

# **SADC CSO Consultative Meeting on AU-ECOSOCC**



**Windhoek, Namibia**

**4-5 April 2007**

**A Report**

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# 1 Welcome

Those present introduced themselves to the meeting. A total of 36 people were present at the start of the meeting.

Andrew Harris, Acting National Coordinator of the Namibia Non Governmental Organisations Forum (NANGOF), welcomed all those attending the meeting. He outlined a picture of civil society in Namibia, highlighting the challenges faced by the large size of the country and the small size of the population. Beyond the issue of scale, challenges included:

- The broad range of issues facing civil society compared to the relatively small number of NGOs
- The loss of competent staff to other sectors, meaning that NGOs were constantly having to train replacements
- The lack of common competency standards in relation to training and capacity building
- Changes in funding flows, with a major emphasis today on HIV/AIDS

The main umbrella organisation was the Namibia NGO Forum, which was founded in 1991. In the last 4 years, NANGOF had been going through organisational difficulties but the prospect of emerging from these in the near future was strong. Thus it had been happy to rise to the challenge of helping to host this meeting at short notice, a factor that meant that it had not been possible to locate all the people and resources that had been hoped for the meeting.

## 2. African Union - Civil Society and ECOSOCC



Charles Mutasa, AFRODAD Executive Director, who is also the ECOSOCC Deputy Presiding Officer and Southern Africa representative outlined the background to the meeting. The starting point was the formation of the OAU on 25 May 1963, which 30 of the then 32 independent states joined, with its headquarters located in Addis Ababa, Ethiopia. At the outset, the initial purposes of the OAU were:

- To eradicate colonialism and apartheid
- To promote unity and solidarity among African States
- To protect the territorial integrity and consolidation of the independence of the African States
- To promote international co-operation within the framework of the United Nations.

Since its founding, successes of the OAU include the elimination of political colonialism, the elimination of Apartheid, strengthened solidarity

at political level, conflict management and resolution of some conflicts and the generation of a wealth of literature on African countries.

Alongside the successes, there were challenges for the OAU. These included:

- Protection of dictators
- Failure to intervene in "internal" matters of member states
- Lack of visibility to ordinary Africans
- Lack of resources (finance) to run African programmes
- Power politics by rich states

These challenges took the question to the current forum and the issue of what part CSOs and democracy played in the AU. Civil society lay between the two power domains – Government and the civil service corps (the AU Commission). Civil society was part of the democratic struggle and had a focus on economic and social justice. It could be a pillar of constitutional democratic regimes and was a prerequisite for democratization. It was a means to strengthen the liberty of individuals by offering a medium for independence and autonomy. Civil society need to focus towards a celebration of multiplicity and plurality, being a guarantor of accountability and openness.

With these ambitions, CSOs in Africa could assist in nation building through promoting better awareness and an informed citizenry; building social capital, trust and shared values; being a check on government performance; and making policy input that leads to good governance.

Mechanisms for CSO input included offering alternatives and solutions, promoting the rule of law and constitutionalism, acting as watchdogs of the continent and promoting the new Africa Union to the people.

The Economic, Social and Cultural Council (ECOSOCC) has observer status with the AU as a result of the Abuja Treaty on Regional Integration and the Arusha Declaration on popular participation. The AU, in establishing this status, saw civil society as a grassroots agent of mobilization. Formally, it was formed out of a report in 1997 by the Secretary General to that year's Summit. This report led to two AU-CSO conferences in 2001 and 2002; and from the second a Working Group was formed to consider statutes, a code and procedures under which an organization could be formed. The outcome of these processes was that in March 2005 an interim ECOSOCC was launched.

At this point ECOSOCC membership was defined as a total membership of 150 members, comprising 106 country reps (two per state), eight Continental CSOs, 10 representatives from Regional CSOs, 20 from the African diaspora and six CSOs in ex-officio capacity.

The interim ECOSOCC organization was focusing on:

- Establishing national chapters
- Engaging the AU on issues of concern
- Pre-Summit consultations
- People and Human Rights matters

By way of clarification, Mr Mutasa described the organs of the AU. At the top, was the Assembly of the AU. Beneath this was the Executive Council; the Permanent Representatives Committee; the Commission; the Pan-African Parliament; the Court of Justice; specialised Technical Committees; Financial Institutions; and the Economic, Social and Cultural Council, among others.

AU organs that were particularly suited for CSOs were the ECOSOCC itself, the Pan-African Parliament, the Commission and particular Specialised Technical Committees.

Turning to the process of developing National Chapters that can form the constituency framework for ECOSOCC, Mr Mutasa indicated that the first step in each country was to identify key National Players in each country (Umbrella NGOs and interim ECOSOCC committee members), develop a road map for implementation, select an interim committee, promote ECOSOCC as widely as possible throughout the country and, finally, select the two national representatives.

At the regional level, the aim has been to identify regional CSOs, hold regional meetings and generally make people aware of ECOSOCC. To do this, AFRODAD has taken advantage of other major workshops and marketing through the ECOSOCC Social Forum.

In all cases, AFRODAD has sought to market the process by using community radios and national TV stations.

The challenges for CSOs in relation to being fully engaged in ECOSOCC included:

- Financial viability
- The need to build alliances at all levels
- The need for Commitment and Consistency
- Membership criteria and accreditation clarity
- Afro-Pessimism
- AU bureaucracy vs CSOs' flexibility
- Accountability, transparency, legitimacy and autonomy issues
- Information dissemination and inclusiveness
- NGOs skepticism and pessimism of ECOSOCC
- Engaging the media

In discussion, the question of what international support there is for the ECOSOCC was raised. Mr Mutasa argued that it went beyond funding, although this was important. Every time that the AU meets, civil society has the opportunity to speak to the foreign ministers. There is a major challenge for civil society to make sure that its voice is

meaningful and heard. Additionally, there is government and donor recognition of the importance of this type of high level participation

The question of the response and feedback from the ECOSOCC Chapters that have already started was raised as this could provide useful guidance to new Chapters as they were being formed.

