

# Reviewing Africa's Peer Review Mechanism

*A Seven Country Survey*

Adotey Bing-Pappoe



SOUTH AFRICA  
BURKINA FASO  
ETHIOPIA  
NIGERIA  
GHANA  
KENYA  
BENIN



PARTNERSHIP AFRICA CANADA

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Editor:  
Bernard Taylor

Managing Editor:  
Josée Létourneau

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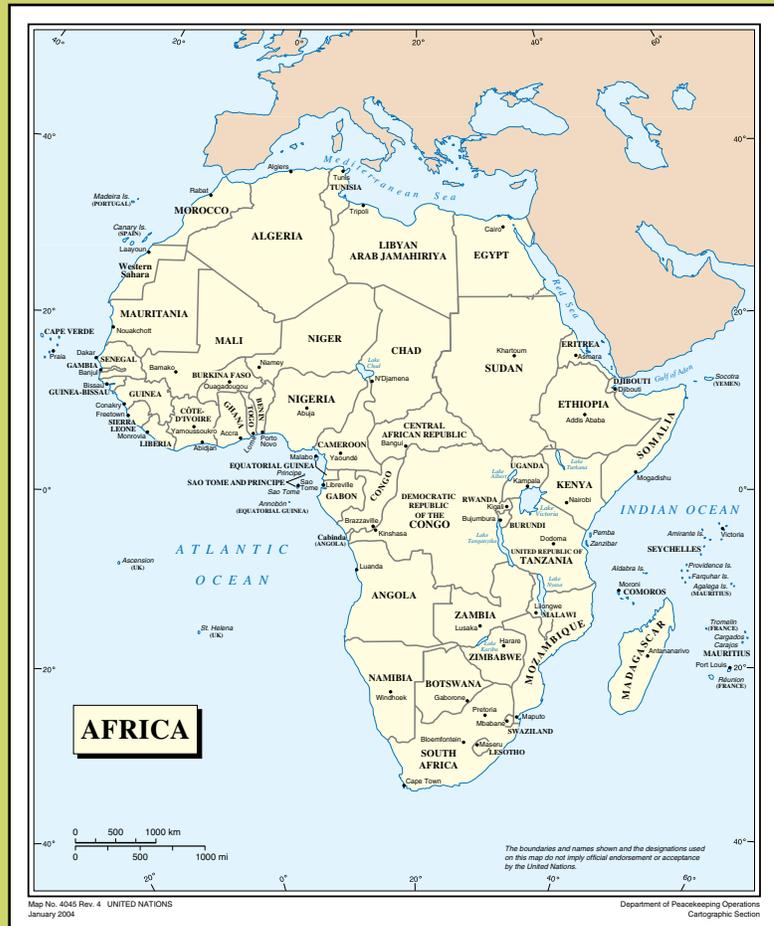
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Partnership Africa Canada  
331 Cooper Street  
Suite 600  
Ottawa, Ontario  
K2P 0G5  
Canada

Tel: +1-613-237-6768  
Fax: +1-613-237-6530  
[info@pacweb.org](mailto:info@pacweb.org)  
[www.pacweb.org](http://www.pacweb.org)



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## PREFACE

The African Peer Review Mechanism (APRM) was launched in 2003 as one of the pillars of NEPAD. More than half of Africa's countries (with three-quarters of its population) have joined the APRM. Of these, at least half have set about the process of studying and reforming their political, economic and corporate governance, and socio-economic development. How successful have they been? Is the APRM living up to the high expectations placed in it?

In this report, author Adotey Bing-Pappoe sets out to review the achievements of the APRM in seven countries - Ghana, Kenya, South Africa, Benin, Nigeria, Burkina Faso and Ethiopia. His conclusions are mixed, but there are enough positive indicators to confirm that the initiative merits continued support from all quarters.

2009 was not an easy year for the APRM, as criticisms increased about its management at the continental level. The slow pace of renewal of the membership of the Panel of Eminent Persons and of the staff at the APRM Secretariat led some critics to argue that the APRM had run aground. The lack of transparency of both processes did not help foster a good understanding of the challenges at hand. The January 2010 APR Forum, held during the African Union summit in Addis Ababa has fortunately shone some light on the process and given new impetus to the initiative.

It's at the country level, however, that the value of the APRM should be measured and this report seeks to do this. The overall picture is generally positive, as the report's analysis will show. Dialogue between stakeholders is occurring and changes are being introduced to the ways governments and countries are being run. There is peer learning, as experiences from one country are being introduced to others. But the pace of learning and the pace of change are slow. The APRM has to be changed itself to make it more straightforward and more efficient. Human and financial resources must be increased at the national level to help countries carry out their evaluations successfully and, more importantly, implement the priority actions that are agreed on.

We hope this study will add to the already substantial body of research on aspects of the APRM. In particular, we hope it will help civil society organizations situate themselves better in their national processes. Civil society is a key player in the APRM, but this is often forgotten by governments, by the continental APRM authorities and by donors. Old habits die hard and the inclusion of some civil society representatives in the APRM process is often just an afterthought. Partnership Africa Canada renews its call for governments and donors to recognize and respect the huge contribution civil society can make to the APRM.

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*Bernard Taylor*  
Partnership Africa Canada

## ACRONYMS

APR	African Peer Review
APRM	African Peer Review Mechanism
CDF	Community Development Fund
CRR	Country Review Report
CSAR	Country Self-Assessment Report
CSM	Country Support Mission
GDP	Gross Domestic Product
MSE	Medium and Small Enterprises
MTEF	Medium Term Expenditure Framework
MOU	Memorandum of Understanding
NAPRM- GC	National African Peer Review Mechanism – Governing Council
NFP	National Focal Point
NGC	National Governing Council
NPoA	National Programme of Action
NEPAD	New Partnership for Africa's Development
TRI	Technical Research Institute
UNDP	United Nations Development Programme
UNECA	United Nations Economic Commission for Africa

## BACKGROUND TO THE APRM

The origins of the African Peer Review Mechanism (APRM) lie on the one hand in discussions about the Millennium Development Goals at the international level, and parallel discussions within Africa on what eventually became known as The New Partnership for African Development (NEPAD). The primary purpose of NEPAD was to craft a new framework for relations between Africa and the rich countries of the world.

The NEPAD framework was adopted by African heads of state in 2001. Its stated vision was to secure an Africa in which poverty had been eradicated and which was on the path to sustainable development. Two new partnerships were simultaneously outlined as the foundations of the NEPAD approach. One was between African governments and their peoples and the other between Africa and the rich nations of the world. These new partnerships were to work to eradicate poverty in Africa, promote sustainable development, integrate Africa in the world economy, and accelerate the empowerment of women. It was estimated that the programmes and projects of NEPAD would cost in the region of \$64 billion each year, to be raised through aid and fairer trade. To encourage the rich countries to increase the aid component and to take measures to make the international trade regime fairer and thereby generate more income for Africa, African governments undertook to improve their political and economic governance regimes. The concrete manifestation of this commitment was the African Peer Review Mechanism.

These ideas were set forth in the African Union's *Declaration on Democracy, Political, Economic and Corporate Governance* which was signed in 2002 by African leaders. It was based on the principle of voluntary accession and invited African countries to assess themselves on the basis of their performance in four thematic areas: democracy and political governance, corporate governance, economic management and governance, and socio-economic development. By acceding

to the APRM, countries were agreeing to meet its standards and requirements with respect to governance in these areas. It was designed so as to provide a door through which African countries could voluntarily walk, sign up to a set of principles, and agree to improve their adherence to them, in ways that would be measurable. The critical element of this process was that governments would agree to a rolling cycle of activities comprising self-assessments, national programmes of action to be implemented over a number of years, followed by further self-assessments. After every self-assessment and programme of action, the findings would be presented to the heads of state and government of other participating countries who would peer-review the efforts of the country concerned. One of the important undertakings of participating countries was that the process would involve the active participation of civil society.

