

AFRICAN



UNION



**GUIDELINES FOR
COUNTRIES TO PREPARE
FOR AND TO PARTICIPATE
IN THE AFRICAN PEER
REVIEW MECHANISM
(APRM)**

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Guidelines for Countries to Prepare for and to Participate in the African Peer Review Mechanism (APRM)

I Introduction

1. At the 6th Summit of the Heads of State and Government Implementation Committee (HSGIC) of the NEPAD, held on 9 March 2003, the HSGIC adopted the following documents on the African Peer Review Mechanism (APRM):

- (i) Memorandum of Understanding (MOU) on the APRM [NEPAD/HSGIC/03-2003/APRM/MOU] which is the accession document for the APRM;
- (ii) Declaration on Democracy, Political, Economic and Corporate Governance [AHG/235(XXXVIII) Annex I];
- (iii) APRM base document [AHG/235(XXXVIII) Annex II];
- (iv) APRM Organisation and Processes [NEPAD/HSGIC/03.2003/APRM/Guideline/O&P]
- (v) Objectives, Standards, Criteria and Indicators for the APRM [NEPAD/HSGIC/03-2003/APRM/Guideline/OSCI]; and
- (vi) Outline of the Memorandum of Understanding on Technical Assessments and the Country Review Visit [NEPAD/HSGIC/03-2003/APRM/Guideline/Outline]

2. These documents spell out the principles, elaborate on the organization and the processes of the APRM, and provide indicative criteria and some examples of indicators of the peer review. The APRM Organization and Processes Document also states that the APR Secretariat will produce guidelines for the conduct of the country review visits for approval by the Committee of Participating Heads of State and Government of the APRM (APR Forum).

3. This paper elaborates on the Guidelines for countries to prepare for and to participate in the African Peer Review Mechanism (APRM).

4. The primary purpose of the APRM is to foster the adoption of appropriate laws, policies, standards and practices that lead to political stability, high economic growth, sustainable development and accelerated sub-regional and continental economic integration. This is done through sharing of experiences and reinforcement of successful and best practice, including identifying deficiencies and assessing the needs for capacity building [APRM Base Document, paragraph 3].

5. It is obvious that the potential benefits of the Africa Peer Review (APR) process will unavoidably vary depending on the level of

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commitment of the participating country, and the effectiveness with which the process is managed, including the degree of coordination with existing activities at the country level.

6. While there is no single blueprint for participating in the APRM, however, some general principles and recommended best practices apply.

II. Core guiding principles

7. The overall responsibility of the Mechanism is vested with the Committee of Participating Heads of State and Government (APR Forum) [APRM Processes and Organisation Document, paragraph 2.1].

8. The Panel of Eminent Persons will oversee the conduct of the APRM process, and ensure its integrity [APRM Base Document, paragraph 6].

9. The APRM Secretariat (APR Secretariat) will provide the secretarial, technical, coordinating and administrative support services for the APRM.

10. The APR process will entail periodic reviews of the policies and practices of participating states to ascertain progress being made towards achieving the mutually agreed goals and compliance with adopted political, economic and corporate governance values, and socio-economic development codes and standards, as outlined in the Declaration on Democracy, Political, Economic and Corporate Governance [APRM Base Document, paragraph 15].

11. As participating countries are at different levels of development on joining the Mechanism, a country will be assessed and a timetable for effective progress towards achieving the agreed standards and goals must be drawn up by the state in question, taking into account the particular circumstances of the country [APRM Base Document, paragraph 17].

12. National ownership and leadership by the participating country are essential factors underpinning the effectiveness of such a process. This includes leadership in ensuring consistency with existing national efforts, like the Poverty Reduction Strategy Papers (PRSP) processes, other national poverty reduction strategies, Medium Term Expenditure Framework (MTEF), National Human Rights Action Plans, Millennium Development Goals (MDG) strategies, ongoing institutional reforms, and other relevant governance and socio-economic development strategies, programmes and projects. It also includes efforts by the participating country to address capacity constraints in an integrated manner within all of these activities, as well as facilitating and coordinating the alignment of international support

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behind the national Programme of Action that participating countries are expected to develop and implement.

