Article

Monterrey Consensus Two Decades After: Rethinking Foreign Aid Architecture and the Future of Human Development in Africa

Dejo Olowu
https://orcid.org/0000-0002-8046-5398
Professor of Law, Department of Legal Studies, Walter Sisulu University
djolowu1@yahoo.co.uk

Abstract

Changing scenarios in the second decade of the new millennium make revisiting the questions around aid effectiveness quite critical for understanding current human development challenges in Africa, considering that 2022 marks two decades since the Monterrey Consensus and the adoption of its resultant Declaration. Flowing from this original multilateral endeavour at crystallising a paradigm shift among role actors on the need for new approaches to foreign aid and development planning as well as the concerted efforts at standardising development assistance practices over the past two decades, critical questions emerge: (i) Beyond merely pronouncing new pathways of responses for dealing with the critical issues around aid, has the 'new' understanding impacted Africa in any different way? (ii) Could there be more than mere political explanation for the intrigues and divergence surrounding the ever-evolving principles on new aid architecture as propounded by various multilateral actors? (iii) In light of the noticeable contradictions in the approaches of donors and recipient governments to new aid architecture, what implications do these distinctions portend for aid effectiveness in Africa such that will promote human development in real terms? (iv) If development aid is particularly key for the very survival of poor people in Africa, should we not begin to identify more radical designs that will strategically counter-balance the shortfalls of the dominant approach to foreign aid and development planning? This article is an attempt to respond to this plethora of questions, advocating an approach that could transform the landscape of aid architecture and development agenda for Africa.

Keywords: Africa; aid architecture; aid effectiveness; development assistance; human development; rights-based approach.

UNISA university of south africa PRESS
South African Yearbook of International Law
https://unisapressjournals.co.za/index.php/SAYIL
Volume 46 | 2021 | #11698 | 31 pages
https://doi.org/10.25159/2521-2583/11698
ISSN 2521-2583 (Online), ISSN 0379-8895 (Print)

Introduction

Democracy and good governance occupy an important place in contemporary development discourse. While many observers regard political regime characteristics such as democracy and the quality of governance as ends in themselves, and inherent features of development, others seem to appreciate them primarily as preconditions for economic growth and integration of developing countries in the global economy.[1] In spite of the variance in motives for emphasising democracy and good governance, most current international aid programmes contain references to aspects of developing countries' political systems that were absent during the era of the Washington Consensus, when the neo-liberal emphasis of markets underscored macro-economic fundamentals and focused on 'structural adjustment.'[2]

One critical challenge for building democracy and good governance concerns the very nature and foundational elements of international development cooperation. Without a doubt, national politics matter for society's development and progress. This is a truism that would not be contested in any developed country or established democracy. It is, however, not reflected in the way international development cooperation functions because key political actors such as political parties, parliaments and the civil society essentially remain on the margins of development discourse and practice. Thus, continues a vicious cycle in which the legitimacy and effectiveness of these democratic actors are further undermined. Since 2002, the Monterrey Consensus (2002), the Paris Declaration on Aid Effectiveness (2005) (Paris Declaration), and the Accra Agenda for Action (2008) have been striving to change the international development architecture to emphasise the importance of national processes. However, much work needs to be done to transform these agendas into concrete strategies, which will ensure that international development cooperation is supportive of democratic processes and the enhancement of the human quotient of development, not least in African states.[3]

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1 Ian Taylor, 'Governance in Africa and China-Africa Relations: Contradictions or Confluence?' (2007) 27(3) Politics 139, 141; Deborah Bräutigam, 'China, Africa and the International Aid Architecture' (2010) African Development Bank Working Papers Series 107/2010, 9; Evelyn Wamboye, Abel Adekola and Bruno S Sergi, 'Foreign Aid, Legal Origin, Economic Growth and Africa's Least Developed Countries' (2014) 14(4) Progress in Development Studies 335, 344–345; Simone Dietrich and Joseph Wright, 'Foreign Aid Allocation Tactics and Democratic Change in Africa' (2015) 77(1) The Journal of Politics 216–234 <https://doi.org/10.1086/678976>.

2 Meibo Huang and Peiqiang Ren, 'China's Foreign Aid and Its Role in the International Architecture' *International Development Policy* (27 March 2012) <http://journals.openedition.org/poldev/1004> accessed 6 July 2022. See also Simone Dietrich and Joseph Wright, 'Foreign Aid and Democratic Development in Africa' (2012) 20 WIDER Working Paper No. 2012/20 (Helsinki UN University World Institute for Development Economics Research (UNU-WIDER) 2012).

3 Zehlia Babaci-Wilhite, Macleans A. Geo-JaJa and Shizhou Lou, 'Human Rights in Development Experience in Africa: The Foreign Aid and Policy Nexus in OECD and China Aid' (2012) 13(1) World Studies in Education 55 <https://doi.org/10.7459/wse/13.1.05>; Mel Gray and Samuel Bernard Ariong, 'Discourses Shaping Development, Foreign Aid, and Poverty Reduction Policies in Africa: Implications for Social Work' in Mel Gray (ed), *The Handbook of Social Work and Social*

The challenges assume a more profound dimension against the backdrop of new donor countries, institutions and individuals rendering aid disbursement to developing countries, outside the framework of the established OECD's Development Assistance Committee (DAC).[4]

The article focuses on Africa, as the continent is currently the main target of development assistance, and the performance of African countries is generally perceived as problematic. There is an urgent need for tangible mechanisms and policy changes to strengthen the democratic dimensions of development cooperation in and for Africa. This article will focus on the application, effectiveness and viability of various instruments that have been used, in the post-1995 'new international aid architecture' discourse, to assess and improve the functioning of political systems of developing countries, most notably, the level of democratic governance *vis-à-vis* development aid.

Aid Flows and Human Development: Some Revolving Quandaries

Based on the dominant view of the post-World War II era that newly independent countries should receive aid to develop infrastructure to combat poverty, Africa has been a prime example of how richer countries sought to help poorer countries over the past seven decades by supplying aid.[5] Sub-Saharan Africa (SSA) is cited to be receiving some USD 20 billion per year, inclusive of relief aid, while SSA countries jointly received nearly one-quarter of the USD 3 trillion of net Official Development Assistance (ODA) dispensed over the last fifty years.[6] Although actual monetary figures are difficult to ascertain and empirical statistics from donors, institutions of development and independent analysts often swing between increment and decline in the volume of foreign aid flow—consisting of Overseas Development Assistance and

Development in Africa (Routledge 2016) 15; Ozoigbo Bonaventure Ikechukwu, 'African Theories of Development and the Reality of Underdevelopment' (2016) 4(4) International Journal of Development and Economic Sustainability 12.

4 Mary Izobo, 'The Impact of Foreign Aid in Africa: A Case Study of Botswana and Somalia' (2019) 5 Journal on Rule of Law 1–12 <www.luc.edu/media/lucedu/prolaw/documents/volume-5/2020%20PROLAW%20Journal%20Mary%20Izobo.pdf> accessed 6 July 2022; Peter Kragelund, 'The Return of Non-DAC Donors to Africa: New Prospects for African Development?' (2008) 26(5) Development Policy Review 555; Romilly Greenhill, Annalisa Prizzon and Andrew Rogerson, 'The Age of Choice: Developing Countries in the New Aid Landscape' (2013) ODI Working Papers 364/2013 <http://eudevdays.eu/sites/default/files/8188.pdf> accessed 4 May 2022.

5 Verena Fritz and Alina Rocha Menocal, 'Developmental States in the New Millennium: Concepts and Challenges for a New Aid Agenda' (2007) 25(5) Development Policy Review 531; Oluwatoyin Abiola Fashina, Abiola John Asaleye, Joseph Olufemi Ogunjobi and Adedoyin Isola Lawal, 'Foreign Aid, Human Capital and Economic Growth Nexus: Evidence from Nigeria' (2018) 11(2) Journal of International Studies 104; Simisola Akintoye and Ayobami Joshua, 'Evaluation of the Rule of Law as a Prerequisite to the Right to Development in Africa' (2019) 31 Denning LJ 93.

6 Johnson P Asiama and Peter Quartey, 'Foreign Aid and the Human Development Indicators in Sub-Saharan Africa' (2009) 25 J Dev Soc 57; United Nations, *World Economic and Social Survey 2012: In Search of New Development Finance* (UN 2012) 83; Izobo (n 4) 4–5.

Overseas Development Finance—into African states, the reality is a general discrepancy in foreign aid and human development indices on the continent.

In the recent *Human Development Report 2020* published by the UNDP,[7] SSA recorded the lowest indices in health and education, among all world regions.[8] The human development challenges confronting Africa are indeed overwhelming. With millions of people in several African countries, living on less than USD2 per day, the extensive human misery in Africa cannot be more graphic than the depictions in the *Human Development Report 2020*. Apart from not only failing to eliminate poverty, but also experiencing an increase in the number of people living in extreme poverty, among other challenges such as climate change, SSA registers thirty-seven countries among the forty-six listed as 'lowest human development.'[9] Whereas the global average human development index value was 0.694, as captured by the UNDP's Report, SSA countries recorded the lowest human development index (HDI) value of 0.475. The HDI is a composite index measuring average achievement in three basic dimensions of human development, namely, a long and healthy life (measured in terms of life expectancy at birth); knowledge (measured in terms of mean years of schooling plus expected years of schooling); and a decent standard of living (measured in terms of gross national income (GNI) per capita).[10] When compared to other regions of the world, therefore, Africa lags far behind in all three critical measurements of human capabilities and social capital formation.

At the UN Millennium Summit held in New York in 2000, the international community committed itself to a medium-term development agenda comprising eight goals, now known as the Millennium Development Goals (MDGs). The MDGs consist of the following commitments:

- to reduce extreme poverty and hunger by half;
- to achieve universal primary education (100 per cent coverage by 2015);
- gender equality in primary and secondary education (in terms of achieving an equal ratio of boys to girls);
- to reduce child mortality by two-thirds;
- improvement of maternal health by reducing mortality by two-thirds;
- to combat HIV/AIDS, TB and malaria;

7 UNDP, *Human Development Report 2020 The Next Frontier: Human Development and the Anthropocene* (UNDP 2020) <https://hdr.undp.org/system/files/documents//hdr2020pdf.pdf> accessed 6 July 2022.

8 ibid 244.

9 ibid 264.

