

The Africa Union - Civil Society Contract

An Act of Democracy?

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"Democracy is an ideal that I would like to live for, it is an ideal that if necessary I am prepared to die for"-Nelson Mandela.

It is an intriguing and powerful message that has sunk into the African Union and there is now a growing understanding that the political leadership alone cannot determine the continent's destiny. People need to be masters of their own destiny. Top-down approaches emanating from the razzmatazz of summits without the people will not change the face of Africa. Today, there is a rich body of literature emphasizing the rights-based approach to development grounded in ownership and effective participation by the intended beneficiaries. The African Union cannot afford to remain an exception to the norm.

The Third Summit of the African Union held in Addis Abba; Ethiopia in the second week of July 2004 saw African leaders opening their arms to the effective formal participation of the wider civil society organizations in Africa and the Diaspora by approving the Statutes of the Economic, Social and Cultural Council (ECOSOCC). The establishment of ECOSOCC under the provision of Articles 5 and 22 of the African Union Constitutive Act is a confirmation and assurance that popular participation in the activities of the African Union (AU), as enunciated in the African Charter for Popular Participation, is a prerequisite for its success.

The ECOSOCC process is a historical opportunity for the formulation of a new social contract between African Governments and their people. Involving civil society organizations in the African Union endeavours is a positive move and is a way of involving ordinary citizens of Africa in decision and policy-making processes of issues that concern their daily lives. More than this, involving civil society organizations is key considering the role they would be expected to play as watchdogs of their governments; guardians of democratic practices as well as ensuring the implementation of peace and conflict resolution efforts through the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA). Civil society organizations have the ability to reach out to the grassroots in African communities and they have many times complemented state efforts in people's social welfare. It is common knowledge that a 'constipated and bureaucratic African state' has been assisted by non-governmental organizations' work in rural development and other charitable spheres. It is therefore fitting that ECOSOCC "shall be an advisory organ composed of different social and professional groups of the member states."

Background

Past OAU approaches for cooperation with civil society organizations (CSOs), included the criteria for observer status and outlined essential prerequisites. In cases where observer status was not possible, cooperation agreements or Memorandum of Understanding could still be concluded as internal mechanisms for cooperation in specific areas. It is important to note that there were serious limitations inherent in the OAU framework as it did not allow for direct participation of CSO representatives at the meetings and had no reporting or follow-up systems.

With the birth of the African Union in 2002, it has become important for CSOs not to be observers of the AU proceedings but be an integral part of the organization's decision and policymaking process. It all started in 1997 when the Secretary General of the then Organization of the African Unity (OAU), Mr. Salim Ahmed Salim recommended to the Council of Ministers and the Assembly of Heads of State and Government, a more effective collaboration between the Union and Civil Society Organizations in Africa. In line with this, two large civil society meetings were convened by the African Union in Addis Abba in June 2001 and 2002 respectively. The main objective of the Conferences, apart from improving and consolidating the collaboration between the OAU and CSOs in Africa, was 'to assist in promoting a home-grown African Civil Society and enhance its contribution to the fulfillment of the Union's mission.'

Following the large civil society meeting in June 2002, a civil society working group was elected to help the African Union develop some modalities which will help govern the working relations between the African Union and the civil society. To that effect, it was agreed that the working group should within two years come up with an accreditation criteria and a Code of Ethics that should be applied to all civil society groups wishing to engage with the African Union. The proposed Criteria for Accreditation were drawn up at various meetings of the working group. The first meeting of the Group was in Accra, Ghana in October 2002 in which the first draft of the ECOSOCC statutes were drawn up and submitted to the AU Commission by the Conference on Security, Stability, Development and Cooperation in Africa Unit (CSSDCA).

Efforts to get the statutes approved in the second African Union Summit held in July 2003 in Maputo, Mozambique were futile as many stakeholders both in civic organizations and government had not had a chance to study or know more about the statutes. The following twelve months were, therefore, devoted to convening national and sub-regional workshops to popularise and mobilize support for the ECOSOCC. The last meeting of the working group held in Cairo, Egypt consolidated all ideas and agreed to submit the revised version of the ECOSOCC for adoption by the Third Summit of the African Union, and that was a success!

ECOSOCC Statutes

The ECOSOCC Statutes define ECOSOCC as an advisory body to all the AU's components and organs. It also spells out its structure, functioning, areas of competence and relationships to other organs of the Union. It also specifies the procedure and criteria for membership to ECOSOCC, term of office, its composition, formation; objectives, and

the relationship between ECOSOCC and African regional non-governmental organizations and professionals.

Important to note in the Statutes is that ECOSOCC shall be composed of one hundred and fifty civil society organizations (CSOs) which shall include different social and professional groups in member states. There shall be two CSOs from each member state of the union, ten CSOs operating at regional level; eight at continental level and twenty CSOs from the Diaspora and 6 CSOs in ex-officio capacity, nominated by the commission based on considerations in consultations with member states. The elections of the members of ECOSOCC at member state, regional, continental levels shall ensure fifty percent gender equality and shall also consider having fifty percent of the elected members as youths between the ages of 18 to 35. CSOs themselves shall define the modalities for elections and procedures of operation.

The ECOSOCC shall have four key structures/hierarchy of authority. The highest decision and policymaking structure of ECOSOCC shall be the general assembly, which will be composed of all its 150 members. The assembly approves all activities, committees, membership and budgetary issues. Below it is the Standing committee composed of 18 members mandated to coordinate ECOSOCC activities. Third, are the 10 sectoral cluster committees that are the key operational mechanisms of ECOSOCC to formulate opinions and provide inputs into the policies and programmes of the African Union. Each member of ECOSOCC will have to work with a sectoral cluster committee in accordance to its expertise i.e. peace and security; political affairs; social affairs and health; human resources, science and technology; trade and industry, rural economy and agriculture; economic affairs, women and gender, and crosscutting programmes such as HIV/AIDS and NEPAD. The last structure of ECOSOCC is the five-member Credentials committee, which will be in charge of examining credentials for membership.

The Challenges ahead

- Poverty, HIV AIDS, Malaria, Instability, Conflict, human Security, Corruption, Bad Governance and marginalization of the Africa peoples are among the contemporary enemies of the African Union. Citizens hope that the collaboration of government and civic groups will enable them to develop appropriate strategies to deal with Africa's daunting challenges.
- Government and civic organisations' relationships in many African countries have been characterized by conflict and counter-accusations, to turn this around and work together can be easily said than done. Most governments scoff at the idea of civil society groups watching over their undemocratic practices especially in the area of the rule of law, human rights; civic and voter education.
- Civic organizations have to prove that they live by what they preach and they should not condemn government for the very things found amiss in their own camp. They will have to prove that they can offer alternatives to Africa's

economic quagmire and political despondency if they are to remain relevant as an advisory organ to the African Union.

- Civil Society organizations have to effectively champion a proactive popularisation of the new Africa Union among African people within the context of potential resistance to change. Members of ECOSOCC have to work hard not to be perceived as an alternative club of elites in its operations and collaboration with the African Union.

Conclusion

The Africa Union unlike its predecessor the Organization of African Unity seems determined to graduate from a "politicians club" to be a people centered and driven regional organization. The paper work has been done, and what is left is to see whether both the civic society organizations and governments will make it a success by working harmoniously to attain democracy and economic development in the continent. The peoples of Africa, both the pessimists and opportunists have waited so long to see this become a reality and they cannot wait any longer. The overall goal was to work towards an Africa that is integrated, peaceful and prosperous.

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