

Civil Society and the African Union Architecture: Institutional Provisions and Invented Interfaces

by

Bhekinkosi Moyo

Introduction

The African Union (AU) and its various organs and programs were created primarily to improve governance, promote sustainable development, and uphold the rule of law and respect for human rights. So when the Assembly of Heads of State and Government of the Union adopted the Charter on Democracy, Elections and Governance in January 2007, it made it clear that there is a strong desire to improve democratic practice in Africa. Influential organs of the AU include the following: the Peace and Security Council (PSC); the Assembly of Heads of State and Government of the Union; the Executive Council of Ministers; the African Court of Justice; the Pan-African Parliament (PAP); the Permanent Representative Committee; the Specialized Technical Committee; the Economic, Social and Cultural Council (ECOSOCC); financial institutions; and regional economic communities (RECs) are also increasingly being given new impetus, especially in the implementation of continental developmental projects, in particular those drawn up by the New Partnership for Africa's Development (NEPAD).

Under the influence of the notion of popular participation, which is deeply embedded in the African Charter on Popular Participation and Development (1990), these institutions have included in their treaties, protocols, rules of procedures, and strategic plans the participation of civil society. The Constitutive Act of the African Union and in particular the treaty establishing the African Economic Community (1991), the Abuja Treaty, make provisions for the inclusion of civil society in the programs of the AU. Thus, the launching of ECOSOCC as the official platform for civil society in the AU opened up the space for civil society organizations (CSOs) to demand even more and effective inclusion. At the NEPAD level, the introduction of a civil society desk and the think tank has meant that civil society can contribute to NEPAD programs and their implementation. Furthermore, the inclusive nature of the African Peer Review Mechanism (APRM) provides space for interfacing and engagement between governments and civil society, especially at the country level. The Peace and Security Council has begun work with civil society through a network of organizations called SalaamNet. These organizations feed into the work of PSC through research and informed advocacy. The Gender Directorate at the AU is currently at the forefront in working closely with civil society (AFRODAD, Oxfam, & AFRIMAP, 2007; World Vision, 2007).

The examples of adoption of the Solemn Declaration on Gender Equality in Africa, as well as the entry into force in record time of the Protocol on the Rights of Women in Africa to the African Charter on Human and Peoples' Rights, are often used

to illustrate the positive impact of partnering with civil society. The African Commission on Human and Peoples' Rights (ACHPR) was one of the pioneer organs to involve civil society organizations as observers. There are more than 300 organizations with observer status at the ACHPR (World Vision, 2007). Other models include the African Citizens Directorate (CIDO) at the AU Commission and the West African Civil Society Forum (WACSOFF), which has modeled itself against ECOSOCC but still maintains its independence from the Economic Community of West African States (ECOWAS).

These examples show that there is a general acceptance that now, more than ever, civil society and other various social formations are playing very critical roles in governance and development processes. Awareness has been created that a united and strong Africa is only achievable through processes of solidarity, partnership, and cooperation between democratic states and their citizens. This is clearly captured in the AU's proposal for a union government, and this is also well articulated by the Constitutive Act. Furthermore, these aspirations are contained in the AU Commission's 2004–2007 Plan of Action (African Union, 2004) and other instruments that make provision for the inclusion of civil society organizations in the activities and programs of the AU and its various structural formations. Also, there is recognition that development rests on creating effective linkages between various processes and initiatives that seek to develop the continent, such as the millennium development goals, NEPAD, APRM, and Africa's citizens. In 2006 only, more than seven consultative meetings occurred across the continent, particularly in the context of ECOSOCC,¹ advocating for a closer working relationship among various processes and institutions. And in 2007, more meetings took place. For example, Oxfam GB (Great Britain) organized a meeting at the margins of the World Social Forum in Nairobi, Kenya, and the CSOs' meeting at the sidelines of the AU summit in Addis Ababa, Ethiopia, in January 2007. In addition, a number of civil society organizations met at the margins of the 7th Session of the Pan-African Parliament in May 2007 and subsequently met at the margins of the Heads of State and Government 9th African Union Summit (i.e., the 9th Ordinary Session of the Assembly of the Union) in Accra, Ghana. The Pan-African Parliament has also held at least three consultative meetings with CSOs: one in East Africa and two in Southern Africa. In addition to meetings, at least two studies on the relationship between the AU and CSOs have been published: one by the World Vision study and the other by AFRODAD, Oxfam, and AFRIMAP (2007).

