The African Peer Review Mechanism: Assessing Origins, Institutional Relations and Achievements

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ABSTRACT

To assess the impact of the African Peer Review Mechanism (APRM), it is necessary to understand where it came from. In the Africa of the old Organisation of African Unity, the sovereignty of states was paramount and criticism of countries within the magic circle unacceptable.

Today the idea that individual sovereign states should voluntarily submit their governance and economic development practices to judgment by their peers has been accepted by more than half the countries on the continent, containing three-quarters of the population of Africa. There is widespread acknowledgment that 'development is impossible without true democracy, respect for human rights, peace and good governance'.

Three generations of governance mechanisms – the grandfather, the African Union; the father, the New Partnership for Africa's Development; the child, APRM – have helped to bring about this remarkable change. But has the process been truly embraced by all who have signed up to it? Is it deeply engrained? Has it made peer criticism more palatable?

In this paper Steven Gruzd assesses the benefits that the APRM has brought to the continent, and the obstacles that militate against success. He says the process has 'tremendous potential', but is not a panacea. It has shown that it can identify problems like xenophobia, but cannot enforce solutions. It can identify 'best practice' in individual countries, but cannot ensure that others learn from it. It has sometimes been bedeviled by rivalries, strained administrative structures and institutional uncertainty. There has not been enough evidence that peer pressure is working and not all gains can be attributed to the APRM anyway. But, unequivocally, the process has contributed to democracy by widening political space and involving more citizens.

As to the future, the author concludes that much will depend on the role that African leadership plays in steering the process. One imperative is evident: if the unprecedented support continentally and internationally is to continue, the APRM must show that it is succeeding.

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INTRODUCTION

The Organisation of African Unity (OAU), founded in May 1963, put the bulk of its energy into eradicating colonialism and apartheid on the continent. One of the consequences of this focus was that the sovereignty of African states was paramount. The price for this mindset was that the internal affairs of African states were matters solely for their own governments. African leaders did not openly criticise one another and banded together when one of their number was criticised by outsiders. With the end of apartheid and the emergence of a democratic South Africa into continental and global politics, the OAU had basically fulfilled its mission.

Although governance issues were deeply imbedded in the structural adjustment programmes foisted on African countries from the early 1980s, it was only at the turn of the millennium that African leaders themselves began publicly acknowledging that governance is intrinsically important, and not just because outside powers say it should be. There was a recognition that what happens internally in states and how governments rule, regulate and relate to their citizens are vital for peace, development, growth and prosperity, and that Africans themselves needed to 'own' and drive this process. This impetus spawned many new institutions, including the African Union (AU) (which replaced the OAU), the Pan-African Parliament, the New Partnership for Africa's Development (Nepad) and the African Peer Review Mechanism (APRM). The latter, the continent's home-grown self-monitoring and peer learning tool for promoting good governance, is now coming of age.[1]

Despite challenges in developing its rules and systems; gaining the confidence of leaders, citizens and donors; and administrative difficulties, the APRM has evolved as a key building block in Africa's governance architecture and notched up many notable achievements. Although quality should matter more than quantity, more than half of Africa's states have signed up, nine have completed their initial reviews and real policy changes are gradually occurring.[2]

This paper examines two facets of this maturing mechanism. Firstly, how does the APRM relate to its progenitors, the AU and Nepad, and other governance initiatives beyond the continent, as part of this evolving governance architecture? Secondly, where is the visible progress and added value of this exercise?

BRIDGING THE GENERATION GAP? NEPAD, THE AU & THE APRM

Tracing the genealogy of the APRM – where it came from – is key to understanding the current relations among it, the AU and Nepad. But first, how did Nepad itself arise?

Nascent Nepad

While the organisational and political structure of the OAU was being revisited, Nepad was also emerging, in parallel. Nepad gradually evolved from an amalgamation of policy documents in the early 2000s. In September 2000 the UN adopted the Millennium Declaration, which had a section devoted to the development needs of Africa. It stressed the support needed in consolidating democracy; conflict prevention and resolution; eradicating poverty; promoting sustainable development; debt cancellation; improved

market access; enhanced capacity to deal with health challenges; and improved overseas development assistance. At a conference of African finance ministers in Addis Ababa in November that year, the United Nations Economic Commission for Africa (UNECA) was requested to draw up a plan to implement these ideas, which became known as the Compact for African Recovery.[3] This involved better aid, trade, debt relief and investment from the developed North, in return for better governance and political reforms in Africa to enable development.

