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Civil Society Statement on the occasion of the 7th Southern Africa Civil Society Forum held on the 08th-09th of August 2011, Johannesburg, South Africa

09 August 2011

1.0 PREAMBLE

- 1.1** *We*, representatives of civil society organizations from across the Southern Africa Region, meeting under the auspices of the Fellowship of Christian Councils of Southern Africa (FOCCISA), Southern Africa Development Community – Council of Non Governmental Organizations (SADC-CNGO), Southern Africa Trade Union Coordination Council (SATUCC) and the 08th to the 09th of August 2011 in the 7th *Southern Africa Civil Society Forum statement* to the SADC Heads of States.
- 1.2** *Pursuant to* the Alliance Pact we signed in June 2010 as churches, NGOs and trade unions under FOCCISA, SADC-CNGO and SATUCC respectively, in which we committed ourselves to working together in contributing towards people-centered regional integration and development and to collectively engage SADC and Member States on issues of common interest such as poverty eradication, promotion of democracy and good governance and justice.
- 1.3** *Cognizant* of Articles 16A and 23 of the SADC Treaty which commits SADC member states to engage fully peoples of the region and civil society in regional integration and development,
- 1.4** *Reaffirming and recommitting* to a Southern Africa Regional Community in which every human being lives a dignified, peaceful and secure life and participate freely in issues that affect them,

2.0 GOVERNANCE AND ACCOUNTABILITY

2.1. *We recognize* the political development that has taken place in Africa, especially of the development in North Africa and the potential of the people in bringing about political changes.

2.2. *We express our concern* about the deteriorating state of governance and slow ratification of the African Union Charter on Democracy and Good Governance in many member states.

2.3. *We note with concern* the suspension of the SADC Tribunal by the SADC Summit of Heads of States and Governments.

2.4. *We note with deep concern* the deteriorating political situation in the Democratic Republic of Congo, Madagascar, Malawi, Swaziland and Zimbabwe where operational space for civil society, the continued harassment and killings of human rights defenders, denial of citizens' right to participate in political processes, violence against women, people with disabilities and children, as well as increasing human insecurity.

2.5. *We are deeply worried* about the deepening corruption and the culture of impunity in many countries jeopardizing the development and democracy agenda.

2.6. *We take note* the enhanced engagement of SADC and the modest advances made with regard to SADC mediation processes on political crises in Zimbabwe and Madagascar.

2.7. *However, we are seriously concerned* with the lack of progress in SADC-led mediation efforts in both countries.

2.8. *We also note* the lack of urgency from SADC and African Union with the evolving political situation in DRC as the country heads to elections, Swaziland, Zimbabwe, Malawi and Madagascar.

2.9. *We therefore call upon* SADC Member States to:

- a) Expedite the democratization process at national level by ratifying and implementing the African Union Charter on Democracy and Good Governance.
- b) Ensure constitutionalism and separation of power at national level;
- c) Lift the suspension of the Tribunal and immediately make the Tribunal to resume its functions.
- d) Ensure a conducive political and legal environment for civil society to function without intimidation and harassment by state organs.
- e) Investigate all human rights violations perpetrated against civil society members and ordinary people and ensure independent due process for their accountability.

- f) Expedite the ratification and full implementation of the SADC Protocol on Corruption.
- g) Continue increased engagement and acknowledge the lack of progress in the ongoing SADC mediation processes and call for the review of the SADC Conflict resolution mechanisms to make them more effective.
- h) Demand allocation of adequate funds to regional institutions (SADC Sec.) by member states so as to ensure ownership and sustainability.
- i) We call upon SADC to recognize the DRC, Malawi, Swaziland, Zimbabwe and Madagascar as problem cases that require the urgent attention of the Heads of States given the precarious political situation and deteriorating human rights violations in these countries.

