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Regional Organisations and Incentives to Improve Governance: The APRM Experience, with Particular Reference to Ghana

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List of acronyms

ACDESS	Africa Centre for Development and Strategic Studies
ADB	African Development Bank
AMU	Arab Maghreb Union
APRM	African Peer Review Mechanism
AU	African Union
CHRAJ	Commission for Human Rights and Administrative Justice
COMESA	Common Market for Eastern and Southern Africa
CRM	Country Review Mission
CPI	Corruption Perception Index
EAC	East African Community
ECCAS	Economic Community of Central African States
ECOMOG	ECOWAS Monitoring Group
ECOWAS	Economic Community of West African States
EU	European Union
GACC	Ghana Anti-Corruption Coalition
GII	Ghana Integrity Initiative
GPRS	Ghana Poverty Reduction Strategy
IGAD	Inter-Governmental Authority for Development (Horn of Africa)
IRS	Internal Review Service
NATO	North Atlantic Treaty Organisation
NCCE	National Commission for Civic Education
NEPAD	New Partnership for Africa's Development
OAU	Organisation for African Unity
OCSE	Organisation for Cooperation and Security in Europe
OECD	Organisation for Economic Co-operation and Development
PRSP	Poverty Reduction Strategy Papers
RECs	Regional economic communities
SADC	Southern African Development Community
SFO	Serious Fraud Office
TI	Transparency International

Executive summary

Governance has been a central issue in the discourse on development since the end of the Cold War. African governments, that were relatively late in joining this discussion, have come on board principally through the New Partnership for Africa's Development (NEPAD). While it preceded the African Union (AU), NEPAD was later declared a programme of the AU, with the African Peer Review Mechanism (APRM) as its main tool for improving governance in Africa.

The APRM is designed as a self-evaluation mechanism, to be voluntarily acceded to by a country by signing a Memorandum of Understanding regarding how to conduct the assessment of the country's state of governance. The quality of governance is mutually evaluated in four areas on a largely standardised basis: (i) democratic and political governance; (ii) economic governance and management; (iii) corporate governance; and (iv) socio-economic development. There are guiding objectives, standards, criteria and indicators to assess each of the thematic governance areas, which link back to AU norms.

The main continental institutions/structures and processes for undertaking the APRM assessments are:

- The APR Forum (of Heads of State and Government),
- A Panel of Eminent Persons (in order to increase credibility),
- A supporting APR Secretariat (based in Midrand, South Africa),
- A Country Review Mission per country under scrutiny (led by one of the Eminent Persons per country, and assembled only for this purpose), and
- APRM partner institutions, such as the UN Economic Commission for Africa, and the African Development Bank.

The assessment process itself proceeds in five stages, starting with a self-assessment by the country under scrutiny using instruments prepared by the APR Secretariat, which in turn generates a report to the continental structures. A country review mission put together by the APR Secretariat reviews the draft country report before it is submitted by the Eminent Persons to the Forum of Heads of State and Government, where the peer review proper takes place. Thus far, three reports have been published (Ghana, Rwanda, Kenya) and others (South Africa, Algeria etc.) await peer review.

Though the guidelines are basic and the continental institutions for overseeing the APRM process are relatively weak, the clearly African-driven nature of these regional bodies gives them potential to foster incentives for leaders to improve governance. The process and its incentive structure are predominantly based on the peer element, where a 'club mentality' prevails and pressure is preferably exercised behind closed doors. This sounds negligible and prone to abuse by free-riders, yet, in all cases thus far, the continental structures have exercised influence on the process to varying degrees. Indeed, the continental structures did subject the management of the APRM process in Kenya and Rwanda to significant scrutiny and peer pressure.

Nonetheless, the potential for free-riding continues to be a problem for the peer-review process, which is faced with pressure to dilute standards and protocols at the country level, and thus compromise the process and content for the sake of 'club solidarity'.

With regard to content, the review aspires to be a comprehensive exercise, yet some topics such as agriculture or the informal sector are insufficiently covered – despite their importance for large sections of the population – which suggests structural neglect. Politically-sensitive areas such as the rights of minority groups were omitted in the original country reports, even in the case of good performers such as Ghana and South Africa (and had to be flagged by the continental structures).

The case of Ghana offers lessons on the promise and shortcomings of the process, and is generally perceived so far as the best-practice example of APRM assessment. As front-runner of the APRM, Ghana set fairly high standards for the review. Its report is indeed comprehensive (with the caveats mentioned above) and it addresses problems at the various levels of the political system without shying away from criticisms and raising pertinent issues in the area of human rights. The politically-sensitive issue of corruption at various levels of the governance structures and processes in the country, for instance, is given considerable attention, together with detailed recommendations.

However, the implementation of the APRM recommendations and national programme of action to redress the problems diagnosed in the Ghana APRM Country Report remains unsatisfactory. Perhaps incentives for credible implementation can only be created through several rounds of critical reviews of the process, however this has yet to take place as the process is fairly new. The experience of Ghana indicates that civil society groups lack both the requisite information and capacity to effectively play a watchdog role over the implementation process.

A crucial element in the APRM and its appeal to political actors within the continent is its African nature. The APRM therefore – if made use of strategically – can be a vehicle to further foster African ownership of the governance agenda. External actors can support the process, but carefully. Direct funding to APRM institutions, for instance, could potentially undermine the political ownership and have unintended effects on the legitimacy of peer review.

A possible level of external engagement could be funding for the implementation of APRM action plans. This would treat the APRM process as a form of credit-rating exercise, which may then increase the incentives for African states to participate. Support to meaningful plans emanating from APRM processes would also create incentives to conduct the process properly and might stimulate dialogue regarding reforms within partner countries. There may be problems with this approach, however. First, the quality of these action plans is likely to vary from country to country, depending on national capacity. Second, the relationship between APRM programmes of action and other existing documents (in particular PRSPs) may not be clear, though ideally the APRM should feed into existing national strategies. And third, implementation plans should not be regarded as technocratic routes to development.

At any rate, and from a donor perspective, the documents generated through APRM assessments can – and should – feed into political and policy dialogues with developing countries. Donors can provide political support to the APRM without fundamentally readjusting traditional support. While supporting government and civil society, donors can indirectly support the APRM by making reference to them when engaging with countries that have conducted a peer review.

1. Introduction: Africanisation of the governance agenda? AU, NEPAD and beyond

Much like Europe, Africa has been exposed to political changes since the end of the Cold War in the 1990s. Electoral democracies – albeit often imperfect – have spread across Africa and the international structure of the continent, too, has changed.

Political science literature, as well as some economic approaches, emphasises governance as key to economic success and sustainable development; governance is often seen as a critical explanation for the lack of development in Africa. The term 'governance', however, embraces various aspects and can be subdivided into at least political, economic and administrative governance. The importance of governance in relation to development relies on the formation of institutional structures, as stated by the school of New Institutional Economics (North, 1993). These structures offer a framework for interaction between stakeholders, and define the 'rules of the game' (Giddens, 1984). If these structures are designed to provide accountability, transparency and responsiveness, it follows that the potential for economic and social development will be enhanced.

The World Bank's (1989) sub-Saharan Africa study 'From crisis to sustainable growth' was the starting point of international discussion about the role of institutions, transparency and accountability, which have become accepted as principles of good governance. The concept of governance has subsequently evolved from a narrow and exclusive focus on economic or technical constraints of development to a broader concept that includes the political factors related to economic and social development (Adam, 2000; Mkandawire, 2004; UNECA/OECD/DAC, 2005).

The Poverty Reduction Strategy Papers (PRSPs) were developed in 1999 in the context of discussions at the World Bank concerning the criteria for debt relief for poor countries. PRSPs are based on the premise that each developing country needs to develop a comprehensive national strategy – including social, economic and financial policies – to eradicate poverty. This national-level focus was conceptualised to enhance ownership by developing countries, following lessons learned from the failures of structural adjustment policies since the late 1980s. With the inclusion of civil society and the private sector in the formulation of the PRSP, development cooperation became arguably more political: citizen participation as well as stronger (vertical) accountability of government towards the public should be guaranteed.

The discussion about governance was also picked up in the Millennium Development Declaration of the United Nations in 2000. This declaration, signed by 189 member states, was a first step towards a broader consensual international agenda on governance, and emphasises the key ideas of responsibility of developed, as well as developing countries, as well as the need for national ownership and accountability between all stakeholders. These principles are regarded as essential to achieve the agreed MDGs (Loewe, 2005; UNDP, 2003) and have been further developed in the Paris Declaration on Aid Effectiveness (2005). These international discussions have also found resonance in African political debates and institutions since 2000.

1.1 African Union (AU) and NEPAD

Governance reform has long been recognised among scholars and development specialists as key to African social, political and economic success. African governments have belatedly come to share this consensus.

The African Union (AU), launched in 2002, is the successor of the Organisation for African Unity (OAU). In contrast to its predecessor, it has tried to introduce a different political culture by forsaking the principle of non-interference in cases of gross human-rights violations. This erstwhile

principle has been misused by some African governments as carte blanche to repress their citizens – making recall to the principle of non-interference so as not to be held accountable for poor governance by their peers. African continental structures are beginning to move away from this culture of non-interference to a culture of non-indifference. AU statutes explicitly enable the organisation to act in cases of war crimes, gross human-rights violations and genocide. The new setting shown through the development of the AU is reflected in the organisation's increasing importance in conflict management on the African continent, for instance in peace-keeping missions in Burundi, Sudan/Darfur, and Somalia.

The AU regards regional economic communities (RECs) as implementing bodies; they are the key organisations responsible for economic integration (continuing from the Lagos Plan of Action of 1980), and some of them have also been active in the area of peace-keeping (e.g. ECOMOG in Liberia since 1990, and in Sierra Leone and Guinea-Bissau in the late 1990s) as they can be mandated for operations by the AU. Even though the AU originally planned for its membership to include five regions (North, West, East, Central, South), it has acknowledged more and overlapping regional organisations, namely ECOWAS (West Africa), SADC (Southern Africa), ECCAS (Central Africa), COMESA (Eastern and Southern Africa), EAC (East Africa), IGAD (Horn of Africa) and the Arab Maghreb Union (AMU) for North African States. The capacities and level of integration in these regional communities varies greatly; the most advanced are probably ECOWAS, SADC and – in economic matters – COMESA. Standard-setting in the area of governance within regional communities, however, has been limited in the past. This was partly due to a culture of non-interference (just like at the continental level) and partly due to a culture of inclusiveness (i.e. all states in a region automatically become members of a regional community). To date, there is no such mechanism as the latest European Union accession process, which demands aspirants to meet a set standard before becoming members (Maniokas, 2004).

The New Partnership for Africa Development (NEPAD), established in 2001, is the key continental programme focusing on governance and economic development and spanning across regional communities. Inspired by the ideas and hope of an African renaissance at the beginning of the new millennium, the concept of NEPAD emerged out of different ideas developed by five heads of state around 2000/01. Nigerian President Olusegun Obasanjo, Algeria's Abdelaziz Bouteflika, and Hosni Mubarak of Egypt concurred with South African President Thabo Mbeki's vision of 'African Renaissance' and Senegal's President Abdoulaye Wade's 'Plan Omega' to initiate NEPAD. NEPAD was conceived as the over-arching policy framework with the goal of fostering sustainable African political, social and economic development. While not the first development initiative elaborated by African leaders, it is the first that shares widespread Northern perceptions of Africa's responsibility for its own development and the emphasis on the importance of governance. It also gives some indication and assurance that African leaders are beginning to internalise some of the key elements of the G8 and 'Washington consensus'. Consequently, it attracts much attention and creates high expectations from the international community.