This exercise occurred at the time that presidents Thabo Mbeki of South Africa, Olusegun Obasanjo of Nigeria and Abdelaziz Bouteflika of Algeria were developing their Millennium Partnership for the African Recovery Programme (MAP), which sought to spur change through adopting economic reforms, strengthening democracy and eradicating conflict, in partnership with the international community, but with African ownership. Almost simultaneously, Senegal's president Abdoulaye Wade unveiled his Omega Plan for Africa, which argued for building physical and human capital and focused on co-ordinated investment in infrastructure. Given the similar goals, heads of state agreed in March 2001 at the Extraordinary OAU Summit in Sirte, Libya that MAP and the Omega Plan be merged. The merger was first called the New Africa Initiative before being rechristened Nepad.

Peer review was first broached in UNECA's Compact. Paragraph 244 encapsulated what would later be at the heart of the APRM:[4]

> The Heads of State Forum in collaboration with relevant and capable continental institutions will establish mechanisms for the broad-based buy-in by African governments to peer review performance on issues of governance and economic management. … A possible model for this is the DAC [Development Assistance Committee] reviews of OECD [Organisation for Economic Co-operation and Development] development assistance. In this connection, the Heads of State Forum can provide the political underpinnings for mechanisms for peer review of country performances with regard to governance and economic management. The Heads of State Forum will also be well-placed to obtain the required high-level commitment to apply the lessons drawn from such reviews in the formulation of national actions.

These ideas are then echoed and taken forward in the October 2001 document outlining Nepad, which acknowledges that 'development is impossible in the absence of true democracy, respect for human rights, peace and good governance'[5] and committed Africa's leaders to respect these principles as enshrined in African and global standards. The Nepad document described the development of two interlinked 'initiatives' on Democracy and Political Governance, and Economic and Corporate Governance, which embody the essential elements of the APRM: voluntary accession; mutual support and targeted capacity building; peer learning, shared values and standards; commitment to fostering good governance practices and democratic processes; and building institutions to actualise these commitments and monitor and assess progress in implementing reform.[6]

Nepad was initially envisaged as a voluntary club for reformist African countries that would improve governance systems in exchange for more development support and investment. Kojo Busia, the head of UNECA's APRM Support Unit, said:[7]

The idea of making it voluntary was related to Africa's history of reforms imposed from outside without success. The Compact provided a vision of what Africans can do for themselves (democracy, governance, peace, security) and then what the international community can do for Africa in terms of transformed aid. The context of Africa's historical development trajectory vis-à-vis donor interventions can not be lost in this debate. If you review all the documents put forth by the ECA — from the Lagos Plan of Action to the Compact, the issue of donor dependency and the confounding of Africa's development has been an underlying message.

APRM: The next generation?

But the 'parent' of the as-yet unborn APRM (i.e. Nepad) then itself became the 'child' of the AU. For political reasons, Nepad, perceived by some as a potential alternative to the AU, was in fact subsumed into the AU as the latter's economic blueprint, as Nepad was adopted as the economic programme of the new continental organisation that came into being at the 2002 Durban Summit. Nepad thereby lost its ethos of voluntarism as the economic blueprint for *all* AU states, while the APRM has inherited this voluntary character.

The Nepad ideas of adherence to standards and enhancing governance through peer learning appear strongly in the Declaration on Democracy, Political, Economic and Corporate Governance adopted at the inaugural AU Summit in Durban in July 2002. The Declaration refers to a long history of Africa's commitment to peace, human rights and good governance (rhetorically, at least) from as early as the 1980 Lagos Plan of Action, and outlines the broad objectives that heads of state commit themselves to pursue in terms of their commitment to democracy and good political, economic and corporate governance (later to become the four 'thematic areas' of assessment in the APRM). Many subsidiary governance issues are described, including human rights, the separation of powers, regular free and fair elections, freedom of the press, protection for vulnerable groups, prudent management of the economy, and the role of businesses in society.

Although this declaration outlines the commitment of *all* AU leaders to good governance principles, it says:[8]

> We have separately agreed to establish an African Peer Review Mechanism (APRM) on the basis of voluntary accession. The APRM seeks to promote adherence to and fulfilment of the commitments contained in this Declaration. The Mechanism spells out the institutions and processes that will guide future peer reviews, based on mutually agreed codes and standards of democracy, political, economic and corporate governance.

Thus, voluntary adherence to governance reform was passed onto Nepad's child (and in a sense the AU's grandchild) — the APRM (see Box 1).