These spaces, however, have their own limitations. Hence, more needs to be done. As the AFRODAD, Oxfam, and AFRIMAP (2007) study showed, “[T]here is a growing perception that the AU's initial enthusiasm to include civil society in its

¹ Southern Africa held two regional consultative meetings; the first was organized by the African Forum and Network on Debt and Development (AFRODAD) and took place in Harare, Zimbabwe, in April 2006. The second was jointly organized by AFRODAD and the Institute for Democracy in South Africa (IDASA) towards the end of the year. The Africa Leadership Forum organized three such meeting, one in Nairobi, Kenya, another in Ota, Nigeria, and the last in Addis Ababa, Ethiopia, in December 2006. Oxfam, AFRIDAD, and the Africa Governance, Monitoring and Advocacy Project (AFRIMAP) held a meeting to review findings of a research project on the AU and summit preparations. World Vision also held a consultative meeting to review its study on civil society and the AU toward the end of 2006. The ECOSOCC national chapter in Kenya also conducted a series of meetings. The same could have happened in other countries.

development plans is slowly giving way to a closed stance” (p. 1). Also, there are perceptions that the majority of staff that work at the AU Commission are still of the old order, thinking and operating under the Organisation of African Unity (OAU) mode—“many staff seemed to retain their old habits and attitudes” (AFRODAD et al., 2007, p. 1). More importantly, civil society and African citizens struggle to access up-to-date information being discussed at the AU and its structures. Many still find it difficult to access institutional processes, get up-to-date information, meet key personnel, and be involved in programs.

This chapter, therefore, is a discussion of the existing modalities of establishing spaces for civil society in the functions of the AU institutions. It explores existing institutional frameworks for the participation of civil society and suggests that more spaces should be invented to complement those that already exist for an effective and productive synergy between the AU and civil society. Although the chapter draws examples from the AU, ECOSOCC, NEPAD, APRM, and PAP, other AU departments and structures can be subjected to the same analysis.

Civil Society and the African Union

The AU has established provisions and created mechanisms to include civil society in its programmatic areas. The Constitutive Act of the AU and the treaty establishing the African Economic Community (AEC) articulate an Africa that is people centered. The preamble of the Constitutive Act, for example, talks of a union that is

[g]uided by common vision of a united and strong Africa and by the need to build a partnership between governments and all segments of civil society, in particular women, youth and the private sector. (African Union, 2002, p. 2)

Article 3 (g and h) of the Constitutive Act provides for the “promotion of democratic principles and institutions, popular participation and good governance; protection of human and people’s rights in accordance with the African Charter on Human and People’s Rights and other human rights instruments” (p. 4). And Article 4 provides for the “participation of the African peoples in the activities of the Union” (p. 5). In its 2004–2007 Strategic Plan of Action (Commission of the African Union, 2004), the AU Commission’s objectives targeted at African citizens were to ensure that the talent, resources, and dynamism of the African people and the diaspora are fully utilized in the implementation of the programs of the AU, as well as to enhance the meaning and value of citizenship in Africa.

It was in this context that the AU Commission planned to establish adequate frameworks for the full participation of various societal groups in the AU. These included the following: having national commissions at the level of each member state; having AU delegations to RECs; establishing AU offices, establishing ECOSOCC as the principal formal channel for civil society; establishing at national and regional levels consultative frameworks; supporting pan-African civil society organizations and networks, including financial support and observer status; and holding systematic civil society and private sector meetings before each AU Summit (African Union, 2004).

Most of these activities have already begun under the aegis of CIDO, for example, AU/NEPAD/APRM offices have been established in Midrand, Johannesburg, South Africa, and ECOSOCC was launched in 2005. Consultative meetings at national and regional levels, as well as civil society and private sector meetings at the margins of summits, are already taking place.

Furthermore, the Pan-African Parliament, for example, has multiple avenues for civil society organizations to take part. These include classical and nonclassical functions of the parliament, most of which are enshrined in its founding document—in particular, the rules of procedure and the protocol establishing the parliament, among others.² As for APRM, spaces for civil society are provided by the very nature of the review process at country levels, which demands extensive consultations with all organized and unorganized formations. The review process cannot be legitimate unless citizens are involved. One of the reasons why civil society organizations should engage the APRM, especially the Secretariat, is that in practice there are limitations in terms of the extent to which civil society and citizens are involved, even in the national processes. Some governments have tended to drive and dominate the process, resulting in cooption or silencing of critical voices.

