OCCASIONAL PAPER NO 177

Governance and APRM Programme

February 2014

Funding African Governance Institutions and Processes: Insights and Lessons

Angela Reitmaier

South African Institute of International Affairs

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Programme head: Steven Gruzd, steven.gruzd@wits.ac.za

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ABSTRACT

This paper[1] examines the financing of selected governance institutions in Africa, looking at national, continental and international levels and at the institutions and processes that assess, improve or incentivise governance. Specifically, anti-corruption commissions and African Peer Review Mechanism (APRM) structures are reviewed as institutions at the national and continental level respectively. In terms of governance processes, assessments at three levels are analysed: at the national level with UN Development Programme (UNDP) country-led governance assessments; at the continental level with the APRM self-assessment; and at the international level with the Public Expenditure and Financial Accountability (PEFA) framework. Governance improvement processes in a national, continental and international framework include constitutional reform, APRM National Programmes of Action (NPoAs), and the Extractive Industries Transparency Initiative (EITI). As processes that indirectly incentivise governance improvements, the EU's Governance Incentive Tranche and the US Millennium Challenge Account are also examined. The latter, offering funding as a reward for good governance, presents a particularly interesting aspect of financing governance institutions. The APRM, as the premier African governance institution, is used throughout this paper as a point of reference.

While the APRM aims for African funding, the reality is a mix of government and donor funding. This paper shows ways of mitigating the external influence over process and content that comes with funding. Several governance processes entail self-assessments, such as the UNDP country-led assessments, the APRM's self-assessments and the PEFA self-validations. In addition, the US Millennium Challenge Account ultimately leaves decisions on achieving this goal in the hands of governments by rewarding countries that have demonstrated good governance as measured by indicators. In terms of governance content, the paper examines standards set at national, continental and international level that are independent of funding. The EITI provides an interesting example of a shift in funding of country validations. Initially required to be funded by governments to demonstrate ownership, funding is now provided centrally to ensure quality control. The APRM has so far not embraced this aspect of quality control, thus failing to honour a commitment to a review by the participating countries after five years.

ABOUT THE AUTHOR

Dr Angela Reitmaier is an independent governance expert. Recent assignments include work for Transparency International on the Organisation for Economic Co-operation and Development (OECD) Anti-Bribery Convention and for the All Africa Conference of Churches on Good Stewardship and Transparency. From 2007 to 2009, she was a UN volunteer with funding from the German Development Service at the NEPAD Kenya Secretariat, and from 2005 to 2006 she worked on millennium development goals (MDGs) at UNDP Kenya. She holds a PhD in European Communities Law from the Free University of Berlin and a Master of Comparative Law from the George Washington University.

ABBREVIATIONS AND ACRONYMS

ACC	Anti-Corruption Commission
ACP	African, Caribbean and Pacific
AfriMAP	African Governance Monitoring and Advocacy Programme
APR	African Peer Review
APRM	African Peer Review Mechanism
AU	African Union
DANIDA	Denmark's Development Co-operation Agency
DFID	Department for International Development
EDF	European Development Fund
EITI	Extractive Industries Transparency Initiative
GAP	Governance Action Plan
GDP	gross domestic product
GIT	Governance Incentive Tranche
GNI	gross national income
GTZ	Gesellschaft für Technische Zusammenarbeit
IMF	International Monetary Fund
MCA	Millennium Challenge Account
MCC	Millennium Challenge Corporation
NCEP	National Civic Education Programme
NEPAD	New Partnership for Africa's Development
NGO	non-governmental organisation
NGC	National Governing Council
NPoA	National Programme of Action
PEFA	Public Expenditure and Financial Accountability
SAIIA	South African Institute of International Affairs
UNECA	UN Economic Commission for Africa
UNDP	UN Development Programme
USAID	US Agency for International Development

INTRODUCTION

Good governance is an important aim in its own right, since the quality of life in a country depends on the quality of its institutions. In addition, the success of any government programme, whether to improve health services, education or the investment climate, depends on the quality of governance. Adequately financing governance institutions therefore improves quality of life both directly and indirectly by improving the effectiveness of future government programmes.

Governance institutions exist at various levels and in various sectors in a country. The UN Development Programme (UNDP) describes governing institutions, representing the political realm of the state, as the linchpin of successful governance programmes.[2] Governance assessments have been an increasing priority for donors and national development partners.[3] For countries, this has meant exposure to a great variety of assessments, indicators and resultant proposals for improving governance.

For example, Ghana, the country that acted as a pioneer of the African Peer Review Mechanism (APRM) by being the first to undergo all the stages of the review process, had by 2009 been the subject of a review by the Africa Governance Monitoring and Advocacy Project (AfriMAP), a Governance and Anti-Corruption Country Diagnostic Survey by the World Bank Institute, a National Integrity Systems Study and a Voice of the People Survey by the Ghana Chapter of Transparency International, and a Governance Assessment Study by the UN Economic Commission for Africa (UNECA). Ghana has also been scored under the World Bank Worldwide Governance Indicators, the Global Integrity Index, Afrobarometer, Civicus' Civil Society Index, and the Mo Ibrahim Index of African Governance,[4] in addition to the APRM. Since then, Ghana also did assessments under the Public Expenditure and Financial Accountability (PEFA) Programme,[5] had its implementation of the Extractive Industries Transparency Initiative (EITI) successfully validated,[6] and was reviewed under the new Resource Governance Index launched by the Revenue Watch Institute in May 2013.[7]

This paper examines the financing of selected governance institutions in Africa, looking at the national, continental and international level, and examines the institutions and processes that assess, improve or incentivise governance. The latter – funding as a reward for good governance – presents a particularly interesting aspect of financing governance institutions. Special emphasis is placed on the APRM, the premier instrument to improve governance in Africa, which celebrated its tenth anniversary in 2013. The APRM is used as a point of reference for comparisons, but is dealt with at the appropriate level, ie, as a continental institution, and as a governance assessment and improvement process within a continental framework. By reviewing governance institutions and processes from the angle of financing, the paper brings out particular aspects and confirms some commonly held beliefs, such as 'he who pays the piper calls the tune' and 'don't look a gift horse into the mouth'.

FINANCING GOVERNANCE INSTITUTIONS

At national level: anti-corruption commissions

An important governance institution that is often present or added to a country's institutional set-up is an anti-corruption commission (ACC). With corruption viewed as a core constraint on achieving equitable growth and development, donors target and financially support the fight against corruption. After the success of the International Commission against Corruption in Hong Kong, the African continent has been carpet-bombed with ACCs without much contextualisation,[8] and ACCs are encouraged worldwide as per Article 6 of the UN Convention against Corruption.[9]

The International Monetary Fund (IMF) has, at times, made its lending conditional on the establishment of an ACC. One example is Kenya's Poverty Reduction and Growth Facility Arrangement for 2003/04, with the 'establishment of the Kenya Anticorruption Commission, with a credible management' included under 'Structural Benchmarks'.[10] A study by the Norwegian Utstein Anti-Corruption Resource Centre of ACCs in Ghana, Malawi, Tanzania, Uganda and Zambia shows that they were supported by donors such as the German Gesellschaft für Technische Zusammenarbeit (GTZ), the US Agency for International Development (USAID), the Danish development co-operation agency (DANIDA), the UNDP, the European Commission and the British Department for International Development (DFID), as well as their own governments. Ghana's ACC was funded exclusively by its government, Uganda's was funded mainly by its government, and Malawi's, Tanzania's and Zambia's by a mix of government and donor funding.[11] The study argues that in the wider sense of addressing corruption, reducing poverty, and encouraging administrative reform and democratisation, none of the ACCs reviewed achieved measurable success.[12] To achieve success there would need to be consistent funding, available at the right times, and agreement on a realistic level of performance, for which tasks would need to be appropriately specified.[13] The study also concludes that it does not make much difference whether funding is solely/mainly by government or a mix of government and donors. Budget stability through consistency and security of funding is essential to any agency; and dependence on government or donor funds allows either to interfere in the activities of the ACCs.[14] Also, both governments and donors tend to move in cycles from enthusiasm to disillusionment, resulting in ACC 'feasts' and 'famines', with donor funding more inconsistent because of donor competition and lack of harmonised policies.[15]

Overall, the study notes no evidence of a decrease in corruption in any of the examined countries. Despite the presence of ACCs, corruption is prevalent as well as politically and economically significant. However, the study does note a definable difference in the Ghanaian context.[16] Better results in Ghana can probably not be attributed to government funding alone, but likely also stems from lower levels of corruption[17] and institutional arrangements promoting national integrity. The study acknowledges the latter's existence in theory, but not in reality.[18] Yet the combination of government funding and institutional arrangements may still have been more effective in Ghana than in the other countries examined.

