POLICY BRIEFING 170

THE AFRICAN PEER REVIEW MECHANISM AT 15: ACHIEVEMENTS AND ASPIRATIONS

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ABSTRACT

As the African Peer Review Mechanism (APRM) turns 15 on 9 March 2018, this milestone provides an ideal opportunity to acknowledge recent progress. The APRM Secretariat's new 'Three Rs strategy' has begun to restore, reinvigorate and renew the mechanism. Reviews have been re-started, there is greater innovation and energy around the APRM, and confidence is being rebuilt. Yet challenges remain: increasing political commitment, fostering civil society involvement, garnering sustainable funding, implementing action plans, and demonstrating value addition.

INTRODUCTION

The best-known celebration for turning 15 is a Latina's *fiesta de quinceañera* in the Americas. As Africa's most important governance self-evaluation and promotion instrument – the African Peer Review Mechanism (APRM) – officially turns 15 on 9 March 2018, it is timely to reflect on its achievements, challenges and plans, and ask: has it actually come of age?

RECOMMENDATIONS

1 The APRM should focus on its core mandate – conducting country reviews (especially second reviews), increasing membership and encouraging implementation of National Programmes of Action – before it tackles its 'expanded mandate' to oversee monitoring of governance commitments under the AU's Agenda 2063 and the UN's Sustainable Development Goals (Agenda 2030), as other organisations already have advanced M&E systems to track their implementation.

2 The APR Panel must ensure that country review reports are uploaded no later than six months after the head of state has been peer reviewed by the APR Forum, regardless of whether a national launch is held.

3 The APRM Secretariat should establish a Civil Society Liaison Office to more directly support African CSOs' and citizens' participation in all APRM stages. CSOs should also be able to apply for funding for APRM-related activities.

4 The APRM should revamp its website and establish the proposed Knowledge Hub, to become the primary source of governance information and analysis on the continent.

THE APRM @ 15: A BRIEF BACKGROUND

The APRM has its roots in the early 2000s – the Mbeki and Obasanjo years, the dream of the African Renaissance, the evolution of the outdated Organization for African Unity into the modernised AU – and its embodiment in the economic and political reform of the New Partnership for Africa's Development. Today, the APRM is a semi-autonomous specialised agency of the AU, although the pace of integration has been glacial.

The APRM was conceptualised as a voluntary tool through which African countries would diagnose their governance strengths and weaknesses in the political, economic, corporate and developmental spheres, and commit to remedies to ameliorate these problems. Initially the process was met with enthusiasm. It represented a new era in African politics – 'African solutions for African problems' – in contrast to externally imposed, one-size-fits-all answers. The APRM recognised that its members were at different stages of democratic and socio-economic development, so it encouraged striving towards common goals, through the adoption, ratification and domestication of a range of continental and international standards.

The first decade of the APRM eventually saw the publication of 17 mostly solid and frank reviews, which at times encouraged discussion about serious governance shortcomings. However, follow-up faltered. Most states did not implement their National Programmes of Action. And where the APRM set up early warnings, flagging the potential for electoral violence in Kenya, xenophobia in South Africa and instability in Mozambique, political will at the highest level was lacking to confront these fissures.

Around its 10th anniversary, the APRM ground to a halt. Allegations of financial mismanagement surfaced at the Secretariat. Questions about the lack of a permanent chief executive officer (CEO) were being asked. Ethiopia's dominance of the APR Forum under Meles Zenawi was concerning, given its continued questioning of democratic, liberal principles. Donor funds were depleted and member states were not paying their dues. Although there were hopes that Liberia's Ellen Johnson Sirleaf, elected as the new Forum chair in May 2013, could turn the flailing mechanism around, she soon had to divert all her energies to dealing with Liberia's Ebola epidemic.

In June 2015, she was replaced by Kenya's President Uhuru Kenyatta. He took an active interest in reviving the APRM. Under Kenyatta's watch, the fortunes of the mechanism have visibly improved, despite the abrupt cancellation of a much-vaunted extraordinary APRM Forum scheduled for September 2015 in Nairobi. Kenyatta has been actively involved in encouraging his peers to recommit to the APRM financially and politically.