13. The APRM process is designed to be open and participatory. Through a participatory process, the APRM will engage key stakeholders to facilitate exchange of information and national dialogue on good governance and socio-economic development programmes, thereby increase the transparency of the decision-making processes, and build trust in the pursuit of national development goals.

14. To ensure transparency and accountability in the APR process, rules and procedures will be developed and approved to guide the conduct of all stakeholders. These include: a code of conduct for all components of the APRM Organisation.[APRM Organisation and Processes Document, paragraph 2.2 i.]; a code of conduct for the Panel of Eminent Persons, the Secretariat and the APR Teams [APRM Organisation and Processes Document, paragraph 3.1

15. Every review exercise must be technically competent, credible and free of political manipulation.

III. The APR Processes

16. The APR process will be conducted under the leadership of the APR Panel and the technical support of the APR Secretariat. It consists of five stages that are defined in the APRM Base Document and explained in detail below. The flow chart, (on page 5) summarises the main processes of the APRM. However, allowance has been made for a preliminary phase known as country Support Mission, in view to assisting countries to be better prepared to participate in the Peer Review Process.

III.1 Country Support Missions

17. The primary purpose of the country support missions is to:

- a) Ensure a common understanding of the philosophy, rules and processes of the APRM;
- b) On the basis of the self-assessed needs of the Participating Country, plan and provide support to the Participating Countries in aspects of the national processes where they signal a need for such support.

18. It is anticipated that Participating Countries might, at the outset, need support and reinforcement of capacities in the following areas:

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- (i) Orientation to create a broad-based understanding of the overall APRM processes, especially how the continental processes will relate to the country's own processes;
- (ii) Preparations for participating in the APRM, such as the institutional and organizational arrangements for involving major stakeholders on an ongoing basis and the design of the participatory processes that will provide adequate involvement and feedback to the stakeholders and partners at the country level;
- (iii) The development of self-assessments on the basis of the APRM questionnaires and indicators, taking into account the specifics of the country while staying within the parameters of the continental framework and processes;
- (iv) Identification of the need for technical assessments on issues where further analysis and expert guidance are required to enable the country to develop critical aspects of its Programme of Action;
- (v) The development of a realistic Programme of Action that builds on, incorporates and synergises with the relevant elements of existing programmes, policies and strategies that address the key APRM objectives, e.g., PRSPs, Good Governance Programmes, Human Rights Action Plans, Gender Equity Strategies, National Development Plans, etc.;
- (vi) The implementation of aspects of the Programme of Action that depend on expertise that might not be readily available in the country;
- (vii) The peer learning processes through exchanges and networking to share and learn from experience and identify best practice to accelerate the rate of progress in all Participating Countries.

19. The Country Support Missions will be planned in consultation with the Participating Countries and will be scheduled in response to the indications of the countries of the most convenient timing for them.

III.2 The Programme of the Country Support Missions

20. It is anticipated that the programme of the Country Support Missions will include the following, but will vary on the basis of detailed planning with the country's APR Focal Point:

- (i) A briefing session with the APR Focal Point on the final programme details;
- (ii) A working session with the APR Focal Point, including representatives of all major stakeholders, to review the state of preparedness of the country for the review;
- (iii) A technical workshop with technical representatives of all stakeholders focusing on creating a common understanding

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of the APR processes, documents and the instruments and dealing with the issues the country identifies in relation to these, such as data availability and the quality of the indicators, the nature of evidence on qualitative indicators, and the format of the self-assessment report and the Draft Programme of Action;

- (iv) Separate meetings with major stakeholders at their request to explain the APR processes and instruments to them and to respond to any concerns they might have;
- (v) Research on the situation in the country, gathering available reports and data sets that could be of assistance to the APR Secretariat in developing the Background Paper;
- (vi) Final meeting with the APR Focal Point to reach agreement on the specifics of the country processes in responding to the questionnaire and to firm up the timeline for the country review.

