

'Building our organisations towards the SADC We Want'

Communiqué and Plan of Action of 13th Civil Society Forum

14 - 16 August 2017

Johannesburg, South Africa

The 13th Southern Africa Civil Society Forum (CSF) convened by faith based organisations, non-governmental organisations and trade unions brought together diverse civil society formations from the region at Birchwood Hotel and Conference Centre, Boksburg, South Africa from the 14th-16th August 2017 to collectively reflect on strengthening, securing and consolidating our organisations' common future and gains to advance the interest of our people for development, peace and justice.

Collectively, we represent a diverse community of interests with a shared set of values and ethics; most importantly, social and economic justice, inclusive and participatory development, accountability, transparency and a commitment to people-centred regional integration in the Southern African Development Community (SADC) region of the African Union (AU).

Civil society in the SADC region further recognizes that our diversity, different interests, modes of operation and location within our countries and region are key assets for the ongoing struggle for democratic and social transformation of our countries. For this reason, we declare a key strategic purpose of our movement to fight corruption and ensure public accountability in all spheres of society, including amongst our own formations and organizations.

As SADC civil society, we are cognizant of the challenges we are facing at both national and regional levels, including in our lack of coordination, lack of a common programme of action and resource and capacity constraints. We have therefore resolved to chart a shared roadmap and course of action.

In the spirit of the universally accepted principle of "leave no one behind" in the Sustainable Development Goals (SDGs), we resolve to ensure the full and active participation and inclusion of all sectors including children, youth, women, older persons, people living with disabilities, and indigenous people in engaging SADC and Member States to achieve the SADC We Want.

We further resolve to urgently coordinate civil society at national and regional levels to develop a plan of action to render support and solidarity to people living in SADC countries facing socio-economic and political distress.

Informed by the theme of this 13th Southern Africa civil society forum on "building people's organisations, securing our common future, consolidating our gains and confronting our challenges", we adopt the following Plan of Action as our collective commitment and roadmap towards the SADC We Want:

13th Civil Society Forum Plan of Action

Key Issues	Actions	Responsibility			
Revitalizing civil society movement in Southern Africa					
Lack of CSO coordination and common programme of action at national and regional levels	 CSOs will enhance their capacity and advocate for enabling and operating environment at both the national and regional levels; 	Regional and national Apex, and CSOs on the ground			
	 CSOs will facilitate and mobilise members at national level including sectoral formations (gender, youth, children, disability, indigenous people, older persons) to follow through and deepen a national Apex Alliance Pact to work together in support of the SADC We Want, building solidarity and common programme of action based on common issues, peer learning and best practices including strategies for resource mobilization and campaigns; 				
	 Apex Alliance members will share with their members the original MOU and accompanying terms of engagement for the Alliance Pact; 				
	 The political leadership of the Apex Alliance will convene a meeting at the end of 2017 that will consider, among others, recommendations from the national Apex Alliance members on the mode of operation, coordination and campaigning; 				
Resource constraints and shrinking funding base for civil society	 CSOs will develop strategies for joint mobilisation of resources and national-regional partnerships and alliances for effective service delivery; 				
	 Investigate and explore local resource mobilisation and for self-reliance; 				
Lack of national consultations and position on the proposed SADC Civil Society Engagement mechanism, and its failure to reflect transformatory participation as envisioned by the SWW campaign.	 7. CSOs will fully participate in the SADC mechanisms for engagement based on inclusive, participatory and representative national platforms; national and regional clusters and the regional Civil Society Forum; 8. Southern African CSOs will campaign for engagement mechanism to reflect the SADC We Want vision; 				
	Popular Participation and Rule of law				
There are serious concerns in SADC regarding continued abuse of power by authorities and the violation of the right of access to justice, particularly in countries such as the Democratic Republic of Congo, Lesotho, Mozambique,	We will advocate for the repeal of all laws which impact on the right to freedom of association, assembly and expression in contravention of national and international human rights laws;	CSOs at national and regional levels led by the Southern Africa Litigation Centre in partnership with the Human Rights			