Even though the AU took the decision to establish the APRM, not all AU member states are strong supporters of the process. Arguably, the APRM is still not deeply engrained or universally accepted. Its voluntary character sits uncomfortably with 'many AU programmes and processes that are characteristically all-inclusive',[10] as analyst Francis Ikome notes. While this selectivity may turn out to be one of its greatest strengths, if it can be built on shared values and bold actions, the mechanism has ardent critics. Some non-acceding leaders like those from Libya and Zimbabwe have openly dismissed the APRM as

Box 1: Mandate, purpose and principles of the APRM[9]

The following are the first three clauses from *The New Partnership for Africa's Development: The African Peer Review Mechanism (APRM)*, commonly called the APRM Base Document, adopted at the AU's inaugural Summit in Durban, South Africa, on 8 July 2002.

Mandate of the APRM

The mandate of the African Peer Review Mechanism is to ensure that the policies and practices of participating states conform to the agreed political, economic and corporate governance values, codes and standards contained in the Declaration on Democracy, Political, Economic and Corporate Governance. The APRM is the mutually agreed instrument for self-monitoring by the participating member governments.

Purpose of the APRM

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 integration through sharing of experiences and reinforcement of successful and best practice, including identifying deficiencies and assessing the needs for capacity building.

Principles of the APRM

Every review exercise carried out under the authority of the Mechanism must be technically competent, credible and free of political manipulation. These stipulations together constitute the core guiding principles of the Mechanism.

pandering to donor whims, a process invented merely to please the outside world. Busia counters:[11]

> I totally and completely reject this thesis. APRM was invented by Africans for Africans to move forward on democracy, governance, peace and security on their own terms at their own pace through a 'peer learning process'. This is fundamental to any analysis or interpretation of what the APRM is all about. The APRM is ultimately about domestic accountability as opposed to external accountability.

While this argument is plausible and admirable, given the widely divergent nature of the many regimes now signed up to the APRM – from genuine reformers to barely democratic states that joined the club hoping for more donor aid, and many along this continuum – it is not the only motive for accession. As Sven Grimm and Emmanuel Gyimah-Boadi argue, some states saw the APRM as an opportunity to get a triple AAA rating from the donors for their governance agenda, citing Wade, whose Omega Plan focused heavily on infrastructure (and hence incoming donor aid) and much less on governance, as a prime

example of a president with a dual motive.[12] Many of the so-called problematic countries like Angola, Cameroon, Republic of Congo and Senegal were among the first to accede, without due consideration of the consequences. There was political pressure to show some momentum for the APRM by gathering new signatories. A case in point: when the South African Institute of International Affairs (SAIIA) was in Malawi conducting a study for the Ministry of Planning and Economic Development on the consequences of APRM accession in mid-2004, newly elected President Bingu wa Mutharika signed up for the APRM at the AU Summit before SAIIA's report was submitted. Some foreign ministers signed up on behalf of their heads of state, who have not attended a single APR Forum meeting to date.

Even well-governed, but perennially cautious, Botswana has adopted a wait-and-see attitude and not joined, arguing that it has nothing to gain as it already attracts investment, manages its economy prudently and has low corruption levels. However, critics also point out that Botswana might stand to lose its patina of a model democracy if it were subjected to closer scrutiny.

Family feuds

Rather than seamless integration and clear areas of responsibility among the AU, Nepad and APRM bureaucracies, there is evidence of rivalry and jealousy, overlapping mandates and unhealthy turf wars. As South Africa was a key driving force behind Nepad, it was argued that hosting the Nepad Secretariat in Midrand, South Africa would shield it from the perceived inefficiency and in-fighting of the AU. Another potential home was within UNECA in Addis Ababa, but Ikome notes that 'political considerations (particularly the claim that UNECA was not sufficiently African and too close to neo-liberal financial institutions and ideas) deflated this suggestion'.[13] Nepad's critics – particularly in the AU – came to resent the donor interest it attracted, deplored duplication of AU endeavours and suspected that Nepad was an extension of ambitious South African foreign and trade policy. With Nepad nearby, the APRM Secretariat was also established in Midrand, but in a separate building.

