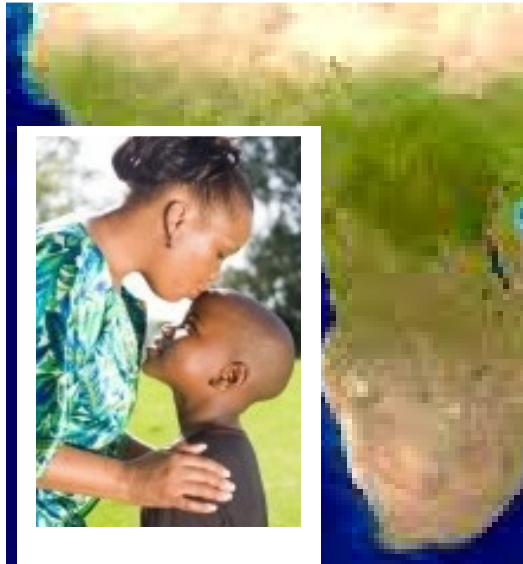


(ACPPP)

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Africa CSO Platform on Principled Partnership



**Report of the Strategy Session
Nairobi, Kenya**

Executive Summary

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Executive Summary

The Africa CSO Platform on Principled Partnership (ACPPP) is a continental platform that will proactively and collectively address continental challenges to the operating and internal environment of CSOs through a combination of collective mobilization, knowledge sharing, and establishment of a set of engagement principles with governments and development partners.

ACPPP exists to strengthen positive collaboration between NGOs and Government in key areas of service delivery, policy change and social transformation at all levels; strengthen development across Africa through open and transparent legislation with clarity of the space and place of civil society in national development; Create opportunities that encourage sustainability and community engagement in development by encouraging philanthropy, local participation and government funding of development initiatives; and Allow for and actively encourage self regulation that promotes partnerships, peer review and self examination.

The ACPPP Strategy Session strategy Session was the first step to formalizing the ACPPP and identifying its structure, partnerships and process. It brought together at least four distinct but related efforts of CSO actors who have been actively working across Africa to address development effectiveness capacity and lobby/advocacy levels.

Goal and Purpose of the ACPPP Strategy Forum

The Goal of the session was to develop the ACPPP Strategy by sharing knowledge on the areas of enabling environment and working to create a road map for the Platform.

The objectives were to Consolidate and share the various work/studies and initiatives, consider emerging issues and Policy concerns and agree on a collective direction (that will tap into the capacities of all other CSO Platforms and networks

The meeting brought together thirty participants from fourteen countries.

Discussions and Strategic Issues

Context of the Strategy

In Africa CSOs have emerged as critical actors uniquely placed to convey citizens aspirations and needs, contributing to the debate, initiation and development of public policy through information and analysis. But while CSOs have been successful in driving reforms and development across Africa, the relationship between CSOs and governments have been largely

confrontational with partnerships informed by government and donor policies, Many governments and Inter-governmental institutions make laws driven largely by the need to control rather than regulate the activities of CSOs. It is clear that a more strategic and proactive response is needed to address the operating environment of CSOs across Africa.

ACPPP seeks to respond to this by rallying Africa CSOs round a collective voice based on agreed non negotiable Principles for both internal and external (operating) environment.

Emerging Issues from Presentations and Discussions

Historical Context

The quest for Civil Society space is not a battle between governments and CSOs. Instead it is a strategic attempt by governments to reduce the power and capacity of CSOs to reach and influence citizens. The power base of CSOs does not lie in influencing positive legislations that guarantees their survival alone. Instead it relies on their ability to demonstrate to citizens that they are relevant and therefore rally the citizens behind them.

Recent Developments in NGO Legislation and Democracy Space

Civil society comprises not only traditional registered NGOs, but also social movements, community based groups, individual bloggers, twitter and face book members who advance social causes. In protecting the rights of CSOs, we must recognize that we are seeking to protect both the registered and structured CSOs and the increasingly powerful yet vulnerable informal actors.

The discussions considered historical context to the ACPMP and CSO Space, emerging trends in from the Open Forum on CSO Development Effectiveness, and emerging landscape of CSO operating environment.

The key Principles that have emerged out of the Open Forum on Development Effectiveness consultations are legitimacy; good governance; people centred development; equality and respect for diversity; solidarity; mutual learning. But key challenges remain *organizational*

It is also emerging that many of the CSO Principles for enabling environment are targeted at parameters set by external actors- legitimacy, transparency and accountability. There is an increasing tendency to use these parameters to demand documentation and structures from CSOs while in reality CSOs draw their power from citizens, not just structures and conforming to legal/registration obligations.

capacity, Legal and Political issues, Donor challenges, sustainability (especially financial sustainability), and clarity of the role of Organized CSOs in an ever changing environment of citizen participation. There is an increasing tendency to develop internal principles under parameters defined by existing operating environment without consideration to the legal and political

implications of these parameters. But it was also noted that CSOs should balance operating environment (external principles to effectiveness) with internal environment (internal principles to effectiveness). Sustainability, especially Financial Sustainability supported by Africa funding agencies and the community, is a key step to giving the sector legitimacy.

One of the concerns that emerged is that if CSOs do not deliberately and strategically strengthen their collective voice and power at community and citizen levels, the fight for space will never be achieved. CSOs must amplify their voice beyond national boundaries and recognize that some national issues area product of international dialogue.

