International Journal of Advances in Social Sciences and Humanities 4 (3) August 2025, pp.132-144.

Content lists available at SRN Intellectual Resources

International Journal of Advances in Social Sciences and Humanities

Journal homepage: https://journal.srnintellectual.com/index.php/ijassh

*Original Article*

# Global Standards versus Local Realities: Institutional Pathways of Public-Private Partnerships in Ghana and Mali

**Tidiane Guindo [a,*]**

[a] Department of Economics, Faculty of Economics and Business, Universitas Andalas, 25175 Kota Padang, West Sumatra, Indonesia.

* Corresponding author email: 2420518001_tidiane@student.unand.ac.id (T.G.)

**Citations:** Guindo, T. (2025). Global Standards versus Local Realities: Institutional Pathways of Public-Private Partnerships in Ghana and Mali. *International Journal of Advances in Social Sciences and Humanities*, 4(3), 132-144.

Received: 18 May 2025 Revised: 9 July 2025 Accepted: 12 August 2025 Published: 31 August 2025

**Abstract:** This article explores the institutional foundations and policy trajectories of Public-Private Partnerships (PPPs) in Ghana and Mali to assess whether emerging economies in West Africa are converging toward global PPP standards or diverging due to domestic constraints. Drawing on comparative institutional analysis and grounded in Institutional Theory, New Public Management, and Transaction Cost Economics, the study contrasts Ghana's consolidated PPP regime, underpinned by the 2020 PPP Act and centralized oversight, with Mali's more fragmented, donor-driven approach, embedded in a Civil Law tradition. Based on qualitative content analysis of policy documents, legal texts, and project-level data from 2010 to 2024, the findings reveal that while both countries have adopted internationally promoted PPP frameworks, effective implementation is highly dependent on local institutional capacity, governance dynamics, and enforcement mechanisms. The study confirms that the alignment of formal policies does not necessarily lead to analogous outcomes. Rather, successful implementation relies on factors such as adaptive governance, policy credibility, and genuine national ownership. The paper concludes with policy recommendations for enhancing the efficiency of public-private partnerships through legal reforms, capacity building, transparency, and regional knowledge sharing, aiming to foster sustainable infrastructure development in the Global South.

**Keywords:** Public-Private Partnerships, Institutional Theory, Policy Convergence, Implementation Capacity



## 1. Introduction

Public-Private Partnerships (PPPs) are currently almost synonymous with infrastructure construction and the provision of public services, especially in developing countries that face budget constraints and an increasing infrastructure deficit, necessitating innovative financing vehicles (Trebilcock et al., 2015). The global infrastructure funding gap is expected to grow to $15 trillion by 2040, with the largest deficits projected in low- and middle-income nations (LMICs) (Yun, 2024). Governments are currently turning to PPPs more and more as a way of accessing private sector money, expertise, and efficiency, while at the same time they are ensuring public accountability and sustainable development (Vassileva, 2022). The effectiveness of PPPs, however, varies significantly across jurisdictions due to differences in legal, institutional, and political environments (Yu, 2018). This paper examines whether the PPP policy and procedures for implementation in Ghana and Mali demonstrate convergent or divergent public management trends, through a comparative analysis of two West African nations with divergent legal traditions and stages of PPP maturity.

Ghana, a Common Law jurisdiction, has built a fairly sophisticated PPP framework with the passage of the Public Private Partnership Act, 2020 (Act 1039), which is the implementation of the 2011 policy, thus enabling the enactment of a formalized procurement, risk-sharing provisions, and regulatory institutions 614 (World Bank PPP Resource Center, 2020; AB & David Africa, 2024). At the same time, Mali, a Civil Law country, has its PPP legislation from 2016 (Loi n°2016-061) and still in the phase of embracing PPPs via changes and limited operational units 37 (World Bank PPP Resource Center, 2016; Initiative PPP Afrique, 2021). The countries also sought international players, such as the World Bank and the African Development Bank (AfDB), but their stories clearly show that domestic legal systems, governance arrangements, and economic stability are the primary factors that determine the effectiveness of PPPs. The divergent paths of Ghana and Mali raise questions about policy convergence, whether externally driven reforms and best practices worldwide are producing homogenized PPP models or divergence, where political and institutional local realities shape diverse models.

Recent studies suggest that while international benchmarks (e.g., the World Bank's Benchmarking Infrastructure Development 2023) promote standardized regulatory practices, actual implementation remains context-dependent (World Bank, 2023). By way of illustration, Ghana has a robust PPP system with a dedicated approval committee and obligatory feasibility studies, while Mali lacks a central PPP unit and adopts sector-specific concessions, mostly in energy (Public-Private Infrastructure Advisory Facility (PPIAF), 2020; Initiative PPP Afrique, 2021). This paper aims to address the question: Are PPP frameworks in Mali and Ghana examples of convergence towards global standards or divergence driven by domestic forces? This study contributes to comparative public management literature by exploring how legal tradition, institutional capacity, and external factors mediate PPP adoption. It also addresses gaps in the literature, such as the limited empirical focus on Francophone Africa and the role of de-globalization in reshaping risk-sharing mechanisms (Yun, 2024; Fabre et al., 2023). By juxtaposing Ghana's structured, finance-driven model with Mali's emergent, project-specific approach, the paper offers policy insights for enhancing PPP effectiveness in fragile and stable countries.

Public-Private Partnerships (PPPs) have become a crucial mechanism for infrastructure development and public service delivery, particularly in developing economies that face fiscal constraints and infrastructure deficits. This review synthesizes key themes in the literature, focusing on the theoretical foundations of PPPs and empirical studies that highlight the role of institutional, legal, and governance factors in their success or failure, with a specific interest in West Africa. The theoretical underpinnings of PPPs are pluralistic. For this comparative study, three core frameworks are particularly relevant: New Public Management (NPM), which justifies the use of PPPs; Institutional Theory, which explains how context shapes their adoption; and Transaction Cost Economics (TCE), which analyzes the efficiency of their implementation. Together, they provide a robust lens for analyzing the divergent PPP pathways in Ghana and Mali. New Public Management (NPM) advocates for applying private-sector efficiency and market-oriented reforms to the public sector (Hood, 1991; Osborne & Gaebler, 1992). PPPs are a quintessential NPM instrument, intended to leverage private finance, expertise, and innovation for public service delivery (Savas, 2000). This theoretical perspective sets the stage for understanding the global push for PPPs. However, it also carries the critique that an over-reliance on NPM can fragment services and undermine equity and public accountability (Bovaird, 2004; Grimsey & Lewis, 2004), a risk pertinent to both case studies.