Familial ties between the two secretariats are illustrated by APRM Secretariat staff having emails ending in '@nepad.org', the APRM using the Nepad logo, and the APRM's website originally being part of Nepad's. While these are more operational than strategic – for example, when the Development Bank of Southern Africa (DBSA) was overseeing the hosting of both secretariats, it was simpler to have a single Internet domain name – they nevertheless suggest a hierarchy. When the APR Forum (of the participating presidents) meets, usually the day before the twice-yearly AU summits, it shares a venue with the Nepad Heads of State and Government Implementation Committee, which always meets first. Then non-APRM members (such as Botswana, Libya and Tunisia) leave before the Forum meeting commences. The Forum agenda is thus frequently curtailed by time pressure.

Particularly in the early days while both secretariats were being established, there were domestic squabbles about lines of authority. At one point, the APRM's former executive director insisted on reporting to the Panel of Eminent Persons, which then reported directly to heads of state, while the Nepad chief executive officer insisted that the ARPM executive director should report to him, as there was a quibble about whether or not the APRM Secretariat had been fully 'established'. Joint projects proposed between

the two Secretariats have foundered. Donors' attention can be fickle and faddish: some donor interest that Nepad previously garnered has now shifted to the APRM, as Nepad itself – with a broader agenda, substantial kick-off problems and perhaps its tortuous incorporation into the AU – has lost relevance and impetus.

Because AU officials in Addis Ababa do not work with the APRM on a daily basis, their levels of engagement and in-depth understanding are limited. Conversations with AU officials working on governance in September 2008 and February 2009 indicated a surprisingly low level of knowledge about the APRM. There is also no link to the APRM's website from the AU's website, and there were no copies of APRM reports in the AU's governance library by February 2009. Some of this antipathy stems from the historical tensions between the AU and Nepad, relatively low-key publicity about the mechanism and the location of its Secretariat in South Africa.

Also, there is a hierarchy problem. The Panel in some senses is on the same level as heads of state, as it interacts directly with them, and the APRM executive director is considered to be at an equivalent level to AU commissioners. Yet on the AU side, the relevant official is the director of political affairs, at a level below the commissioners, making interaction potentially thorny.

But there are signs that these organisational relationships are improving. Those favouring the closer integration of Nepad into the AU bureaucracy seem to have won a long war of attrition, but for now, the APRM will remain 'independent' and housed in Midrand. A key decision taken at the June–July 2008 AU Summit in Sharm-el-Sheikh, Egypt acknowledges the enhanced status of the APRM and its closer affiliation with the AU. The AU Assembly[14]

> calls upon the government of the Republic of South Africa to grant all facilities to APRM for the discharge of its mandate; *decides that APRM Structures, namely the APRM Forum, the APRM Panel and the APRM Secretariat shall be part of the processes and structures of the African Union*; [and] requests the Commission to negotiate and conclude a host agreement, with the Government of the Republic of South Africa, for APRM with a view to facilitating the discharge of its mandate.

This is significant, after a string of summits declined to mention the APRM, or merely acknowledged its existence, tallied the number of signatories and made calls for all states to accede. After many months, a 'host agreement' between the South African government and the AU was signed in October 2008. This will allow the APRM Secretariat, finally recognised as a legal entity in South Africa, to negotiate contracts directly with staff members, and this, it is hoped, will improve job security and motivation of staff, currently contracted by either the United Nations Development Programme or DBSA (two institutions that were hitherto jointly managing the affairs of the Secretariat in the absence of the host agreement). It also means that the AU will have a greater say in the appointment of the new executive director.

Finally, external actors may also affect the APRM's place in Africa's governance architecture. Just as the ineffectiveness of the Cotonou Agreement, coupled with pressure from the World Trade Organisation for the European Union (EU) to renegotiate its trade arrangements with African states, led to economic partnership agreements (EPAs) often at odds with the continent's existing integration efforts, Europe's interest in governance may

well shape the efforts of the APRM and the AU (see Box 2).[15] To date, donor interference has been minimal and support generous, but this could change if other priorities emerge, or if evidence of real reform is not apparent.

Box 2: External endorsement of the APRM: Africa–EU Joint Strategy[16]

The December 2007 Lisbon Summit adopted the Africa–EU Joint Strategy, whose Action Plan for 2008–2010 places emphasis on the APRM by name. Priority Action 2 has the objective of achieving 'a more efficient African governance architecture through enhanced support for the implementation of the outcomes of the APRM process'. This includes better anti-corruption efforts, improved public services and administration, and 'enhanced awareness of the APRM process in African countries'. The plan expects as outcomes 'the consolidation of an effective and functioning Pan-African governance architecture through ratification and enhanced implementation of its instruments; [and] improved cooperation on the implementation of the recommendations of the APRM process'.