Government funding would therefore seem to be a plus, but other elements are also necessary for the success of a national governance institution, in particular a unified strategy encompassing all arms of government and encouraging co-operation among different agencies with similar or complementary mandates. Additionally, government funding seems possible within the budgetary context. In 2005, the year of the study, Ghana had the second highest gross national income (GNI) per capita ($470) among the five examined countries, with Zambia being the highest ($490). But Uganda, which mainly funded its ACC, had the second lowest GNI per capita with $290. This shows that the relative economic strength of the country does not determine whether or not it can fund an ACC. The amounts required are within the order of magnitude of what can reasonably be financed in a country in Africa.

Sierra Leone is another example of a relatively poor country (it had a per capita income of $580 in 2012)[19] funding its ACC with resources coming from the government, supplemented over time with funding from various donors (GTZ, DFID and Irish Aid).[20] So even in a relatively poor country emerging from conflict, the government was willing to provide a substantial part of the necessary funding. It also gave prosecutorial powers to the ACC and installed a former human rights lawyer as its head.[21] Sierra Leone passed the 'control of corruption' test of the Millennium Challenge Corporation (MCC) for the first time in 2011,[22] but failed it again in 2013,[23] showing that it is difficult to keep the momentum going.

In an address after becoming president of the World Bank in 1995, James Wolfensohn likened the development process to a puzzle. He emphasised the inter-linkages between the pieces as well as the complexity of the process, and the benefits that could be realised when all the pieces fell into place.[24] However, there is still no recipe for ensuring that all the pieces do fall into place when it comes to good governance.

At continental level: the APRM

The APRM was conceived to be just such a recipe – a voluntary, African process to assess the state of governance, identify gaps and put in place a National Programme of Action (NPoA) to address them. It is an example of a governance institution at the continental level. The Assembly of Participating Heads of State and Government (APR Forum) is vested with the overall responsibility for the APRM, the African Peer Review (APR) Committee of Focal Points serves as intermediary between the APR Forum and the continental APRM Secretariat, and the APR Panel of Eminent Persons is responsible for ensuring the independence, professionalism and credibility of the country review process and is directly responsible to the APR Forum.[25]

Financing comes from two sources: the APRM Trust Fund, established by the UNDP at the request of the APR Forum, and an APRM operating account established by the Development Bank of Southern Africa, the institution which initially hosted both the APRM and the New Partnership for Africa's Development (NEPAD).

Each APRM member country is obligated to contribute $100,000 per annum;[26] additional special contributions are expected from the five originating countries – Algeria, Egypt, Nigeria, Senegal and South Africa – that had prepared the strategic framework document for NEPAD, including the concept of a peer review mechanism to promote good governance. Regarding annual contributions, up until 31 December 2011 Gabon had a positive balance of $25,000 and only Burkina Faso, Kenya, Mali and Mozambique were up to date with their contributions; Ethiopia, the country then chairing the APR Forum, had arrears of $400,000.[27] São Tomé and Prìncipe and Sudan had never made any contributions. Mauritius, Sierra Leone and Tanzania had a negative balance of $700,000. As can be seen, voluntary membership does not imply voluntary financial contributions. As Tanzania prepared for the country review, its arrears were discussed in parliament and eventually cleared.[28] Active participation seems to encourage payments.

The net special contributions[29] of Algeria were $1.7 million, those of Egypt $500,000, of Nigeria $3,550,000 and of South Africa $6,586,914.[30] Senegal did not make any such contribution: its arrears in annual contributions amounted to $600,000 by the end of 2011. However, since the President of Senegal has sought to be elected Chair of the APR Forum and the country started the review process[31] the arrears have been settled, but no special contributions have been made. Again, this is an indication that active participation encourages payment.

Liberia, whose President Ellen Johnson Sirleaf is the current APR Forum Chairman, has not paid annual contributions since joining the APRM in January 2011.[32] With the amount of the annual contribution being modest, arrears reflect a lack of commitment to the APRM. This is all the more disconcerting in the case of the Chair's country, when appeals for clearing arrears[33] lose credibility.

Up to the end of 2006, the cumulative contributions of APRM member states stood at $8.8 million (or 62% of the total funds available) and of donors (UNDP, Canada, Spain and the UK) at $5.4 million (or 38%).[34] Five years later, the cumulative contributions had roughly tripled, reaching $26.4 million (or 64.6%) for APRM member states, and $15.1 million (or 36.4%) for donors.[35] Activities supported by the two sources include APR Panel and APRM Secretariat operations, country preparations and participation, APRM country reviews, networking and sharing of experience, and technical oversight and monitoring, with the APRM Secretariat and country reviews receiving the largest share.[36]

The financial situation of the APRM is not unique. Even the African Union (AU) suffers from arrears in contributions. At the end of June 2011, total contributions paid were $43.8 million, which represented 35.7% of the total assessed contributions.[37] As incoming AU Commissioner Nkosazana Dlamini-Zuma found out in her first week in office in October 2012, donors fund 97% of AU programmes.[38] Compared to the AU, the APRM is doing reasonably well.

In general, individual donors contributed to the APRM only once. The rise in contributions can be attributed to additional donors contributing, ie, the EU, Italy and Switzerland as bilaterals, the African Development Bank as a multilateral partner and the Kellogg Foundation as a private partner. In 2011, donors did not make any contributions. One reason cited for the relatively low contributions by donors was a reluctance to contribute to basket funds.[39] AfriMAP also cited a perceived lack of respect for accounting rules on the part of the APRM Secretariat, which contributed to donors failing to support it in 2009.[40] The EU mentioned the UNDP Trust Fund's weak absorptive capacity.[41] The concept of the APRM itself may also have kept some donors from contributing more. According to the APRM's Organisation and Processes document,[42]

> the APRM will be implemented with resources to come predominantly from Africa. It is essential, therefore, that the APRM does not rely on external partners for funding, although

> such partnerships could be welcome if they were managed in a way that clearly respects African ownership of the APRM and all its processes. Support from external partners should be sought mainly for the implementation of the Country Programme of Action and capacity building to improve performance in the weak areas.

With donor support officially not being sought for the funding of the continental APRM structures and support from the APRM member countries lagging, the relatively small size and the lack of follow-on of contributions on the part of donors is not surprising. It may indicate some scepticism towards the APRM process itself, as well as competition for funding from other governance initiatives. However, this has not kept the Council from stressing the importance of 'continued support' for the APRM, while noting that the local ownership of the APRM crucially depended on the political and financial support provided by the African participating states.[43] So EU funding will probably be sustained.

As with the ACCs, funding is only one aspect of the success of an organisation. How other elements play out was never reviewed in the ten years the APRM existed, despite a mandate for a review by the conference of participating countries every five years in the APRM Base Document, in order to 'enhance its dynamism'.[44]

FINANCING GOVERNANCE PROCESSES

Governance comprises mechanisms, processes and institutions, according to a definition proposed by the UNDP.[45] Thus mechanisms and processes are at the same level as institutions, and need to be looked at in terms of financing. To emphasise the attribute of *good* governance, governance-*improving* processes are reviewed later in this paper.