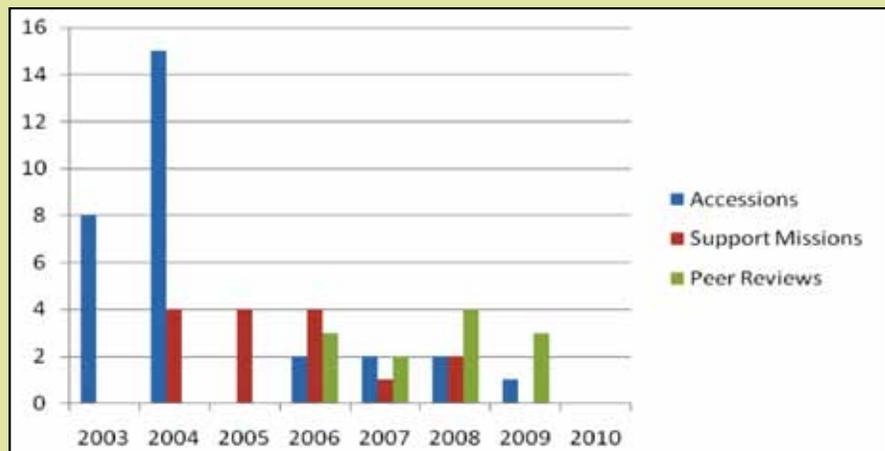
As at January 2010, 29 of the African Union's member countries had signed up to the APRM, while 25 had yet to accede. Thus more than half of Africa by country was participating in some form in the APRM process. However, deeper inspection showed that of the 29 countries that had acceded only 15 had actually started the journey in any meaningful way; the remaining 14 had signed up but done little more to move matters forward. Of the 15 that had started the journey, two countries (Ghana and Kenya) have almost completed their programmes of action and are getting ready to undergo a second self-assessment exercise. Meanwhile 10 countries were in the process of implementing their programmes of action, while two other countries had just completed their self-assessments and programmes of action and were waiting to be peer reviewed. Finally one country had just embarked on the first stage of the self-assessment journey. Despite the success of having been adopted by a significant number of the richest and most powerful countries on the continent – for example Algeria, South Africa and Nigeria - it cannot yet be said that the APRM is a programme that in practice is being implemented by the majority of African countries. See *Table 1*.

Perhaps more serious for the APRM is the fact that with things as they are there is a

**Table 1 - Country Status in the APRM Process**

Status as at October 2009	Countries
Countries waiting to conduct 2 <sup>nd</sup> Country Self-assessment	Ghana and Kenya (2)
Countries Implementing 1 <sup>st</sup> NPoA	Algeria, Benin, Burkina Faso, Nigeria, Lesotho, Mali, Mozambique, Rwanda, South Africa and Uganda (10)
Countries that have completed Country Self-Assessment and await Peer Review	Ethiopia and Mauritius (2)
Countries that have received 1 <sup>st</sup> Country Support Mission and have thereby commenced Self-Assessment process	Tanzania (1)
Countries that have acceded but are yet to receive 1 <sup>st</sup> Country Support Mission	Angola, Cameroon, Republic of Congo, Djibouti, Egypt, Gabon, Malawi, Mauritania, Sao Tome & Principe, Senegal, Sierra Leone, Sudan, Togo and Zambia (14)
Countries yet to accede to APRM	Botswana, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Côte d'Ivoire, Democratic Republic of the Congo, Equatorial Guinea, Eritrea, Gambia, Guinea, Guinea Bissau, Liberia, Libya, Madagascar, Namibia, Niger, SADR, Seychelles, Somalia, Swaziland, Tunisia and Zimbabwe (24)
	Morocco has suspended its membership of the AU (1)

**Figure 1  
APRM Take Up  
Rates**



Source: Compiled from data from the APRM Continental Secretariat

danger that the slow down in momentum will result in the process embracing only a small number of countries. See *Figure 1*.

Some observers have dismissed the APRM on the grounds either that it is wholly a creation of the G8 or that it is an attempt by Africa to meet the demands of the G8 and therefore by extension not an initiative that is driven by African concerns. Their judgement therefore is that even if it succeeds in being implemented across the continent in the manner envisaged, it will not succeed in addressing Africa's real problems because these problems and the solutions they require have been misspecified in the first place. Others argue that irrespective of the origins of the APRM it presents an opportunity to improve governance in Africa, if it is implemented inclusively and transparently. The APRM is therefore a hotly contested phenomenon within the African political space.

## PREPARING FOR THE APRM

The seven countries reviewed in this report<sup>1</sup> are at various stages of the APRM journey. Ghana and Kenya were among the first to accede to and commence the self-assessment process, and then to be peer reviewed in 2006. South Africa was peer reviewed in 2007, while Nigeria, Benin, and Burkina Faso had their reviews in 2008. Ethiopia however has yet to be peer reviewed. Four of the countries are in West Africa, two in East Africa and one in Southern Africa. Finally two are upper middle income countries and in African terms regional powers, two are middle level income African countries while the remaining three are relatively low income countries. All have elected governments. Table II below shows the paths travelled by the countries in the survey between accession and Peer Review, showing the different speeds at which they reached the various milestones. Not only do the overall times vary significantly, but so do times devoted to the preparation of the NPoAs, which unfortunately could not be revealed by the data.

Having joined the APRM, a country signals its readiness to commence with the APRM process by appointing an APRM National Focal Point (NFP) to liaise with the APRM continental Secretariat, and then receiving a Country Support Mission (CSM) from the APRM Continental Secretariat at the end of which a MoU detailing the technical aspects of its participation are agreed. From this point forward the link between the country and the APRM is through the National Focal Point and the APRM Panel of Eminent Persons, one of whom becomes that country's point of contact with the APRM. It is then free to commence APRM institution building involving primarily the appointment of the members of its APRM National Governing Council.

Most governments appointed serving ministers as their national focal point. While this may have ensured that the person chosen had the ear of the president as called for by the APRM in its founding documentation, it did not necessarily ensure that this person was able to ensure that the APRM acted as, and was seen to act as an entity independent of government.

The day to day responsibility of managing the APRM process within the country is the task of the members of the National Governing Council (NGC). In nearly all instances the members of the NGC were appointed either by the NFP or by the head of government of the country. The involvement of civil society in this process was more often than not limited to wanting to know who among their members had been appointed as a member of the NGC. Although there were significant variations, the members of the NGC were on the whole, (between 50% and 100%) what may be termed non-state actors, that is, they were not serving government or state officials. In some instances the initial choice of the membership of the NGC was amended, on the advice of the panel of eminent persons, to make them more representative or inclusive. Nevertheless the locus of power and influence was very much in the hands of the chairperson of the NGC who was in almost every instance appointed either by the NFP or the Head of Government.

<sup>1</sup> Ghana, Kenya, South Africa, Benin, Nigeria, Burkina Faso and Ethiopia

**Table II - The Peer Review Journey – Key Milestones<sup>2</sup>**

	<b>Accession</b>	<b>Country Support Mission(s) and signing of MoU</b>	<b>Self-Assessment and NPoA completed</b>	<b>Country Review Mission(s)</b>	<b>Time between first and last Country Support and Review Missions</b>	<b>Date Peer Reviewed</b>
Ghana	2002 Nov 3	2004 May 24-29	2005 March	2005 April 4-16 (1st) 2005 June (2nd )	11 months	2006 January
Kenya	2003 March	2004 July 26 (1st) 2005 July 13-15 (2nd)	2005 Aug	2005 October	15 months	2006 June
South Africa	2003 Mar 9	2005 Nov 9-11 (1st) 2005 Dec 4-7 (2nd)	2006 March 31	2006 July 11-25	9 months	2007 July
Benin	2004 Mar 31	2005 Nov 14–17		2007 July 16-Aug 4	20 months	2008 January
Nigeria	2003 Mar 9	2005 March	2007 late	2008 Feb 3-March 2	36 months	2008 July
Burkina Faso	2003 Mar 20	2006 June 19–22	2007 Oct	2008 Feb 18-Mar 16	19 months	2008 October
Ethiopia	2003 Mar 9	2008 June 10-14		2008 Dec	6 months	Yet to be peer reviewed

**Table III - Current Status of Countries under Review**

<b>Country</b>	<b>Status as at August 2009</b>
Ghana	<ul style="list-style-type: none"> <li>Completed 4 years of NPoA implementation</li> <li>About to commence 2<sup>nd</sup> Review</li> </ul>
Kenya	<ul style="list-style-type: none"> <li>Completed 4 years of NPoA implementation</li> <li>About to commence 2<sup>nd</sup> Review</li> </ul>
South Africa	<ul style="list-style-type: none"> <li>In 2<sup>nd</sup> year of implementing NPoA,</li> <li>1<sup>st</sup> progress report submitted to Continental Secretariat</li> </ul>
Benin	<ul style="list-style-type: none"> <li>In the 1<sup>st</sup> year of implementing the NPoA,</li> <li>1<sup>st</sup> progress report to be submitted to Continental Secretariat</li> </ul>
Nigeria	<ul style="list-style-type: none"> <li>In 1<sup>st</sup> year of implementing NPoA,</li> <li>1<sup>st</sup> progress report awaited</li> </ul>
Burkina Faso	<ul style="list-style-type: none"> <li>In the 1<sup>st</sup> year of implementing NPoA,</li> <li>1<sup>st</sup> progress report to be submitted to Continental Secretariat</li> </ul>
Ethiopia	<ul style="list-style-type: none"> <li>Awaiting Peer Review</li> </ul>

<sup>2</sup> As currently defined the stages of the APRM are 1) the country support mission and dispatch of the Country Self-Assessment Report (CSAR) to the continental Secretariat, 2) the Country Review Mission, 3) the drafting of the Country Review Report (CRR) by the mission team, 4) the completion of the CRR, dispatch of the final National Programme of Action (NPoA) to the continental Secretariat, the submission of these documents to the APRM Forum, followed by their peer review, and 5) the publication of the CRR and NPoA, usually six months after the Peer Review.