NEPAD aspires to cross-country cooperation and mutual learning to improve governance, and subsequently foster socio-economic development. It preceded the establishment of the AU in 2002, and was only later adopted as the AU's socio-economic programme (Grimm and Mashele, 2006). Membership of NEPAD is thus identical to that of the AU – although NEPAD has maintained its headquarters at Midrand/South Africa and is thus physically separate from the AU headquarters in Addis Ababa. Political discussion about the possible relocation of the NEPAD bureau into the AU headquarters and the merging of some decision-making bodies is ongoing, but apparently a low priority on the agenda.[1]

The NEPAD Declaration on Democracy, Political, Economic and Corporate Governance underlines the importance that the body attaches to the ideals for a 'just, honest, transparent, accountable and

[1] The overlap of memberships in organisations with slightly overlapping mandates/aspirations is a well-known feature in Europe with the EU, the Council of Europe, NATO, OECD and OCSE existing alongside each other.

participatory government and probity in public life' (AU/NEPAD, 2005: 4). Moreover, in support of good governance the AU member states agreed at the AU summit in South Africa in July 2002 to:

> adopt clear codes, standards and indicators of good governance at the national, sub-regional and continental levels; accountable, efficient and effective civil service; ensure the effective functioning of parliaments and other accountability institutions […]; and *ensure the independence of the judicial system that will be able to prevent abuse of power and corruption (AU/NEPAD, 2003a: 5).*

The APRM is widely heralded as the centerpiece of NEPAD; it aims to accelerate the progress of member countries in adopting and implementing NEPAD priorities and programmes, and the values, codes and standards defined in the corresponding Declaration on Democracy, Political, Economic and Corporate Governance (Asante, 2006: 49). The APRM is also intended to signal to G8 donors Africa's readiness to take responsibility for its own development. It is driven, at least in part, to give credence to NEPAD and to persuade development partners and G8 donors to fund African/NEPAD development programmes, and could thus also be interpreted as a quasi 'credit-rating' facility intended to demonstrate to development partners that African countries are credit- and investment-worthy. This assertion is often repeated, but needs to be critically analysed in light of the sections below.

1.2 The African Peer Review Mechanism: Principles and aims

By acceding to the APRM a country commits itself to improve its governance in line with the agreed objectives and standards. It must open itself up for internal policy dialogue, as well as with other participating states (Cilliers, 2002; AU/NEPAD, 2003b). Joining the APRM is not an explicit requirement of NEPAD, however member states of the AU can voluntarily join the mechanism by signing a Memorandum of Understanding (MoU). Thus far, 26 AU members have signed the MoU and joined the APRM.[2]

The primary purpose of the APRM is:

> 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 assessing the needs for capacity building (AU/NEPAD, 2003e: para 3).

The idea of the APRM is to mutually evaluate the quality of governance on a voluntary, but standardised, basis in four areas: (i) democratic and political governance; (ii) economic governance and management; (iii) corporate governance; and (iv) socio-economic development. For each area, there are guiding objectives, standards, criteria and indicators for the assessment which link back to AU norms (AU/NEPAD, 2003b). For example, the sphere of democratic and political governance is guided by the overall objective to:

> consolidate a constitutional political order in which democracy, respect for human rights, the rule of law, the separation of powers and effective, responsive public service are realised to ensure sustainable development and a peaceful stable society (AU/NEPAD, 2003b: 5).

[2] See http://www.nepad.org/aprm (accessed 21 May 2007). The countries include: Cameroon, Gabon, Republic of Congo, São Tomé and Principe, Ethiopia, Kenya, Mauritius, Rwanda, Sudan, Tanzania, Uganda, Algeria, Egypt, Angola, Lesotho, Malawi, Mozambique, South Africa, Zambia, Benin, Burkina Faso, Ghana, Mali, Nigeria, Senegal, Sierra Leone. For the individual stages of implementation see annex A2.

More specifically, nine key objectives are drawn from this: Conflict-prevention; constitutional democracy including periodic political competition and rule-of-law; human rights; separation of powers; accountable civil service; fighting corruption; protection of women's' rights; children's rights; and the rights of vulnerable groups.

Accordingly, the assessment in the area of economic governance and management is guided by refined objectives, of which there are five: (i) promotion of macroeconomic policies that support sustainable development; (ii) implementation of transparent, predictable and credible government economic policies; (iii) promotion of sound public finance management; (iv) fighting corruption and money laundering; and (v) acceleration of regional integration. The area of corporate governance sets the aim 'to align as nearly as possible the interests of individuals, corporations and society within a framework of sound governance and common good' (AU/NEPAD, 2003b: 20) by setting five specific objectives encompassing corporate citizenship and codes of good business ethics. The area of socio-economic development specifies six objectives such as affordable access to water and gender equality.

Box 1: G8 and NEPAD

In reaction to NEPAD, the G8 adopted an Africa Action Plan in June 2002 and expressed the intention to support NEPAD's implementation. The Africa Partnership Forum was created to facilitate political exchange between G8 representatives and African states.

Rhetorical emphasis is placed on the APRM and its prospects to provide momentum for reforms in order to improve socio-economic performance in Africa. Within the Africa Action Plan, the G8 states explicitly declared support for the APRM (G8, 2002). To underline the importance of the APRM, the G8 declared that accession to the peer-review process was a pre-condition for preferred partnerships. In turn, it promised that these preferred partners would benefit from enhanced development support, intense political exchange, additional debt relief, etc.

The conduct of the APRM process with respect to the continental standards and the practice of consultative procedures is one criterion by which to assess its success. The process cannot, however, be assessed without its outcome. This paper therefore examines both the process dimension, and first experiences with follow-up of the process and specific policy recommendations of the report.

2. Institutions and process of the APRM: Peer-review incentive mechanisms

The peer-review mechanism is intended to create pressure and peer learning between the African heads of state and government. Accession commits participating states to periodic reviews, including a country self-assessment and country review visit, full funding of the APRM, development of a national programme of action and involvement of all stakeholders in the process (AU/NEPAD, 2003c: 9f). Therefore, beyond – and possibly more importantly than – peer pressure, it also provides an opportunity for civil society to engage.

Thus far, out of four different forms of review provided for under the APRM (see Box 2), only the base review has taken place in some of the AU member countries, which is what the following sections focus on.

Box 2: Four types of reviews provided for under the APRM

The APRM, usually understood as one peer review, actually provides for four types of reviews in which internal and external reviews interact (UNECA, 2005: 5).

- The most prominent is the base review, which is supposed to be carried out within 18 months of a country committing to the APRM process. This review produces a national country report, which discusses the problems faced in the reviewed state.
- It is then intended that participating countries undergo periodic reviews every two to four years.
- Besides the scheduled reviews above, each country is able to request an additional review, called a review on demand.
- The fourth type of review – the impending crises review – can be called for by the heads of state and government if there are signs of impending political or economic crisis in the member country.

Despite 27 states having signed the MoU, only Ghana, Rwanda and Kenya have completed the base review and made their country reports available to the public. South Africa and Algeria are expected to follow suit in the new future.[3]

2.1 The peer element in the APRM

The APRM is one example of peer review within a multitude of international and regional organisations. Reviews within the OECD are theme-based and focus on economic and social issues from macroeconomics, to trade, education, development and science and innovation (OECD, 2003).[4] In contrast, the APRM is a very comprehensive exercise that aims to scrutinise the overall performance of an entire country.

Peer reviews are defined as mutual assessments among equals, i.e. there is no hierarchical order among actors. In the context of state peer reviews, they are generally understood as a mutual assessment on a non-adversarial basis aspiring to reach an agreed standard, identify best practice and to test the performance of the peer in terms of this goal.[5] Four effects of the reciprocal evaluation tend to create a 'system of mutual accountability' (Pagani, 2002a: 16):

- *Transparency*: As the review addresses national rules, practices and procedures, these features are often not only shared with the peers but are also made public in reports. This enhanced transparency contributes to the effectiveness of the peer review.
- *Policy dialogue*: Dialogue between the peers – participating states – is an integral component of the mechanism.
- *Capacity-building*: As the goal is to help the states to improve their policy-making, one result of a peer review is the exchange of best practices, i.e. occasions of mutual learning. By doing this, the peer review serves as an important capacity-building instrument.
- *Compliance*: By monitoring the policy-making of the member state in respect to agreed standards and principles, compliance with these agreed goals is enhanced. According to the logic that 'talking the talk' eventually leads to 'walking the walk', the soft law nature of peer review can prove more effective at encouraging compliance than hard law sanctions (Risse/Sikkink, 1999; OECD, 2003: 5).

In order to make the mechanism of peer review possible and effective, reciprocal trust among the peers, shared confidence and combined engagement are prerequisites. The success and

[3] See http://www.nepad.org/2005/files/aprmcountries.php (accessed 17 May 2007). For more details see annex A2.

[4] See http://www.oecd.org (accessed 29 January 2007). For a comparison between the APRM and the OECD Aid Review see annex A5.

[5] The concept of peer review could therefore be distinguished from other forms of monitoring as judicial proceedings, fact-finding missions or general data collection.

effectiveness of peer reviews relies on the influence and power of peers exercised during the process. Depending on the individual peer-review system, pressure can take the form of formal recommendations or informal dialogue between the peers, as well as comparisons or rankings of review findings (Heubaum, 2005: 1). The APRM states have chosen the former and reject attempts to rank their performance, arguing that levels of development vary among different African states.

Yet, peer reviews also have effects beyond the level of peers. Review findings and possible commitments by the state in reaction to these could be used by different stakeholders in the participating country in order to put pressure on the government. Consequently, the main idea is that, due to the pressure applied by peers in the form of recommendations or dialogue (horizontal accountability) and the internal pressure of stakeholders within the state (vertical accountability), peer pressure 'can become an important driving force to stimulate the State to change' (Pagani, 2002b: 6).

Recalling the main ways peer reviews are expected to work, a link can be drawn between the APRM and the improvement in the quality of governance. For instance, enhanced transparency and information to different stakeholders within the participating states could reinforce good governance. In addition, other governance dimensions such as consensus-orientation, responsiveness or accountability for the decision-making process could also be strengthened by the APRM, e.g. through the compilation and publication of existing governance problems (AU/NEPAD, 2003c: 12ff; Opoku, 2006: 7f). The requirement of the APRM process to be open and participatory could also have a particularly positive impact on the quality of governance.

2.2 Guidelines for the process

The APRM is shaped by several provisions that are determined in the base documents. One of the key tools that operationalise the methodology is the continental standard questionnaire for national self-assessment. According to the NEPAD framework, the document is organised in four sections spelling out detailed criteria for assessment in the four respective governance areas (AU/NEPAD, 2005). The questionnaire contains definitions of what is considered to be good political, economic and corporate governance in light of the NEPAD Declaration, including a definition of socio-economic development. Good political governance, for instance, is defined as:

> creating well-functioning and accountable institutions – political, judicial and administrative – which citizens regard as legitimate, in which they can participate in decisions that affect their daily lives and by which they are empowered (AU/NEPAD, 2005: 17).

Second, objectives define the essential elements of the overall goal that must be achieved by a country in each focus area. Third, a list of relevant standards and codes that refer to the objective follows. A country dealing with the questionnaire is therefore supposed to give an overview of standards and codes currently in force, against which it is subsequently measured. Fourth, questions focus on the actual practice and compliance within a country with regard to the objectives and codes, how it does it and with what results. Fifth, indicators are provided that name the expected evidence within country replies, which serve to highlight certain aspects of the objective, standard or code that are generally recognised as measures of performance (AU/NEPAD, 2005).