Swaziland, Zimbabwe and		Institute of South
Zambia; Proposed legislative changes in Zimbabwe and Tanzania negatively impact on independence of judges and lawyers and thus access to justice in these countries; Continued suspension of the SADC Tribunal and the revised Protocol takes away the human rights jurisdiction of the court and limits the right of access to justice in the region	CSOs will engage member States to refrain from ratification of the revised SADC Tribunal protocol, lift the suspension of the Tribunal and reinstate the SADC Tribunal with its original mandate	Africa
Concerned about the abuse of legislation, in particular counterterrorism and defamation legislation, to suppress freedom of association and assembly that has taken place in the past 5 years in countries such as Angola, Mozambique and Swaziland	CSOs will demand the independence of the judiciary and legal profession and engage member states to desist from passing laws which negatively impact on this	
The majority of countries in the SADC region, specifically Angola, Botswana, the Democratic Republic of Congo, Madagascar, Namibia, the Seychelles, Swaziland, Zambia and Zimbabwe, have not ratified the African Court on Human and Peoples' Rights thereby depriving the majority of the people of this region from accessing the court	We will advocate for the Ratification of the Protocol of the African Court on Human and Peoples' Rights	
Recognition of the competence of the African Court to receive cases from NGOs and individuals by Malawi and Tanzania, while also raising concern regarding reports of Malawi intending to withdraw this recognition		
Concerns about the intention of the proposed Protocol on the African Court of Justice and Human Rights to grant immunity from the criminal jurisdiction to heads of state and government	We will engage member States to ensure all civil society organisations and individuals have access to the African Court by ratifying Article 34(6) of the Protocol	

and an undefined category of senior state officials					
reluctance of states in the region to hold heads of states accountable for international war	We will demand access to justice for all victims of war crimes by ensuring Member States desist from including an immunity clause in the proposed Protocol on the African Court of Justice and Human rights and cooperating with the International Criminal Court				
State Capture, restriction of civic space and freedom of expression					
Serious concerns on the level of alienation of the state from the people, including actions leading to capture of the state and looting of public funds that negatively impact on the lives of our people	CSOs will advocate for the signing, ratification, domestication and implementation of the African Charter on Democracy, Elections and Governance	CSOs at national and regional levels led by the Southern Africa Litigation Centre in partnership with the Human Rights Institute of South Africa			
	We will demand the strengthening of domestic and national mechanisms to address corruption;				
High levels of inequality and poverty resulting from state capture, corruption and abuse of public funds	CSOs will advocate for prosecution and effective punishment of all perpetrators engaged in corruption and misuse of public funds				
Further concerned about policies, legislation and government administrative actions that restrict civic space and participation in the region	amend all repressive legislation affecting smooth operations of HRDs,				
Concerned about the limited space for youth participation in governance structures and political participation in the SADC region	ensuring youth's full participation in states governance affairs. We will further in cooperation with SA Alliance on Youth Employment (SAAYE) promote youth employment at the SADC and National level.				
The rising level of attacks against human rights defenders, suppression of the media including closure of radio stations in Zambia and in Lesotho where the exercise of freedom of expression and freedom of press has been problematic since early 2014.	Adopt laws on protection of human rights defenders and in the region with a high level political support for implementation of these laws;				

Human and Trade Union Rights

Solidarity on Human and Trade Union Rights monitoring

- Trade Unions will engage churches and CSOs including youth organizations, women rights organizations, persons living with disability, older persons to develop solidarity action campaigns on human and trade union rights
- 2. We will explore various avenues for resource mobilization, coordination, and implementation of solidarity activities on Human and Trade Unions Rights particularly the use of ICT facilities such as social media, online petitions, websites, and development of online compendia/data banks. etc.
- Conduct joint activities (trade unions, CSOs and churches) on awareness raising and advocacy on Human and Trade Union Rights
- 4. We will carry out capacity building of respective constituencies on mechanisms for monitoring and reporting on human and trade union rights violations including research and advocacy
- CSOs will effectively utilize the international fora report on human and trade union rights violations such as the SADC, Africa Union, United Nations agencies eg International Labour Organisation (ILO) and the respective relevant instruments

Apex Alliance members led by SATUCC with national and regional CSOs

SADC Basic Income Grant

Over 70 percent of the African population is uncovered by social protection. The wealth generated from mining is owned by foreign entities, African governments have a minor share between 5-20 percent. Africa's natural resources wealth needs to be urgently decolonised, A SADC BIG must be implemented by member states and funded on a tax from the extractives industry.

We will continue to campaign for a Basic Income Grant (BIG) of a minimum of US\$15, which must be implemented across the region to all citizens, refugees and immigrants in the region If no one should be left behind to meet SDG1. This will also help in:

assisting youth cope with income insecurity, meet their basic needs and reduce the financial burden of job seeking.