Civil Society and Participation in ECOSOCC

Established under Article 22 of the Constitutive Act of the AU, ECOSOCC is an advisory body composed of different social and professional groups of member states of the union. ECOSOCC was established to enable African people and institutions, not only to contribute to the programs and decisions of the AU, but also to assume ownership of these programs and be responsible for their implementation (see Jager, 2004). ECOSOCC was created to further widen and broaden the working relationship between the AU and civil society in terms of public participation. Therefore, ECOSOCC presents opportunities for civil society to further contribute in a regional, as well as continental, manner to the debates and discourses around democracy and development. The Constitutive Act of the AU established ECOSOCC as a platform for civil society to interface with other organs and structures of the union. It is from this perspective that the AU can be said to be people centered and its projects ideally people driven.

The relationship between the AU and civil society goes way back. It can be traced to 1997, when the secretary general of the OAU, before the Council of Ministers and the Assembly of Heads of State and Government of the Union recommended a formal and more effective collaboration between the OAU and civil society in Africa to both the council and assembly. The result was the first OAU–Civil Society Conference convened in Addis Ababa in June 2001 under the theme “Building Partnerships for Promoting Peace and Development in Africa,” the objective of which was to “assist in promoting a homegrown African civil society and enhancing its contribution to the fulfillment of the Union’s mission” (Code of Ethics, 2003, p. 1). A second OAU–Civil

² For a detailed discussion of PAP provisions for civil society participation and inclusion, see Moyo Bhekinkosi’s (2007) final report submitted to Southern Africa Trust (SAT). See also the address by Ambassador Gertrude Mongella (2007).

Society Conference was held also in Addis Ababa in June 2002 under the theme “Developing Partnerships Between the OAU and African Civil Society Organisations.” This conference elected a consultative working committee (a provisional working group, to draw up statutes and modalities to institutionalize ECOSOCC).

The institutionalization of ECOSOCC has been a long journey; however, it is the nature of the space that ECOSOCC occupies that needs to be problematized. There are many notions of “space,” some of which include *invited*, *invented*, *free*, *contested*, *rented*, and *hired*. Clearly, in this case, ECOSOCC is an invited space. In some ways, an invited space is limiting, as the guest has to conform to the host’s rules. This is different from invented spaces where civil society organizations would create opportunities for participation in their own terms. Therefore, a number of questions abound regarding the current nature and structure of ECOSOCC. For example, how inclusive will ECOSOCC be, especially if one takes into consideration the bureaucratic nature of its membership criteria as stipulated in the ECOSOCC statutes? Will civil society not be co-opted by member states and governments? And will civil society be limited in its work, especially its “watchdog” functions through ECOSOCC’s Ethics and Code of Conduct for African Civil Society Organisations?

Article 22 of the Constitutive Act reveals both prospects and limitations of ECOSOCC. The advisory function, which is the primary object of ECOSOCC, raises concerns as to whether ECOSOCC will have the ability to influence policies that matter most within the AU. The Assembly of Heads of State and Government of the Union is the only organ bestowed with decision-making powers. ECOSOCC’s function is primarily advisory. Will it change the status quo? What is more disturbing about ECOSOCC is the eligibility criteria for membership. Article 6 stipulates the following requirements:

- The CSO should be national, regional, continental, or an African diaspora.
- The CSO must have objectives and principles consistent with those of the AU as set out in Article 3 of the Constitutive Act.
- The CSO must be registered in a member state of the union and/or meet the general conditions of eligibility for the granting of observer status to NGOs.
- The CSO must show a minimum of 3 years of proof of registration as either an African or an African diaspora organization prior to date of submission of application, including proof of operations for those years.
- The basic resources of such an organization shall substantially (at least 50%) be derived from contributions of members of the organization.
- The CSOs should provide information on funding sources in the preceding 3 years.
- The CSO should adhere to a Code of Ethics and Conduct for civil society organisations affiliated to or working with the union.