Assessing governance

In a national framework: UNDP country-led governance assessments

The starting point of an initiative to improve governance is often an assessment of the status quo. The UNDP has made it part of its strategic plan to provide support to governments undertaking such an assessment.[46] The Global Programme on Democratic Governance Assessments, managed by the UNDP Oslo Governance Centre, assists countries that want to conduct their own democratic governance assessments. The UNDP does not have an overall framework, but supports each country's assessment on its own merits. In Bhutan, for instance, a happiness indicator was developed.[47] In other countries, assessment support included assisting with strengthening national ownership through multi-stakeholder engagement; defining and selecting indicators that are country-contextualised, pro-poor and gender sensitive; developing national databases on governance; and promoting the uptake and use of governance indicators in policy making.[48] In terms of funding, countries willing to undertake a country-led governance assessment can use the general cost-sharing instruments of the UN, which come into play when a government or other donor is willing to contribute funds. Specific financing is available under the UNDP Global Programme on Capacity Development for Democratic Governance Assessments and Measurements, the Democratic Governance Thematic Trust Fund, and the UN Democracy Fund.[49]

A mid-term review of the governance assessment programme 2008–2011 covering 16 countries revealed that on average, countries receive between $200,000 and $300,000.[50] Compared to APRM self-assessments this is relatively little, but some projects have received additional donor support. In Africa, governance assessments in Angola, Djibouti, Egypt, Malawi, Morocco, Nigeria and Senegal were supported.[51]

Because of its tie-in to the APRM, the project in Djibouti supporting the government's preparation for the APRM is of particular interest. The Democratic Governance Thematic Trust Fund of the UNDP funded the budget of $300,000.[52] The project synchronised the development of a national governance monitoring system with the APRM process. While the APRM questionnaire contains a list of assessment criteria, the project set out to develop indicators to measure these criteria, to address upfront a perceived lack of monitoring of the implementation of the APRM NPoAs after the country review.[53] Unfortunately, the APRM self-assessment, initially foreseen for end-2010, was delayed; the budget available amounted to a meagre DJF[54] 1.5 million ($8,400).[55] Often, a funding shortfall reflects a lack of political will and can be overcome as the political resolve increases, as the example of the APRM process in Mauritius shows, discussed below. In Djibouti, it was not the government but the UNDP that stepped in with a project of DJF 108 million ($608,000) to support the operationalisation of the APRM, aiming for a country review at the APR Forum in January 2013. The description provided by UNDP mentioned only that the new project would be based on the principles of complementarity and inclusion, to avoid duplication of mechanisms and processes already in place, without specifically referring to the previous project to develop indicators.[56] The country review of Djibouti has, so far, not taken place. It remains to be seen whether the system to monitor the implementation of the NPoA funded under the previous project will be operational at the time the NPoA will eventually be implemented.

Combining UNDP governance assessments and the APRM process is fraught with difficulties. Each has dynamics of its own. Dealing with two concepts, even though complementary, may overstretch a country whose political will to implement and monitor good governance may be weak to begin with.

The remaining UNDP governance assessment projects in Africa all dealt with APRM countries, with the exception of Morocco,[57] which is not a member of the AU. One country, Nigeria, was peer-reviewed in 2008 and had started its second country review in 2013.[58] The remaining countries are not active in the APRM (Angola, Egypt) or are just starting the process, having acceded several years ago (Malawi, Senegal).

Angola had a budget of $400,000 for its UNDP governance assessment, including $100,000 in regular UNDP funds, and involved citizens in a community evaluation aimed at improving service delivery, local development plans, data management, mobilisation of local resources, and participation in local decision making.[59] The project in Egypt had a budget of $350,000, including $75,000 from the government and $75,000 from regular UNDP funds, which was used by the Social Contract Centre to carry out a mapping of stakeholders in key government programmes and bring the identified stakeholders together in task force working groups to develop a generic governance framework. The framework was designed, nationally owned indicators were identified, and data was collected.[60] The project in Malawi had a budget of $300,000 at the start of the project, but subsequently received $1.2 million of regular UNDP funds and $690,000 from the

EU, Irish Aid, DFID and Norway, to support the government's Sector-Wide Approach to Democratic Governance through the establishment of a monitoring and evaluation framework using a participatory and consultative process.[61] The Senegal project to develop a national governance monitoring framework had a budget of $250,000 provided by the Governance Assessment Portal and UN Women.[62]

The project in Nigeria had a budget of $730,000, with $490,000 from the UNDP Governance Assessment Portal and additional funding from UNDP Nigeria and UN Habitat, as well as a contribution by states/local governments of about $240,000 to develop a customised framework for assessing the quality of urban governance in Nigerian cities.[63]

Interestingly, none of the project documents mentioned the APRM. In Nigeria, urban governance was at issue. The APRM Country Review Report of Nigeria included observations of the Country Review Mission on decentralisation and local governance.[64] The review was completed at the APR Extraordinary Summit in Benin in October 2008.[65] A reference to the APRM thus could have been included in the UNDP project. Malawi and Senegal received APRM advance and support missions in 2012,[66] after the UNDP project documents were drafted. Yet, given the fact that the governance assessments are nationally owned, it is surprising that none of the APRM countries made reference to the APRM. This shows that the countries in question do not have a unified strategy towards achieving good governance, and that a 'silo' mentality is prevalent. This also applies to the UNDP, which is a strategic partner of the APRM,[67] so there is no unified strategy as far as donors are concerned either. In the case of Malawi, the budget for the establishment of a monitoring and evaluation framework in support of a sector-wide approach to democratic governance covers similar ground as an APRM self-assessment. While setting up a monitoring and evaluation framework is different from an APRM self-assessment, without proper linkages to the APRM some activities may still be comparable and would need to be undertaken again under the APRM, resulting in the duplication of cost and effort.

As the example of Djibouti shows, combining country-led assessments and APRM self-assessments is challenging, given the different dynamics and probably also different government agencies in charge. In terms of time sequence, most of the UNDP country-led assessments happened before the more active involvement of the country in question with the APRM. This could mean that for some of the latecomers to the APRM, a UNDP country-led governance assessment paves the way for undertaking an APRM country review. Even if an outright combination, as tried in the case of Djibouti, proves too ambitious, the country-led assessments should aim to be complementary to a subsequent APRM review and avoid duplicating activities that ultimately need to be undertaken again under the APRM. This shows a disconnect between the different governance assessments not linking to or feeding into the APRM and probably also reflects the lack of a unified strategy towards good governance on the part of the country. What is also notable is that only the projects in Egypt and Nigeria had funding from the government, or states and local governments, respectively, thereby expressing greater ownership of the governance assessment by providing part of the necessary funding. This is an indication that countries' 'ownership' may not be as strong as the donor might wish to believe – a confirmation of the common saying 'don't look a gift horse in the mouth'.

The UNDP country-led assessments end in 2013, and it is unclear whether they will be continued.

In a continental framework: APRM self-assessment

The APRM is also a governance assessment that is country-led. It is intended to improve performance in four thematic areas: democracy and political governance, economic governance and management, corporate governance, and socio-economic development. There is an assumption that sound performance in the first three areas will produce good performance in the fourth, but even this area is being assessed.[68] The assessment is integrated into a continental framework. This element distinguishes the APRM from the UNDP country-led assessments and provides additional support to governments whose keenness to improve governance may move in cycles. Unlike many other assessments, countries are not ranked or rated against each other, but compared rather to their own potential.[69]

The APRM Guidelines provide that the 'in-country costs of the APR for a particular country must be borne by the country itself'.[70] So, unlike the UNDP country-led governance assessments in Africa where government contribution to funding is the exception, with the APRM it is the rule. Public consultations and technical research are expensive and time consuming; in the pioneer countries of Ghana, Kenya, Rwanda, Mauritius and South Africa, the self-assessment had an average cost of $1 million to $2 million.[71] South Africa and Ethiopia funded the self-assessment process themselves. South Africa's was estimated at $3.2 million, of which $2.5 million was provided by the central government and some additional costs covered by the provinces. The UNDP contributed $300,000 for awareness-raising activities. In Ethiopia, $1.65 million was spent on the self-assessment, and financing posed no problem.[72] In contrast, the process in Mauritius was supported only by donors in its initial phase. The UNDP provided $20,000 to the institution responsible. The failure of the government to contribute own resources or mobilise resources from other donors was an important reason for the lengthy delay in the country's self-assessment process.[73] As a middle-income country with a relatively good development trajectory, accessing funds from donors turned out to be more challenging for Mauritius than for other countries, which did not seem to have problems mobilising such funds.[74] In the end, Mauritius hired a private consulting firm to revitalise the process without apparent funding constraints.[75]

Most countries had a mix of own and government funds for the self-assessment, while the UNDP often co-ordinated the donor support. Budgets spent varied from $350,000 for Benin[76] to $14 million for Nigeria,[77] but it is sometimes not clear whether the budget was for the self-assessment only or the entire country review. In the case of Uganda ($ 4.7 million)[78] and Tanzania ($4.5 million),[79] the government and donors provided about equal shares of the budget, while in the cases of Ghana ($1.5 million),[80] Nigeria,[81] Kenya ($1 million)[82] and Burkina Faso[83] the governments paid a larger share. In the cases of Benin ($350,000),[84] Mali ($1.7 million),[85] Rwanda ($1.2 million)[86] and Mozambique[87] the donors paid a larger share.