The activities envisioned are supportive, but vague:
- strengthen the dialogue and co-operation on the implementation of the recommendations of the APRM process;
- step up EU support to the Pan-African governance architecture, including the African Charter on Democracy, Elections and Governance;
- speed up ratification and implementation of the African Charter on Democracy, Elections and Governance;
- strengthen capacities of the AU, regional and national institutions, and civil society in the fields of election organisation and observation;
- promote the participation of women in political processes and governance; and
- strengthen the capacities of independent organisations to combat corruption, impunity and fraud.

The commitments to funding are typically mired in bureaucratic speak, are drawn from various complex EU funds and kitties, and suggest strings attached; e.g. they refer to: 'Appropriate financing sources in accordance with their respective scope and their relevance to objectives and activities concerned, their specificity and eligibility criteria, such as the 10th EDF [European Development Fund], ENPI [European Neighbourhood and Partnership Instrument], DCI [Development Cooperation Instrument], Instrument for Stability (IfS) and the European Instrument for Democracy and Human Rights (EIDHR); Bilateral contributions from EU Member States and African States; [and the] African Development Bank.'

In an effort to show progress on this ambitious but amorphous agenda, European think-tanks such as the European Centre for Development Policy Management have found it necessary to try to bring the APRM and AU governance officials together for dialogue in Brussels of the kind that rarely occurs in Africa. One such meeting planned for October

2008 had to be postponed to early 2009 due to scheduling conflicts. In addition, a €3bn governance incentive tranche has been established, which has gradually become more closely linked to the APRM, although it has been criticised for its lack of transparency. Furthermore, the EU has established 'governance profiles' of African, Caribbean and Pacific countries, which are fed by APRM results wherever these exist. These are quite explicit documents, for example, on issues such as protecting minority groups in partner countries.

Thus, the APRM system has evolved from the early work done to set up Nepad, the impetus to transform the OAU into the AU and relations with external partners. The connections among the AU, Nepad and the APRM – three generations of institutions in the same family – sometimes barely exist or are strained, suggesting that better communication and co-ordination would be beneficial.

Next we turn to the issues of what the mechanism has achieved in the seven years since it was conceived within Nepad, where it adds value and where it can be strengthened.

APPRECIABLE PROGRESS, ADDING VALUE, ADDITIONAL CHALLENGES

Growing membership

In June 2008 Togo became the 29th African state to voluntary accede to the APRM.[17] Members represent over three-quarters of the continent's population, and six states have joined in the last three years. Others, such as Burundi, are considering joining. While the growing numbers of members in the club is an achievement, the addition of ever more countries just 'going through the motions' with no serious commitment to reform can dilute the effectiveness of the mechanism overall. Newer signatories, however, have the benefit of the experiences of the pioneers and are better informed of the consequences of accession. We are yet to see much evidence of peer pressure at work.

Picking up pace

After a slow start in 2003, the pace of reviews has accelerated. The initially envisaged time frame of six to nine months for the self-assessment process and a year overall has proved to be impossible to meet. However, the country review reports of nine signatory states (Ghana, Rwanda, Kenya, Algeria, South Africa, Benin, Uganda, Nigeria and Burkina Faso) have now been discussed in the Forum to date. These states have subjected virtually all facets of governance to scrutiny by their own citizens, African experts and ultimately fellow heads of state; come up with frank assessments of real problems; and developed programmes of action (POAs) to plug the governance gaps. The long delays between the finalisation of the country self-assessment report, the review by the heads of state and the publication of the report (well over a year in some cases) cause the process to lose momentum and public interest to flag.

Identifying issues

Peer review has significant diagnostic potential. Reports foresaw conditions that produced both the election-related ethnic violence in Kenya after December 2007 and the xenophobic

attacks in South Africa in May 2008. Their recommendations – neither mandatory, nor enforceable – went unheeded, illustrating a key challenge for the APRM. Analysis of the first six publicly available reports reveals many common challenges, including managing diversity, curbing corruption and strengthening accountability institutions. While the reports seldom reveal new information and donors still insist on poverty reduction strategy papers, APRM reports can highlight key areas for intervention and can potentially sort out the spaghetti bowl of overlapping national reform efforts, setting realistic deadlines, budgets and oversight. To do this, however, the POAs would need to be more strategic, better costed and more realistic.

Sparking and celebrating reform

Early countries implementing their POAs can all point to concrete governance gains and are gradually notching up successes, from ratifying standards and enacting legislation to overhauling policy and strengthening institutions.

