannot flow more quickly, the potential benefits will be delayed and questions will be raised about how realistic APRM is as a system for improving governance.

The complexity of the analytical process itself is a significant factor in the pace of reviews. The multiple stages, institutions, and many participants present an enormous planning challenge. Countries have struggled to establish the national governing body, which should be broadly representative of society. Countries also have had difficulty deciding how public participation would be managed and how the research into the more technical aspects of the questionnaire would be conducted. The guidance offered to countries has been inadequate, according to many national focal points interviewed by the authors in recent months. As Dr Francis Appiah, executive secretary of the Ghana APRM Secretariat noted,

[APRM] does not provide a practical guide on how to actualise the expectation set out in the country's guidelines. The institutional development, organisational processes, technical expertise, capacity and skills as well as funding are not provided beyond the requirement to set up a focal point.¹¹

Similar complaints have been repeated at a variety of APRM review conferences but the system has made little apparent progress in delivering clear, timely guidance.¹²

Insufficient and inconsistent guidance

Lack of appropriate guidance on the practicalities has meant the self-assessment phase has taken significantly longer than initially anticipated. The requirement that it involve broad-based public consultation also substantially increases the time, cost and administrative difficulty of the exercise. Reviews so far have cost more than \$1 million.¹³

Funds must be allocated in the normal budgetary process or raised from development partners, which further delays the process. In some cases countries have allocated round numbers based on little more than a guess as to the cost of the exercise. Depending on how far in advance national budgets must be prepared, the country could have to wait a year or more before funds become available.¹⁴

National focal points have become increasingly vocal and critical of APRM continental institutions as a result of a perceived lack of support from the Panel of Eminent Persons and APRM Secretariat. In a variety of forums, delegations from Ghana, Kenya, and Rwanda have been sharply critical of the lack of responsiveness to information requests put to the Secretariat. Algeria noted that it had not been informed that it must conduct a citizen survey until its country review mission began, necessitating a costly second country review mission.

Countries at the Africa Governance Forum and other reviews have called for more practical guidance, clearer standards and uniform approaches to conducting reviews, surveys and consultations. The lack of such practical information on processes has made accurate financial planning more difficult. The point was emphasised strongly in the summary of recommendations and lessons learned prepared for the most recent major APRM review hosted by the APRM Governing Council of Ghana.

National APRM Structures, governments, civil society and researchers strongly desire a more continuous and more frequent communication with the APRM Secretariat and the APR Panel of Eminent Persons. In particular, a more proactive and responsive leadership from the APRM's continental institutions, including greater responsiveness to information requests and more advanced planning and warning of intended

visits, is required. It is generally perceived that the APRM Secretariat would be able to respond in time and to improve the quality of research and services if its capacity would be enhanced.¹⁵

The Panel has acknowledged its own need for greater capacity, which limits the number of reviews that can be handled at one time. The speed and efficiency of the process, as well as its ability to influence countries to conform to governance norms has been affected by the methods used to dispense information on the APRM. Guidance is given verbally through advanced missions and a country support mission as well as through correspondence and written guidelines. This ad hoc approach has significant shortcomings. Missions concentrate on dispensing information to governments, leaving civil society organisations unclear about the rules.¹⁶

Gilbert Hougbo, UN Development Programme regional director for Africa, argues that of all the practical challenges facing APRM,

... none is more urgent than ensuring that the APRM implementation process at the country level is conducted in a transparent, inclusive and democratic manner for it to remain credible and inspire the confidence of the people it is intended to serve. This is why countries need to take the requisite time and care to prepare adequately and to consult broadly on the process. The citizens must be convinced that they own the process. A rushed process will do irreparable harm to APRM.¹⁷

In the absence of training, governments and civil society have had to rely on written documents for guidance, but the nine official documents on the process contain a number of contradictions, vary considerably in their description of the process and, as noted, do not delve into the detail needed to plan and execute a review. Of particular importance to the credibility of the process and its public acceptance are the rules discussing the independence of the process from government. The APRM Base Document, the protocol that established the system in 2002, requires that every review be 'technically competent, credible and free of political manipulation'.¹⁸

The Country Guidelines, issued in October 2003, emphasise the need for a broadly participatory process and refer to the focal point as an individual. This document further notes that 'it is critical that the work of the APR focal point is inclusive, integrated and co-ordinated

with existing policy-decision and medium-term planning processes'.¹⁹ The emphasis was on the focal point's *work* being inclusive, not the focal point itself. Later, the questionnaire, which was released to countries in 2004, changed the emphasis, describing the APRM as 'a broad participatory process led by the government'.²⁰ It then confused matters by asserting that the focal point was a committee 'comprising representatives of all stakeholders to co-ordinate the APRM process'.²¹