3.0 CLIMATE CHANGE AND NATURAL RESOURCES MANAGEMENT

- 3.1. ***Recognizing*** and ***appreciating*** the concerted efforts made by developing countries at the Copenhagen Conference on Climate Change in demanding that Western countries recognize and recommit to the Kyoto Protocol.
- 3.2. ***Stressing*** that climate change is far more than an environmental issue but a serious socio-economic and political crisis, a result of a variety of systemic global forces, with far reaching effects on various sectors of society, including survival of some states.
- 3.3. ***Emphasizing*** the imperative of industrialized countries to fulfill their obligations under the Kyoto Protocol as signatories of the United Nations Framework Convention on Climate Change (UNFCCC) to reduce their domestic emissions and to provide financial and technical assistance to developing countries to address the climate crisis.
- 3.4. ***Noting with concern*** that the Copenhagen and Cancun Conferences on climate Change failed to address the concerns and expectations of developing countries.
- 3.5. ***Concerned*** about continued depletion of natural resources, especially Rainforests in DRC.
- 3.6. **We therefore call upon** Member States to:
 - a) Introduce the long-term, predictable and public finance needed for the immense adaptation challenges faced by Africa's smallholder farmers, as to ensure food security of the most vulnerable, including women farmers.
 - b) Reject private market mechanisms for climate finance, such as a soil carbon market, as they are a dangerous distraction from demands for the new, significant, and predictable funding needed for adaptation initiatives;

- c) Demand a global goal for temperature increase of well below 1.5°C and emphasize the serious, imminent threat that current and future climate change poses to food production and food security in our region;
- d) Stand firm on the African position that a second commitment period of the Kyoto Protocol is absolutely essential for a successful conclusion of the Durban conference; and
- e) Fulfil their obligations under the Framework Convention on Climate Change through the development and implementation of educational and public awareness programmes on climate change and its effects;
- f) To ensure Public access to information on climate change and its effects;
- g) To ensure Public participation in addressing climate change and its effects and developing adequate responses.
- h) Expeditiously implement the 'Polluter Pays Principle,' which should include the proposition that current and past mine owners be fully liable for pollution and environmental degradation.
- i) Ensure there is country-by-country reporting standard that enables tax authorities to estimate whether multinational corporations (MNCs) - including those in the extractives sector - are paying tax at a rate appropriate to their profits.
- j) We exhort our governments to comply with principles of resource and social justice in determining the application, usage and distribution of funds gleaned from extraction of mineral resources.
- k) Ensure conservation of natural resources and take necessary measures to end the deforestation that is taking place in DRC Rainforests and elsewhere in Southern Africa.

4.0 TRADE AND REGIONAL ECONOMIC INTEGRATION

- 4.1.** *Noting with concern* that the current model of regional economic integration which is trade or economics driven, premised on liberalization of trade and investments, has not translated into improved standards of living for the people of the region.
- 4.2.** *Further noting* the marginalization of social and people aspects of regional integration, including free movement of goods, labour and services and rights of informal and cross traders.
- 4.3.** *Recognizing* that intra-regional trade is progressing at a very slow pace due to a variety of fundamental challenges which require urgent attention such as tariff and non-tariff barriers, poor infrastructure and socio-economic disparities amongst member states.

4.4. ***Expressing continued concern*** at the harassment and difficulties faced by cross border traders including complex rules of origin which do not accommodate micro-traders, corruption at border posts and lack of requisite infrastructure for small traders.

4.5. ***We therefore call upon*** Member States to:-

- a) Address key challenges to intra-regional trade and regional economic integration particularly simplification of rules of origin; macro-economic convergence; harmonization of trade, industry and finance policies; tariff and non-tariff barriers; customs administration and mitigating the effects of regional economic integration like loss of customs of revenue.
- b) Full Implementation of the SADC Protocol on Trade
- c) Strengthen their infrastructural, productive and industrial capacities
- d) Strengthen consultations, dialogue and engagement at regional level in order to speak with one voice and enhance cooperation and coordination when engaging trading partners, World Trade Organizations and other relevant organizations.
- e) Develop a supportive policy and operational framework for cross border traders to ensure their free movement and of their goods and services.
- f) Implement the Declaration on Consumer Protection and Competition which was signed in Zambia in 2008.

