



Fellowship of Christian
Councils in Southern Africa



11th Southern African Civil Society Forum Statement

11th-14th August 2015, Gaborone, Botswana)

***TOGETHER MAKING SADC BETTER:
ACHIEVING JUSTICE, PEACE & EQUITABLE DEVELOPMENT FOR ALL***

1. Preamble

1.1. We, the 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 11th to the 14th of August 2015, in Gaborone, Botswana, at the 11th *Southern African Civil Society Forum*, under the theme *“Together Making SADC Better: Achieving Justice, Peace & Equitable Development For All”* hereby reaffirm our commitment to work with communities and governments, to make SADC better for all boys and girls, men and women through achieving justice, peace, and equitable development, as well as productive employment and sustainable livelihoods for all.

1.2. **We reaffirm** our conviction that the SADC We Want can only be arrived at, with the full participation of all people in the process of regional integration and development, from national to regional level.

1.3. **Recognizing** that migration within the Southern Africa region has a long history, and is multidimensional, and as such, should be addressed in a manner that upholds the spirit of regionalism, ensuring coherence, safety and the respect of human rights.

- 1.4. **Believing** that causes of migration are many, including governance deficits and economic challenges, both externally and internally generated, and requiring strengthening of both democratic and economic governance and accountability by member states to avert migration crises and associated consequences;
- 1.5. **We reject and condemn** violence, intolerance and discrimination perpetrated against migrants and non-nationals in all our countries. We declare our solidarity as Africans, united in the pursuit of a decent life for all, irrespective of the country of origin and to ensure that every citizen enjoys the right to nationality and dignity, and recognizing that no person is born stateless, nor should become stateless due to the circumstances not of their making;
- 1.6. **We are convinced that** investing in all citizens, including women, young people and children through sufficient and equitable public spending on essential public services for all, including health, education, housing, water and sanitation is central to achieving inclusive, equitable and sustainable development for all.
- 1.7. **We acknowledge** the relationship between agriculture, land, food security and climate change. We are aware that climate change is having a negative impact on agriculture and the productivity of small-scale farmers, especially women small scale producers in the region. Governments must prioritize climate change adaptation in national priorities linking directly to vulnerable communities. This includes investing in climate justice and building the capacity of communities to understand and respond to climate change. Therefore, commitments by SADC governments should be translated into concrete policies and programmes for development and must be anchored on climate change adaptation;
- 1.8. **We recognize** that the youth are disproportionately affected by unemployment and a lack of opportunities arising from structural inequalities in all countries, particularly in respect of decent employment and sustainable livelihoods. Therefore we affirm the importance of enhancing the youth participation in all political decision making processes, which affect them both in SADC and at national level;
- 1.9. **We thus call upon** civil society organizations in the SADC region to reinvigorate social mobilisation and movement building at the national level, through the SADC We Want Campaign in order to achieve democratic transformation. We further implore civil society to urgently invest on rebuilding organisations by agitating internal democratic,

consultative and accountable norms, values and best practices for institution-rebuilding as a vehicle for steering the SADC We Want Campaign;

We thus hereby resolve by issuing this Declaration of intent and Call to Action to the SADC, Member States, civil society organisations and people of Southern Africa on the following:

2. On Migration and Xenophobia

Concerned about escalating xenophobic attacks on migrants in member states, especially in South Africa, and the negative ramifications on the regional integration project, we call on;

2.1. All SADC Member States to condemn xenophobic attacks, ratify and implement the Protocol on the Facilitation of Movement of Persons and to adopt and implement the SADC Labour Migration Policy Framework;

2.2. SADC Member States to ratify the protocol on the African Charter on the right to nationality in Africa and undertake the necessary legislative reforms at national level;

2.3. SADC Member States to ensure the enforcement of the International Covenants on social and economic rights and for civil and political rights for migrants, irrespective of their status, through policy and legislative provisions and mechanisms protecting the rights of migrants at the national level, irrespective of their status.

3. SADC Industrialization Strategy

Believing that the SADC Industrialization Strategy and Roadmap, accompanied by necessary commitment and targeted implementation strategy, will engender a major economic and technological transformation at the national and regional levels within the context of deeper regional integration. We believe that industrialization strategy and roadmap will accelerate the growth momentum and enhance the comparative and competitive advantage of the economies of the region. We therefore call on:

3.1. SADC Member States, including civil society organizations, to take the industrialization strategy and roadmap to the national level for engagement, popularization and ownership by citizens;

- 3.2. SADC Member States to harmonise the SADC Industrialization Strategy with existing relevant SADC policies, processes and instruments, most notably trade and industrial development policies;
- 3.3. SADC Member States to establish a multi-stakeholder coordinating mechanism for accountable and transparent implementation of the SADC Industrial Strategy and Roadmap.