Country funding is what is foreseen by the APRM guidelines. Short-term budgetary re-allocations may be possible, so that government funding is 'conceivable', as stated in a recent UNECA paper.[88] The reality, as described above, is government funding with a larger or lesser degree of donor support. Funding problems during the self-assessment process are frequent. Often, neither governments nor external partners fully honour their pledges, funding is slow, not timely, and costs are not estimated accurately.[89]

Drawing general conclusions from these funding challenges in the various APRM countries is more difficult than for the annual contributions to the APRM Secretariat, which constitute an annual payment of modest size. Given the novelty aspect of the APRM, especially in the initial phase, but also for each country embarking on it for the first time, mistakes can easily be made by governments and donors alike. Even knowledge about the basic proposition that the self-assessment is the country's responsibility may have been lacking on the part of the countries and their partners. Just as membership of the APRM is voluntary, starting the self-assessment process is also voluntary, and one might assume that a country willing to initiate it would also be willing to fund it, and that shortfalls and delays are more reflections of weak budget management than lack of political will. In the spectrum between the latter on the one hand and whole-hearted support on the other, leadership in many countries may in fact have oscillated between the two and come to rest in the middle. However, where leadership is committed, it is hard to imagine that lack of funding in itself would derail the process. Where the APRM is more a public relations exercise than a reflection of genuine interest in peer review, starving self-assessment activities of cash may have been a deliberate government tactic. However, the acid test of commitment to the self-assessment, in the author's view, is not so much providing the necessary funds as seeking the active participation of civil society. Where this has been done, despite funding shortfalls, the country demonstrated commitment to the APRM.

As emphasised by the Chairperson of the AU Commission, Dr Dlamini-Zuma, the APRM was established to promote inclusive, participatory and people-centred governance in Africa.[90] Giving citizens an opportunity to participate in political discussions about substantive policy issues and choices outside of elections, in which ethnic allegiances and personalities often play a dominant role, is one of the strong points of the APRM.[91]

Some members of the National Governing Council in South Africa argued that funding by external partners would compromise the country's ownership of the self-assessment process.[92] The assertion that donors influenced the outcome of the self-assessment has, to the author's knowledge, not been made regarding those countries in which external partners did provide part of the necessary funding. In the case of Zambia, the complaint about donor influence centred on the UNDP's mobilising civil society without involving government.[93] Funding may influence not only content but also process – in this case, the extent of civil society participation or its composition. A desire to exclude such influence may explain the fact that Ethiopia funded the self-assessment without contributions from donors. This would be in line with Ethiopia's civil society law, which prohibits external funding of more than 10% for politically active civil society organisations.[94]

Apart from governments and donors, civil society, participants in focus group discussions, researchers and the private sector could also contribute to the financing of the self-assessment by foregoing per diems, seeking minimal reimbursement of expenses, or making other financial or in-kind contributions. In Kenya, two of the civil society groups represented on the National Governing Council (NGC) promoted the APRM as part of their own activities,[95] and the African Youth Forum even started activities during the country review without first having been formally tasked to do so.[96] These are examples of in-kind contributions to the self-assessment, adding to its dynamism. On the negative side, the initial activities of the NGC in Kenya were slowed considerably by disagreements over sitting allowances, and in the end the appointments of three civil society members were revoked before a reorganised NGC was able to guide the process to completion.[97]

In the now over ten years that the APRM has existed, 17 countries have been reviewed and thus have completed the self-assessment, overcoming any funding obstacles. GNI per capita in 2012 in these 17 countries ranged from $8,570 for Mauritius to $410 for Ethiopia.[98] Despite this divergence, self-assessments were funded and, in the case of Ethiopia, the country with the lowest GNI per capita, without donor support. This confirms UNECA's conclusion, mentioned above, that government funding of APRM self-assessments is 'conceivable'. Thus donor support is helpful but not essential, and its often-disappointing size is a possible reflection of this fact, scepticism towards the APRM and competition for funding with other governance initiatives.

In an international framework: PEFA

The Public Expenditure and Financial Accountability (PEFA) assessment is a national-level process embedded in an international framework, but restricted to one sector.[99] Organised by a multi-donor partnership,[100] it assesses whether a country has the tools to deliver three main budgetary outcomes: aggregate fiscal discipline, strategic resource allocation, and the efficient use of resources for service delivery. The PEFA Framework is an analytical instrument that consists of a set of 31 indicators and a supporting Performance Report, providing an overview of the performance of a country's public financial management system. One of four grades, from 'international good practice' to 'very poor', is allocated to each indicator. Grading is based on a carefully specified set of criteria, which makes it transparent. Performance can be compared over time through repeat assessments.[101] To avoid summary judgments through aggregating or averaging scores, grades rather than numbers are used. PEFA thus discourages ranking of countries, just as the APRM does. Unlike the APRM, however, PEFA performance within a country can easily be compared over time. Repeat assessments are in fact encouraged.

Across the world, 95% of low-income, 80% of middle-income and 8% of high-income countries have been assessed.[102] The Secretariat legally operates as part of the World Bank and is funded by the partnership through a PEFA trust fund. According to a recent evaluation, in four out of five low-income countries the PEFA framework has been used for periodic benchmarking of the status of the public financial management systems, and thus acts as a centrepiece of the dialogue with donors offering general budget support.[103] In other words, budget support and PEFA go hand in hand.

Funding for the PEFA assessment of African countries has mostly been provided by the EU.[104] The recent PEFA evaluation mentioned above concluded that 'government ownership will continue to present challenges, so long as the primary advocates for use of PEFA continue to be donors'.[105] Funding is one aspect of ownership. The PEFA assessment, usually undertaken by a few consultants and supported by the government through staff, cannot be that costly, so that African countries could conceivably fund it themselves in order to strengthen their position in the negotiations on budget support. However, in all likelihood the EU seems to prefer to exert control through funding rather than increasing countries' ownership by letting them fund the PEFA exercise – an example of the saying 'he who pays the piper calls the tune'.

Another aspect of ownership is active participation in the process. Mauritius is an example of a country that was actively involved: it undertook parts of the PEFA assessment in the form of a self-assessment.[106] The PEFA Programme for 2012–2017 foresees an increase in government-led assessments from 9% during 2005–2011 to 20% from 2013 onwards.[107] Economic governance is probably the pillar in which African countries perform best. Encouraging countries to actively participate in an assessment of their own performance in an international framework might be a step that the APRM could also adopt towards encouraging performance measurement. On the other hand, so-called 'citizens' budgets', promoted by the International Budget Partnership[108] to increase citizens' understanding of the budget, could be included in the APRM. South Africa is in fact publishing such citizens' budgets. Budgetary matters are one of the most difficult areas for citizens to engage in among the four pillars of the APRM. Hopefully, a review of the APRM by the conference of participating countries will be started, so that ideas presently gaining ground can be incorporated.

DIRECTLY IMPROVING GOVERNANCE

Assessments are not art for art's sake, they are done to make changes, and often these changes are made in governance-improving processes. The APRM demonstrates this sequence well by moving from the self-assessment to the development of the NPoA. In Kenya, the self-assessment recommended changing a substantial number of constitutional provisions, which the Country Review Report[109] then turned into the recommendation for a new constitution, a radical suggestion for governance improvement.

In a national framework: constitutional reform

A country's constitution is the cornerstone of its governance system, with good governance emerging from its structure. It defines citizens' rights and protects these from governmental abuse, limits and balances government powers vis-à-vis other players and institutions, and is the basis for reviewing executive and legislative action. A constitutional review often tries to correct past institutional failures or reconstruct political structures after authoritarian rule, and to ensure better governance for the future.[110] The Kenyan Country Review Report of 2006 stated that the [then] current constitution was a colonial constitution disfigured by post-colonial amendments, and that Kenya had since experienced numerous social, political and economic changes that made it necessary to reform the constitution.[111]

Being at the heart of governance, one would imagine that constitutional reviews would be funded by the governments themselves. The costs of constitution-making in Africa have been estimated at $30 million for South Africa, $10 million for Uganda, $6 million for Ethiopia and $4.5 million for Eritrea, or between 15 cents and $1.50 per person in the country.[112] With expenditures of this magnitude, constraints would seem to be less budgetary than organisational, conceptual or power related. On the other hand, there is some donor interest in supporting constitutional reform. External assistance is thus available, but is associated with loss of national control.[113] In Uganda, for example, international donors funded part of the constitution-making process.[114] For countries emerging from conflict, constraints tend to be greater and donor assistance more necessary in terms of funding, process and expert advice. In the absence of an effective state, international or regional organisations tend to play a leading role. In Africa, Namibia, the Democratic Republic of Congo (DRC) and Somalia are examples of such greater donor influence.[115] In the DRC this may have had an impact on the contents of the constitution.[116] However, in Rwanda donors were largely absent from the process of drafting a new constitution, which started well after the genocide.[117]