National and regional CSOs led by the Studies in Poverty and Inequality Institute (SPII)

Community Benefit Schemes in Mining

The colonial history of Southern Africa has greatly influenced the regions' socio-economic strategies as the colonial regime took over the means of production of its colonies and turned the indigenous people of those countries into workers of the regime thereby, disempowering the indigenous

We will advocate for:

 the development of a consolidated SADC approach or standard on community benefit schemes from mining to ensure poverty reduction and sustainable development from mining including basic principles on Free Prior Informed Consent (FPIC) and clarity on difference between CSR and CBS; gender considerations; CSOs at sub national, national and regional levels in partnership with ZELA, Benchmarks Foundation, Liga Moacambicana Dos Direitos Humanos people from ownership of the means of production.

The number of people living in abject poverty in SADC is rising despite the countries being resource rich. This is manifested in increasing unemployment, poor service delivery, poor education and health infrastructure and continuing economic disempowerment which has been exacerbated by the policy inconsistencies: lack of of legislative implementation provisions on community benefit schemes and weak institutions of accountability for mining revenue

- Inclusive mining contract negotiation process which takes into account mine closure and disinvestment considerations taking into account long term health and environmental impacts;
- 3. Youth participation in the development of policies around Business and Human Rights which can improve community benefit schemes from mining; Africa Mineral Governance Framework; SADC processes around assimilation of the Africa Mining Vision;

We will engage SADC member States:

- to ensure-Mandatory CBS laws and policies that provide for communities in mining regions. This will also include stand-alone legislation that addresses community benefit schemes providing for registration, structure, governance and functions;
- 2. not to conflate Corporate Social Responsibility with community benefit schemes. The mines profitability should tally with the socio-economic development of the mining community.
- Accelerate the development of Country Mining Visions in line with Africa Mining Vision to ensure value addition/beneficiation, economic diversification and linkages from mining to other economic sectors;
- Transfer means of production to indigenous people to enable community benefit schemes to effectively benefit they must be given claims in order to leverage
- 5. Advocate and monitor fiscal transparency in terms of the share of taxes collected from mining that should be retained/ returned to local governments for local benefit, so that these funds are returned to local authorities in mining areas and are used for community benefit.

and Associacao de Apoio e Asistencia Juridica as Comunidades

Land

Human rights violations have been more prominent in disputes related to land for agriculture, mining and other purposes. Land has been the source of livelihood for generations. It is the source for food security of the populations and, in this sense, it is a resource that guarantees the minimum of dignity as human beings

CSOs will urgently conduct research for greater understanding about Land problems in the region;

- We will demand the heads of state share information and report on the state of land in their countries;
- We will advocate for a land audit to be carried out in all SADC countries;

We will build a movement on land (specifically against land grabbing, on distribution...) in the SADC region lead by stakeholders as communities, traditional leaders.

Civil Society
organizations at
national and
regional levels in
partnership with
Alliance Against
Land Grabbing in
Mozambique
(ASCUT), hosted by
JOINT

Harmonising health standards for the extractive sector

The 2009 African Union (AU)
African Mining Vision and 2004
SADC Harmonisation of Mining
policies call for Extractive Industry
(EI) activities that amongst other
issues are safe, healthy, gender
and ethnically inclusive,
environmentally friendly, socially
responsible and appreciated by
surrounding communities

Constitutional and legal rights to health and life that demand universal public health services that are used by all

Research and community experiences highlight that Africa Mining vision is challenged by health risks in Els, and gaps and variability in national legal protections that affect rights to health and fair benefit

- CSOs will advocate for health to be included in the SADC harmonised standards for the mining sector, with a comprehensive focus on public health and environment
- 2. CSOs will demand SADC Harmonised health standards include extractive industry (EI) and state duties:
- a. To implement environment, health and social impact assessments, with costed plans to manage harms, for resettlement and post mineclosure duties for health, that obtain approvals from health and local authorities and from communities before licenses are granted and that are made available in a public domain register at regional level.
- b. To ensure health and avoid harm to health of all workers and of communities living in and around Els, to remedy or compensate for damage and to prevent epidemics and emergencies, including from climate related health effects, and report to health authorities the spread of infectious/notifiable diseases.
- c. To pay without exemption any taxes used for health, and contribute to public funds held to remedy harms or to meet post closure public health duties.
- d. To ensure free prior informed consent and participation of communities on measures and plans to meet these duties above; with fair grievance management processes and prohibition of involved public officers from holding mining rights, to protect against conflict of interest.
- CSOs will establish a solidarity committee to implement a bottom up local to regional campaign for SADC harmonised standards for health in the mining (extractive) sector that:
 - a. Locally, involves, gives voice to and supports through popular and rights based education affected communities and community based organisations, including to document and expose violations of duties and share positive practices;
 - Nationally, creates alliances of health, labour and environment awareness and activism on health in Els within and across countries, including in national CNGO/trade union /faith based civil