Adding further confusion, the Secretariat issued the 'APR Questionnaire General Guidance'. This document, which contains no release date, discusses a new institution, the Technical Committee of the APR Focal Point, mentioned nowhere else in the official documents. This body would 'collate the responses [to the questionnaire] and compile a consensus response to submit to the APR focal point for consideration. It would also use the responses and assessment reports to compile the country's Self-Assessment Report, based on the questionnaire responses and other research'.²²

Ghana was the first nation to initiate a review. After it established the practice of putting the process in the hands of a council, the Panel began telling countries verbally to create a National Governing Council comprising a civil society majority and a chairperson from outside government. In a training videotape recorded for SAIIA in April 2006, Ambassador Bethuel Kiplagat, a member of the Panel of Eminent Persons and then Panel chairman — explained the rules thus:

It should be a tripartite arrangement of civil society, the corporate sector and the government. I think the formula we have been trying to encourage is one-third, one-third, one-third and that the leadership of that national commission or national committee or governing council, whatever name you want to call it, should come from the civil society or the corporate sector and not from the government because we don't want to see this as a government project. The government cannot be driving a programme for which it is itself being evaluated... .

The governing council is like a board. All the major decisions will be taken by the council, with the support of the ministry concerned. Normally it may be in the ministry of planning or the ministry in charge of Nepad but it [the focal point] should not interfere. It is the council that will determine all the areas. That is the way it has worked for Kenya, Rwanda and even Ghana. It is that committee that will sit, will plan for example the civic education, the consultation throughout the country. It is that

committee that will negotiate with the donors to raise funds for the actual evaluation. It is that committee that will also select the institutions to carry out research, and will carry out the publicity.²³

The question of the composition and independence of the governing body was vigorously disputed at the Africa Governance Forum in 2006. Many participants noted that if the government dominated the process, the APRM would be no different from the many bland national development reports that are produced regularly but fail to affect governance. Other participants noted that when the review was done, the government must allocate the funds and implement the recommendations. If government did not accept the recommendations, the process would not deliver results.

In the Forum, Rwanda argued that Governing Council membership should be evenly split between government and civil society. But South Africa's Focal Point and National Governing Council chairperson, Minister Geraldine Fraser-Moleketi, took the debate further by repeatedly challenging the very notion of independence as a reasonable criterion by asking 'independent from what?' In stark contrast to Kiplagat's comments, Fraser-Moleketi served as the focal point, chair of the governing council and she located the support secretariat in her office. Council members were largely politically allied to government and selected through a non-transparent process.

The Forum report also noted that 'The role of the focal point is not to make decisions but to serve as the co-ordinator and interface between the government, civil society and private sector entities with respect to the conduct of the APRM business'.²⁴ Its final presentation recommended that 'the body implementing the APRM programme should, as much as possible, be independent of the government, [and] devoid of political interference to ensure its credibility'.

The Panel has opted not to revise the guidelines to clarify these recurring problems.²⁵ Continental authorities have said privately that to do so would further delay countries that have begun the process. The Panel has opted for behind-the-scenes persuasion and avoided directly challenging nations. When members of the South African governing council complained to the Panel that government had not consulted on the programme of action as required, the Panel took no action and made no public comment.

Despite the Panel's decision not to consolidate and revise the various guideline documents, sometime in 2006 the Secretariat began using a 'Supplementary Document to the APRM Guidelines for

Country Review – the APRM National Structure’, which comes closest to articulating the powers of the various national bodies outlined by Kiplagat. It notes that the ‘National Commission established to manage the process at national level should be autonomous from government and inclusive of all key stakeholders’.

This document has not been posted on the APRM website with the other APRM guidelines, but has been given privately to governments. Its lack of public accessibility leaves civil society unaware of the rules and in a weak position when governments unilaterally announce the processes to be used for a national review.

The programme of action

Although the final country report makes many recommendations and describes many problems, the programme of action is arguably the most important component of APRM because it contains the specific actions that a country pledges to make to address governance problems.

