



Fellowship of Christian  
Councils in Southern Africa



## **9<sup>th</sup> Southern Africa Civil Society Forum (10-14 August 2013, Lilongwe, Malawi)**

### ***SADC WE WANT: ACTING TOGETHER - ENSURING ACCOUNTABILITY!***

#### **1. Preamble**

- 1.1. *We, representatives of civil society organizations from across the Southern Africa Region, meeting under the auspices of the Fellowship of Christian Councils of Southern Africa (FOCCISA), Southern Africa Development Community – Council of Non-Governmental Organizations (SADC-CNGO) and the Southern Africa Trade Union Coordination Council (SATUCC) between the 11<sup>th</sup> to the 14<sup>th</sup> of August 2013 at the 9<sup>th</sup> Southern Africa Civil Society Forum issue this statement to the SADC Heads of State and Government Summit scheduled for the 17<sup>th</sup> -18<sup>th</sup> August 2013.*
- 1.2. *Pursuant to the Alliance Pact we signed in June 2010 as churches, NGOs and trade unions under FOCCISA, SADC-CNGO and SATUCC respectively, in which we committed ourselves to working together in contributing towards people-centered regional integration and development and to collectively engage SADC and Member States on issues of common interest such as poverty eradication, promotion of democracy and good governance and justice.*
- 1.3. *Cognizant of Articles 16A and 23 of the SADC Treaty which commits SADC member states to engage fully peoples of the region and civil society in regional integration and development;*
- 1.4. *Reaffirming and recommitting to a Southern Africa Regional Community in which every human being lives a dignified, peaceful and secure life and participate freely in issues that affect them;*

## **2. GOVERNANCE & ACCOUNTABILITY**

### **2.1. On Democratic Elections**

- 2.1.1. Noting that democracy in our region must evolve beyond notions of “tick-box”, exercised in periodic elections;
- 2.1.2. Believing that “elections” in the manner in which they are currently conducted exacerbate and give rise to on-going crises of democratic governance;
- 2.1.3. Noting that in the last decade we have not made significant or meaningful progress on governance and human security in the region despite the ever increasing frequency of “tick-box” elections.

#### ***Therefore,***

- 2.1.4. We call for the review process of the SADC Principles and Guidelines Governing Democratic Elections with the active participation of civil society;
- 2.1.5. Call on SADC Member States to ensure and guarantee the independence and impartiality of the Election Management Bodies with constitutional power and adequate resources;
- 2.1.6. Urge SADC and Member States to hold elections when only all preconditions for free, fair and credible elections are in place so that the potential of elections to trigger conflicts is reduced;
- 2.1.7. Call on SADC to encourage Member States to adopt, domesticate and harmonise the reviewed SADC Principles and the AU Principles Guiding Democratic Elections in Africa;
- 2.1.8. Call on the AU and SADC to democratize their election observation missions and ensure that the preliminary and final reports reflect the reports of their observers on the ground rather than being an outcome of political trade-offs;

### **2.2. On Governance**

- 2.2.1. Noting that in all Member States, the “Rule of Law” is conflated with a subverted legalism which has no other purpose than to support the agenda of the ruling party and classes to perpetuate entrenched power;
- 2.2.2. Observing that in all Member States, the formal Constitutionalism is treated as being real, accessible and lived democracy and justice – we have Constitutions without Constitutionalism, Rule of Law without Justice for All;
- 2.2.3. Noting that a superficial Constitutionalism and “Rule of Law” has been deliberately and consciously promoted as a mask for entrenching anti-democratic and authoritarian power relations;

- 2.2.4. Further noting that the proximity of state power and economic self-interest has bred and continues to feed into a distortion of democracy and the will of the people by all political contenders, deepening the exclusion of the people from political processes;
- 2.2.5. Deeply concerned that the lines between state and party are daily eroded resulting in a blurring of patriotism with patronage, public service with party loyalty and the national interest with personal interests – in all Member States;
- 2.2.6. Observe that there is a reluctance of member states to adopt, domesticate and harmonise the African Charter on Democracy and Good Governance;
- 2.2.7. Deeply concerned about the absence of checks and balances in decision-making and implementation at the regional level. The suspension and the proposal to reduce the tribunal to an interstate court and the reluctance to elevate the SADC Parliamentary Forum to its rightful place as a regional parliament with competence and legislative oversight are a serious matter of concern;
- 2.2.8. We reaffirm the resolution of the 8<sup>th</sup> civil society forum on media, access to information and freedom of expression.