4. On Financing for Development

Concerned about Illicit financial flows out of Africa, estimated to be as much as US \$50 billion per annum, and the scale and negative impact of such flows on Africa's development and governance agenda. Further believing that taking urgent action to curtail illicit financial outflows from Africa will provide a major source of resources for development programmes on the continent. We therefore call upon:

- 4.1. SADC Heads of State and Government to ensure that independent institutions and agencies for preventing illicit financial flows such as transfer pricing and financial intelligent units in their respective countries are established and/or strengthened;
- 4.2. SADC Member States to strengthen collaboration on financial transparency by demanding for country-by-country reporting by multinational corporations and their subsidiaries, disclosure of beneficial owners of anonymous shell companies as well as automatic exchange of information between SADC and the rest of the world;
- 4.3. SADC Member States to leverage on their regional integration strategy to harmonise, finance, investment and taxation policy frameworks;
- 4.4. SADC Member States to strengthen their collaboration on anti-corruption as well as integrating illicit financial flows into the SADC Protocol Against Corruption as a specific component;
- 4.5. SADC Member States to ensure that financial resources mobilized through combating illicit financial flows should strategically be allocated towards efforts to eradicate poverty, funding comprehensive social protection mechanisms and to improve socio-economic well-being;

4.6. SADC Member States to provide income security for all through the formulation of comprehensive social security and protection mechanisms that are all inclusive such as the provision of a universal basic income grant.

5. On Creation of decent employment and sustainable livelihoods

Concerned about the impact of increasing job losses and unproductive work, and their impact on communities and poverty levels, we believe that aspirations of all men and women to enjoy access to quality and productive work will enhance their conditions of freedom, security, equality and dignity, thereby contributing towards poverty eradication. We therefore call on:

5.1. SADC Member States to ratify the SADC Employment and Labour Protocol;

5.2. SADC Member States to formulate macro-economic policy frameworks that are conducive to employment creation, structural transformation and the realization of sustainable livelihoods, particularly for the youth;

5.3. SADC Member States to take the necessary measures to protect the rights to sustainable livelihoods of the informal economy actors/workers during the transitions from the informality to formality, as contained in the ILO Recommendation 204 of 2015.

6. On Democratic Transformation

Launched during the 9th CSF in 2013 in Malawi, the SADC We Want Campaign is our vision of a “SADC characterised by a people-centred development paradigm that guarantees rights and dignity of every human being regardless of race, colour, ethnicity, religion, political opinion, social status and age; free from poverty; gender-sensitive; with stable economies underpinned by equitable and sustainable development, fair and just trade and redistribution of wealth and productive assets; which respects the rule of law and upholds democratic values and human rights”. We are further alarmed by escalating post-electoral crises in some member states, resulting in escalating trend of political parties undermining the will of the people in their right to democratically elect their representatives. We therefore call

6.1. On SADC to expedite the transformation of the SADC Parliamentary Forum into a Regional Parliament;

6.2. We demand that SADC establish a Regional Court of Justice;

6.3. On SADC to transform the SADC Secretariat into a regional authority within the ambit of the SADC Treaty to enable it to effectively coordinate regional integration and holding SADC Member States accountable. SADC Member States must commit the requisite internal resources needed to accompany this commitment;

6.4. SADC Member States must elevate the SADC Principles and Guidelines Governing Democratic Elections to a protocol and should domesticate such a protocol in line with the African Union Declaration on the Principles Governing Democratic Elections in Africa. Further ensure compliance by member states and political parties with the will of the people in the determination of the outcomes of democratic elections.