The average size of NGCs was 67. Nigeria, with 250, had the largest, while Ghana had the smallest with 7 members. Some NGCs quickly got down to the task of organising for the self-assessment, while others began life locked in wrangling, which impeded rapid progress. In some countries some sections of civil society were of the view that civil society should in effect control the NGC. Another source of conflict was when the NFP made it difficult for the NGC to become or be seen as an independent body, not controlled by government. Thus some of the wrangles were within the NGC and some between the NGC and the NFP. In the most extreme case of internal wrangling, Kenya, matters were resolved by the NFP exercising its statutory position over the NGC, an action which was recognised as necessary by the APRM continental Secretariat and even by sections of civil society.

The final appointment required to set the stage for the APRM process is the appointment of Technical Research Institutes (TRIs). These are organisations which under the terms of the APRM base documents, were to be given the responsibility to conduct the surveys required for the self-assessment. The norm was for non-state bodies to be engaged to conduct these surveys, although there were a couple of instances when government agencies were asked to fulfil the task. Although there were some early fits and starts in some countries, the view of the continental Secretariat was that all the agencies and organisations that were eventually engaged to conduct the self-assessment did so professionally and competently.

## SENSITISATION, SELF-ASSESSMENT, NATIONAL PLANS OF ACTION AND PEER REVIEW

Most countries held two main national consultation events. The first was usually to inform civil society about the APRM process, and second to validate the findings. The first national consultative events were often held as the first event to inform civil society and citizens in general about the APRM. Thus they could be seen as the first step in the sensitisation process. There were media campaigns, government run information and education programmes, and conferences, seminars, and workshops. The formats included conferences, radio and television programmes, newspaper articles, jingles, and leaflets. Most of this was conducted in English or French, but at least three out of the seven countries (South Africa, Nigeria and Ethiopia) went out of their way to ensure that national languages were also used. It was common for the sensitisation phase to overlap with the self-assessment phase, and for it to be allocated a relatively short space of time. It is difficult to assess the extent to which the population did become aware of the APRM. While the radio, television and newspaper channels provided information about the APRM to a large number of people, the number of people accessed through direct meetings, seminars and workshops was much more limited.

The self-assessment process involved taking the views of a number of different groups of people. The questionnaire provided by the APRM Secretariat comprised a series of structured questions some of which required expert knowledge and opinion, and others which needed to be answered through a survey of public opinion. Thus the views of the general public, expert commentators, and technicians, as well as law makers, and law enforcers such as the police and army were collected and collated. In all instances however the questionnaire had to undergo some domestication to make it more relevant to the specific circumstances of

the countries concerned. As a governance instrument the questionnaire has two kinds of purposes. The first explicit one is to ask governance type questions about three of the four thematic areas: politics, corporate life, and the economy. The second more implicit purpose is to point to those issues that are deemed important to examine. Some countries generated a simplified version of the questionnaire which was then translated into national languages to facilitate greater reach and penetration.

In most cases four institutes were contracted to conduct the self-assessment, one for each of the APRM thematic areas: democracy and political governance, economic governance and management, corporate governance, and socio-economic development. Nigeria however separated the collection of expert opinion from the task of conducting a survey of the population, and thereby engaged five institutions. Ethiopia, on the other hand, asked one organisation to conduct the work on all four thematic areas.

After the self-assessment had been completed there was usually a second national consultation or validation event, where either the findings of the self-assessment alone or the self-assessment and

the NPoA were presented to those present. On the whole civil society was critical of these events, arguing that little notice was given and only selected people were invited, with state officials sometimes outnumbering civil society and citizens. Also there were complaints that the documentation to be discussed (the Country Self-Assessment Report and the NPoA) were not made available beforehand, sometimes only being made available to participants on arrival at the consultation event, and only as summaries of the original reports. The time allocated was one or two days at most, not long enough to have serious deliberation on the content, and there was little indication of how the comments received were treated.

While ideally there should have been three distinct public stages: self-assessment, design of the NPoA, and costing of the NPoA, these stages were almost always fused, both in practice and from the perspective of the public. This greatly affected the transparency of the process. In one notable instance however (Ethiopia) there was a definite separation of these phases. The institute contracted to conduct the self-assessment was required to hand it over with suggestions for the content of the NPoA, which was then produced and costed

**Table IV - The Cost of the NPoAs (US\$m)**

	<b>Democracy and Political Governance</b>	<b>Economic Governance and Management</b>	<b>Corporate Governance</b>	<b>Socio Economic Development</b>	<b>Cross Cutting Issues</b>	<b>Total</b>
Ghana	118	179	2,236	1,120		3,653
Kenya	9	46	4,946	387		5,388
South Africa	143	219	29	1,594		1,986
Benin	586	7	1,004	758	33	2,389
Nigeria	5,000	4,000	3,000	8,000		20,000
Burkina Faso	414	160	2,750	1,583		4,907
Ethiopia	N/A	N/A	N/A	N/A	N/A	N/A

Sources: APRM Country Review Reports. Figures rounded up to the nearest \$ million.

by a second group comprising experts mainly from government department and agencies. This approach however did not serve to increase the sense that the process was not under the control of government.

In a number of instances the NPoA bore more than passing resemblance to pre-existing government plans, a fact which further reinforced the idea that the process was not wholly free. There is some evidence that up to 50% or more of the NPoAs comprised projects that were already part of existing national plans.

The cost of some of these programmes was significant. Nigeria's was the largest at \$20bn, with Benin, Ghana, and Kenya coming in at \$2.4bn, \$3.6bn<sup>3</sup>, and \$5.4bn respectively. South Africa's was by far the smallest at \$1.9bn. Taking into account their share of GDP, the picture changes somewhat. For example in Benin, Ghana and Kenya the NPoA represents about 13%, 5.6% and 5.9% respectively. On the other hand for Nigeria and South Africa the programmes are relatively small compared to GDP representing 3.4% and 0.2% respectively. One might surmise therefore that while it would prove relatively easy for South Africa and Nigeria to finance their NPoAs, the same could not be said for Kenya, Ghana, and especially Benin. This fact raises questions about the extent to which the APRM would increase the dependency of African countries on project support as they sought to implement it.

The NPoAs tended to focus on one or other thematic area, and more usually than not, this area was corporate governance. For example the corporate governance section of Ghana, Kenya and Benin represented 61.2%, 91.8% and 42% respectively of the total cost of their respective proposed NPoAs. On the other hand socio-economic development accounted for the largest portion of the NPoAs of Nigeria and South Africa with 40%, and 80.3% of total cost respectively. Thus the NPoAs displayed a dual character: as strategies and policies

for improving the governance of business coupled with interventions to improve the socio-economic wellbeing of citizens.

While participating countries are required to contribute \$100,000 a year to the APRM's coffers, they are supposed to commit to financing the cost of their own national secretariats. Most of the countries were able to support the operations of their NGCs and secretariats, although a number of countries received support from external sources. On the whole, UNDP has been the primary contributor of financial support to the participating countries. In addition it created a trust fund into which supporters of the process might place their contributions. Canada stands out as one of the countries ready to make a contribution to this common fund, with other countries relying more on bilateral approaches<sup>4</sup>.