The early APRM countries spent many months preparing to get started. Once the process began in earnest, they spent far more time than anticipated on research, consultation and report writing. After months or years leading up to the country self-assessment report, pressure to complete the process naturally intensifies, but this is the moment when countries first begin to grapple with the difficult task of responding to the identified problems. Policy-making under such rushed conditions is not ideal and is unlikely to find appropriate solutions to complex social, political and economic problems that may have a variety of causes and require multifaceted solutions. Time pressures at the end of the process have contributed to a hasty search for easily identifiable actions.

South Africa’s example is instructive. The final country report made 182 recommendations, which the country was expected to respond to in its final programme of action. The APRM questionnaire includes 25 objectives and four questions asking the extent of ratification and implementation of various international standards and codes embraced by the APRM. The authors matched the 182 formal recommendations made by the Panel against the final programme of action released on 1 July 2007 to heads of state. That final action programme provides no response to 10 objectives and the four standards questions, which together, account for some 74 recommendations. Of the remainder, a substantial number of the action items are only partially or tangentially

relevant to the recommendations and underlying problems in the final report. The tabular format adopted by the APRM for programmes of action describes required actions in extremely brief phrases that leave questions about what exactly is being proposed and by what methods.

The South African plan calls for very few tangible changes or legal reforms. It pledges to embark on reviews of a whistle-blowers law, labour legislation and the Companies Act as well as a criminal justice review. Much of the rest calls for strengthening existing programmes without detail about how this would be done. The Panel called for action on crime, regulation of political party finances (called for in the UN and African Union anti-corruption codes), action on racism and xenophobia, reconsideration of South Africa's electoral system, efforts to strengthen parliament, and actions to fight corruption, among other high-profile recommendations. These are addressed with varying degrees of clarity, but are in many instances ignored or dealt with superficially. In this, South Africa has demonstrated very real limits to the ability or willingness of the system to press unwilling nations toward particular reforms.

Although the Ghana, Kenya and Rwanda programmes of action are significantly more specific in many areas, they also suffer from lack of specificity, measurability and the extreme brevity used to describe commitments, using terms such as 'monitoring and enforcement' and 'improved human resource management'.

Three changes in the process itself could improve the quality of policy development. First, countries should begin the process by extracting all the key problems and proposed solutions that have already been put forward in national development plans, auditor-general's reports, IMF consultations, Millennium Development Goal plans and other industry and sector analyses. Researchers should then determine the extent of implementation and the reasons for lack of progress. Such a structured exercise would help the APRM complement rather than repeat earlier analyses.

Second, the process should be split to give an equal amount of time and consultation to policy development as is given to problem identification. Unless time allocations are built into the APRM plan upfront, later delays may eat into the time available for formulating policy responses to problems.

Third, the guidelines should be revised to provide clear guidance on how to write a programme of action, how to deal with inadequacies of existing programmes and how to monitor and evaluate progress over time. It is noteworthy that South Africa observed the heads of state

review of Ghana at the Khartoum APR Forum. On its return, government argued in the governing council's research sub-committee meeting of 14 February 2006 that the programme of action was 'not a detailed document'. The weakness of its final programme of action reflects this decision to create a minimalist plan.

The APRM questionnaire

The complexity and cumbersome nature of the APRM questionnaire has significantly affected the speed of reviews. Unlike Organisation for Economic Co-operation and Development (OECD) peer reviews, which assess a single, narrow aspect of policy, such as foreign aid, the APRM assesses the full range of government activity, including political and democratic systems, human rights, conflict, economic policy, corruption prevention, trade, corporate regulation, and development in a wide range of socio-economic sectors. In addition to 58 broad questions and 183 indicators, the questionnaire provides a long list of African and other international standards to which countries are expected to conform. It is a useful starting point for academically minded participants but is too long and technical for popular participation. To be useful for conducting a statistically valid citizen survey, it would have to be completely rewritten and simplified.

In most instances, questions are framed around themes rather than institutions, which makes research and report writing difficult. For example, the socio-economic section asks several broad questions about aspects of management, self-reliance and other factors as they pertain to a variety of sectors. The issues in health care will inevitably be different from those in energy and information and communication technology. A researcher working through the questionnaire is thus forced to jump around, dealing with one theme as it applies to different sectors, then move to another theme applied to those same sectors. It would be far more efficient if participants were asked to evaluate each named sector according to a standard list of questions.