7. On Climate Justice

Recognizing that Climate change affects everyone, but noting that its effects are felt most severely by the world's poorest and most marginalized communities, who live in regions that are susceptible to changes in the climate and whose livelihoods are dependent on natural resources, and further noting that equipping vulnerable people to adapt to a changing climate and cope with severe weather changes requires responsive and targeted policies and strategies, we call upon:

7.1. SADC Member States to actively negotiate for a legally binding agreement on climate change that delivers fair, ambitious and strong climate actions at a level adequate to keep global warming well below 1.5 degrees Celsius. This must be consistent with the principle of Common But Differentiated Responsibilities and Capabilities, gender sensitive approaches and environmental integrity, intergenerational equity as well as respect for human rights including the right to develop and the rights of the indigenous people together with vulnerable communities;

7.2. SADC Member States to demand that developed countries honour and scale up original pledges on climate finance and innovations and appropriate technological transfers.

8. On Investments in Agriculture for small scale farmers

Concerned about the impact of climate change on food and farming – particularly the food and farming of the half a billion small-scale croppers, livestock keepers and fishers who are most immediately dependent on agricultural systems for their livelihoods, we call on:

- 8.1. SADC Member States to invest more in agriculture, as contained in the Malabo Declaration (2014) and put in place biennial mechanism for participatory peer review monitoring that will require countries to account for their commitments. Agricultural investment flows must particularly target women smallholder farmers through inclusive consultative processes;
- 8.2. SADC Heads of State and Government to adopt a Special Declaration harmonising existing policy commitments and addressing policy and implementation gaps, in respect of small scale farmers including women and youth, adopting a right to food approach for developing national investment plans that put food security at the centre of strategies and address specific constraints of women smallholder farmers;
- 8.3. SADC to develop a comprehensive agrarian reform programme which promotes a more equitable distribution of land that addresses past colonial inequalities in land use and ownership, including the promotion of public and private investment in agriculture;
- 8.4. SADC to develop a comprehensive agrarian reform programme that promotes public and private investment in agriculture and broadens land redistribution, which defends inalienable land rights of small and large scale producers.

9. Gender and Development

- 9.1. Recall the resolution taken by Ministers of Gender and Women's Affairs at the May 2015 Harare Ministers' meeting, to review the SADC Protocol on Gender and Development targets by December 2015 and have it ready for adoption by May 2016;
- 9.2. Acknowledge the need and the resolution to have a Monitoring, Evaluation and Results (MER) Framework accompanying the Protocol review;
- 9.3. Calls on SADC Heads of State and Government to put their weight behind the review of the SADC Gender Protocol, especially the proposed Monitoring, Evaluation and Results (MER) Framework;
- 9.4. Concerned that the road map agreed by gender Ministers in Harare in May for the review of the SADC Protocol is behind schedule. This includes the setting up of a Task Team comprising senior officials and technical experts from UNWOMEN and the Gender Protocol Alliance, at the invitation of the SADC Executive Secretary;

- 9.5. Concerned about the capacity constraints at the SADC Gender Unit, and urge the SADC Secretariat to ensure adequate capacity for the Gender Unit to ensure that there is full implementation of new SADC Gender Protocol;
- 9.6. Urge the SADC Secretariat to call upon civil society support to ensure that the agreed timeframes for the review are adequately adhered to;
- 9.7. Hope that the review process will pave way for Botswana and Mauritius, the only two countries that have not signed the Protocol, to do so;
- 9.8. Note the need to review the SADC Protocol on Gender and Development, in line with the Sustainable Development Goals, the Beijing Plus Twenty Review and the African Union Agenda 2063, all cross referenced with other SADC Protocols;
- 9.9. Urge Member States to increase support financially and otherwise to the Ministries of Gender and Women Affairs as well as Gender Machineries to ensure that the reviewed Protocol and implementation thereof will be effective;
- 9.10. Call upon the SADC region to ensure a strong Post -2015 agenda and gender sensitive implementation of the Sustainable Development Goals. We urge the Member States to ensure that women benefit equally as men as the region pushes for an industrialisation agenda.

10. On Civil Society Organisations and SADC Engagement mechanisms

Noting that Civil Society in the region have called and advocated for an institutionalised engagement mechanism by non-state actors in the process of regional integration in the SADC region. Further recognising that the Council of Ministers have directed the SADC Secretariat to develop such mechanism, the draft of which was presented to the 11th CSF, we therefore reaffirm our commitment to contribute towards a sustainable and peaceful SADC region, and further call on:

- 10.1. SADC Member States to expedite the adoption of the proposed mechanism, thereby accelerating the implementation of Articles 16A and 23 of the SADC Treaty by institutionalizing civil society participation in SADC decision making processes, especially at national and regional level; create platforms for meaningful dialogue between civil society and SADC structures; enhance public access to information about SADC processes, programmes, decisions and institutions; strengthen the social compact between SADC citizens and SADC Member States; ensuring that SADC National Committees operate effectively;