All of the aforementioned criteria are limiting in one way or another. For example, it is not clear whether these CSOs are *African CSOs* or *CSOs in Africa*. African civil society formations are generally not organized and/or formalized. That means these are likely to be excluded from becoming members of ECOSOCC. Also, the requirement that CSOs

must have similar objectives with those of the AU might actually be viewed as coercing organizations to look and think like the AU, and those that are critical of the AU might be excluded. This might lead to an uncritical and ineffective ECOSOCC. Furthermore, the requirement to be registered in a member state goes against reality in many African countries. Registration is often used as a tool to repress or silence critical voices. As a result, many civil society organizations, especially advocacy ones, are not registered in many countries. This means that most of these will be excluded in ECOSOCC. Also, the requirement to provide information on sources of funding might actually be enough reason in many countries to deny those CSOs entry into ECOSOCC. The Code of Ethics and Good Conduct for African Civil Society Organisations working with the AU might be a mechanism to reign in the autonomy of CSOs. The code seems to be concerned with bringing civil society into a closer relationship with the state, and very little thought is given to maintaining a critical distance. There are fears that CSOs signing this code will cede and negate their critical distance between themselves and the state, as well as between themselves and the AU (Jager, 2004).

It is in the sectoral committees, however, that ECOSOCC will be most effective. These sectoral clusters are as follows: peace and security; political affairs; infrastructure and energy; social affairs; human resources, science, and technology; trade and industry; rural economy and agriculture; economic affairs; women and gender related issues; and crosscutting programs

These and other challenges confronting ECOSOCC should not, however, deter civil society or governments and the business sector in forging partnerships. There is no doubt that the concept of civil society is attractive in a policy sense. For most countries, civil society serves to limit state power and authoritarianism and serves as a “transmission belt” by which citizens make their interests known to government. In most cases, as argued by Wiarda (2003), where there is civil society, it tends to be good for the state, for society, and for democracy. So it should be for the AU and Africa’s democracy and development.

Civil Society and Participation in NEPAD

Two key events in 2002 in Africa were the launching of NEPAD and the AU. Launched as a blueprint for Africa’s regeneration by African leaders, and also in principle as the engine of the African Union, NEPAD fared well in terms of media exposure despite the fact that it was at the time competing with other global events (Ross, 2003, p. 241), such as the “terrorism euphoria” after the September 11, 2001, terrorist attacks and Iraq War. Critical followers of NEPAD argued that not only were its substance and form neoliberal, the whole initiative was similar to the World Bank/IMF recovery programs, such as poverty reduction strategies and the World Bank’s document published in 2000, *Can Africa Claim the 21st Century?* These critics argued that NEPAD portrayed the schizophrenic mindset of the political elite in Africa. On one hand, the political elite wishes to pursue an autonomous development path, yet on the other hand, they adopt neoliberal and dependent development strategies (Matlosa, 2003). At home, NEPAD was not well received, particularly by civil society.

Many civil society organizations across the continent argued that they were marginalized in the process of its formulation and predicted that without participation of the people, NEPAD was bound to fail like other past initiatives. They also argued that NEPAD marginalized key players and thus defeated the principles of pluralism, democracy, and transparency on which it is based (Kotze & Steyn, 2003, p. 43). At the World Economic Forum Africa Summit in Durban, South Africa, on June 12, 2003, participants concluded that far better communication was needed between NEPAD and all levels of civil society. The participants argued that the people must own the NEPAD process and its outcomes. Cilliers and Sturman (2004) also have argued that NEPAD was “criticized as a top-down elitist plan with little consultation with civil society” (p. 3). Ironically, though, this criticism occurred at the time when key architects of NEPAD were embarking on a consultative program to popularize and engage civil society. There are two dimensions to NEPAD that require closer scrutiny. As Cilliers and Sturman showed, a closer look at the NEPAD document exposes NEPAD as (a) “a pledge by African leaders” to place their countries on the path of growth and development, and (b) “an appeal to African peoples” to support its implementation by setting up structures for organization, mobilization, and action (Cilliers & Sturman, 2004, p. 4). Failure to grasp these dimensions resulted in what Kotze and Steyn (2003, pp. 39–67) saw as ideological differences between civil society and governments.