The questionnaire also defines several cross cutting issues that appear in more than one of its four thematic chapters. As the Africa Governance Forum concluded:

The questionnaire appears to be repetitive especially on cross cutting issues, thus making the Country Self-Assessment Review tedious and difficult to follow and digest. This has implications for the Country Review Team Report as well as the final Panel Report.²⁶

A shift away from thematic questions toward questions on institutions would be particularly helpful in improving the analysis of corruption, for example. The fight against corruption necessarily involves a variety of institutions involved in accounting, auditing, investigation, prosecution, and oversight. In addition, issues of transparency and media regulation are important. Bodies such as the auditor-general, parliamentary public accounts committee, attorney general, ombudsman, among others, each should be analysed to determine whether they have adequate legal powers, budget, staff and independence. Because similar questions are placed in three different thematic chapters, the questionnaire tends to produce three superficial analyses. Like the other cross cutting themes, the analysis of corruption would be both easier and more effective if all the relevant questions were grouped into a dedicated section.

Selected insights from early countries

Ghana brought the essential insight that for the system to be credible and for political leaders to gain credit for opening up to reformist ideas, the Governing Council should be independent of government and free to manage its own financial affairs. Ghana gave its process particular credibility by appointing a council entirely composed of eminent citizens outside government. Ghana's approach effectively disarmed doubters. By taking a hands-off approach, its government signalled it had nothing to fear and it was seen as genuinely embracing calls for reform coming from the process. The Council established the precedent of commissioning independent research institutions to gather evidence, manage public consultations and surveys and write the country self-assessment report.

Ghana also argued that the process of organising public consultation would require significant administrative support but that this support function, in the form of a local APRM Secretariat, should be physically outside government and composed of staff chosen by the Governing Council. Ghanaian research institutes generated four thematic reports totalling more than 1,200 pages, but they were told to shorten the document. The final self-assessment was 270 pages. Researchers noted that lot of detail was lost in the editing process and that it was important for researchers to remain vigilant in this process to ensure problems were not lost or over simplified.

Rwanda put in place a National Commission of 50 members that had, nominally, 17 senior central government representatives.

However, it split the work of researching the four thematic areas of APRM among committees that were effectively government dominated, particularly the committee dealing with political and democratic governance. The second country to be reviewed, Rwanda struggled with lack of guidance on the process and a lack of domestic research institutes. It relied on academic reviewers from South Africa to read and comment on its country self-assessment report.

Rwanda originally proposed a 150-member commission but was advised that its process was too government-dominated and it should cut the commission down to about 10 members with just a few government representatives. The government declined to follow this advice and noted that there was no mention of governing councils in the written guidelines and no discussion about how they should be composed. Rwanda also argued that the country review mission was not of sufficient length, that the team members lacked regional expertise and the visit was not appropriately organised to reach the kind of conclusions made in the final country report. Rwanda has continued to be actively engaged with the process and has sought to improve in certain areas by commissioning research into best practices in aspects of governance.

Kenya followed Ghana's example in using independent research institutes and conducting a citizen survey. It opted for a governing body with a civil society leader and majority, but the process was marred by disputes over the extent of government control. Before naming its Governing Council, government involved a wide variety of stakeholders in planning conferences and solicited input about how the council should be composed and the process managed.

When civil society disputed the first proposed council formulation, the minister in charge invited civil society organisations to agree on their own elective process to choose eight additional civil society seats. Once established, the Kenyan council became mired in a long-running struggle by civil society organisations to secure funding to produce a separate civil society analysis of governance issues. This issue culminated in a rupture of the council with three civil society members accusing the government of misuse of APRM funds. Government countered that the three had mismanaged the process and spent large sums on seating allowances for unnecessary meetings showing no visible progress.²⁷ Kenya has sought to spread understanding of the APRM findings by serialising the report in newspapers. It also has worked with Ghana and Rwanda to explore improved methods for monitoring and evaluating progress on APRM commitments.

Mauritius was among the first four countries to start the APRM, but its process stalled for several reasons relating to lack of funding, a change in government and political infighting. It illustrates the consequences of inadequate guidance on the political and technical aspects of the process. Mauritius initially handed its process over to the semi-autonomous National Economic and Social Council (NESC), whose members are drawn from business, labour, government and civil society. However, it drafted its self-assessment report largely by assigning sections of the questionnaire to various government departments. There was little public input and Mauritius did not commission technical research institutions. The result was a bland document that did not discuss either the country's achievements or challenges with much candour. After a long hiatus, in January 2007, the NESC called for proposals to conduct research and consultations, and awarded the tender to consultants Ernst & Young in March. At a training workshop for APRM focal points run by SAIIA and the United Nations Economic Commission for Africa (UNECA) in Addis Ababa in February 2007, the Mauritian representative said the country was aiming to be peer reviewed at heads of state level by mid-2008. This would be *five years* after it started its local process.