10 World Population Review, 'Human Development Index (HDI) by Country 2022' <https://worldpopulationreview.com/country-rankings/hdi-by-country> accessed 6 July 2022.

- to reduce the proportion of the population without clean water by half; and
- to develop a global partnership for development.[11]

Owing to the peculiar challenges of poorer countries, the MDGs were to be funded through aid.[12] While estimates of funds required to fulfil the MDGs had varied greatly, the OECD had, in 2011, estimated that achieving the first six MDGs globally would require US$120bn more to be spent every year.[13]

The MDGs eventually metamorphosed into the Sustainable Development Goals (SDGs) in 2015 as the fulcrum of the UN General Assembly 2030 Agenda for Sustainable Development. Built on similar philosophy of reducing global poverty and integrating its seventeen goals and 169 targets into a common bedrock for building sustainable futures for humankind in general.[14] There was a striking commonality in the dependency on development aid as the mainstay of achieving the lofty goals of both the MDGs and the SDGs.[15]

While the clamour for more aid has become the mantra of the majority of African governments and their sympathisers and/or collaborators,[16] hard evidence overwhelmingly demonstrates that aid to Africa has only further impoverished the poor, and rendered human development forlorn.[17] The stealthy aid culture has left African

11 World Bank, 'Global Monitoring Report 2005 – Millennium Development Goals: From Consensus to Momentum', 14 April 2005 <www.imf.org/en/Publications/Other-Official-Rpts-and-Docs/Issues/2016/12/31/Global-Monitoring-Report-2005-Millennium-Development-Goals-From-Consensus-to-Momentum-18196> accessed 4 May 2022.

12 David McNair, 'Who's Going to Pay for the MDGs?' *The Guardian* (23 January 2012) <www.guardian.co.uk/global-development/poverty-matters/2012/jan/23/whos-going-to-pay-for-mdgs> accessed 4 May 2022.

13 Vararat Atisophon, Jesus Bueren, Gregory De Paepe, Christopher Garroway and Jean-Philippe Stijns, 'Revisiting MDG Cost Estimates from a Domestic Resource Mobilisation Perspective' (2011) OECD Development Centre Working Papers 306/2011, 12 <https://doi.org/10.1787/5k9h6vwx0nmr-en>.

14 For an exposition on the transition from MDGs to SDGs, see Tread Softly, 'From MDGs to SDGs' <https://treadsoftly.net/sustainable-development-goals/from-mdgs-to-sdgs/> accessed 17 May 2022.

15 Tread Softly, 'Finance for the SDGs' <https://treadsoftly.net/sustainable-development-goals/finance-for-sdgs/> accessed 6 July 2022.

16 Amir Attaran, 'An Immeasurable Crisis? A Criticism of the Millennium Development Goals and Why They Cannot be Measured' (2005) 3(5) PLoS Medicine 955 <https://doi.org/10.1371/journal.pmed.0030224>; Tolu Ogunlesi, 'Africa: Wanted Dead or Alive – Foreign Aid in Africa' (2013) 10 Africa in Fact: Journal of Good Governance in Africa 29; Development Finance International (DFI) and Oxfam International, *Putting Progress at Risk? MDG Spending in Developing Countries* (FDI and Oxfam, 2013) 10–12; Bob Geldof, 'Why Africa Still Needs Aid' *CNN* (5 April 2013) <http://globalpublicsquare.blogs.cnn.com/2013/04/05/why-africa-still-needs-aid/> accessed 6 July 2022; Simplice A Asongu and Nicholas M Odhiambo, 'Foreign Aid Complementarities and Inclusive Human Development in Africa' (2021) African Governance and Development Institute Working Paper 19/2021 <https://mpra.ub.uni-muenchen.de/101086/> accessed 6 July 2022.

17 Simplice A Asongu and Joseph Nnanna, 'Foreign Aid, Instability, and Governance in Africa' (2019) 47(4) Pol. & Pol'y 807–848 <https://10.1111/polp.12320> accessed 17 November 2022; Rasmane

countries more debt-ridden, more inflation-prone, more susceptible to the vicissitudes of the currency markets and more unappealing to higher-quality investment, apart from increasing the threat of civil strife across the continent. Indeed, aid growth has not translated into economic transformation and millions of Africans still live in absolute poverty. The World Bank makes the same point graphically in its last Global Monitoring Report on the MDGs 2016, with figures displayed prominently that Africa is more off-track than other regions.[18]

Empirical data tracked to 1972 demonstrate that aid flow to Sub-Saharan Africa has been higher on average than all other developing regions of world. In the African states of Burkina Faso, Rwanda, Somalia, Mali, Chad, Mauritania and Sierra Leone, from 1970 to 2002, over seventy per cent of total government spending came from foreign aid, according to recent figures.[19] Another study reinforced this finding almost two decades later.[20]

Overall, despite arguments in favour of aid over the past two decades, those involved in the aid and development debate have been virtually unanimous that global partnerships have not resolved some of the persistent dilemmas surrounding aid effectiveness. These relate to ownership; alignment with country strategies; subsidiarity; accountability; and governance of programmes.[21]

Issues of ownership, pervasive in country assistance programmes, have become more critical because of the proliferation of global development partnership programmes. To ensure accountability, the rules and procedures of global programmes tend to reflect the preferences of donors and staff of international agencies, rather than the rules of country-focused assistance programmes.[22] There also remains the need to integrate the activities of global programmes and country development agendas as limited global

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Ouedraogo, Windemanegda Sandrine Sourouema and Hamidou Sawadogo, 'Aid, Growth and Institutions in Sub-Saharan Africa: New Insights Using a Multiple Growth Regime Approach' (2021) 44 The World Econ 107–142.

18 World Bank, 'Global Monitoring Report 2016 – Development Goals in an Era of Demographic Change' <www.worldbank.org/en/publication/global-monitoring-report> accessed 17 May 2022.

19 Asiama and Quartey (n 6) 60–63.

20 Yvonne Wabai, 'Foreign Aid in Africa: Which Countries Provide and Receive the Most Foreign Aid?' *The African Exponent* (20 January 2020) <www.africanexponent.com/post/6793-foreign-aid-in-africa-which-countries-provide-and-receive-the-most-foreign-aid> accessed 6 July 2022.

21 Moosa Elayah, 'Lack of Foreign Aid Effectiveness In Developing Countries Between A Hammer and an Anvil' (2016) 9(1) Contemp Arab Aff 82–99 <http://dx.doi.org/10.1080/17550912.2015.1124519>; Simone Dietrich and Joseph Wright, 'Foreign Aid and Quality of Governance' *The Oxford Handbook of Quality of Government* (Oxford 2021).

22 Dietrich and Wright (n 2); Edmore Mahembe and Nicholas M. Odhiambo, 'Foreign Aid and Poverty Reduction: A Review of International Literature' (2019) 5(1) Cogent Soc. Sci 1625741, <https://doi.org/10.1080/23311886.2019.1625741>; Kenneth Kalu, 'The Structure of Foreign Aid to Africa Since the 1960s' in Toyin Falola and Matthew M Heaton (eds), *Foreign Aid and the Future of Africa: African Histories and Modernities* (Palgrave Macmillan 2018) <https://doi.org/10.1007/978-3-319-78987>.

programmes have their goals reflected in the poverty reduction strategy papers (PRSPs) that provide the framework for country-based assistance to poor countries.[23]

Another problematic issue relates to subsidiarity—the principle whereby matters are handled by the lowest-level competent authority—and aid coordination, because global programmes are often not the best vehicle to organise, finance and coordinate country assistance.[24] Accountability remains the strongest limitation to global aid programmes, more so with the duplication of donors and new partners resulting in incongruous policy and execution of programmes as well as vague responsibilities for performance and management.[25]

Another formidable limitation to the effectiveness of aid identified in the years following the Monterrey Consensus, has been the incidence of vulture funds that invariably complicate sovereign debt restrictions by spinning inequitable burden-sharing among various creditors and tend to undermine trade and investment relations with the targeted countries. Vulture funds stifle the effectiveness of financial markets through manipulative strategies, that in turn impede the envisaged design of foreign aid and overseas assistance.[26]

A final dilemma is ineffective governance which has been a formidable challenge to global development programmes because they manifest independent governance structures of variable quality and accountability.[27]

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23 Francisco Candel-Sánchez, 'On Foreign Aid Effectiveness: When Conditionality Met Ownership' (2022) 25(3) J Econ Pol Reform 287–304, <https://doi.org/10.1080/17487870.2021.1941958>.

24 Bernhard Reinsberg, Katharina Michaelowa and Stephen Knack, 'Which Donors, Which Funds? Bilateral Donors Choice of Multilateral Funds at the World Bank' (2017) 71 Int'l Org 767–802.

25 Sarah Blodgett Bermeo, 'Aid Allocation and Targeted Development in an Increasingly Connected World' (2017) 71 Int'l Org 735–766.

26 Daniel J Brutti, 'Sovereign Debt Crises and Vulture Hedge Funds: Issues and Policy Solutions' (2020) 61 Boston College LR 1819–1854; Odette Lienau, 'Sovereign Debt, Private Wealth, and Market Failure' (2020) 60(2) Virginia J Int'l L 299–361; Ngoc-Sang Pham and Thi Kim Cuong Pham, 'Allocation and Effectiveness of Foreign Aid: An Overview' in C Le Van, V Pham Hoang and M Tawada (eds), *International Trade, Economic Development, and the Vietnamese Economy. New Frontiers in Regional Science: Asian Perspectives*, vol 61 (Springer 2022) <https://doi.org/10.1007/978-981-19-0515-5_8>

27 See Barbara Adams and Karen Judd, 'The 2030 Agenda, Donor Priorities and UN Mandates: Lessons from the WHO Experience' (*Global Policy Watch*, 15 January 2018) <www.globalpolicy.org/en/publication/2030-agenda-donor-priorities-and-un-mandates> accessed 17 May 2022; Barbara Adams and Karen Judd, 'Measuring the SDGs: Who Controls the Process, Who Owns the Results?' (*Global Policy Watch*, 4 March 2019) <www.globalpolicy.org/en/article/measuring-sdgs> accessed 17 May 2022; Elena Marmo, 'Sustainable Development, Debt and Human Rights' (*Global Policy Watch*, 9 October 2019) <www.globalpolicy.org/en/publication/sustainable-development-debt-and-human-rights> accessed 17 May 2022).