***Therefore,***

- 2.2.9. Call on SADC to institute an APRM like mechanism with a compulsory ratification provision where member states' performance in governance is measured;
- 2.2.10. Call on SADC and member states to embark on an inclusive constitutional review process that results in the entrenchment of the independence, impartiality and effectiveness of the judiciary to ensure accountability and access to justice for ALL;
- 2.2.11. Call on SADC and member states to adopt, domesticate and harmonise the African Charter on Democracy and Good Governance without further delay within a specific timeframe;
- 2.2.12. Call on SADC to establish a Regional Court of Justice similar to the one that exists in the EAC and ECOWAS;
- 2.2.13. Call on SADC to embark in a time-bound process that results in the elevation of the SADC Parliamentary Forum to a full-fledged Regional Parliament with legislative and oversight competences;

***Call upon member states to:***

- 2.2.14. "Repeal and reform any existing repressive media legislation;
- 2.2.15. Guarantee the safety of media practitioners;
- 2.2.16. Ensure the state does not have a monopoly over public broadcasting;

2.2.17. Enact laws that guarantee freedom and access to information;

2.2.18. Ensure that public broadcasters and other public media put in place gender policies that guide content production and programming to attain the 50% parity set for 2015 as stipulated in the SADC Gender Protocol.”;

### **2.3. On Peace and Security**

2.3.1. Concerned that the slow implementation of SIPO, especially with regard to the establishment and operationalization of the Regional Mediation Mechanism, the regional early warning system and absence of inclusive and transparent stakeholder participation continues to hamper the building of the proactive and effective response capacity of SADC;

2.3.2. Noting that the architecture of the regional governance system is heavily founded on military and security apparatus that perpetuates the coercive and undemocratic practices in the region;

2.3.4. The absence of democratic governance at Member State level gives rise to an over-reliance on the security machinery to maintain stability in pursuit of elite interests.

#### ***Therefore,***

2.3.5. Call up on SADC to expedite the operationalization of the reviewed SIPO with priority on the Regional Mediation Mechanism and Regional Early Warning System;

2.3.6. Call on SADC to embark on an inclusive review process that would result in a human security and human rights based Peace and Security Architecture for the Region compatible to the African Peace and Security Architecture.

### **2.4. On Countries**

2.4.1. Reaffirming the resolution of the eighth civil society forum which stated that: *“while the SADC region enjoys relative peace and stability recent fighting and violation of human rights in DRC, inconclusive discussions in Madagascar, lack of multi-party democracy in Swaziland, limited progress regarding the creation of an environment for the holding of credible elections in Zimbabwe to mentions a few examples, have negated efforts towards consolidation of democracy”*;

2.4.2. Recognizing the ongoing violence in the DRC, breakdown of the Malagasy road map, the continued crisis in Swaziland, the contested outcome of the elections in Zimbabwe;

2.4.3. Concerned about the breach of peace and stability in Mozambique and the apparent silence, if not indifference, of SADC to that effect;

2.4.4. Recognizing that there is an urgent need for a systemic change to the existing SADC Peace and Security architecture;

***Therefore,***

2.4.5. To call for the review of SADC Principles and Guidelines Governing Democratic Elections;

2.4.6. Urge SADC and the African Union to strictly apply the SADC Principles and the AU Election Observation Guidelines, respectively, and their reports to reflect the reality on the ground as observed and reported by their observers;

2.4.7. Call for the audit of the electoral process of the recently concluded harmonized elections in Zimbabwe;

2.4.8. Call on the Zimbabwean Government to convene a national reconciliation and healing conference to map the way forward in terms of peace-building and political reforms in compliance with the new Constitution of the country;