This issue of interim and already formed Chapters arose in relation to MACOS in Mauritius, where clarification was sought as to its current status. Charles replied by using this as just an example of the challenge to ensure that the representatives and Chapters in each country are as representative as possible. It was necessary to identify entry points for each country; but it is the responsibility of the CSOs then to make sure that there is a continuing, transparent process for sustaining the individual Chapter.

He further suggested that there will be always arguments about legitimacy and representativeness. A clear accreditation process would assist combating these arguments. But the best way forward is to ensure an openness of approach. To assist in this, there are specific requirements for a civil society organisation to represent a country, and these are laid down in the ECOSOCC statutes.

There is also a real challenge in relation to reporting back within the country, for which each delegate needs to take responsibility.

However, it was important to recognise that this meeting was directed mainly towards regional CSOs that work across more than one country in Southern Africa. One or two non-regional organisations were attending the meeting because they had not been able to attend one or other of the meetings organised for national organisations.

One delegate wondered whether there was a database of organisations that have been accredited to ECOSOCC as this would be an important tool to assist organisations in knowing whom they could work with.

A final question reverted to the format that the launch of a national chapter should take and what needs to be done to raise awareness and achieve wider publicity. Mr Mutasa emphasised that once AFRODAD identifies a focal point in a country, it asks the focal point to talk to the government, identify publicity mechanisms and also to ensure that the whole process is known as widely as possible across the country.

In conclusion, delegates offered their thanks to NANGOF and AFRODAD for organising the event.

### **3. The role of CSOs in the ECOSOCC Process**

Helder Maluene then described the role of CSOs in the ECOSOCC process. Behind the whole process in Southern Africa was the ECOSOCC Standing Committee (Southern Africa). This guided AFRODAD in relation to the national processes that were taking place. These included:

- A strategic planning meeting with umbrella national NGOs in Harare (April 2006)
- Setting up a Regional Steering Committee - June-December 2006
- Zambia - national consultations launched
- Lesotho - national consultations launched alongside the SADC Summit
- Zimbabwe - national process launched
- Mozambique - provincial outreach, after national process launched
- Namibia - national process launched
- Mauritius - national process launched
- South Africa - still to sort out the National Chapter in the context of the AU-ECOSOCC requirements
- Malawi and Angola launches - follow up was required
- DRC – the launch was to be re-scheduled in the light of the current situation there.



At the regional CSOs level, three meetings were to be held to target regional CSOs and hold consultations in the region – this meeting being the second of these three, following the consultations held in South Africa at the end of November 2006.

The challenges and lessons learned so far from this process were:

- More funds were required to jump-start and sustain the process
- Interim assembly members were tending to be inactive or were changing jobs
- Information dissemination was difficult
- NGOs tended to show skepticism and pessimism of ECOSOCC
- Engaging the media was not easy
- Members tended to be sluggish
- AU financial contributions were often late in coming
- AU calls for the critique of statutes and for suggestions as to revisions came at short notice
- It was difficult to ensure the inclusion of all interested parties in the process at the regional level

In response to this, the Secretariat was seeking to take their concerns to the ECOSOCC and bring back the results to the *Regional Civil Society*. They were aiming to start an internal process of consultation so that at the end of the interim period of the ECOSOCC General Assembly they will be able to indicate fair agreement as to which organizations will represent the *Region* in the ECOSOCC. The secretariat felt confident of being able to do this because of the broad global advance in participatory development and rights-based approaches. This was reflected in strong demands for democracy and good governance across Africa and a growing recognition of the need for public-private partnerships - e.g. in relation to PRSPs, MDGs. These trends were reinforced by the donor community, which emphasised the importance of governance.

Looking ahead, it was necessary to plan for the elections of national and sub-regional representatives between April and June 2007. AFRODAD was approaching this and the other tasks it had by concentrating on the establishment of National Chapters, seeking greater involvement of regional CSOs and raising awareness and consulting before the elections. It needed the support of the regional CSOs and national contacts in trying to engage government in these processes. They also needed to take note of the ECOSOCC statutes during the consultation – being aware of the deficits and shortfalls in the statutes without trying to revise them.

Other ways in which regional CSOs and national contacts could be more effectively involved was to link up with other processes like APRM, MDGs, NEPAD and observances of elections and by speaking up on regional issues. The ECOSOCC website (within the presiding officer's office) needed support, as well as other publicity activities, such as using community radio and national TV.

Mr Malauene argued that the benefit to be gained from these activities was to connect the people of Africa to the AU and provide a democratic foundation and legitimacy to the AU and its Member States. It would broaden the space for people's participation at all levels of governance in Africa and inject the values, knowledge and ideas of African civil society into AU policy processes, as importantly, it would contribute to the monitoring, evaluation and democratic feedback on what was achieved by the AU.

From its side, the AU had expectations of ECOSOCC. Mr Malauene emphasised that ECOSOCC has an advisory role, NOT a decision-making role in AU policy processes. Having said this, it is an organ of the AU, so all its activities need to be framed and integrated into overall AU system. ECOSOCC faces a number of short and medium term limitations as an organisation that was still in the inception phase of institution building. These included the absence of predictable and sustainable financial resources and capacity constraints at all levels. Notwithstanding this, an advisory body like ECOSOCC can make a difference if it can deliver high quality products and services.

