Working Paper

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Making the African Peer Review Mechanism (APRM) Work

A rough road ahead for NEPAD's key component

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The African Peer Review Mechanism (APRM)

The current situation

The African Peer Review Mechanism (APRM) is seen as the most important instrument of the New Partnership for Africa's Development (NEPAD). The mechanism was launched in 2003 and so far 23 member states of the African Union (AU) have signed its accession document, the Memorandum of Understanding (MoU). (*fig. 1*) The review process is similar to that in the Organisation for Economic Cooperation and Development (OECD), though differences remain with both the content and scope of each individual review.

At its launch the APRM was hailed as the solution to Africa's governance problems. However, only 2 ½ years into its existence the timetables set out by the APRM base document have already been exceeded. Scarce financial resources and at times inadequate levels of cooperation and transparency make it hard to accelerate or deepen the process. Often, there is a lack of alternative examinations by civil society. Such examinations are important in allowing for constructive criticism of the APRM peer review results and in contributing to a lively discussion about the future of the country. All this suggests that the APRM may not yet be the solution to Africa's governance problems many thought it would be.

Peer reviews in the OECD

Pagani has described peer reviews as "the systematic examination and assessment of the performance of a state by other states, with the ultimate goal of helping the reviewed state improve its policy making, adopt best practices, and comply with established standards and principles."[1] The process depends on active participation by both the reviewer and the reviewed and will only work if all the involved parties know they can trust each other.

The practice of peer reviews has a long history within the OECD. Peer reviews focus on several different aspects, i.e. they do not usually take the form of full country reviews, with everything from governance to socio-economic development under evaluation. Thus there may be reviews of a country's employment policies, its education system or its environmental performance. The Development Assistance Committee (DAC) peer reviews are a special feature of the OECD. Under assessment are the DAC-members' policies toward development co-operation, with the goal of harmonizing donor practices and increasing aid effectiveness. Five countries are usually up for examination every year and new reviews are undertaken for each of the members in intervals of four years. Every OECD member country is reviewed under the same criteria. Once a review has been completed, presented and discussed, the focus shifts towards implementation of the recommendations.

The OECD does not have any decision-making power over its members. Therefore, OECD peer reviews must exercise their influence through 'peer pressure' as a form of soft enforcement. Peer pressure comes from both the regularity of progress checks and from the way in which the OECD members deal with a review's findings. Peer pressure can take several forms. There may be a) formal recommendations and informal dialogue by the countries involved in the peer review process, b) public scrutiny, comparisons and ranking among countries and c) the impact of a) and b) on domestic public opinion, national administrations and policy makers. Making the results of peer reviews available to the media and the public (e.g. through posting final reports on the Internet) boosts the impact of peer pressure. All of the above are common in the OECD peer review process. Thus, even though there are no sanctions if the results of a review are less than satisfactory or recommended changes are not implemented, the effect of peer pressure, publication of results and a government's will to improve its policies – as well as that government's concern about its standing among the peers – are often enough to trigger necessary reforms.

Peer reviewing African states

The APRM is an African owned and African run process. It is the declared goal of the APRM to "foster the adoption of policies, standards and practices that lead to political stability, high economic growth, sustainable development and accelerated sub-regional and continental economic integration through sharing of experiences and reinforcement of successful and best practice, including identifying deficiencies and assess-

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[1] See Fabrizio *Pagani*, Peer review as a tool for co-operation and change: An analysis of an OECD working method, in: African Security Review, 11(4), 2002, p. 15.

member state	date of accession	support mission	review completed
Algeria	09 March 2003	no	no
Burkina Faso	09 March 2003	no	no
Congo-Brazzaville	09 March 2003	no	no
Ethiopia	09 March 2003	no	no
Ghana	09 March 2003	yes	yes (not yet published)
Kenya	09 March 2003	yes	yes (not yet published)
Cameroon	03 April 2003	no	no
Gabon	14 April 2003	no	no
Mali	28 May 2003	no	no
Mauritius	09 March 2004	yes	no (self-ass.* under way)
Mozambique	09 March 2004	no	no
Nigeria	09 March 2004	yes	no (self-ass. under way)
Rwanda	09 March 2004	yes	yes (not yet published)
Senegal	09 March 2004	no	no
South Africa	09 March 2004	yes	no (self-ass. under way)
Uganda	09 March 2004	yes	no
Egypt	09 March 2004	no	no
Benin	31 March 2004	yes	no
Malawi	08 July 2004	no	no
Lesotho	08 July 2004	no	no
Tanzania	08 July 2004	no	no
Angola	08 July 2004	no	no
Sierra Leone	08 July 2004	no	no

figure 1

* self-assessment

ing the needs for capacity building."[2] All participating states are supposed to conform to the standards laid out in the Declaration on Democracy, Political, Economic and Corporate Governance which was approved by the AU summit in South Africa in 2002.[3]

Member states of the AU can voluntarily accede to the APRM. By joining the mechanism, countries submit to periodic peer reviews. However, as within the OECD, there are no sanctions if the country reviewed does not implement the recommended changes, the goal being rather that of 'peer learning.' Peer review dialogue between the member states has so far taken place through several meetings by the decision making authorities of the APRM: the APR Heads of State Forum (APR Forum), the Panel of Eminent Persons (APR Panel) and the APR Secretariat.