On the basis of the Country Self-Assessment Report (CSAR) and the NPoA produced by participating countries, the continental Secretariat oversees the production of a Country Review Report (CRR) which focuses on three areas: how accurately the CSAR identifies the main problems faced by the country, the extent to which the NPoA addresses these issues, and the nature of civil society participation in the production of the CSAR and the NPoA. It is the Country Review Reports containing the NPoA that form the basis of the Peer Review by heads of state and government of participating countries - the APRM Forum - during AU summits. This has made it difficult for participating heads of state to allocate the time required to fully consider the reviews placed before them. This organisation of the Peer Review process meant it is a country's self-assessment report and NPoA that are given maximum prominence, thereby relegating implementation of the NPoA to a subordinate position. The Country Review Reports are placed in the public domain six months after the Peer Review, but the Country Self-Assessment Reports have not been made public by any government.

<sup>3</sup> The figure contained in the Ghana CRR and NPoA is US\$2.9bn. However a summation of the actual activities in the NPoA, and removal of a number of arithmetic and typographical glitches, suggests that the cost of the Ghana programme was in the region of US\$3.653bn.

<sup>4</sup> Canada contributed \$5m to the UNDP Trust Fund for the period 2007 to 2010.

## IMPLEMENTING AND MONITORING THE NATIONAL PLAN OF ACTION

The challenge facing the NGC after the peer review is the task of implementing the programme of action. This involves a number of interconnected activities: monitoring the harmonisation of the NPoA with pre-existing national plans, monitoring the release of funds to implement the programmes and projects due for immediate implementation, ensuring that the implementing agencies have identified the relevant projects as NPoA projects, and satisfying itself that the implementing agency is ready to undertake the programme. These activities are made easier if the NGC is itself integrated into the national planning architecture. In the event that the NFP was part of the national bureaucracy – most cases - this was relatively easy to achieve. In the case of Ghana where the NFP and the chairperson of the NGC

is one and the same person, special action had to be taken to bring the NGC into the national planning framework. Also the task of ensuring the implementation of the NPoA is made easier in those circumstances when significant sections of it have come from existing national plans, especially if these plans are on-going.<sup>5</sup> It has proved easier for the NPoA to be implemented when the funds for the projects are available or have been budgeted for and budget allocations are readily made.

For a number of reasons the data on APRM implementation is uneven for the countries under consideration. The information for Ghana indicates that provisional data on the release of funds to APRM related activities for the period 2006, 2007, and 2008 were in global terms 59% of the estimated cost of the APRM, with a year of the NPoA to run. (See Table V) One outstanding feature of the figures is that the funds released for democracy and political governance were 390% of the expected cost of the NPoA for this thematic area. This might be because the funds for the presidential election in 2008 were included in the funds released

**Table V - Provisional Releases of Funds to APRM Related Activities in Ghana (US\$m)**

	Estimated NPoA cost	Funds Released 2006	Funds Released 2007	Funds Released 2008	Total Funds Released 2006-08	Total Funds Released as % of estimated cost
Democracy and Political Governance	118	71	93	297	461	390
Economic Governance and Management	179	170	185	105	460	257
Corporate Governance	2,236	163	204	190	557	25
Socio-economic Development	1,120	193	269	221	683	61
Total	3,653	597 <sup>6</sup>	751	813	2,161	59

Source: Based on APRM-NGC 3rd Annual Progress Report January to December 2008, p17. Figures rounded up to the nearest \$ million.

<sup>5</sup> However by the same token that makes it harder to identify exactly what new costs the NPoA represents, and therefore potentially more difficult to secure external funding.

<sup>6</sup> There was an arithmetic glitch in the total for 2006 in the original, which has been corrected in the table presented here.

but were not included in the original NPoA costing. But this hypothesis cannot explain why the release for economic management and governance was 257% greater than the estimated cost of the NPoA. By comparison the release for corporate governance was just about a quarter of the estimated cost, while that for socio-economic development was about 61%. This may be explained by the fact that in these two sectors funds for implementing the NPoA also come from non-state sources such as companies and NGOs. As a result nothing definitive can be said about the implementation of the NPoA neither in financial terms nor in terms of planned activities. There is no comparable data from the progress reports of Kenya or South Africa on the implementation of the NPoA, and the remaining countries have yet to issue progress reports.

In some countries participatory monitoring regimes were instituted for the NPoAs. This approach has involved setting up structures at district and regional levels not only to monitor the implementation of the NPoA but also to conduct opinion surveys on perceptions about aspects of the APRM. This approach appears to have had three main effects. Most obviously it has raised the profile of the APRM in the popular consciousness among civil society and community based organisations. Secondly it has tended to make reporting the implementation of the NPoA about public perception, as distinct from an exercise in meeting specified targets as provided for in the NPoA. Thirdly it has shifted the locus of debate from the capital city where the national civil society groups and NGOs are located, to the regional and district levels where they do not have so much of a presence. The idea initiated in Ghana has been adopted in Benin, and Kenya, whilst Nigeria and Burkina Faso have indicated that they will use a similar framework. South Africa used its existing bureaucratic structures to monitor the implementation of the programme. This means that the countries that have opted for a participatory monitoring framework are running two kinds of monitoring systems simultaneously. This use of a participatory monitoring system has the potential to raise public awareness of development policy and practice, and may prove to be one of the positive legacies of

the APRM. There is now regular data from those countries using the participatory approach on citizen's perceptions of the issues of concern to the APRM.

## ACHIEVEMENTS AND CHALLENGES OF THE APRM

All countries are required by the APRM to report to the continental Secretariat regularly on the progress being made with their NPoAs. In the early days this was to have been done every six months, but was later amended to once a year. These reports are intended to afford the continental Secretariat an opportunity to monitor progress being made and hopefully to take corrective action if required. These reports have been produced on time as requested but not always to the specifications required by the APRM, an eventuality that impacts on the ability to assess the extent to which various NPoAs have delivered as planned.

Of the countries reviewed, so far three, Ghana, Kenya, and South Africa, have issued progress reports. While there is much for which to commend the reports, there are also important areas that would benefit from improvement. Some of the reports do not consistently follow the recommended matrix format, being excessively textual on occasion. Additionally, they have provided information that may be considered invalid or misspecified, in that they are too often silent on the indicators required by the NPoA. Some reports make reference to developments that were not part of the NPoA but which nevertheless have been included and are presented as successes of the APRM. The net effect is that while information has been provided about matters pertaining to the four thematic areas, this does not necessarily translate into data on the extent to which the chosen indicators were achieved, if at all.

Nevertheless, focusing on the reports from Ghana and Kenya for two out of the four thematic areas - political governance, and corporate governance - it is possible to secure a sense of the nature of the

**Table VI**  
**Progress Reports from Ghana and Kenya on Democracy and Political Governance**

<b>Prevent and reduce intra- and inter-state conflicts</b>	
<b>Ghana</b>	<b>Kenya</b>
<ul style="list-style-type: none"> <li>• Development of a draft land use master plan.</li> <li>• Passing of the National Identification Authority Act, 2006.</li> <li>• Establishment of a Ministry of chieftaincy and cultural affairs.</li> </ul>	<ul style="list-style-type: none"> <li>• Development of a draft land use master plan.</li> <li>• Establishment of 148 Peace Committees.</li> <li>• Establishment of an Anti-Drug Security Unit.</li> </ul>
<b>Promote constitutional democracy, political competition and the rule of law</b>	
<b>Ghana</b>	<b>Kenya</b>
<ul style="list-style-type: none"> <li>• An increase in the number of district assemblies from 138 to 166.</li> <li>• Refurbishment of the district and circuit courts.</li> </ul>	<ul style="list-style-type: none"> <li>• Signing into Law of the Political Parties Act with effect from 1st July 2008.</li> <li>• Establishment of Office of the Registrar of Political Parties.</li> <li>• A media act has been passed.</li> <li>• A money laundering bill has been tabled in parliament.</li> <li>• A Judicial Service Bill aimed at creating a Judicial Service Commission.</li> <li>• The Public Officers Ethics Act 2003 is in the process of being amended to make the declaration of wealth public.</li> <li>• The Community Development Funds (CDF) Act to help ensure transparent and accountable management of funds at local level.</li> <li>• The Anti Money Laundering Bill has been tabled in Parliament.</li> </ul>
<b>Promote and protect civil and political, economic, social and cultural rights</b>	
<b>Ghana</b>	<b>Kenya</b>
<ul style="list-style-type: none"> <li>• Persons with Disabilities Act, 2006 (Act 755).</li> <li>• The Human Trafficking Act, 2005 (Act 694).</li> <li>• Introduction of Gender budgeting.</li> <li>• Release of over 2000 Trokosi in over 500 shrines who have been rehabilitated and given employable skills.</li> </ul>	<ul style="list-style-type: none"> <li>• Free tuition for day secondary education students.</li> <li>• New labour laws that make provision for a three-month maternity leave for women and 14 days paternity leave for men employees.</li> <li>• The increase of immunization coverage from 57 percent in 2003 to 72 percent in 2007.</li> </ul>

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### Upholding the separation of powers, including the protection and independence of the Judiciary and of an effective legislature

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#### Ghana

- Public hearings of the Public Accounts Committee.
- Establishment of the Public Procurement Authority, Entity Tender Boards, Tender Review Boards and Internal Audit Agencies.