Multilateral Normative Agenda for Aid Effectiveness and Implications for Africa

The contemporary approach to new aid architecture is based largely on changing conceptions of development, which were summarised in the World Bank's Comprehensive Development Framework (CDF). This framework, elaborated during James Wolfensohn's Presidency, is currently the dominant policy theory for development assistance. Other building blocks of the new aid agenda are the UN Millennium Declaration (which led to the formulation of the MDGs and the successor SDGs), the Monterrey Consensus on financing for development and the Paris Declaration on Aid Effectiveness.[28]

The new aid agenda displays an awareness of social and political contexts, and does not focus solely on macro-economic performance. The framework that was adopted during Wolfensohn's tenure at the World Bank included 'the essentials of good governance' (ie transparency, participation, free information, anti-corruption policies and a well-qualified civil service), the regulatory framework for a working market economy, social policies focused on health and education, the build-up of infrastructure, and policies for environmental sustainability.[29] The Monterrey Consensus called for 'a new partnership between developed and developing countries' and the final declaration of March 2002 contained a commitment to 'sound policies, good governance at all levels and the rule of law' as well as to the increase of financial flows to developing countries in the form of aid, investment, trade and debt relief.'[30]

In 2005, the vast wealth of practical knowledge about aid effectiveness was brought together for the first time to shape the Paris Declaration into a single set of succinct precepts for improving aid governance. The Accra Agenda for Action (2008) later emerged to reaffirm the commitments of the Paris Declaration, simultaneously marking the beginning of a new era in aid relations by insisting on better cooperation among donors, recipients, governments and civil society organisations. Together, these documents form a practical, action-oriented roadmap to improve the quality of aid and its impact on development. The specific implementation measures they put in place are underpinned by a monitoring system to assess progress and ensure that donors and recipients hold each other accountable for their commitments. The Paris Declaration has

28 OECD, *Paris Declaration on Aid Effectiveness, Ownership, Harmonisation, Alignment, Results and Mutual Accountability* (OECD 2005) <www.oecd.org/dac/effectiveness/34428351.pdf> accessed 6 July 2022.

29 James D Wolfensohn, 'The Other Crisis: Address to the Board of Governors of the World Bank Group' (*World Bank*, 6 October 1998) <https://openknowledge.worldbank.org/handle/10986/26163> accessed 6 July 2022.

30 UN, 'Monterrey Consensus of the International Conference on Financing for Development 2002' <www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_CONF.198_11.pdf> accessed 17 May 2022. See also Detlef Radke, 'The Monterrey Consensus: The Conference on Financing for Development' (German Development Institute Briefing Paper 3/2002) <www.idos-research.de/uploads/media/3_2002_EN.pdf> accessed 17 May 2022.

become the backbone of the new international aid architecture. The declaration contained several principles for aid relationships, among which ownership, alignment and mutual accountability appear to be directly related to issues of governance. The principles of ownership and alignment imply that development policies should be based on developing country initiatives and be in line with their policy priorities. Mutual accountability entails that donor and recipient countries should hold each other accountable for the proper implementation of development assistance policies.[31]

The new aid paradigm emerging from Monterrey Consensus was rapidly endorsed by the donor community and met with considerable enthusiasm from outsiders, such as international non-governmental organisations (INGOs) and the research community. Nonetheless, and inescapably, more than two decades later, questions are being raised. Two major criticisms are emerging. Some question components of the new approach. These critics are not necessarily discrediting the paradigm, but they question some of its operational aspects. Kragelund for instance has questioned whether the new approach effectively reduces transaction costs for recipients.[32] Many other examples could be cited. A more sizeable number of critics are sympathetic to the paradigm itself, but fear that donors will not put it to work. Evaluations by both the World Bank and the IMF over the past two decades have raised serious concerns about the willingness of donors, including the BWI to subject themselves to the collective discipline of harmonisation and other aspects of the new aid agenda.[33] Critics from the INGOs and from the academic community have also expressed serious misgivings, for instance, around whether civil society will ever be allowed the depth of participation that the PRSPs

31 OECD, 'Paris Declaration on Aid Effectiveness, Ownership, Harmonisation, Alignment, Results and Mutual Accountability', 2 March 2005 <www.oecd.org/dac/effectiveness/34428351.pdf> accessed 17 May 2022; OECD, 'Second High Level Forum on Joint Progress Toward Enhanced Aid Effectiveness (Harmonisation, Alignment, and Results)' <www.oecd.org/dac/effectiveness/34583142.pdf> accessed 17 May 2022. See also Kiros Abeselom, 'The Impact of Foreign Aid in Sustainable Development in Africa: A Case Study of Ethiopia' (2018) 8 Open Journal of Political Science 365–422 <https://doi.org/10.4236/ojps.2018.84026>

32 Kragelund (n 4) 556.

33 Arne Bigsten, 'Aid and Economic Development in Africa' (2006) Working Papers in Economics 237/2006 <https://ideas.repec.org/p/hhs/gunwpe/0237.html> accessed 17 May 2022; Mark Sundberg and Alan Gelb, 'Making Aid Work' (2006) 43(4) Finance & Development 1, 5; Bräutigam (n 1) 14; Dambisa Moyo, *Dead Aid: Why Aid Is Not Working and How There Is a Better Way for Africa* (Farrar, Straus, and Giroux 2009) 58-61; Ratbek Dzhumashev and Abebe Hailemariam, 'Foreign Aid and the Quality of Economic Institutions' (2021) 68 Eur J Pol Econ 102001 <https://doi.org/10.1016/j.ejpoleco.2021.102001> accessed 17 November 2022; World Bank, 'World Development Indicators Database' <http://data.worldbank.org/data-catalog/world-development-indicators> accessed 15 November 2022; World Bank, 'World Development Report 2022', 15 February 2022, <www.worldbank.org/en/publication/wdr2022> accessed 17 November 2022.

architects envisaged. For instance, what kind of rules govern corruption, democracy, and the protection of human rights when it comes to aid and development finance?[34]

The global rules on corruption rest on binding international treaties, particularly the 1997 OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. This convention enjoys the status of a binding law. It made it mandatory for OECD members to make bribery of foreign officials (kickbacks or corrupt 'facilitation payments') a domestic crime in their countries. The United Nations Convention against Corruption, which came into force in 2005, lifts many of the OECD agreements from the status of 'soft law' to the level of binding norms in international law.

In practice, however, it is a challenge to create a framework for detecting these crimes and punishing offenders. For example, as Transparency International (TI) has noted, OECD members have resisted calls for companies receiving officially supported export credits to name agents receiving commissions; to make the size of commissions public; or to bring facilitation payments ('greasing the wheels') into the remit of these conventions.[35] A 2009 analysis by TI also pointed out that only four of the thirty-eight countries that had signed the OECD Convention were actively enforcing it. There was 'little or no' enforcement by twenty-one signatories. Further, the Convention itself focuses on combating specific practices by companies. It does not contain universally agreed rules or standards for engaging with countries whose governments are thought to be highly corrupt. Individual donors, or even agencies within a donor government, might withhold aid from corrupt countries. In the United States, for example, the Millennium Challenge Corporation uses levels of corruption as one of the parameters for assessing whether a country qualifies for assistance or not, but the United States Agency for International Development (USAID) does not have such a specific criterion. Furthermore, practices in areas outside of aid suggest problems with application of the convention. As an obvious example, few export credit agencies, if any, have mandated international competitive bidding for the projects they finance. Another topic pertaining to this article is the question of how solid the aid and development finance architecture is in terms of democracy and human rights.

The new aid architecture has undoubtedly resulted in changes relating to the objectives and modalities of assistance and in the conditions that are attached to the provision of aid. In certain important respects, the attention to the quality of governance was the most significant marker of the arrival of a new era in foreign assistance policies. Empirical findings by the World Bank on the centrality of policies and governance mechanisms for the prospects of development and the effectiveness of development aid had led to a

34 Asongu and Nnanna (n 17) 830–832; M Adnan Kabir, 'Foreign Aid Effectiveness: Evidence from Panel Data Analysis' (2020) 12(3) Global J Emerg Mkt Econs 283–302; Jing Ge and Liu Ruiming, 'Why Foreign Aid Fails: The Dual Big Push and Aid Effectiveness' (2022) <https://ssrn.com/abstract=4182926> accessed 17 November 2022).

35 Bigsten (n 33).

departure from policy conditionalities—as it was observed that the promise to allocate aid did not induce sufficient policy change in developing countries —and to a focus on demonstrable improvement of governance and policies.[36]

Over the past two decades, multilateral and bilateral aid agencies alike have introduced notions of 'good governance' into their operational assistance policies. 'Good governance' has acquired the status of a new conditionality in the framework of development assistance. It is not, as in the past, a conditionality that is imposed in exchange for promises about future policy change (sometimes referred to as *ex ante* conditionality), but rather a condition related to past performance in terms of certain governance and institutional indicators (*ex post* conditionality).

Various forms of *ex post* conditionality are evident in development assistance policies. At the bilateral level, several donor countries have introduced governance-related selectivity mechanisms to guide their choice of aid recipients (eg, the Millennium Challenge Account adopted by the US and the Dutch partner country policy).[37] Different innovations have been adopted by multilateral organisations over the past ten years, but two approaches hold particular relevance for Africa, namely:

- multilateral development banks (the World Bank's International Development Association and, in its trail, regional banks such as the African Development Bank) have introduced notions of performance-based allocation, leading to annual assessments of borrowing countries' policies and institutional performance, and have implemented instruments aimed at governance reform in borrowing countries, notably to achieve institutional strengthening and combating corruption;[38] and
- NEPAD (the New Partnership for Africa's Development), initiated in 2001, adopted a self-assessment instrument for the assessment of democracy and governance quality: the so-called African Peer Review Mechanism. The idea behind the peer review was that countries that would be judged positively on governance quality would attract more aid and foreign investment through the NEPAD scheme.[39]

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36 World Bank, *Assessing Aid: What Works, What Doesn't and Why* (OUP 1998) 34–35; Craig Burnside and David Dollar, 'Aid, Policies and Growth' (2000) 90(4) The American Economic Review 847; Owen Barder, 'What is Poverty Reduction?' (2009) Center for Global Development Working Paper Number 170/2009 <www.cgdev.org/sites/default/files/1421599_file_Barder_Poverty_Reduction.pdf > accessed 6 July 2022.