It was in this context that the members of the interim ECOSOCC had adopted a way forward where the interim General Assembly Members, together with other competent Civil Society Organizations in their respective countries, should strive to establish consensual and functional national coordinating mechanism for the ECOSOCC process as soon as possible. It had to be remembered that the mandate of the Interim General Assembly for ECOSOCC will expire in 2007. All stakeholders must therefore make commitments to this process and follow through with them.

As a whole, African Civil Society must recognize that they must be part of the change they want to see in Africa. It is the African people who must live the dream of a United Africa in their every day lives. And with increasing international attention being directed to Africa, this was an ideal time to draw on an African example as a motivational force; ECOSOCC provides this opportunity.



Mr Muzwakhe Sigudhla, Executive President, SADC Youth Movement, of South Africa, responded to Mr Malauene's presentation by commenting on the poor relations between civil society and national governments. Fragmentation of civil society is a major issue in respect of any regional

activity and coordination. This suggests that Article 6 of the Statutes must be followed very closely and the mechanisms for fulfilling the Article needed to be carefully monitored.

The role of the interim members was also important. It was not clear as to what this role was and this needed to be clarified in the discussion.

ECOSOCC also needed to be very clear as to what it was going to try to do. This would assist in tackling the funding and other issues that were a challenge to an emerging process. The role of the accreditation committee also needed to be clarified.

He concluded by asking how influential ECOSOCC was likely to be as a body? Will ECOSOCC become autonomous of the AU? There are efforts in hand to try to get an independent presence for ECOSOCC in Addis Ababa, but it will need to be determined by a substantive ECOSOCC.

In discussion, other questions and points were raised. One delegate asked about AFRODAD's role after the launches. Another wondered why a government Minister is the presiding officer – it was clarified that she has now resigned as a Minister; in any event, her role was an interim arrangement and she will have to stand for election in the future.

Another delegate argued that the SADC Council of NGOs and ECOSOCC must liaise closely; in general, as ECOSOCC was not the sole civil society contact with the AU, even if it had the particular mandate.

The existence of other meetings that are preparing for regional Ministerial and Heads of State meetings was discussed, although the fact that ECOSOCC was still in the making (and thus without a mandate) was highlighted. ECOSOCC's role is to advise and lobby the Pan African Parliament, when it comes into existence. But the current task is to usher in a substantive ECOSOCC; this is the most critical task at present. AFRODAD was a lobby and advocate for this process. Financial assistance was available for setting this up at the national level through the formation of national chapters.

Some delegates argued that it was important to engage the AU on issues of concern now. For example, had any chapters tackled the issue of national governance in Zimbabwe? This view was, however, countered by the view that ECOSOCC is still an interim structure and this makes it difficult to speak about particular issues. "When there is a substantive ECOSOCC then ECOSOCC can speak".

Turning to the structural and representative arrangements, delegates wondered whether the diaspora had any structures that enable them to be properly representative. It was recognised that there are various diaspora organisations, but the issue had yet to be thoroughly investigated.

The issue of mandate was also discussed. At present, it was felt that the current process was a top down approach, rather than a country driven process. Had any National Chapters managed to legitimise themselves through a stronger "bottom up" approach which was demand-driven at a national and local level? The National Chapter had to try to be representative through a process of focal points, with the secretariat being the local NGO Council. This should include plans and processes to ensure proper consultation at a country and regional level. The ECOSOCC Credentials Committee can help this process at a national level. The two people to be elected from each country were to represent organisations which represent civil society. To ensure that the representatives remained representative at a country level, the Articles refer to a two year service period renewable for a second term. Then there must be a service break.

The critical issue is to get the electoral process out of the way so that ECOSOCC can concentrate on its real role as an organ of the AU, albeit not part of the AU Commission.

## **4. Critical Analysis of CSO engagement with the AU**

Dr Cheryl Hendricks, of the Institute of Security Studies, South Africa, offered a critical analysis of CSO engagement with the AU. She argued that, in relation to the ECOSOCC process, there was a concentration on procedures and form instead of action. But Civil Society interventions that have been successful have been agenda based. An example of this is the protocol on the rights of women. There have been other successful interventions but they have all been agenda based.

Whether is at the process level or the agenda level, there is little understanding of how governments work at the AU level and how they prepare for summits. Civil society organisations that find this out and take action are the ones who are successful.

For example, it had been argued in relation to ECOSOCC that “Sectoral clusters<sup>1</sup> prepare material”. The reality was that this is an arduous exercise that has to be driven to be made effective. There are many networks that already exist – ECOSOCC has to find ways of working with these networks if it is really to be effective. No matter what the formal status of ECOSOCC is to the AU, there will always be multi-faceted engagement with the AU – individual civil society organisations, sector interest groups, regional interest groups and ECOSOCC.

Dr Hendricks was not clear whether civil society organisations will have the freedom to engage if they approach the AU through ECOSOCC. Governments and the AU will tend to favour approaches that are less critical of them. ECOSOCC must avoid taking the critical edge of AU and Civil Society engagement.

In this context, therefore, Dr Hendricks argued that the way forward is:

- Launch and build the National Chapters – the timetable dictates that this process needs to be complete by end of December. But launching has to be accompanied by a focus on particular activities. For National Chapters, Dr Hendricks argued that this would involve an audit on the protocols that have been signed and ratified. Chapters should then lobby for those that have not been ratified and monitor the implementation of those that have.
- Build up the clusters. Identify the CSO's within each sector and the particular expertise that they have. Identify in each sector a specific theme or issue that they can work together on for support to the AU - for example implementation of the PCRD for peace and security.
- Concretely identify the mobilisation strategy - making use of the media at the start was fine but should be followed up by a well thought through strategy of media engagement.