Institutional Theory provides the core analytical framework for this comparative analysis. It emphasizes how formal rules (laws, regulations) and informal norms (governance practices) shape policy outcomes (North, 1990). The concept of path dependency (Pierson, 2000) helps explain how a country's existing legal and administrative traditions influence the implementation of PPPs. For instance, Ghana's Common Law tradition promotes a contractual, precedent-based regime, whereas Mali's Civil Law system results in a more statutory, yet less enforced, approach (La Porta et al., 2008). Furthermore, institutional isomorphism (DiMaggio & Powell, 1983) explains why both countries adopted similar-looking PPP laws under international influence, despite having vastly different local capacities, resulting in a gap between formal policy and actual practice. Transaction Cost Economics (TCE) focuses on the costs of negotiating, monitoring, and enforcing contracts (Williamson, 1985). In the context of long-term PPPs, high transaction costs arising from asset specificity, bounded rationality, and opportunism can deter private investment (Hart, 2003). TCE predicts that successful PPP regimes will develop mechanisms to lower these costs through standardized contracts and clear risk-sharing. This framework will be used to contrast Ghana's relatively efficient project execution with Mali's high costs of negotiation and frequent renegotiations.

Serving as a complementary perspective, Public Value Theory (Moore, 1995) argues that PPPs must strike a balance between economic efficiency and broader societal interests, including equity, transparency, and sustainability. This theory underscores the importance of stakeholder involvement and accountability (Bryson et al., 2014), which will be examined in the accountability mechanisms of both countries. Empirical evidence confirms that the theoretical potential of PPPs is only realized under specific institutional conditions. PPPs can be a catalyst for achieving the Sustainable Development Goals (SDGs) by blending public accountability with private sector efficiency (Budnyk et al., 2025). However, their sustainability hinges on transparent institutional arrangements, well-defined risk-sharing frameworks, and strong regulatory oversight. Globally, success factors include community engagement and contractual stability, as seen in European urban regeneration projects (Vale de Paula et al., 2025). Conversely, failure is often rooted in governance voids. In East Kalimantan, Indonesia, the absence of inter-agency coordination and a clear agenda led to the collapse of educational PPPs (Anita et al., 2025). This underscores that sound policy is insufficient without effective implementation capacity.

Comparative research in West Africa highlights the critical role of legal tradition and institutional capacity. Ghana's Common Law-based PPP framework, centered on the 2020 PPP Act, has fostered investor confidence through legal clarity and centralized oversight (Guijie, 2025). In stark contrast, Mali's Civil Law tradition has not produced a coherent PPP regime. Despite the 2016 PPP law, the absence of implementing decrees and inter-ministerial coordination has crippled its effectiveness (Kopańska et al., 2024), aligning with the World Bank's (2023) findings that emphasize the importance of political stability and effective regulation. For the private sector, investment decisions are conditional on profitability and risk mitigation. Transaction costs and government guarantees are key drivers of participation, especially in weaker economies (Kopańska & Osinski, 2024). Common challenges globally include asymmetric information, public-sector capacity gaps, and political risks such as corruption and policy shifts—issues that are acutely observed in Mali's under-resourced context (Vale de Paula et al., 2025).

The debate on policy convergence is central to this study. While multilateral institutions, such as the World Bank, promote standardized PPP models, domestic political economies mediate these global norms. Ghana's framework aligns closely with international standards, whereas Mali's donor-dependent, fragmented approach reflects deeper structural constraints (Budnyk et al., 2025). This divergence reinforces the Institutional Theory argument that PPPs are not merely technical instruments but are deeply embedded in local legal and administrative traditions. Despite a growing body of literature, significant gaps remain. Studies disproportionately focus on Anglophone and upper-middle-income countries, neglecting Francophone nations like Mali and the unique challenges of implementing PPPs in post-conflict and fragile states. This research addresses this gap by providing a systematic comparison of a mature (Ghana) and an emergent (Mali) PPP framework in West Africa, exploring how global standards are adapted to local realities.

## 2. Materials and Methods

This study employs comparative case study methodology to contrast the institutional, legal, and implementation frameworks of Public-Private Partnerships (PPPs) in Ghana and Mali. These countries were selected because they possess contrasting legal frameworks (Common Law and Civil Law), dissimilar PPPs institutional maturity, yet share a similar regional context in West Africa. This methodological approach is grounded in Institutional Theory (North, 1990; Pierson, 2000; DiMaggio & Powell, 1983) and informed by New Public Management (NPM) (Hood, 1991; Osborne & Gaebler, 1992) and Transaction Cost Economics (TCE) (Williamson, 1985; Hart, 2003). Institutional Theory provides the conceptual lens for comparing Ghana's common law-based PPP system and Mali's civil law framework, emphasizing how formal institutions, legal traditions, and governance norms shape policy implementation. NPM is the basis for performance-based reform, transparency, and efficiency in PPP arrangements. TCE drives the analysis of contract design, risk sharing, and transaction costs in long-term collaborations. These theories guided the five thematic coding dimensions of institutional arrangements, legal clarity, implementation mechanisms, public accountability, and project performance used in comparative analysis. The research spans the period from 2010 to 2024, focusing on key policy developments, project implementation outcomes, and governance mechanisms. The methodology is grounded in qualitative content analysis supported by thematic coding using NVivo software. Codes were developed inductively from the literature and policy documents and organized under five key dimensions:

1. Institutional Arrangements
2. Legal and Regulatory Clarity
3. Implementation Mechanisms
4. Public Accountability
5. Project Performance

Data sources included: The analysis draws upon a diverse set of data sources to ensure a comprehensive and contextually grounded evaluation of PPP frameworks in Ghana and Mali. These sources include:

- National legal instruments and policy frameworks, such as *Ghana's Public Private Partnership Act, 2020 (Act 1039) and Mali's Law No. 2016-061 on Public-Private Partnerships*, which provide the legal foundation for PPP operations in each country.
- Official government reports and publications, including *annual updates and strategic plans published by the Ministries of Finance*, offering an insight into institutional arrangements, project pipelines, and implementation performance.
- Multilateral institutional ratings and databases, including the *World Bank, International Monetary Fund (IMF), and African Development Bank (AfDB)*, offering comparative benchmarks, macroeconomic context, and technical evaluations of PPP governance.

- Peer-reviewed academic literature, offering theoretical and empirical observations on PPP design, institutional performance, and governance structures in developing economies.
- Public-private partnership project databases and knowledge platforms, such as the *Public-Private Infrastructure Advisory Facility (PPIAF) and the World Bank PPP Knowledge Lab*, which contain detailed project-level information, legal references, and best practice guidelines.