The current interface between NEPAD and civil society is best captured in the institutional frameworks that have been established to interact with civil society. These include the NEPAD/CSO Think Tank, the NEPAD Gender Task Force, and the NEPAD/PAP Parliamentary contact group.³ According to the NEPAD Progress Report,

NEPAD continues to interact with civil society groups at various levels. On a generic level, a civil society desk has been established at the NEPAD Secretariat with a view to having a one-stop focal point for civil society. At a sector level, all programmes are being implemented in consultation with relevant civil society groups. (as cited in Nkuhlu, 2005, p. 9)

Although the creation of this desk demonstrated the desire by the NEPAD Secretariat to involve civil society in its projects’ implementation, this was a direct response to recommendations by different stakeholders and experts. There was realization among stakeholders that even though NEPAD expected civil society to play meaningful roles in its implementation, there was very little mention of civil society engagement in the actual design and formulation of the stages of projects themselves (Landsberg & Mckay, 2005). Other NEPAD institutional spaces include engagement with experts through the NEPAD policy advocacy work at global, regional, and national levels through conference and workshop invitations. These spaces, however, exclude many civil society organizations, especially those at grassroots levels. For both NEPAD and civil society to forge effective partnerships, they ought to craft joint programs around infrastructure development, project implementation, and more generally, around all sectors of NEPAD. In this context, NEPAD must open up its consultations with civil society formations through regular contacts beyond think tank members. These

³ Personal communication, response to a questionnaire, Litha Musyimi-Ogana, Adviser: Gender, Parliamentary Affairs and CSOs, Johannesburg, South Africa, March 2, 2007.

consultations can be established in thematic areas, such as sustainable development, peace and security, democracy, political and economic governance, capacity building, resource mobilization, environment, transport, information communication technologies (ICTs), and infrastructure development, among others. The NEPAD/CSO desk must also publish its strategic plan and calendar of events in the NEPAD Web site, in the NEPAD newsletter, and in other media outlets so that civil society can easily access the information.

Civil Society Participation in APRM

In principle, the APRM consultative process is one of the most inclusive mechanisms, particularly at the national level. By mid-2007, at least 27 countries had acceded to the APRM review process. The structure of the APRM and its principles provide reasonable space for various civil society and societal constellations to interact with governments at a national level on issues like democracy, transparency, human rights, poverty, and service delivery. There is provision for a national coordinating mechanism based on broad-based representation from all sectors of civil society and government. A panel of CSOs in the national process incorporates all nongovernmental actors, including business and the media. In “most cases, governments provide political leadership and then step back, leaving the national governing council to run with the process.”⁴ Hence, in most countries, chairpersons of the APRM national review process are members of civil society.

Undoubtedly, APRM presents unique opportunities to involve all sectors of government and civil society. However, there are challenges regarding spaces provided by APRM, for example, around lack of information regarding civil society participation, representation, and full access in the review process. Ghana’s review process showed how government can maintain a low presence and delegate critical duties to CSOs, but the South African and Kenyan processes showed how a government-driven and dominated process could lead to either co-option or the silencing of critical voices (Masterson, 2006). An agenda of engagement should be developed for civil society and APRM on issues of economic development, human resources development, and inclusive and participatory development. Civil society can conduct periodic reviews at national levels, provide input to the APRM review process, establish clear mechanisms for peer review, ensure greater and broad-based civil society participation in the country self-assessment process, and ensure input by civil society in other national assessments. Furthermore, civil society should seek involvement in monitoring and evaluating the country’s implementation plan of action and provide regular progress reports.

Civil Society and Parliaments

⁴ Personal communication, interview with Sudir Chuckun, Adviser: Office of the Executive Director, APRM Secretariat, Midrand, Johannesburg, South Africa, February 26, 2007.

Civil society and parliaments are all in the business of representing the people, of giving voices to the voiceless. Civil society and parliaments do not govern; but they oversee those who govern to ensure that policies are people based. Both parliaments and civil society should help governments to monitor service delivery to the people. The relationship between civil society and governments need not be adversarial but should be complimentary. (Mongella, 2007)

These remarks were made at a civil society–Pan-African Parliament dialogue meeting by Ambassador Gertrude Mongella, the president of the Pan-African Parliament. She captured the desired interface between civil society and the PAP. In reality, however, there are limitations in the legal and institutional provisions for critical engagement between the parliament and civil society. The PAP’s procedures are usually complicated and not user-friendly. The same is true of regional parliaments that are established to serve communities. All of them, in particular, ECOWAS, the Southern African Development Community Parliamentary Forum (SADC PF), and the East African Legislative Assembly have created different modalities for engaging with civil society and citizens. The SADC PF, for example, envisaged in its 2006–2010 strategic plan that