#### Kenya

- Preparation of a Draft Judicial Service Bill that should enhance the independence of the Judiciary.
  - The establishment of the Permanent Public Service Remuneration Review Board (PPSRRB).
  - Creation of the Office of the Prime Minister.
- 

### Combat corruption in the public sphere

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#### Ghana

- Institution of a public complaints committee.
- A Whistleblowers' Protection Act 2006.
- A Freedom of Information Bill has been revised and been submitted to the Attorney-General and Minister for Justice.

#### Kenya

- Institution of a public complaints committee.
  - Tabling of an Anti-money laundering bill in Parliament.
- 

### Promote and protect the rights of women

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#### Ghana

- The reported measures included the passing of a Domestic Violence Act (DVA), 2007.

#### Kenya

- A Sexual Offences Act.
  - Women's land rights are addressed in the proposed National Land Policy of Kenya.
  - The chairperson of one of the countries largest women's organisations Maendeleo Ya Wanawake given automatic membership of all CDF and HIV/AIDS coordinating committees at provincial, district and divisional levels.
- 

### Promote and protect the rights of children and young people

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#### Ghana

- Gross enrolment ratios, September 2006:
  - Kindergarten of 78.2%
  - Primary of 89.9%
  - Junior Secondary School (JSS) of 73%
  - Senior Secondary School (SSS) of 29.06%

#### Kenya

- The development of a National Youth Policy.
  - The establishment of the Ministry of Women and Children's Affairs.
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### Protecting the rights of vulnerable groups

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#### Ghana

- Passing of the Disability Act, 2007.
- Treating pensioners as vulnerable group.
- The drafting of a national policy on the aged.

#### Kenya

- Refugee Act 2006.
- Some 106,651 such internally displaced persons had been resettled by mid May 2008 following the 2007 post election violence.
- Government allocated funds to assist resettlement of landless and other vulnerable groups.

developments that have taken place during the time of the NPoA. See Table VI.

So for example Ghana and Kenya report that measures taken to promote and protect civil and political, economic, social and cultural rights included the passing of a number of acts e.g. The Persons with Disabilities Act, 2006 and the Human Trafficking Act, 2005 (Ghana). They have also reported that the introduction of Gender budgeting (Ghana) and Free tuition for day secondary education students (Kenya), new Labour Laws that make provision for a three-month maternity leave for women and 14 days paternity leave for men (Kenya) have done the same. Other actions cited include the release of over 2000 Trokosi in over 500 shrines who have been rehabilitated and given employable skills (Ghana)<sup>7</sup>; the increase of immunization coverage from 57 percent in 2003 to 72 percent in 2007 (Kenya).

To help uphold the separation of powers, including the protection and independence of the Judiciary and of an effective legislature, Kenya cited the preparation of a Draft Judicial Service Bill that on enactment should enhance the independence of the Judiciary, in addition to the establishment of the Permanent Public Service Remuneration Review Board (PPSRRB). It also recorded under this heading the creation of the Office of the Prime Minister. Ghana by comparison cited the public hearings of the Public Accounts Committee, as well as the establishment of the Public Procurement Authority, Entity Tender Boards, Tender Review Boards, and Internal Audit Agencies.

To address one of the more contentious issues in African governance, that of corruption in the public sphere, the list of measures reported included the institution of a public complaints committee (both Ghana and Kenya). Measures cited as not yet completed but under active consideration included a Whistleblowers' Protection Act 2006 (Ghana), a revised Freedom of Information Bill under consideration by the Attorney-General and Minister for Justice (Ghana), and the tabling of an Anti-Money Laundering Bill in Parliament (Kenya).

The reported measures to promote and protect the rights of women included the

passing of a Domestic Violence Act (DVA), 2007 (Ghana) and A Sexual Offences Act (Kenya). Women's land rights were reported as being addressed in the proposed National Land Policy of Kenya. Another measure mentioned as protecting the rights of women in Kenya was the decision to give the chairperson of Maendeleo Ya Wanawake - one of the countries largest women's organisations - automatic membership of all CDF and HIV/AIDS coordinating committees at provincial, district and divisional levels.

In Ghana, the efforts to promote and protect the rights of children and young people were reported as having resulted in gross enrolment ratios for kindergarten of 78.2%, primary of 89.9%, Junior Secondary School (JSS) of 73% and Senior Secondary School (SSS) of 29.06% as at September 2006. It was also reported that some of the measures to protect women which will also impact on the wellbeing of the youth. Kenya reported that the establishment of the Ministry of Women and Children's Affairs, and the development of a National Youth Policy should be seen in a similar light.

Finally, protecting the rights of vulnerable groups has been advanced by the passing of the Disability Act, 2007 (Ghana) and the Refugee Act 2006 (Kenya). Ghana reported that the ability to appropriately treat pensioners as a vulnerable group has been augmented by the drafting of a national policy on the aged. Kenya's progress report noted among other things that as a result of the post electoral violence in 2007 many people were displaced and had to be resettled. Thus the resettlement of 106,651 of these internally displaced persons by mid May 2008 was an important contribution to protecting and promoting the rights of vulnerable people. Additionally the government had allocated funds to assist with the resettlement of landless and other vulnerable groups.

On the corporate governance front, Ghana reported that it had made some progress in providing an enabling environment and an efficient regulatory framework for economic activities by succeeding in reducing the number of days required to register a company from 21 days to 7 days, just missing the target of 5 days. There were a number of

<sup>7</sup> Trokosi are people, usually young, who are held in ritual servitude akin to slavery.

infrastructure projects that were included in the NPoA but on which the progress reports are silent. For example, nothing is said about whether or not the targeted increase of 40% in rail transport use or the 50% reduction in the clearance time at the capital's international airport had been achieved. The information provided by the progress reports on the energy sector and also on water provision was similarly incomplete. On the other hand it was reported that the level of taxes had been reduced to 25% and that the withholding of tax had been reduced from 7.5% to 5%, compared to the target 2.5%. There was little reported to provide evidence that corporations were acting as good corporate citizens, but it was reported that the Ghana Standards Board was championing a move to enact a Standards Bill that would guide the behaviour of the business sector. On the major issue of corruption no report was made on whether or not there had been a 20% increase in the number of corruption practices detected and reported. Despite the successes therefore the overall impression given is that the corporate governance sector of the Ghana NPoA achieved less than was envisaged at the time of its drafting, but because of the nature of the reporting it is difficult to be sure that this interpretation is correct, and if so by how much.

With respect to Kenya there is somewhat more data presented about corporate governance. The most significant positive indicators reported included:

- operationalisation of the micro-finance act with effect from May 2008;
- a 14% increase in credit available to the private sector between 2005/6 and 2006/7;
- the ability to register land in seven days;
- issuance of some 140,000 land titles between June 2007 and April 2008;
- a 42.9% reduction in the rate of non-performing loans between 2007 and 2008;
- maintenance and building of an unspecified distance of roads;
- an increase in the volume of freight transport by 21.8% between 2006 and 2007 - although earnings from passenger traffic declined by 35%;
- reduction in the number of days to off load freight from ships docked at Mombassa to 14 days – unfortunately still uncompetitive compared to 48 hours in nearby Dubai;
- an increase of 57% in the number of fixed-line telephones between 2006 and 2007;
- an increase of 8.8% in the number of rural people connected to electricity;
- a 400% increase in the number of people paying tax as a result of the introduction of electronic tax registers.

On corruption, mention was made only of initiatives by the private sector, but none in the public sector or government. Areas of relative weak reporting included the fact that no mention was made of the number of jobs created in the MSE sector, or the sector's contribution to GDP, or on the performance of the country's airports and seaports. It was reported however that there had been a decline in the number of boreholes drilled between 2006/7 and 2007/8.

Important as the data provided are, there is need to ensure that the reporting format allows observers to assess the magnitude and direction of change for all quantifiable target indicators. This highlights another potential long-term benefit of the APRM, provided it becomes embedded in African public institutions, and that is that it leads to a sustained improvement in the capacity of public institutions to collect development data that policy makers have chosen to focus on. Subsequent to this there might also need to be improvements in the culture of performance evaluation and evidenced based decision making.