III.3 Country Reviews

21. **Stage One** involves the preparatory process both at the level of the APR Secretariat, and at the national level. Stage one may be summarised as follows:

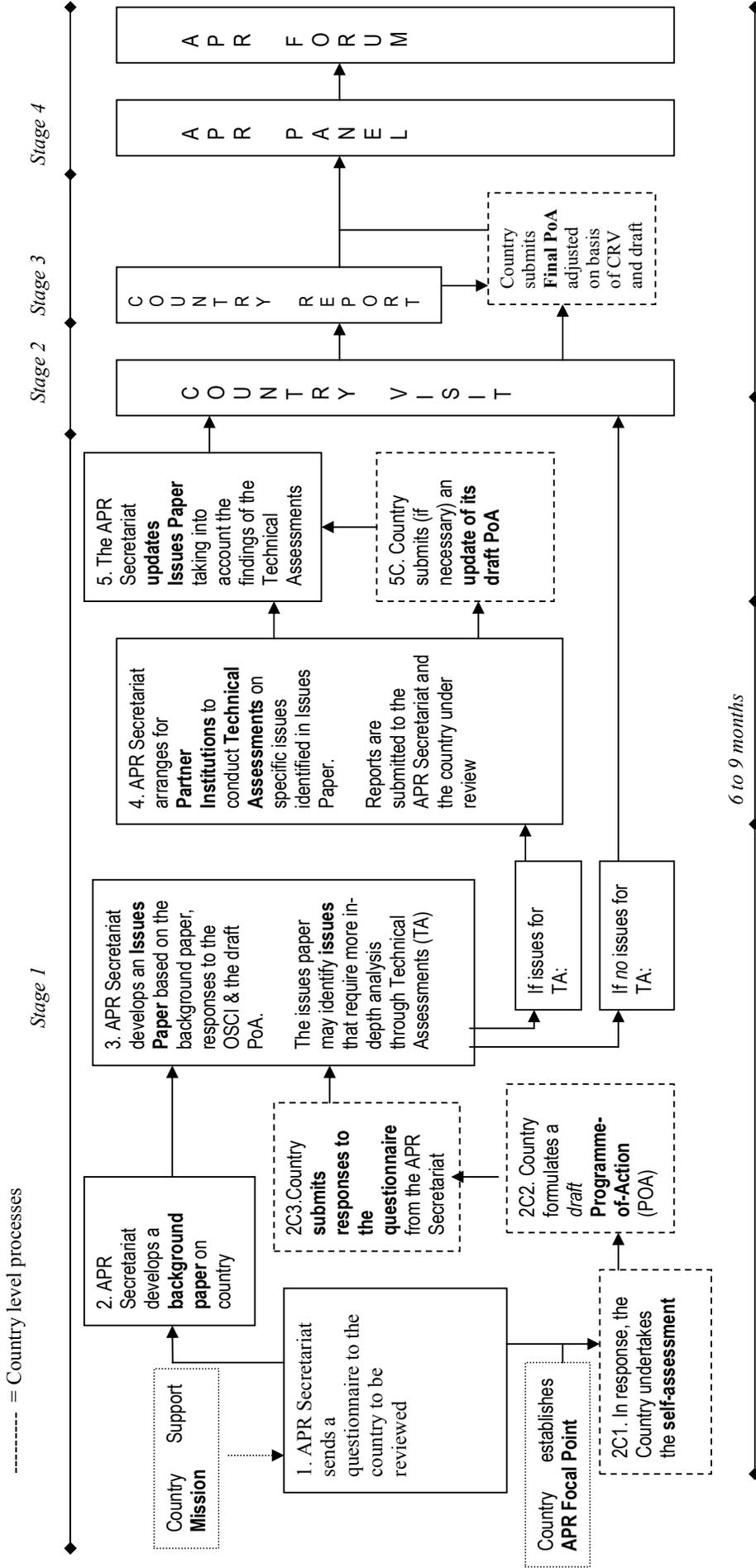
- (i) Under the direction of the APR Panel, the APR Secretariat will send to countries to be reviewed a questionnaire on the four areas of the APRM, namely, Democracy and Political Governance, Economic Governance and Management, Corporate Governance, and Socio-Economic Development (Box 1 of the Chart);
- (ii) The country will develop a self-assessment on the basis of the questionnaire, and with the assistance, if necessary, of the APR Secretariat and/or relevant Partner Institutions (Box 2C1).
- (iii) Having completed the self-assessment, the country will formulate a *preliminary* Programme of Action building on existing policies, programmes and projects (Box 2C2);
- (iv) Both the self-assessment and the *preliminary* Programme of Action are submitted to the APR Secretariat (Box 2C3), which, during the same period, has developed a Background Document on the country through desk research and gathering all available current and pertinent information on the country's situation on governance and development status in economic, political, social and corporate areas (Box 2);