In Kenya, one of the promises of the democratically elected President Mwai Kibaki, who defeated his authoritarian predecessor Daniel arap Moi in 2002, was to draft a new constitution within 100 days. In fact, it took almost three years. The review process included a national conference, referred to as 'Bomas', revisions to that draft, a parliamentary vote and ultimately a referendum. In the referendum in November 2005, 57% of voters rejected the draft constitution.[118] The Kenya Country Review Mission took place at the height of the constitutional referendum campaign and afterwards, in April 2006, a small team was sent to Kenya to provide additional insight into and analysis of the events.[119] The participatory elements of the constitutional review process, including the Bomas Conference, outreach efforts and the referendum, added to its costs. Officially, costs amounted to $88 million (or roughly $2.57 per person), while unofficial estimates put them as high as $138 million.[120]

In terms of donor assistance for Kenya, the UNDP included funding for 'constitutionalism' in the UN Development Assistance Framework of 2004–2008, including for popularising the new constitution – rejected in 2005 – and for civic education related to the new constitution, but not for the constitution drafting process itself.[121] Regarding civic education, Canada, Denmark, Finland, the Netherlands, Norway, Sweden, UK, the Austrian Development Agency, the UN Development Fund, USAID and the European Commission had already come together under the autocratic Moi to fund civic education through a National Civic Education Programme (NCEP), keeping out his government, perceived as hostile.[122] The NCEP continued under Kibaki, making constitutional reform and the entrenchment of constitutionalism its priority. It provided civic education up to three months before the November 2005 referendum and continued its work after the draft constitution was rejected.[123] The NCEP was an important player in the aftermath of the post-election violence of 2007, where constitutional reform was listed as the first long-term issue to be solved.[124] To start the new constitutional review process, parliament enacted legislation that relied on a Committee of Experts to sort the contentious from the non-contentious issues and develop a harmonised draft constitution after considering representations from the public.[125] In addition to the NCEP, the government provided funds for civic education, including printing copies of the new draft constitution.[126] Civil society funding by donors became contentious, less so in Kenya but especially in the US. US Christian groups complained that USAID funded non-governmental organisations (NGOs) favouring the adoption of a constitution that legalised abortion where the health or life of the mother was in danger, even though US federal law prohibited the US government from condoning abortion in other countries.[127] They themselves funded the 'no' campaign, providing an example of a foreign organisation trying to influence the constitution-making process in another country.[128] In a referendum held on 4 August 2010, 67% of Kenyan voters approved the new constitution, which has since enjoyed the support of the people.[129]

Eventually, the involvement of donors in the management of the NCEP was considered inappropriate, and in July 2011 the NCEP was transformed into a trust, headed by an all-Kenyan Board of Trustees.[130] While the NCEP could rely on the basket fund provided by donors, the trust now had to compete for donor funding for civic education with other NGOs.

The financing of constitutional reform shows, for one, that donor assistance is available but comes at a price, and that countries have to make their own decisions. The Kenyan example of the two draft constitutions shows that financing is not the main challenge – finding a compromise acceptable to a majority is. This eluded Kenyans during the 'normal' times of 2005. The crisis after the post-election violence of 2007–2008 facilitated such a compromise in 2010.[131] The 'success' of constitutional reform in Kenya and elsewhere will depend on whether the new constitution will be able to limit the power of political leaders as well as divisions along religious or ethnic lines.[132]

In a continental framework: APRM National Programme of Action

As mentioned before, the APRM combines elements of assessing and improving governance. The APRM NPoA is the instrument that seeks to improve governance within a continental framework. It is intended to address deficiencies detected during the APRM self-assessment. The actions identified are subsequently costed. Across the four thematic areas of the APRM, this adds up to sizeable amounts in many countries. In Nigeria, for example, the NPoA costs amounted to $20 billion, in Kenya $5.4 billion, Burkina Faso $4.9 billion, Ghana $3.7 billion, Mauritius $3.4 billion, Algeria $2.8 billion, Benin $2.4 billion and South Africa $2 billion. Broken down into annual costs and related to annual gross domestic product (GDP), the share of Nigeria's NPoA was 3.4%, in Kenya 5.9%, Burkina Faso 21.1%, Ghana 5.6%, Mauritius 7%, Algeria 0.6%, Benin 13% and South Africa 0.2%.[133]

The idea of Africa taking control of its own destiny, embraced by NEPAD, means that the NPoAs should be funded by the countries themselves. The conceptual framework of the socio-economic development pillar of APRM highlights that 'all stakeholders should own the whole process and actively participate in the promotion of self-reliance and capacity building for sustainable development'.[134] South Africa was praised in its Country Review Report for self-reliance in funding development programmes.[135] Similarly, the objective to 'Promote and accelerate broad-based sustainable development' in the economic governance pillar of the APRM emphasises the importance of mobilising domestic resources.[136] Kenya's ability to raise domestic resources and to achieve a tax-to-GDP ratio of 20% or more was highlighted in its Country Review Report as best practice.[137]

Increased trade was the first avenue envisaged for funding when NEPAD was conceived. Increased aid was the fall back; the APRM was meant to demonstrate Africa's seriousness and commitment to improved governance, which in turn would encourage the G-8 countries to support the NEPAD agenda, estimated to cost $64 billion.[138]

Regarding the APRM, NPoAs are designated as areas for which external support may be sought.[139] This may have led countries into believing that the NPoAs provided an easy vehicle to attract donor funding, and hence into expanding their scope and costs.[140] Since the 'required actions' for NPoA activities do not specifically indicate the source of funding, it is difficult to say what parts of NPoAs are in fact supported by donors. While donor basket funds for the APRM process have been established, they generally do not provide funds for the implementation of NPoA activities.[141] Countries that sought external financing had varying degrees of success. In practice, the bulk of funding for NPoAs comes from domestic governments, so neither trade nor aid materialised as major source of funding.[142] Finding the necessary resources for funding the NPoA is of course easier in countries where the share of NPoA/GDP and dependence on development assistance are relatively low, such as Nigeria and South Africa.[143]

Another source that may not have been tapped to its full potential is the private sector. It could offer, for example, education in private institutions as part of socio-economic development, and governments could encourage this by facilitating such private sector investment.[144]

Yet another way to reduce the costs of a country's NPoA would be to limit actions to those that improve governance. Governance concerns processes, and development concerns outputs.[145] In all four thematic areas of the APRM, including socio-economic development, the focus should be on ways to improve the process rather than improve development itself, such as by funding schools or hospitals.[146]

The APRM 'Guidelines for Reporting Progress in the Implementation of the National Programme of Action' of November 2008 encourages countries to report on measures for increased funding of the APRM NPoA and on innovative ways of funding APRM programmes.[147] Analyst Adotey Bing-Pappoe lists as a possibility APRM development bonds financed by the African diaspora or by African countries with growing and significant sovereign funds, such as Algeria, Angola, Botswana and Equatorial Guinea.[148]

The basic tensions within a mechanism that is African-owned yet needs donor support cannot be solved easily. Funding evokes issues of ownership, credibility, autonomy, viability and sustainability. One suggestion made at a UNECA workshop was to start with the little a country has to own the process – a pragmatic suggestion worth considering.[149] It is in line with the recommendation to limit NPoAs to governance improvement, excluding investment programmes, and could also include limiting the scope of the APRM review when adapting the APRM questionnaire to the exigencies of the specific country.

Providing funds is an expression of credibility, but the funded project, ie, the APRM itself, must also be credible to attract funding. This means credible institutions at the continental and country level, political will to improve governance, visionary leaders heading government and the continental institutions, and having safeguards in place that prevent the APRM from being 'hijacked' by foreign forces, or from turning into bureaucratic routine or state-driven policy devoid of citizens' voices and popular participation.[150]

Another aspect related to sustainability is mainstreaming the NPoA into the national budget framework. With the NPoA resulting from a separate exercise, inclusion in the budget is crucial. A UNECA workshop addressed the issue of mainstreaming in recognition of the fact that in many APRM countries this was not being done.[151] The host country of the UNECA workshop, Uganda, presented its way of mainstreaming the NPoA into its Medium-Term Expenditure Framework, which was recognised as a best practice. The process in Uganda was interactive, with consistent dialogue between the ministries of Planning and Finance during the planning stage, and political support at the highest level.[152] In fact, this should ideally be the minimum requirement for all APRM countries and not best practice. It will be interesting to observe whether NPoAs developed during the second country reviews (currently underway in Nigeria and planned for Kenya) will incorporate expenditures for NPoA activities into the budget.