37 Wil Hout, *EU Development Policy and Poverty Reduction: Enhancing Effectiveness* (Taylor and Francis 2007) 49–95.

38 ibid 23–48; Wil Hout, 'The Netherlands and Aid Selectivity, 1998-2005: The Vicissitudes of a Policy Concept' in Paul Hoebink (ed), *Netherlands Yearbook on International Cooperation* (Van Gorcum 2007) 146.

39 Taylor (n 1); Zein Kebonang and Charles Manga Fombad, 'The African Peer Review Mechanism: Challenges and Prospects' in Henning Melber (ed), *AU, NEPAD And The APRM: Democratisation Efforts Explored* (Nordic Africa Institute 2006) 39–54.

The approach adopted by the African Development Bank (AfDB), focusing on performance-based allocation and institutional reform, is also of considerable importance, as it is both representative of the methods that the multilateral development banks apply generally to their development programmes, and is an example of an organisation that is attuned to specific African realities. The International Development Association (IDA) is implementing its programmes worldwide, and may be argued to have less intimate knowledge of African situations. The implementation of performance-based allocation and governance reform programmes by AfDB and IDA offers an interesting combination of multilateral policy practices that permit comparisons within the 'family' of multilateral development agencies.

The African Peer Review Mechanism (APRM) is a unique attempt by African countries to implement a self-assessment of governance practices on the continent. Responding to a clear international agenda—one that is aimed at attracting development assistance and foreign direct investment to Africa—the APRM is an attempt to get away from the purely external judgement of politics and governance, and implement 'home-grown' norms and principles. Although the extent to which the APRM process represents a credible initiative for monitoring aid governance on the continent over the past two decades remains debatable and incipient, the APRM's experience provides the opportunity to assess the use and validity of an instrument that is judged by many observers to be more legitimate than others because of the high degree of ownership of the review process by African countries themselves.[40]

The issue of aid effectiveness is high on the agendas of African governments, the international community and other development actors, at least at a formal level.[41] However, despite this reality, foreign aid is widely criticised for not being effective in African countries. Criticisms often arise based on the allegations that the impact of assistance has been limited, that the overall development situation is dwindling, and that funding and resources are either being mismanaged or misappropriated.[42] When development actors, particularly donors, talk about aid effectiveness, two elements are involved: first, they are often referring to the litany of instruments developed since the Monterrey Consensus, including the Paris Declaration; the Accra Agenda for Action,

40 Open Society Initiative for Southern Africa (OSISA), *The African Peer Review Mechanism: A Compilation of Studies of the Process in Nine African Countries* (OSISA 2010) 7-22.

41 AUDA-NEPAD, 'African Leaders Agree a Common Position on Aid, Development' (*AUDA-NEPAD*, 30 September 2011) <www.nepad.org/news/african-leaders-agree-common-position-aid-development> accessed 17 May 2022; Terri R Lituchy, Bella L Galperin and Betty Jane Punnett, *LEAD: Leadership Effectiveness in Africa and the African Diaspora* (Palgrave Macmillan 2017) 43–44; Angelle B Kwemo, 'Making Africa Great Again: Reducing Aid Dependency' (*Brookings*, 20 April 2017) <www.brookings.edu/blog/africa-in-focus/2017/04/20/making-africa-great-again-reducing-aid-dependency/> accessed 17 May 2022.

42 Ozoigbo (n 3) 17; Fashina (n 5); Alhassan Baba and Wang Yihuan, 'Comparative Analysis of Development Aid Modalities and Institutional Architecture Between the North-South and South-South Development Cooperation-Perspectives from Donor Recipients' (2018) 61 International Affairs and Global Strategy 12, 13–15.

resulting from the Accra High Level Forum (2008); and the Busan Partnership for Effective Development Co-operation, which emerged from the Fourth High Level Forum on Aid Effectiveness (2011), and simultaneously, they are assessing whether aid to developing countries, including those in Africa, complies with the tenets of these instruments. The Paris Declaration, which is arguably the most elaborate expression of universal consensus on the subject, refers to the effective management of aid at high levels through mechanisms agreed between the donors and the recipient government. The focus of the Paris Declaration is on the effective management of aid rather than its implementation and impact. However, the management of aid and its impact tend to be conflated; although aid is criticised for not having an effective impact, the scale against which its effectiveness is often measured is the management-oriented principles of the Paris Declaration.

Although the ultimate aim of the Paris Declaration is to manage aid effectively to maximise the benefits to the population, its definition of aid effectiveness however differs from what might popularly be understood. For those unfamiliar with the Paris Declaration, aid effectiveness is more likely to be interpreted to mean that aid should effectively meet the needs of the people by having a positive impact during and following project implementation. There are many legitimate challenges to delivering aid on the ground and to the effective management of aid at the national level but these challenges are seldom discussed openly, or addressed systematically. The contextual challenges, which include continued insecurity, lack of national and international capacity, multiple and often incompatible agendas, widespread corruption and lack of coordination, are intricate and interlinked.[43] At the same time, there are international agreements and accepted best practices stipulating how aid should be managed, which hold development actors to mechanisms or processes that may not be the optimum approach given these contextual challenges.

Today's reality is that the dominant approaches to aid and development design and implementation have failed Africa's poorest people and a paradigm shift has thus become imperative. The thrust of this article is about exploring the complex factors impeding aid effectiveness in Africa in a holistic manner. Apart from highlighting some of the obstacles to aid effectiveness, it also seeks alternative ways that could strengthen the promise of the Paris Declaration and its subsequent normative frameworks towards an agenda of effectiveness in the management of aid to make a positive impact on human development in Africa.

43 George Economides, Sarantis Kalyvitis and Apostolis Philippopoulos, 'Does Foreign Aid Distort Incentives and Hurt Growth? Theory and Evidence from 75 Aid-Recipient Countries' (2008) 134 Public Choice 463 <https://doi.org/10.1007/s11127-007-9239-9>; Kaiser John Sithole, 'The Role of Foreign Aid in the Underdevelopment of the States in Sub–Saharan Africa' (MA thesis, North-West University 2014); DO Uduma and OO Osi, 'Foreign Aid as a Neo-Colonialist Instrument of Dependency and Underdevelopment of Nigeria' (2015) 3(1) International Journal of Finance and Management in Practice 23.

Beyond Normativisation: Rethinking Aid Effectiveness in Africa

International aid architecture is a subset of the global architecture of development finance. It can be defined as the totality of the system of institutions, rules, norms, and practices that govern the transfer of concessional resources for development. It comprises four major areas: institutions and actors; volumes and composition; instruments and modalities; and rules and standards. What, then, counts as foreign aid? OECD defines ODA as:

> Grants or loans to countries and territories on the DAC List of ODA Recipients (developing countries) and to multilateral agencies which are: (a) undertaken by the official sector; (b) with promotion of economic development and welfare as the main objective; (c) at concessional financial terms (if a loan, having a grant element of at least 25%). In addition to financial flows, technical cooperation is included in aid. Grants, loans and credits for military purposes are excluded. Transfer payments to private individuals (e.g. pensions, reparations or insurance payouts) are in general not counted.[44]

It follows that only a small subset of global financial flows qualifies as 'foreign aid,' classified as private grants (funding from individuals, foundations, civil society, and the new 'global funds' such as the Gates Foundation) and official development assistance (bilateral and multilateral donors).

The traditional sources of development finance have rules that discourage corruption in the procurement of aid, but export credits are less well policed. Neither seems to have rules for when or how aid should be restricted when a pattern of corruption characterises an entire recipient government. The global aid regime is not well-institutionalised regarding democracy and human rights. Neither the IMF nor the World Bank applies conditionality in this area. Many bilateral donors do apply such conditions, but relatively inconsistently. Many still lack clear and firm standards.

Compared with regimes that govern international trade (codified in the World Trade Organisation), the rules of the international aid architecture are much less universal. Many were agreed upon by the DAC, founded in 1960 with eight member countries, and since expanded to include twenty-three members. Others originated in the Bretton Woods Institutions—the World Bank and the International Monetary Fund—while still other rules have come via the informal 'Paris Club' of official creditors. Few of these rules have sanctions or other built-in enforcement mechanisms. Most depend on informal practices, expectations, and public opinion for their enforcement. Of these rules and standards, the most codified and concrete involve norms, agreements, or conventions in five areas, namely transparency; tied aid and export credits; social and environmental protections; corruption and governance; and debt management.

44 OECD, 'Official Development Assistance (ODA)' April 2021 <www.developmentaid.org/api/frontend/cms/file/2021/11/What-is-ODA.pdf> accessed 6 July 2022.

The process for allocating development aid has changed markedly over the past two decades. The SDGs have provided a greater focus on poverty within aid arrangements, as reflected in the first goal, which aims to 'end poverty in all its forms' by 2030. The evolving agenda for development aid has thus placed country-driven and country-owned processes at the core (as emphasised in the Paris Declaration) and attempts to reposition development-assistance strategies to enable national governments and civil society to manage and direct the process. In their consideration of poverty-reduction policies, for example, some development scholars have found these strategies to be entrenched in living political systems.[45] As such, they require a long-term, strategic understanding of the social and political realities of power, which in turn challenges conventional practices by policy makers and aid managers in the design and management of such strategies.

Among commentators, the discourse on aid effectiveness is incipient and largely reflects the predominant ideology of statist leadership over development policies, strategies and the coordination of development-related actions. This author considers the dominant approaches in charting new praxis to aid architecture, founded on the philosophy of polycentric planning,[46] and adapted to the control and supervision of polyarchic actors.[47] The assumption here is that the creation of multiple centres and multiple layers of decision-making in the design and implementation of aid will engender a relative equilibrium of power among the major competing political blocs of society, and invariably, stimulate a more responsive aid system beyond the dominant approach, such that will yield ultimate dividends for the mass of Africans.

With particular regard to the African experience with donor funding otherwise known as foreign aid, I suggest a further line of criticism. I question whether the dominant aid paradigm is internally consistent. I begin with the observation that while there is a remarkable consensus on the new aid modalities and normative instruments, these are not based on a mutual understanding of how they should be applied. The patterns of the prevalent aid system display major deficiencies. Two critical illustrations suffice here. The first relates to the tensions between the PRSPs approach and the SDGs, arguably

45 Fashina (n 5) 110–111; Abeselom (n 31) 367–368.

46 Elinor Ostrom, 'Beyond Markets and States: Polycentric Governance of Complex Economic Systems' (Nobel Prize Lecture 8 December 2009) <www.uga.edu/pol-sci/courses/2010/ostrom.pdf> accessed 17 May 2022; Mark Stephan, Graham Marshall and Michael McGinnis, 'An Introduction to Polycentricity and Governance', in Andreas Thiel, William A Blomquist and Dustin E Garrick (eds), *Governing Complexity Analysing and Applying Polycentricity* (CUP 2019) 21 <https://doi.org/10.1017/9781108325721.002>; Mark Lubell, 'Polycentric Governance: A Concept Searching for a Theory' (*Centre for Environmental Policy & Behaviour*, 13 April 2017) <https://environmentalpolicy.ucdavis.edu/blog/polycentric-governance-concept-searching-theory> accessed 6 July 2022.