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- (v) With the information provided in the Self-Assessment, the *preliminary* Programme of Action, and the Background Document, the Secretariat draws up an Issues Paper (Box 3) that will guide the country review process. While the Secretariat must be the lead agency in the development of the Issues Paper, it may request the assistance of the Partner Institutions and other technical experts;

- (vi) On the basis of all the available data, the APR Secretariat determines whether there are issues that require further in-depth assessments before the Country Review Visit can take place. These will be referred to as Technical Assessments. In certain cases, the APR Secretariat may decide that there are *no* issues that require further investigation before the Country Review Visit can take place. If the Technical Assessment is necessary, the APR Secretariat makes the appropriate arrangements with the country to be reviewed and with competent Partner Institutions to conduct the analysis (Box 4).

Figure 1: APR Processes



(vii) After the completion of the Technical Assessments, the partner institutions submit a report both to the APR Secretariat and to the country under review. Under the guidance of the APR Panel, the APR Secretariat then considers the findings and recommendations, and updates if necessary, the Issues Paper (Box 5). If necessary, the country being reviewed will also update its draft Programme of Action.

22. **Stage Two is the Country Review Visit.** Under the leadership of the APR Panel, the Country Review Team (CRT) visits the country concerned where its priority order of business will be to carry out the widest possible range of consultations with the Government, officials, political parties, parliamentarians and representatives of civil society organisations including the media, academia, trade unions, business and professional bodies [APRM Base Document, paragraph 18]. The main purpose will be to learn about the perspectives of the different stakeholders on governance in the country and to clarify the issues identified in the Issues Paper that are not taken into account in the preliminary Programme of Action of the country, and to build consensus on how these could be addressed.

23. **Stage Three is the drafting of the Team's report.** The report is prepared on the basis of the Background Document and the Issues Paper prepared by the APR Secretariat, and the information provided in-country by official and unofficial sources during the wide-ranging consultations and interactions with all stakeholders. The draft report must take into account the applicable political, economic and corporate governance and socio-economic development commitments made in the preliminary Programme of Action [APRM Base Document, paragraph 19], identify any remaining weaknesses, and recommend on further actions that should be included in the final Programme of Action. The draft report will need to be clear and specific on the required actions in instances where outstanding issues are identified

24. The draft report is first discussed with the Government concerned. Those discussions will be designed to ensure the accuracy of the information and to provide the Government with an opportunity both to react to the APR Team's findings and to put forward its own views on how the identified shortcomings may be addressed. These responses of the Government will be appended to the Team's report. The country at this stage finalises its Programme of Action taking into account the conclusions and recommendations of the draft Report.

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25. The **Fourth Stage** begins when the Team's report and the final Programme of Action are sent to the APR Secretariat and the APR Panel, and then submitted to the APR Forum of participating Heads of State and Government for consideration and formulation of actions deemed necessary in accordance with the mandate of the APR Forum [APRM Base Document, paragraph 23]

26. If the Government of the country in question shows a demonstrable will to rectify the identified shortcomings, then it will be incumbent upon participating Governments to provide what assistance they can, as well as to urge donor governments and agencies to also come to the assistance of the country reviewed. However, if the necessary political will is not forthcoming from the Government, the participating states should first do everything practicable to engage it in constructive dialogue, offering in the process technical and other appropriate assistance. If dialogue proves unavailing, the participating Heads of State and Government may wish to put the Government on notice of their collective intention to proceed with appropriate measures within a given timeframe. Such measures should always be utilised as a last resort [APRM Base Document, paragraph 23]. The interval should provide the opportunity to the Government to undertake the required actions and address the identified shortcomings in a process of constructive dialogue.