5.0. **MEDIA AND ACCESS TO INFORMATION**

5.1. ***Concerned by*** the continued existence of repressive laws and practices in many member states that negatively affect freedom of the press and restrict public access to information;

5.2. ***Concerned*** about continued failure by members states to guarantee media practitioners safety and protection in the execution of their work.

5.3. ***Therefore, we demand SADC member states to:***

- a. Repeal and reform the existing repressive legislations;
- b. Ensure Media presence in election coverage is undeterred and unrestricted;
- c. Guarantee the safety of media practitioners;
- d. Ensure the state does not have a monopoly over public broadcasting;
- e. Enact laws that guarantee freedom of and access to information.

6.0 HUMAN SECURITY

- 6.1. *We note* that many SADC member states have no Human Security Policy Frameworks
- 6.2. *We note with concern* that many member states have not yet fully implemented the Ouagadougou Plan of action on Employment promotion and Poverty Alleviation
- 6.3. *Mindful* of the SADC's slow adoption of the 1994 UN seven elements of human security
- 6.4. *We note* the pending of the Regional Poverty Reduction Framework and the establishment of the Regional Poverty Observatory.
- 6.5. *Expressing continued concern* with SADC member states who have not ratified and domesticated the SADC Social Charter on Fundamental of Human Rights.
- 6.6. *We note with concern* that the regional SADC Protocol on Employment and Decent Work Agenda has not been finalized
- 6.7. *We are deeply concerned* with the continuing and deteriorating humanitarian situation in the Horn of Africa
- 6.8. *We take note* of the recent adoption of the SADC HIV/AIDS Code
- 6.9. *We call upon Member States to:*
 - a) Ensure Human Security and Human dignity is integrated into public policy at national and regional levels
 - b) Fully implement the Ouagadougou Plan of Action on Employment Promotion and Poverty
 - c) Adopt the 1994 UN seven elements of Human Security (i.e economic security, food security, health security, environmental security, personal security, political security, and community security)
 - d) Finalization of the Regional Poverty Reduction Framework and the establishment of the Regional Poverty Observatory
 - e) Ratify and implement the SADC Social Charter on the Fundamental of Human Rights
 - f) Finalize the SADC Protocol on Employment and Decent Work Agenda
 - g) Mobilize resources to mitigate the situation and offer African solidarity with the people of the Horn of Africa
 - h) There is a need for SADC member states to make substantial financial pledges to strengthen humanitarian assistance in the Horn prior to the AU Pledging Conference to be held on the 25th of August 2011 and beyond
 - i) Expeditiously implement the SADC HIV/AIDS Code in line with the ILO HIV/AIDS recommendation

7.0. FREE MOVEMENT OF PERSONS IN SADC

- 7.1. *Noting with concern* the many challenges citizens of the region face in trying to move from country to country within the region particularly VISA requirements by some member states, harassment of migrants at border posts, poor transport and migration infrastructure and restrictive and varied migration policy regimes.
- 7.2. *Deeply concerned* that, only five countries: Botswana, Lesotho, Mozambique, South Africa and Swaziland have signed the Protocol on the Facilitation of movement of persons.
- 7.3. *Noting with deep concern* the difficulties faced by civil society representatives in trying to get VISAs to attend the 7th Civil Society Forum, resulting in majority failing to get the VISAs and the many challenges citizens of the region face in trying to move from country to country within the region particularly VISA requirements by some member states, harassment of migrants at border posts, poor transport and migration infrastructure and restrictive and varied migration policy regimes.
- 7.4. *We call upon* Member States to:
- a) Sign and ratify the Protocol on the Facilitation of movement of persons
 - b) Initiate dialogue on challenges to free movement of people particularly economic disparities; peace and security problems as well as key operational challenges such as comprehensive personal identification systems, information communication technology, security systems and absence of 24 hour border operations
 - c) Develop a regional migration policy framework and start dialogue on the harmonization of migration policy regimes
 - d) The Government of Angola as the incoming chair of SADC to ensure easy access to the chairpersonship by reviewing its VISA entry requirements to enhance civil interaction with SADC structures.

