SAIIA OCCASIONAL PAPERS SERIES

Analysing key policy and governance issues in Africa and beyond

SAIIA

ADDRESSING THE AFRICAN PEER REVIEW MECHANISM'S PROGRAMMES OF ACTION

Faten Aggad

Number 5, June 2008

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Series editors: Steven Gruzd steven.gruzd@wits.ac.za, Ross Herbert ross.herbert@wits.ac.za

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Abstract

As the set of plans to address the governance gaps identified in the African Peer Review Mechanism (APRM) process and highlighted in the Panel's recommendations, the APRM's Programmes of Action (PoAs) deserve careful consideration.

Analysis reveals that most peer recommendations were ignored when the first six African countries came to write their PoA. In the case of South Africa, of 182 recommendations from a panel of eminent persons only 60 % were included. In the case of Rwanda, about 90% were ignored. Furthermore, too often, participants confused objectives – an end - with actions, a means to an end. Complex goals requiring a range of solutions were sometimes dealt with as though a single action could resolve things. Priorities, clearer time frames and measurability needed to be introduced.

The mere fact that this analysis reveals some gaps does not mean the exercise was wasted, since it served to bring issues into the public arena. Official processes are underway to correct these procedural and content-related concerns. Therefore, as a contribution to ideas and perspectives to ongoing efforts to refine the PoA process, this paper provides practical recommendations. These include: the need for greater prioritisation, using measurable indicators and improved integration of existing national plans into the PoA.

Faten Aggad is a researcher on the Governance and APRM Programme at the South African Institute of International Affairs (SAIIA).

Introduction

Launched in 2003,[1] the African Peer Review Mechanism (APRM) was designed to improve African governance systems through a unique combination of public consultation, expert review and diplomatic peer pressure. To date, public and media focus has been overwhelmingly on the analytical APRM country reports, which describe various governance problems. The conclusions of the lengthy consultation and research processes leading up to the Country Self-Assessment Reports (CSAR) and final Country Review Reports are undoubtedly crucial. The Kenyan report, for example, forewarned of latent ethnic tensions connected to the electoral process, and the South African one highlighted the possibility of xenophobic violence, both of which unfortunately occurred in 2008.

But the culmination of the process – the Programmes of Action (PoAs) meant to remedy these deficiencies – has received comparatively little scrutiny. The ultimate objective of the peer review process should not be forgotten: – finding solutions.

As the set of commitments that the country under review agrees to implement to address the governance gaps identified in the APRM process, the PoA deserves careful consideration. What patterns have emerged from the PoAs completed so far? What changes might be introduced to improve the quality of governance reforms generated by the APRM system?

APRM officials and country representatives are refining the process of formulating the PoAs, and identified key issues in a stakeholders meeting held in Algiers, Algeria in November 2007. This paper attempts to contribute ideas and perspectives to this ongoing effort.

It draws lessons from the first six countries reviewed by January 2008 (Algeria, Benin, Ghana, Kenya, Rwanda and South Africa) and examines the policy contribution of these PoAs and the extent to which they complement existing National Development Plans and budgetary process. It suggests steps to improve the quality of the PoAs, and the process of developing them. The first section reviews the content of the PoAs, especially in relation to recommendations of the Panel of Eminent Persons,[2] national issues and existing national programmes. The second section provides advice on how to improve future PoAs.

The process of formulating the Programmes of Action

As articulated in the APRM Guidelines:[3]

> The primary purpose of the National Programme of Action is to guide and mobilise the country's efforts in implementing the necessary changes to improve its state of governance and socio-economic development. In addition the National Programme of Action is the key input delivered by the country into the peer review.

However, despite the importance of the PoAs, countries are given little guidance on how to develop them. In the APRM process, a country formulates and submits a draft PoA as an addendum to its CSAR. As per the APRM Guidelines, the draft PoA should integrate existing national plans, with the aim of coordinating and integrating expenditure and implementation (see Box A, paragraph 12). The Panel of Eminent Persons, the APR Secretariat and the Country Review Mission (CRM) jointly review that initial document, prepare their recommendations and request the country to adjust its draft PoA to take into account those recommendations. Beyond the broad brush-strokes of this sequence, the APRM core documents (see Box A) provide only limited information on developing PoAs, leaving pioneer countries to develop their own methods, formulas and procedures when drafting their documents.

Box A: What the APRM Guidelines say about the PoA

The APRM Programme of Action is described in the *Guidelines for Countries to Prepare for and to Participate in the African Peer Review Mechanism*. But as the extracts below show, there is little elaboration on the format or content of these important documents.

- APRM Guidelines, Paragraph 12: 'ensuring consistency with existing national efforts, like the Poverty Reduction Strategy Papers (PRSP) processes, other national poverty reduction strategies, Medium Term Expenditure Framework (MTEF), National Human Rights Action Plans, Millennium Development Goals (MDG) strategies, ongoing institutional reforms, and other relevant governance and socio-economic development strategies, programmes and projects. It also includes efforts by the participating country to address capacity constraints in an integrated manner within all of these activities, as well as facilitating and coordinating the alignment of international support behind the national Programme of Action that participating countries are expected to develop and implement.'