In addition to such budget mainstreaming, it is also necessary to mainstream the APRM NPoA into the national development plan, which, in turn, would presumably also lead to the inclusion of NPoA activities in the budget. In most countries, the development plans were pre-existing at the time of the country review,[153] so the issue did not present itself. When it presented itself in Kenya, for example, the opportunity to integrate the APRM into the new development plan, Vision 2030, was unfortunately missed.[154] The example of Kenya shows how necessary it is that a country develops a comprehensive strategy towards good governance, moving beyond a 'silo' mentality to involve all policies and agencies, thus enhancing complementarity and turning this into the foundation of a national development plan.

In an international framework: EITI

The Extractive Industries Transparency Initiative (EITI) is a governance-improving process within an international framework. While the NPoAs within the continental framework of the APRM have a very broad scope, the EITI has the relatively narrower focus of transparency of government revenue from natural resources. Member governments are obligated to reveal income from natural resources received from companies, while the companies need to reveal their payments. The two are reconciled by an independent institution. The process is overseen by a multi-stakeholder group of governments, companies and civil society.[155] Ways of improving governance are determined by the international standard for resource revenue transparency, set by the EITI.

EITI-compliant countries in Africa are Burkina Faso, Côte d'Ivoire, Ghana, Liberia, Mali, Mauritania, Mozambique, Niger, Nigeria, Republic of the Congo, Tanzania, Togo and Zambia. EITI candidate countries are Cameroon, Chad, Guinea and São Tomé and Prìncipe. The Central African Republic (CAR), DRC, Madagascar and Sierra Leone have been suspended.[156] The EITI has been endorsed by the UN, G-8, G-20 and the AU, and can count on active support from the World Bank, the IMF, the EU and several supporting countries.[157]

An interesting characteristic of this international organisation, headquartered in Oslo, Norway, is its tripartite composition of governments, companies and civil society. An evaluation of the EITI found that this was a key strength, and that one way of making this visible was through burden-sharing that corresponded to the notion of 'fairness' – however that may be quantified. Here, interestingly, it was private sector contributions that were listed as being deficient.[158]

Regarding the costs associated with implementing the EITI, implementing country governments, companies that operate there and local civil society organisations bear some of those costs, but the international community is providing support bilaterally and through a multi-donor trust fund managed by the World Bank.[159] At the core of the EITI is validation of the implementation by countries and companies. Since its inception it has been one of the principles of EITI that validation must be paid for by the country being validated.[160] Costs average around $60,000.[161] In 2008, the EITI Board reiterated[162]

> the importance that this principle is adhered to, viewing it as critical to the success of the EITI that implementing countries retain ownership of implementation, and that the multi-stakeholder nature of the EITI is upheld also in the way the Initiative is funded. At the same

> time, the EITI Board recognises circumstances for outside financial support. In that respect, the EITI Board urges that national ownership and respect of the EITI principles and criteria of EITI implementation must in no way be undermined and that the EITI International Secretariat should be consulted.

The independent evaluation of the EITI suggested that contracting and payment of validators should be an EITI Secretariat responsibility, to ensure adherence to quality standards and avoid possible conflicts of interest and undue pressure on validators.[163] The EITI Board has, in principle, adopted this suggestion.[164] In this instance, the EITI emphasises quality assurance over country ownership.

In terms of financing, the EITI multi-donor trust fund ($12 million since its establishment in 2004) provides countries with grant resources as well as technical assistance to implement the EITI principles of revenue transparency. Bilateral donors offer additional support.[165]

Interestingly, the evaluation mentioned above suggested that in view of the public goods aspects of EITI's work, it should be funded by donors and implementing countries. Yet there was also an accusation that donors provided funding in order to increase their influence. Reducing donor funding over time was therefore considered to be important for the perception of the EITI's independence.[166]

In addition to multilateral and bilateral donors, international civil society groups such as the Revenue Watch Institute provide extensive funding and technical assistance to civil society groups involved in EITI implementation.[167] The Revenue Watch Institute uses grants to motivate, support and build grassroots movements that create sustained local and international demand for revenue and expenditure transparency in resource-rich countries. African recipients include organisations in Burkina Faso, Cameroon, the DRC, Ghana, Liberia, Mozambique, Niger, Nigeria, Tanzania, Uganda and Zimbabwe.[168] Publish What You Pay, a global network of civil society organisations calling for an accountable extractive sector, is represented through member organisations in all EITI countries in Africa except São Tomé and Prìncipe.[169]

As part of the EITI multi-stakeholder group in EITI countries, civil society organisations stand on equal footing with governments and companies. With funding and technical assistance available, capacity building of civil society can be undertaken from the outset and activities in the country can be supported. At workshops and EITI conferences, civil society meets its peers from other African and southern hemisphere countries, and can learn from their experiences. Overall, civil society has been able to play its role successfully in EITI countries in Africa.[170]

What is interesting from the EITI experience of funding is the switch from payment of validation by governments to the International Secretariat. Quality control was considered to be more important than country ownership. Would the APRM Secretariat fund APRM self-assessments, so that the APR Panel had additional means of ensuring the 'independence, professionalism and credibility of the Country Review Process',[171] and in particular the active participation of civil society? Again, these would be aspects that could best be brought forward in a review of the APR process, which, as mentioned before, has not taken place as initially envisaged.

Another interesting aspect is the suggestion that a reduction in donor funding over time was important for perceptions of the EITI's independence. The founding documents of the APRM reflect a similar concern with the provision that funding for the Mechanism will come from assessed contributions from participating member states.[172] The reality is donor funding of about one third, with no indication that this support will overtake APRM countries' contributions. Also, the donors are not part of the APRM structures, whereas the supporting countries are members of the EITI Board. To the author's knowledge, donor funding as a threat to the independence of the APRM has not been raised by the APR structures.

INDIRECTLY INCENTIVISING GOVERNANCE IMPROVEMENTS

Committing to a Governance Action Plan: EU Governance Incentive Tranche

An initiative similar to the APRM in breadth, but with a reward for committing to a Governance Action Plan (GAP), is the EU Governance Incentive Tranche (GIT)[173] for African,[174] Caribbean and Pacific (ACP) countries.[175] This mechanism starts with the EU assessing the status quo in a country by establishing a 'governance profile', using nine governance indicators, namely political governance; rule of law; control of corruption; government effectiveness; economic governance; internal and external security; social governance; international and regional context; and quality of partnership.[176]

This profile is usually shared with the government in question. It forms the basis on which the government develops a GAP to tackle the governance concerns identified in the governance profile. Often, governments use their own development plans, Poverty Reduction Strategy Papers or APRM NPoAs as a basis for the GAP. The EU, in the next step, assesses the GAP on relevance, ambition and credibility; and subsequently ranks the country into one of four levels, namely 10%, 20%, 25% or 30%. The percentage for which a country is ranked is given as a 'top-up' to the EU's initial financial aid allocation for the country in question. Countries that have completed an APRM country review receive an extra 5% top-up.[177] Thus, the EU rewards governments' committing to a GAP and for having completed an APRM country review.