## NATIONAL DIALOGUE

Apart from what can be easily measured in terms of APRM impact, there are those things that are less easy to measure. One of these is to assess what, if any, difference the APRM process has made to the quality of national dialogue, by which it is meant the difference the APRM has made to the dialogue between government and non

government actors by way of inclusiveness and meaningful engagement. In other words, have more people been brought into meaningful engagement with government? Of the countries visited only in one, South Africa, was the view expressed that the experience of having participated in the APRM process had served to improve the quality of national dialogue. This however was more to do with the fact that there was a change in the political leadership of the country than anything else. This new leadership has set in train attempts to revitalise the NGC. But neither in South Africa or elsewhere was there any evidence of hostility to the APRM idea, on the contrary.

It is however important to distinguish between the country self-assessment and NPoA design phase and the NPoA implementation phase. On the whole it would be true to say that the self-assessment and NPoA design phase was more difficult than the NPoA implementation and monitoring phase, especially in the context of a participatory monitoring framework, which has the potential to be more open and inclusive. Also the battles about the distribution of power between the NFP and the NGC, and within the NGC between government and civil society, are likely to be less severe the second time around. Additionally, in a number of countries the APRM was overshadowed by other more momentous political developments, which tended to colour its reception. Ethiopia and Kenya come to mind in this regard, the first with the governments' initiative to reclassify and regulate civil society, and the latter as the fall out of the presidential elections were being resolved. These currents were impacting on civil society government relations more significantly than the APRM.

Thus it is perhaps too early to say definitively how the APRM has impacted on the quality of national dialogue. There are however indications that while the country self-assessment phase has overshadowed the NPoA implementation period with negative consequences for the quality of national dialogue, that may change as successive cycles of self-assessment and NPoA implementation are gone through, when it is very possible that implementation and monitoring take precedence. There is some

indication that the process of reporting on the implementation of the NPoA, especially when this has taken a participatory character, has served to improve the quality of national dialogue in some countries.

Thus the APRM, by requiring governments and civil society to engage collectively over the issues that face the nation, and to do so using the evidence from development practice, should help to improve both the incidence and quality of evidence based decision making. But this will only be possible when the data called for by the NPoA is generated by the process. In this regard the APRM continental Secretariat has a major responsibility in ensuring not only that states collect this data but that they share it with their citizens. For, in the face of evidence, it should become possible to get a better idea of what works and how well, and also by extension what has not been working so well.

For a range of complex reasons there is a high level of mistrust between African governments and civil society. On the one hand African governments believe that they have legitimacy because they are the government and have the mandate of the people. They regard civil society as being too dependent on foreign funds and working on a foreign agenda. Civil society, on the other hand, feels that it also has legitimacy because it represents the interest of its members, often the poor and disadvantaged, or values that are universal. For its part it tends to regard African governments as comprising people who tend to be too dependent on foreign governments. They are also seen as at best misguided, or at worst only seeking their own wellbeing either as individuals or as a privileged group which systematically makes decisions that further disadvantage the poor and marginalised. It remains to be seen the extent to which the APRM process has been able to improve the degree of mutual respect between civil society and government. It perhaps has to be said that given the asymmetry of power between the two it falls on African governments to take measures that will create circumstances that will work towards improving the relationship.

Given that African governments have an opportunity through the APRM to share experiences about best practice, it is to be

hoped that the APRM will in time work to improve the level of collaboration and overall solidarity. One or two instances of this have appeared in the process of the APRM. The participating states recently went out of their way to emphasise a demarcation between themselves and the African Union declaring that 'operationally, the APRM is autonomous from the African Union.' While this could be interpreted as signalling a fragmentation of the African Union, it could also be read as a strengthening of the links between the APRM participating countries, perhaps indicative of a new emerging basis for collective working on the continent. ECOWAS in August 2009 held its first ever regional workshop for APRM participating countries, which was also attended by a number of non-participating ones. Thus there is some indication that attempts to go back to the old forms of governance on the continent will not be tolerated. It is perhaps of some interest to note that in those countries where such attempts have been made - Mauritania, Madagascar, Togo, Guinea and Gabon - either the countries have yet to accede to the APRM or else they have acceded but have yet to begin the journey. It would appear therefore that the bar for acceptable performance in African politics is being slowly but firmly being raised, with the active participation of civil society.

## AFRICAN CIVIL SOCIETY AND THE APRM

African civil society, as elsewhere in the world, is the coming together of individuals to create communities of common interests, values and action. It occupies the space between the household and the state, and is one of the three principal domains of social organisation, the other two being associations of individuals for wealth creation, and for the exercise of political power. The main activities of civil society may be categorised as: to secure and represent the interests and rights of a section of society, to conduct advocacy, and finally to engage in service delivery to individuals or communities. By their very nature, therefore, civil society

groups are not homogenous in their outlook since they can be the result of associations between citizens who invariably have a wide range of opinions on any one subject.

At any one time the majority of civil society organisations will tend to be working for evolutionary change, or even to prevent what they perceive as undesirable change from happening. Thus they are conservative in their objectives and gradualist in their methods. However at the same time there will be some which are neither conservative in their objectives nor gradualist in their methods, and which seek to bring about change that is radical and by means which are invariably seen by others as precipitous. By their nature these kinds of civil society groups come to the fore in moments of social transformation or societal transition.

As is to be expected, civil society in Africa has been associated with a number of societal transitions. There have not been many studies into African civil society prior to the colonial period, but four main kinds of engagement may be discerned since the incorporation of most African countries into the world of global geo-politics as European colonies. The first is their role in mobilising resistance to the colonial onslaught and then to its overthrow (e.g. the Nandi and Mau Mau in Kenya, and the Anti-Apartheid movement in South Africa). The second is their role in the post colonial nation-building project (e.g. the trades unions and the women's movements). The third is their role in shaping societal values through advocacy on such matters as human rights, social justice, (e.g. as NGOs). Last but not by any means least is their role in service delivery either in situations of humanitarian disaster and emergency, or quietly on a daily basis to the poor and socially marginalised.

In recent decades there has been considerable growth in the diversity of civil society organisations in Africa. This has taken the form of growth in the numbers of professional civil society associations, advocacy driven civil society NGOs, and finally service delivery based NGOs. A significant section of these groups are seeking to shape societal values in directions that have brought them into confrontation with African governments. The charge that

many African governments make is that the values that are being promoted are not African. A second charge is that these bodies, if national, either rely on external funds to survive, or if not, that they are foreign and therefore should have more respect for African traditions and customs. In response to this situation, some African governments have taken action against civil society within their jurisdiction seeking to curtail their activities to areas that governments feel comfortable with. The starkest recent example of this being the actions of the Ethiopian government which introduced a law in 2009 that will determine what civil society organisations in Ethiopia will be able to do on the basis of whether or not they are foreign or Ethiopian, and the extent to which they rely on external sources of funding.

On the other hand, sections of African civil society have their own issues with African governments. A number regard some governments as comprising individuals who are only interested in enriching themselves legally or illegally, as anti-democratic, too ready to set Africa's development agenda according to the wishes of the rich countries, and as governments dependent on the rich countries for their well being.

These conflicting perceptions have made it difficult for governments and some sections of civil society to work together. They naturally influenced the way these sections of civil society responded to the call to civil society to participate in the APRM. Of course, each country had its own particularities which informed the way governments and civil society acted.

In Nigeria civil society had battled for many decades against military rulers who plundered the nation's coffers. They had in more recent time been called upon to oppose the attempt by former President Olusegun Obasanjo to extend his stay in power in contravention of the provisions of the constitution, and the provisions of the APRM initiative, of which he became for a while a leading light.

In Kenya civil society had also waged campaigns against allegations of individual corruption and the tendencies of the ruling elite to collective and systematic enrichment.

It had also been involved in the campaign to bring to power President Mwai Kibaki on a wave of popular optimism about political reform that was in the end dashed.

In South Africa civil society had played a leading role in helping to bring about the end of the Apartheid regime, and in bringing the ANC to power. Some of those campaigners overnight crossed the boundary from civil society campaigners to holders and exercisers of state power. Others who had been close to those in authority in the ousted regime found themselves and their ideas on social organisations on the margins of society.