- APRM Guidelines, Paragraph 18 (v): Countries are responsible for '[t]he development of a realistic Programme of Action that builds on, incorporates and synergises with the relevant elements of existing programmes, policies and strategies that address the key APRM objectives'.

- APRM Guidelines, Paragraph 21 (vii): 'Under the guidance of the APR Panel, the APR Secretariat then considers the findings and recommendations, and updates if necessary, the Issues Paper. If necessary, the country being reviewed will also update its draft Programme of Action.'

- APRM Guidelines, Paragraph 33**:** 'The National Programme of Action should include the following:

    a. Assessment of compliance with the APRM Objectives, Standards, Criteria, and Indicators, and a discussion of major development and governance challenge facing the country.

    b. Outline of the priorities for enhancing governance and socioeconomic development in the short, medium and long term.

    c. Description of ongoing efforts by the country in this regard, like PRSPs or other poverty reduction programmes, MDG strategies, Human Rights Action Plans, institutional reforms, and other development strategies.

    d. Clear, time-bound commitments on key governance and socioeconomic development priorities over the next 3 years, including the identification of key stakeholders for implementation, and the estimated budgetary implications and allocations.

    e. Description of the national consultations that have taken place doing the self-assessment and developing the National Programme of Action

    f. Outline the feedback mechanism established to keep local stakeholders involved in the process, including efforts to disseminate information in an easily accessible and understandable manner.

    g. Description of the capacity building and resource mobilisation requirements for undertaking the Programme of Action.

    h. Outline the implementation, monitoring and evaluation mechanisms for the Programme of Action.

- APRM Guidelines, Paragraph 48 (ii): Participating countries should 'develop a National Programme of Action that:

    a. Builds on national consensus, and informs about the national consultations that have taken place in developing the Programme of Action;

    b. Is realistic;

    c. Is based on a thorough Self-Assessment in terms of the agreed Objectives, Standards, Criteria and Indicators;

    c. Is based on a thorough Self-Assessment in terms of the agreed Objectives, Standards, Criteria and Indicators;

    d. Discusses major development and governance challenges facing the country;

> e.   Spells out the priorities for addressing identified issues and enhancing governance and socio-economic development in the short, medium and long term;
>
> f.   Describes ongoing efforts by the country in this regard, like PRSPs [Poverty Reduction Strategy Papers] or other poverty reduction programmes, MDG [Millennium Development Goals] strategies, Human Rights Action Plans, institutional reforms, and other development strategies;
>
> g.   Contains clear, time-bound commitments on key governance and socio-economic development priorities over the next 3 years, including the identification of key stakeholders for implementation, and an estimated costing of all activities;
>
> h.   Identifies the capacity building and resource mobilisation requirements for implementing the Programme of Action
>
> i.   Sets out an outline of the feedback mechanism established to keep local stakeholders involved in the process, including efforts to disseminate information in an easily accessible and understandable manner.'
>
> •   APRM Guidelines, Paragraph .48 (iv): Countries are required to 'promote an outcome-oriented process that focuses on formulating a national Programme of Action'.
>
> •   APRM Guidelines, Paragraph.48 (v): 'Countries must 'promote full participation of relevant stakeholders in the development as well as in the implementation of the Programme of Action.'

Responsiveness to the Panel's recommendations

The APRM presumes that the country under review will address the issues highlighted in the final Country Review Report and the recommendations put forward by the Panel. Yet an analysis of the PoAs (see note on methodology below; table 1) in the six countries that have completed their reviews up to January 2008 – Algeria , Benin, Ghana, Kenya, Rwanda and South Africa – demonstrates that these countries did not take into account the bulk of the recommendations made by the Panel (see Table 1).

Table 1: Comparison of Panel's recommendations addresses across early APRM countries

Country	Total number of recommendations made by the Panel	Total number of recommendations addressed wholly or partially in the final PoA	Percentage addressed
Algeria	186	35	**19%**
Benin	229	28	**12%**
Ghana	196	69	**35%**
Kenya	230	102	**45%**
Rwanda	105	10	**10%**
South Africa	182	108	60%

Note on methodology used to assess compliance with Panel's recommendations

All recommendations explicitly listed as such made by the APRM Panel of Eminent Persons in the case of each of these six countries were extracted from the Country Review Reports. They were then compared to the action items listed in the corresponding section of the PoA. This was a limited, arithmetic exercise – this table does not judge either the quality of the recommendations or of the action items. The comparison was strictly focused on whether a specific action item under a given objective responded to the recommendation made under the same objective, if only partially. In Rwanda, the Panel made no recommendations on two objectives in the Corporate Governance section – Objective 3 (To promote adoption of codes of good business ethics in achieving the objectives of the corporation) and Objective 4 (To ensure that corporations treat all their stakeholders in a fair and just manner, and therefore there were no corresponding action items. Recommendations for non-state actors (in the Algeria and Benin reports) were not included, as they are not directed to government, which is the only party responding to the report.