[t]he Forum will...develop structured relations with other institutions at sub-regional, regional and international levels in order to influence processes at these levels that have a bearing on the SADC region and the Forum’s work. (p. 9)

And the East African Legislative Assembly has, since its establishment, made visits to various parts of East Africa to popularize its work in order to “publicize the Community and its work as well as familiarize the Parliament with the conditions, resources and challenges facing the region.”⁵ The ECOWAS Parliament, which is also known as the “Community Parliament and a forum for dialogue, consultation and consensus for representatives of the peoples of West Africa,”⁶ has a special provision for regional nongovernmental organizations (NGOs). Article 81 of ECOWAS Revised Treaty states that

[t]he Community with a view to mobilizing the human and material resources for the economic integration of the region shall cooperate with regional non-governmental organisations and voluntary development organisations in order to encourage the involvement of the peoples of the region in the process of economic integration and mobilize their technical, material and financial support. (ECOWAS, 1993, p. 38)

Due to their close relations with ECOWAS, civil society organizations in the region have moved to formalize their engagement with ECOWAS by establishing the West African Civil Society Forum. The West African Civil Society Forum is modeled against ECOSOCC and is a membership organization that partners with and advises ECOWAS.⁷

⁵ See the Web site description of the functions and mandate of the East African Legislative Assembly, available at <http://eac.int/index.php/eala.html?start=1>.

⁶ See the ECOWAS Web site section on “The ECOWAS Parliament at a Glance,” available at <http://www.parl.ecowas.int>.

⁷ See Charter of the West African Civil Society Forum (WACSOF).

All regional parliaments, in their founding documents, adopt a similar language when referring to nonmembers. They refer to them as “members of the public,” except for the East African Legislative Assembly, which refers to nonmembers as “strangers.” However, this may seem peculiar to legislatures that are modeled against the Westminster system. The general practice, though, despite the language used, is that these regional parliaments have created spaces for nonmembers to take part in their activities. There are basically two ways in which civil society and citizens can take part in the activities and programs of parliaments. The one is through parliaments’ classical roles (advisory, investigative, consultative, and oversight) and the other is through nonclassical functions that are not necessarily procedural, such as meetings, workshops, visits, and close-working relations with the Secretariat.

The Pan-African Parliament was established in March 2004 through Articles 5 and 17 of the Constitutive Act, and the protocol to the AEC Treaty relating to the establishment of the Pan-African Parliament. The PAP, just like other regional parliaments, makes provisions for civil society participation in its activities as stipulated in the the protocol to the AEC Treaty relating to the establishment of the Pan-African Parliament. Article 2, for example, views parliamentarians as representatives of the people of Africa, while Article 3 outlines the objectives of the PAP, which among others include familiarizing the people of Africa with the objectives and policies that are aimed at integrating the continent within the AU framework.⁸ Article 14 states that parliamentary proceedings are open to the public, although a number of organizations would argue that PAP has neither publicized nor popularized its programs rigorously. The Parliamentary Rules of Procedure also provide for civil society inclusion (Moyo, 2007), particularly in the 10 parliamentary committees.⁹ Rule 4 refers to the creation of awareness among the peoples of Africa on the objectives and policies of the AU. And Rule 5 mandates PAP to invite representatives of the organs of the AU, RECs, and other institutions to furnish explanations in plenary on issues affecting or likely to affect the continent. Furthermore, the 2006–2010 strategic plan of PAP envisioned a close working relationship with civil society:

For the role of representation to be effective, PAP will be required to collect and debate peoples’ needs, concerns, anxieties and fears as well as to address them in the spirit and

⁸ Some of PAP’s objectives are as follows: (a) facilitating an effective implementation of the policies and objectives of the OAU/AEC and, ultimately, of the African Union; (b) promoting the principles of human rights and democracy in Africa; (c) encouraging good governance, transparency, and accountability in member states; (d) promoting peace, security, and stability; (e) contributing to a more prosperous future for the people of Africa by promoting collective self-reliance and economic recovery; (f) facilitating cooperation and development in Africa; and (g) strengthening continental solidarity and building a sense of common destiny among the peoples of Africa.