2.4.9. Call on SADC to give serious attention to the brewing crisis in Swaziland and encourage the Swazi Government to enter into dialogue with the opposition forces and civil society actors to jointly draw political reform processes and their objectives. SADC Election Advisory Council must mobilise resources to support the observation of the Swazi “elections”, including for civil society;

2.4.10. Support Swazi civil society in developing vision for the country and strategy around which all CSOs would rally and coordinate their initiatives;

2.4.11. Call on SADC to facilitate and convene an all-inclusive inter-Congolese dialogue aimed at reconciling the Congolese across all divides and re-establish the governance structures;

2.4.12. Support the Congolese CSOs to play an active role in the dialogue and peace-building process;

2.4.13. Commend the commitment of SADC in assisting Madagascar to implement the roadmap and request SADC to remain coherent and impartial;

2.4.14. Urge the Malagasy political actors to put the interest of the Malagasy people first and expeditiously implement the roadmap;

2.4.15. Support Malagasy CSOs to assume impartial and facilitative role in the peace-building and democratization process;

2.4.16. Call upon SADC to assist Mozambican political actors to enter into genuine political dialogue on constitution, constitutionalism, electoral processes and general issue of social justice in order to avoid further conflict and breakdown of rule of law and take the country back to the democratization process;

### **3. Towards An Integrated Regional Development Framework**

- 3.1. Believing that the economic ideas that underlie development within SADC are not appropriate for addressing the developmental challenges and context of the region;
- 3.2. Convinced that we need to move away from the current neoliberal and neoclassical paradigm that prioritises, *inter alia*, free trade, comparative advantage, market orientation, tax competition, investment driven standards and aid dependency, as empirically unsound and harmful to our economies and people as shown over the last decades;
- 3.3. United in the need for a new development strategy that is responsive to the needs and interests of the people of the region;

#### **Therefore noting that:**

##### ***On Finance for Development***

- 3.4. RISDP is inappropriate for the development finance needs of the region;
- 3.5. There is a lack of financial transparency in public finance;
- 3.6. Domestic resource mobilisation challenges such as tax injustice and leakage and the illicit flows/capital flights which are prevalent especially the resource-rich Member States;
- 3.7. SADC has not been able to harness enough revenue from the extractive sectors in order to finance development;
- 3.8. Member States' continued dependence on foreign (donor) aid which undermine domestic potential for sovereign and independent development;
- 3.9. Acknowledge the contribution of diaspora remittances in financing for development;

#### ***Resolve:***

- 3.10. To ensure citizens' empowerment to exercise oversight, participation and inclusion in all processes particularly on foreign denominated and long term loans;
- 3.11. To develop and promote a common regional strategy that includes provisions for progressive taxation, the Robin Hood Tax (financial transaction tax), research on national dual currency system (different inflow and outflow rates);
- 3.12. To reintroduce capital controls to prevent capital flights from the region;

- 3.13. To call for code of good practice that ensures transparency, accountability, environmental sustainability and beneficiation of natural resources and their exploitation;
- 3.14. To end aid dependency and rely on internal resource mobilization for development;
- 3.15. To call upon SADC Member States to create enabling regulatory and investment environment to maximise the developmental impact of remittances;

***Further Noting***

***On Trade and Decent Work***

- 3.16. The low levels of intra-regional trade;
- 3.17. That diversification and complimentary rather than competitive economic structures are required;
- 3.18. The overly market orientated economic policy pursued by both Member States and under SADC's Macro-economic convergence targets;
- 3.19. Investment agreements constrain national and regional policy ownership;
- 3.20. The SADC free trade and investment protocol are not developmental;

***Believing That***

- 3.21. The state must be pro-active, responsive and reclaimed for peoples' interests;
- 3.22. Tariffs and other measures need to be flexible and conditional to the development needs of the nation and the region;
- 3.23. Policies need to focus on decent work;
- 3.24. Structural transformation of economies away from primary commodity dependence is urgently needed;

***Further resolve:***

- 3.25. To campaign and advocate for all SADC Member States to withdraw from the WTO;
- 3.26. To advocate for the current trade and investment agreements to be reviewed and renegotiated in favour of ensuring local development in a transparent and inclusive manner, prioritising local communities;
- 3.27. To establish a civil society working group in order to promote and support:

- 3.27.1. The broadening of grassroots and community awareness, input and participation;
- 3.27.2 The deepening of technical capabilities and strengthening research in support of community engagement;
- 3.28. Reaffirming the resolution of the 8<sup>th</sup> CSF in Maputo on the Informal Economy, and call upon SADC Member States to expedite the adoption and implementation of Simplified Trade Regime;

#### **4. TAKING FORWARD SADC WE WANT CAMPAIGN**

- 4.1. Noting that the 8<sup>th</sup> CSF in Maputo, 2012 mandated the APEX Alliance to take forward the SADC WE WANT as a region-wide campaign to give practical effect to the theme and resolution of that forum;
- 4.2. Re-affirming here the core demands of the campaign, namely:
  - 4.2.1 SADC Regional Parliament By 2015: This call for a parliament has been made to allow citizens of SADC to determine what form of parliamentary rule should give effect to their voices in the governance of the region;
  - 4.2.2. Regional Court of Justice: To guarantee to all citizens and people's access to justice and protection of their human rights;
  - 4.2.3. Signing, Ratification and Domestication of the Protocol on facilitation of the Movement of Persons in a free and prosperous region, to enable the people of the region freedom to move between borders to trade, and exchange, to work and live in harmony;
- 4.3. Believing that these three core demands are premised on the achievement of human-centred development and regional integration and that-SADC civil society seeks to deepen democracy in the region and empower SADC citizens towards their full participation in social, political and economic activities of the region;
- 4.4. Recognising that the campaign is multi-layered and a long-term intervention strategy that will engage with all the governments of the 15 Member States;

***Therefore resolve to launch and take forward the campaign and call upon the citizens and peoples of the region to sign for The SADC We Want***

- 4.5. 10 million signatures to be collected from SADC citizens and people and submitted to SADC leaders by the next Heads of State and Government (HOSG) Summit;
- 4.6. National Mobilisation in all 15 SADC countries through use of public seminars at national and regional levels;



- 4.7. Supporting community Mobilisation, through direct and common actions;
- 4.8. Lobbying, Advocacy and media events with national governments and parliaments to encourage citizens and national civil society in regional issues;
- 4.9. Popularising the Campaign Demands, Vision and Actions;
- 4.10. A research Policy Alternatives in support of the campaign;
- 4.11. Engaging with SADC institutions and member states;

## **5. Social and Human Development**

- 5.1. We note with deep concern that social and human development in the region has not improved for the past decade, in fact it has worsened despite the relative economic growth;
- 5.2. The development process must be understood in a holistic manner considering the following factors:
  - 5.2.1. the social factor, meaning how people’s basic human rights are safeguarded;
  - 5.2.2. the democratic factor, meaning how the political system functions and how decisions are made;
  - 5.2.3. the global factor, meaning how the system works at global level and how decisions are taken and implemented;
- 5.3. Observing that the gap between the rich and the poor is on the increase, exacerbating inequality between and within countries giving rise to high propensity for social insecurity and unrest;
- 5.4. Believing that development programs should be holistic where poor people participate in coming up with their own solutions to their situations;

***We note specifically on the following areas that:***

### **On Poverty & Development**

- 5.4. Noting that SADC and Member States have failed to implement and give effect to the Regional Poverty Observatory and Regional Poverty Reduction Framework;
- 5.5. The absence of clear and defined funding mechanism for poverty reduction and development initiatives within SADC and Member States which are transparent, inclusive and participatory;
- 5.6. Observing the need to distinguish between extreme and persistent poverty (misery), relative poverty and the imperatives of “development” in support of moving people out of poverty;

- 5.7. Recognising the failures of interventions under the MDGs to have a lasting and sustainable impact on poverty reduction and eradication in sub-Saharan Africa;