In October 2008 Francis Appiah, executive secretary of Ghana's National APRM Governing Council, outlined both stuctural and substantive impacts of Ghana's POA.[18] Under the former, described as 'contributing to the governance architecture', Appiah mentioned that the APRM's POA had been mapped onto Ghana's development plans; a budget prioritisation committee had been established; and an office in the Ministry of Finance to track POA expenditure had been set up, as well as 'district oversight committees' countrywide for monitoring POA implementation, linked to the National Council for Civic Education. Concrete APRM-inspired reforms included a new Ministry of Chieftaincy and Culture; an upper limit on the number of Supreme Court judges; a smaller cabinet (although this has become bloated again over time); passing the Whistleblower Act and Disability Act and accelerated momentum for a Freedom of Information Bill before cabinet; reduced corporate tax; the establishment of a Nepad school feeding programme and Nepad e-schools; a development fund to upgrade the neglected northern provinces; and the planned establishment of the West Africa APRM Centre of Excellence in Ghana.

Ghana has been adept at branding all reform as a product of the peer review process and keeping the APRM in the media. Rwanda is in the midst of fundamental reforms to its business environment and has integrated its APRM POA into its Economic Development and Poverty Reduction Strategy. It also notes slow progress in decentralising land registration and boosting its capacity in accounting and auditing.[19] Kenya points out laws passed, e.g. on witness protection and public procurement; new funds to foster youth and women's development; and a draft national land policy created through consultation. In South Africa, issues flagged by the APRM, such as unregulated private funding to political parties and floor crossing in Parliament, have been slated for reform.

Granted, many of the problems identified are complex and it will take more time to discern real change, while attributing reforms exclusively to the APRM is nearly impossible. So showing where and how the APRM makes a difference is vital. Country and continental structures should do a better job to document, publicise and celebrate APRM successes in order to maintain momentum, sustain interest and garner support.

Profiling best practice

African countries notoriously under-appreciate their achievements, and country self-assessment reports hardly tend to point out strengths. The 'best practices' that are meant

to be highlighted in each report are a way to celebrate achievements and enhance the constructive and non-punitive character of the APRM. Each country review report therefore contains brief mention of 'best practices' such as the regional peacemaking role of countries like Ghana and Kenya, South Africa's innovative low-cost bank accounts for poor people and gender advancement in Rwanda. The APRM was always intended to encourage peer learning, although in the country review reports best practices tend to be only superficially explored and appear as afterthoughts that are 'something nice to say' about the country in order to balance criticisms. Countries should better document and showcase their premier achievements through integrating best practices that others might emulate more fully into their research design and execution.

Empowering people

At the national level, the process has widened political space. The APRM requires participating countries to involve their citizens in assessing the strengths and weaknesses of governance and policies, and to propose remedies. The guidelines issued by the APRM Secretariat for countries under review state:[20]

> The organisation of public participation in the APRM process is in itself a central aspect of enhancing the state of governance and socio-economic development in the participating country. Such interactions can build trust, establish and clarify mechanisms for ongoing engagement and empowerment of stakeholders.

Broad and deep civil society engagement is intended to gain public buy-in, initiate and enhance policy dialogue, give voice to traditionally marginalised groups, and confer legitimacy on the process.

Peer review seeks to make frankness, robust debate, differences of opinion and criticism less threatening and more acceptable in Africa. The more citizens demand better governance, the more it will be supplied. If carried out fairly, Africa's people will feel that they have a stake in this process. Therefore, the process – the national conversation generated – has value in itself. As Ahmed Mohiddin observes, the process has the *potential* to change the face of accountability on the continent:[21]

> The exposure [that the APRM subjects leaders to] has revealed extensive and hitherto inaccessible information on the workings of governance that has humbled those in power, exposing their political vulnerability and sensitising them to the need to be more accountable, transparent and responsive …. The APRM has, as it were, released the genie from the bottle. The people are now aware of their constitutional and political rights and are better organised to protect and promote them. They are also more likely to be vigilant on executive abuse of power.