The questionnaire asks explicitly about norms and practices, and therefore includes implementation. For example, in area one under the objective to uphold the separation of powers, the following question is asked: 'how would you rate the independence of the legislative body in your country?' (AU/NEPAD 2005: 34). This is further broken down and requires evidence of legal provisions and resource allocation in order to establish the independence of the legislature. Respondents must also describe the measures taken to sustain progress towards independence, e.g. training (AU/NEPAD, 2005: 34f). Another question, for instance, asks recipients to 'provide

evidence of cases of disciplinary sanctions, including dismissal and prosecution of civil servants related to the shortcomings of service delivery' (AU/NEPAD 2005: 36).

Even though the four governance areas are examined separately in the self-assessment, they are closely interconnected. Eight cross-cutting issues are identified for holistic and mainstreamed responses by participating countries, namely (AU/NEPAD, 2005: 11f):

- Poverty eradication
- gender balance
- decentralisation
- country capacity to participate in the APRM
- access to and dissemination of information
- corruption
- broad-based participation
- sustainability in both financial, social and environmental issues.

The questionnaire has been criticised as being too long and repetitive. Critics have also pointed towards value-laden language in the questionnaire and have demanded more neutral phrasing. For example, the question 'how has decentralisation contributed to the quality of governance?' ignores its potentially negative effect. Likewise, suggestive wording on free-trade and regional integration have been criticised (SAIIA, 2006; Team Consultancy, 2005).

2.3 Institutions of the APRM

The APRM provides for institutions at continental or multilateral level. Furthermore, each participating country needs to build a coordinating structure at country level in order to take part in the APRM.

2.3.1 Continental APRM steering institutions

The following institutions are referred to in the APRM core documents and general information (AU/NEPAD, 2003d; UNECA, 2005; Zimen, 2006; Opoku, 2006: 14ff):

(a) Committee of Heads of State and Government (APR Forum)[6]
The Committee is the ultimate authority and oversight body of the APRM. It selects individuals for the APR Panel, takes the ultimate responsibility for country review reports and makes recommendations which are made public after final revision at the APR Forum.

(b) Panel of Eminent Persons (APR Panel)
The Panel consists of seven members, nominated by member states and appointed by the APR Forum. Members must be African with high moral stature, and should be strongly committed to the ideals of Pan-Africanism. The Panel's composition takes into account regional balance, gender equity and cultural diversity (see Box 3 below). The overall aim of the Panel is to oversee the process and to guarantee its integrity, independence and professionalism. In brief, the Panel serves as a credibility buffer (Grimm and Mashele, 2006: 3).

It is the Panel's task to develop tools, instruments, codes of conduct and guidelines to govern the country review process. It plays a crucial role in the national processes, as it oversees support missions and is responsible for the selection of the Country Review Teams. It makes assessments of, and gives recommendations on country review reports that are then delivered to the APR Forum.

[6] The Committee of Heads of State and Government is also referred to as the Heads of State Forum.

Box 3: Members of the Panel of Eminent Persons

Ms. Marie-Angeligue Savané, Senegal: sociologist and currently an international consultant and Chair of the Foundation in Support of Basis Initiatives. She served as minister in several Senegalese governments.

Prof. Adebayo Adedeji, Nigeria: current Chief Executive of the Africa Centre for Development and Strategic Studies (ACDESS) in Nigeria.

Ambassador Bethuel Kiplagat, Kenya: independent consultant on peace and conflict resolution, Executive Director of the Africa Peace Forum and Director of Universal Bank in Kenya.

Dr. Graça Machel, Mozambique: President of the Foundation for Community Development of Mozambique and Chancellor of the University of Cape Town. She is the widow of former Mozambican president Samora Machel and wife of Nelson Mandela.

Mr. Mohamed-Seghir Babes, Algeria: Lecturer and Research Associate at the Québec Institute for Advanced International Studies of the Laval University of Québec.

Dr. Dorothy Njeuma, Cameroon: President of the Conference of Rectors of Cameroon State Universities, President of the Federation of University Sports and Vice-President of the Association of African Universities.

Dr. Chris Stals, South Africa: current Chancellor of the University of Pretoria and Director of the Standard Bank Group Limited. He was formerly head of South Africa's Central Bank.

Source: http://www.saiia.org.za (accessed 17 May 2007)

(c) APR Secretariat in Midrand/South Africa

The Secretariat provides technical and administrative support and collates background information on political and economic developments in all participating countries. The secretariat, in cooperation with the APR Panel, develops guiding tools such as the template questionnaire for country assessments.

(d) The Country Review Team (APR Team)

APR Teams inspect the proceedings during the country reviews and provide additional information for APR reports. The teams convene only for the period of the country review visit and are assembled specifically for one country. The APR Panel oversees the selection of team members, who are usually selected from partner institutions. This is one of the key interactions between national processes and continental standard stetting.

(e) The APR Partner Institutions

The APRM works together with African partner institutions with specific expertise.[7] The strategic partners make up most of the Country Review Team, and will carry out technical assessment in supporting the planning of national Programmes of Action. Their 'African' status grants them a certain credibility that, say, the World Bank (despite its unquestionable analytical powers) would not have. Given the often low capacity levels of African states, as illustrated by the UNECA governance report of 2005,[8] the role of partner institutions can hardly be underestimated. However,

[7] With regard to the different subject areas a number of institutions are chosen: the United Nations Economic Commission for Africa (UNECA) in order to conduct the technical assessment in economic governance and management; the African Development Bank (ADB) in banking and financial standards as well as several AU organs for matters relating to human rights, democracy and political governance. These institutions will receive support from 'appropriate African institutions' (AU/NEPAD, 2003d: 8). With regard to the areas of corporate governance and socio-economic development it is stated that 'the APR Panel will also advise the APR Forum as to which African institutions will be invited to conduct the technical assessments' (AU/NEPAD, 2003d: 9). Later, in 2006, the United Nations Development Programme (UNDP) was officially added to the list of strategic partners by the APR Secretariat (UNDP, 2006: 13).

[8] The UNECA *Africa Governance Report* of 2005 was, in fact, a preparatory exercise for the APRM. It showed that while democratic governance was a relatively positive feature of the 28 African states researched, the executive

the technical partners themselves tend to have limited analytical capacity in the areas of good political governance and democracy, and arguably corporate governance.

2.3.2 APRM institutions in participating states

There are very few guidelines on how to structure the institutions for the APR process at national level. The official APR base documents of March 2003 hardly provide any prescriptions for undertaking the exercise. However, the November 2003 guidelines for countries on how to prepare for the APRM seem to envisage one national institution as a Focal Point for the process.

(f) Focal Point

The Focal Point should be at a ministerial level, or a person that reports directly to the Head of State or Government, as it should be 'integrated and coordinated with existing policy-decision and medium-term planning processes' (AU/NEPAD, 2003c: 11). The Focal Point serves as a link to the continental structure. The issue of national structures has sparked some discussion, as it touches upon the question of the autonomy of national APR structures from government:

> On the one hand, there was a strong argument for internalising the APRM processes within the government system as a way of securing its legitimacy and access to public resources. On the other hand, some countries argued for the exact opposite: the independence of the governing Councils so as to secure freedom to effectively undertake the APRM reviews (UNDP, 2006: 18).

Thus far, mostly government bodies such as ministries or presidential offices have been chosen. The first countries to undertake the APRM, Ghana, Rwanda and Kenya, decided to also create governing councils or national commissions as principal bodies to manage the peer review. The concept of a national governing council was later included in a chart describing relevant national institutions by the APR Secretariat in May 2006 (Herbert, 2006: 14f; UNDP, 2006: 13f, 28f), however it was subsequently suggested that the role of Focal Points and potential national governing councils should be separated.

Today, national governing councils are also presented as part of the national structures of the APRM.[9] Members of civil society participate in these councils, but to varying degrees. Ghana went furthest in making its national structure highly autonomous; entirely drawn from civil society, its national Governing Council is modelled on the APR Panel of Eminent Persons.

Ghana also created national institutions with innovative technical teams (TTs). Independent research think tanks played a crucial part in self-assessment, with a TT ascribed to one of the four areas and an independent quality check provided for. This process will be discussed further in the following section.

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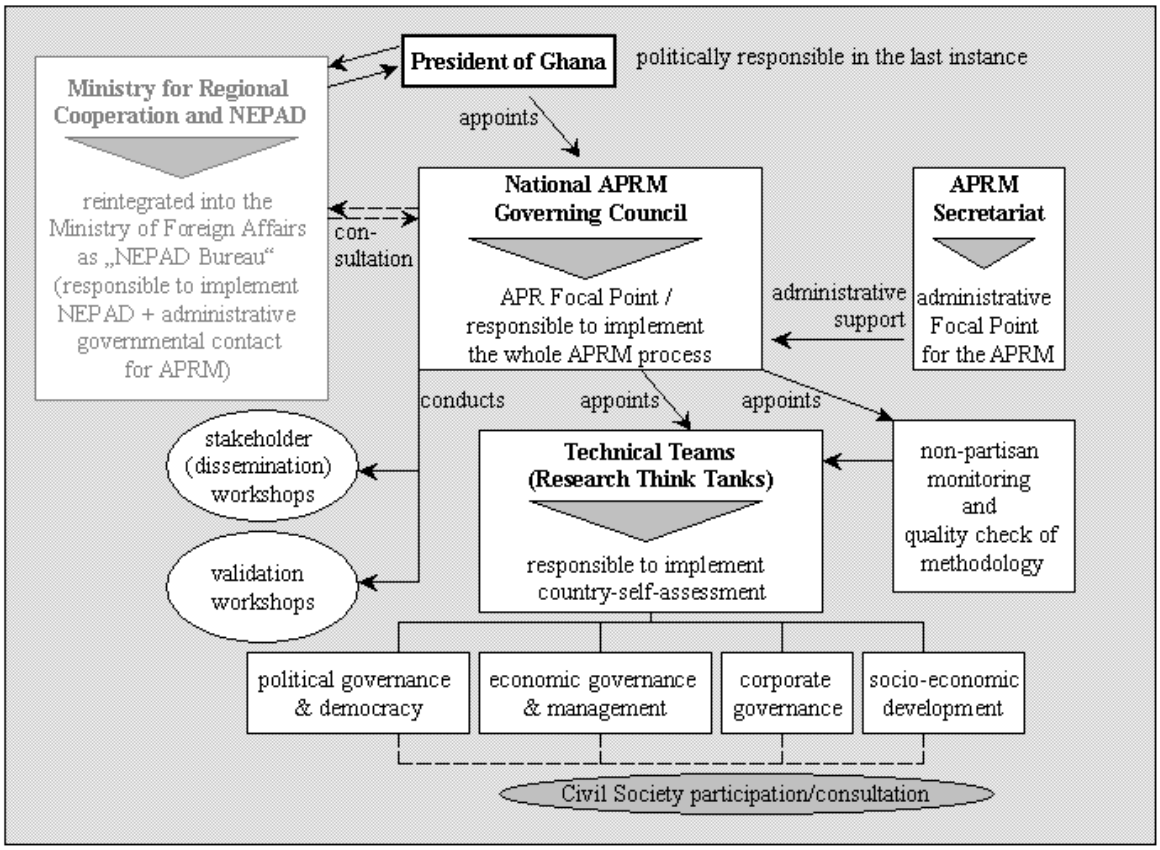
branch dominance remained a problem. The report was internally criticised for not being sufficiently sensitive to country situations and contexts and appearing to provide a basis for cross-country comparison.

[9] See http://www.nepad.org/aprm (accessed 10 May 2007). These bodies consist of a varying number of people, e.g. in Benin the governing body has 94 members, whereas the Governing Council in Ghana only counts seven members.

Figure 1: Institutional set-up of the Ghanaian peer review



Source: Grimm et al. (forthcoming), based on UNECA (2005: 8).