27. The **Fifth Stage** is the final stage of the APRM process. Six months after the report has been considered by the Heads of State and Government of the participating member countries, the report will be formally and publicly tabled in key regional and sub-regional structures such as the Regional Economic Commission to which the country belongs, the Pan-African Parliament, the African Commission on Human and Peoples' Rights, the envisaged Peace and Security Council and the Economic, Social and Cultural Council (ECOSOCC) of the African Union [APRM Base Document, paragraph 25]

28. It is anticipated that the time line for these processes will vary considerably from country to country depending on country specificity. But the estimated duration of each peer review from the start of **Stage One** and the end of **Stage Four** should be between 6 and 9 months.

IV. Responsibilities of the participating countries

29. The Memorandum of Understanding (MOU) on the APRM (NEPAD/HSGIC/03-2003/APRM/MOU, 09 March 2003) that countries sign on accession to the APRM clearly defines the following responsibilities of the participating country: firstly, to sign the MOU on

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Technical Assessments and the Country Review Visit (paragraph 23); secondly to contribute fully to the funding of the APRM [Paragraph 20]; thirdly, to develop a National Programme of Action [Paragraph 21]; and fourthly, to ensure the participation of all stakeholders in the process [Paragraph 22].

IV.1 Signing of the Memorandum of Understanding

30. The APRM Organisation and Processes Document provides that prior to the review; the APR Secretariat will arrange a mission to the country, with a view to negotiate the terms of the MOU on Technical Assessment and Country Review Visit (NEPAD/HSGIC/0302003/APRM/Guidelines/O & P paragraph 7.1). The MOU will spell out among others the scope, objectives, and modalities of the Technical Assessments and the Country Review Visits, as well as the responsibilities of the country, including the logistic support, and the organization of participatory process. When the MOU between the APR Forum (or the designated authority) and the Government is signed, the stage is set for the APR process to start. (NEPAD/HSGIC/0302003/APRM/Guidelines/O & P paragraph 7.2).

IV.2 Funding of the APRM Country Reviews

31. The in-country costs of the APR for a particular country must be borne by the country itself. The NEPAD Secretariat will set up a mechanism to mobilise resources for participating countries from its external partners, if necessary.

IV.3 The Programme of Action

32. The primary purpose of the National Programme of Action is to guide and mobilise the country's efforts in implementing the necessary changes to improve its state of governance and socio-economic development. In addition, the National Programme of Action is the key input delivered by the country into the peer review, and it, therefore, serves to present and clarify the country's priorities; the activities undertaken to prepare and participate in the APRM; the nature of the national consultations; as well as to explicitly explain the responsibilities of various stakeholders in government, civil society and the private sector in implementing the Programme.

33. As such, the National Programme of Action should include the following:

- a. Assessment of compliance with the APRM Objectives, Standards, Criteria, and Indicators, and a discussion of major development and governance challenges facing the country.
- b. Outline of the priorities for enhancing governance and socio-economic development in the short, medium and long term.
- c. Description of ongoing efforts by the country in this regard, like PRSPs or other poverty reduction programmes, MDG strategies, Human Rights Action Plans, institutional reforms, and other development strategies.
- d. Clear, time-bound commitments on key governance and socio-economic development priorities over the next 3 years, including the identification of key stakeholders for implementation, and the estimated budgetary implications and allocations.
- e. Description of the national consultations that have taken place doing the self-assessment and developing the National Programme of Action
- f. Outline the feedback mechanism established to keep local stakeholders involved in the process, including efforts to disseminate information in an easily accessible and understandable manner.
- g. Description of the capacity building and resource mobilisation requirements for undertaking the Programme of Action.
- h. Outline the implementation, monitoring and evaluation mechanisms for the Programme of Action.

IV.4 Organization of participatory and transparent process

34. It is the responsibility of the participating country to organise a participatory and transparent national process. In so doing, each participating country must establish a Focal Point for the APR process, which should be at a Ministerial level, or a person that reports directly to the Head of State or Government, with the necessary technical committees supporting it. The APR Focal Point can be established as an integral part of existing structures or as new ones. However, it is critical that the work of the APR Focal Point is inclusive, integrated and coordinated with existing policy-decision and medium-term planning processes.