According to the APRM base document, country reviews can take four different forms. The first review is the base review which is supposed to be carried out within 18 months of a country becoming a member of the APRM process. The first stage in this review process is the preparation of a self-assessment report by the participating country, based on a questionnaire sent to it by the APR Secretariat. Following that, the APR Team enters the country, holds extensive consultations and prepares a report which is then submitted to the various APRM-bodies for consideration and later tabled at key regional and sub-regional structures. Finally, the reports are made public.

Base reviews are followed by periodic examinations repeated every two to four years. In addition to these, member countries can ask for reviews that are separate from the periodically mandated examinations. Finally, early signs of a political or economic crisis in one of the member countries are considered a sufficient cause for instituting a review. The participating heads of state and government may call for such action to be taken.

[2] The APRM base document can be accessed at: http://www.nepad.org/2005/files/documents/49.pdf
[3] The NEPAD Declaration can be accessed at: http://www.nepad.org/2005/files/documents/2.pdf

The four areas under review (including a number of subcategories) are: democracy and political governance, economic governance and management, corporate governance as well as socio-economic development. As a result, reviews are much broader in scope than most of those carried out in the OECD.

In late 2002 the extent to which political governance and human rights were part of the APRM at all was questioned.[4] This caused quite a stir, for it meant that the heart of the review mechanism was at stake before the project had even been launched. But assessments and recommendations in the area of democracy and political governance are now vital components of the reports for both Ghana and Kenya. Thus, early unease may have been unwarranted. Also, APRM-related structures that are supposed to engage in this field and that did not exist at the time – the Pan-African Parliament (PAP) with its seat in Midrand, South Africa, and the Economic, Social and Cultural Council (ECOSOCC) – are now established.[5] So far, action by the PAP on the APRM has produced mixed results. A resolution was passed, that urged accession to the mechanism, though "parliamentarians did not go as far as they could" in making sure that representatives of APRM-member countries regularly report on the progress made in implementing programmes of action.[6] It needs to be noted, however, that the PAP will not have any real legislative powers until after its first five years in existence. For the time being it is only an advisory body to the AU and APRM reports are supposed to be tabled there six months after consideration by the heads of state and government of the member countries. Thus, it may be too early to tell whether the PAP and ECOSOCC can rise to the challenge and have a positive impact on the peer review process.

First results

The APRM reviews for Ghana, Rwanda and Kenya are now either in or are nearing their final form.[7] The

reports for Ghana and Rwanda were first discussed at the AU meeting in Abuja, June 20, 2005. As stated in the *Ghanaian Chronicle* the assessment for Ghana expresses worries over the country's large governmental apparatus, a blurred separation of powers, widespread corruption, persistent gender inequality (though there have been some improvements) and an economy highly vulnerable to outside influence.[8] The country's efforts to build and maintain peace and tranquillity are seen as examples of best practice. The report also cites Ghana for its successes in consolidating and strengthening democracy.

The key conclusions for the Kenya self-assessment report reveal serious internal conflicts through competition for scarce resources, economic inequality and a rivalry for power.[9] Inter-state conflicts and banditism, human rights violations, rampant electoral malpractices, weak mechanisms for governmental accountability, widespread corruption and gender inequality are also mentioned. The media's role in the improvement of governance and progress made in regional integration are seen as encouraging developments, though the overall tone of the document is quite pessimistic.

As the *Economist* noted in July 2005 the AU and the APRM have a chance to show that the mechanism does work by producing rigorous reports which would make it clear "that African governments can be trusted to police themselves."[10] According to *Africa Confidential,* "early drafts of the APRM report on Ghana [...] are unexpectedly critical of the government's record on accountability and administration."[11] Judging by its self-assessment report something similar can be said for Kenya. Of course, more than one country review will be needed to establish real trust but it seems that the breadth of findings and recommendations assembled for Ghana and Kenya could be a step in the right direction. Concerning all three reports, it has to be taken into account that they are the first results of a newly established mechanism. Thus, it would be un-

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[4] See Jakkie *Cilliers*, Peace and Security through Good Governance: A guide to the NEPAD African Peer Review Mechanism, *ISS Paper 70*, 04/2003.

[5] However, the same cannot be said for the AU elections committee and the African Court of Justice, both of which still need to be set up.