Revitalising management

Institutions to steer the process – principally the APR Forum, the seven-member Panel of Eminent Persons and the APR Secretariat – have taken root, but key questions about leadership remain. A crucial variable is the commitment of African leaders. Just five of the 28 participating heads of state and government attended the Extraordinary APRM Forum in Benin in October 2008. Governments tend to prioritise conflict resolution and

economic development over governance, and therefore attendance at APRM meetings is frequently disappointing when some other big event is taking place elsewhere on the globe. Some countries that acceded years ago (the Republic of Congo was among the six initial signatories in March 2003) have made virtually no progress, raising some doubts about the effectiveness of the mechanism overall. The Panel of Eminent Persons has sensibly chosen to concentrate on driving reviews where there is greater political will, but this has left some of the more difficult and recalcitrant regimes for a later date. What effect will the retirement of APRM architects Thabo Mbeki and Olusegun Obasanjo have? The mechanism is now being politically steered by Ethiopian Prime Minister Meles Zenawi, who has question marks against his commitment to democracy because of the harsh treatment his regime has meted out to opposition parties, restrictive civil society laws and narrowing space for free media in Ethiopia. Whether the selection of Libyan President Muammar al-Gaddafi as AU chairperson for 2009 – with his desire to fast-track an AU government – will have any material effect on the APRM remains to be seen. However, as Libya is not an APRM member, the APRM may well move lower on the AU's priority list this year.

The Forum also makes crucial decisions about the Panel of Eminent Persons. The inaugural Panel's mandate is long overdue according to APRM rules and must be reconstituted. Strong leadership, with integrity and transparency, will be crucial to maintain trust and faith in a process with tremendous potential. In Cotonou, it was confirmed that two long-standing Panel members – Chris Stals of South Africa and Senegal's Marie-Angelique Savané – would leave the Panel, but the criteria for selecting their replacements are not yet clarified. In January 2009 a decision was taken that Nigeria's Adebayo Adedeji would remain in the rotating chairmanship for a further full year. The Forum asked the Panel to clarify procedures for making appointments to the Panel — surely a potential conflict of interest for incumbent Panel members?

The post of executive director of the Secretariat has been vacant since July 2008. Afeikhena Jerome of the APRM Secretariat characterised the institution as 'thin and overstretched, coupled with unattractive contracts'; acknowledged that communication has been a problem; and said that '[t]he recent signing of the host country agreement in South Africa has opened a window of opportunity', with a new executive director and competent Secretariat expected by the first quarter of 2009.[22] This now seems unlikely after the Addis meeting.

All these institutions should exhibit the highest standards of values they wish to foster in Africa, including transparency, accountability and credibility.

Tackling technical issues

As the number of countries acceding and progressing grows, the administrative system will come under increasing strain. At the present pace, it would take another decade to cover the 20 states awaiting review, not counting any new entrants or pioneer countries undertaking second reviews that are due now. In January 2009 the Panel of Eminent Persons proposed second reviews in Ghana, Rwanda, Kenya and Uganda during this year, but, given the change of government in the first of these countries and political stalemate in the third, this seems over-ambitious. Holding the Forum on the day before AU Summits must also be rethought. Some presidents arrive late, the Nepad meeting eats up time, and other urgent business frequently intervenes — as the Zimbabwe crisis did

at Sharm-el-Sheikh. But as demonstrated in Benin, stand-alone Forum meetings can fail to attract many presidents. There is usually no time at Forum meetings to discuss the implementation reports of countries that have been reviewed, and this lack of monitoring must be addressed. The ongoing process to review the questionnaire and other APRM procedures must also be accelerated.

CONCLUSION

To understand the place of the APRM in the evolving African governance architecture, this paper has explored its origins and relations with its two recent ancestor bodies, Nepad and the AU, and assessed what it has achieved in its short lifespan. The mechanism's voluntary membership makes it atypical among African continental institutions. While accession is voluntary, thereafter adherence to principles and procedures is mandatory. The APRM has had common ground, but also reasons for rivalry, with both Nepad and the AU to different extents, but indications are that all three institutions are maturing and their roles are becoming clearer. Nevertheless, all three are going through institutional uncertainty as key personnel change, including African heads of state in countries like Ghana, South Africa and Nigeria; changes in the leadership of Nepad and its incorporation more fully into the AU; and changes in the Panel of Eminent Persons and APR Secretariat. Leadership challenges – including vision, commitment, continuity and technical capacity – remain. Significantly, the host agreement will bring the APRM closer to the AU, but whether this serves to increase or reduce the APRM's credibility and independence remains to be seen. Either way, the APRM is likely to continue to entrench governance on the continent.