35. Further to the above listed responsibilities, it is recommended that the participating countries:

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- a. Define, in collaboration with key stakeholders, a roadmap on participation in the APRM, which should be widely publicized and provide information about the national coordinating structures, the stages of the APRM and the roles and responsibilities of stakeholders from government, non-governmental organizations, private sector and international development partners.
- b. Establish and publicize feedback mechanism between different levels of government and with non-governmental stakeholders.
- c. Ensure participation by relevant stakeholders in the implementation of the Programme of Action.
- d. Make annual progress reports to the APR Secretariat on the implementation of the Programme of Action

36. The organisation of public participation in the APRM process is in by itself a central aspect of enhancing the state of governance and socio-economic development in the participating country. Such interactions can build trust, establish and clarify mechanisms for ongoing engagement and empowerment of stakeholders. These processes will be most effective if they build on existing structures, rather than duplicating or creating parallel processes such that learning becomes cumulative. Figure 2, outlines the potential benefits of public participation in the various stages of the APRM.

37. Existing national oversight institutions should be an integral part of the national preparation for and participation in the APRM, especially those oversight institutions whose constitutional functions cover the four identified areas of governance and development; for example, the Auditor-General, the Public Accounts Committees of Parliament and the Human Rights Commission. These institutions will be useful in helping to identify key areas of concern, ensuring the technical competence and integrity of the review process, as well as in drawing up and implementing the national Programme of Action.

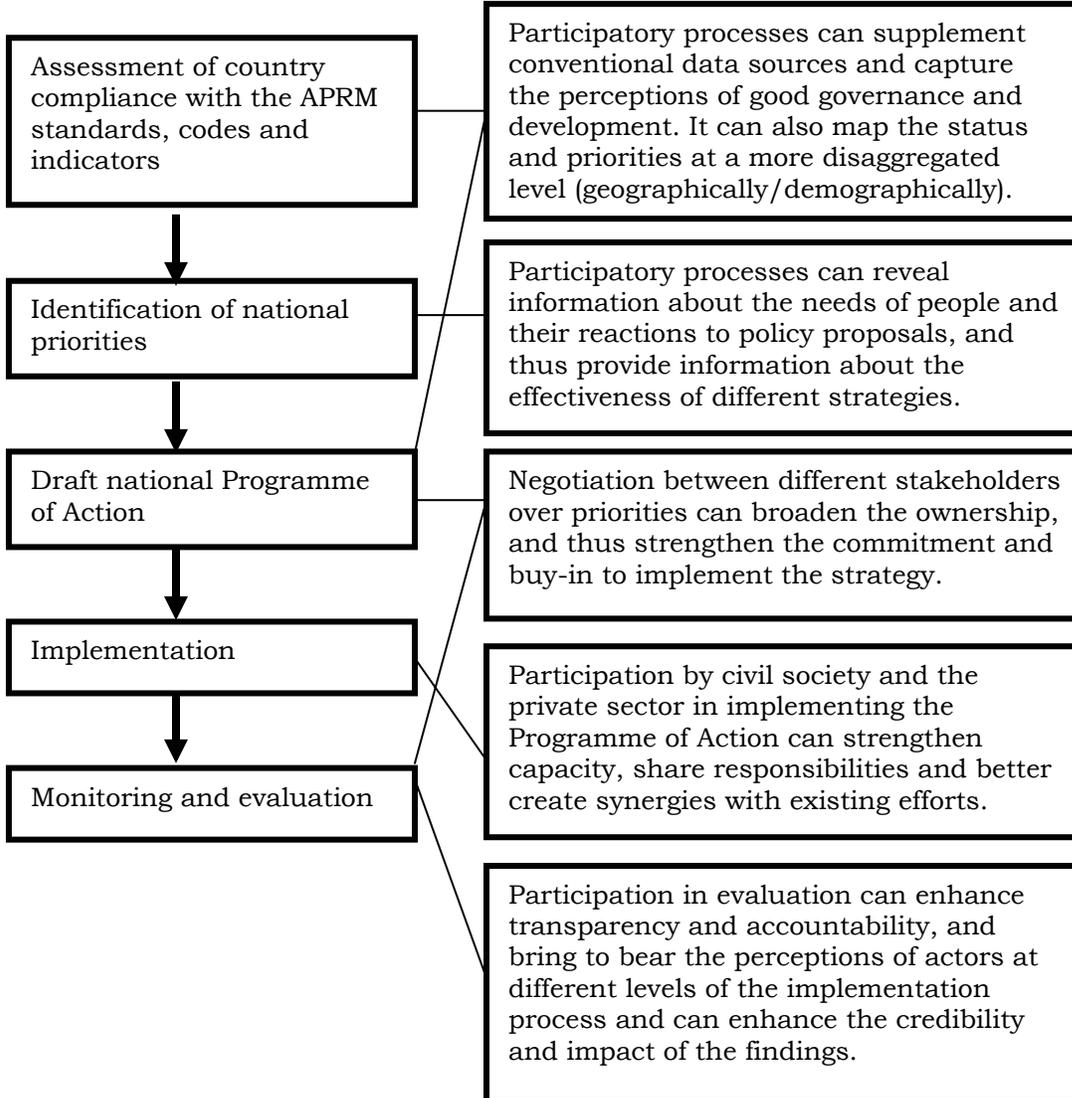
38. Intra-Governmental processes can link national processes to local level processes. Such mechanisms may include the involvement of parliamentarians and members of state legislatures, which can engage their constituents and bring local level inputs into the national level policy formulation processes. Further to that, regional and local government participation in workshops and technical assessments can provide important local level inputs to set priorities, determine public action choices, and make the necessary trade-off decisions in the Programme of Action, ensuring a more broad-based improvement in governance and socio-economic development.