The spark signalling the revival of the APRM was the appointment of a new CEO, South African Professor Eddy Maloka, in January 2016. He has rejuvenated the APRM with his 'Three Rs' strategy – reinvigoration, restoration and renewal – re-energising a system that was creaking with fatigue, mismanagement and stagnation. He has more than doubled the staff complement at the APRM Secretariat in Midrand, South Africa; launched an ambitious strategic plan for 2016–2020 (the first in the APRM's history); pushed for more countries to be reviewed annually and for the reviews to be cheaper and faster; and actively encouraged non-members to accede. In 2017 Maloka oversaw country review missions to Chad, Liberia, Senegal and Sudan, and the second-generation peer reviews of Kenya and Uganda. Compare this to the three-year lull between 2013 and 2016, when not a single new state was reviewed.

In addition, the APRM has been tasked by the AU with an 'expanded mandate', to track the governance aspects of the AU's 50-year development blueprint, Agenda 2063, and the UN's 17 Sustainable Development Goals. Other ambitions include positioning the APRM Secretariat as a knowledge hub on governance (although with little visible progress); revising its cumbersome questionnaire; and cementing relations with partners such as the AU's Department of Political Affairs. The APRM is chairing the joint APRM–African Governance Architecture–African Peace and Security Architecture Secretariat for 2018. Maloka also brought on board the Mo Ibrahim Foundation and the African Capacity Building Foundation as new strategic partners.

Although Maloka's achievements in beginning to turn around the APRM are commendable, he should not be conflated with the institution. As South Africans well know, a strong head in the office of the Public Protector (ombudsman) does not necessarily mean that the institution will remain strong after his/her departure. Systems need to be in place to prevent abuse.

To his credit, Maloka seems to be focusing on these too. Maloka supervised the development of an APRM Statute, a much-needed update to the 2003 Base Document, to guide the mechanism. There are also plans to overhaul

the APRM's monitoring and evaluation (M&E) system. Finally, he is overseeing work on measuring the impact of the APRM.

The APRM needs to articulate its achievements in the past 15 years and why African taxpayers, especially in South Africa, should pay for it going forward. It can show many technical outputs, including country review reports (CRRs), implementation reports (although these have been inconsistently submitted by member states) and various events. But what difference has it made to people's lives? Answering this question and demonstrating the mechanism's value addition will be crucial for the next decades.

LOOKING AHEAD

Political will needs constant attention. Only 10 of the 37[2] heads of state attended the January 2018 Forum meeting – from Benin, Chad, Ethiopia, Guinea (a non-member, whose representative left early), Kenya, Mozambique, Sierra Leone, South Africa, Sudan and Uganda, plus Zambia's vice president. Yet this has actually been the best average attendance at recent forums, up from just a handful in the early 2010s. Without political commitment to the APRM at the heads of state level, it is difficult to imagine the effective and efficient functioning of the mechanism, including honest and thorough 'peer reviews', or the subsequent implementation of recommendations.

Another critical issue for the APRM is financing. For years, the APRM Secretariat has struggled to get member states to pay their $100,000 minimum annual subscriptions, which in 2016 doubled to $200,000. This money (if actually collected) goes to the continental APRM institutions, not the national APRM processes. These are expensive undertakings themselves, at an estimated $1–3 million (more accurate figures are not in the public domain, a problem in itself). Donor funding to the APRM has largely dried up since the mid-2000s and the UN Development Programme Trust Fund – into which donors paid their contributions – has been depleted. Development funding itself has undergone numerous changes since 2003. There is less focus on governance and more on tangible socio-economic issues. Furthermore, the migrant crisis in Europe and a new administration in the US have also affected priorities.

In an increasingly competitive funding environment, the APRM needs to show why it deserves support. Restoring confidence in the APRM is crucial, as is demonstrating its value, in order to ensure sustainability and predictability in funding streams from both states and development partners. The current model places the responsibility squarely on African taxpayers; they therefore need to take greater ownership of the APRM.