In terms of project data, Ghana's analysis focused on its 32 PPP projects across six sectors (transport, energy, health, education, ICT, and water/sanitation), while Mali's case focused on four operational solar energy PPP projects. The comparison also incorporated publicly available financial and completion data, where accessible. In consolidating project-level data for both Mali and Ghana, this study relied on a broad range of sources, including government reports, multilateral reports, official legal documents, and scholarly literature. For project descriptions in detail—i.e., Flower Pot Interchange in Ghana and solar power PPPs in Mali (e.g., Ségou, Kita, Sanankoroba)—Wikipedia was used as a supplementary source. This was given the lack of detailed, centralized, and publicly available databases of operational PPPs in either country.

In low-transparency or weak-state contexts, such as Ghana and Mali, Wikipedia serves as a second-order aggregator of factual data (e.g., project size, location, developer identity, year built) drawn from news articles, donor reports, or development press releases. Even though Wikipedia is not a scholarly source in the strictest sense, its articles in this case present referential pointers cross-triangulated with other available data, such as Afrik21 news articles and World Bank reports. The use of such sources was guided by the pragmatic principle of inclusion for underreported or fragmented data settings. All Wikipedia sources were rigorously cross-verified where possible to ensure fact alignment and credibility. They are explicitly acknowledged in the reference list and discussed openly in the methodology to delineate the empirical scope of the study. The following table summarizes the key documents and sources analyzed to assess the PPP frameworks in Ghana and Mali. These include legal texts, institutional reports, donor assessments, and project-level data.

**Table 1.** Summary of Key Documents Analyzed for Ghana and Mali PPP Case Studies

| Country | Document/Source | Type | Relevance to Case Study |
|---|---|---|---|
| Ghana | *Public Private Partnership Act, 2020 (Act 1039) – MoFEP/World Bank* | Legal Framework | Core legislation structuring PPPs defines risk-sharing, procurement, and oversight. |
| Ghana | *Ministry of Finance (2023) PPP Annual Report* | Government Report | Provides sectoral breakdown and performance data for 32 active PPPs. |
| Ghana | *Public Financial Management Strategy (2022–2026)* | Policy Document | Identifies PPPs as a fiscal and infrastructure tool; emphasizes institutional strengthening. |
| Ghana | *Franklin Cudjoe (2019) – IMANI & Clinton Consultancy (2020)* | Policy Commentary | Discusses enforcement bottlenecks, legal delays, and judicial limitations. |
| Ghana | *Oxford Business Group (2024)* | Market Analysis | Reviews flagship projects and private investment trends in infrastructure. |
| Ghana | *Wikipedia – Flower Pot Interchange* | Project Profile | Used to illustrate real-world cost overrun and project management challenges. |
| Ghana | *Transparency International – CPI Reports (2024)* | Governance Index | Indicates stagnation in anti-corruption reforms despite the existence of legal frameworks. |
| Mali | *PPP Law No. 2016-061 – World Bank/Business Law Office (Paris)* | Legal Framework | Establishes a legal foundation for PPPs; limited enforcement and no central PPP unit. |
| Mali | *IMF Public Investment Management Assessment (2018)* | Diagnostic Report | Assesses institutional readiness, fiscal governance, and legal enforcement. |
| Mali | *Initiative PPP Afrique (2021)* | Policy Brief | Evaluates legal-administrative barriers and donor influence in PPP design. |
| Mali | *Wikipedia – Ségou, Kita, Sanankoroba Solar Projects* | Project Profiles | Provide data on all 4 operational PPPs in Mali's energy sector. |
| Mali | *Afrik21 News (2021) – Fana Solar Power* | News Article | Example of donor-driven PPP initiated through an unsolicited proposal. |

| Country | Document/Source | Type | Relevance to Case Study |
|---|---|---|---|
| Mali | *African Development Bank – Economic Outlook (2024)* | Economic Report | Shows macro constraints on PPP financing and institutional weakness. |
| Mali | *Transparency International Defense & Security (2023)* | Policy Brief | Highlights corruption and opacity in procurement and infrastructure. |
| Both | *World Bank – Benchmarking Infrastructure Development (2023)* | Global Dataset | Comparative benchmark on legal clarity, procurement, and transparency. |
| Both | *PPIAF PPP Reform Reports (2020)* | Technical Assistance Review | Details donor support for PPP capacity building in both countries. |

## 3. Results and Discussions

This section combines both results and analytical discussion through an integrated approach suitable for comparative policy studies. The analysis examines the PPP frameworks of Ghana and Mali across multiple dimensions to draw meaningful contrasts and policy implications. It is essential to note that this study relies on secondary data. To ensure robustness, a strategy of data triangulation was employed, cross-verifying information across legal texts, government reports, multilateral assessments, and credible media sources.

### 3.1. Policy and Institutional Frameworks

Ghana has emerged as a regional leader in institutionalizing Public-Private Partnerships (PPPs) through a deliberate policy and legal reform agenda. The enactment of the Public Private Partnership Act, 2020 (Act 1039) was a pivotal milestone, establishing a comprehensive legislative framework that mandates feasibility studies, value-for-money assessments, and parliamentary oversight. This has significantly enhanced transparency and investor confidence (Ministry of Finance, 2020). Institutionally, Ghana's system is characterized by strong central coordination. The functional PPP Unit within the Ministry of Finance serves as a one-stop shop, screening proposals, providing technical support, and ensuring alignment with national development goals and the Public Financial Management Strategy 2022–2026 (Ministry of Finance, 2022). This is complemented by a multi-stakeholder PPP Approval Committee, which conducts rigorous, multi-stage reviews of projects. This institutional robustness is reflected in a diversified portfolio of 32 active PPP projects across six priority sectors, including transport, health, education, and ICT, demonstrating a mature and strategic approach to infrastructure development (Ministry of Finance, 2023).

In contrast, Mali's PPP framework, established by Law No. 2016-061, remains largely unimplemented. The law envisioned a centralized system but lacks the crucial enabling decrees, operational guidelines, and technical manuals necessary for its functionality (IMF, 2018). Consequently, PPP responsibility is fragmented across sector ministries, with no central coordination, a lack of a national project pipeline, and inconsistent appraisal standards. This institutional void has resulted in an operational portfolio limited to just four solar energy projects, all of which are heavily dependent on development finance institutions and foreign partners, such as the Fana and Ségou solar plants (Afrik21, 2021; Wikipedia, 2024a). The stark contrast between Ghana's structured, multi-sectoral system and Mali's fragmented, donor-driven approach underscores the critical importance of functional institutionalization. Ghana's model demonstrates how centralized oversight and clear procedures can de-risk projects and attract diversified investment. Mali's experience shows that a law on paper is insufficient without the political will and administrative capacity to build the supporting institutional machinery.