39. Community and other non-governmental organizations can provide important information about the local circumstances, and can assist in creating national ownership and commitment in the implementation of the National Programme of Action, ensuring that governance issues at all levels are addressed and that there is local accountability.

Figure 2: Participation in the APRM

The APRM process:

How participatory processes can help?



V. Role of the Country Review Team (APR Team)

40. Both the APR Panel and the APR Secretariat will have minimal capacity to carry out their mandate and will require access to additional technical expertise. To ensure that the APR process utilises African technical expertise and builds capacity in Africa, the APR Organisation and Processes document calls for the establishment of a pool of technical

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expertise, which will be compiled through a competitive process, and that will be reviewed regularly. This pool of expertise represents an opportunity for African consultants to participate in the process, and countries are therefore encouraged to disseminate information to relevant stakeholders of their opportunities in this regard.

41. While the APR Panel and Secretariat will use African experts as much as possible, they may also, in exceptional circumstances, utilize the services of non-African experts, individuals or institutions.

42. The Country Review Team (APR Team) will be appointed to review progress with the country's National Programme of Action, as envisaged in paragraph 13 of the APRM base document, and produce the APRM report on the country. The services of the Pool of Experts and the APR Partner Institutions can be utilised at different stages of the APR process, including in supporting the self-assessments done by the participating countries, in conducting Technical Assessments on specific issues of particular concern to the participating country and the APR Secretariat, or in participating in country visits. Such services will be contracted to the member of the Pool of Experts and Partner Institutions by the APR Secretariat under the direction of the APR Panel.

43. The Composition of the Country Review Team (APR Teams) will be carefully designed to ensure an integrated, balanced, and technically competent and professional assessment of the reviewed country and will be approved by the APR Panel (APRM Organisation and Processes Document, paragraph 5.1). It is expected that the APR Teams may include:

- a. A member of the APR Panel as the Team Leader;
- b. The concerned officers of the APR Secretariat;
- c. A member of the NEPAD Secretariat as may be required;
- d. Experts from the Pool of Experts and, possibly from Partner Institutions. The list of the Pool of Experts shall be approved by the APR Panel. The APR Panel shall recommend the list of Partner Institutions to the APR Forum. The list of the Partner Institutions the APR Forum;
- e. One observer from each Partner Institution that conducted technical assessments in the course of the review;
- f. Two observers at technical level from two other participating countries, as a peer learning process;

44. The Country Review Team (APRM Team) will be established at the outset of each country review process. The APRM Team will visit the country concerned to carry out the widest possible range of consultations

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with government officials, political parties, parliamentarians, and representatives of civil society organisations (including the media, academia, trade unions, business and professional bodies) [APRM Base Document, Paragraph 19].