⁹The 10 PAP committees are as follows: the Committee on Rural Economy, Agriculture, Natural Resources and Environment; the Committee on Monetary and Financial Affairs; the Committee on Trade, Customs and Immigration Matters; the Committee on Co-operation, International Relations and Conflict Resolutions; the Committee on Transport, Industry, Communications, Energy, Science and Technology; the Committee on Health, Labour and Social Affairs; the Committee on Education, Culture, Tourism and Human Resources; the Committee on Gender, Family, Youth and People with Disability; the Committee on Justice and Human Rights; and the Committee on Rules, Privileges and Discipline.

the leadership of an institution that seeks to promote cooperation, understanding and solidarity...the effective ownership of the AU objectives, policies and programmes squarely rests on how best the citizens' voices will be listened to and heeded. This in turn will depend on the quality of the information flows, degree of access by the people to the Parliament and the capacity...to respond imaginatively to the voices of the people. PAP must seek to build a people's Parliament that is responsive to the needs of all the people of Africa. PAP must ensure full participation of the African people in Parliamentary activities...PAP visits, regional seminars and workshops as well as the discussions on the importance of regional cooperation and integration. PAP outreach activities must facilitate the exchange of views with stakeholders on the progress made, obstacles encountered and to participate in recommending the way forward. (as cited in Pan African Parliament, 2005, p. 12)

The objectives of the parliament also show that there is a desire by PAP to work with civil society and citizens. Like the East African Legislative Assembly that has popularized its work and that of the RECs, PAP was also established to familiarize the people of Africa with the objectives and policies of the AU. It does this through its sessions (both plenary and committee) that are open to the public; through access to parliamentary documents, registers, and journals; and through motions and petitions, regional caucuses, the bureau, meetings, conferences, and awareness-raising activities. These provisions are made possible by the rules of procedures, among other founding documents of the parliament. In this context, the parliament has developed relationships with various large organizations that normally meet with the PAP president on an annual basis. Most of this work is coordinated by a senior clerk who heads the International Relations section. This section maintains relations with other legislative bodies, regional or international organizations, including government, civil society groups, think tanks, and NGOs.¹⁰ In 2006 PAP embarked on a continental outreach program based on a series of roundtable meetings in all the regions of Africa to bring together key stakeholders to continue the dialogue on regional harmonization.¹¹ The first meeting was in Arusha, Tanzania, in 2006 and the second was in Kasane, Botswana, in March 2007. These meetings were an effort to popularize PAP. There is also a move toward establishing a civil society dialogue unit at the parliament.

Conclusion

Although the AU and its organs provide for civil society involvement in their activities, very little engagement actually takes place. There is very little that the AU and its organs have done to make contact with citizens and CSOs, except for a few departments like the Gender Directorate. AU institutions set up for civil society participation remain weak, and at times they are unwilling to involve civil society. As discussed, many have articles, declarations, treaties, and protocols that call for civil society participation, but in practice very little civil society involvement occurs (Landsberg & McKay, 2005). The problem at times lies with civil society organizations that want to engage at the very

¹⁰ Personal communication, interview with Lyn Chiwandamira, Senior Clerk: International Relations, February 26, 2007.

¹¹ Personal communication, interview with Lyn Chiwandamira, Senior Clerk: International Relations, February 26, 2007.

top—at the highest level in decision making—and place minimum effort during national or other influential stages. The AU decision-making structure, for example, shows that if civil society wants to influence policies, engagement should not be solely at the Assembly of the Heads of State and Government level but rather at the country levels right up to the Executive Council of Ministers. It is important to engage at the highest level, but it is also critical that other alternative spaces are occupied. Furthermore, very few civil society organizations actually know and/or work closely with the AU. Except for a few specialists and research-oriented organizations, institutional spaces remain unknown to many across the continent. Civil society in general wants increased participation in institutional programs and processes. The difficulty has partly been due to capacity within civil society itself. Another reason could be the tensions that have often existed between civil society and public institutions:

One cannot fail to recognize the stereotypes that exist regarding the so-called third sector...and by the same token, we in the civil society sector have to admit to harboring our own stereotypes. We have our frustrations about the public sector and our misgivings about the private sector. (Landsberg & Mackay, 2005, p. iii)

It is also important for civil society to understand the AU and its various institutions. This way, civil society would be in a position to engage meaningfully and interact effectively. This chapter has argued that the aspirations of the AU and its various organs are similar to those of civil society and other development actors. All want to promote democratic principles and institutions, popular participation, and good governance, as well as peace, security, and stability in the continent. Civil society is an asset that African governments can and should tap into. As previously discussed, the political space already exists.