2.4 The process of African peer review – with reference to Ghana

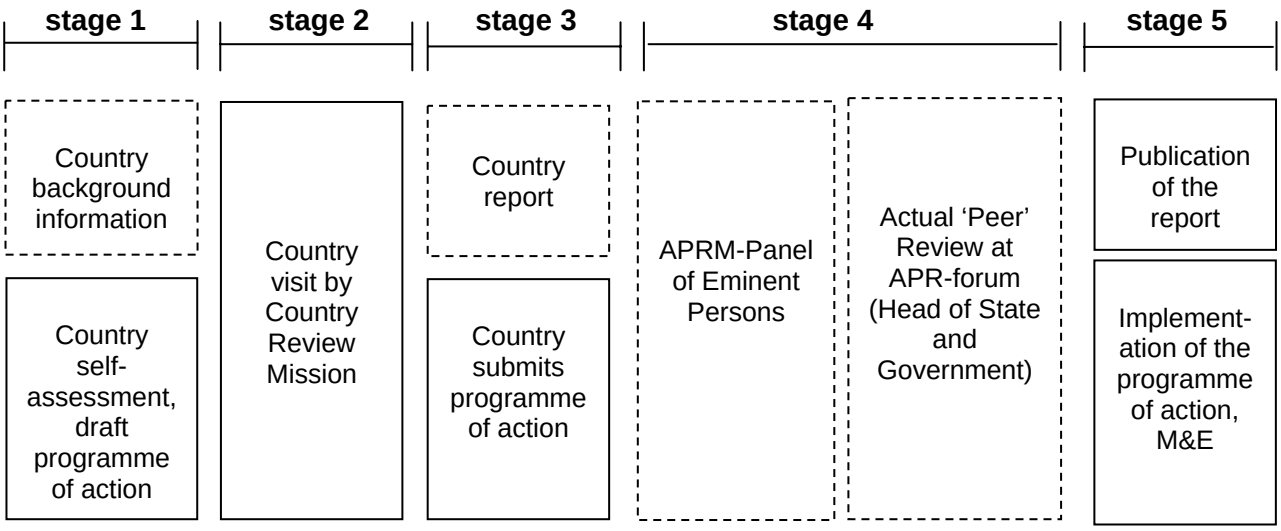
A full peer-review cycle goes through five stages: (i) the preparation of the country self-assessment; (ii) the country review; (iii) preparation of the review report; (iv) the actual peer review, when the review findings are presented and discussed at summits of the APR Forum; and finally (v) the publication of the APR report. The duration of stages one to four is approximately six to nine months.[10]

Stage one: Preparatory and Country Self-assessment
Stage one, the preparatory process, involves both the continental (APR Secretariat) and the country level. For each of the following tasks, help might be provided by partner institutions and other technical experts. Thus far, in all cases a country support mission visited the country to explain and help in following the APR guidelines (Grimm and Mashele, 2006).

The main task for the country is the preparation of a provisional programme action/activity plan (PAP). This is a plan of activities that the country's APRM implementing body proposes to undertake for the self-assessment process. This is followed by the selection and commissioning of partners to undertake the technical assessment studies, using a questionnaire provided by the APR Secretariat in Midrand, and adapted to the national context.

[10] It was originally envisaged that six months would be sufficient, however this was found to be too short and was thus extended to six to nine months.

Figure 2: Stages of the APRM



Note: - - - - - - - continental level; ——————— national level

Source: translation and adaptation of Grimm and Nawrath (2007).

In the case of Ghana, the country-level technical assessment of democracy and good political governance (by the Ghana Center for Democratic Development – CDD-Ghana) included separate household and elite perception surveys on aspects of democracy and good political governance. The findings of these surveys were incorporated into the overall analysis, thus making it possible for the report to capture the subjective opinions of ordinary Ghanaians as well as those of the well-informed and experts. In addition, CDD set up its own internal peer-review group comprising nationally recognised specialists and civic advocacy leaders in the fields of human rights, anti-corruption, conflict management, good governance and democracy to review the research design and vet the preliminary findings before submission to the National APRM Governing Council.

The self-assessment and the draft Programme of Action (PoA) covering the actions to be taken to address key gaps and deficits are submitted to the APR Secretariat at the continental level. The APR Secretariat then prepares a background document on the four sectors under review, based on desk research and information that is provided by the country. An Issues Paper is prepared on the basis of the self-assessment, the preliminary PoA, and the background paper, which then guides the country review process. The APR Secretariat can request partner institutions to undertake further investigations, the findings of which can be incorporated into the final recommendations and findings of the Issues Paper under the guidance of the APR Panel. The country will update its PoA simultaneously. At the end of this stage, the Secretariat plans the APR Team visit.

Stage two: Country Review Mission (CRM)
Stage two is the country visit by the APR Team, led by one responsible eminent person from the Panel (e.g. Chris Stals for Ghana and Prof. Adedeji for South Africa). The aim is to interact with and to consult a wide range of stakeholders from the state, as well as the non-governmental sector in the country. These consultations serve three purposes: first, to provide information about the APR process and help validate the findings of the preliminary country assessment; second, to discuss the draft PoA prepared in stage one; and third, to discuss remaining issues and steps that need to be taken with stakeholders. Stage two concludes with recommendations concerning the adaptation (if necessary) of the draft PoA.

In the case of Ghana, the review mission was criticised for having spent too brief a time in the country. Its itinerary was prepared by the APRM Secretariat, which also provoked critical

commentary. However, the team under Chris Stals: (a) stimulated media attention surrounding the APRM process in Ghana; and (b) witnessed a discussion in the House of Chiefs in Kumasi, during which it became clear that traditional rulers were not democratically elected representatives (which helped to sharpen the comments of the CRM on chieftaincy issues in the APRM report).

Stage three: Review Report
On the basis of the visit and the prepared documents, the country team prepares a country report. As stated in the APR base document, this report 'must be measured against the applicable political, economic and corporate governance commitments made' (AU/NEPAD, 2003e: para 20). This report is discussed with the government of the country, along with recommendations, and the reactions of the government are then included as an annex in the team's country report. The country is required to work the recommendations, as well as estimated capacity and resource requirements, into the PoA. Stage three ends with the final PoA and the Country Review Report.

Ghana's report was written by the Governing Council, consisting of civil society representatives only. This enhanced the credibility of the report greatly. Furthermore, several validation workshops were held with civil society groups and government, in order to ensure that public opinion was reflected. This may have provided a very good opportunity for the public to scrutinise the report, but it does not guarantee checks and balances in the reviewed country.

The government's response to the Review Report can, however, serve as an incentive for improving performance, especially if the media and pressure groups pay attention to the government response and follow up on the fulfilment of its promises to redress identified governance gaps and implementation of related programmes.

Stage four: Peer Review
Both the country report as well as the final PoA are sent to the APR Panel of Eminent Persons. At this point, the Panel – supported by the secretariat – takes over the process, reviews the report and makes recommendations for policy reforms. The report, including the recommendations, is then handed over to the APR Forum. The Forum discusses the report and communicates actions deemed necessary to the national institutions in the reviewed country. Other participating governments are then required to provide support and assistance to the reviewed country in terms of implementation; a requirement that is not further specified. At the same time, development partners are urged to assist the country under review in rectifying remaining problems. If the government is not willing to address problematic issues, peer pressure is meant to be applied.

Ghana's President Kufuor was reported by observers to have been 'quite nervous' before the peer review – interestingly, since the report was later lauded as a showpiece for the seriousness of Ghana's government to tackle the country's challenges. It represented a break with past practice to not discuss internal problems at the continental level.

Stage five: Publication of reports
In the final stage, the APR country report and the national PoA are made public, and are given to the AU, the Pan-African Parliament, the respective Regional Economic Community, the African Commission on Human and People's Rights and other relevant bodies. It is envisaged that this publication is released six months after the APR Forum first considered the report, and it can thus take up to one year after completion of the self-assessment until the final APR report is published. With this publication, the first cycle of the APR process is officially completed and implementation of reforms should begin.

The implementation of the issues tabled in the national PoA – a quasi-sixth stage – is central. These documents are meant to address problems identified in the review, as well as providing guidance to the government towards its priorities and actions (AU/NEPAD, 2003d). Within each stage of the base review, the guidance given is comprehensive but rather general in nature, and the translation of general rules into concrete measures and institutions at country level differ. The

following section gives more information about the case of Ghana (as best practice thus far) and refers to other cases where possible.

3. APRM reports

The APRM's aim is to discuss all relevant issues, however we need to take a closer look to assess whether the issues have been addressed adequately.

3.1 The range of topics discussed in participating states

As stated above, the APRM aims to be a comprehensive assessment of governance in a country under scrutiny. In practice, however, some issues are not given enough attention or are not mentioned at all due to structural negligence in the template questionnaire. Some areas, such as agricultural policy, the formal sector, or environmental issues are not focused upon in the exercise, despite their overall importance to large segments of African populations. Some of the gaps – such as coverage of agricultural issues – have been acknowledged by actors on the ground, however, and are likely to be changed in the next round of reviews. The APRM's tools (the review itself) shall be subject to revision every five years – and are thus likely to be revised in 2008. Oversight of certain issues may also be due to the APRM's principal purpose of stock-taking as opposed to identification of potential challenges.

In the case of Rwanda, there is a telling silence around the final report, which is not available on the APRM website. APRM structures do not regard the process in Rwanda as having been conducted properly, and there are a number of critical points regarding content: the self-assessment was criticised as having ignored the actual situation on the ground and simply stipulating government policy as reality (specifically with regard to inter-country conflict, where the war in Eastern Congo was not reflected). Process was also an issue, as the self-assessment in Rwanda was largely government dominated (LDGL, 2007) – if not government controlled and fudged (Jordaan, 2006). This would seem to indicate that 'punishment' by the APRM happens via peer pressure, not publicly announced sanctions. More noticeably, peer pressure was applied in the case of the Rwandan report only at the fringes of the AU summit. The Heads of State and Government present in the APRM Forum refused to discuss the Rwandan report with an envoy of President Kagame – the country's foreign minister – instead of their 'peer', the President himself. The discussion therefore took place six months later, with President Kagame being explicitly requested to present the report to the Forum himself. The silence that fell over the Rwandan report to some degree prevents Rwanda from fully taking credit for the fact that it was among the first countries to have conducted the review.

Kenya, on the other hand, had to face some delays in starting its review process after a continental mission found that the country was technically ill-prepared to conduct a meaningful peer review. The critical issue in Kenya was the national steering committee for the process and its composition: it was unclear how the committee could operate independently, and later on, the committee was mired with internal conflict. It was encouraging for future processes, however, that the continental structures asserted their independence and maintained their quality-control standards.

Even in the case of an internationally-acclaimed good performer, South Africa, the Country Review Mission had to assert its independence in order to include its own findings in the Country Report. In the case of the yet-to-be-published South African APRM report, the Country Review Mission – to the dislike of the government – included contested issues, such as xenophobia (with regard to citizens of neighbouring countries), that had not arisen during the national self-assessment. And to the chagrin of the government, some minorities in South Africa (such as the sexual minority) were

well organised and very vocal; they managed to gain sufficient attention, asserting their right to 'freedom of expression' in political discussions.

3.2 Ghana's APRM report

To date, Ghana is regarded as best practice in the APRM. The remainder of this paper will therefore focus mostly on Ghana's relatively comprehensive Country Report and PoA, to illustrate the prospects and challenges of implanting meaningful governance reforms in Africa under NEPAD-APRM.

The Ghana report captures the country's peaceful development in a turbulent region and points to its progress in institutionalising democratic governance. It also provides a critical assessment of the country's present governance and social development situation, covering a number of issues in some detail.