[6] Ayesha *Kajee*, Adding beef to Africa's parliament, in: Magazine for Development and Cooperation, 07/2005.

[7] As the reports have not yet been officially published much of this section is based on secondary sources (APRM commu-

niqués, newspaper articles and reports of close observers of the process) which are assumed to reflect the contents to be found in the final reports.

[8] See e.g. Peer review by fellow Africans describes Ghana as an oasis of tranquillity, in: The Ghanaian Chronicle, June 21, 2005.

[9] See *NEPAD*, African Peer Review Mechanism Country Self-Assessment Report of the Republic of Kenya, 2005.

[10] Africa acknowledges it must help itself, in: The Economist, July 9, 2005, p. 46-47.

[11] A test for the peers, in: Africa Confidential, 46(19), 2005.

fair to expect them to immediately live up to OECD-standards. Nevertheless, a restriction might be worth considering, as has been suggested, which limits the APRM reviews, at least initially, to the areas of democracy and political governance.[12] This would put less of a strain on the APRM's already limited budget[13] and would focus attention on what many consider to be Africa's biggest problem: good governance or rather the lack thereof.

All three reports have yet to be officially published. Publication is expected sometime early next year, though no official date has been set.

Does the APRM work?

Because the APRM is a voluntary mechanism, some observers have questioned whether it will ever have enough influence to enforce the governance improvements offered by NEPAD. It has been argued that the peer review mechanism will never be stringent and penetrating enough to bring forth such improvements where they are opposed to the interests of ruling elites.[14]

According to a July 2005 NEPAD press release, reports in the international, continental and national media left the impression that the peer review process for Kenya had been suspended and that Mauritius' APRM report had been rejected because of government interference.[15] The APRM Secretariat denied these claims and their validity remains uncertain. But the mere existence of rumours of undue government influence shows that the APRM might turn out to be hopelessly ineffective if states lack the commitment to the process and fail to guarantee its independence and transparency.

Furthermore, it is highly unlikely the very ambitious timetables recommended in the APRM base document will be met if the process continues at the current pace. Even though all the members have volunteered to be reviewed, results are sparse and the self-assessment report does not yet exist for all but three of the participating countries (Ghana, Rwanda and Kenya). There have been a number of country support missions ahead of the actual reviews. Their purpose is to assess the processes and mechanisms put in place by the country to carry out its self-assessment and plan its Programme of Action. A support mission to Uganda in February 2005 "found a marked lack of enthusiasm and awareness in political and semi-government institutions"[16] To this very day, some donor countries flood African recipient governments with small aid projects. As good as the original intention may have been, it places a heavy burden on the recipients' administrations. The introduction of a time-consuming and resource-devouring peer review process into countries already struggling to deal with the various aid projects even as they rebuild institutions (as in Rwanda) and attempt to reform their bureaucratic apparatus, puts a strain on both the capacities and the willingness to engage in such efforts.[17]

What needs to be done?

It is now clear that there are some serious problems with the APR process. Steps will have to be taken to get it on track. This paper suggests some ways which may lead to an improvement of the current situation:

> ➢ More country reviews have to get under way and results need to be made public as soon as possible.

Peer pressure among the members of the APRM will only have positive effects if there is also public scrutiny and a sufficient number of country reviews to facilitate comparisons and possibly even rankings among the members. That in turn could lead to a positive competition for governance improvements among the members of the APRM. With only three

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[12] See Gumisai *Mutume*, States call each other to account, in: Africa Renewal, 18(4), 2005. See also Ravi *Kanbur*, The African Peer Review Mechanism (APRM): An assessment of concept and design, at: http://www.people.cornell.edu/pages/sk145
[13] Funding for the Mechanism comes from contributions from participating member states.
[14] See Len *Verwey*, NEPAD and civil society participation in the APRM, IDASA occasional papers, 2005, http://www.un-ngls.org/cso/cso8/nepad.pdf
[15] The press release can be accessed at: http://www.nepad.org/2005/files/aprm/articleformedia_01080 5.pdf

[16] Key mechanism in 'new architecture' starts to fray, in: SouthScan, April 22, 2005.
[17] "Consultation fatigue" (due to a large number of other consultation projects), time and logistic expenses were noted as key constraints for the implementation of the review process in Rwanda at the 4th African Development Forum, 11-14 October, 2004, in Addis Ababa. The speech by the personal representative of the President of Rwanda can be accessed at: http://www.uneca.org/adf/documents/speeches_and_presentat ions/Speech_Claver_Gatete.pdf

reviews in existence and none officially published so far, it is hard to see how such pressure will be able to fully develop.

> ➢ In order to save time and money, the first round of APRM reviews should be restricted to assessing democracy and political governance.