### 3.2. Comparative Analysis of Policy and Institutional Frameworks: Ghana vs. Mali

A direct comparison reveals two divergent PPP ecosystems rooted in contrasting governance realities. Ghana's framework is defined by legal comprehensiveness and centralized coordination, while Mali's is characterized by legal vagueness and institutional fragmentation.

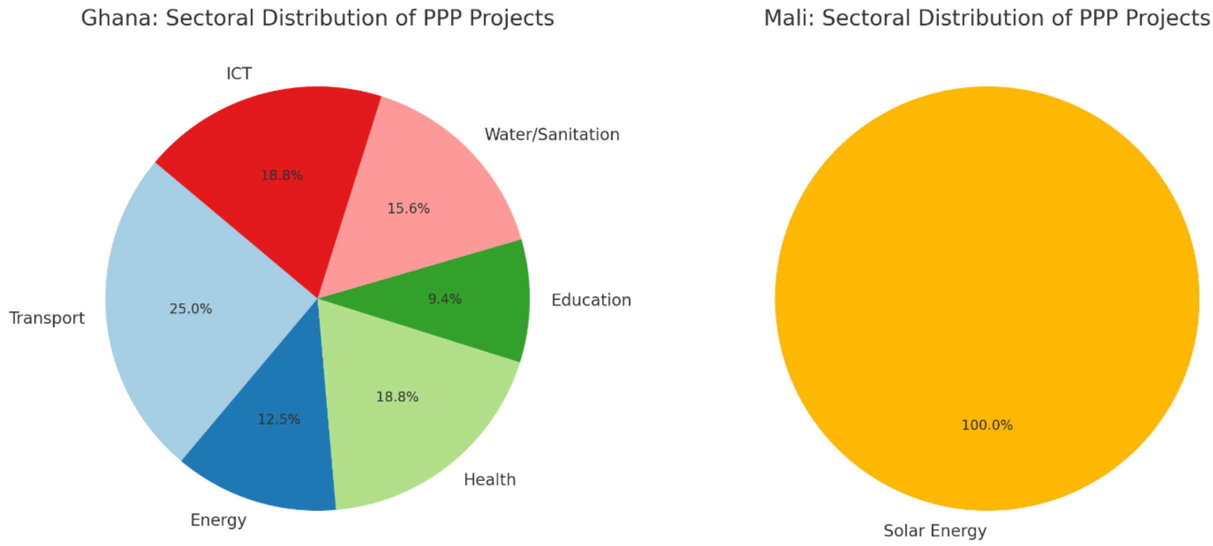


**Figure 2.** Sectoral Distribution of PPP Projects in Ghana and Mali

**Source:** *Ghana Ministry of Finance (2023)*

Figure 2 presents a stark visual representation of the outcomes associated with the institutional capacities outlined in Table 2. Ghana's sectoral diversity is a marker of a mature PPP system capable of addressing multifaceted development needs. Mali's concentration in solar energy, while addressing a critical need, also signifies a limited capacity to deploy PPPs as a broad tool for public service delivery, reflecting its dependence on donor priorities and project-specific funding. Table 2 below provides a synthesized overview of these differences, highlighting how components like the approval mechanism, project pipeline, and procurement mode create fundamentally different investment environments.

**Table 2:** Comparative Analysis of Policy and Institutional Frameworks: Ghana vs. Mali

| Component | Ghana | Mali |
|---|---|---|
| PPP Law | Public Private Partnership Act, 2020 (Act 1039) – clear, comprehensive, and enforceable. | Law No. (2016). -061 (2016), Decree 2017 – general but lacks clarity on risk allocation, fiscal limits, or disclosure. |
| Implementation Guidelines | Draft implementation manuals exist, but official project guides and sector-specific regulations not yet published. | No comprehensive implementation tools, manuals, or procurement templates exist. |
| PPP Coordinating Body | Functional PPP Unit under Ministry of Finance. Coordinates project screening, technical appraisal, and aligns with PFM Strategy (2022–2026). | PPP Unit legally mandated but not operationalized. Project planning left to sector ministries, causing fragmentation. |
| Approval Mechanism | Structured approval by PPP Approval Committee and Parliament for major projects. | No centralized approval body. Approvals granted at ministry level, inconsistently. |
| Project Pipeline | 32 active PPPs across 6 sectors (transport, energy, water, ICT, health, education). Project pipeline published annually. | 4 operational solar energy PPPs. No national PPP pipeline or registry in place. |
| Feasibility Studies | Mandatory under the Act; includes value-for-money analysis, ESIA, and fiscal impact. | Required by law, but rarely performed or published due to lack of capacity. |
| Procurement Mode | Competitive bidding mandated; unsolicited proposals allowed only under strict conditions. | Unsolicited proposals common; weak regulation allows for direct negotiations. |

| Component | Ghana | Mali |
|---|---|---|
| Transparency Mechanisms | Public consultations, independent audit, project disclosure, OSP oversight. | Limited disclosure; OCLEI has low enforcement. FATF grey listing (2023) indicates governance risk. |
| Judicial Effectiveness | Contract enforcement: ~710 days. Judicial quality index (6.5/18). Supreme Court rulings impact the legal clarity of PPP. | Enforcement weak. Disputes are often handled informally or through donor-led arbitration. |
| Private Investment (2023) | $2.1 billion in PPP financing across sectors. | $0.4 billion in solar energy only. |
| Completion Rate (2024) | 78% of PPP projects completed. | 45% of PPP projects completed. |
| Cost Overruns | 12% of projects (e.g., Flowerpot Interchange from GH¢69.5M to GH¢1B). | 35% of projects (e.g., Sanankoroba Solar Power faced delays and budget overruns). |
| Sectoral Coverage | Diversified: transport (8), energy (4), health (6), education (3), ICT (6), water/sanitation (5). | Narrow: all four PPPs are in solar energy (Fana, Kita, Ségou, Sanankoroba). |
| Donor Role | The World Bank and ADB support policy design and capacity-building, while domestic agencies lead projects. | Donors led most PPPs (IFC, AfDB); low domestic agency ownership or planning autonomy. |
| Local Content Policy | The Act mandates local subcontracting and technology transfer, with at least 30% of the work to be done by local firms. | No local content requirement in the PPP law or procurement regulation. |
| Risk Allocation | Defined clearly in contracts, often shared across public-private lines. | Vague; projects are frequently renegotiated due to undefined responsibilities. |
| Monitoring & Evaluation | Annual PPP reports published; real-time monitoring under development. | No public performance tracking; evaluations are handled on a case-by-case basis or by donors. |
| Corruption Oversight | Office of the Special Prosecutor (OSP); CPI Score: 43/100 (stagnant). | OCLEI weak; FATF grey list (2023); CPI not improving. |
| Political Stability | Stable multi-party democracy; consistent policy framework. | Three coups (2012, 2020, 2021) have led to political instability, undermining the predictability of the PPP. |