Box 4 outlines the four thematic areas and gives a brief overview of the APRM findings for Ghana. It is not meant to be comprehensive, but rather indicates the diversity of issues that are critically covered.

As previously stated, the continental questionnaire can be partially customised or modified to fit particular country conditions. In Ghana's case, there was a shift in emphasis from some items in the continental questionnaire to others deemed more relevant to the country. For example, the questions concerning intra- and inter-country conflicts in the thematic area of democracy and political governance were deemed non-applicable in Ghana's case. Intra-country conflict in Ghana was often seen as rooted in succession conflicts in chieftaincies or around elections campaigns, therefore the questionnaire was consequently modified in order to fit the Ghanaian situation.

Nonetheless, critics have pointed to the omission of some key topics in the APRM questionnaire and hence the national exercise. A South African think tank has claimed, for example, that topics such as international humanitarian law, child soldiers, press freedom and the very controversial issue of the rights of sexual minorities were not covered at all or insufficiently in the Ghanaian report (SAIIA, 2006), which was the first to be published. And, as noted above, further emphasis on issues around chieftaincy was added to the Ghana report by the ARPM Country Review Mission (which confirms the Mission as an important factor in the APRM exercise). An international 'shadow report' on peer review also critiques the Ghana assessment for its focus on governance instead of human security (AHSI, 2004)[11]. However, the very evidence of African civil society's engagement with the Ghanaian process can be regarded as progress in the rationale of peer review; it suggests the possibility that the idea of 'peer review' is catching on with the African populace.

[11] AHSI is a network of seven African non-governmental research organisations. Eight countries were chosen for a review of aspects explicitly related to NEPAD and the APRM. The countries were: Algeria, Ethiopia, Ghana, Kenya, Nigeria, Senegal, South Africa and Uganda. See http://www.africanreview.org/

Box 4: Overview of issues in the four thematic areas of the Ghanaian APRM

1. Democracy and political governance

- Concerns exist regarding the inadequacy of resources, notably the human, financial and logistic al capacity of the Electoral Commission;
- The sustainability of the Electoral Commission's funding is questionable, as it is donor dependent;
- Parties lack internal democracy, which may have a potential long-term effect of weakening democracy in the country;
- Representation of women in politics is low.

2. Economic governance and management

- Performance of the economy is weak and goes hand in hand with high vulnerability towards external shocks in the world economy and sub-regional political instability;
- Internal capacity in economic and fiscal management is low;
- Ghana is highly indebted and depends on external resources for financing government development expenditure;
- The level of export diversification is low.

3. Corporate governance

- Awareness of corporate governance in general, and of corporate social responsibility in particular, is low;
- Corporate governance institutions in finance, human and institutional terms are underdeveloped;
- The respective roles of the public and private sector are unclear;
- Difficulties in access to finance, domestic-resource mobilisation and support offered to small and medium enterprises remain.

4. Socio-economic development

- The level of decentralisation and governance capacity is still low;
- The ability of parliament to perform its representative, legislative and oversight functions is limited;
- Progress in the structural transformation of the economy to foster growth and stability is slow;
- Cumbersome government requirements are serious obstacles to business development;
- Quality and availability of health services is unsatisfying;
- School enrolment and retention is low, especially in the Northern regions of Ghana; and
- Corruption in the public sphere, at both the national and regional levels remains a major governance problem in Ghana.

Source: Own summary of the APRM report.

3.2.1 The APRM's analysis of Ghana's democracy and political governance

As mentioned above, the Ghanaian APRM covers a wide range of issues, however the critical question is whether all the right issues were covered. To evaluate this, it is necessary to compare statements by Ghanaian stakeholders concerning specific findings of the APR report. In order to explore the issues mentioned in the APRM and to examine how they have been approached, the following focuses on the thematic area of democracy and political governance and takes it as an example.

The objectives and critical issues in the APR report regarding democracy and political governance cover a variety of aspects, including constitutional provisions and the practice of democracy, institutional capacity, the delivery of public services, the electoral process, and the performance of governance institutions at the various levels of the governance system. In this context, the often unclear role of chieftaincy, uncertainties of land tenure, at times practically limited and violent political competition, efficiency and effectiveness of the public sector, wide-spread corruption and the often insufficient protection of women's and children's rights are main issues. The Ghanaian report appears to have addressed most of the issues, as was largely confirmed in interviews with stakeholders from civil society and public institutions in the country between February and April 2007.

The APR report reflects most of Ghana's internationally discussed development issues. The most significant governance gaps frequently mentioned in expert studies are issues organised around electoral and political processes, corporate governance, separation of powers, checks and balance among state institutions (in particular the insufficient role of parliament in country governance and dominance of the executive), public administration and the civil service, anti-corruption mechanisms, and the rule of law (Global Integrity, 2006; SAIIA, 2005). Further issues are human rights, socio-economic development, agriculture, energy supply and the informal sector.

Box 5: Illustrations of details reviewed in the Ghanaian APRM report

Some aspects of the Ghana report illustrate the degree to which APR assessment and recommendations shed light on the political system, how it functions on a regular basis, and the human-rights situation in the country.

Political system:

In the political realm, the presidency is described as having overwhelming and largely unchecked powers. This is aggravated by the weak role of parliament and the fact that the President appoints a majority of his ministers from here, making them simultaneous members of both the executive and legislative branches of government. In addition, parliament possesses insufficient control over the national budget. And the judiciary suffers from financial dependence on the government and from a lack of resources (Global Integrity, 2006: 3). The role of parliament is discussed excessively in different parts of the APR report. Area two concentrates on the 'separation of powers, including the protection of […] an effective Parliament' (APR Secretariat, 2005: 29ff). *Inter alia*, it recommends to the provision of 'appropriate capacity to Parliament Committees enabling them to perform their functions efficiently in overseeing and providing effective checks and balances against the Executive' (APR Secretariat, 2005: 32). Concerning the financial oversight role of parliament, the APR Panel recommends that 'institutional and organisational changes to facilitate an enhanced oversight role for Parliament in the public finance arena' (ibid.: 76) are put in place with regard to corporate governance.

Political processes:

Concerning electoral and political processes, one of the most pressing issues discussed is the unregulated political party financing. The Political Parties Act (2000, Act 574) neither secures state funding for political parties nor places limits on donations to political parties and their campaign spending. Inadequate political independence and capacity constraints on the electoral commission are regarded as additional bottlenecks (Global Integrity, 2004: 3). The APR report indicates that 'requirements for the disclosure of related party transactions are adequate, enforcement and oversight capacities for implementation of the same are weak' (APR Secretariat, 2005: 111). The PoA makes reference to this problem of inadequate resources for governance institutions and, as the expected output under objective four in the area of democracy and political governance, calls for a credible funding formula for non-executive branch governance institutions.

Human rights:

Human-rights watchdog organisations in Ghana, such as CHRAJ, are thought to be under-funded. The effectiveness of CHRAJ is additionally undermined by a lack of power to prosecute. Capital punishment is still practiced in Ghana; women in Ghana face more hardships than men in all measurable areas – the treatment of so-called witches is one of the most striking examples of the treatment of women, where those accused of witchcraft face the possibility of being lynched or even murdered; child labour is widespread (SAIIA, 2005: 31ff). Gender and human-rights issues are discussed in objectives eight, nine and ten of the democracy and political governance thematic area and reflected in the PoA (APR Secretariat, 2005: 38ff).

As illustrated in Box 5, democracy and political governance issues are assessed differently by the APRM, important stakeholders in Ghana[12] and by international publications.

Findings of the self-assessment and the CRM, the recommendations of the APR Secretariat, and planned activities of the PoA do not always match, and are not coherent in all cases; some issues of the self-assessment or recommendations do not feature in the PoA and vice versa. For instance, the PoA calls for the establishment of an early warning system and sub-regional security, which are government policy, but neither feature in the self-assessment or the recommendations of the APR Secretariat. The ratification and adoption of several UN protocols to promote and protect the rights of children, on the other hand, are not present in the PoA. Rather, the PoA brings up other important issues such as the elaboration and implementation of a 'policy on child prostitution and pornography' (APR Secretariat, 2005: 186), but does not respond to the point made in the self-assessment and recommendations.[13]

3.2.2 Over-arching issue of corruption in Ghana's report

The problem of corruption features quite prominently as one of the eight 'salient over-arching issues' in the Ghanaian APR report (APR Secretariat, 2005: 139). Corruption is covered in three of the four thematic areas in the report, and it highlights a number of deficiencies in the Ghanaian system to a laudable level of (critical) detail, including policy recommendations.[14]

Corruption is seen as a major governance problem and is perceived by Ghanaians as prevailing at the national and regional level. For these high levels of perception, the country self-assessment under the APRM itself made reference to the findings of previous surveys, including one by the Ghanaian think tank CDD which showed that 75% of the households surveyed agreed to the statement that corruption was a national problem, above all, in the public sector. Named causes included low wages and bad internal management practices (APR Secretariat, 2005: 36). The country report lists non-transparent administrative procedures, weak codes of conduct, a gift-giving culture, nepotism, patronage and lack of public perception of corruption as a criminal act as further causes (ibid.: 77).

Three main shortcomings in the fight against corruption were identified in the Ghanaian APRM, based on which subsequent recommendations are given. These points reflect the key issues identified in the general literature on corruption and in specific reports on corruption in Ghana.

Firstly, the absence of a comprehensive legal framework is cited; corruption is dealt with in many different statutes. Ghana has signed the UN convention against corruption as well as the AU convention on preventing and combating corruption, but still has not ratified and incorporated them into domestic law. The APR Panel therefore accepted the recommendation for a binding time-frame concerning the outstanding ratifications and the enactment of the pending Whistleblowers Act, as well as a Freedom of Information Bill. Demand for the latter ranks very high on civil society's agenda, as the APRM's CRM revealed (APR Secretariat, 2005: 16f, 37f, 79).

Secondly, the three public integrity institutions, namely the Accountability Office within the Presidency (established in 2003), CHRAJ, (established according to the new constitution in 1993) and SFO (established by an act of Parliament) face problems regarding human and material resources, logistics and infrastructure. The absence of a governing board, as well as a tenured Executive Director within the SFO, the institution in charge of more serious offences, is identified

[12] Interviews were conducted in the context of a study by DIE in early 2007, as mentioned at the start of this report.

[13] The CRM criticised Ghana for failing to ratify two UN protocols on sexual exploitation of children and child involvement in armed forces, and also the Convention on Human Trafficking. The APR Panel consequently recommended adaptation of the respective UN documents – more precisely suggesting a binding time-frame to accede or ratify to UN instruments on the rights of the child.

[14] Corruption in the country report is mainly dealt with under objective 7 (*fight corruption in the public sphere*) in the area of democracy and political governance, and under objective 4 (*combat corruption in public administration and money laundering*) in the area of economic governance and management. Corruption-related issues in other areas (e.g. business supply-side or money laundering) are not covered in detail, but reference is made whenever relevant.

as a major deficiency.[15] The SFO is faced with 'serious capacity constraints and an inability to prosecute officials directly' (APR Secretariat, 2005: 79).

Thirdly, the institutional dualism of CHRAJ and SFO, both mandated with fighting corruption, is explicitly criticised and the APR Panel recommends the establishment of a 'central organ within the government […] conferred with exclusive jurisdiction to fight corruption' (APR Secretariat, 2005: 37). Another recommendation given was to increase public spending on awareness-raising and educational programmes concerning corruption. The panel expressed particular concern about the high level of perceived corruption in the judiciary, and the difficulty of producing evidence to back claims of corruption within the institution. It therefore recommended 'investigating the basis of the perception and the gravity of the difficulties, using independent bodies if necessary' (ibid.: 79). The work of the Ghana Anti-Corruption Coalition (GACC), which is made up of CSOs and governmental agencies, is cited as important in the country self-assessment, e.g. as its plan to combat corruption has been included into the GPRS II. In conclusion, the recent efforts of the government to fight corruption are recognised in the country report but judged as not being sufficiently effective, hence the call for an intensified campaign (ibid.: 141).