Limiting the scope of the reviews by focussing on one area could produce more detailed results in a shorter period of time. Also, peer reviews will have to be updated within a few years to see whether or not progress has been made. A regular dialogue will not only add to the pressure on putting recommendations into practice but may also help to build capacities over time. Given the current resources and capacities of the APRM, however, it is impossible to periodically review each of the 23 members every two to four years (as stated in the base document). Reviewing African members in intervals of 10 years would probably be more realistic, although that would contradict the intentions of the peer review. Thus, for the years to come

> ➢ other international organizations will have to support the AU/APRM during all the stages of the peer review process (preparation, drawing up of a programme of action, evaluation, discussion and implementation) more than has been the case so far.

The G8 Africa Action Plan presented at the 2002 World Economic Summit in Kananaskis already encouraged a closer exchange between Africa and the OECD in regard to the practice of peer reviews.[18] The OECD has so far explored ways in which peer review know-how can be transferred to African APRM officials. Developing these so called "interactive networks of 'peer review practitioners'" could be an important step towards improving the efficiency of African peer reviews.[19] The APRM itself has drawn up a provisional list of partner institutions from which to get advice and support in preparing and conducting the reviews, among them the United Nations (UN) and its agencies,

the OECD, the International Monetary Fund (IMF) and the World Bank.[20]

With the adoption of a proposal for a new EU strategy for Africa, the European Commission has pointed to the APRM as an important tool for efforts in the field of governance. A Governance Initiative is supposed to promote membership of the process and help implementing reforms based on the findings of the peer reviews.[21] The ultimate goal is to help African states build the necessary capacities so that they can carry out effective reviews without any outside help.

> ➢ There must be a political will among African member states of the APRM to guarantee the fairness, independence, transparency and rigorousness of the process.

This is not simply a suggestion for future action but rather a necessary precondition for the mechanism to have any real effect. No government should attempt to interfere with the review process or leave the impression that it tried to do so. Final assessments must be honest and must not shy away from unpleasant truths. The success of the APRM depends to a great extent on its ability to establish credibility within the first few years of its existence. Showing that the system does work and that all parties play by the rules may not only help to increase foreign aid and investment in the participating countries but also help exert a pull on other AU member countries to join the mechanism. Such a development may be facilitated through the completion of the reviews for the two dominant regional powers in sub-Saharan Africa, Nigeria and South Africa. Also, over time, non-membership may come to be seen as "an admission of governance failure and an unwillingness to attempt to do anything about it."[22] This may also act as a strong incentive for joining the mechanism. Finally,

> ➢ African governments must be willing to actually implement the peer review's recommendations.

[18] See the G8 Africa Action Plan at:
http://www.state.gov/e/eb/rls/othr/11515.htm
[19] See *OECD,* The OECD and NEPAD, April 29, 2004, at:
http://www.oecd.org/dataoecd/56/17/31613187.doc

[20] See the complete list at:
http://www.iss.co.za/AF/RegOrg/nepad/aprmpartlist.pdf
[21] See *Commission of the Euroepan Communities*, EU Strategy for Africa: Towards a Euro-African pact to accelerate Africa's development, SEC(2005)1255.
[22] NEPAD and the APRM in brief, in: Africa Budget Project Articles at: http://www.idasa.org.za, February 24, 2005.

A review's findings can be rigorous and detailed and honest and still amount to nothing if there is no implementation of the recommendations. Translating the results of the review into legislative action and executive practice is the most important part of the process. It remains to be seen, whether enough pressure (by the peers, the media and the public) can be built to change the minds of those governments unwilling to do so. If indeed, as has been said, the "room for civil society engagement within the APRM is steadily expanding,"[23] then there should also be more room for alternative examinations by civil society independent from the APRM. They could add to the pressure by pointing out deficiencies in the APR process or simply by adding to its findings.

Conclusion

The APRM is plagued by a number of problems that could potentially derail its efforts to build political stability and economic growth by ensuring that member states conform to an agreed set of values and standards. However, there are also some encouraging signs. The base review is now nearing completion for three of the members and the review process is under way in another three. First results from Ghana and Kenya suggest honest and rigorous assessments. Now, more reviews must be completed in that same fashion. Also, new structures (the PAP, ECOSOCC) meant to engage in the review process have been set up since the launch of the APRM.

To help ensure the APR process heads in the right direction, there will have to be an improved and more co-ordinated partnership between the AU/APRM, the OECD, the European Union and international organizations such as the UN or the IMF. This cooperation is not a one-way street and its aim is not to lecture Africans on how to conduct their examinations. But there is still a lot APRM officials can learn from the decades of experience in conducting peer reviews in the OECD.

In the end, however, the effectiveness of the APRM will not be measured by the quality and breadth of the reviews but rather by the progress made in implementing the reviews' recommendations.

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[23] Jakkie *Cilliers*, Human Security in Africa: A conceptual framework for review, African Human Securities Initiative, 2004, p. 5.