Some actors – such as participating governments and members of review missions – assert that countries have simply prioritised the key issues and chosen to ignore less pertinent ones. Yet, as the recent events in some reviewed countries such as South Africa and Kenya demonstrate, countries have in fact ignored pressing issues that should have been priorities.

The example of xenophobia in South Africa is illustrative. In this respect, the Panel noted that

> Despite the solidarity and comradeship between black South Africans and the rest of the people of sub-Saharan Africa during the decades of struggle against apartheid and for liberation, foreigners, mostly of African descent, are being subjected to brutality and detention. Xenophobia against other Africans is currently on the rise. [4]

The wave of xenophobic attacks across the country in May 2008 resulted in the deaths of more than 60 people, confirming that the warnings of the Panel were legitimate. Their view is supported by many reports condemning the manner in which South Africa had been handling attacks against foreign nationals of African origin. A study by the Southern African Migration Project shows that levels of xenophobia dramatically increased between 1997 and 1999. According to the study, more than 64% of South Africans feel that foreigners should be sent back to their countries of origin. The same study also shows that South Africans are particularly xenophobic against Africans from other countries. The study noted that on a scale of 1 to 10 – one being the most negative perception and 10 being very positive – South Africans' perceptions on Africans was ranked at 4 as opposed to over 5 for Europeans.[5] Such an analysis was confirmed by the South African Human Rights Commission, which noted in its submission to Parliament in 2004 that 'South Africa is an extremely xenophobic society'.[6]

Yet the South African government's response to the Panel was defiant: '[T]he assertion that illegal immigrants are subjected to brutal and inhuman treatment is strongly disputed.'[7]

Similarly, crime – an extremely serious issue in the country – was not adequately addressed. The South African Police Services noted in their report of 2007, that, between April and September 2007, an average of 24 people were murdered daily, 62 women were raped over the same period of time and 16 people were hijacked daily.[8]

The Country Review Report on South Africa confirms this by citing police statistics of more than 52 000 rapes each year from 2001/02 to 2005/06 and noting that 'there remains a tragically high level of violence against women. Extremely high rates of rape and other forms of violent abuse of women have been documented in South Africa.'[9] It also notes that 'Crime is one of the most difficult of the many challenges facing South Africa in the post-apartheid era.'[10]

One might therefore expect a large portion of the South African PoA to be devoted to addressing this serious crime problem. But there is only one mention in the PoA of 'violence and crime, and in particular against women and children'.[11] In its response to the Panel's report, the South African government was defensive on this issue. Their response cautioned that

> An impression should not be created that the Government is not taking steps to curb it [i.e. crime]. In addition to a number of current initiatives, the Justice, Crime Prevention and Safety (JCPS) cluster and Government Communications are working with the private sector and other stakeholders to formulate a National Anti Crime Campaign focussed on community mobilisation and improving popular partnership with the criminal justice system.[12]

Similar issues can be identified in Rwanda's PoA. For instance, the Rwandan report recommended that 'the Government takes the necessary actions to assure all citizens of fair justice under the Gacaca system'.[13] This recommendation is made against the backdrop of popular concerns over the Gacaca process (an updated form of community court set up to deal with prosecutions related to the 1994 genocide). A study conducted by the Rwandese Ministry of Justice, the National University of Rwanda and John Hopkins University in the United States shows that 'respondents expressed concern about the possibility of witnesses and culprits lying before the tribunals and of judges being corrupt. Efforts should be made, not just to reassure the population concerning these issues, but also to implement appropriate mechanisms to counter such events.'[14] Furthermore, the study noted that 'Among the various segments of the Rwandan population, there persist strong negative emotions about the events connected with the genocide … It is not certain what effects the stipulations of the Gacaca law … will have on the

negative emotions that people are currently endeavouring to overcome and have probably only succeeded in hiding superficially.'[15]

The Panel of Eminent Persons expressed similar concerns, articulating its position as follows: 'While the Gacaca courts are viewed by the Government and some segments of Rwandans as the main alternative means for dispute resolution and a much-needed way to achieve justice and reconciliation, there are serious concerns about their legitimacy and ability to win trust and confidence in dispensing justice.'[16]

Despite the apparent importance of the challenges faced by the Gacaca process in building national reconciliation, the government of Rwanda did not include an action item to address these concerns in its PoA.

South Africa and Rwanda were not alone in this respect. Benin, for instance, declined to include a PoA item on the reform of political-party financing in that country, despite the Panel's strong emphasis on this issue and its relevance to democratic development. Notably, the United Nations anti-corruption convention and African Union and Organisation of African Unity standards, which were embraced by the APRM, call for transparency and regulation of political-party financing. Algeria, too, ignored some crucial recommendations in its PoA, including for example the recommendation to improve the banking system, considered a major hindrance to foreign direct investment. Algeria also disregarded recommendations on the need to establish a coherent system for the allocation of state-providing housing, despite the importance of this issue for voters and its link to corruption.