Algeria was reviewed by heads of state at the 1 July 2007 APR Forum meeting in Accra, Ghana. Taking the date of the country support mission as the starting point, 23–25 July 2005, it took Algeria just under two years to complete its review before heads of state. However, the Algerian experience is noteworthy in several respects. The Country Support Mission communiqué questioned the country's reliance on a single research institute, when Algeria has a variety of research bodies and universities. Algeria argued that although the *Conseil National Economique et Social* (CNES) was government funded it was the most capable national institution and was independent, having challenged government policy in the past.²⁸ Eventually the CNES sub-contracted other national institutions to help it to conduct research.²⁹

Algeria hosted its country review mission from 10 November–4 December 2006, led by Marie-Angélique Savané of the Panel of Eminent Persons. The review team noted that the country's self-assessment report was weak and insisted on a citizen survey to be followed by a second country review mission, which visited from 2–12 March 2007. Algerian officials, notably from the office of the focal point, indicated that they were not aware a survey was required, especially as surveys were not mentioned in the APRM Guidelines. It

was not until the mission arrived in Algiers in November 2006 that the country was informed about the importance of a survey. Other sources questioned why an expensive country review visit was held if the self-assessment, which is a crucial guide to the review mission, was not adequate.

South Africa exemplified several of the key weaknesses and limitations of the APRM system. The South African case is worthy of special attention given the country's position in Africa — the continent's wealthiest and most developed state, the moral authority it has derived from the demise of apartheid and the establishment of a relatively stable democracy, as well as the country's position as one of the initiators of Nepad.

The country was scheduled to present its final report before heads of state in January 2007 in Addis Ababa, Ethiopia, but the day before the event, the review was cancelled and rescheduled for the following APR Forum meeting held in Accra, Ghana on 1 July 2007. The official explanation cited administrative reasons, saying the correct version of the country's programme of action had not been printed and distributed, and that the Country Review Report was marked 'draft'.

While the failure to get the right papers into the right hands was the immediate cause, the delay reflected significant problems with the South African review, which were reflected in the country's official response to the final review report. These comments, dated 18 January 2007, were unusual for their undiplomatic language, which was widely discussed in the media and diplomatic circles. They disputed the factual base and ideological agenda of the report's authors, asserted that they lacked understanding of South Africa's history, that an 'honest' analysis would have come to other conclusions and even when strong evidence was cited for the existence of problems, South Africa implicitly argued that some evidence of its problems should be excluded because of 'the risk is that general perceptions, often essentially racist, about the hopelessness of the African situation are all too easily confirmed by statistical constructs that have a very tangential relationship to the actual universe'.³⁰

The tone of South Africa's official response to the final APRM Country Review Report reflected a deeper ambivalence about both the internal and external aspects of the APRM review. Initially it announced that it would draft its country self-assessment report in two months. Although government had been working on the APRM internally since at least October 2004,³¹ it intended to give the public less than two months to make inputs. Government rejected the use of

independent research institutes as 'inappropriate' and said the APRM was not a research task. It favoured a consultation process focused on mass-based organisations rather than expert sources.

Government remarks suggested a lack of appreciation of the technical nature of the questionnaire but also significant political suspicion that research bodies and non-governmental organisations were not politically sympathetic to government. The decision not to use researchers was changed after substantial public criticism and behind the scenes pressure from the Panel of Eminent Persons.³² Four months after the process began, research agencies were appointed and initially given only three weeks to do their work.³³ Several weeks into the process, government had still not provided researchers with the citizen survey data to analyse. Government declined to delay the process to allow researchers to examine the survey but commissioned another team to analyse it, whose work was only completed after the country review was over.

Publicly, government claimed the process was built on extensive consultation, but it was, in practice, often extremely superficial. And after the country self-assessment report was publicly validated, the text was heavily edited to remove or downplay significant problems.³⁴

In the 11 months between the country review mission and the review before heads of state, South Africa refused requests from the National Governing Council to discuss the contents of the programme of action. Zanele Twala, head of the South African NGO Coalition, said, 'They cannot go to Ghana and claim it [the programme of action] is a collective product. She must convene the NGC as a matter of urgency.'³⁵ Twala formally complained to the Eminent Persons and government that the council had not been consulted on the programme of action or on how government intended to respond to some of the major issues – crime, corruption, 'unbridled proportional representation', racism, xenophobia, lack of political party finance regulation, joblessness, lack of service delivery and dysfunctional local and provincial levels of government – the solutions to which would require substantial public debate.