***Therefore resolve***

- 5.8. To place land at the centre of SADC regional development framework, as a productive asset and historic right;
- 5.9. To call on HOSG to immediately endorse the RPRF (Regional Poverty Reduction Framework) and appropriately fund the regional and national poverty observatories;
- 5.10. To advocate for a SADC Poverty Eradication & Development Fund which is inclusive of minorities, be gender sensitive and operationalized as multi-stakeholder fund with targeted interventions supporting small scale farmers, small industry and agro-processing;
- 5.11. To continue and accelerate the sharing of experience, knowledge and information between civil society organizations on best practices in combating poverty and promoting sustainable human and social development;
- 5.12. To co-ordinate improved documentation and disaggregation of data based on gender, indigenous groups, disability, children etc. Statistics and information must reflect a Gender analysis to better inform all interventions and programmes at Member State and SADC level so that women are not left out;

***On Climate Change***

- 5.13. Noting that the SADC Climate Change Policy has not been operationalized resulting in the absence of coherent and coordinated national and regional response strategies;
- 5.14. That Climate Change impacts on human security, development and livelihoods as well as the natural environment;
- 5.14. Observing that member states' development frameworks do not always integrate climate change;
- 5.16. Deeply concerned about the impact of climate change on food security;

***Therefore***

- 5.17. We call on Member States to adopt and operationalize the SADC Climate Change Policy;
- 5.18. We call on Member States to ensure the inclusion of climate change in the Post 2015 development agenda;

- 5.19. Advocate for Member States to “climate proof” national development plans;
- 5.20. Establish and harmonise Adaptation Funds for Climate Change which go beyond the international “carbon trading market”;

### ***On Social Protection***

- 5.21. Noting Social security is not accessible to everyone in SADC and that the majority of Members States do not adequately provide comprehensive social protection;
- 5.22. Believing that the provision of social services such as water, energy, health, education and social protection cannot be guaranteed for all if they are left to market forces;
- 5.23. Reminding Member States that they have legally binding obligations under international instruments, which must be honoured in respect of social protection;

### ***Therefore***

- 5.24. Resolve to raise public awareness among people and citizens of their right to Social Protection in all Member States;
- 5.25. Call on HOSG to ratify the Protocol on Employment and Labour and to domesticate it with immediate effect;
- 5.26. Campaign for Social protection to be tailored to the needs of the people;
- 5.27. Develop specific policies to address high unemployment among the youth in the region;
- 5.28. Call on Member States to domesticate the Decent Work Regional Programme;
- 5.29. Call on Member States to ensure the inclusion and participation of marginalized groups such as people living with disabilities, in development processes;

### ***On HIV and AIDS***

- 5.30. Noting the continued scourge of HIV/AIDS in Southern Africa;
- 5.31. Observing the high numbers of people infected and affected by the pandemic;
- 5.32. Alarmed at the reduction in funding and policy prioritisation and political leadership in the fight against HIV/AIDS

### ***Therefore***

- 5.31. Undertake to Lobby for universal health coverage in the post 2015 MDG development framework to include the following principles: equity, human

rights, quality, solidarity, efficiency and an integrated approach to achieving better health outcomes. Health services must be accessible to all, including marginalized populations, available in sufficient quantity, respectful of medical ethics and of high quality;

- 5.32. The right to health should be realized. The right to health is essential to the fulfilment of other human rights, as well as a key driver and outcome of poverty eradication and economic prosperity and wellbeing;
- 5.33. SADC Member States must ensure Child nutrition- specific interventions for the first 1000 days as a coordinated regional intervention;
- 5.34. Call on SADC and Member States to support research and development of indigenous knowledge and resources in the fight against HIV/AIDS;

### ***On Land and Natural Resources***

- 5.35. Noting the continued disparities in land and natural resources ownership in Southern Africa which perpetuate settler colonial land relations;
- 5.36. Observing the increase in land grabs and the on-going negative impact of economic policies on small holders farmers;

### ***Therefore***

- 5.37. Call on SADC to adopt a Regional Land & Agrarian Policy;
- 5.38. Call on Members State to reverse the decision to adopt the World Bank sponsored SADC “Agricultural Policy” which was arrived at without proper consultation with stakeholders and non-state actors;
- 5.39. Agree to host a Regional Civil Society Land and Agrarian Reform Conference as soon as possible;
- 5.40. Advocate for all Member States to have a dedicated rural development fund to cater for the majority of the SADC populations which reside in rural areas;