The GIT is part of the 10th European Development Fund (EDF), financing development co-operation with ACP countries from 2008–2013 to the amount of EUR[178] 22.7 billion ($32 billion).[179] From this amount, EUR 2.7 billion ($3.8 billion) is reserved for the GIT.[180]

The incentive tranche is, on average, equivalent to 0.29% of the GNI of the country in question, or 3.2% of its official aid.[181] In Uganda, the incentive tranche was explicitly listed in the Country Strategy Paper as amounting to EUR 88 million ($128 million), which represented a tranche of 25% of the initial financial allocation of EUR 351 million ($512 million).[182] Nigeria received EUR 580 million ($846 million) plus a EUR 97 million ($141 million) incentive tranche, with specified sectors benefiting from funding.[183] The percentage of 16.7% could roughly represent a tranche of 10% plus a top-up of 5% for completing the APRM country review in October 2008.[184] The Gambia received an incentive tranche of EUR 12.7 million ($18.5 million), representing 20% of the initial indicative allocation of EUR 63.3 million ($92.3 million).[185] Kenya received an incentive tranche of 25%, plus a top-up of 5% for completing the APRM Country Review,[186] but the Country Strategy Paper does not list the amount. It does state, however, that the commitments of the Kenyan government are consistent with the GAP and the APRM.[187]

Implementation of the GAPs is, in general, not supported by the GIT.[188] Instead, the funds flow into the focal sectors identified in the Country Strategy Paper.[189] Kenya's Country Strategy Paper specifies that 50% of the GIT should augment the General Budget Support. The Country Strategy Paper for Mozambique indicates that while the amount of the incentive tranche is not yet disclosed,[190] the tranche 'might' allocate additional resources to the democratic governance activities that the government decides to undertake. It continues to state that 'the regular up-dating of the governance profile and the joint monitoring of the governance commitments will lay the groundwork for a better structured dialogue on pro-democratic governance and human rights policies, which, in its turn, will be fed into the Article 8 Cotonou political dialogue'.[191] Emphasis is thus put on the dialogue of the EU with the respective governments and upwards to the ACP structures, but not downwards to citizens. According to Molenaers and Nijs, 'very little noise' has been made about the instrument.[192] In Kenya, for instance, the NEPAD Kenya Secretariat was not even informed about the GIT and the additional top-up the country received for having completed the APRM Country Review.

The ACP Joint EU Council Meeting signed the 11th EDF amounting to EUR 31.6 billion ($41.5 billion) for 2014–2020 on 7 June 2013, but details of funding, such as on the GIT, are not yet known.[193] A prior report by the Commission on *EU Support for Democratic Governance with a Focus on the Governance Initiative* listed summary findings from an independent evaluation, including, inter alia, that incentive mechanisms work better if based on clear differentiation, actual achievements and regular performance monitoring; that monitoring is key in assisting reform; and that the impact of monitoring can be further increased by involving multiple stakeholders in the process, especially civil society, and by greater transparency of the government's performance.[194] The independent evaluation itself was not made public.[195] Key findings were presented by the consultants[196] at a seminar in Brussels in July 2011, including the challenge of ensuring effective implementation and monitoring of the GAP when funds are disbursed before action.[197] The Council adopted conclusions on the abovementioned report of the Commission on 12 December 2013.[198] In this, the Council noted that 'elements of an incentive based approach … can stimulate progress and results in democratic governance … and that … an incentive-based approach works best when a critical mass of funding is available'. The Council also stresses that 'future governance support should better incorporate monitoring and benchmarking'. This means that the GIT will continue to exist.

The amounts made available for the GIT show that the EU views governance as an important sector to support, confirming that in principle, funding for governance is available and more so for countries with a strong commitment to good governance. The GIT uses a GAP as an instrument to which a country has to commit, but which is then ranked by the EU into four categories of support. With the spread of ACP countries' ranking in terms of good governance being wide, ranging from number 15 for Barbados to number 174 for Somalia in the 2013 Corruption Perception Index,[199] and the ambition of undertaking governance reform presumably being quite different, one would expect a more or less equal distribution of countries over the categories. In fact, most countries are ranked in the second and third category of 20% and 25%,[200] indicating that political expediency rather than a strict application of criteria determined the rating. The reward for countries having completed an APRM country review is a somewhat late response to the initial expectation of many countries that the APRM would bring in donor funding without further conditionality. Yet, this expression of unconditional support for the APRM did not lead the EU to explicitly specifying the NPoA as the standard GAP for the countries that had developed an NPoA. Rather, the countries are free to decide which actions to commit to.

It is also remarkable that the GIT, for the most part, does not fund GAP actions but rather sectors outside of governance, perhaps in order to stay out of a sensitive sector.

Scoring above the median of selected indicators: US Millennium Challenge Account (MCA)

A more radical incentive for good governance is provided by the US. The Millennium Challenge Corporation (MCC) makes funding available as a reward to countries that have successfully improved governance.[201] With an annual average budget of $1.2 billion, the MCC gives large grants known as 'compacts' to a relatively small number of developing countries from all regions that meet the criteria of eligibility. In terms of income, a country must be below an annual per capita income of $4,035.[202] An eligible country must meet policy indicators in three broad policy categories: ruling justly, investing in people, and encouraging economic freedom. The indicators are developed by international organisations or international NGOs, not the US government.[203] To be invited to negotiate a compact, a country must score above the median in at least half of the 20 indicators used. Most importantly, scores above the median on control of corruption and, since 2012, on political rights or civil liberties, are a firm requirement for compact eligibility. Funding, as requested by countries, has predominantly been provided for large infrastructure projects in the power or transportation sectors. For countries not yet meeting the indicators, so-called 'threshold' programmes are set up. That aspect of the Millennium Challenge Account (MCA) constitutes funding for governance-improving processes. Here, grants averaging $21 million have been provided mostly for policy and institutional reforms, including government procurement, tax and customs administration, or judicial reform, trying to help countries improve performance on a specific indicator. After a review, the Threshold Programme changed focus and now seeks to indirectly affect the indicators by focusing on policy and institutional constraints to economic growth. The Threshold Programme is structured along the lines of a compact in the expectation that the scorecard results will improve based on reform-oriented policies that are implemented by the government.[204] A survey in 2012 revealed that the MCC's selection criteria had an impact on reform in the respective country. The criteria, or rather the expectation of funding, thus provide incentives for countries to reform policies, strengthen institutions and improve data quality in order to boost their performance on the MCC's scorecard.[205]

Compacts in Africa have been signed with Benin ($236 million – 2006), Burkina Faso ($481 million – 2008), Cape Verde ($110 million – 2005 and $66.2 million – 2012), Ghana ($547 million – 2006), Lesotho ($362.6 million – 2007), Madagascar ($110 million – 2005, terminated May 2009), Malawi ($350.7 million – 2011), Mali ($460.8 million – 2006, terminated August 2012), Morocco ($697.5 million – 2007), Mozambique ($506.9 million – 2007), Namibia ($305 million – 2008), Senegal ($540 million – 2009), Tanzania ($698 million – 2008) and Zambia ($354.8 million – 2012).[206] Burkina Faso, Malawi, Tanzania and Zambia had initially negotiated threshold programmes and had been invited to negotiate a compact after meeting the scorecard criteria. In 2013, Liberia, Niger and Sierra Leone were invited to negotiate a first compact; Morocco and Tanzania to negotiate a second compact; and Benin and Ghana to continue to negotiate a second compact.[207] Threshold programmes in Kenya, Rwanda, São Tomé and Prìncipe, and Uganda have terminated.

Most MCC compact and threshold countries are also APRM countries, but there are exceptions: Cape Verde was expected to join the APRM formally in January 2013 but did not do so,[208] Madagascar and Namibia are not APRM countries, and Morocco is not a member of the AU. The criteria and methodology for determining the eligibility of candidate countries for MCA assistance are reported to the US Congress on a yearly basis,[209] as well as the selections made.[210] Apart from meeting the indicators, countries must also be eligible for foreign assistance, which is not the case in countries whose governments are deposed by military coups, such as Madagascar and Mali.[211] Countries that lack budget transparency are also ineligible, which included Cameroon, Guinea and Swaziland in 2013.[212] Continuing good policy performance is also required. The Malawi Compact, for example, was suspended in March 2012 'due to a pattern of actions by the Government of Malawi that is inconsistent with the democratic governance criteria that [the] MCC uses to select its compact partners'.[213] It was re-instated in July 2012, after Joyce Banda became President of Malawi.[214]

In the APRM process, the organisation of public participation is viewed as a central aspect of enhancing the state of governance in the participating country.[215] In the MCC process, the analysis of governance is more or less left to the indices, leaving no room for civil society participation. But once the negotiations for a compact start the process is participatory, as laid down in detailed guidelines.[216] For example, Burkina Faso's consultations reportedly included 3 100 people in all 13 regions, as well as continuing media and information campaigns.[217] Guiding principles for countries developing compacts include, inter alia, poverty reduction through economic growth, partnership and country ownership, and achieving and sustaining results.[218] Compacts are evaluated, including through independent impact evaluations, and such evaluations are made public.[219]

In terms of funding, the size of the MCC compacts is relatively large, in line with the transformational nature of this aid programme and the requirement that it should constitute a sizeable addition to US aid provided to the country.[220] Initially, a volume of $5 billion annually was envisaged.[221] However, that amount was never reached, and on average, congressional MCC appropriations since 2004 amounted to $1.2 billion annually. Appropriations in recent years were below that average.[222] The amount of $904 million set for 2013 was cut by 5.3% due to the budget impasse.[223] Compacts are signed as long as funding is available, and with a large number of compact-eligible countries for 2013 there is intense competition for funding.