47 Robert A Dahl, *Polyarchy: Participation and Opposition* (Yale University Press 1971); David Feldman, 'Polycentric Governance' in William Sims Bainbridge and Mihail C Roco (eds), *Handbook of Science and Technology Convergence* (Springer 2014) <https://doi.org/10.1007/978-3-319-04033-2_71-1>.

the two most important components of the new aid agenda of the post-Monterrey era. The second relates to the goals pursued by donors and recipient governments. Although the usual narrative is that donors and recipients pursue similar policy objectives and, therefore, that their mutual relations should be consensual and based on trust, the reality is that they often have sharply different agendas. Allusion to the SDGs now routinely appears in donor documents about poverty reduction strategies, and the SDGs are often presented as the ultimate objectives that must guide actual decision-making in the context of individual country poverty reduction strategies. All through, there is the implicit suggestion that the two approaches are rationally paired. PRSPs are simply the country translation of the SDGs. The donor insistence that recipients use the SDGs as the basis of their poverty strategies in no way violates the ownership requirement of the PRSPs, as the Millennium Declaration was signed by political leaders from almost 200 countries, including all major aid recipient countries. The Millennium Declaration continues to influence the trends in global policy agenda. While leaders from aid recipient countries may have signed the Millennium Declaration, it has to be added that most of the SDGs address basic issues of development such as: poverty, primary education, gender inequality, child mortality, major diseases, and environmental sustainability—which are critical to their very stability and survival.

The seventeenth and last goal—to develop global partnerships for development—is of a different nature, and relates to the ways and means to achieve the first seven goals. Another difference is that the first seven goals are relevant for countries taken individually and thus appropriate for national policy making, whereas the eighth goal in the first place requires action by the rich, developed countries or by rich and poor countries jointly. Is there still any doubt as to why many recipient countries particularly those in Africa pay lip service to the SDGs, if not showing pockets of resistance to the goals? Are the SDGs and targets also owned by aid receivers? Can the SDGs be easily translated in the PRSPs? Are they realistic for countries like Mozambique, Niger or Burundi? There seems to be a risk that the SDGs may be perceived by some developing countries as being of primary concern to donors; that they may seem to be a new form of conditionalities and restrictive in their scope to cover the multi-faceted nature of development challenges confronting African states at the local levels. These underemphasised and as yet unresolved inconsistencies in the aid paradigm considerably weaken the much-heralded promise of increased aid effectiveness under the current normative orthodoxies.

The fundamental principles of aid programmes are well-established. According to the plethora of opinions, aid should be provided: in response to need, with a particular focus on the key international target of eradicating poverty by 2030; on a predictable basis; in the spirit of partnership, involving genuine and reciprocal accountability, from recipients to donors, and from donors to recipients; and in the most efficient way

possible.[48] However, even Maxwell, one of the proponents of these principles agrees that they have not always worked out in every context.[49]

From scholarly discourses and empirical observations, the three major weaknesses limiting the effectiveness of aid in Africa can be surmised as weak alignment of institutional mandates and policies; poor top-down performance and bottom-up accountability mechanisms; and limited scope for local problem-solving and collective action solutions.[50]

The adoption of a one-size-fits-all approach has had particularly adverse consequences for African states, given their extremely low level of development and structural weaknesses. There is also a lack of harmony between the existing global systemic regimes and the special international support measures for African states. The design of new international development architecture for developing countries should build on a proper diagnosis of the current international economic architecture. It is obvious that the current architecture is not working effectively to promote development and poverty reduction in Africa and to reduce the marginalisation and vulnerability of African states in the world economy.

Pathways to Aid Effectiveness in Africa: Implications for a Rights-Based Approach

If opinions are overwhelmingly crystallising around the failure of aid to achieve its purposes of good governance, development, and not the least, human development,[51] should we not begin to rethink strategies for improving the quality of aid and making it

48 Simon Maxwell, 'More Aid? Yes – And Use it to Reshape Aid Architecture' *ODI Opinions* (October 2004) <www.odi.org.uk/opinion> accessed 17 May 2022; Bazoumana Ouattara and Eric Strobl, 'Aid, Policy and Growth: Does Aid Modality Matter?' (2008) 144(2) Review of World Economics 347–365; Heidi Tavakoli, 'What Do Discussions About Aid Modalities and Institutional Change Have in Common?' *World Bank Blogs* (30 May 2013) <http://blogs.worldbank.org/governance/what-do-discussions-about-aid-modalities-and-institutional-change-have-common> accessed 17 May 2022.

49 Maxwell (n 48).

50 Jonathan Glennie, 'We Must Rethink the Role of Aid for a New Era' *UNDP* (29 May 2013) <www.undp.org/content/undp/en/home/ourperspective/ourperspectivearticles/2013/05/29/we-must-rethink-the-role-of-aid-for-a-new-era-jonathan-glennie/> accessed 6 July 2022; Fashina (n 5) 107–110; Izobo (n 4).

51 International Development Association (IDA), *Aid Architecture – An Overview of Trends in Official Development Assistance* (IDA 2007) 15–16; Kenneth King, 'The New Aid Architecture in Ghana: Influencing Policy and Practice?' (2011) 23 European Journal of Development Research 648 <https://doi.org/10.1057/ejdr.2011.26>; Alex Julca, Manuel F Montes and Rob Vos, 'Towards A New Aid Architecture' in Manuel F Montes and Rob Vos (eds), *Retooling Global Development and Governance* (UN 2014) 49.

more effective in achieving the goals of *human* development in Africa, seeing the reality that African governments will not end aid receipts any time soon?

A principal aim of recent development initiatives from the Washington-based institutions has been to strengthen country-level aid effectiveness strategies in ways that achieve a high degree of 'ownership' by the countries themselves. This new trend is anchored on heightened participatory roles for ordinary citizens of recipient countries.[52]

It is significant to note that less than two decades ago, both the World Bank and the IMF recognised the critical role of participatory rights in making aid work. In their review of PRSPs in 2005, these BWIs had asserted that

> Participation can be a key factor to enable stronger accountability mechanisms. The original emphasis that the PRS approach placed on broad participation of civil society, other national stakeholder groups, and elected institutions was based on an expectation that such participation would improve the design and implementation of poverty reduction strategies. In addition, it was expected that civil society could play an important role in monitoring implementation and strengthening accountability.[53]

From Monterrey in 2002, Rome 2003, Paris in 2005, Accra 2008, Busan in 2011, Mexico City 2014, Nairobi in 2016, and to Geneva 2022, diverse civil society organisations (CSOs) have been engaged in tracking the Monterrey Consensus and all its ancillary agreements on the effectiveness agenda, both internationally and in developing countries. CSOs have been raising a range of issues and bringing in different perspectives, trying to ensure that this new framework for aid effectiveness translates into effective and accountable development processes. They have contended that the only true measures of aid's effectiveness are its contribution to the sustained reduction of poverty and inequality; and its support of human rights, democracy, environmental sustainability and gender equality—all integral components of the SDGs. CSOs have also been promoting a deepening of the aid effectiveness agenda, so that it addresses not just the concerns of the donors and recipient governments, but of all stakeholders in the development process. They are particularly concerned about the interests and representation of groups that are often excluded or marginalised, including women and women's movements.[54]

Although African governments are generally pronouncing formal commitments to the reinforcement of local capacities as well as ownership and inclusiveness for greater

52 Julca (n 51) 55; Baba and Yihuan (n 42) 16–17.

53 IMF and World Bank, '2005 Review of the PRS Approach: Balancing Accountabilities and Scaling Up Results' (IMF and World Bank, 19 September 2005) <www.imf.org/external/np/pp/eng/2005/091905s.htm> accessed 4 May 2022.

54 Rachael Calleja and Beata Cichocka, 'Development Effectiveness in the "New Normal": What Do the Changing Roles and Purposes of ODA Mean for the Effectiveness Agenda?' (2022) CGD Policy Paper 255/2022 <www.cgdev.org/publication/development-effectiveness-new-normal-what-do-changing-roles-and-purposes-oda-mean> accessed 6 July 2022.

impact and sustainability of aid in Africa, the curious omission in their commitments is an explicit human rights lexicon that would broaden the latitude for the engagement of ordinary Africans in aid governance on the continent.

While the incursion of several non-DAC donors would predictably lead to an increase in external financial flows to Africa,[55] the current and anticipated increases would by no means guarantee enhanced development for human beings in Africa. Rampant graft, wanton profligacy and mind-boggling corruption, inequality, social exclusion and various human rights violations do not show a tangible correlation to aid funding on poverty reduction in much of Africa.[56] This makes it imperative that a fresh approach should be adopted in conditioning aid on the African continent. If public participation is to play a meaningful role in the future of credible aid governance in Africa, it will be critical to enlarge the rights-based framework and space for public discourse that would enable the autonomous civil society to change the aid landscape on the continent.

Forging a comprehensive aid governance strategy for Africa requires a holistic approach that fosters cross-sectoral, polyarchic collaboration. As the Busan Partnership document (2011) highlights,[57] a fragmented approach is not an effective strategy for tackling aid issues. A rights-based approach to all ramifications of foreign aid in Africa offers veritable possibilities.

What then does a rights-based approach to development aid entail and how will it be beneficial? How can a rights-based approach be translated into a practical tool for planning, monitoring and evaluating projects and programmes aimed at improving aid performance in Africa?

Without specifically highlighting 'human rights', much of the current development praxis adopts a rights-based approach in terms of focus, emphases and objectives. Among a widely-known range of examples are land title issues; poverty reduction; gender disparity; governance; corruption; and judicial reform policies of some major multilateral institutions such as the World Bank.[58] Many other international non-

55 Miles Kellerman, 'The Proliferation of Multilateral Development Banks' (2019) 14 Review of International Organizations 107; Calleja and Cichocka (n 54).