### ***On Gender***

- 5.41. Noting the significant progress made in respect of gender in the SADC Region and with the SADC Gender and Development Protocol;
- 5.42. Welcoming the increased visibility and leadership roles being assumed by women in the region, as Head of State (Malawi), Chair of the AU Commission (South Africa), Head of the United Nations Women & Development Programme (South Africa) and as elected representatives in local authorities and parliaments across SADC;

- 5.43. Cognisant that SADC is a patriarchal society with deep-rooted gender inequalities often presented as “cultural” practices;
- 5.44. Recognising that women - African and rural women in particular - bear the brunt of poverty, household labour, lack of income and productive assets and the impact of HIV/AIDS and climate change as well being victims of economic and psychological abuse.

***Therefore resolve***

- 5.45. To campaign actively for the full implementation of the Gender Protocol and all related instruments at Member State level;
- 5.46. To raise awareness amongst communities and people of their rights in respect of gender equality, including the mobilisation of men;
- 5.47. To campaign for the signing and ratification of the Addendum on Climate & Gender by SADC and Member States;

***On Indigenous Peoples***

- 5.48. Noting that there are approximately 370 million indigenous people spanning 70 countries, worldwide. Historically they have often been dispossessed of their lands, or in the center of conflict for access to valuable resources because of where they live;
- 5.49. Recognizing that IPs are not asking for special rights, but equality at all levels
- 5.50. Indigenous people fought for the adoption of the United Nations Declaration on the rights of Indigenous people more than 25 years, which, was adopted 13 September 2007, by the United Nations General Assembly;
- 5.51. The UNDRIP is guiding principle for governments on how to deal with the indigenous people by considering their principle of Free ‘prior and informed consent when doing developmental activities in their communities for them to make informed decisions;

***Therefore***

- 5.52. Resolve to support the Gobabis Declaration of the San Peoples;
- 5.53. Demand that policies and laws, which govern the Access to benefit sharing agreements under the Convention on Biological Diversity be expeditiously implemented;
- 5.54. Urge the SADC Member States to ensure that Indigenous people benefit from their Traditional Knowledge systems;

- 5.55. Call Member States in SADC to ensure that the first people of the region be provided with the necessary support in order to realize their development;
- 5.56. Urge SADC Member States to recognize the San Traditional leadership systems as crucial for development;
- 5.57. Demanding the Representation, effective and meaningful participation at political, social, economic platforms in SADC Countries of the Indigenous People as an integral part of any development process;

### ***On Water***

- 5.58. Noting the centrality of water in the SADC Region for peoples' livelihoods;

### ***Therefore***

- 5.59. For SADC to invest in water infrastructure such as dams, reservoirs and course ways as a matter of urgency;

### ***On Child Rights***

- 5.60. Noting that child rights are sidelined within SADC HOSG and are not given priority within the programmes of SADC such as RISDP;
- 5.61. Observing that although there is a SADC Minimum Package of Services for Orphans and Vulnerable Children and Youth, it does not have the same binding force of a protocol and does not address all the pressing needs affecting children;
- 5.62. Re-affirming that the voice of children in the SADC region needs to be amplified and formalized;

### ***Therefore***

- 5.63. Resolve to actively campaign for the adoption of a Protocol on the Rights of the Child;

### ***Continental Engagement***

- 5.64. Noting that we are embarking on a number of continental programmes to define Africa's development agenda, including the development of an Africa Common Position on the Post-2015 Development Agenda, and the African Union's framework document on Agenda 2063;
- 5.65. We believe that the Africa development agenda must be grounded on a self-sustained agenda, based on local resources and capacities;
- 5.66. Further reaffirm the resolution of the 8<sup>th</sup> CSF on continental engagement;

Lilongwe, Malawi on the 14<sup>th</sup> of August 2013

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On behalf of SADC-CNGO

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on behalf of SATUCC

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On behalf of FOCCISA