Finally, in Ethiopia centuries of feudal rule had been violently overthrown and the reigns of power seized by a militarised revolutionary socialist regime, which was then followed by a government which had come to power through a civil war, and had sought to create a developmental state. During these major social transitions civil society organisations mobilised against the feudal order, helped address the consequences of a major famine caused by the systemic failures of the feudal order, sought to keep the space for independent organisation open under the militarised socialist era, and then worked, as it now appears, unsuccessfully to fashion a framework in which they could feel free to operate within the new democratic dispensation.

These are examples of some the most powerful undercurrents that formed the context within which the APRM was conducted in at least four out of the seven countries reviewed. They shaped the readiness of civil society to engage with the process, and some of the things they did when involved.

But civil society in Africa is characterised by a number of additional important facets. Perhaps the most significant is that given the general levels of poverty in Africa any civil society in Africa that seeks to rely either on members contributions or grants from local individuals or businesses is going to find it difficult to sustain itself, or will only do so rather like an electron in its ground state at the lowest possible energy level. Thus the Achilles heel of civil society organisations in the African context is that too many of the

most vocal are, like the governments they tend to criticise, dependent on external sources of funding. In addition, civil society, in part because of its nature, finds it difficult to unite on matters that are not to do with how civil society organisations should be regulated. There are differences arising from working on the same issue or on different issues, receiving funds from the same source or from different sources, having different perspectives, and representing different interests. The divisive effects of these differences have to be bridged and managed if civil society is to successfully engage with an initiative such as the APRM, and indeed to become to a greater degree an organic outgrowth of society as a whole.

While civil society may be involved in the APRM process during sensitisation, self-assessment and the design of the NPoA, it would appear that the area of greatest leverage is with respect to the monitoring and evaluation of the national programme of action. However as more countries adopt a decentralised or participatory monitoring framework, those sections of civil society that are being engaged with are those that themselves have a decentralised structure. This state of affairs will tend in time to marginalise those civil society bodies that either do not have a decentralised structure or are focused more on advocacy than representation. Nevertheless the APRM, and in particular, civil society organised events around the issuance of the progress reports, can be used to serve as a catalyst in creating closer links between civil society groups not just within countries but between countries.

There have been some top down attempts to connect African civil society, such as the formation of the Economic Social and Cultural Council (ECOSOCC) of the African Union, which is supposed to serve as an advisory body at continental level alongside the structures of the African Union. But there are many possibilities for civil society to adopt a bottom up approach and to do so using the scaffolding provided by the APRM and its NPoA.

## TAKING STOCK

The first two countries to commence the APRM journey in 2003 (Ghana and Kenya) reached the fifth and in APRM terms, the last stage of the process four years ago when their Country Review Reports and National Programmes of Action were Peer Reviewed by the APRM Forum. Another 11 countries have more recently completed the APRM cycle. This leaves three countries that are at the moment still on the journey. The APRM took off with a certain amount of fanfare, with a number of countries signing up within the first few months. As things stand at January 2010, the APRM process has reached a natural stock-taking moment. A number of issues deserve attention.

One of them must be how to ensure a continuing and steady throughput of new countries into the process. Twenty-nine countries have so far signed up for the APRM. Of these, 11 have completed the five stages of the APRM as currently defined, and three are in the pipeline. This leaves 15 countries yet to start. Of these perhaps a few at the most (including Sierra Leone and perhaps Zambia) may start within the next 12 months. This will leave a rump of about 12 countries that are unlikely to start the process within the next 12 months. Among those countries that have not yet signed up, Liberia is the most likely to do so. There is not likely to be much movement among the remaining 19. Without a shake-up therefore, the APRM is in danger in the immediate future of comprising a relatively small proportion of African countries, something that should be of concern to the APRM Forum. *See Figure 1 and Table 1.*

The practice of labelling the Peer Review of the Country Review Report and National Programme of Action as the final stage of the APRM cycle tends to diminish the importance the public and members of the APRM Forum attach to implementation of the NPoA. In so doing it leads to a tendency to make the main site of struggle the country self-assessment and NPoA design and production processes. It might therefore be better to shift the focus of the Peer Review away from the conduct of the country self-assessment and the production of the NPoA and instead

towards its implementation. Such a shift in focus should open the way to greater public discussion of both development policy and development governance. In other words it should allow people legitimate space to discuss not how development is being done, but what it constitutes, not only whether or not the targets in the NPoA were achieved, but also how valid the targets were for the chosen development objectives, and finally the appropriateness of the chosen development objectives themselves, given the country's circumstances.

The nature of the APRM questionnaire is therefore of the utmost importance in this regard. The questionnaire has the double task of assessing development governance (political, economic, and corporate) as well as development policy and performance (socio-economic development). By many accounts it has not been the easiest instrument to use, but the feedback from NGCs and the exercises to review it are likely to improve its user friendliness. But there are some fundamental problems concerning its philosophical underpinnings and strategic orientation. These may or may not survive the measures now underway to amend it.

The question then is to what extent do these different objectives of the questionnaire show up in its structure and design? As a governance instrument the questionnaire should seek to secure information about how the rulers and the rules came to be, and how the rules were implemented. Following the practice of a number of institutions and academics such an investigation might be expected to touch on some if not all aspects of governance i.e. the degree to which the conduct of politics (including assuming and exercising power), economic policy and practice, and corporate affairs was done in a participatory, lawful, transparent, responsive, inclusive, efficient, consensual, and accountable manner. As a survey into the management, as opposed to the governance of the economy, it might be expected to reveal the extent to which this was based on sound policy and strategy formulation, relevant and accurate data collection, scientific analysis and interpretation, evidenced based decision making, effective implementation of decisions, and robust monitoring of

performance. Finally as an instrument to assess the socio-economic circumstances of the population the questionnaire should be able to assess how and how much the population is able to access gainful livelihood and employment, health, education, and social welfare. To succeed in being a useful governance instrument the questionnaire should be regularly and periodically revised and modified to ensure that it delivers a framework for constructive debate about performance in all the relevant areas, the choice of indicators, and the choice of objectives.

Another issue is the fact that the APRM Secretariat has struggled, given its staff complement, to adequately monitor and evaluate the progress reports submitted by countries on the implementation of their NPoAs. The issue of the capacity of the APRM Secretariat to carry out its allocated task is therefore of considerable importance. A related issue is the length of time the APRM Secretariat has been without an Executive Director. The previous holder of the post left office in June 2008 when an 'Officer-in-Charge' was appointed, but this person does not have the responsibilities and powers of an Executive Director, and it is over 18 months since there was an incumbent in the post. Such a state of affairs has almost certainly caused some uncertainty among its staff, and most certainly among civil society and to observers, further a-field.

The Secretariat as an institution has also been criticised for not providing sufficient and timely information to the public. The public has to wait for six months after the Peer Review before the Country Review Report and the NPoA are made public. The Country Self-Assessment reports are not made public. Only a few of the Progress Reports are published on the APRM website, so it becomes necessary to trawl through the websites of participating countries to discover if they have uploaded their progress reports. This tends to give the impression that the point of the APRM is to produce a programme of action, but not to implement it. Other documentation that could be, but is not, provided on the APRM webpage includes a full set of the communiqués of the APRM Forum and the communiqués from meetings of the Panel of Eminent Persons<sup>8</sup>.

<sup>8</sup> This is not to ignore or underplay the readiness of individual members of the APRM continental Secretariat to assist with information when approached on an individual basis.

The Secretariat is faced with some significant capacity challenges. The number of countries that are required to be Peer Reviewed and then monitored for the first time, together with the number waiting to be Peer Reviewed for the second time, is growing and will place an increased burden on the Secretariat unless measures are taken to increase its capacity significantly. To address this need the Secretariat may not need to grow its establishment, but only to develop a network that provides access to the necessary skills when these are called for. This would minimise the financial burden on participating states.

Another possible solution to the problem is to not conduct a comprehensive self-assessment after the initial one, or perhaps to do so less frequently than every four years. For example, this is the case with the second review of Kenya where focus is being placed on the democracy thematic area to the exclusion of others. But important as the democratic dynamics are, it may not be advisable to turn the torch away from the other thematic areas for four years at a time, thereby leaving them without an NPoA with targets to measure performance. The chances of improving governance in those

thematic areas will be diminished, if not lost, and the energy created by the experience of the first self-assessment will be dissipated in part, if not completely, if only democracy and political governance is assessed in the second cycle. The nature of business behaviour and wealth creation, economic management and social welfare are too important to be left on pause for four years.