Having correctly identified the major issues on corruption, the PoA seeks to address these issues through various measures. It asserts the importance of a comprehensive anti-corruption legislation, seeks improvements in the law on public-official asset declaration and stricter compliance with public procurement procedures (APR Secretariat, 2005: 182ff). This is a commendable and politically sensitive statement, which has apparently struck a cord with government. In its response to the country report and PoA issued by the APR Panel, the government disagreed with the statement that 'serious concerns have been raised […] about the inquisition-like power of the SFO to buy incriminating evidence to use against them'. It replied sharply that:

> Government is rather taken aback at the language and import of the statement in respect of such an important anticorruption agency. Secondly, nowhere in the Ghana Country Self-Assessment Report was such a statement made or even suggested. Thirdly, the Country Report did not provide any evidence in support of the statement (APR Secretariat, 2005: 149f).

At the APR Forum in Khartoum on 22 January 2006 (stage four of the APR), President Kufuor highlighted the fact that government established a Ministry of Public Sector Reform with the mandate to enhance service delivery, fight corruption and look into wage structures, which have been cited as causes of corruption. Thus, despite strong negative reactions, the report has had public resonance and has triggered some actions by government – even if these can be regarded as cosmetic. At any rate, the reaction provoked from government has indirectly heightened public awareness about the problem of corruption in Ghana ('if government reacts that way, there must be something to it').

4. Follow-up and implementation of APRM issues

The APRM is at a relatively early stage, and thus evaluations of its implementation must be tentative. Many of the interventions that the APRM entails do not lend themselves to quick fixes and would require longer-term engagement. Nonetheless, in terms of the state of implementation, the level of institutionalisation of APRM structures for follow-up, and the role of different stakeholders within implementation, one can state that: 'implementation seems to be the weakest point of Ghana, and indeed of the entire African continent, although this is the stage that makes the desired transformation into reality' (Opoku, 2006: 42). At least in the case of Ghana, this assumption is shared by numerous stakeholders, who identified implementation as one of the challenges and critical factors in the Ghanaian APRM (Grimm et al., forthcoming).

[15] The board has subsequently been established; yet its overall purpose for the institution was challenged in interviews. Permanent directors, to the contrary, had not been appointed until the time of research in Ghana (April 2007).

Before discussing possible reasons for that conclusion, the following section will sum up the findings concerning the crucial stage of implementation.

4.1 Experiences with implementation in Ghana

Guidelines for monitoring and evaluating the implementation of the APRM's recommendations – issued by the Midrand Secretariat – have thus far been respected in Ghana; implementation is monitored and both a 6-monthly and an annual report on implementation have been issued by the Governing Council. Furthermore, the President has expressed a desire to install the Governing Council as a permanent monitoring body on implementation.

It is important to emphasise, however, that clearly tracking the causal links between recommendations of the APRM and implementation of the PoA would require more in-depth research on one or a few of the issues raised in the APRM report. What was found, however, was largely anecdotal evidence of action pointing to a possible causal link with the APRM recommendations.

Follow-up is the biggest challenge. One possible reason for the slow progress could lie – among other things – in a lack of political commitment. However, beyond this black-box term of 'political will', a more tangible explanation might be found in the serious constraints on the involvement of relevant stakeholder groups; looking at the possible roles of stakeholders in the process, serious obstacles for engagement were found in Ghana.

Box 6: Who can take the agenda forward in Ghana's public debate?

While implementation of the APRM's PoA is a matter relating to the executive's determination and capabilities, institutionalised monitoring and public pressure can be expected to focus attention. The institutionalisation of the APRM's follow-up in Ghana can build on existing state institutions like CHRAJ and the National Commission for Civic Education (NCCE), which already provides regional administrative support to the Governing Council. Yet capacity constraints are vast, and going down to the district level in monitoring implementation – as planned – would be a very ambitious step that would require a significant increase in funds and human resources.

Parliament's role

One must conclude that implementation of APRM recommendations concerning the strengthening of parliament's role (as both object of recommendations and subject in implementation) is one of the weakest points. Consequently, parliament's oversight potential is far from being achieved, which is arguably one of the reasons for the APRM's creation. Government argues that a number of changes would require constitutional amendments that demand a referendum. However, little appears to have been done to implement this either.

Civil society's role

There are similar shortcomings in performance – albeit on a different level – for civil society organisations. Opoku (2006: 42) describes civil society's potential in implementation as follows:

> Above all, civil society need to be proactive, show interest in the process and demand for progress report on status of implementation from both the Governing Council and Government and also fulfil their obligations to make the implementation successful (Opoku 2006: 42)

But it seems that the APRM is one document among others for civil society, which they only occasionally refer back to. There was also no indication of the sustainability of the (limited) reference made. While most civil society organisations said that they regard the APRM as a valuable process, hardly any made active use of it.

With regard to the prerequisites to actively engage stakeholders in implementation, all actors need to meet two requirements for any meaningful engagement in the process itself, namely: (a) a basic level of information; and (b) a basic level of capacity to engage in a process. In interviews it was regularly stated that civil society groups in particular, but also public institutions, parliament and even the media in Ghana lack information and capacity. There is a crucial link between knowledge, capacity and reference to or engagement with the APRM, its recommendations and the PoA (Grimm et al., forthcoming).

4.1.1 Lack of information

It appears that the knowledge of most Ghanaian stakeholders about the APRM and its follow-up is rather limited:

> There is little information to the public on the status of implementation of the PoA. This can create concern that the APR report might suffer the same fate as its predecessors, that is previous development programmes, and even kill interest in the process (Opoku 2006: 42).

The then Ministry of Regional Cooperation and NEPAD, together with the APR Governing Council and the Secretariat, attempted to raise public awareness even after the publication of the country report and the PoA. Yet it must be concluded that the great majority of stakeholders in Ghana – especially outside Accra – have not yet been reached.

A total of 233 people participated in the four workshops on implementation of the APRM organised in 2005 (Team Consultancy, 2005). The choice of workshop locations in different regions of Ghana – Tamale, Kumasi, Koforidua, and Accra – reflects a desire to spread information throughout the country. These workshops, held after the completion of the APR process throughout September 2005, focused on explaining the methodology of the review process and provided information about the issues raised in the report. However, they did not go into any depth regarding implementation. This was still the case at a dissemination workshop with about 120 participants held in Upper West (Wa) in February 2007. Expectations of low levels of familiarity with the mechanism could explain this choice of emphasis. However it was also clear that the process was behind schedule.

Data gathered in interviews in Ghana (Grimm et al., forthcoming) seem to confirm the feeling that most CSOs were not reached by information about the PoA and implementation. This includes civil society organisations, even in cases where they appeared to be well informed about the APR process itself and had even been involved in the self-assessment or the CRM. A wide range of stakeholders – particularly beyond Accra (for example Kumasi and Tamale) – did not know that the PoA existed, let alone its content.[16] The National Commission for Civil Education, one of the potential partner institutions for dissemination, also mentioned the problem of missing information and that they had insufficient copies of the report.

4.1.2 Lack of capacity

The low level of information is mirrored in the rather low degree of engagement of actors in lobbying for or even monitoring of the PoA's implementation. Reasons given for this low engagement were often a lack of capacity and resources – more so in Kumasi and in Tamale than in Accra. The capacity of the Government of Ghana for implementing the PoA is rather weak, which is reflected in its inability or failure to draw up a credible cost-estimate for implementing the Ghana PoA and establishing a formal structure for implementing, or at least coordinating, the implementation of the Ghana PoA. It is further reflected in the weak articulation of the links between and among the various agencies whose jurisdictions cover different aspects of APRM implementation, such as the Ministry of Foreign Affairs, Regional Integration and NEPAD, the

[16] It has to be recalled that Kumasi and Tamale are the next biggest and important cities in Ghana after Accra.

Ministry of Finance, the Attorney General's Office (which is officially responsible for governance reforms), the National Development Planning Commission and other ministries.

These capacity constraints could lead to a situation where even civil society organisations that had been involved in the APRM process and were well informed about it are unable to disseminate their knowledge to the people they represent. There are similar problems for the capacity of parliament which, in the APRM's annual progress report, is included in the section 'Areas with least progress', and states that parliamentarians are not provided with office space, research resources or support staff. The need to enable parliament to perform its functions effectively is also accepted by the Ministry of Parliamentary Affairs (GC, 2007: 30). Thus it can be concluded that the weaknesses in the role of Parliament as a key oversight institution for good political governance and democracy identified in the Ghana APRM report persists. It also means that the potential of the Ghanaian parliament to play a watchdog role over the implementation of the Ghana PoA is far from being realised.

Capacity of other public institutions is equally weak. The capacity of the Ghana APRM Secretariat for monitoring the implementation of the PoA has proved to be weak so far. The APRM-GC and Secretariat have largely lacked the technical and financial capacity to design a technically proficient framework for monitoring, validating its findings with state and civil society stakeholders, and reporting on implementation, in a manner that links various Ghanaian government actions/initiatives and the APRM PoA. The Ghanaian national Governing Council has floated the idea of moving down to the district level and using the structures of the National Commission for Civic Education (NCCE)[17] to monitor implementation. But this is a very ambitious step that would require careful design and a significant increase in funds and human resources; starting with regional capitals or selected pilot districts may be a more pragmatic approach that could provide opportunities for lesson learning.

In summary, Ghanaian stakeholders appear to perceive the APRM as an important document. It has provided opportunities for national stakeholders to review the performance of their governance institutions and processes, and stimulated discussions on some key areas of reform. It is, however, not the key – let alone only – framework of reference for any group. And none of the groups in Ghana are yet making use of the APRM to its full potential.

4.2 Development partner engagement

Development partners, as mentioned above, engage with Ghana in various ways that directly or indirectly link to dissemination, implementation and/or follow-up of the APRM. One of the preferred ways of interaction for the Ghanaian side was budget support, through which capacity constraints can be more systematically addressed without undermining one of the key principles of the APRM, namely, its African ownership.

Donors were unanimous in their praise of the APRM in political terms and appeared to use it mostly in political dialogue. However, donors (as well as some Ghanaian government agencies) did not regard the APRM as the key document for cooperation; the Poverty Reduction Strategy (GPRS) appeared to remain (thus far) the key reference document. Development partners appeared to be concerned with the potential for the Ghanaian government to use the APRM for window-dressing, while some government officials pointed out the need to incorporate the funding-relevant issues in the GPRS. Improved linkages between the two documents are thus crucial.

Furthermore, donors and development agencies have funded specific workshops and publications of the APR Secretariat. The autonomy of the Ghanaian Governing Council facilitates interactions with donors to some degree (separate accounts etc.), but it can also be seen as one potential

[17] CCE is a state body enshrined in the Ghanaian constitution. It is supposed to be a non-partisan organisation and represented in all of Ghana's 138 districts.

problem. As an autonomous agency, the national APRM structures may not qualify for support under state-to-state cooperation. Flexibility on the donor side is required for direct interactions, if wanted.

Innovative approaches to substantially support the APRM are required. The EU, for instance, attempts to financially reward good performers and support them in their aspiration for further reform. The Commission uses the APRM for its country governance profiles, which are a basis to decide the qualification for additional funding under the Governance Initiative (the profiles are not published and can, as the author of this paper can confirm, be very critical about the situation in African countries). The Governance Initiative was announced in the EU Africa Strategy of December 2005 and further elaborated upon in a European Commission Communication of August 2006. It will be implemented with the start of the 10th European Development Fund (2008-2013), therefore no experiences regarding implementation can yet be reported.