At the January 2018 forum meeting, Kenyatta passed the baton of forum chairperson to Chad's President Idriss Déby Itno (65), who assumed power 27 years ago. Is Déby the right person to oversee a mechanism that focuses on improving governance and establishing a culture of constitutional democracy? Chad removed presidential term limits in 2005, although the president is on record that he will reintroduce them after his 2016 electoral victory.[3] This is yet to be done. He needs to be given a chance to prove his stewardship of the APRM, but will Kenyatta's energy, commitment and momentum be maintained? If not, that would impact the impetus created under the Kenyan president's leadership. It would also be incumbent on fellow APRM heads of state, the APRM Secretariat, the APRM Panel of Eminent Persons, national governing councils and civil society to ensure that there is appropriate follow-through on APRM commitments over the next two years.

Civil society is also concerned that the ambitious programme for so many reviews, and cost-cutting measures to have smaller review teams and quicker reviews, could compromise their quality and depth of analysis. For instance, the country review mission for Uganda's second review was fielded in October–November 2017, and Uganda was reviewed in January 2018. These reviews have typically taken much longer previously. Measures to reduce the size of the review team may have gone too far, placing huge strain on a small number of senior researchers. There were also grumblings from Ugandan civil society organisations (CSOs) that there was insufficient consultation with civil society.

Once second reviews are publicly released, there will have to be serious scrutiny of how they connect to and differ from first reviews, and what progress has been made in governance in those countries. It is unfortunate that they have taken so long. Early APRM documents envisioned these reviews taking place every three to five years. Yet Kenya's second review took place 11 years later and Uganda's nine years. This needs to be speeded up, without compromising rigour and quality, especially as the APRM grapples with the practicalities of its 'expanded mandate'.

The reform of the AU system being spearheaded by President Paul Kagame of Rwanda noted that 'the African Peer Review Mechanism could be strengthened to track implementation and oversee monitoring and evaluation in key governance areas of the continent'.[4] Heads of state changed 'could' to 'should' in a subsequent declaration, indicating confidence in the APRM. But this rather vague assertion will need to be more fully dissected to see where the APRM can add value, as several other bodies have similar tracking mandates for Agenda 2063 and Agenda 2030. There are now baselines (in the form of first-generation reviews) for 21 African countries. Accelerating second reviews would enable measuring progress and ultimately help determine where the APRM has generated reforms.

Finally, and of great concern to civil society, is the delay in publicly releasing CRRs. The published CRRs are meant to be made available six months after the forum reviews them. Yet the reports of Chad, Djibouti and Senegal – all reviewed in January 2017 – are still not in the public domain. While Kenya's second-generation report appeared on the APRM's website on 28 January 2018, the others are still awaited. The APRM Secretariat says they are ready but need to be launched nationally first. This provides governments with an excuse to delay the CRR's release and goes against the transparency inherent in the APRM's principles.

In this year of celebrating APRM@15, it needs to focus on its core mandate, restore the confidence of its members and supporters, streamline its systems, and rapidly conduct the second round of reviews. Nothing less will be needed for the next 15 years.

ENDNOTES

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2   The 37 APRM member states are Algeria, Angola, Benin, Burkina Faso, Cameroon, Chad, Congo-Brazzaville, Côte d'Ivoire, Djibouti, Egypt, Ethiopia, The Gambia, Equatorial Guinea, Gabon, Ghana, Kenya, Lesotho, Liberia, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, São Tomé & Príncipe, Senegal, Sierra Leone, South Africa, Sudan, Tanzania, Togo, Tunisia, Uganda and Zambia.
    The 21 APRM states that have undergone their peer review are (in the order of review): Ghana, Rwanda, Kenya (twice), South Africa, Algeria, Benin, Uganda (twice), Nigeria, Burkina Faso, Mali, Mozambique, Lesotho, Mauritius, Ethiopia, Sierra Leone, Tanzania, Zambia, Djibouti, Senegal, Chad and Sudan.

3   *Reuters*, 'Chad president says will reintroduce constitutional term limits', 9 February 2016, https://www.reuters.com/article/us-chad-election/chad-president-says-will-reintroduce-constitutional-term-limits-idUSKCN0VI230, accessed 22 February 2018.

4   Kagame P, 'The Imperative to Strengthen our Union: Report on the Proposed Recommendations for the Institutional Reform of the African Union,' tralac (Trade Law Centre), 29 January 2017, p. 4.