*Sources: Ministry of Finance, Ghana (2023), IMF (2018), World Bank (2023), Afrik21 (2021), Wikipedia (2024), Transparency International (2023).*

Table 2 shows a comparative matrix that illustrates that the disparities between Ghana and Mali are not isolated but systemic. Ghana's strengths, a clear law, a functional coordinating body, a diversified pipeline, and structured oversight, are mutually reinforcing, creating a virtuous cycle of investor confidence and project execution. Mali's weaknesses, including an unimplemented law, institutional fragmentation, a narrow donor-driven portfolio, and weak oversight, create a vicious cycle of high transaction costs, uncertainty, and underperformance. The data clearly shows that legal clarity and centralized oversight are prerequisites for diversifying sectors and attracting significant investment. This systemic divergence is visually captured in the sectoral distribution of projects. Ghana's diversified portfolio across six sectors reflects a strategic, nationally owned infrastructure agenda, while Mali's exclusive focus on solar energy reveals a reactive, externally dependent model.

### 3.3. Legal and Regulatory Clarity

The legal traditions of each country profoundly shape their PPP frameworks. Ghana's Common Law system, with its emphasis on precedent and detailed contracts, provides a foundation for predictability under the PPP Act, 2020. However, practical enforcement remains a challenge, with contract enforcement taking an average of 710 days and judicial quality scoring below regional averages (Franklin Cudjoe, 2019). This suggests that, although the legal framework is robust, judicial inefficiencies can compromise its effectiveness. Mali's Civil Law system offers statutory flexibility, but this has translated into regulatory ambiguity. Key aspects, such as risk allocation and fiscal ceilings, are inadequately defined in Law No. 2016-061, leading to frequent post-signing contract renegotiations (IMF, 2018). The legally mandated PPP Unit lacks coordination with the Ministry of Economy and Finance, crippling its ability to monitor fiscal risks. Here, the intersection of the legal system with political stability becomes critical. Ghana's stable political environment allows its judicial system to function, albeit slowly. Mali's political instability, marked by coups, exacerbates the weaknesses of its Civil Law system, as a fragile state cannot provide the consistent application and enforcement that the system requires, leading to a near-total breakdown of legal predictability for long-term investments.

### 3.4. Implementation and Accountability

Ghana has institutionalized accountability mechanisms, including formal competitive bidding and the involvement of civil society organizations (CSOs) in monitoring approximately 70% of PPP projects (Ministry of Finance, 2023). The autonomous Office of the Special Prosecutor (OSP) provides a dedicated anti-corruption check. Despite these measures, a stagnant CPI score of 43/100 points to persistent governance challenges and a need for deeper judicial reform (Osei, 2024). Mali's implementation is hampered by institutional frailty. The anti-corruption body, OCLEI, is weak, and the country's placement on the **FATF grey list** signals serious deficiencies in financial governance (Transparency International Defence & Security, 2023). Procurement, as in the Kita Solar Project, is often opaque and susceptible to nepotism. **This is where donor dependence intersects with accountability.** In Mali, the dominance of external donors in driving PPPs can sometimes bypass weak domestic accountability structures, as projects are negotiated directly between donors and private partners, further eroding national ownership and transparent governance.

### 3.5. Project Performance

The culmination of these institutional, legal, and governance factors is evident in project-level outcomes. Ghana demonstrates strong performance with a 78% project completion rate and significant private investment of $2.1 billion in 2023, though 12% of projects face cost overruns (e.g., Flower Pot Interchange). Mali struggles profoundly, with a 45% completion rate, private investment of only $0.4 billion, and 35% of projects experiencing cost overruns (e.g., Sanankoroba Solar).

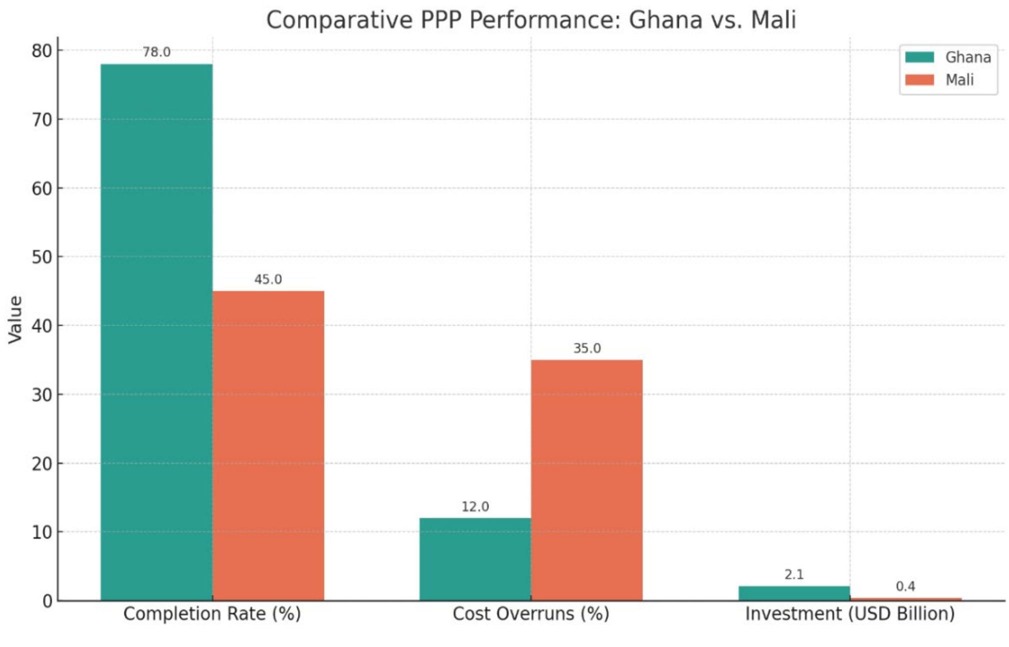


**Figure 1:** Comparative PPP Performance Indicators – Ghana vs. Mali (2024)
***Sources:*** *Wikipedia contributors (Ghana) (2024) and (Wikipedia contributions (Mali) (2024)*

Figure 1 visually encapsulates the ultimate consequence of the institutional divergences detailed throughout this analysis. Ghana's superior performance across all three metrics is a direct result of its stronger governance foundations. Mali's struggles across the same metrics highlight the severe limitations of a PPP regime operating in a context of institutional fragility and political uncertainty.