The APRM has attracted more than half of Africa's states representing three-quarters of its people to voluntarily accede to self-imposed scrutiny in a commitment to improving governance systems, policies and developmental practices. A third of the presidents have been reviewed by their peers and countries who have undergone review have begun to struggle with financing and implementing their POAs and integrating them into other ongoing national development initiatives. Political space for policy input and more tolerance of differences of opinion are being nurtured. The APRM is not a panacea, nor are its results instant, nor is it easy to prove that they might have happened anyway without the APRM. But it is imperative that the mechanism should demonstrate success and incremental progress, so as to maintain faith and interest in it. Unprecedented continental and international support and goodwill should not be wasted by insincere process or poor implementation.

ENDNOTES

1   This paper expands on Gruzd S, 'Adding value to African Peer Review', in SAIIA's 'Diplomatic pouch' website feature, 22 September 2008, <http://www.saiia.org.za/index.php?option=com_content&view =article&id=837:adding-value-to-african-peer-review&catid=78:diplomatic-pouch&Itemid=230>.

2   Some, such as Grimm S, regional co-ordinator on sub-Saharan Africa at the German Development Institute, have criticised the numbers game around how many or how few have acceded to the ARPM. He argues that the quantitative argument about the number of participating states points

to the 'greatest weakness of African integration in general' — the rule by consensus. He argues that Europe, instead, chose to have a small avant-garde with shared values that convinces by actions rather than waiting for the last one to be convinced by the idea (correspondence with the author, 18 February 2009).

3   See UNECA (UN Commission for Africa), *Compact for African Recovery: Operationalising the Millennium Partnership for the African Recovery Programme*. Addis Ababa: UNECA, 21 April 2001, <http://www.uneca.org/cfm/compact_for_african_recovery.htm>.

4   *Ibid.*, para. 244.

5   OAU (Organisation for African Unity), *The New Partnership for Africa's Development*, October 2001, para. 71.

6   *Ibid.*, paras. 79–89.

7   Busia K, correspondence with the author, 20 February 2009.

8   The New Partnership for Africa's Development (NEPAD), *Declaration on Democracy, Political, Economic and Corporate Governance AHG/235 (XXXVIII)*, Annex 1, 18 June 2008, para. 28, p. 11.

9   OAU (Organisation of African Unity), *The New Partnership for Africa's Development: The African Peer Review Mechanism*. Durban: OAU, 8 July 2002, paras. 1–3, p. 1.

10 Ikome FI, 'Rocky courtship to an African marriage', *Global Dialogue*, 13, 2, August 2008, p. 20.

11 Busia K, *op. cit.*

12 See Grimm S & E Gyimah-Boadi, 'Regional organisations and incentives to improve governance: The APRM experience, with particular reference to Ghana', *Overseas Development Institute Working Paper*, 4. London: ODI, April 2008.

13 Ikome FI, *op. cit.*, pp. 19–20.

14 Assembly of the African Union, 11th Ordinary Session, 30 June–1 July 2008, Sharm-el-Sheikh, Egypt, Decision 198 (XII), p. 16, emphasis added.

15 Grimm S argues that the rules governing the EPAs could be changed with an EU–African, Caribbean and Pacific countries majority, if the parties really desired to. He argues that EPAs are about creating incentives for African states to sort out their integration schemes, with governance at the heart of these arrangements (correspondence with the author, 18 February 2009).

16 First Action Plan (2008–2010) for the Implementation of the Africa–EU Joint Strategy, as adopted by the Lisbon Summit, Portugal, 9 December 2007, p. 13.

17 The 29 APRM member states by November 2008 (including Mauritania, suspended in October 2008 due to an unconstitutional change of government) were Algeria, Angola, Benin, Burkina Faso, Cameroon, Djibouti, Ethiopia, Egypt, Gabon, Ghana, Kenya, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Nigeria, Republic of Congo, Rwanda, São Tomé and Príncipe, Senegal, Sierra Leone, South Africa, Sudan, Tanzania, Togo, Uganda and Zambia.

18 Appiah F, presentation at the 3rd Annual Symposium of the Electoral Institute of Southern Africa, Maputo, Mozambique, 21–22 October 2008.

19 Jerome A, presentation at the 3rd Annual Symposium of the Electoral Institute of Southern Africa, Maputo, Mozambique, 21–22 October 2008.

20 APRM Secretariat, *Guidelines for Countries to Prepare for and to Participate in the African Peer Review Mechanism (APRM)*. Midrand: APRM Secretariat, November 2003, para. 36, p. 12.

21 Mohiddin A, 'Unchecked executive powers: Lessons in effective government design', *SAIIA Occasional Paper*, 1. Johannesburg: SAIIA, May 2008, p. 6.

22 Jerome A, *op. cit.*

OTHER PUBLICATIONS

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