At a regional level Dr Hendricks suggested a number of issues that can be taken up:

- The need for a common legislative environment for CSOs in SADC
- Ratification and implementation of the Free Movement of People's Protocol
- Lobbying for action on those countries that contravene both the AU and SADC governance legislation
- Providing implementation support for RISDP and SIPO

Continentially, Dr Hendricks also suggested a number of issues that can be taken up:

- Common focus on ensuring that our countries meet the MDGs
- Ensure that the Protocol on IDPs is adopted and implemented
- Track the ratification of the Protocol on the Rights of Women, etc

In offering these suggestions, Dr Hendricks suggested that the examples were illustrative. The point is to zoom in on a few issues and deliver on them. This applied to the general issues facing ECOSOCC. These included the need to find viable fundraising strategies (finding a host country was an important starting point for this); the need to strengthen the capacity of CSOs to participate effectively – for example, by finding ways of distributing summit agendas and of getting inputs to a summit, drawing on those organisations that already have experience in this regard; and developing concrete action plan and providing it to all organizations.

Dr Hendricks concluded with a simple message - Develop an Action Plan!

Mantswe Edwards Nyoni, the Centre for Youth Participation, replied to the presentation. He argued that civil society is focussed on transformation while governments are focussed on stability. When considering engagement with governments, there is a need to remember CSO's own needs as well as focussing on government. It is also important that the AU should not be allowed to shift responsibility. At this stage, ECOSOCC should claim the space that it has been offered but not be drawn into the mode of governments. The challenges are now; we cannot just talk about mechanisms and challenges without focusing on action.

In discussion, the reality of the AU and its lack of common identity was an overriding issue. There were also human capacity constraints – the expertise to define and manage issues was a challenge to civil society organisations as they were not strong in this.

Organisational and structural capacity was also an issue, a point being made was that CSOs should seek to utilise the building blocks of the AU (for example, the regional structures). More generally, it was important not to have too much expectation of the ECOSOCC process. It does not replace the current tools of engagement with the AU; rather it can complement and supplement it, being a structure of the AU. ECOSOCC cannot represent everyone; it must define its

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<sup>1</sup> For a list of ECOSOCC sectors or clusters, see the Appendix

own agendas and interface with civil society in its many forms. ECOSOCC needs to decide its level – national, regional, continental. We need to build on and from our own capacities.

The proposal to focus on the implementation of protocols was felt to be a good example of how ECOSOCC can be an effective link between the AU and the National Chapters. The SADC Parliamentary Forum can be part of this. There was no consistency or homogeneity in the way in which governments engage with civil society; this has to guide the working methods of ECOSOCC and ECOSOCC cannot have a “one size fits all”. There is a risk that the ECOSOCC statutes will be constraining rather than empowering.

Above all, delegates reminded themselves of the big issues when considering the way in which ECOSOCC should be made to foundation – globalisation, foreign direct investment, the MDGs and the like.

## 5. Agrarian Reform – Challenges in Africa

Abby Mgugu, from Women, Land and Water Rights in Southern Africa, presented the challenges arising from Land Reform in Africa. She dealt extensively with the origin of the challenges, lying, she argued, in the apportionment of Africa by colonial powers when African lands were declared property of the colonial sovereign states and radical title to all land in undocumented Africa was appropriated and governed by a complex system of foreign law. These were the fundamentals of the problems and challenges of land and agrarian reforms in Africa.



The actions created the assumption that the African land rights systems and agrarian structures were (and continue to be) ‘insecure’. The actions also implied that foreign or received laws could offer a more viable alternative to the issue of land rights in Africa. Additionally, problems arose through the interpretation of the African land rights by the colonial experts and the viewing of customary practices against colonial laws and practices. Thus the impact of colonial views on African land rights has been profound.

In reality, the role of land in Africa is multidimensional, representing:

- An economic resource: with centrality to the organisation of sustainable livelihoods
- A social and cultural resource: an important factor in the construction of social identity, religious life and productive and reproductive aspects of life
- An environmental resource: land supports more than just human life but all biotic matter
- A political resource that defines power relations between and among individuals, families, communities and nations

Changes in African land rights started through the introduction of a dual legal system introduced with colonialism. This resulted in differing content of each legal system although both systems were interpreted by both the colonial and the post independence governments; foreign law became the law of the colonies, including the imposition of European property laws. This became the dominant system of determining land rights among both the settler community and the indigenous community, with indigenous property law being overridden. As a consequence, land governed by the foreign law was given higher weighting including access to resources being viewed as contributing more to agrarian changes when compared with land that was still under customary law.

An outcome of these changes was that African land tenure systems were felt not to be capable of contributing to agrarian development. The security of African land tenure systems were underrated and indigenous tenure systems were generally defined as inferior, thus remaining stunted and in crisis. Resources for development were channeled to tenure systems governed by the received laws

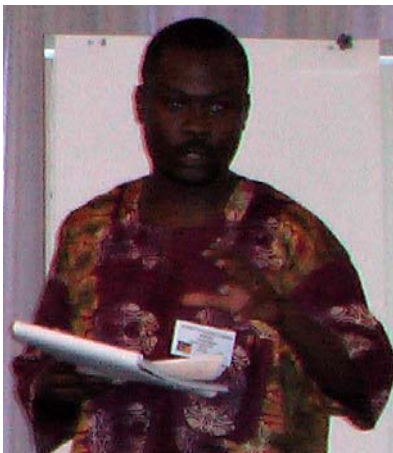
Ms Mgugu argued that, in reality, security of tenure is conferred by a number of variables:

- role of the state /community
- administrative institutions
- governance framework
- support services provided by both the state and other players (infrastructure; access to financial resources etc)

With such a perspective, it is as possible to propose solutions that were different from the currently received position. This would involve:

- The vesting of the radical title in the community
- Decentralisation of state authority over land
- Empowerment of communities to plan and manage land based resources
- Formal recognition of customary laws and practices as a basis for the determination of rights over land
- Partial codification of indigenous property law
- Recognition and capacity development of indigenous governance institutions
- Considering land as a cross boundary resource due to population movement, shared natural resources and environmental degradation
- Improved budgeting capacity building; sustained dialogue for strategy development

In conclusion, Ms Mgugu argued that CSOs should engage with both the AU and SADC processes to ensure that the decisions relating to land provide an opportunity for a policy framework that recognizes the role of indigenous property laws. More work should be done on current national policy frameworks and civil society engagement in the issue should be focused at all levels - national, regional and pan African.