The core of the APRM is emerging as sharing best practice. While this might be deemed to take place during the meetings of the heads of state, there is room for it to take place at least on national, regional and continental levels involving state actors and civil society together. The organisation of such events if it is to be undertaken by the Secretariat will also require increased capacity. In the absence of this, either huge backlogs will emerge, or the quality of its work will be in danger of becoming compromised. The Secretariat in collaboration with the regional economic communities can play major role in bringing stakeholders together. The more Peer Reviews are conducted in an open manner at regional level, the more likely it is that this information sharing will take place.

## RECOMMENDATIONS

### THE APR FORUM

- 1 The APR Forum should give thought to a) increasing the through flow of countries moving from acceding to the APRM to commencing their APRM journey, and b) reducing the number of countries that have not yet acceded to the APRM.
- 2 A formal 6<sup>th</sup> stage should be added to the APRM cycle and should focus on Peer Review of NPoA implementation.
- 3 The APRM base documents provide for a Peer Review to be conducted at the regional level after the main one conducted at the continental level. There is no evidence of APRM Peer Reviews having been conducted at the regional level. Given the importance of the continental Peer Review, it might be easier if the Regional Peer Review was conducted prior to the continental one. This would strengthen the regional dimension of the APRM, allow more time for consideration of the issues raised in the Country Review Reports, and assist in driving forward the regional integration agenda.
- 4 One of the main selling points of the APRM is that it is African in origin and strategic purpose. Nevertheless, the evidence is that countries are becoming just as dependent on external sources to implement the NPoAs as they are to implement the normal development plans. To preserve the African ownership of the APRM countries should be encouraged to finance their NPoAs as much as possible from their own resources.
- 5 In order to assist countries that are unable to finance all of their NPoAs from their own funds, efforts should be renewed to set up an APRM Project Trust Fund. Such a mechanism would be managed by an International Panel of Eminent Persons, with contributions paid in by foreign governments and agencies seeking to support the APRM initiative.
- 6 With regional integration as one of the drivers of Africa's forward movement, the APR Forum might consider 'Peer Reviewing' the performance of Regional Economic Communities, as a way of helping to drive that process forward.
- 7 The APRM questionnaire should be subject to periodic review to assess ease of use, the validity of the indicators, and the appropriateness of the objectives to the needs of African development.
- 8 The continental Secretariat should be provided with all the means it needs to meet the challenge of servicing the APRM process. Its management should be transparent and accountable.

### PANEL OF EMINENT PERSONS AND THE CONTINENTAL SECRETARIAT

- 9 One of the common features of the APRM process is the relatively little time given to the design and costing of the NPoA compared to that given to self-assessment. This may be a reflection of the short time allocated to the whole process, or to other factors. In any event it might help if there was greater guidance on the time that should be allocated to the design of the NPoA, and make that a very distinct exercise from the self-assessment.
- 10 Countries should be discouraged from automatically including pre-existing national plans in the NPoA, and should increasingly prioritize governance activities.
- 11 All countries should be encouraged and assisted to conduct absorptive capacity analysis

embarking on their NPoA. On the face of it, it is not easy for countries to incorporate and accommodate such massive increases in expenditure and learning as is now being required by the APRM. The high levels of implementation that some countries have displayed may merely reflect evidence of implementation of previously existing and on-going projects and programmes.

- 12 Countries should be offered on-going technical support not only with the self-assessment, as is the case now, but also with the implementing the NPoA, e.g. with making NPoA projects fully identifiable within the MTEF, and harmonising the NPoA with other national plans. African ownership and peer learning is crucial.
- 13 To make it easier to compare performance with the indicators contained in the NPoA reports should comprise:
  - i. A performance report based on a quantitatively driven template which countries should not be allowed to deviate from.
  - ii. A public perception of governance report based on an agreed format and arrived at through sample survey techniques.

## AFRICAN GOVERNMENTS

- 14 To enhance the status of the APRM process and make it into an inclusive national effort, national APRM institutions should be established by act of parliament as a stand alone state institution with its own independent Secretariat.
- 15 To further enforce the independence of the APRM institution, the Chairperson of the NGC (from civil society) should also be the National Focal Point, and the person authorised to communicate with the Continental Secretariat and Panel of eminent persons. They should then be accorded easy access to the Presidency.
- 16 The members of the APRM NGC should be appointed for a fixed, once renewable, number of terms. This would help ensure that the members of the APRM NGC would be able to exercise their independence and not become institutionalised.
- 17 The retirement and subsequent appointment of the members of the NGC should be staggered so that at any one time there are some relatively new members and some relatively longer serving members. This would allow for continuity in the operations of the NGC.
- 18 Members of NGC should be appointed through a process similar to that used by the Public Service Commission to ensure competence and impartiality. The person specification should ensure that those appointed are nationally eminent persons with the requisite skills and experience to fulfil the mission of the APRM.
- 19 The NGC should be relatively small, perhaps less than 12 in number. A smaller body than that is likely to lack legitimacy, and a larger one has the potential to generate excessive negative dynamics.
- 20 It is a requirement that civil society should be involved in the APRM process. It would reduce tensions if civil society were allocated a number of seats on the NGC by the NFP, which civil society will be free to fill according to its own processes of representation. It might help prevent wrangles if the number of such seats did not exceed one third of the total. This does not mean that government should not directly appoint additional civil society bodies on to the NGC if it so wishes. The point however is to ensure that a certain number of seats on the NGC should be allocated to civil society as a group, to be filled according to its own democratic procedures. A portion of the NGC reserved for elected members of civil society should help to reduce this sense of marginalisation.

- 21 Permit publication of the Country Self-Assessment Reports. This will allow citizens to get a direct sense of the circumstances of their governance, without this being mediated through the APRM continental Secretariat which is now the case, since the Country Review report is the Secretariat's view of the state of governance in the country under review.
- 22 The NPoA should be implemented by government ministries through a range of bodies, including ministerial agencies, state institutions, business organisations, and civil society bodies. This process will mean that not only the self-assessment is a national endeavour, but the process of addressing the issues, is as well.
- 23 Assess and if necessary improve APRM performance indicators collection and retrieval capability.
- 24 Institute participatory monitoring systems not just for APRM. At present a number of the reviewed countries are now managing a bureaucratised monitoring system, as well as a participatory one. This is inefficient, and provided the participatory one delivers all the necessary information, then it brings some additionality through participation.

## **NATIONAL GOVERNING COUNCILS**

- 25 Publish annually audited accounts of NGC and the NPoA. This will strengthen transparency in the operations of the NGC and indeed of the APRM, letting citizens know who has contributed what funds to its success.
- 26 All the preliminary stages of the APRM (planning, sensitisation, self-assessment, design of NPoA, costing of NPoA) should be distinct and not be allowed to overlap, since this reduces efficiency. Similarly enough time needs to be allocated to each of these stages.
- 27 More efforts should be made to enlist media as a strategic partner especially during the sensitisation process.
- 28 The various validation processes should be so conducted as to allow greatly increased civil society participation and input, for example with respect to access, availability of pre-event documentation, the nature of the discussions, and transparency in the handling of input from the validation exercises.

## **CIVIL SOCIETY**

- 29 Civil society organizations should individually and collectively seek to focus on the twin issues of whether or not the indicators and hence the objectives chosen for inclusion in the NPoA are appropriate and whether or not they have been achieved.
- 30 Using as far as possible sub-national and national consultative events, the APRM should be used to provide a spur to the sharing of experiences at the regional level. This could in time feed into the ECOSOCC process whereby civil society fora at the regional level would be the basis for election of ECOSOCC members at AU level.

## **MULTILATERAL AND BILATERAL AGENCIES**

- 31 Non-African governments should allocate a percentage of the funds intended for international development into an APRM Trust Fund. This would be in accordance, for example, with the Paris Declaration, which states that efforts to ensure African countries own their development agendas will be supported.

# METHODOLOGY AND SOURCES

The material for this report was collected through a combination of desk research and interviews with participants and commentators in five out of the seven countries concerned, the countries visited being Benin, Ethiopia, Ghana, Kenya and South Africa.

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- Daniel Armah-Attoh - Programme Officer, Ghana Centre for Democratic Development (Ghana).
- Dr Emmanuel Akwetey Executive Director IDEG (Ghana).
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### **ABOUT THE AUTHOR**

Dr Adotey Bing-Pappoe is a Ghanaian political economist. He is currently a freelance researcher on governance and development policy, and visiting lecturer at the University of Greenwich Business School, Great Britain.

He can be contacted at: [adotey\\_bing@hotmail.com](mailto:adotey_bing@hotmail.com) or [ba95@gre.ac.uk](mailto:ba95@gre.ac.uk)