**Table 3:** Comparative PPP Performance Indicators – Ghana vs. Mali (2024)

| Indicator | Ghana | Mali | Source |
|---|---|---|---|
| Project Completion Rate | 78% of PPP projects completed as of 2024, indicating effective coordination between public institutions and private partners. | 45% of PPP projects completed as of 2024, reflecting challenges in project execution due to political instability and limited institutional capacity. | Ghana: *Ministry of Finance, 2023 Annual Report on Public Private Partnership Projects*; Mali: *World Bank, Mali Country Overview* |
| Cost Overruns | 12% of projects experienced cost overruns; for instance, the Flower Pot Interchange's cost escalated from an initial GH¢69.5 million to over GH¢1 billion by completion. | 35% of projects faced cost overruns, exemplified by the Sanankoroba Solar Power Station encountering delays and budgetary constraints. | Ghana: *Wikipedia, Flower Pot Interchange*; Mali: *Wikipedia, Sanankoroba Solar Power Station* |
| Private Investment | Attracted $2.1 billion in private capital for PPPs in 2023, supported by government initiatives enhancing infrastructure development. | Secured $0.4 billion in private investment for PPPs in 2023, hindered by high-risk environment and governance challenges. | Ghana: *Oxford Business Group, Ghana's infrastructure development driving economic growth;* Mali: *African Development Bank, Mali Economic Outlook* |

### 3.6. Convergence vs. Divergence

Both countries exhibit policy convergence by adopting PPP laws modeled on international best practices promoted by the World Bank. However, this formal convergence masks profound implementation divergence. Ghana has effectively "glocalized" the global model by integrating it with national priorities, such **as local content requirements** that mandate technology transfer and job creation. Mali's implementation remains externally driven, with minimal local content, reflecting a lack of national ownership. The divergence is not due to a single factor but to the intersection of political stability, institutional capacity, and legal tradition. Ghana's stability enabled it to establish a functioning, Common-Law-Based PPP institution. Mali's instability prevented its Civil Law system from providing a predictable framework, leaving a vacuum filled by donor influence. Thus, while both began with similar global blueprints, their profoundly different domestic realities, the intersection of politics, law, and institutional strength, produced two fundamentally distinct PPP pathways.

## 4. Conclusions

This comparative analysis of Public-Private Partnerships in Mali and Ghana highlights the convergence of legal traditions, institutional capacity, political stability, and international influence in shaping the delivery of public infrastructure through PPPs. The two countries have applied PPP frameworks, drawing on international best practices, and have achieved convergence in their legal architecture. Their paths of implementation, however, are diverging in orientation based on domestic institutional conditions and governance regimes. Ghana offers a diversified and structured PPP environment, supported by a solid legal and regulatory framework, centralized government supervision, sectoral participation, and relative political stability. The Public-Private Partnership Act, 2020, underpinned by an active PPP Unit and a multisector project pipeline, has enabled Ghana to attract outstanding private investment, record high levels of successful projects, and enhance local content inclusion. However, judicial inefficiencies, occasional cost overruns, and ongoing perceptions of corruption persist as themes in ongoing institutional reform and enforcement development. Conversely, the PPP framework in Mali is underdeveloped. Although a PPP law was enacted in 2016, its implementation has been hindered by the absence of enabling instruments, fragmented institutional coordination, excessive reliance on external actors, and political instability, which have prevented the establishment of a viable PPP ecosystem. Mali's PPP projects are narrowly concentrated in the solar energy sector and lack the multisectoral reach and centralized governance required for broader developmental impact.

### 4.1 Policy Recommendations

The comparative analysis of Ghana and Mali yields distinct, yet complementary policy prescriptions tailored to their respective institutional contexts.

#### 4.1.1. For Ghana: Deepening a Maturing System

Ghana's primary challenge is to optimize its well-established framework. Key priorities include:

- Judicial Reform: To address protracted contract enforcement (averaging 710 days), Ghana should invest in judicial capacity through specialized commercial courts or fast-track procedures for infrastructure disputes, thereby enhancing legal certainty and investor confidence.
- Enhanced Monitoring & Transparency: Implementing electronic reporting systems and real-time project dashboards would strengthen monitoring and evaluation, enabling civil society and the public to track performance and hold stakeholders accountable.
- Local Content Maximization: Doubling down on local content provisions requires robust capacity-building programs for domestic firms and strict enforcement of subcontracting mandates (e.g., the 30% rule) to ensure meaningful technology transfer and job creation.
- Fiscal Discipline: Stricter project feasibility scrutiny, enforced value-for-money audits, and clear budget ceilings are essential to curb cost overruns, as witnessed in the Flower Pot Interchange project.
- Anti-Corruption Enforcement: Strengthening the mandate and resources of the Office of the Special Prosecutor (OSP) is crucial to prevent and prosecute corruption in public-private arrangements.

#### 4.1.2. For Mali: Building Foundational Institutions

Mali's strategy must focus on operationalizing its dormant legal framework and building state capacity:

- Activate the PPP Unit: The immediate priority is to operationalize the legally mandated central PPP Unit, endowing it with professional staff and resources to coordinate projects, reduce ministerial fragmentation, and serve as a reliable point of contact for investors.
- Promulgate Implementing Instruments: The government must urgently publish the missing implementation decrees, technical guides, and standardized procurement templates to give the 2016 PPP Law practical effect.
- Diversify the Portfolio: Mali should strategically expand PPPs beyond the solar energy sector to critical areas like health, education, transport, and water infrastructure, aligning projects with broader national development goals.
- Build Administrative Capacity: Targeted training for civil servants in contract negotiation, financial modeling, project appraisal, and risk management is fundamental to improving the state's ability to manage PPPs.
- Foster National Ownership: Reducing donor dependence requires increasing domestic budgetary support for project preparation, actively engaging local private actors, and instituting inclusive public-private consultations to ensure projects reflect national priorities.

#### 4.1.3. Leveraging Regional Collaboration: A Pathway for West Africa

Beyond national reforms, both countries should actively champion regional collaboration to harmonize standards and amplify their efforts. Regional bodies like the Economic Community of West African States (ECOWAS) and the African Union can play a pivotal role by:

- Developing regionally accepted PPP guidelines and model contracts.
- Facilitating cross-border infrastructure projects that attract larger-scale investment.
- Establishing peer-learning platforms and capacity-building exchanges.

  Ghana, as a regional leader, could share its expertise with peers like Mali, helping to elevate standards across the region, reduce due diligence costs for investors, and create a more integrated and attractive market for infrastructure finance.