5. Conclusion and recommendations: Implications for donor engagement

Discussions at this very early stage of the APRM with regards to its effectiveness to create incentives to strengthen governance resemble debates about whether the glass is half full or half empty. The APRM has some in-built sanctioning mechanisms – not applied to date – but it depends predominantly on soft law, i.e. peer pressure and deliberations between peers.

By focusing at this level, Heads of State are given the incentive to present their policies well to a round-table of peers. Credibility of the continental structure is key to generating donor confidence in the political will of nations to tackle identified shortcomings. Respect of the – few fundamental – rules at continental level will therefore be vital for the future of the APRM. Likewise, respect for its own rules and declarations are paramount for the credibility of regional organisations more broadly. In some instances, and on some issues, the continental structures have shown some teeth. Rwanda, for instance, is unable to fully capitalise on its participation in the review process and attract donor funding for the implementation of its PoA, yet, the challenge of free-riders seeking to acquire the potentially useful badge of 'participant in the APRM' remains constant. Continental structures need to remain vigilant and keep the stakes high – which might suggest the need for staff augmentation at the continental level in the APRM Secretariat. These, however, will need to be predominantly funded by African states so as not to undermine the key credential: African ownership.

The existence of an African structure to which states aspire for accession, and do not automatically belong to, can be regarded as a positive sign. Yet it raises questions as to how to reconcile this with the increasing conflation of NEPAD and the AU, and hence the APRM and the AU. In the case of many participating states, it remains to be seen how serious they are in undergoing the process. Sudan, for instance, has signed the Memorandum of Understanding, and has thereby acceded to the APRM, and its President is thus participating in discussions with the APR Forum (of Heads of State and Government). But it remains to be seen whether continental structures will stick to their principles when it comes to a Sudanese peer review.

Soft-law rationale underlines the 'easy accession' principle of signing up to the APRM process. It is hoped that 'talking the talk' will provide an opportunity for African stakeholders and general public to push their governments to 'walk the talk'. This, however, requires a capable civil society to provide bottom-up incentives at the domestic and continental levels and/or stringent quality control at the peer level. However, such expectations may be questionable in the African context. Civil society has become stronger over the past decade in many countries of sub-Saharan Africa (often helped by advances in communication technology such as mobile phones and computers that enable them to improve their organisation, the fall of the Berlin Wall and its conducive impact),

however, the performance of civil society is falls short of expectations in many countries due to scarcity of funding and political constraints.

In addition to much enhanced technical capacity, this will also require political will at the level of Heads of State. Currently, the accession to the APRM appears to be a remote promise for a number of African states. It is odd that the APRM is arguably at the heart of NEPAD, but remains a voluntary mechanism. The APRM seeks to position itself as an 'elitist club' of African countries aspiring to provide best-practice examples of good governance. But there is the risk that its standards will be watered down for the sake of fostering AU consensus and it will thereby lose some of its initial appeal as a club worth belonging to. This also presents the risk of giving away the all-important incentive for reform.

International acknowledgement of Ghana as a ground-breaking example can create incentives for others to participate. As the first peer review of an African country, it was generally respectful of continental standards and rules, and came up with critical findings on one of the good performers in Africa which were also openly discussed. However, that incentive is bound to lose its power with other countries that successively embark on their own APR assessment.

Implementing recommendations is much more difficult and unlikely to be a political priority. Even in Ghana the implementation of the PoA has not been convincing to date. Ghanaian officials have cited the high estimated cost attached to implementation of the PoA (US$5 billion) as an explanation for the weak implementation of the PoA. But the basis of the APRM-GC and the Government of Ghana's cost estimates are highly questionable in itself, which suggests a shortfall in technical capacity. Indeed, Ghana's failure to implement some of the recommendations should be taken as an indicator of weak political will on the part of the Government; indeed, the implementation of the PoA hardly features in the annual budget. Moreover, some of the recommendations – like the security of tenure for the heads of key anti-corruption authorities such as the Serious Fraud Office and the Auditor General – would not require funding, but political will.

The APRM could be regarded as an attempt to bridge the gap between civil society and the state. In Africa, this relationship, more often than not, has been characterised by (mutual) mistrust and disengagement. People have not always been treated as citizens of their states and bearers of rights that the state has to respect and protect. Consequently, they have also not behaved like citizens of a state with duties, and the state was regarded as something remote, if not alien. In this context, the APRM can help in the exercise of honest stocktaking in a country that goes beyond lambasting government or reproaching citizens, to striking a balance. However, it cannot replace the legitimacy of the popular vote or parliamentary democracy – no matter how transparently, honestly, consensually and efficiently it was conducted. Consequently, parliamentarians need to be included throughout the entire process.

The large number of national development strategies which exist at parallel levels, and to some extent cross-reference each other – from PoA through the GPRS and the national development plan to the different donor matrices – make it difficult for actors to find their way through the multiple strategy papers. This is even more so as most national structures in Ghana, for example, also suffer from shortfalls in capacity. Handling and scrutinising several strategies at the same time creates problems for institutions with limited means. This, at the same time, is arguably the strength of the APRM's aims: to be the one authoritative document of reference for all development partners and to be the first document to be consulted when entering a discussion about the state of governance in any one given country.

The APRM's programme of action can be a point of political discussion and direction, thereby creating some incentives for carrying through political reform. It could benefit from better prioritisation (beyond the rough division into short, medium, and long-term measures), but it should not be regarded as a technocratic blueprint. First, the APRM's political leverage is limited, as its programme of action is one development plan amongst others. The relationship to other strategies needs to be further explored and developed, and this could be a worthwhile endeavour for support

by partner countries. In the context of high donor-dependency, as in many African countries, development partners have a particular interest in and responsibility for governance in African states. Yet, development partners should be careful to avoid advocating a simplistic and technocratic approach.

Supporting the creation of incentives is a political task and does not simply entail the disbursement of funds. Reference to the PoA would strengthen the soft-law process in the country. The use of the APRM as a donor reference paper – be it in specific initiatives, planning documents, or in bilateral negotiations on development assistance – can be expected to strengthen the APRM, while, at the same time, increasing the legitimacy of donor engagement. Reference to the APRM, after all, is reference to a country's own analysis and therefore respects ownership in accordance with the Paris Declaration on Aid Effectiveness (2005). Cross-referencing development-partner documents and joint papers to activities in the PoA (and using these as indicators for their performance assessments) could increase the credibility and subsequent weight of the exercise. This is already being partially done, and should be maintained and strengthened. A strategy to support the APRM via reference to it by development partners can, of course, also be applied in cases where special technical engagement beyond budget support is necessary. Direct funding of the APR structures could be an option – possibly via pooled funding – yet it could potentially undermine the process as with any other case of too much external funding. The APRM could appear as a project of the development partners.

Capacity constraints appear to be a crucial bottleneck in Ghana, and equally or even more important in other African countries. Leadership is a key factor in any reform process, yet in a context of weak structures, leadership is not enough. It is through credible processes that actors can develop certain capacities, especially if the process is regarded as potentially meaningful enough to merit their time and engagement. Incentives to respect certain procedures and to initiate processes that hold legitimacy among the Heads of State and Government and fend off the suspicion of undue 'Western' interference are thus more than welcome. In this regard, the APRM – though not the panacea to Africa's development – can contribute to improvements in governance in Africa.

References

Adam, M. (2000) 'Die Entstehung des Governance-Konzepts bei Weltbank und UN -Die EZ wird politischer', *E+Z*, Nr. 10, Oktober, 272-274.

APR Secretariat (2005) *Country Review Report and Programme of Action of the Republic of Ghana*, Midrand [hardcopy].

Asante, S.K.B. (2006) *Implementing the New Partnership for Africa's Development (NEPAD) - Challenges and the Path to Progress*. Accra: Ghana Academy of Arts and Sciences.

AU (African Union)/NEPAD (New Partnership for Africa's Development) (2005) 'Country Self-Assessment for the African Peer Review Mechanism, Master Questionnaire', http://www.nepad.org/aprm (accessed 9 May 2007).

AU/NEPAD (2003a) 'Declaration on Democracy, Political, Economic and Corporate Governance', AHG/235(XXXVIII) Annex I, http://www.nepad.org/2005/files/documents/2.pdf (accessed 11 January 2007).

AU/NEPAD (2003b) 'Objectives, Standards, Criteria and Indicators for the APRM', http://www.nepad.org/2005/files/documents/110.pdf (accessed 11 January 2007).

AU/NEPAD (2003c) 'Guidelines for Countries to Prepare for and to Participate in the African Peer Review Mechanism (APRM)', http://www.nepad/APRM/Panel3/guidelines/11-2003/Doc8 (accessed 11 January 2007).

AU/NEPAD (2003d) 'African Peer Review Mechanism: Organisation and Processes', http://www.nepad/HGSIC-3-2003/APRM/guideline/O&P (accessed 11 January 2007).

AU/NEPAD (2003e) 'The New Partnership for Africa's development (NEPAD): The African Peer Review Mechanism (APRM)', http://www.nepad.org/2005/files/documents/49.pdf (accessed 29 January 2007).

Cilliers, J. (2002) 'NEPAD´s Peer Review Mechanism'. ISS Paper 64. Pretoria: Institute for Security Studies.

G8 (2002) 'G8-Afrika-Aktionsplan; Weltwirtschaftsgipfel Kananaskis', 27 Juni, http://www.bmz.de/de/zentrales_downloadarchiv/eu_und_g8/G8_Afrika-Aktionsplan_2002.pdf (accessed 11 January 2007).

GC (Governing Council) (2007) 'Implementation of the national Programme of Action'. Annual Progress Report 2006. Accra: Governing Council.

Global Integrity (2006) 'Ghana: Integrity Scorecard Report > Sub-Category: Procurement'. Washington, DC: Global Integrity (http://64.78.60.38/reports/2006/Ghana/scorecard.cfm?subcategoryID=59&countryID=12, accessed 21 January 2007).

GII (Ghana Integrity Initiative) (2005) 'Engineers Rally Against Corruption'. GII Alert Newsletter, Issue 8, December. Accra: GII (http://www.tighana.org/newsletters/GII_ALERT_8.pdf, accessed 25 January 2007).

Giddens, A. (1984) *The Constitution of Society*. Berkeley, CA: University of California Press.

Grimm, Sven and Nawrath, Kristin (2007) 'Der African-Peer-Review-Mechanismus – Eine Abkehr vom Krähenprinzip?'. GIGA Focus Afrika 3/2007, Hamburg.

Grimm, Sven; Nawrath, Kristin; Roth, Robert and Triebel, Simon (forthcoming) 'The APRM as a Tool to Improve Governance? – Ghana's Experiences'. Study. Bonn: German Development Instiute (DIE).

Grimm, Sven and Mashele, Prince (2006) 'The African Peer Review Mechanism – How Far so Far?'. Briefing Paper 2/2006. Bonn: German Development Institute (DIE).

Herbert, R. (2006) 'APRM Lessons Learnt: A Guide for Government and Civil Society'. Unpublished draft paper in *South African Institute of International Affairs* (SAIIA)(eds), 'The African Peer Review Mechanism: A practitioners workshop', 12-13 September 2006.

Jordaan, Eduard (2006) 'Inadequately Self-critical: Rwanda's Self-assessment for the African Peer Review Mechanism', *African Affairs* 105 (420): 333-352.

LDGL (Ligue des Droits de la Personne dans la Région des Grands Lacs) (2007) 'Critical Review of the African Peer Review Mechanism Process in Rwanda'. Kigali: LDGL.