45. The APR Country Review visit will serve the following purposes:
- a. Assess to what extent the country implemented participatory processes that met the expectations of all stakeholders;
 - b. Provide an opportunity for the APRM Team to interact with the key stakeholders in the country and to brief them on the APRM processes, spirit and guiding principles;
 - c. Give an opportunity for the APRM Team to discuss the Issues Paper the APR Secretariat has developed, to verify the background information it used, and to gain an insight into the perspectives of the various stakeholders;
 - d. Allow discussion on the draft Programme of Action that the country has drawn up to improve their governance and socio-economic development, to provide positive reinforcement for the sound aspects and to address identified weaknesses and shortcomings in the various areas of governance and development; and
 - e. Serve to build consensus with the stakeholders on the remaining issues or challenge areas and the steps that need to be taken to address them.

VI. *The Role of international partners*

46. International partners, including donors, can play an important role in supporting the National Programme of Action. It is therefore foreseen that the participating countries will actively engage international partners in support of their involvement in the peer review process. This may include technical assistance and capacity building. In addition, the NEPAD Secretariat will set up a mechanism to mobilise resources from external partners, if necessary, to help the country improve its performance and achieve the objectives of its National Programme of Action.

VII. The Role of other countries participating in the APRM

47. Peer learning, through sharing of experiences and reinforcement of successful and best practice is considered a major component of the APRM for which the support of the participating countries and development partners will be solicited. The APR Secretariat will develop and facilitate networks of focal points in participating countries in the four areas of the APRM. In close collaboration with existing initiatives, it will organize workshops, peer learning groups and other appropriate means of accelerating learning, implementation and progress.

IIX. Summary of responsibilities of and recommended best practice for countries to prepare for and participate in the APRM

48. The list below summarises responsibilities and recommended best practice for countries to prepare for and participate in the APRM:

All participating countries should:

- (i) Establish a national Focal Point for the APRM – at a Ministerial level, or an equivalent person who reports directly to the Head of State or Government– which will be responsible for managing the national process;
- (ii) Develop a National Programme of Action that:
 - a. Builds on national consensus, and informs about the national consultations that have taken place in developing the Programme of Action;
 - b. Is realistic;
 - c. Is based on a thorough Self-Assessment in terms of the agreed Objectives, Standards, Criteria and Indicators;
 - d. Discusses major development and governance challenges facing the country;
 - e. Spells out the priorities for addressing identified issues and enhancing governance and socio-economic development in the short, medium and long term;
 - f. Describes ongoing efforts by the country in this regard, like PRSPs or other poverty reduction programmes, MDG strategies, Human Rights Action Plans, institutional reforms, and other development strategies;
 - g. Contains clear, time-bound commitments on key governance and socio-economic development priorities over the next 3 years, including the identification of key stakeholders for implementation, and an estimated costing of all activities;
 - h. Identifies the capacity building and resource mobilisation requirements for implementing the Programme of Action;

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- i. Sets out an outline of the feedback mechanism established to keep local stakeholders involved in the process, including efforts to disseminate information in an easily accessible and understandable manner.
- (iii) Ensure that the APRM becomes integrated into existing policy processes, like the PRSP processes, or other national poverty reduction strategies, Medium Term Expenditure Frameworks (MTEF), and ongoing institutional reforms, etc. to allow synergies and avoid duplications;
- (iv) Promote an outcome-oriented process that focuses on formulating a national Programme of Action;
- (v) Promote full participation of relevant stakeholders in the development as well as in the implementation of the Programme of Action;
- (vi) Place capacity building at the centre of the country's preparation and participation in the APRM.
- (vii) Ensure that Terms-of-Reference of the Technical Assessments conducted by the Partner Institutions are consistent with and supportive of national processes and priorities and take account of national circumstances;
- (viii) Promote donor coordination and alignment with the priorities identified in the Programme of Action, in particular, regarding capacity constraints and required feasibility studies, and programme and project appraisals;
- (ix) Participate in workshops and fora to share best practice and promote peer learning;
- (x) Promote the integration of identified best practice into the strategies, programmes and projects of the RECs and the African Union;
- (xi) Submit annual reports on implementation of their National Programme of Action to the APR Secretariat;

End.