56 Nicholas Adam Curott, 'Foreign Aid, the Rule of Law, and Economic Development in Africa' (2010) 11(2) University of Botswana LJ 3; Katherine Erbeznik, 'Money Can't Buy You Law: The Effects of Foreign Aid on the Rule of Law in Developing Countries' (2011) 18(2) Indiana Journal of Global Legal Studies 873; Fashina (n 5) 114; Izobo (n 4); Abeselom (n 31) 370.

57 OECD, 'The Busan Partnership for Effective Development Co-operation' <www.oecd.org/development/effectiveness/busanpartnership.htm> accessed 4 May 2022.

58 World Bank and Organisation for Economic Co-operation and Development, *Integrating Human Rights into Development: Donor Approaches, Experiences, and Challenges* (2nd edn, World Bank and OECD 2013) <https://10.1596/978-0-8213-9621-6> accessed 6 July 2022; Claudio Schuftan, 'The Role of Human Rights in Politicizing Development Ethics, Development Assistance and Development Praxis – I' *HR Reader* (30 August 2016) <https://claudioschuftan.com/9-the-role-of-

governmental organisations, international development agencies and scholars have also applied the rights-based approach in their development efforts.[59]

Developing rights-based approaches has been a journey of discovery: exploring new ideas, challenging established beliefs and ways of working and searching for solutions beyond the boundaries of conventional discourses and human rights work. It has been an intensive process of experimentation, questioning and learning. While there is broad consensus on the theoretical foundations of rights-based approaches,[60] there are yet to emerge practical blueprints on how aid governance should become rights-based. Every intervention therefore has to adopt its own analysis of what a rights-based approach implies for its social, political and cultural contexts.

The distinct mark of a rights-based approach, as against other approaches to social issues, is its contingency upon legal foundations. These foundations are to be located within the relevant international, regional and national arrangements. It has to be conceded, however, that asserting these platforms as the basis for a rights-based approach is not as cut-and-dried as it sounds. This is so because the pace of ratification of human rights treaties varies from state to state, and even where states have ratified those instruments, very few take cogent steps at domesticating them.[61] Similarly, where African governments give formal recognition to human rights, it is often a case of more rhetoric than substance, rhetoric without action.[62] The effect of this scenario is a noticeable limitation in the efficacy of the human rights involved.

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human-rights-in-politicizing-development-ethics-development-assistance-and-development-praxis-i/> accessed 6 July 2022.

59 Stefan Zagelmeyer and Rudolf Sinkovics, 'MNEs, Human Rights and the SDGs – The Moderating Role of Business and Human Rights Governance' (2019) 26(3) Transnational Corporations 33–62; Pallavi Chatterjee, 'Development and Human Rights: Irrefutable Links, Questionable Praxis' *Human Rights Pulse* (21 December 2020) <www.humanrightspulse.com/mastercontentblog/development-and-human-rights-irrefutable-links-questionable-praxis> accessed 6 July 2022; Business and Human Rights Resource Centre (BHRRC), 'Study: Practical Implementation of Human Rights Due Diligence in 10 Companies' (*BHRRC*, 2 November 2021) <www.business-humanrights.org/en/latest-news/neue-bmz-studie-sorgfaltspflichten-in-der-praxis/> accessed 6 July 2022.

60 Chatterjee (n 59).

61 Magnus Killander, *International Law and Domestic Human Rights Litigation in Africa* (Pretoria University Law Press, 2010) 11–14; Paul Gready and Jonathan Ensor, 'What do Human Rights Mean in Development?' in Jean Grugel, Daniel Hammett (eds), *The Palgrave Handbook of International Development* (Palgrave Macmillan, 2016) 453–470 <https://doi.org/10.1057/978-1-137-42724-3_26>.

62 European Union, *Human Rights Protection Mechanisms in Africa: Strong Potential, Weak Capacity* (Brussels, 2013); Chairman Okoloise, 'Circumventing Obstacles to the Implementation of Recommendations by the African Commission on Human and Peoples' Rights' (2018) 18(1) Afr Hum Rts LJ 27–57 <https://dx.doi.org/10.17159/1996-2096/2018/v18n1a2> accessed 17 November 2022; Manisuli Ssenyonjo, 'Responding to Human Rights Violations in Africa' (2018) 7(1) Intl Hum Rts LR 1–42 <https://doi.org/10.1163/22131035-00701003> accessed 17 November 2022.

Within the UN system, the International Bill of Rights[63] provides the cornerstone of the rights-based approach to human development along with all the instruments mentioned in this article, that add depth and vigour.

In addition, the International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966, is explicit that national governments should seek international assistance and cooperation to help them meet their obligations to respect, protect and fulfil the rights spelt out in the treaty.[64] When governments are unable to ensure that populations can enjoy their economic, social and cultural rights, the World Bank, the IMF, bilateral, multilateral aid programmes and world trade negotiators should be explicitly engaged to ensure that their programmes support the full realisation of human rights. Properly applied, therefore, the critical goals and targets of Africa's development agenda can be assured under a rights-based approach to aid.

Rights-based programming uses a wide range of methods to achieve concrete and sustainable results for people and their rights. This approach works to get duty-bearers to fulfil their obligations, to support people in claiming their rights, to fight discrimination, and to strengthen equality and inclusion. The choice of appropriate action depends on the opportunities in a particular country, on the rights or issues that are being addressed and on the donor's mandate and expertise. To combat child labour in Niger, for example, an aid organisation may advocate for changes in legislation, utilise mass media to educate the public about child labour, train social workers and law enforcement personnel in child protection methods and establish mechanisms for listening to children in schools or in shelters for street and working children.

A rights-based approach to aid will therefore require:

- Long- and short-term goals with a clear focus on people and their rights. This further requires analysing problems, causes and responsibilities at local, national and international levels;
- Working together with other governmental and non-governmental agencies towards common rights-based goals;
- Equity and non-discrimination—concentrating on the worst rights violations and paying particular attention to the most marginalised people;
- Accountability—strengthening the accountability of duty bearers for human rights at all levels, in this case, the government concerned. This should be achieved through a combination of direct action, changes in laws, policies and equitable resource

63 The International Bill of Rights principally consists of the UDHR, the ICCPR, the ICESCR, and the Protocols under them. See 'International Bill of Human Rights' *Lawteacher.net* (July 2022) <www.lawteacher.net/free-law-essays/human-rights/international-bill-of-human-rights.php?vref=1> accessed 6 July 2022.

64 Article 2(1) ICESCR.

allocations, changes in institutional rules and practices and changing attitudes and behaviours; and

- Participation—supporting rights-holders (children, women, adults and civil society institutions, etc) to realise their rights.

The rights-based approach envisages that the effective protection and promotion of human rights can become vital instrumentality in ensuring the accountability of governments, a platform that will in turn support ongoing efforts aimed at promoting socio-economic justice, the bedrock for the establishment of truly participatory and democratic economies. In other words, a rights-based approach to aid has the capacity to widen the ambits of existing and emerging liberal democratic regimes around Africa, and thus, allow the interests of marginalised groups like peasants, workers, women, youths, the deprived, people with disabilities, the unemployed and people living with HIV/AIDS to become relevant issues in mainstream political and socio-economic discourses.

The core of the advocacy here is that when human rights guarantees and concerted mechanisms of social accountability are synergised, the space for positive cooperative action is amplified and aid failure reduced. Public and local institutions seen as legitimate in multiple domains are therefore crucial in moderating failure risk during rapid social, economic and political transitions such as Africa has witnessed since the 1990s. Establishing credible and transparent mechanisms for popular participation and deliberation to aid management decisions will help build trust and common understanding about alternative courses of action and reduce the likelihood of destructive decline.

Conclusion

It will be apt to close this discussion with the words of Mats Karlsson, then State Secretary of the Swedish Ministry for Foreign Affairs, who had responsibility for Development Cooperation, putting the aid question in Africa so graphically:

> If Africans are again to become the subjects of their destiny, and not the object of somebody else's design, and if we are ever to approach equality in the still unequal relations between Africa and the world, then it is the capacity of African societies, their governments and people, to analyse, choose and shape that must be strengthened … Africa's partners have not yet provided a coherent response on the positive changes unfolding on the continent … .This time around, the response cannot come from them alone. This time, the response must intrinsically build on the actions taken and answers

> given by African societies. More than ever, Africa's friends need to listen and reflect on what is actually said and done in Africa.[65]

At the heart of this effort lies the rethinking of a nuanced approach to aid effectiveness in Africa employing a human rights-centred approach.

Conclusions drawn from this article are:

- how aid could achieve development results in a more cost-effective manner and how this should be measured in human terms in Africa;
- how broad-based country ownership can best ensure that these results are sustainable in different country contexts; proposals for a development cooperation accountability framework between recipient governments and their donors, especially in light of planned monitoring and follow-up by autonomous social agents;
- proposals for improving country-level mutual accountability between developing countries, donors and stakeholders; and
- measures to enhance accountability for development results produced by aid. The underpinning thrust of this matrix is the rights-based approach vehemently advocated for inclusion in the future of aid in Africa.

The argument here is that a predatory state is not likely to voluntarily achieve broad-based and sustained development that would ultimately benefit the mass of its citizens without tangible and compelling inducement. What will translate the African state from being an inhibitor of genuine development to a conscious promoter of development must be built on principles of inclusive reorganisation. Human rights norms hold the promise of such efficient tools of accountability and change.

Far from being an *ex-cathedra* pronouncement on all the dynamics that should inform the adoption of a new understanding and approach to foreign aid in Africa and scaling up the human development indices of African states beyond the SDGs, this article would have served its purpose if it stimulates further intellectual discourse.

References

Abeselom K, 'The Impact of Foreign Aid in Sustainable Development in Africa: A Case Study of Ethiopia' (2018) 8 Open Journal of Political Science <https://doi.org/10.4236/ojps.2018.84026>

Adams B and Judd K, 'The 2030 Agenda, Donor Priorities and UN Mandates: Lessons from

65 Lennart Wohlgemuth, 'Can Africa Make Use of the New Aid Architecture?' (2008) 33(4) Africa Development 31, 32–33.

the WHO Experience' (*Global Policy Watch*, 15 January 2018) <www.globalpolicy.org/en/publication/2030-agenda-donor-priorities-and-un-mandates> accessed 17 May 2022.

Adams B and Judd K, 'Measuring the SDGs: Who Controls the Process, Who Owns the Results?' (*Global Policy Watch*, 4 March 2019) <www.globalpolicy.org/en/article/measuring-sdgs> accessed 17 May 2022.