### 4.2. Research Implications

This study demonstrates that the success of Public-Private Partnerships is less about the adoption of global models and more about their embedding within specific institutional, legal, and political contexts. Ghana's structured, diversified approach underscores the value of robust institutions and policy consistency. In contrast, Mali's experience highlights the profound challenges of implementing complex long-term contracts in a context of institutional fragility, political instability, and high donor dependence. The findings from Mali offer critical lessons for other fragile and post-conflict states in Africa and beyond. It demonstrates that transplanting PPP laws without concurrent investment in institutional capacity, political stability, and domestic ownership is a futile exercise. Sustainable PPPs in such contexts require a foundational focus on rebuilding governance and securing the political settlement before complex, long-term contracts can be expected to flourish. Ultimately, for both advanced and emergent PPP markets, the key lies in fostering strong institutions, ensuring transparent governance, and aligning partnerships with people-centered development goals.

### 4.3. Limitations and Future Research

While this study provides a systematic comparative analysis, it is not without limitations. The reliance on secondary data, necessitated by limited access to internal government reports and private sector contracts, constrained some aspects of the analysis. This was particularly acute in Mali, where the absence of a central PPP database hampered the cross-verification of all project-level data. Furthermore, while the thematic coding of documents provided a structured analytical framework, it remains inherently interpretive. These limitations, however, open clear avenues for future research. Subsequent studies could employ primary data collection through interviews with policymakers from PPPs, private investors, and civil society representatives in both countries to gain deeper insights into negotiation dynamics and on-the-ground challenges. There is also a pressing need to investigate PPP dynamics in other post-conflict Francophone states and fragile contexts, where institutional rebuilding and legal harmonization are critical for reducing donor dependence and achieving sustainable infrastructure governance. Despite these constraints, the triangulation of data across legal, institutional, and performance dimensions lends robustness to the findings and provides a solid foundation for the policy lessons outlined.

**Author Contributions:** Conceptualization, T.G.; methodology, T.G.; software, T.G.; validation, T.G.; formal analysis, T.G.; investigation, T.G.; resources, T.G.; data curation, T.G.; writing—original draft preparation, T.G.; writing—review and editing, T.G.; visualization, T.G.; project administration, T.G.; funding acquisition, T.G. All authors have read and agreed to the published version of the manuscript.

**Funding:** This research received no external funding.

**Informed Consent Statement:** Not applicable.

**Data Availability Statement:** The data presented in this study are available within the article and from publicly accessible sources cited throughout the text (e.g., national legal instruments, government reports, and World Bank databases).

**Acknowledgments:** The author would like to thank the anonymous reviewers for their insightful comments and suggestions.

**Conflicts of Interest:** The authors declare no conflict of interest.

## References

AB & David Africa. (2024). Framework for public private partnerships in Ghana. https://abdavid.com/framework-for-public-private-partnerships-in-ghana/

African Development Bank. (2024). *Mali economic outlook*. https://www.afdb.org/en/countries/west-africa/mali/mali-economic-outlook

Anggoro, D. D., Ramadhan, H. M., & Ngindana, R. (2022). Public private partnership in tourism: Build up a digitalization financial management model. *Policy & Governance Review, 6*(3), 282–296. https://doi.org/10.30589/pgr.v6i3.552

Anita, A., Wulandari, Y., Puspitasari, N. L. G. D., Mulawarman, W. G., & Haryaka, U. (2025). Analisis literatur: Tantangan dan peluang public-private partnership (PPP) dalam pembiayaan pendidikan dasar dan menengah di Kalimantan Timur [Literature analysis: Challenges and opportunities of public-private partnership (PPP) in financing primary and secondary education in East Kalimantan]. *AKADEMIK: Jurnal Mahasiswa Humanis, 5*(2), 926–936.

Asumadu, G., Yensu, J., Awuni, M., & Atuilik, D. A. (2024). Public-private partnership and economic growth in Ghana; Review of on-going PPP projects. *Zenodo*. http://dx.doi.org/10.5281/zenodo.10812802

Bovaird, T. (2004). Public–private partnerships: From contested concepts to prevalent practice. *International Review of Administrative Sciences, 70*(2), 199–215. https://doi.org/10.1177/0020852304044250

Brinkerhoff, D. W., & Brinkerhoff, J. M. (2011). Public–private partnerships: Perspectives on purposes, publicness, and good governance. *Public Administration and Development, 31*(1), 2–14. https://doi.org/10.1002/pad.584

Budnyk, V., Vasylieva, N., Artemenko, A., Shcherbak, V., & Kapelista, I. (2024). Public-private partnerships as a catalyst for sustainable development. *Journal of Lifestyle and SDGs Review, 5*(2), e03635. https://doi.org/10.47172/2965-730X.SDGsReview.v5.n02.pe03635

Business Law Office, Paris. (2023). *Comparative table of dispute resolution clauses in effect in West African Economic and Monetary Union (WAEMU) member states*. https://bitholaw.com/wp-content/uploads/2023/10/Comparative-table-of-dispute-resolution-clauses-in-effect-in-West-African-Economic-and-Monetary-Union-WAEMU-member-states-2023.pdf

Clinton Consultancy. (2020). *Public-private partnerships in Ghana*. https://clintonconsultancy.com/public-private-partnerships/

Cudjoe, F. (2019, January 30). IMANI study: Enforcing contracts: How to attract more entrepreneurs to Ghana – Part 1 of 3. *ModernGhana*. https://www.modernghana.com/news/912552/imani-study-enforcing-contracts-how-to-attract.html

DiMaggio, P. J., & Powell, W. W. (1983). The iron cage revisited: Institutional isomorphism and collective rationality in organizational fields. *American Sociological Review, 48*(2), 147–160. https://doi.org/10.2307/2095101

Engel, E., Fischer, R. D., & Galetovic, A. (2014). *The economics of public-private partnerships: A basic guide*. Cambridge University Press.

Fabre, A., & Straub, S. (2023). The impact of public–private partnerships (PPPs) in infrastructure, health, and education. *Journal of Economic Literature, 61*(2), 655–715. https://doi.org/10.1257/jel.20211607

Freedom House. (2022). *Mali*. https://freedomhouse.org/country/mali/freedom-world/2022

Grimsey, D., & Lewis, M. K. (2004). Public private partnerships: The worldwide revolution in infrastructure provision and project finance. In D. Grimsey & M. K. Lewis (Eds.), *Public private partnerships* (pp. 1-26). Edward Elgar Publishing.