- 10.2. SADC Secretariat, as mandated by the SADC Council of Ministers, to arrive at an effective mechanism to engage non-state actors in a structured and transparent manner in line with the spirit and provisions of the SADC Treaty optimally in all SADC Member States, and developing a regional civil society policy;
- 10.3. SADC Heads of State and Government to endorse a process of further consultation with stakeholders in order to receive considered recommendations from civil society aimed at strengthening proposals around such a mechanism;
- 10.4. SADC Council of Ministers to further direct the SADC Secretariat to meet with the APEX formations of non-state actors, namely, SADC-CNGO, SATUCC, FOCCISA and the private sector, to urgently agree on a framework of common work and participation until such time a formal mechanism is finalised;
- 10.5. The APEX Alliance is directed to convene a working group of CSOs to facilitate input into the draft non-state actors' engagement mechanism as well as to engage with the SADC Secretariat on the 11th CSF outcomes.

11. On solidarity

Recognizing that democratic governance is critical for effective peacebuilding and fostering peace and security as well as economic development in Southern Africa. Further recognizing that it ensures credible multi-party elections, in particular, by providing the main legal channel for the orderly transfer of power between competing political parties, as well as enabling SADC's 290 million citizens to participate in political processes freely, we are concerned about ongoing instability, democratic short-comings and security threats in Lesotho and Swaziland, as well as ongoing socio-political challenges in Zimbabwe.

11.1 The Mountain Kingdom of Lesotho:

We call on:

- 11.1.1. SADC to urgently facilitate a roadmap, in consultation with state and non-state actors / institutions at the national and regional level, to steer deeper security sector reforms, parliamentary and constitutional reforms and public sector reform in order to guarantee sustainable democratic dispensation, accountable and independent institutions and supportive environment;

11.1.2. Urgently ensure stability and the creation of an enabling and peaceful environment that will usher in participatory and democratic processes towards a peaceful and secure Mountain Kingdom of Lesotho, and further expedite the commencement and conclusion of the commission established to investigate human rights violations;

11.2 On Swaziland:

Concerned that Swaziland is the only country in the region which bans political parties under the Tinkhundla system and by law criminalises political activity of its citizens. Further concerned about the continued persecution of political and human rights activists by the Swazi state security, and aware of the commitment of Swazi civil society to dialogue towards peaceful transformation; and deeply concerned about the silence and indifference of SADC and SADC member states about the lack and absence of political reform processes in Swaziland.

Therefore we call upon:

11.2.1. The government of Swaziland to cease all forms of repression;

11.2.2. The government of Swaziland to embark on inclusive national political dialogue processes towards home-grown solutions to the persisting political crisis in the country;

11.2.3. We call upon the SADC Summit to put the political situation on its standing agenda and initiate a political process to assist Swaziland towards democratic governance;

11.2.4 The Swaziland government to duly implement the resolutions of June 2015, made by the International Labour Organisation (ILO) Committee on the Application of Standards;

11.2.5 SADC and SADC Member States to support the Swazi government and people in their endeavour towards a democratic dispensation;

11.2.6 All civil society formations in the region, continental and internationally to mobilise in support of the people of Swaziland.

11.3 On Zimbabwe:

11.3.1 Civil Society express solidarity with Zimbabwean workers, who are facing massive retrenchments following the Supreme Court ruling, providing for the termination of employment, by giving a three months' notice without paying out severance packages. We also condemn the detention and intimidation of trade union leaders working on responding to this crisis. The Labour (Amendment) Bill) of 2015 has detrimental implications that would undermine efforts to attain decent employment and sustainable livelihoods.

12. On Agenda 2063

12.1 We urge SADC Member States to engage and popularize African Union Agenda 2063 with citizens of the region at the national level, with the involvement of non-state actors. The implementation of the Agenda must be broad-based and requires a clear ideological orientation that will transform the structural impediments existing in the SADC economies;

12.2 We urge SADC Member States to integrate the African Union Agenda 2063 into implementation framework of all SADC Protocols.

Gaborone, Botswana on the 14thth of August 2015



On behalf of FOCCISA



On behalf of SADC-CNGO



On behalf of SATUCC