While the APRM stresses the absence of rating and ranking, the MCC makes it a precondition. But the APRM's rejection of quantitative analysis does not go as far as APRM countries foregoing funding by the MCC. Among the 17 countries that have undertaken an APRM country review, Algeria, Mauritius and South Africa are above the ceiling of per capita income. Of the remaining 14, only six (Burkina Faso, Ghana, Lesotho, Mozambique, Tanzania and Zambia) meet the Fiscal Year (FY) 2014 MCC standards. Sierra Leone met the FY 2013 standard, but failed the FY 2014 standard in terms of corruption control, as did

Benin, Nigeria, Kenya and Uganda. Rwanda and Ethiopia do not pass the democratic rights standard, and Mali is excluded because of the recent coup. While the APRM allows donor funding of NPoA activities, the MCC stopped funding governance-improving activities under the threshold programme and in fact funds infrastructure rather than governance activities in its compacts, confirming countries' preference for funding for infrastructure and similar capital investment projects instead of governance-improving activities. This might be to prevent donors from influencing sensitive governance decisions and policies, but also to concentrate funding on sectors requiring more substantial resources.

CONCLUSION AND OUTLOOK

Financing can buy control and influence; it can also demonstrate political will. Governance institutions touch on the core of government and thus are particularly political, and therefore government financing of governance institutions would be ideal. The APRM emphasises African ownership and gives governments the responsibility to finance country reviews, while seeking to channel donor funding into the NPoAs, presumably into less sensitive investment activities.

There are examples of governments using their own funding for governance institutions, eg, for ACCs, constitutional reform or APRM country reviews, irrespective of their relative wealth as expressed by GNI per capita. Meanwhile, governments receiving European GIT or US MCA funding tend to use it not for governance institutions but rather for infrastructure investment, possibly demonstrating a preference for less sensitive and more costly sectors.

The EITI is an interesting example of a reversal in funding preferences, initially requiring countries themselves to fund EITI validation to demonstrate ownership, but now funding validation centrally to ensure quality control. An example of donors using funding to exert control is the EU's funding of PEFA assessments. Thus both governments and donors use funding to gain control and influence.

In practice, there is often a mixture of government and donor funding. For example, instead of governments fully funding the APRM country review, they seek to supplement own funding with donor funding. The influence that comes with funding can, however, be mitigated in terms of both process and content.

Conducting a self-assessment rather than being subject to an assessment by others is an example related to process. The initial assessment under the APRM is a self-assessment, rather than an assessment by external African experts. This allows countries to determine *how* aspects of governance, as laid out in the APRM Questionnaire, are being assessed. PEFA permits an initial self-validation on which the actual assessment is based. Mauritius is an example of a country using that avenue. The MCA incentivises good governance by countries with substantial funding, leaving it to the country to choose how to meet the predefined standards, and emphasising their objectivity.

Country-led governance assessments, in which the countries determine *what* is being assessed, are examples related to content. The APRM is also such an example. Here, what is being assessed is determined by African standards established at the continental level. Global standards, such as the EITI and PEFA, to which all governments aspire, are examples of content set at the global level. In all three instances, the countries themselves, continental African or global institutions determine the content, not the donors funding the assessment.

Another factor that mitigates the influence that comes with external funding is dialogue over content. Countries seeking funding for governance institutions usually enter into dialogue with the donors. At the continental level, a similar opportunity for dialogue is less well known and used, namely the Africa–EU Platform for Dialogue on Governance and Human Rights. As an open forum for quality exchange on thematic issues, it feeds into the EU–AU political dialogue and 'allows for improved EU support for African governance initiatives such as the African Peer Review Mechanism (APRM) and the African Charter on Democracy, Elections and Governance'.[224] A platform like this would benefit from active engagement and exchange of views, and this is certainly relevant and urgent at a time when the funding details of the 11th EDF, setting the framework for the next seven years of EU support, are being developed.

For the APRM, the tension between African ownership and the need for donor funding is particularly acute. As the APRM is being integrated into the AU, how to best deal with this tension could be looked at afresh. The AU is itself an example of this tension, with almost all of its programmes being donor-funded, and it is confronting the issue openly.[225] Instead of individual countries seeking donor support for the self-assessment and country review, the Committee of Focal Points, tasked with resource mobilisation, could try to mobilise such funds for the continental APRM Secretariat. The APRM Secretariat would, in turn, contribute funds to the country's processes, thereby adding a buffer between the donor and the government, insulating the country from direct donor influence. In addition, the APRM Secretariat/Panel of Eminent Persons could use the influence that comes with funding to ensure that countries seek the active participation of citizens.

The present review analysed funding of APRM institutions, the self-assessment and the NPoA separately, as examples of governance institutions or of governance assessing and improving processes within a continental framework. Improvements to the APRM as a whole would contribute to making funding sustainable. The tenth anniversary of the APRM was unfortunately not used to review the mechanism, as foreseen in the APRM base document. Other governance structures, such as the EITI, PEFA and MCA, were in fact reviewed and subsequently changed.

Mainstreaming NPoA activities into the budget and medium-term expenditure framework as well as national development plans would be one suggestion. Another might be post-review monitoring of the NPoA, included in the Djibouti Governance Programme to address a perceived weakness. Yet another would be the transparent formulation and execution of budgets and accounting on the part of the APRM institutions at the continental and country level. This would facilitate funding from external and non-government domestic sources, such as the private sector and civil society. As the example of funding of APRM institutions shows, transparent budgeting and accounting has at times been lacking.

The post-2015 agenda may present an opportunity for the APRM to ensure its sustainability. The MDGs have found a firm place in the development discourse. The linkage of development and governance, which is at the heart of NEPAD and the APRM, will be carried over to Millennium Development Goals (MDGs) after 2015. The High-Level Panel proposed governance MDGs.[226] This shows that the debate at the global level is one of targets and indicators, and of measuring results and outcomes. The ideas behind the APRM have thus not, or not yet, found their way into the post-2015 debate. With the co-chair of the High Level Panel, President Johnson Sirleaf, elected in May 2013 to chair the APR Forum,[227] there is hope that she might seek to use the insights from the APRM to influence the post-2015 debate, or, vice versa, the insights from the latter to spark a fresh and frank discussion of the foundations of the APRM and suggest a review by participating countries to enhance its dynamism and ensure its role as important actor in the governance field.

ENDNOTES

1 This occasional paper is adapted from a presentation made at the Colloquium 'APRM+10: Reviewing a Decade of Peer Learning and Projecting a Future of Governance in Africa', jointly hosted by the African Governance Monitoring and Advocacy Project (AfriMAP), the Electoral Institute for Sustainable Democracy in Africa (EISA), the Oxfam Liaison Office with the African Union and the South African Institute of International Affairs (SAIIA), Addis Ababa, Ethiopia, 17–18 May 2013.

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SAIIA'S FUNDING PROFILE

SAIIA raises funds from governments, charitable foundations, companies and individual donors. Our work is currently being funded by, among others, the Bradlow Foundation, the UK's Department for International Development, the European Commission, the British High Commission of South Africa, the Finnish Ministry for Foreign Affairs, the International Institute for Sustainable Development, INWENT, the Konrad Adenauer Foundation, the Royal Norwegian Ministry of Foreign Affairs, the Royal Danish Ministry of Foreign Affairs, the Royal Netherlands Ministry of Foreign Affairs, the Swedish International Development Cooperation Agency, the Canadian International Development Agency, the Organisation for Economic Co-operation and Development, the United Nations Conference on Trade and Development, the United Nations Economic Commission for Africa, the African Development Bank, and the Open Society Foundation for South Africa. SAIIA's corporate membership is drawn from the South African private sector and international businesses with an interest in Africa. In addition, SAIIA has a substantial number of international diplomatic and mainly South African institutional members.

South African Institute of International Affairs
Jan Smuts House, East Campus, University of the Witwatersrand
PO Box 31596, Braamfontein 2017, Johannesburg, South Africa
Tel +27 (0)11 339-2021 • Fax +27 (0)11 339-2154
www.saiia.org.za • info@saiia.org.za

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