8.0. ENGAGEMENT BETWEEN CIVIL SOCIETY AND SADC

- 8.1. *Concerned* that apart from isolated and event specific collaboration and engagement, engagement between SADC and civil society has not been sufficiently institutionalized and consistent, resulting in the marginalization of civil society in a number of regional integration processes.
- 8.2. *We therefore call upon* Member States to:-
- a) Ensure that civil society participation in SADC processes including consultative meetings, Joint Task Force Meetings, Core Group Meetings and Thematic/cluster meetings and other such meetings is institutionalized,
 - b) Ensure the Executive Secretary of SADC hold pre and post Council and Summit debriefing meetings with civil society in order to share with these stakeholders the direction SADC is taking on issues, as per decisions and deliberations, held at the policy meetings.

- c) Ensure that representatives of civil society are accredited to participate at the official opening and closing ceremonies of Council of Ministers and Summit. (accreditation with full observer status)

9.0. GENDER

- 9.1. *Welcoming* the signing of the SADC Gender and Development Protocol by majority of Member States, we however remain concerned that Botswana and Mauritius have not signed the Protocol and that now nine (9) countries have ratified the Protocol.
- 9.2. *Mindful of our watchdog role as civil society*, we will keep track of Member States' implementation of the 28 targets set for 2015, especially the following:- eradicating gender based violence and having 50% women representation and participation in key areas of decision making across all sectors,
- 9.3. *We note with great concern* that women rights are arbitrarily violated in the form of mass rape in conflict areas specifically in DRC
- 9.4. We therefore, in this regard, *call upon* Member States:-
 - a) To ensure that those that have not signed the Protocol on Gender and Development do so as matter of urgency and that all member states ratify the Protocol and ensure its implementation through the requisite policy, budgetary and strategy reforms
 - b) To ensure an end to all forms of violence against women and the girl children
 - c) To put in place comprehensive policies and programmes to improve maternal health as well as increased access to reproductive health information and facilities
 - d) To demand 50% gender parity in decision making by 2015
 - e) in particular the DRC government to urgently ensure women's rights are respected and mass rape is stopped and perpetrator brought to justice

10.0. YOUTH, CHILDREN AND PEOPLE WITH DISABILITIES

- 10.1. *Welcoming* the development of the SADC Business Plan on Orphans and other Vulnerable Children and Youth.
- 10.2. We however remain concerned with high levels of child abuse, child trafficking, child mortality, child labor, unaccompanied children, children living on the streets, children of migrants and lack of access to enabling documents and basic services by nearly 50% of the children's population in the region.
- 10.2. *Concerned* with the limited involvement of young people in the process of regional integration and development
- 10.3. *Concerned* about lack of inclusion of children and people with disabilities

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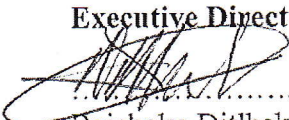
10.4. We call upon Member States to:

- a) Promote the full implementation of the Business Plan on OVC and Youth
- b) Involve young people in regional integration and development
- c) Develop policies and strategies to address cross-border challenges faced by children on the move
- d) Ensure the inclusion and accommodation of people with disabilities in the Development agenda
- e) Recognition and reaffirmation of SADC's member states commitment to improved access to education, health services, employment and livelihood opportunities (as contained in the National Development Plans and National Poverty Reduction strategic plans)
- f) Ensure those who have not yet domesticated the UNCRPD do so with immediate effect

SIGNED ON THE 9TH OF AUGUST 2011 IN JOHANNESBURG, SOUTH AFRICA

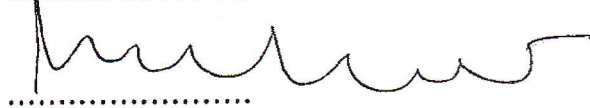


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