SADC CNGO, SATUCC and FOCCISA and EQUINET in alliance with health and environment civil society and traditional leaders

society forums; national alternative mining indabas, national health days, to domesticate international commitments and to advocate for implementation of national duties and for support from relevant national ministries for regional standards; a. Regionally, informs and engages the constituencies of each organisation, and advocates for SADC harmonised standards for health in Els in forums such as the regional Alternative mining indaba; the SADC Ministers of Health, the SADC (PF) and other parliamentary forums; and other SADC and AU platforms. Social Accountability in agriculture and health CSOs at national We will undertake awareness raising activities on the SADC Online Monitoring and Evaluation System, and and regional levels Social accountability indicators in SADC online M&E Systems not participate in future rollout and training activities. led by the embedded and reported on for Partnership for enhanced accountability in HIV Social Accountability and sexual and reproductive (PSA) Alliance health rights (SRHR) adolescents and young people especially for girls, as well as food security with a special focus on women. There are gaps in social We will engage and participate in efforts to strengthen accountability literacy, for our capacity (including parliamentarians, government, civil society, small scale farmers and media) and those improved access to of our peers to ensure enhanced social accountability comprehensive HIV/SRHR services for adolescents and throughout southern Africa; young people with a special focus on girls, as well as food security with a special focus on women. Failure We will engage Member States to ensure innovative and to meet the Abuja commitment on Health by member sustainable domestic resource mobilisation and States on allocating at least 15% of adequate budgetary allocations to SRHR services for the national budget to the health adolescents and young people especially girls. sector, Slow domestication of the SADC we will facilitate and undertake social accountability Regional Agriculture Policy (RAP), monitoring on the issues of agricultural inputs for food effective inclusive security, and HIV testing services for adolescent girls, and implementation, with participation and to critically reflect on the findings during the 2018 of small scale farmers especially Regional Budget Summit to be convened by the PSA women and youth. Alliance.

Sustainable land tenure, land use We will actively seek to engage small scale farmers and management and agricultural raise awareness of their roles in social accountability production practices, especially monitoring. agroecology and agricultural value chains. Ratification of the SADC Regional We will create awareness of the need for commitments Development Fund (RDF) to to regional and domestic financing of agriculture through expedite the operationalisation of a multi-sectoral approach to operationalise the SADC the SADC Agricultural ADF fund. Development Fund (ADF). **Education Now** Poor and dwindling education We will campaign for SADC governments to Action Aid and financing that should promote increase spending on education to at least 20% partners, National access to quality and equitable of their national budgets (in line with the and regional CSOs education in the region. 34 million Education Protocol on Education and Training children aged 6-11 years are out of (2006) Article 4 (e)) so that core costs such as school (UNESCO); primary school qualified teachers and adequate, gender and is not wholly free in that parents disability responsive infrastructures that are have to contribute in the wake of lacking in most countries can be covered; and the universal primary education: responsive to ensure sufficient allocation for marginalized groups (children with disabilities, girls, rural/remote areas, etc) and policies to protect them from exclusion or abuse are costed and implemented of political will Lack and We will campaign for the prioritization of sovereignty innovative on domestic resource mobilization as a means of approach to domestic resource financing the education sector including: mobilization to bridge gap to strengthening of national tax systems financing free quality public and administration: inclusive and gender responsive evaluation of tax incentives that are education system; awarded to multinational companies; Lack of and/or weak As CSOs, we will participate in budget consultative meetings and demand for National implementation mechanisms that budgets and the budget legal and policy frame guarantee access, retention and works to be inclusive. performance for all children We will support the prioritization of Child and especially girls in schools that Youth participation in decision making processes respect their rights at national and SADC levels, taking into consideration gender dynamics; As CSOs, we will engage SADC Secretariat and Member States to come up with a clear re-entry policy for girls who get pregnant whilst in school in line with SADC Education and Training Protocol Article 4 (b) to ensure access, retention for all children, especially the girls; We will advocate for school Curriculum to be reviewed to meet current and relevant trends. cultures and inclusive of the culture of peace

Ageing in Africa

- Older men and women are experiencing many challenges within their countries such as burden care. witchcraft accusations, health care services not being age sexuality, sensitive. implementation of policies, challenges with obtaining social grants/pensions violence, and discrimination and abuse.
- Social protection is a means for the dignity of older men and women to be improved. We should promote the implementation of universal pensions throughout the region