In Kenya, the Panel had recommended that 'Government … establish a strong and enduring framework for the management of diversity'.[17] The Panel's acknowledged the challenge facing Kenya as a result of poor management of ethnic diversity. The report warned against the ethnicisation of politics and the lack of balanced ethnic representation within cabinet, among other issues. Yet the government of Kenya did not propose a solid PoA item to address this concern. Some analysts[18] have argued that the failure of the Kenyan government to take these warnings into account resulted, in part, in the political confrontations following the December 2007 presidential elections.

Some countries have also failed to reassess existing programmes, even where the Panel noted that they have not been effective. In South Africa, for instance, the Panel said that 'the quality and standard of education provided to disadvantaged people continue to be inadequate', but the PoA merely lists 'ongoing' processes as action items in the education sector.

There is clearly a serious disjunction between what the Panel recommends and the PoAs. Countries have not adequately responded to the recommendations of the Panel. Having noted that, however, it is important to emphasise that the lack of compliance with the recommendations does not mean that the APRM process was an entirely futile exercise. The APRM has its merits, in that it has brought a range of issues into the public arena.

Nonetheless, it is important to ask whether inadequate compliance is the result of the design of the process, or whether it is because countries deliberately ignore the recommendations.

The APRM Organisation and Processes document assigns the Country Review Mission the task of assessing the adequacy of the PoA. It notes in paragraph 6.8 that 'The main focus of the Country Review Visit will be on identifying whether the country's draft Programme of Action is adequate to address the assessed challenges and, if not, how the country can best be assisted in strengthening its final draft Programme of Action and its capacities to implement it. Such further work might eventually include further involvement of the APR Partner Institutions.'

The process is further clarified by Dalmar Jama of the continental APRM Secretariat in Midrand, South Africa, who noted how the process of amending the PoA is meant to unfold:

1. Countries submit a preliminary PoA at the same time as their Self-Assessment reports.

2. If necessary, the PoA may be revised [that is, by the relevant country] to ensure compliance with APRM standards sometime[s] [before the review is completed].

3. Once the APR Report on the country is submitted, the government of the country is then asked to revise the P[o]A once again to address the recommendations in the APRM Country Review Report. Of course, the Government should consult/work with all stakeholders and the APRM Governing Councils/Commissions on this step.[19]

In other words, countries should be given time to revise their draft PoAs upon receipt of the recommendations.

Yet, the pioneer countries report that, in practice, these procedures have not been strictly followed. This resulted in countries taking a different view on how they compile their respective PoAs. The Executive Secretary of Ghana's National Governing Council, Dr Francis Appiah, argues that the reasons the recommendations and PoA items do not match up are process-related. He notes that his Council received the recommendations of the Panel *after* the country had drafted its PoA.[20]

Members of Governing Councils in other countries have argued that neither the time frame given to update the PoA, nor the quality of the recommendations, were adequate to allow revisions of the PoA ahead of the presentation of the final report to heads of state. Geoffrey Omedo of the Nepad Kenya Secretariat argues that the recommendations of the Panel were too general and did not tackle specific issues as identified in the Kenyan Country Self-Assessment Report. He points out that the recommendations took no account of costing issues. Countries therefore consider what is feasible for them – and not all recommendations are feasible.[21]

Indeed, countries have chosen different approaches in dealing with their PoAs. This point is further reinforced by the United Nations Economic Commission for Africa's (UNECA) Dr Kojo Busia who notes:

> Some countries have pulled together all their development strategies into the Programmes of Action, while others found it necessary to limit the scope of the Programme of Action and focus strategically on some issues they considered more critical, depending on resources.[22]

Furthermore, Jama adds:

> At the third step, it is up to the Government to decide on priorities listed in the PoA, and it should be ready to defend the comprehensiveness of its PoA in front of its peers at the [Heads of State and Government] Forum. Furthermore, some recommendations from the Panel may have already been addressed elsewhere in the Government's various other programmes of action.[23]

This strongly suggests that it is the prerogative of the country to accept or reject recommendations made by the Panel, which may in turn lead to questions about the utility or indeed the point of the peer-review process if governments can freely dismiss any recommendations they do not agree with.

Few 'peers' are likely to push a country on any one issue in the Forum. Not only are there allegations that heads of state attend the APRM meeting unprepared, but it is also common practice that heads of state fail to question each other's policies. The concept of 'sovereignty' is very much adhered to.

The Panel has no power to ensure compliance. A member of the Panel has said: 'We have no jurisdiction to force countries into adopting our recommendations. By nature, they are *recommendations*; meaning the recipient may choose to accept them or reject them.'[24]

Respecting the sovereignty and the choices of the reviewed country is an important underlying principle in the conduct of the APRM. Although countries have voluntary joined the peer review, putting the process into practice has faced challenges due to sensitivities – by CRM members, heads of states and the Secretariat – about meddling in the affairs of sovereign states. An approach of a negotiated 'settlement' has therefore been adopted.