Several, sometimes conflicting, arguments have been advanced for this lack of consultation. In some instances, government argued that the programme of action had not changed fundamentally and hence no new consultation was needed. In other instances, government asserted that it had embraced most of the recommendations. However, given the fundamental nature and large number of recommendations by the Panel, civil society organisations

argued that if the programme had not changed, South Africa was essentially rejecting the Panel's recommendations, which it had pledged to implement.

Conclusions

As with any new and evolving process, the APRM system faces formidable challenges. Peer review requires government, civil society and the private sector to all participate fully and meaningfully in the process, but exactly how this should happen is left to each country to figure out. That challenge is made more difficult by the vast differences in power, resources and access to information between government and non-governmental organisations, and a traditional lack of trust between these stakeholders.

As discussed above, the rules and regulations governing the process are loose. Later documents contradict earlier ones, without revoking or revising them. The wide-ranging flexibility afforded to countries in developing their national APRM structures – particularly their national governing council or national commission and local APRM secretariat – has spawned a variety of different institutional models. This permissive approach has mollified some nations apprehensive about the process but it has also undermined the ability of the system to establish governance norms or bring about genuinely improved dialogue around governance reform. The Panel has been reluctant to publicly challenge governments even when their APRM plans are contrary to the written and verbal guidelines.

Experience has shown that the suggested timeframe of six-to-nine months for completing the country self-assessment report is unrealistic given the level of resources countries have and the level of support they receive from the APRM Secretariat. As a result, there is an inherent tension in APRM between the quality and speed of reviews. Despite recent pronouncements by the Panel that they hope to have another 10 countries reviewed in the next 12 months, there is little evidence that countries will accelerate their national processes to that extent, or that the Secretariat and Panel as currently structured have the capacity to manage the process at this speed.

The scrutiny given to programmes of action and ongoing monitoring and evaluation of progress deserves significant attention as does the quality of the ideas going into programmes of action. The unrealistic timeframe built into the original guidelines has contributed to unrealistic planning and neglect of the programmes. The difficulty of

conducting public consultations and responding to the complex questionnaire has led participating nations to concentrate far more time on defining problems than on formulating policies and laws to deal effectively with the problems.

The 88-page APRM Self-Assessment Questionnaire that is meant to guide states in completing their self-assessment reports has proven to be extremely complex, difficult to complete and in need of substantial revision. Countries require a well-planned research strategy to include both technical material and popular perceptions. However, the Panel has expressed concern that revising the guidelines would be disruptive to reviews now under way.

The South African case illustrates both the strengths and weaknesses of the APRM system. On the positive side, the system's checks and balances worked in important ways. The team of experts who reviewed the country went well beyond government's own representations of itself and wrote a constructive and hard-hitting report. Despite the strong recommendations, the system declined to take action or publicly comment when South Africa ignored a large portion of the recommendations in its action programme. The process highlighted the limits of the Panel's ability to stand up to a powerful nation that might resist its advice.

A final question arises over the quality of the proposed solutions put forward in the programmes of action. All of the early countries have shown a pronounced tendency to take far more time in preparation than anticipated and spend longer than planned on consultations and report writing. This tendency to concentrate on the problem and leave the drafting of solutions until the end has resulted in significantly less attention being paid to the quality of policies put forward in programmes of action.

The APRM process should be evaluated carefully and revised with the goal of improving its efficiency and effectiveness. To do this, the participants ought to ask what a good programme of action would involve and what forms of analysis would make it fundamentally better than existing budgeting and planning processes? Working backwards from the goal of effective policy formulation, the questionnaire, procedures, governance rules and forms of participation should be revised to contribute to strengthening the quality of the APRM's policy formulation.

Despite these start-up difficulties, the system as a whole is beneficial and opens space for meaningful national dialogue. However, the process requires adjustment in a variety of areas, most

notably through clearer rules, a simpler questionnaire and more responsive, practical and open support to countries by the Panel and Secretariat.