Akintoye S and Joshua A, 'Evaluation of the Rule of Law as a Prerequisite to the Right to Development in Africa' (2019) 31 Denning LJ.

Asiama JP and Quartey P, 'Foreign Aid and the Human Development Indicators in Sub-Saharan Africa' (2009) 25 J Dev Soc.

Asongu SA and Nnanna J, 'Foreign Aid, Instability, and Governance in Africa' (2019) 47(4) Politics & Policy <https://10.1111/polp.1232> accessed 17 November 2022.

Asongu SA and Odhiambo NM, 'Foreign Aid Complementarities and Inclusive Human Development in Africa' (2021) African Governance and Development Institute Working Paper 19/2021 <https://mpra.ub.uni-muenchen.de/101086/> accessed 6 July 2022.

Atisophon V, Bueren J, De Paepe G, Garroway C and Stijns J, 'Revisiting MDG Cost Estimates from a Domestic Resource Mobilisation Perspective' (2011) OECD Development Centre Working Papers 306/2011 <https://doi.org/10.1787/5k9h6vwx0nmr-en>

Attaran A, 'An Immeasurable Crisis? A Criticism of the Millennium Development Goals and Why They Cannot be Measured' (2005) 3(5) PLoS Medicine <https://doi.org/10.1371/journal.pmed.0030224>

AUDA-NEPAD, 'African Leaders Agree a Common Position on Aid, Development' (*AUDA-NEPAD*, 30 September 2011) <www.nepad.org/news/african-leaders-agree-common-position-aid-development> accessed 17 May 2022.

Baba A and Yihuan W, 'Comparative Analysis of Development Aid Modalities and Institutional Architecture Between the North-South and South-South Development Cooperation-Perspectives from Donor Recipients' (2018) 61 International Affairs and Global Strategy.

Babaci-Wilhite Z, Geo-JaJa MA and Lou S, 'Human Rights in Development Experience in Africa: the Foreign Aid and Policy Nexus in OECD and China Aid' (2012) 13(1) World Studies in Education <https://doi.org/10.7459/wse/13.1.05>

Barder O, 'What is Poverty Reduction?' (2009) Centre for Global Development Working Paper Number 170/2009 <www.cgdev.org/sites/default/files/1421599_file_Barder_Poverty_Reduction.pdf> accessed 6 July 2022.

Bermeo SB, ‘Aid Allocation and Targeted Development in an Increasingly Connected World’ (2017) 71 Int'l Org.

Bigsten A, ‘Aid and Economic Development in Africa’ (2006) Working Papers in Economics 237/2006 <https://ideas.repec.org/p/hhs/gunwpe/0237.html> accessed 17 May 2022.

Bräutigam D, ‘China, Africa and the International Aid Architecture’ (2010) African Development Bank Working Papers Series 107/2010.

Brutti DJ, ‘Sovereign Debt Crises and Vulture Hedge Funds: Issues and Policy Solutions’ (2020) 61 Boston College LR.

Burnside C and Dollar D, ‘Aid, Policies and Growth’ (2000) 90(4) The American Economic Review.

Business and Human Rights Resource Centre (BHRRC), ‘Study: Practical Implementation of Human Rights Due Diligence in 10 Companies’ (*BHRRC*, 2 November 2021) <www.business-humanrights.org/en/latest-news/neue-bmz-studie-sorgfaltspflichten-in-der-praxis/> accessed 6 July 2022.

Calleja R and Cichocka B, ‘Development Effectiveness in the “New Normal”: What Do the Changing Roles and Purposes of ODA Mean for the Effectiveness Agenda?’ (2022) CGD Policy Paper 255/2022 <www.cgdev.org/publication/development-effectiveness-new-normal-what-do-changing-roles-and-purposes-oda-mean> accessed 6 July 2022.

Candel-Sánchez F, ‘On Foreign Aid Effectiveness: When Conditionality Met Ownership’ (2022) 25(3) J Econ Pol Reform <https://doi.org/10.1080/17487870.2021.1941958>

Chatterjee P, ‘Development and Human Rights: Irrefutable Links, Questionable Praxis’ (*Human Rights Pulse*, 21 December 2020) <www.humanrightspulse.com/mastercontentblog/development-and-human-rights-irrefutable-links-questionable-praxis> accessed 6 July 2022.

Curott NA, ‘Foreign Aid, the Rule of Law, and Economic Development in Africa’ (2010) 11(2) University of Botswana Law Journal.

Dahl RA, *Polyarchy: Participation and Opposition* (Yale University Press 1971).

Development Finance International (DFI) and Oxfam International, *Putting Progress at Risk? MDG Spending in Developing Countries* (FDI and Oxfam, 2013).

Dietrich S and Wright J, ‘Foreign Aid Allocation Tactics and Democratic Change in Africa’ (2015) 77(1) The J Pol. 216-234 <https://doi.org/10.1086/678976>

Dietrich S and Wright J, Foreign Aid and Democratic Development in Africa, WIDER Working Paper, No. 2012/20, The United Nations University World Institute for Development Economics Research (UNU-WIDER), Helsinki (2012).

Dietrich S and Wright J, 'Foreign Aid and Quality of Governance' *The Oxford Handbook of Quality of Government* (Oxford 2021).

Dzhumashev R and Hailemariam A, 'Foreign Aid and the Quality of Economic Institutions' (2021) 68 European Journal of Political Economy <https://doi.org/10.1016/j.ejpoleco.2021.102001>

Economides E, Kalyvitis S and Philippopoulos A, 'Does Foreign Aid Distort Incentives and Hurt Growth? Theory and Evidence from 75 Aid-Recipient Countries' (2008) 134 Public Choice 463–488 <https://doi.org/10.1007/s11127-007-9239-9>

Erbeznik K, 'Money Can't Buy You Law: The Effects of Foreign Aid on the Rule of Law in Developing Countries' (2011) 18(2) Indiana Journal of Global Legal Studies.

Fashina OA, Asaleye AJ, Ogunjobi JO and Lawal AI, 'Foreign Aid, Human Capital and Economic Growth Nexus: Evidence from Nigeria' (2018) 11(2) Journal of International Studies.

Elayah M, 'Lack of Foreign Aid Effectiveness in Developing Countries Between a Hammer and an Anvil' (2016) 9(1) Contemporary Arab Affairs <http://dx.doi.org/10.1080/17550912.2015.1124519>

European Union, *Human Rights Protection Mechanisms in Africa: Strong Potential, Weak Capacity* (Brussels, 2013).

Feldman D, 'Polycentric Governance', in Bainbridge WS and Roco MC (eds) *Handbook of Science and Technology Convergence* (Springer 2014) <https://doi.org/10.1007/978-3-319-04033-2_71-1>

Fritz V and Menocal AR, 'Developmental States in the New Millennium: Concepts and Challenges for a New Aid Agenda' (2007) 25(5) Development Policy Review.

Gedolf B, 'Why Africa Still Needs Aid' (*CNN*, 5 April 2013) <http://globalpublicsquare.blogs.cnn.com/2013/04/05/why-africa-still-needs-aid/> accessed 6 July 2022.

Ge J and Ruiming L, 'Why Foreign Aid Fails: The Dual Big Push and Aid Effectiveness' (2022) <https://ssrn.com/abstract=4182926> accessed 17 November 2022).

Glennie J, 'We Must Rethink the Role of Aid for a New Era', (*UNDP*, 29 May 2013) <www.undp.org/content/undp/en/home/ourperspective/ourperspectivearticles/2013/05/29/we-must-rethink-the-role-of-aid-for-a-new-era-jonathan-glennie/> accessed 6 July 2022.

Gray M and Ariong SB, 'Discourses Shaping Development, Foreign Aid, and Poverty Reduction Policies in Africa: Implications for Social Work' in Gray M (ed), *The Handbook of Social Work and Social Development in Africa* (Routledge 2016).

Gready P and Ensor J, 'What do Human Rights Mean in Development?', in Grugel J and Hammett D (eds), *The Palgrave Handbook of International Development* (Palgrave Macmillan, 2016) <https://doi.org/10.1057/978-1-137-42724-3_26>

Greenhill R, Prizzon A and Rogerson A, 'The Age of Choice: Developing Countries in the New Aid Landscape' (2013) ODI Working Papers 364/2013 <http://eudevdays.eu/sites/default/files/8188.pdf> accessed 4 May 2022.

Hout W, 'The Netherlands and Aid Selectivity, 1998-2005: The Vicissitudes of a Policy Concept' in Hoebink P (ed), *Netherlands Yearbook on International Cooperation* (Van Gorcum 2007).

Hout W, *EU Development Policy and Poverty Reduction: Enhancing Effectiveness* (Taylor and Francis 2007).

Huang M and Ren P, 'China's Foreign Aid and Its Role in the International Architecture' (*International Development Policy*, 27 March 2012) <http://journals.openedition.org/poldev/1004> accessed 6 July 2022.

Ikechukwu OB, 'African Theories of Development and the Reality of Underdevelopment' (2016) 4(4) International Journal of Development and Economic Sustainability.

International Development Association (IDA), *Aid Architecture - An Overview of Trends in Official Development Assistance* (IDA 2007).

International Monetary Fund and World Bank, '2005 Review of the PRS Approach: Balancing Accountabilities and Scaling Up Results' (IMF and World Bank, 19 September 2005) <www.imf.org/external/np/pp/eng/2005/091905s.htm> accessed 4 May 2022.

Izobo M, 'The Impact of Foreign Aid in Africa: A Case Study of Botswana and Somalia' (2019) 5 Journal on Rule of Law. <www.luc.edu/media/lucedu/prolaw/documents/volume-5/2020%20PROLAW%20Journal%20Mary%20Izobo.pdf> accessed 6 July 2022.

Julca A, Montes MF and Vos R, 'Towards A New Aid Architecture', in Montes MF and Vos R (eds), *Retooling Global Development and Governance* (UN 2014).

Kabir MA, 'Foreign Aid Effectiveness: Evidence from Panel Data Analysis' (2020) 12(3) Global Journal of Emerging Market Economies.

Kalu K, 'The Structure of Foreign Aid to Africa Since the 1960s' in Toyin Falola and Matthew M. Heaton (eds), *Foreign Aid and the Future of Africa: African Histories and Modernities* (Palgrave Macmillan 2018) <https://doi.org/10.1007/978-3-319-78987->

Kebonang Z and Fombad CM, 'The African Peer Review Mechanism: Challenges and Prospects' in Melber H (ed), *AU, NEPAD And The APRM: Democratisation Efforts Explored* (Nordic Africa Institute 2006).