Tendai Murisa, from the Institute of Agrarian Studies, Zimbabwe responded to the presentation by arguing that the land issue was one of the biggest facing Africa today. He suggested that the issues of development in Africa were wrong:

- Inappropriate models for agrarian and development strategies were promoted from America and Europe
- Land tenure policies (and the associated financing) were based on the market and this was clearly failing; new approaches were needed
- The rationale for land and agrarian reform needed to be strengthened to promote equity and growth

He argued that land reform could be a chief driver for the formal development process by expanding the home base for development. Civil society needed to be seen in a larger perspective, representing the whole of rural movements. Therefore civil society engagement in the land reform process needed to be strengthened.

One participant argued that there were paradigm shifts at work which were marginalising the land issue. In Namibia, economic growth was being driven from the private sector, particularly construction and financial services. The subsistence agriculture sector had been stagnant over the last five years. Investment and wealth holding was being increasingly directed towards assets other than land.

Another point was made that the community was one of the important issues that Africa had to offer as a counterpoint to the individualistic development agenda of globalisation.

It was also argued that customary law could be used as a tool of control; civil society needed to offer solutions that both built upon continental values but built a new framework that recognised the need for a political framework for today.

The whole issue was an example of an issue on which ECOSOCC could focus its work.

## 6. Report From The First Day

Andrew Harris opened the second day by summarising the dialogue of the first day. The purpose and role of ECOSOCC had been fully elaborated as had that of AFRODAD in taking responsibility for the interim process. The particular focus of this meeting, as being at a regional level had been clarified, although there had been outline reporting on progress at the national level. Many questions had been answered, although a big question of what has been practically achieved within the National Chapters that had been formed remained unanswered.

Towards the end of the day, the focus had turned towards the purpose of all the process that had been described. Dr Hendricks had argued for ECOSOCC to define itself through focussed action in an agreed number of target areas,

using these action areas to define its relationships with other civil society organisations. Ms Mgugu had argued that probably the most important target areas in the African context related to land, its ownership and control; the area lent itself to a specifically African response. A rather more cautious view had been expressed by AFRODAD, to the effect that ECOSOCC could not engage in specific topic areas until it could demonstrate its legitimacy, that legitimacy coming from the proper implementation of ECOSOCC's mandate, using the statutes that had been defined.

These themes offered an absorbing foundation for the second day's discussions.

## **7. A Community or a Federation of African States – which is the best for Africa?**

James Mwenda introduced the topic "A Community or a Federation of African States – which is the best for Africa" by saying that the title for his topic had changed several times during the preparation for the workshop. Mr Mwenda argued that the objectives for ECOSOCC were clear from the statutes and the founding statements; what is needed is how to engage civil society and private sector effectively in the AU. The need for doing so was, he also argued, clear. A package of collective international and national social and economic development is a sure way to peace and security.



The result of strengthening and empowering ECOSOCC would assist towards this process. Promoting a global dialogue was a key theme. This could cover review of development cooperation agreements; review of progress of MDGs (supplementing existing structures); strengthening the response to humanitarian emergencies; working towards coherence among parties with a focus on a unified development agenda; all these were topics that ECOSOCC could engage in as part of the process of strengthening global dialogue.

At another level, ECOSOCC could defend the voiceless, for example by encouraging the creation of social contracts with the people that we elect into government.

What was called for was a concerted effort from civil society – challenging the current processes of government; challenging the private sector to create jobs; challenging corruption; coordination of the voice of civil society and looking for change together.

ECOSOCC should lead the process of civil society to challenge AU governments (and their associated institutions) to come to the mandate of economic and social development.

Charles Mutasa drew delegates' attention to the theme of the forthcoming Summit when the sole topic to be discussed is the issue of a United States of Africa. Pan Africanism has been a concept since 1900 which has been revitalised several times – for example in 1945. - to deal with the increasing powerlessness of Africa when compared with communities such as the United States of America or the European Community. It is hoped that this will lead to increased trade within Africa; very little trade presently is within Africa. Also there is a need to strengthen political and economic ties within Africa as a counterpoint to the other global communities.

Not all states welcome this idea. Some states believe that the time is not yet ripe for this process; hence the fact that this is the only topic on the agenda of this summit.

Some countries even fear the process – fearing loss of individual state sovereignty or influence in current regional blocks.

Civil society has to form a view on this and press its perspective, as a voice of citizens. Thus this workshop needed to feed into this debate with a strong voice at the July summit.

In discussion, the issue of personal agendas of particular national leaders cut across many of the discussions towards pan Africanism; the reality was that there were underlying trends and issues that rose above individual political agendas. Some of these were neo-colonialism and globalisation<sup>2</sup>. Additionally, civil society needs to challenge the

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<sup>2</sup> Africa has 800m people and 2% of international trade. Chasing after trade with external blocks fails to capitalise on the potential within Africa.

excuses that are made to avoid state oppression of human rights and civil liberties in individual states as being “interference with internal country affairs”.