Endnotes

- 1 ROSS HERBERT and STEVEN GRUZD are, respectively, manager and deputy manager of the Governance and APRM Programme at the South African Institute of International Affairs.
- 2 Although commonly referred to as coming under the ambit of the African Union, the APRM is outlined in a declaration by the Organisation of African Unity (OAU) made on 8 July 2002. The AU was formally inaugurated at that same summit, superseding the OAU. Known as the APRM Base Document, the APRM's founding document is officially titled 'The New Partnership for Africa's Development African Peer Review Mechanism (APRM)'. Although this document gave birth to the APRM on 8 July 2002, the first eight countries formally acceded on 9 March 2003.
- 3 Reviews of Ghana, Kenya and Rwanda are complete and the final heads of state portion of the reviews for South Africa and Algeria occurred at the APR Forum meeting in Accra, Ghana on 1 July 2007.
- 4 Organisation of African Unity, 'The New Partnership for Africa's Development African Peer Review Mechanism (APRM)' [known as the Base Document]. Durban, South Africa, 8 July 2002.
- 5 It is important to note that while the narrative evaluation of governance in each country may be strong, the quality of the programme of action is the ultimate measure of the effectiveness of a review. The programme contains the specific reforms the country pledges to fulfil to address identified problems. Although the authors have studied the processes in those countries in depth, we have not independently assessed the programmes of action or evaluated the extent to which they fairly reflect public and academic recommendations in those countries. The South African case is discussed here in greater detail because of the authors' involvement in the South African process as one of the four Technical Support Agencies commissioned by the Governing Council.
- 6 The 27 acceding APRM countries as of July 2007 were (in alphabetical order), Algeria, Angola, Benin, Burkina Faso, Cameroon, Congo-Brazzaville, Djibouti, Egypt, Ethiopia, Gabon, Ghana, Kenya, Lesotho, Malawi, Mali, Mauritius, Mozambique, Nigeria, Rwanda, São Tome and Príncipe, Senegal, Sierra Leone, South Africa, Sudan, Tanzania, Uganda and Zambia.
- 7 At a press briefing at the Pan-African Parliament, the APRM Secretariat estimated that Benin, Uganda and Mozambique would be ready for heads of state review in January 2008, with Nigeria, Sierra Leone and Zambia ready by July 2008. Press conference by Jerome Afeikhena of the APRM Secretariat, as reported in Pana Press, 10 May 2007, www.jeauneafrique.com
- 8 Janneh A, UN Under-Secretary-General and Executive Secretary, Economic Commission for Africa, speech to the Sixth Africa Governance Forum, Kigali, Rwanda, 9 May 2006.
- 9 Ghana announced at the 1 July 2007 APR Forum that it intended to seek its second

- review in 2009. See Pienaar H, 'SA still sitting on peer review report', *The Star*, Johannesburg, 1 July 2007.
- 10 Although the process was officially opened to the public in September 2005, government officials were already planning the APRM by October 2004, nearly a year earlier. At a parliamentary media briefing on 28 October 2004, the minister in charge of the South African process announced: 'The preparatory processes for the African Peer Review Mechanism are under way. Of critical importance has been the establishment of an operational steering committee within the Ministry of Public Service and Administration.' See Fraser-Moleketi G, 'Governance and Administration Cluster Parliamentary Media Briefing: Update on Government's Programme of Action by Minister for Public Service and Administration', 28 October 2004. Available at <http://www.info.gov.za/speeches/2004/04102908451001.htm>.
 - 11 Appiah F, Executive Secretary, APRM Governing Council Secretariat, Ghana, 'Assessing Ghana and the APRM'. Workshop on Sharing National Experiences on the African Peer Review Mechanism Implementation Process, Algiers, Algeria, 20-21 November 2004, p.51.
 - 12 Other review conferences include those by Hanns Seidel in Nairobi, April 2006; the Africa Governance Forum in Kigali in May 2006; the SAIIA APRM conference in Johannesburg in September 2006; the SAIIA-UNECA-APRM Secretariat Workshop for National Focal Points in Addis Ababa in February 2007 and the conference hosted by the Ghana National Governing Council and GTZ in Accra, Ghana, in May 2007.
 - 13 The UNDP has engaged a consultant to assess the exact costs. The \$1 million figure is based on estimates provided to the authors by national focal points.
 - 14 This could be rectified by building APRM funding into budgets as soon as countries sign up for the process, but this has not always happened and some countries have tried to raise foreign funds before committing national resources to the process.
 - 15 GTZ, 'The APRM Journey So Far', p.9 of summary of outcomes of previous conferences prepared for the conference, 'Africa's Bold March to Capture the 21st Century – The Role of the APRM', Ghana, 8-10 May 2007.
 - 16 Civil society members have participated in public meetings during country support missions, but these encounters have only discussed the APRM process in the most general terms, have not provided detailed information on process and governance requirements or lessons on how other countries have managed public consultations, used surveys or managed research institutions. Notably, the memorandums of understanding between the continental authorities and participating governments have not been made public.
 - 17 Hounbo G, speech to the African Governance Forum VI, Kigali, Rwanda, 9-11 May 2006, as reported in the conference report, 'Implementing the African Peer Review Mechanism: Challenges and Opportunities, Report of the Sixth Africa Governance Forum (AGF-VI)'.
 - 18 OAU, 'The New Partnership for Africa's Development African Peer Review Mechanism (APRM)', Durban, South Africa, 8 July 2002, p.2.
 - 19 APRM Secretariat, 'Guidelines for Countries to Prepare for and to Participate in the African Peer Review Mechanism (APRM)', November 2003, point 34, p.11.
 - 20 APRM Secretariat, 'APRM Self-Assessment Questionnaire', April 2004, p.7.
 - 21 APRM Secretariat, 'Country Self-Assessment for the African Peer Review Mechanism', Midrand, South Africa. This document, more commonly known as the Self-Assessment Questionnaire or merely the questionnaire, contains no publication