Loewe, M. (2005) 'Die Millenium Development Goals: Hintergründe, Bedeutung und Bewertung aus Sicht der deutschen Entwicklungszusammenarbeit'. Discussion Paper 12/2005. Bonn: Deutsches Institut für Entwicklungspolitik.

Mkandawire, T. (2004) 'Good Governance: Werdegang einer Idee', InWEnt (eds.), *E+Z Zeitschrift für Entwicklung und Zusammenarbeit* (http:www.inwent.org/E+Z/content/archiv-ger/10-2004/trib_art1html, accessed 30. December 2006).

Maniokas, Klaudijus (2004) 'The Method of the European Union's Enlargement to the East: A Critical Appraisal' in Antoaneta L. Dimitrova (ed.), *Driven to Change – The European Union's Enlargement viewed from the East*. Manchester: Manchester University Press.

North, D.C. (1993) 'The New Institutional Economics and Development'. St Louis: Washington University Press (http://www.nju.edu.cn/cps/site/NJU/njuc/dep/shangyuan/2.doc, accessed 29 January 2007).

OECD (Organisation for Economic Co-operation and Development) (2003) 'Peer Review: A Tool for Co-operation and Change'. Policy Brief, December (http://www.oecd.org/dataoecd/5/59/22350184.pdf, accessed 8 May 2007).

Opoku, E.A. (2006) 'Effective Stakeholder Participation in the APRM Process for the Promotion of Democratic Governance: A Case Study of Ghana'. Oslo: Oslo Governance Centre, December.

Pagani, F. (2002a) 'Peer Review as a Tool for Co-operation and Change: An Analysis of an OECD Working Method', *African Security Review* 11 (4).

Pagani, F. (2002b) 'Peer Review: A Tool for Co-operation and Change – An Analysis of an OECD Working Method', SG/LEG(2002)1 (http://www.oecd.org/dataoecd/33/16/1955285.pdf, accessed 10 May 2007).

Risse, T. and Sikkink, K. (1999) 'The Socialization of International Human Rights Norms into Domestic Practises: Introduction' in Risse, T., Ropp, S.C. and Sikkink, K. (eds), *The Power of Human Rights: International Norms and Domestic Change.* Cambridge: Cambridge University Press.

Saffu, Yaw (2004) 'Integrity Assessment' in Center for Public Integrity (eds) *Global Integrity Ghana.* Washington, DC.

SAIIA (South African Institute of International Affairs) (2006) 'The APRM Self-Assessment Questionnaire – Comments & Alternatives' in SAIIA (eds), 'The African Peer Review Mechanism: A practitioner's workshop', 12-13 September 2006.

SAIIA (2005) 'Ghana: The Big Issues: A Desk Study of Significant Governance Questions Raised by the APRM'. Unpublished paper, March.

Team Consultancy (2005) African Governance Forum Stakeholders' Consultative Workshop. Report on National Stakeholder Consultations 'Implementing the APRM in Ghana: Challenges and Prospects', September, Accra.

UNDP (United Nations Development Programme) (2006) 'Implementing the African Peer Review Mechanism; Challenges and Opportunities', Report of the Sixth Africa Governance Forum (AGF-VI), 9-11 May, Kigali.

UNDP (2003) *Human Development Report 2003 – Millennium Development Goals: A Compact Among Nations to End Poverty* (http://hdr.undp.org/reports/global/2003/, accessed 12 January 2007).

UNECA (United Nations Economic Commission for Africa) (2005) 'Implementation of the African Review Mechanism in Ghana'. Draft, October.

UNECA (2004) 'Governance Profile of Ghana', ECA/DPMD/TP/04/01. Addis Ababa: UNECA (http://www.uneca.org/dpmd/publications/countryprofiles/Ghana-Final.pdf, accessed 15 January 2007).

UNEC*A/OECD-DAC (Organisation for Economic Cooperation and Development – Development Assistance Committee)* (2005) 'Aid Effectiveness in Africa' (http://spa.synisys.com/resources/2005/MRR_document.pdf, accessed 25 January 2007).

World Bank (1989) 'Sub-Sahara Africa. From Crisis to Sustainable Growth. A Long-term Perspective Study'. Washington, DC: world Bank.

Zimen, D. (2006) 'DAS-Brief: Afrikas Reformprozess - Making it work: Der "African Peer Review Mechanism"' (http://www.deutsche-afrika-stiftung.de/pdf/das-brief-02-2006.pdf, accessed 29 January 2007).

Annexes

Annex 1: List of AU documents

In March 2003, when endorsing the NEPAD Declaration on Democracy, Political, Economic and Corporate Governance, the Heads of State and Government Implementation Committee (HSGIC) of NEPAD also adopted four more documents that outline the main provisions of the APRM as a self-monitoring instrument, defining both principles and outlining the procedures to be followed (AU/NEPAD 2003b/d/e/g). These guidelines for countries to prepare and participate in the APRM were refined in November 2005, subsequently also supported by a standard questionnaire for the assessment (AU/NEPAD 2003c; 2005).

APR Forum (2006) 'The Peer Review of the Republic of Ghana at the 4th summit of "The Committee of Participating Heads of State and Government in the APRM [APR Forum]"'.

APR Secretariat (2005a) 'Country Review Report and Programme of Action of the Republic of Ghana, Midrand' [hardcopy].

APR Secretariat (2005b) 'Country Review Report and Programme of Action of the Republic of Ghana, Midrand' (http://www.nepad.org/2005/files/aprm/APRMGhanareport.pdf, accessed 20 May 2007).

APR Secretariat (2005c) **'**Concern over Press Reports on Peer Review Summit', 6 July, Midrand (http://www.afrimap.org/newsarticle.php?id=64).

APR Secretariat (2006) 'Communiqué of the 15th meeting of the African Peer Review Mechanism Panel of Eminent Persons', 19-20 January, Khartoum.

AU (African Union)/NEPAD (New Partnership for Africa's Development) (2006) 'Africa Peer Review Mechanism Public Document: The Peer Review of the Republic of Ghana at the 4th summit of the Committee of Participating Heads of State and Government in the APRM [APR Forum]', 22 January, Khartoum.

AU/NEPAD (2005) 'Country Self-Assessment for the African Peer Review Mechanism, Master Questionnaire' (http://www.nepad.org/aprm, accessed 9 May 2007).

AU/NEPAD (2004) 'NEPAD Dialogue No. 51', 21 June, Johannesburg.

AU/NEPAD (2003a) 'Declaration on Democracy, Political, Economic and Corporate Governance', AHG/235(XXXVIII) Annex I (http://www.nepad.org/2005/files/documents/2.pdf, accessed 11 January 2007).

AU/NEPAD (2003b) 'Objectives, Standards, Criteria and Indicators for the APRM' (http://www.nepad.org/2005/files/documents/110.pdf, accessed 11 January 2007).

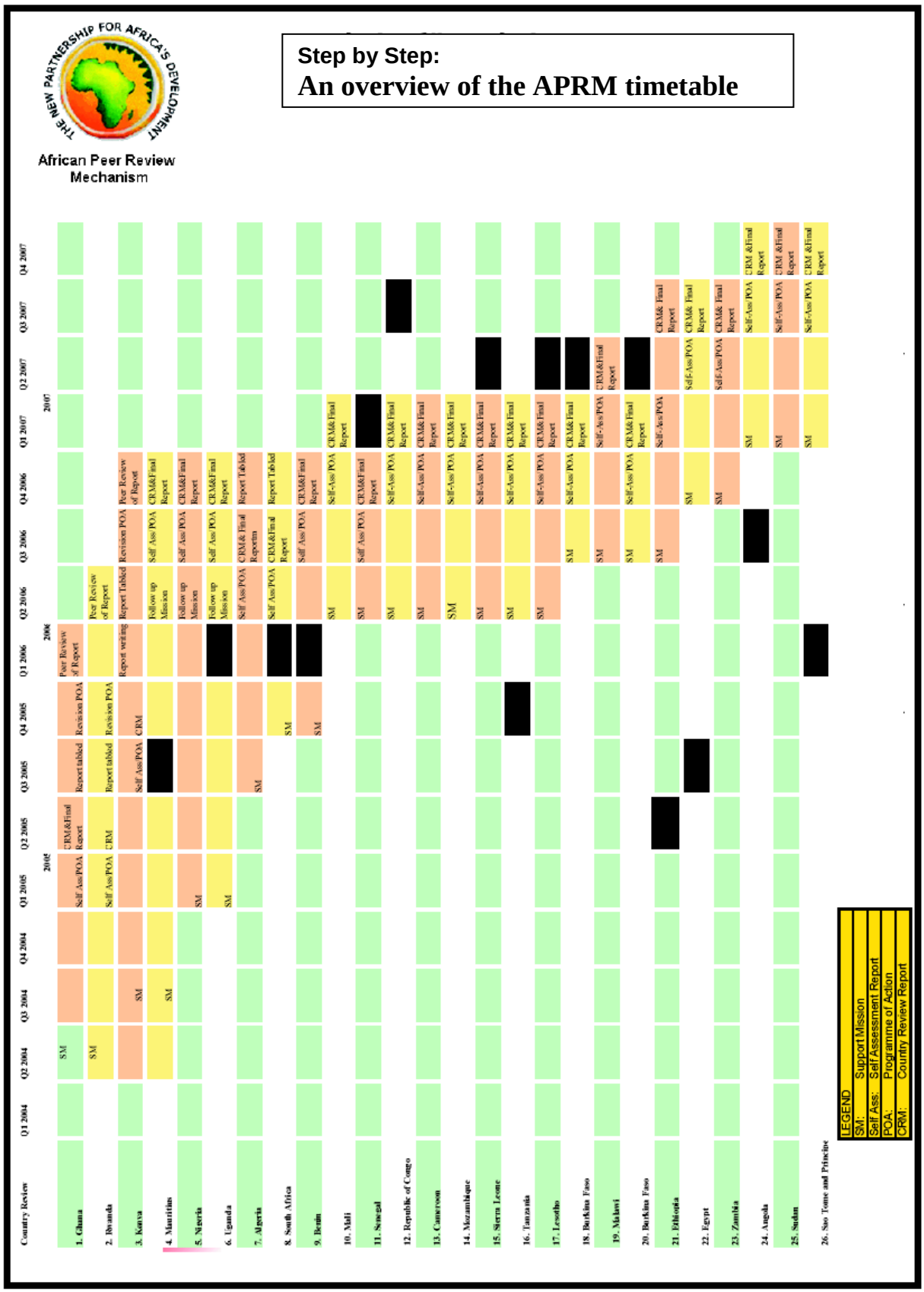
AU/NEPAD (2003c) 'Guidelines for Countries to Prepare for and to Participate in the African Peer Review Mechanism (APRM)' (http://www.nepad/APRM/Panel3/guidelines/11-2003/Doc8, accessed 11 January 2007).

AU/NEPAD (2003d) 'African Peer Review Mechanism: Organisation and Processes' (http://www.nepad/HGSIC-3-2003/APRM/guideline/O&P, accessed 11 January 2007).

AU/NEPAD (2003e) 'The New Partnership for Africa's development (NEPAD): The African Peer Review Mechanism (APRM)' (http://www.nepad.org/2005/files/documents/49.pdf, accessed 29 January 2007).

AU/NEPAD (2003f) 'Memorandum of Understanding on the African Peer Review Mechanism' (http://www.nepad.org/aprm, accessed 10 May 2007).

AU/NEPAD (2003g) 'Outline of the Memorandum of Understanding on Technical Assessments and the Country Review Visit' (http://www.nepad.org/aprm, accessed 10 May 2007).

Annex 2: Timetable of countries in the APRM

Source: Zimen (2006: 5). Black patches indicate the temporary suspension of peer reviews due to elections. During electoral campaigns, no peer reviews should be conducted.