Within the AU the current debates in relation to the future of Africa - federation or integration – are not clear cut. The AU is divided. Of the 53 states, only 26 have actually acceded to the AU.

Member states are at many stages of development with many internal dynamics. At the regional level, blocks have still not become effective. It was too soon for a “United States of Africa”; the regional blocks should be made to work, from which a United States can be formed.

Again civil society needs to engage in this debate and process to ensure a bottom up process, rather than a top down approach.

Delegates pointed out that current blocks are nowhere to being fully integrated; in this context it was unrealistic talk of Pan Africanism. ECOSOCC should commission research on the realities of the present five regional blocks and have a parallel summit in June. This would require prior national and regional meetings to ensure that the summit was well prepared. It would also be essential to get hold of the national and regional studies that were taking place on the issue, to engage at the right level.

Any decisions also needed to be referred to the people. In Europe, referenda were held before states joined the EU. Benchmarks need to be established as thresholds by which entry into and performance within regional blocks could be defined.

One argument offered was that there needs to be an African way, which builds on what ordinary citizens look for – work, health and food security. It should not be a political debate about who is the biggest leader. Pan Africanism is about seeking to integrate Africa. Pan Africanism is based on the will of people.

The debate also needs to be strengthened at a national level.

It was suggested that the EU came through a vision of common economic security to avoid further conflict (Europe had been the starting point of two world wars and many other regional conflicts) by changing the agenda. It had been the vision of a very small core of leaders that had been transformed into reality through determined efforts to ensure a strong, effective trade block.

In Africa, however, the problem is that all the conflicts have been governments against their own people. How can this be resolved? We are avoiding fundamental questions in the debate, for example, the unwillingness to identify as Africans. Nor can we be in a hurry; we have not yet realised the full benefits of the African Union.

In conclusion, it was pointed out that the AU declaration of 2002 was an interim statement. The Secretariat is seeking more power, which presently remains vested with the Heads of State. The debate about the nature of a United States of Africa is a proxy for the debate as to how to strengthen the Secretariat (Commission) and the collective voice, against the voice of the individual state.

A straw poll showed a balance of views between a community of African States and a United States of Africa, with a third, similar sized group being undecided.

## **8. Role of Academia, the Church and Policy Research Institutes in African Union Matters**

Jonathan Mayuyuka Kaunda led a discussion on the Role of Academia, the Church and Policy Research Institutes in African Union Matters, with a particular focus on Academia.

By way of Introduction, he asked the question as to how useful is academia in realising the practical objectives of the African Union so as to:

- achieve greater unity and solidarity
- defend the sovereignty, territorial integrity and independence of member states
- accelerate the political and social-economic integration
- promote democratic principles and institutions

He argued that policy research institutes or “think tanks” are organizations that undertake policy-oriented social, economic, technical or scientific research and analysis. A public policy is an intention, aspiration or a general purpose

or course of action that a government, a public entity (such as parastatal, regulator, public enterprise, or local government) has decided on, and intends to pursue. It is a response to social or public problem, need, demand or requirement and results from the imperative to resolve a societal problem that has been expressed to ensure or safeguard the safety, security or welfare of the society. It is purposive; aimed at achieving defined objectives and goals.

To understand the interface between governance and policy research institute functions required an understanding of the two functionaries.

Government, for its part, comprised:

- Executive: principal policy decision-making, translation of policies into projects and programmes, management of government business
- Legislature: authorisation, adoption and approval of the implementation of public decisions
- Judiciary: review of the legality and constitutionality of policies, administrative actions, laws, regulations

Policy research institutes, for their part, engaged in:

- background research (and consultancy), analysis and provision of advice.
- identification of the problem
- examining different solutions and recommending alternative courses of action and the modalities of implementing them
- monitoring, evaluation and assessment of the impact of activities
- providing feedback and suggesting improvements to the content and manner of implementation of public policy

Policy research institutes came into being because of the challenges of development and the democratization process. They flourished because of a lack of state capacity for systematic policy formulation and analysis in many countries; the complexity of policy processes, especially the analysis of policy impacts, causes and effects; and the need to develop local capacity to effectively respond to public policy challenges (failure of technical assistance).

Research institutes were able to assist policy makers and implementers by examination or assessment of the workings and effects of a policy. They could discover whether the objectives of the policy have been served and what has happened to the attainment of defined objectives and goals. Thus they served for effectiveness, efficiency and economy and ensured good governance, protecting society from harmful policies. They could help to discover whether what was done was intended for the public good and improve the capacity of public officials to understand policy options. Finally, they could raise awareness of the likely consequences of choosing different policy alternatives.

Thus the role of the public policy analyst is to describe and explain the causes and consequences of government action.

The same arguments applied in relation to policy research beyond the national level. Policy research institutes are non-governmental and could engage in the promotion of peace, security and stability; social and economic development; enhancement of human capacities, good governance, democratic practice and safeguarding human rights, freedom, social justice and equality through research and consultancy, analysis, and provision of advice.

Already policy research institutes are actively engaged in advancing the African integration and development processes through appropriate policy research, analysis and advice that can assist the African Union (AU) in its efforts to advance shared objectives. They can assist the AU in enhancing its efficiency and effectiveness in implementing core objectives and can have a formative effect through Process Research on Integration in Southern Africa. They can, and do, assist SADC in enhancing its efficiency and effectiveness in implementing projects on regional co-operation, integration and development in Southern Africa by:

- Research on political and economic dimensions of regional cooperation and integration
- Monitoring progress of SADC integration and ICP relations with SADC
- Capacity building through internships, training courses, support to other institutional capacity-building initiatives
- Research and analysis
- Contributing to the SADC Secretariat's definition of policies and strategies, informing the institutional policy and planning processes, and reviewing and evaluating feedback on SADC performance in relation to its objectives

- Providing “on-demand” policy papers, based on specific requests from the SADC Secretariat
- Offering short policy briefs, reviews, papers and advice from members of the research network and other suitable researchers and consultants

To be effective, policy research institutes had developed a flexible and proven way of calling on resources at short notice; this was particularly useful for adaptation and responsiveness.