This point is well articulated by Busia, who notes:[25]

> All countries have to adjust their Programmes of Action in *negotiations* with the APRM Panel of Eminent Persons and that is how the process works. The Programme of Action is the outcome of the entire process and it takes negotiations between the APRM Secretariat and the country under review to come to a consensus on what should go into the Programme of Action (italics added)

Consensus building should, however, not be done at the detriment of a constructive review – one that would take steps towards the resolution of very pertinent issues. The APRM was designed as an advisory and diagnostic exercise, predicated on introspection, expert input and peer learning. Measures should therefore be put in place to ensure that countries comply with the Panel's recommendations in as many areas as possible.

Distinguishing objectives from action items

Programmes of Action tend to confuse objectives and action items. Objectives are ends; action items are the means to achieve them. An action item should clearly outline the steps to be taken in order to achieve an objective (or goal). Asking '*what* do we want to achieve?' helps form each objective. Asking '*how* are we going to do it?' will suggest the appropriate actions. How can the government 'enhance access to justice'? In many PoAs, the items listed in the actions column describe objectives or final outcomes and offer no detail on the methods or steps to be followed in pursuit of those outcomes.

For instance, the South African PoA cites 'bringing justice services closer to townships and rural communities' as an action to ensure that the poor have access to justice regardless of their geographic location.[26] This is a goal to be achieved – an objective, rather than a concrete plan. The corresponding indicator is the 'number of courts built and upgraded in rural areas and townships'.[27] But the PoA makes no provision for increasing the number of judges to service these newly-built courts, nor does it propose any plan to train more state lawyers, support personnel or to deal with other logistical problems.

The APRM guidelines call for PoA items to be measurable to permit ongoing monitoring and evaluation. As a result, the PoA should stipulate the measurable indicators of success.

Most action items in PoAs lack a comprehensive approach to problem-solving. To use the justice example above, a comprehensive approach would acknowledge that a variety of factors affect access to justice, and that more than one intervention may be required. In many instances, the actions offered may be positive but are insufficient to fundamentally solve the problem.

For instance, both South Africa and Kenya list 'public awareness campaigns' as their action items on combating corruption. Given that an effective system to fight corruption requires a host of accountability, transparency, financial control and policing/investigative approaches, the Kenyan and South African responses are inadequate to wage a real battle against corruption and do not provide a holistic approach to addressing this challenge.

The governments, governing councils and technical research agencies composing PoAs should therefore think clearly about detailed, specific, measureable action items that would contribute to the realisation of objectives. Major issues will require multi-pronged solutions, and sometimes even major reform to governance systems.

Costing and existing national plans

The APRM PoA can add value by helping to consolidate many existing national plans into a coherent document, rationalising the use of scarce resources to achieve better results. A thorough programme selection and costing exercise is therefore important in the formulation of the PoA.

All the reviewed countries have considered national plans and budgets and undertaken consultations with the relevant bodies and government ministries in order to incorporate existing plans and budgets into the PoA and to ensure complementarity with existing national plans. The APRM PoAs have produced figures that run to millions or billions of US dollars (see Box 2).

Box 2: Estimated budgets for implementing the first six PoAs	
Algeria	US$ 20.7 million[28]
Benin	US$ 2.3 billion[29]
Ghana	US$ 2.8 billion[30]
Kenya	US$ 5.3 billion[31]
Rwanda	US$ 3.4 billion[32]
South Africa	US$ 2 billion[33]

Omedo of the Nepad Kenya Secretariat notes:[34]

> Kenya has a number of development initiatives including the Economic Recovery Strategy (ERS), [the Millennium Development Goals] (MDGs), the PRSPs among other government related programmes. The APRM PoA had to be mainstreamed in these programmes; hence the reason why we had a retreat with all accounting officers of the Government Ministries to ensure that they factor their plans to the PoA … The process of costing involved a close integration of Government expenditure.

Indeed, unless the APRM successfully merges the different reform initiatives – PRSPs, Medium Term Expenditure Frameworks, National Development Strategies etc. – it runs the risk of further complicating the development process in that country. The APRM Guidelines also insist on this point when they note that the PoAs should be formulated to:

> [ensure] consistency with existing national efforts, like the Poverty Reduction Strategy Papers (PRSP) processes, other national poverty reduction strategies, Medium Term Expenditure Framework (MTEF), National Human Rights Action Plans, Millennium Development Goals (MDG) strategies, ongoing institutional reforms, and other relevant governance and socio-economic development strategies, programmes and projects. It also includes efforts by the participating country to address capacity constraints in an integrated manner within all of these activities, as well as facilitating and coordinating the alignment of international support behind the national Programme of Action that participating countries are expected to develop and implement.