- or release date. The computer document available on the APRM website is dated April 2004. It was only posted on the website in late 2004.
- 22 APRM Secretariat, 'APR Questionnaire General Guidance', Midrand, South Africa, undated, p.4.
 - 23 Interview with Ambassador B Kiplagat, Nairobi, Kenya, 27 April 2006.
 - 24 UNDP Africa Governance Forum, 'Implementing the African Peer Review Mechanism: Challenges and Opportunities, Report of the Sixth Africa Governance Forum (AGF-VI)', Kigali, Rwanda, 9-11 May 2006, p.28.
 - 25 Work is under way to consider revisions to the questions and indicators in the APRM questionnaire.
 - 26 UNDP Africa Governance Forum VI, *op. cit.*, p.24.
 - 27 The three were officially 'degazetted' by the minister of planning and replaced. A new civil society leader was chosen to chair the council and the process proceeded without significant controversy thereafter.
 - 28 CNES also is presided over by one of the Panel of Eminent Persons, Mohamed-Séghir Babes. The panel maintains a policy of its members not being involved in the review of their home country, although they have been active in panel discussions about how to respond to particular reviews or dilemmas affecting their countries.
 - 29 These institutions were the *Centre de Recherche en Economie Appliquée pour le Développement* (CREAD), the *Office Nationale des Statistiques* (ONS), the *Institut National des Etudes Stratégiques et Globales* (INESG), *Centre National d'Etudes et d'Analyses pour la Planification* (CENEAP) and the *Centre de Recherche en Anthropologie Sociale et Culturelle* (CRASC).
 - 30 See Makhanya M, 'Shred the peer review and you will trample Africa's best hope', *Sunday Times*, 20 May 2007. This remark is quoted by Makhanya from the official government response to the APRM report, dated 18 January 2007, which was leaked to the newspaper and posted on its website. After South Africa's review was postponed, it withdrew its 18 January remarks and issued a new set of official comments to participants at the 1 July 2007 APR Forum. This latter set has not been released publicly.
 - 31 Fraser-Moleketi G, 'Governance and Administration Cluster Parliamentary Media Briefing: Update on Government's Programme of Action by Minister for Public Service and Administration', 28 October 2004. Available at <http://www.info.gov.za/speeches/2004/04102908451001.htm>.
 - 32 As Fraser-Moleketi explained in an interview with the Institute for Global Dialogue: 'We had running battles with the media from the onset, especially on the government-led process. To accommodate their concerns, we commissioned and appointed research institutes and formed TSAs in the various thematic areas.' See Ajulu C, Ikome F & S Zondi, 'Geraldine Fraser-Moleketi', interview, *Global Dialogue*, September 2006, p.17.
 - 33 This was later extended to five weeks.
 - 34 See SAIIA comparison of validated text and final country self-assessment at www.saiia.org.za under the APRM Training and Resource Centre icon.
 - 35 See Boyle B, 'Furore over peer review redraft', *Sunday Times*, 20 May 2007.