In relation to capacity building, policy research institutes could assist through capacity-focused studies - provide recommendations to address skills gaps in policy research and analysis in the member countries and REC and AU structures; assist member states, RECs and the AU to develop policy research, analysis and advisory capacity of their staff; and, for CSOs, provide the contextual framework for researching and understanding of issues that the CSOs advocate, to adequately prepare for advocacy work. They could be particularly useful in researching the challenges facing CSOs in accomplishing their objectives, and helping define scope of CSO activities and in offering additional support for CSO activities - networking and research contacts and assistance in different countries (re: SEAPREN and FOPRISA)

In conclusion, Mr Kaunda argued that academics in public policy research institutes seek to provide policy-relevant research, analysis and advice that are aimed at improving real social and economic life situations. Policy researchers are valuable in describing and explaining the causes and consequences of government policy decisions and actions. They can:

- Carry out appropriate policy research, analysis and advice that can assist to advance shared objectives
- Monitor treaties, protocols and implementation of international agreements and instruments
- Develop capacity for policy research and analysis in member countries and the REC and AU Secretariats
- Add value to CSO operations by assisting civil society organisations in researching and clearly defining their issues/causes and scope of operations and help them enhance CSO capacity to effectively advocate

In discussion, the important role of academics was recognised. However, the issue of funding sources was raised, since this could affect the value base of research. This scepticism was said to be widely held among ordinary people. This increasingly became an issue, as governments reduced their direct funding of universities. Progressively the donors were driving their agendas. As a result, civil society and government were receiving less critical input from academia.

In reply, it was argued that policy researchers, as members of research institutes, could have an impact on policy formulation and this is why their role needed to be recognised. The issues of funding applied everywhere – civil society organisations, for example, were typically very dependent on donor funding sources. The strength of policy research was that it could be sharply distinguished from advocacy programmes. Advocacy issues can be brought into the research, but as an element of policy formulation. The policy researcher has to retain the trust of as many parties as possible by being as objective as possible.

## 9. Challenges of Good Governance, Democracy and Elections in Africa

Dr Khabele Matlosa led a discussion on the Challenges of Good Governance, Democracy and Elections in Africa. He used the recently adopted Charter on Elections and Governance as the basis for his analysis arguing that the Charter took much longer to be concluded because of three fundamental (internal) challenges in Africa - democracy, development and security.

Africa was faced with big issues. The conflict in Darfur was an example. With millions being displaced how could something like the Charter be brought into existence?

The first chapter of the Charter deals with democracy, the rule of law and upholding human rights. This brought to the surface the question as to whether African states were truly democratic; or what the quality of democracy was in a particular country.



In the same way, democracy could not prosper if there was not an environment of peace and security. There were many steps to be taken before this was a way of life in Africa.

Strong democratic institutions were an essential part of the steps towards democracy, development and security. There were still many countries where political parties did not practically exist.

Elections were another issue. There were still examples in Africa where change of government took place outside elections or where the electoral process could not be deemed to be true and fair.

It was one thing for states to commit to these principles; it was another to act. Civil society had a role to press for the integration of the charters and principles into practice. This could be achieved through popularisation and through formal processes at a national and international level.

In discussion, it was argued that the process highlighted the difference between form and substance. Elections were only one measure of good governance. Democracy had emerged as a thematic tool for governance in the late 20<sup>th</sup> century in a (perceived) uni-polar world order. In Africa, the conditions for the rise of democracy were different from those in Europe. It was essential to define the place of democracy. Could it be the panacea to distorted economic systems? The neo liberal agenda of a global world were major influences on the democratic agenda. Perhaps we had moved into a phase of electoralism, without necessarily examining the quality of the results. It was essential to be conscious of the legitimacy deficit.

Why had economic liberalism become the benchmark of modernism and “good governance”? How do CSOs demand qualitative engagement in the process and substance of democracy? Free and fair elections could only be measured in the context of the total democratic statement of a country – freedom from tribalism, freedom for the press, full freedom for political activity.

Delegates pushed the questions further by asking what teeth does the Charter have? Was it legally binding? It was felt that the liberal agenda is bereft of meaningful, real engagement with economic and social justice. There are no common benchmarks to define democratic governance, nor are there effective measures for compliance. There is an issue of common agendas and their source. Certain civil society policies and aspirations were capable as being caricatured and disparaged as “pro-western”.

## 10. SADC and AU links in relation to ECOSOCC

To arrive at a comprehensive view of the SADC and AU links in relation to ECOSOCC, it was argued that the statutes and objectives of each organisation should be examined and, from that, a determination could be made as to which issues were the highest priority for ECOSOCC.

A first step for ECOSOCC would be to seek the harmonisation of civil society engagement at the SADC and AU level. Alongside this, ECOSOCC needed to map the civil society activity at the SADC and AU level, to identify what links and alliances it might effectively make.