Despite efforts by countries, it is difficult to assess the manner in which other national programmes were incorporated in the PoAs, especially given the lack of explanatory notes on how the PoA was developed. For instance, in the PoA of Ghana, a comparison of the Medium Term Expenditure Framework (MTEF) and the Growth and Poverty Reduction Strategy (GPRS) I and II shows that there are overlapping costs, notably in the implementation of the infrastructure projects. In the Ghana PoA, Objective 4 of the socio-economic development section makes provision for US$300,000 in 2005 for 'Improvement in Farm Roads'. Yet a 'Road Fund' was already allocated for that year under the MTEF 2005-2009 to address similar projects, with US$8-million allocated for 2005 alone. The specific programmes for which the extra US$300,000 was intended were not made clear by the PoA.

Clearly justified and transparent costing is of utmost importance, both for donor-dependent countries wishing to raise external funds or self-sufficient countries hoping to use their resources optimally. This is noted in the APRM guidelines, which state that countries should 'Promote donor coordination and alignment with the priorities identified in the Programme of Action, in particular, regarding capacity constraints and required feasibility studies, and programme and project appraisals'.[35]

Reforms to the PoA generating process should stress making clear distinctions between:

- already existing initiatives that are mentioned in the POA to provide context, but are not being modified;

- ongoing initiatives that need to be expanded or improved; and'

- wholly new initiatives.

This would make it easier for those in the ministry of finance, for instance, to incorporate the PoA commitments into the budget.

In most instances, however, countries did not design a budget on the basis of activities. Rather, countries chose to allocate budgets for specific objectives – not action items – which do not justify the amounts spent, since costing needs to be done on the basis of proposed action/activity. The concerns raised above around the confusion between objectives and action items make it even more difficult to allocate costs. Often one 'action' as stated in a PoA is in fact an objective that requires a series of actions in order to address it.

The final allocation of funds can be done only after an audit of available resources is completed. Therefore, countries preparing their APRM will need to carefully assess ongoing programmes and resources allocated to them. Once this is done, an assessment of gaps and weaknesses should inform the further development of the PoA. Clearly defining how other programmes fit into the PoA is very important.

Improving PoAs: Some recommendations

The process of developing PoA targets should be carefully considered. First, it is important to list the issues at hand and define the objectives to be achieved. Second, different possible options available to address them should be considered, while placing emphasis on a holistic approach to problem-solving. At the end of the exercise, a list of potential action items must be drafted. Third, action items that have already been implemented and have failed should be eliminated, and ongoing processes that cover the proposed action item (such as PRSPs) should be noted. Fourth, the potential cost implication of each option must be considered. A single issue may be resolved in many ways, each at a different cost. Fifth, consensus around the proposed action items should be built through discussion with the relevant stakeholders. Once endorsed, the proposed action items can be officially costed by competent authorities, who should ensure that they are integrated into the MTEF alongside national development plans. This paper makes some recommendations to this effect.

Structure. Although there was initially no prescribed format for the APRM PoAs, pioneer countries have developed one that is now commonly used – a matrix format that includes columns for objectives, action items, and departments responsible for implementations, stakeholders and costing. This is a tool commonly used in planning exercises, but given that the APRM aspires to bring together various national plans in a comprehensive plan, it seems that a substantially greater amount of detail is required. The present grid system limits the amount of detail and offers insufficient discussion of the methods and challenges involved in solving the identified problems.

Guidelines to improve PoA development

- The needs of an effective PoA should be built into the APRM process from the start, not managed as an afterthought to the self-assessment process. Research and public consultation should be focused on solutions as well as problems. This would allow the country to develop a PoA alongside the CSAR and hence gain more time for development of the document.

- The PoA should involve expert working groups to identify and evaluate alternative solutions to each problem. They should consider the costs and managerial difficulties of alternative approaches, as well as considering how and why past attempts at reform did not succeed.

- Some problems, due to their size or complexity, lack clear solutions. These unresolved issues should not be dropped but identified as gaps deserving further research and consultation.

- Solutions put forward by the public but later rejected should be listed, with reasons offered as to why they were not selected, which will create more trust in the process.

- Solutions should be grouped under the responsible agency or ministry in order to identify stakeholders responsible for implementation.

- An implementation schedule should be prepared for each proposed action item.

- A summary should be prepared to explain why a given action item was chosen.

- Public-validation exercises should be held to permit comment and modification of the proposed PoA content and build consensus between all stakeholders (civil society, private sector, government, donors).

Adapted from Herbert & Gruzd, 2008[36]

Developing a PoA with supporting narrative text (as is used by some UN agencies) would be an option, although the sheer number of issues addressed by the APRM (often running to several hundred) can make this format problematic. But this format can be adapted and used in conjunction with the matrix to allow for more detailed explanation of key issues, and the text would then serve as an explanatory note.

Explanatory notes. A brief note explaining the thinking behind each objective and its intended impact should be included, stating how other national programmes and funding streams relate to the PoA; this would also make it easier to assess progress and identify the contribution of the APRM. For instance, if the country committed to fast-track the process of the adoption of a Bill, it would be simple to go back to the progress report and check whether

the country has adopted the Bill within the time frame set by the PoA.