- To share contacts and maintain relationships formed within the civil society forum network.
- To share knowledge with the civil society forum and beyond including HelpAge's knowledge hub (<u>www.ageafrica.net</u>) which contains information, data and reports on ageing in the region.
- CSOs to share reports and documents they have on ageing which can be loaded onto the knowledge hub.
- CSOs in Botswana and Swaziland will investigate which organisations are working on ageing in their countries and link them SARAN/HelpAge accordingly
- To investigate ways to share the progress on the AU protocol for older persons and which countries have signed and which have not signed

HelpAge International/SARAN and national CSOs

Continental Free Trade Area (CFTA)

De-industrialisation of African economies, perpetual dependency on raw materials exports and deskilling of people and workers has resulted in weak and decimated domestic manufacturing base. The Negotiations on the proposed continental Free Area (CFTA), therefore, ought to start from this structural reality. Further. differences between production capacities among countries. across sectors, different players (small and large) and social groups. The CFTA negotiations should not result in unequal outcomes where bigger players reap much of the benefits at the expense of the small players. Development with equity must be ensured.

Low intra-Regional trade in the SADC Region and in Africa due to supply side constraints, quality standards and over liberalisation of

- To build the capacity of the youth, women, civil society and other relevant stakeholders to understand the issues being negotiated in the CFTA and their impact on the various stakeholders and constituencies;
- To advocate for the voice and representation of CSOs, academia in the CFTA negotiations at the continental, regional and the national levels;
- Undertake research and analysis on the various dimensions of the CFTA and SADC regional economic development;
- Participate in and engage government at the national level on the development of negotiating texts and positions;
- Share knowledge, information and experiences with other CSOs in other regions on the CFTA negotiations;

Economic Justice
Network of
FOCCISA in
collaboration with
relevant CSOs and
think tanks

African economies in relation to external partners that allow multinational corporations to entrench their dominance across the region

CFTA negotiations have excluded the voices of youth who constitute a large proportion of the population, and women, NGOs, trade unions and other stakeholders.

 Develop a monitoring tool on the progress and development on the CFTA negotiations for purposes of update and education of our constituencies.

Integrating Climate Change in SADC Policies

On Gender and Climate Change

Following the extension of the Lima Work Programme on Gender in Marrakech, COP 22, member states should step up efforts to ensure national level action plans resonates well with the expectations of the Decisions on Gender.

CSOs will advocate for Planning and implementation of National action plans on climate change that are Gender Equality and Social Inclusions (GESI) sensitive including improving women participation and decision making at country level, and in UNFCCC processes.

Pan African Climate Justice Alliance (PACJA), national and regional CSOs

On Climate Change and Industrialisation

Greenhouse gas emissions from industrial processes are at the centre of global warming and resultant climate change on earth. Robust climate and energy policies and strategies are required to ensure sustainable industrial and socioeconomic development.

- We will engage SADC Member States to ensure that they commit to implementation of their National Determined Contributions (NDCs) that were submitted to the United nations Framework Convention on Climate Change (UNFCCC).
- 2. We will also advocate for SADC countries to ensure that all member states that have not yet submitted NDCs should raise their level of ambition in NDCs.

Cross cutting issues

Promulgation of a SADC Children's Protocol

Since the 12th Civil Society
Forum, the child rights sector has
established a steering committee
with more than 8 regional child
rights players, including the UN to
drive the process of coming up
with a SADC Children's Protocol.
A concept note and a roadmap
were developed.

National and regional networks will continue to lobby for a child rights protocol to cover children specific issues that are peculiar to the region such as inter alia child marriages, child migration, public investment for children and harmonisation of child related laws National and regional CSOs led by The Child Rights Network for Southern Africa in partnership with the Apex Alliance

Health	We will advocate for and act as watchdogs on the	National	and	
Constitutional and legal rights to health and life demand universal public health services that are used by all	development and defence of national universal public- sector health systems that promote health and wellbeing, prevent ill health and provide treatment and care for all, including migrants and refugees, that are adequately domestically funded, including by meeting the Abuja commitment, and that are used by all in the country.	regional CSOs by EQUINET partnership with Apex Alliance	in	
****End****				

As the 13th Southern Africa Civil Society Forum, we commit to implement this action plan in total support of the SADC We Want Campaign.

Signed

FOCCISA SADC CNGO SATUCC

16 August 2017