Civil Society Organizations are falling into the trap that they will be acceptable if they are accountable. In reality it has been noted that with the exception of charities and other service CSOs, the more a CSO is performing the more the government will try to limit its space. At best, regulatory provisions do little harm; at worse, they are openly restrictive, even repressive. Foreign civil society organizations are often the target of more restrictive and burdensome regulatory provisions than national organizations. CSOs have increasingly fallen to the trap of defining themselves within narrow legal frameworks,.

The Strategy Forum decried an increasing pressure within Civil Society in Africa to conform to political ideals and change its perception of accountability. This is compounded by emerging gaps in civil society's own capacity to fully participate in development while Donors and governments are increasingly bold in setting agendas for CSOs in Africa. The emergence of artificial divide between advocacy and service delivery CSOs with competing civil society interests is making it easy for donors and governments to control the sector. In Egypt and Ethiopia, for example, it is the absence of a collective approach by CSOs, proactive lobby and advocacy among NGOs, Donors and the public that has given the governments the power to encroach on CSO and democratic spaces of its citizens.

It was also noted that the context and the nature of state formation in various countries shape the kind of laws that have been crafted. The character of the state and its record in governance determines the nature of relations it establishes with those that seek to monitor its activities. The legal operational environment for civil society should therefore be located within the broader governance and various epochs of state

formation. A question that needs to be pursued is whether the greatest threat to civil society's operating space is the regulatory environment or civil society itself. Has funding of civil society

While NGO Legislation is a concern for CSOs that are within structure, the impact of ongoing legislation is beyond NGO Laws. There is a deliberate attempt to use multiple laws to limit CSO space. These include taxation, procurement, security, anti-terrorism, treason, freedom of information, penal code and media laws. CSOs must therefore address the legal environment in its totality instead of focusing only on Laws related to NGC regulation.

opened the space or curtailed it? The forum also noted that governments are no longer ignoring the law. Instead they change the law to make it what they want it to be. This leads to a veneer of respectability, of a system that works so that governments can conclude that they are acting within the law.

In order to justify their actions, some governments are now using donor principles to defend their actions. There are instances where the Paris Declaration on "aid effectiveness" have been contorted with some countries converting "host country" ownership into "host government" ownership. In other countries aid effectiveness has been employed as a justification for inappropriate regulation of foreign assistance.

Emerging Solutions

Addressing these trends requires a proactive advocacy and a public information campaign on threats to civil society space across Africa while showcasing Legitimacy, Transparency and Accountability (LTA) initiatives. CSOs must take a wider look at the ongoing NGO Legislation and recognize it for what it is- an attack on democracy, not merely a drafting of new NGO laws. CSOs must realize that development is political and they can never divorce themselves from politics of the moment.

There is a need for common understanding and bridging the gaps among CSOs and between CSOs and governments. Beyond this CSOs must deliberately create common solidarity with the community-This is their powerbase and the subject of protection by governments.

Other strategies include Protective alliances and networks; Raising public awareness; Advocacy campaigning; Direct public action; International diplomacy; Domestic litigation; Human rights mechanisms; and Legal Triage (victims willing to press charges and lawyers willing to accept their cases).

Strategies for the ACPPP from the Discussions

Few governments want a principled engagement with a sector that tilts the power base from the politicians to the citizens. IT is therefore important that CSOs must deliberately create common solidarity with the community. ACPPP must not be about the space for fighting CSO Legislation alone. It is clear that it is democracy at stake, and governments will continue to change laws and use multiple laws to challenge CSO space. ACPPP must enable CSOs to act collectively, proactively and consistently in addressing its impact and visibility in order to gain legitimacy with its greatest ally-society.

The impact of ACPPP will depend on its ability to motivate CSOs to mobilize themselves and citizens at both national and regional levels.

The proposed Strategic areas for ACPPP are Strengthening National CSO Capacity to occupy, create and invent development space within their borders and working with other Platforms to hasten self regulation mechanisms for formal CSOs to while building capacity for non formal CSOs to find access to formal channels of resources and partnerships.

The ACPPP will Galvanize Africa CSOs around a set of collective non negotiable rules of engagement with governments and development partners, ensure these Principles form the basis of development work in Africa, Become the collective voice for response to national, regional and global issues affecting Africa CSOs and other INGOs working in Africa, and Strengthen collaboration, partnership, knowledge exchange in the core area of democratic space and capacity building.

Strategic Focus

ACPPP will focus on rallying CSOs to collectively respond to threats to CSO and democratic space in by defining agreed non-negotiable principles to be adopted by CSOs, African Governments and Development Actors; collective mobilization of citizens and other Africa CSOs as the power base for CSOs; Sharing knowledge and information on CSO Space; Capacity Building of National CSOs to lobby and advocate for favorable and acceptable enabling environment based on the ACPPP Principles; Establishing a Rapid Response mechanism to address immediate cases of CSO threats and other threats to democracy actors across Africa.; and strengthening the Capacity of the ACPPP and its members to be equal partners at all development platforms

Membership includes National Platforms, Regional Advocacy and Lobby CSOs, Grant Making Africa CSOs and members under the Open Forum who are to be represented through a selected team.