Measurability. It is difficult to assess whether progress on certain issues, such as building roads, is truly related to the commitments made under the APRM, or whether it was a result of other parallel national development processes. For instance, when Ghana notes in its progress report that 'At least 60% of urban roads and 50% of rural roads have been put in a motorable shape', it is not clear whether this was a result of the APRM or of the broader government infrastructural development plan.[37] Similar issues are identified in the Kenya PoA, which, for instance, lists 'infrastructure development' as an action item under Objective 1 in the Economic Governance and Management section. Its first progress report indicates that a 'Sessional Paper on [the] creation of [an] Autonomous Road Authority [was] developed and approved by cabinet.'[38] But the PoA does not make clear the relationship between existing national plans and items listed in the PoA. This makes it hard to see what the APRM has brought about that is new.

Whether infrastructure development is achieved or not is not the issue. What is important is the ability to identify the source of *success* and be able to assess sources of *failure*. In other words, if credit for success is given to the wrong programme or factors, countries may fail to understand or acknowledge weak programmes or other failures.

Consider costing. Funds are the backbone of the successful implementation of decisions. Countries should therefore cost their PoAs on the basis of specific action items. It is also important to consider where funding would come from, and whether the item will be built into the national budget or if donor funds will be sought. This would allow the country to predict the funding stream for proposed actions and avoid jeopardising the implementation of actions.

Clear time frames for each target. Time frames make it easier to keep track of progress and to take corrective measures to address delays when they occur. The PoA should be refined to include deliverables in the *short-term* and *medium-to-long-term*. This is crucial: some issues require immediate action and may yield immediate results, while others need more time to have an impact. For instance, while providing free education in rural villages may increase the number of enrolled pupils per year, information workshops on women's health will show their impact over a longer time frame, because it is not only availability of information that is required, but also the reform of accepted social practices.

Furthermore, countries should take into account the time required for the drafting of policy to allow the implementation of a given action item; such policy would then later have to be tabled and adopted by Parliament. Often this is a lengthy process, and the action items stipulated in the PoA should take cognisance of this.

Prioritisation. Classifying deliverables under different time frames would also require prioritisation. Issues that may yield short-term results should be prioritised over those that would yield long-term results. Showing progress in the short-term would maintain momentum and would encourage stakeholders to work towards longer-term objectives.

One of the central challenges of the APRM is that it attempts to focus on all aspects of governance. Despite the merits of such an integrated approach, it is important to prioritise. The Panel already isolates priority areas in its report – usually termed 'overarching' or 'cross-cutting issues' – but it should similarly select which recommendations it deems as the most important or urgent. Instead of simply providing recommendations on a wide range of issues, the Panel should consider clarifying which matters require short-term, medium- or long-term action.

Furthermore, the Panel's recommendations should be more specific and targeted. Lessons from other countries can be drawn using the experience of members of the review team and the Panel. The value of peer review is in learning from each other's experience.

Consider the knock-on effects. Prioritisation is linked to 'positive externalities', meaning that outputs resulting from the implementation of one goal will have an impact on another goal. Girl-child education will for instance be likely to have a trickle-down effect on women's health, lower HIV infections and birth control, among other things.

Build in monitoring mechanisms. Monitoring mechanisms that incorporate both government and civil society are useful in maintaining a sense of ownership. It is advisable for countries to maintain their governing council as monitoring bodies even after the first self-assessment is complete. These are organs with first-hand expertise in the process and will prove valuable in monitoring progress in implementation.

Conclusion

The APRM is an evolving process and participants are learning as they go along. But participants have called for significant changes in the guidance and processes used to develop PoAs. There is substantial consensus that the improvements to governance made possible through the APRM system would be enhanced if more attention were focused on the PoA phase of the process.

Indeed, the experience of pioneer countries has demonstrated the need to revise the *modus operandi* currently used in the conduct of country reviews and in the formulation of PoAs. It is clear that more detailed guidance by the APRM Secretariat and the Panel needs to be provided to countries, notably in the formulation of the PoAs, and that time frames for the formulation of the PoA should be reconsidered.

All parties need to signal that they respect the common space that the APRM has created and abide by the rules put into place. To do otherwise can begin to build distrust and anxieties around the process and erode the ability to facilitate change.

Endnotes

1   The first APRM documents appeared in 2002. But it was only in March 2003 that the programme became operational when the first countries signed the Memorandum of Understanding.

2   The APRM Panel of Eminent Persons is a seven-member group of eminent Africans. In May 2008, its members were Adebayo Adedeji (Nigeria), Graça Machel (Mozambique), Chris Stals (South Africa), Mohamed-Séghir Babes (Algeria), Dorothy Njeuma (Cameroon), Bethuel Kiplagat (Kenya) and Marie-Angelique Savané (Senegal). The Panel is mandated to 'oversee the conduct of the APR process, and ensure its integrity' (APRM Base Document, Paragraph 6).