References

AFRODAD, Oxfam, and AFRIMAP. (2007). *Towards a people-driven African Union: Current obstacles and new opportunities*. Pretoria, South Africa: Authors.

African Union. (2002). *Constitutive Act of the African Union*. Lomé, Togo: Author.

Cilliers, J., & Sturman, K. (2004). Civil society has a key role to play in the AU and NEPAD. *Global Dialogue*, 9.1. Johannesburg, South Africa: IGD.

Commission of the African Union. (2004, May). *Strategic plan of the Commission of the African Union: Vol. 4. 2004–2007 plan of action: Programmes to speed up integration of the continent*. Retrieved October 9, 2008, from http://ocpa.irmo.hr/resources/docs/AU_Plan_of_Action_Culture-en.pdf

Jager, N. (2004). *Removing the teeth of the watchdog: Civil society and the African Union* (Briefing Paper No. 35/2004). South Africa: University of Pretoria, Centre for International Political Studies (CIPS).

Kotze, H., & Steyn, C. (2003). *African elites perspectives: AU and NEPAD, a comparative study across seven African countries*, Konrad-Adenauer-Stiftung Occasional Papers, Johannesburg.

Landsberg, C., & Mackay, S. (2005) *Engaging the Pan-Africanism: Strategies for civil society*. Johannesburg, South Africa: ActionAid International-Southern Africa Partnership Programme (AAI-SAPP) and Open Society Initiative for Southern Africa (OSISA).

Masterson, G. (2006). *Defining civil society in the context of the African Peer Review Mechanism* (EISA Occasional Paper No. 43). Johannesburg: Electoral Institute of Southern Africa.

Matlosa, K. (2003, May 26–27). *Democratic consolidation in Africa over the last decade: A southern perspective*. Paper presented to the African Continental Conference, Johannesburg, Electoral Institute of Southern Africa.

Mongella, G. (2007, May 7). *Address by Ambassador Gertrude Mongella, president of the Pan-African Parliament, to civil society organisations at the CSOs-PAP dialogue meeting, at the margins of the 7th Session of the Pan-African Parliament*, Gallagher Estate, Midrand, Johannesburg, South Africa.

Moyo, B. (2007). *fostering civil society engagement with the Pan-African Parliament: PAP rules of procedure and civil society organisations engagement, an interpretation*. Final report submitted to Southern Africa Trust (SAT).

Nkuhlu, W. L. (2005). *The New Partnership for Africa's Development: The journey so far*. Midrand, Johannesburg, South Africa: NEPAD. Retrieved November 26, 2007, from <http://www.nepad.org/2005/files/documents/journey.pdf>

Pan-African Parliament. (2005). *Strategic plan 2006–2010: "One Africa, one voice."* Midrand, Johannesburg, South Africa: Author.
Protocol to the Treaty establishing the African Economic Community (AEC) relating to the Pan-African Parliament; http://www.africa-union.org/Official_documents/Treaties_%20Conventions_%20Protocols/protocol-pan-african-parliament.pdf, accessed 05/11/2008

Ross, H. (2003). The African Union and NEPAD in 2002: A pivotal year. In *South African Year Book of International Affairs, 2002/03*. Johannesburg: South African Institute of International Affairs.

SADC Parliamentary Forum (SADC PF). (2006). *Strategic plan 2006–2010*. Retrieved October 27, 2008, from <http://www.sadcpf.org/documents/Eng%20Contents.pdf>
Statutes of the Economic, Social and Cultural Council of the African Union; <http://www.africa-union.org/ecosoc/STATUTES-En.pdf>, accessed 05/11/2008

Wiarda, H. (2003). *Civil society: The American model and third world development*. Boulder, CO: Westview Press.

World Bank. (2000). *Can Africa claim the 21st century?* Washington, DC: Author.

World Vision. (2007). *Civil society organisations and the African Union: Towards a continental advocacy strategy for World Vision*. Nairobi, Kenya: World Vision Africa.