Guijie. (2025). Public-private partnerships for sustainable infrastructure development. *Journal of Lifestyle and SDGs Review, 5*(5), e06622. https://doi.org/10.47172/2965-730X.SDGsReview.v5.n05.pe06622

Hart, O. (2003). Incomplete contracts and public ownership: Remarks, and an application to public-private partnerships. *The Economic Journal, 113*(486), C69–C76. https://doi.org/10.1111/1468-0297.00119

Hood, C. (1991). A public management for all seasons? *Public Administration, 69*(1), 3–19. https://doi.org/10.1111/j.1467-9299.1991.tb00779.x

Initiative PPP Afrique. (2021). *Mali's PPP framework: Challenges and opportunities*. https://www.pppafrique.org/mali-ppp-framework

International Monetary Fund. (2018). *Mali: Technical assistance report—Public investment management assessment* (IMF Country Report No. 18/114). https://www.elibrary.imf.org/view/journals/002/2018/114/article-A001-en.xml

Kopańska, A., Osinski, R., & Korbus, B. (2024). Private entities motivations to participate in public-private partnerships. *Socio-Economic Planning Sciences, 92*, 101841. https://doi.org/10.1016/j.seps.2024.101841

Ministry of Finance, Ghana. (2020). *Public private partnership act, 2020 (Act 1039)*. https://mofep.gov.gh/sites/default/files/acts/PPP-ACT-1039.pdf

Ministry of Finance, Ghana. (2022). *Ghana's 2022–2026 public financial management strategy*. https://mofep.gov.gh/sites/default/files/pfm-strategy/PFM-Strategy-2022-2026.pdf

Ministry of Finance, Ghana. (2023). *Annual report on public private partnership projects*. https://mofep.gov.gh/sites/default/files/reports/2023-Annual-Report-on-PPP-Projects.pdf

Moore, M. H. (1997). *Creating public value: Strategic management in government*. Harvard University Press.

North, D. C. (1990). *Institutions, institutional change and economic performance*. Cambridge University Press. https://doi.org/10.1017/CBO9780511808678

Opara, M., & Ozor, C. K. (2023). Public-private partnerships in West Africa: A policy comparison of Nigeria and Ghana. *International Journal of Business and Management, 18*(2), 158–170. https://doi.org/10.5539/ijbm.v18n2p158

Osei, L. (2024, January 25). Ghana stagnates on corruption perception index; Scores 43 for the 4th time. *Citi Newsroom*. https://citinewsroom.com/2024/01/ghana-stagnates-on-corruption-perception-index-scores-43-for-the-4th-time/

Osborne, D., & Gaebler, T. (1992). *Reinventing government: How the entrepreneurial spirit is transforming the public sector*. Addison-Wesley.

Oxford Business Group. (2024). *Ghana's infrastructure development driving economic growth*. https://oxfordbusinessgroup.com/reports/ghana/2023-report/economy/infrastructure-development-driving-economic-growth

Pierson, P. (2000). Increasing returns, path dependence, and the study of politics. *American Political Science Review, 94*(2), 251–267. https://doi.org/10.2307/2586011

Public-Private Infrastructure Advisory Facility. (2020). *PPIAF activities in Mali: Supporting PPP reforms*. https://www.ppiaf.org/sites/ppiaf.org/files/documents/PPIAF-Activities-Mali-2020.pdf

Transparency International Defence & Security. (2023). *Anti-corruption and accountability 'missing element' to West Africa stabilisation and peacebuilding efforts*. https://ti-defence.org/publications/anti-corruption-and-accountability-missing-element-to-west-africa-stabilisation-and-peacebuilding-efforts/

Trebilcock, M., & Rosenstock, M. (2015). Infrastructure public–private partnerships in the developing world: Lessons from recent experience. *The Journal of Development Studies, 51*(4), 335–354. https://doi.org/10.1080/00220388.2014.959935

Tshombe, L. M., & Molokwane, T. (2016). An analysis of public private partnership in Sub-Saharan Africa. *African Journal of Public Affairs, 9*(2), 72–88.

Vale de Paula, P., Cunha Marques, R., & Gonçalves, J. M. (2025). Public–private partnerships in urban regeneration projects: The Italian context and the case of "Porta a Mare" in Livorno. *Buildings, 15*(5), 702. https://doi.org/10.3390/buildings15050702

Vassileva, A. G. (2022). Green public-private partnerships (PPPs) as an instrument for sustainable development. *Journal of World Economy Transformations & Transitions, 2*(5), 1–12. https://doi.org/10.52459/jowett25221122

Vives, A., Benavides, J., & Paris, A. (2006). *Financial structuring of infrastructure projects in public-private partnerships: A tool for designing feasible structures*. The World Bank.

Wikipedia. (2024a). *Ségou solar power station*. In *Wikipedia*. https://en.wikipedia.org/wiki/S%C3%A9gou_Solar_Power_Station

Wikipedia. (2024b). *Kita solar power station*. In *Wikipedia*. https://en.wikipedia.org/wiki/Kita_Solar_Power_Station

Wikipedia. (2024c). *Sanankoroba solar power station*. In *Wikipedia*. https://en.wikipedia.org/wiki/Sanankoroba_Solar_Power_Station

Wikipedia contributors. (2024). *Flower Pot Interchange*. In *Wikipedia*. https://en.wikipedia.org/wiki/Flower_Pot_Interchange

Williamson, O. E. (1985). *The economic institutions of capitalism: Firms, markets, relational contracting.* Free Press.

World Bank. (2023). *Benchmarking infrastructure development 2023*. https://ppp.worldbank.org/public-private-partnership/library/benchmarking-infrastructure-development-2023

World Bank. (2024). *Mali country overview*. https://www.worldbank.org/en/country/mali/overview

World Bank PPP Resource Center. (2016). *PPP laws/concession laws - Mali (Loi n°2016-061)*. https://ppp.worldbank.org/public-private-partnership/library/ppp-laws-concession-laws-mali-loi-n2016-061

World Bank PPP Resource Center. (2020). *PPP laws/concession laws - Ghana (Act 1039)*. https://ppp.worldbank.org/public-private-partnership/library/ppp-laws-concession-laws-ghana-act-1039

World Energy & Afrik21. (2021, November 15). Mali: French Legendre signs a PPP for its Fana solar power plant (50 MWp). *Afrik21*. https://www.afrik21.africa/en/mali-french-legendre-signs-a-ppp-for-its-fana-solar-power-plant-50-mwp/

Yu, Y., Chan, A. P., Chen, C., & Darko, A. (2018). Critical risk factors of transnational public–private partnership projects: Literature review. *Journal of Infrastructure Systems, 24*(1), 04017042. https://doi.org/10.1061/(ASCE)IS.1943-555X.0000405

Yun, S. (2024). From gap to growth in development finance: Leveraging public-private partnerships (PPPs) to bridge the infrastructure financing gap. *Yale Journal of International Affairs*. https://www.yalejournal.org/publications/from-gap-to-growth-in-development-finance-leveraging-public-private-partnerships-ppps-to-bridge-the-infrastructure-financing-gap