3   APRM Secretariat, 'Guidelines for Countries to Prepare for and to Participate in the African Peer Review Mechanism (APRM)', Midrand: APRM Secretariat, November 2003, paragraph 32, p. 10.

4   *Ibid.,* paragraph 956, p. 286

5   Crush, J & W Pendleton, 'Regionalizing xenophobia? Citizen attitudes to immigration and refugee policy in Southern Africa', Johannesburg: Southern African Migration Project, 2004.

6   South African Human Rights Commission, 'Parliamentary Open hearing on xenophobia and problems related to it', undated, *http://www.sahrc.org.za/sahrc_cms/downloads/Xenophobia%20Report.pdf* (accessed 5 May 2008).

7   APR Panel of Eminent Persons, 'APRM Country Review Report: Republic of South Africa', Midrand: APRM Secretariat, May 2007, p 367

8   Crime statistics, April-September 2007. Released by the South African Police Services, 6 December 2007.

9   APR Panel of Eminent Persons, 'APRM Country Review Report: Republic of South Africa', *op. cit.*, p 277.

10   *Ibid.*, paragraph 3, p. 128.

11   *Ibid.*, p. 307.

12   *Ibid*, p. 364.

13   APR Panel of Eminent Persons, 'APRM Country Review Report: Republic of Rwanda', Midrand: APRM Secretariat, November 2005, p. 43.

14   Ministry of Justice of Rwanda, National University of Rwanda & John Hopkins University, 'Perceptions about the Gacaca law in Rwanda: evidence from a multi-method study', April 2001, p.. 19.

15   *Ibid.,* p. 18

16   APR Panel of Eminent Persons, 'APRM Country Review Report: Republic of Rwanda', *op. cit.*, p. 18.

17   APR Panel of Eminent Persons, 'APRM Country Review Report: Republic of Kenya', Midrand: APRM Secretariat, May 2006, p. 66.

18   See Manby, B. 'Was the APRM Process in Kenya a Waste of Time? Lessons that Should Be Learned for the Future', Cape Town: Open society Initiative. 2008.

19   E-mail discussion with the author, 6-8 February 2008.

20   Response of Dr Francis Appiah to a presentation made by the author at an APRM conference organised by SAIIA, Johannesburg, 22 November 2007.

21   Email discussion with the author, 4 March 2008.

22   Busia, K. interviewed by the *East African* weekly, 'Kenya ignored APRM warning on poll violence', 9-16 June 2008.

23   Email discussion with the author, 6-8 February 2008.

24   Telephone interview with a member of the APRM Panel, 9 April 2008.

25   Busia, K. *op. cit.*

26   APR Panel of Eminent Persons, 'APRM Country Review Report: Republic of South Africa', *op. cit.*, p. 309.

27   *Ibid.*

28   APR Panel of Eminent Persons, 'APRM Country Review Report: Republic of Algeria', Midrand: APRM Secretariat, June 2007, pp. 337-401

29   APR Panel of Eminent Persons, 'APRM Country Review Report: Republic of Benin', Midrand: APRM Secretariat, January 2008, pp. 388

30   APR Panel of Eminent Persons, 'APRM Country Review Report: Republic of Ghana, Midrand: APRM Secretariat, June 2005. The total cost of the Ghanaian PoA is estimated at 2,386,670,013 Ghanaian Cedi. Conversion to US$ was done on the basis of the exchange rate of February 2007 estimated at US$1 = 10,099 Ghanaian Cedi.

31   APR Panel of Eminent Persons, 'APRM Country Review Report: Republic of Kenya', *op. cit.*, p. 404

32   APR Panel of Eminent Persons, 'APRM Country Review Report: Republic of Rwanda', *op. cit.*, pp. 170-183.

33   APR Panel of Eminent Persons, 'APRM Country Review Report: Republic of South Africa', *op. cit., p.* 342. The total cost of the South African PoA is estimated at R13,901.5-billion. Conversion to US$ was done on the basis of the exchange rate of February 2007, estimated at US$1 = R6.9.

34   E-mail interview with the author, 4 March 2008.

35   APRM Secretariat, 'Guidelines for Countries to Prepare for and to Participate in the African Peer Review Mechanism (APRM)', *op. cit.*, p. 18.

36   Herbert R & S Gruzd, *The African Peer Review Mechanism: Lessons from the Pioneers*, The South African Institute of International Affairs, Johannesburg, February 2008, pp. 93-96.

37   Ghana APRM Secretariat, 'Ghana Progress Report on the implementation of the African Peer Review Mechanism (APRM) national programme of action 2007', Objective 4, Socio-Economic Development Section, Accra: APRM Secretariat, 2008, p. 223.

38   Kenya Nepad Secretariat, 'Kenya Progress Report on the implementation of the African peer review mechanism (APRM) national programme of action, July 2006-June 2007'. Nairobi: Kenyan Nepad Secretariat, 2007, p. 54.

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