Kellerman M, 'The Proliferation of Multilateral Development Banks' (2019) 14 Review of International Organizations.

Killander M, *International Law and Domestic Human Rights Litigation in Africa* (Pretoria University Law Press 2010).

King K, 'The New Aid Architecture in Ghana: Influencing Policy and Practice?' (2011) 23 European Journal of Development Research <https://doi.org/10.1057/ejdr.2011.26>

Kragelund P, 'The Return of Non-DAC Donors to Africa: New Prospects for African Development?' (2008) 26(5) Development Policy Review.

Kwemo AB, 'Making Africa Great Again: Reducing Aid Dependency' (*Brookings*, 20 April 2017) <www.brookings.edu/blog/africa-in-focus/2017/04/20/making-africa-great-again-reducing-aid-dependency/> accessed 17 May 2022.

Lienau O, 'Sovereign Debt, Private Wealth, and Market Failure' (2020) 60(2) Virginia Journal of International Law.

Lituchy TR, Galperin BL and Punnett BJ, *LEAD: Leadership Effectiveness in Africa and the African Diaspora* (Palgrave Macmillan 2017).

Lubell M, 'Polycentric Governance: A Concept Searching for a Theory' (*Center for Environmental Policy & Behaviour*, 13 April 2017) <https://environmentalpolicy.ucdavis.edu/blog/polycentric-governance-concept-searching-theory> accessed 6 July 2022.

Mahembe E and Odhiambo NM, 'Foreign Aid and Poverty Reduction: A Review of International Literature' (2019) 5(1) Cogent Social Sciences 1625741, <<https://doi.org/10.1080/23311886.2019.1625741>

Marmo E, 'Sustainable Development, Debt and Human Rights' (*Global Policy Watch*, 9 October 2019) <www.globalpolicy.org/en/publication/sustainable-development-debt-and-human-rights> accessed 17 May 2022).

Maxwell S, 'More Aid? Yes – and use it to Reshape Aid Architecture' (*ODI Opinions*, October 2004) <www.odi.org.uk/opinion> accessed 17 May 2022.

McNair D, 'Who's Going to Pay for the MDGs?' (*The Guardian*, 23 January 2012) <www.guardian.co.uk/global-development/poverty-matters/2012/jan/23/whos-going-to-pay-for-mdgs> accessed 4 May 2022.

Moyo D, *Dead Aid: Why Aid Is Not Working and How There Is a Better Way for Africa* (Farrar, Straus, and Giroux 2009).

OECD, 'Official Development Assistance (ODA)' April 2021 <www.developmentaid.org/api/frontend/cms/file/2021/11/What-is-ODA.pdf> accessed 6 July 2022.

OECD, *Paris Declaration on Aid Effectiveness, Ownership, Harmonisation, Alignment, Results and Mutual Accountability* (OECD 2005) <www.oecd.org/dac/effectiveness/34428351.pdf> accessed 6 July 2022.

OECD, 'Second High-Level Forum on Joint Progress Toward Enhanced Aid Effectiveness (Harmonisation, Alignment, and Results)' <www.oecd.org/dac/effectiveness/34583142.pdf> accessed 17 May 2022.

OECD, 'The Busan Partnership for Effective Development Co-operation' <www.oecd.org/development/effectiveness/busanpartnership.htm> accessed 4 May 2022.

Ogunlesi T, 'Africa: Wanted Dead or Alive - Foreign Aid in Africa' (2013) 10 Africa in Fact: Journal of Good Governance in Africa.

Okoloise C, 'Circumventing Obstacles to the Implementation of Recommendations by the African Commission on Human and Peoples' Rights' (2018) 18(1) African Human Rights Law Journal <https://dx.doi.org/10.17159/1996-2096/2018/v18n1a2>

Open Society Initiative for Southern Africa (OSISA), *The African Peer Review Mechanism: A Compilation of Studies of the Process in Nine African Countries* (OSISA 2010).

Ostrom E, 'Beyond Markets and States: Polycentric Governance of Complex Economic Systems', Nobel Prize Lecture 8 December 2009 <www.uga.edu/pol-sci/courses/2010/ostrom.pdf> accessed 17 May 2022.

Ouattara B and Strobl E, 'Aid, Policy and Growth: Does Aid Modality Matter?' (2008) 144(2) Review of World Economics.

Ouedraogo R, Sourouema WS and Sawadogo H, 'Aid, Growth and Institutions in Sub-Saharan Africa: New Insights Using a Multiple Growth Regime Approach' (2021) 44 The World Economy

Pham NS and Pham TKC, 'Allocation and Effectiveness of Foreign Aid: An Overview' in Le Van C, Pham Hoang V and Tawada M (eds), *International Trade, Economic Development, and the Vietnamese Economy. Nw rontiers in Regional Science: Asian Perspectives*, vol 61 (Springer 2022) <https://doi.org/10.1007/978-981-19-0515-5_8>

Radke D, 'The Monterrey Consensus: The Conference on Financing for Development' (2002) German Development Institute Briefing Paper 3/2002 <www.idos-research.de/uploads/media/3_2002_EN.pdf> accessed 17 May 2022.

Reinsberg B, Michaelowa K and Knack S, 'Which Donors, Which Funds? Bilateral Donors Choice of Multilateral Funds at the World Bank' (2017) 71 International Organization.

Schuftan C, 'The Role of Human Rights in Politicizing Development Ethics, Development Assistance and Development Praxis – I' (*HR Reader*, 30 August 2016) <https://claudioschuftan.com/9-the-role-of-human-rights-in-politicizing-development-ethics-development-assistance-and-development-praxis-i/> accessed 6 July 2022.

Sithole KJ, 'The Role of Foreign Aid in the Underdevelopment of the States in Sub–Saharan Africa' (MA thesis, North-West University 2014).

Stephan M, Marshall G and McGinnis M, 'An Introduction to Polycentricity and Governance' in Thiel A, Blomquist WA and Garrick DE (eds), *Governing Complexity Analysing and Applying Polycentricity* (CUP 2019) <https://doi.org/10.1017/9781108325721.002>

Sundberg M and Gelb A, 'Making Aid Work' (2006) 43(4) Finance & Development.

Tavakoli H, 'What Do Discussions About Aid Modalities and Institutional Change Have in Common?' (*World Bank Blogs*, 30 May 2013) <http://blogs.worldbank.org/governance/what-do-discussions-about-aid-modalities-and-institutional-change-have-common> accessed 17 May 2022.

Ssenyonjo M, 'Responding to Human Rights Violations in Africa' (2018) 7(1) International Human Rights Law Review <https://doi.org/10.1163/22131035-00701003>

Taylor I, 'Governance in Africa and China-Africa Relations: Contradictions or Confluence?' (2007) 27(3) Politics.

Tread Softly, 'Finance for the SDGs' <https://treadsoftly.net/sustainable-development-goals/finance-for-sdgs/> accessed 6 July 2022.

Tread Softly, 'From MDGs to SDGs' <https://treadsoftly.net/sustainable-development-goals/from-mdgs-to-sdgs/> accessed 17 May 2022.

Uduma DO and Osi OO, 'Foreign Aid as a Neo-Colonialist Instrument of Dependency and Underdevelopment of Nigeria' (2015) 3(1) International Journal of Finance and Management in Practice.

UNDP, *Human Development Report 2020 The Next Frontier: Human Development and the Anthropocene* (UNDP 2020) <https://hdr.undp.org/system/files/documents//hdr2020pdf.pdf> accessed 6 July 2022.

United Nations, 'Monterrey Consensus of the International Conference on Financing for Development 2002' <www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_CONF.198_11.pdf> accessed 17 May 2022.

United Nations, *World Economic and Social Survey 2012: In Search of New Development Finance* (UN 2012).

Wabai Y, 'Foreign Aid in Africa: Which Countries Provide and Receive the Most Foreign Aid?' (*The African Exponent*, 20 January 2020) <www.africanexponent.com/post/6793-foreign-aid-in-africa-which-countries-provide-and-receive-the-most-foreign-aid> accessed 6 July 2022.

Wamboye E, Adekola A and Sergi BS, 'Foreign Aid, Legal Origin, Economic Growth and Africa's Least Developed Countries' (2014) 14(4) Progress in Development Studies.

Wohlgemuth L, 'Can Africa Make Use of the New Aid Architecture?' (2008) 33(4) Africa Development.

Wolfensohn JD, 'The Other Crisis: Address to the Board of Governors of the World Bank Group' (*World Bank*, 6 October 1998) <https://openknowledge.worldbank.org/handle/10986/26163> accessed 6 July 2022.

World Bank and Organisation for Economic Co-operation and Development, *Integrating Human Rights into Development: Donor Approaches, Experiences, and Challenges* (2nd edn, World Bank and OECD 2013) <https://10.1596/978-0-8213-9621-6>

World Bank, 'Global Monitoring Report 2005 – Millennium Development Goals: From Consensus to Momentum', 14 April 2005 <www.imf.org/en/Publications/Other-Official-Rpts-and-Docs/Issues/2016/12/31/Global-Monitoring-Report-2005-Millennium-Development-Goals-From-Consensus-to-Momentum-18196> accessed 4 May 2022.

World Bank, 'Global Monitoring Report 2016 – Development Goals in an Era of Demographic Change' <www.worldbank.org/en/publication/global-monitoring-report> accessed 17 May 2022.

World Bank, *Assessing Aid: What Works, What Doesn't and Why* (OUP 1998).

World Bank, 'World Development Indicators Database' <http://data.worldbank.org/data-catalog/world-development-indicators> accessed 15 November 2022.

World Bank, 'World Development Report 2022' (15 February 2022) <www.worldbank.org/en/publication/wdr2022> accessed 17 November 2022.

World Population Review, 'Human Development Index (HDI) by Country 2022' <https://worldpopulationreview.com/country-rankings/hdi-by-country> accessed 6 July 2022.

Zagelmeyer S and Sinkovics R, 'MNEs, Human Rights and the SDGs – The Moderating Role of Business and Human Rights Governance' (2019) 26(3) Transnational Corporations.

Legislation

'International Bill of Human Rights' (*Lawteacher.net*, July 2022) <www.lawteacher.net/free-law-essays/human-rights/international-bill-of-human-rights.php?vref=1> accessed 6 July 2022.