As to specific issues, participants proposed environment, water and land, trade issues, regional integration, governance at country and regional level, economic and social integration, humanitarian and social issues, environmental issues, ratification of protocols, gender, policy research, disability issues, generational (elderly), people and youth, HIV/AIDS and displaced persons. Delegates then scored these individually through a simple process of rank ordering, with the following results:

Topic	Rank (lowest score means highest priority)
governance (including promotion of rights and ratification of agreements, etc)	3.6
Environment, water and land	5.0
HIV/AIDS	5.2
Gender issues	5.3
regional integration	5.5
Trade issues	6.0
humanitarian and social issues	6.6

economic and social integration	7.1
ratification of protocols	7.3
policy research	7.8
Disability issues	8.3
Generational (elderly),	9.6
people and youth	10.0
Internally displaced Persons	10.7

With these suggestions as to the priorities that ECOSOCC should be pursuing, the meeting closed.



# 11. Appendix: ECOSOCC Sectoral Cluster Committees

## ➤ Peace and Security

Conflict anticipation; prevention; management and resolution; post conflict reconstruction and peace building; prevention and combating of terrorism; use of child soldiers; drug trafficking; illicit proliferation of small arms and light weapons and security reforms etc.

## ➤ Political Affairs

Human rights; rule of law; democratic and constitutional rule; good governance; power sharing, electoral institutions; humanitarian affairs and assistance etc.

## ➤ Infrastructure and Energy

Energy; transport; communications; infrastructure and tourism etc

## ➤ Social Affairs and Health

Health; children; drug control; population; migration; labour and employment; family; aging; the physically challenged; sports; culture; youth and protection and social integration etc.

## ➤ Human Resources, Science and Technology

Education; illiteracy; information technology; communication; human resources; science and technology etc.

## ➤ Trade and Industry

Trade; industry; handcrafts; customs and immigration matters etc.

## ➤ Rural Economy and Agriculture

Rural economy; agriculture and food security; livestock; environment; water and natural resources and desertification etc.

## ➤ Economic Affairs

Economic integration; monetary and financial affairs; private sector development including the informal sector and resource mobilization etc).

## ➤ Women and Gender

Women; gender and development as a crosscutting issue etc) Cross-Cutting Programmes (all other cross-cutting issues that are not covered in above clusters including HIV/AIDS, international cooperation, coordination with institutions and organs of the Union

## Annex 2: List of Participants

Name	Organisation	Country	Email Address
1. James Mwenda	True Christian Youth Outreach	Zambia	<a href="mailto:jamesmwenda@yahoo.co.tcyoz@yahoo.com">jamesmwenda@yahoo.co.tcyoz@yahoo.com</a>
2. Hanneck Mdoka	Centre for Youth Development	Malawi	hmdoka@mail.com
3. Muzwake Sigundhla	SAYM	South Africa	sadc youth@yahoo.com
4. Cheryl Hendricks	Institute for Security Studies	South Africa	chendricks@issafrica.org
5. Lindsay Morvan		Mauritius	Lmorvan@intnet.mu
6. Bongie Ncube	SAFDEM	Zimbabwe	deploy@safdem.org.zw
7. Alexander Phiri	SOUTHERN African Federation for the Disabled	Zimbabwe	safod@netconnect.co.zw
8. Mulungisi Gatyeni	PCRD	South Africa	mlungisi@prcd.org.za
9. Lebohang Ncume	SARPN	South Africa	Incume@sarpn.org.za
10. Laura Joy Kanyago	ECOSOCC	South Africa	
11. Dr Samuel Efoua Mbozoo	Pan African Parliament	South Africa	efmbozoo@justice.com
12. Bishop Levee Kadenge	Christian Alliance Of Zimbabwe	Zimbabwe	lkadenge@mango.zw
13 Charles C Katiza	African Union of Local Governments	Zimbabwe	cckatiza@mweb.co.zw
14. Joseph Chilengi	African Internally Displaced Persons Voice	Zambia	joseph.chilengi@africaidp.org
15. Liepollo L. Pheko	Gender and Trade Network	South Africa	lebohang@sn.apc.org
16. Michelo Malumo	Southern Africa Trade Union Coordination Council	Zambia	michmals@yahoo.com
17. Elijah Rubvuta	FODEP	Zambia	Rubvuta@gmail.com
18. Laura L Chiweshe	National Arts Council Of Zimbabwe	Zimbabwe	hchiweshe@yahoo.com
19 Mahlomola Skosana	SATUCC	Botswana	mahlomola@nactu.org
20. Percy Makombe	SEATINI	Zimbabwe	percy@seatini.org
21. Joseph Ngawi	Southern African Research and Documentation Centre	Zimbabwe	<a href="mailto:jngawi@sardc.net">jngawi@sardc.net</a>
22. Theresa Mofobobe	Centre for Empowerment and Social Analysis	Lesotho	mofomobetheresa@yahoo.com.uk
23. Matseliso Mapetla	Institute of Southern African Studies	Lesotho	m.mapetla@nul.ls
24. Mantswe Nyoni	Center for Youth Partnership	South Africa	Mantswe@leadafrika.com
25. Khabele Matlosa	EISA	South Africa	Khabele@eisa.org.za
26. Emmanuel Ndlangamandla	CANGO	Swaziland	director@cango.org.sz
27. Helder Maluene	AFRODAD	Mozambique	helder@maluene.com
28. Mandla Hadebe	AFRODAD	Zimbabwe	Mandla@afrodad.co.zw
29. Charles Mutasa	AFRODAD	Zimbabwe	charles@afrodad.co.zw
30. Tendai Murisa	African Institute of Agrarian Studies	Zimbabwe	sam@aiatrust.org
31. Abigal Mgugu	Women Land and Water Rights of Southern Africa	Zimbabwe	
32. Justin Hunyepa	BOCONGO	Botswana	hunyepa@yahoo.com
33. Prof Jonathan Mayuyuka Kaunda	Botswana Institute for Development policy Analysis		kaundajm@bidpa.bw
34 Joyce Chikuni	AFRODAD	Zimbabwe	joyce@afrodad.co.zw