



THE 3RD ANNUAL AFRICA CIVIL SOCIETY SUMMIT 2023

ACTION PLAN

SEPTEMBER 2023

Contact:

Africa Civil Society Summit

C/O Transformative Leaders Network-Africa (TRANET-Africa)

Post Office: P.O.Box 25625 Kampala, Uganda

Phone: +256393236411/ +256764000848

Email: info@tranetafrica.org / information@afriacivilsocietysummit.org

Website: www.tranetafrica.org / www.afriacivilsocietysummit.org

Copyright: 2024

Copying and reproduction of the information contained herein is not prohibited if the publisher is acknowledged. Transmission of the Action Plan in its original form for purpose of creating awareness and fostering a favourable environment for CSOs is not prohibited. References can be made to the document and its content by acknowledging the publisher and the Africa Civil Society Summit and or the Partners.

PREAMBLE

We, the participants at the 3rd Annual Africa Civil Society Summit 2023, held in Arusha Tanzania, assert that this Action Plan we have adopted must be urgently implemented by States, businesses, financial institutions, donors, intergovernmental institutions and civil society organizations in response to the growing negative narrative about civil society organizations in Africa as agents of the western world from both state and non-state actors.

The global context today is undoubtedly evolving and the civil society sector is increasingly getting challenged in various ways from different actors. Social justice, good governance and values of equity are under threat from both state and non state actors. Social and structural discrimination and oppression, inequitable distribution of resources, destruction of environment by powerful individuals and businesses, and political extremism are all on the rise. There appears to be a concerted ideological effort to undermine the role and contribution of the civil society sector manifested by an increasing reduction of the space for critical and independent voices in civil society and enactment of laws shrinking the space for civil society actors. In Africa, political leaders have attributed, deceitfully, the low economic development to the civil society for their empowerment of society and broadening the knowledge on communities and rights holders on their role and responsibility to hold duty holders accountable.

Yet we can only attain peace, security, dignity and sustainable development if we advance justice, freedom, and equality for all – and these are the ultimate goals of the Universal Declaration of Human Rights and the Agenda 2063 of the African Union. Those who take a stand to defend human rights and foster social justice and equitable development are essential actors in bringing these goals about. But to do so, civil society must be recognised and meaningful development partners rather than enemies, respected, protected and able to act in an environment in which it is truly possible and safe to foster socio-economic development.

It is everyone's responsibility to create such an environment. Those of us present at the Summit acknowledge the role that the global human rights movement has in this regard. We commit to continue to challenge discriminatory systems, inequality and to denounce and stamp out behaviours and language that paints the civil society sector as opportunists, enemies of state, agents of the western world, and practices that exclude, harass and oppress, civil society actors especially does advance accountability, transparency, human rights and social justice and recognize them as key players in fostering equitable development. We commit to strengthen networks of solidarity and support, and to increase our focus on collective and preventive strategies for the sustainability of the civil society sector. It is imperative we build a more inclusive, more connected civil society sector reflective of our diversity. Thus, we will continue to advance approaches that are inclusive, communicate more effectively with public opinion, work closely with grassroots groups and people-led movements, and encourage all individuals and groups in society, especially those that have benefitted from the interventions of civil society organisations to protect the sector from unwarranted attacks.

However, those with power, state and non-state actors, must take the lead in creating a safe and enabling environment for the civil society organisations.

This Action Plan outlines what we believe should be the leading priorities for states, businesses, financial institutions, donors and intergovernmental organisations as well as civil society organisations in fostering a fair, secure and enabling operational environment for the civil society organisations and enhancing their participation in governance, socio-economic and political development in Africa and

beyond. Building on the achievements, developments and challenges that have emerged over the last three decades, these recommendations form a strong basis for all actors who believe that the civil society organisations are meaningful and essential actors in fostering the various tenets of equitable and sustainable development.

Therefore, We, the civil society leaders across Africa and the globe, being participants at the 3rd Annual Africa Civil Society Summit 2023 held in Arusha, Tanzania under the theme, ***“Harnessing civil society organisations to foster socio-economic development in Africa: Recognize, Review, Rethink and Re-strategize”*** assert that this Action Plan we have adopted must be urgently implemented by States, businesses, financial institutions, donors, intergovernmental institutions and the civil society organizations.

1. ACTION BY STATES

We demand that:

- a. States should take the primary obligation to respect, protect and promote and create an enabling environment for civil society organisations. Given the levels of social, physical, technological and structural challenges faced by civil society organisations, states must take urgent action to recognize their essential role, protect those at risk, and take concrete measures to foster a safe and enabling environment for the promotion of the right to freedom of expression and assembly without discrimination.
- b. States should urgently adopt national and regional action plans recognising CSOs and critical development partners and ensuring a safe and enabling environment for civil society organisations, with their full and effective participation.
- c. Government agencies charged with the mandate to regulate, monitor and or oversee the civil society sector establish functional online platforms where NGOs can submit the required information to reduce on the administrative burden and ease compliance among civil society organisations as well as enhance environmental conservation by reducing on printing and the amount of inked paper that would have to be in circulation in the environment.
- d. Governments enact social enterprise promotions laws, policies and frameworks to foster social enterprise development and or drastically reform the laws directly regulating the NGO sector to establish clear mechanisms for social enterprise innovation.
- e. Governments take serious steps to revise the laws on charities as well as taxation to enhance locally and legally guided philanthropy and resourcing that allows wealth individuals and corporations to donate to civil society organisations without the possibility of facing actions that would plunge the individual and or corporation into difficulties.
- f. Governments create structures and systems throughout the various levels of the government from national to lower local councils and administrative units and hire staff with practical knowledge, experience and expertise in the NGO sector. This will reduce the burden on the community development departments usually charged with the mandate to oversee community and development activities in most countries yet they have a lot on their tables with usually minimal pay.

- g. States publicly and unequivocally condemn attacks, threats and intimidation against all civil society actors without discrimination and refrain from using language that stigmatises, abuses, disparages or discriminates against them including by characterising them as agents of the western world and recognize them as critical and meaningful development actors.
- h. States take critical steps to acknowledge that everyone – individually and collectively – has the right to defend human rights, promote good governance and hold their leaders and duty bearers accountable at all times.
- i. States adopt necessary measures to address the root causes of threats, black mail and attacks against civil society organisations, especially reinvigorating the role of security, defence and intelligence agencies in gathering and providing correct information on both the significance and contribution of civil society organisations to development of countries in Africa as opposed to the spread of information that only paints a negative image of the civil society sector and at times spreading false and unsubstantiated information against civil society.
- j. States stop all threats, harassment, intimidation, surveillance, physical attacks and criminalization of civil society organisations and End impunity for such attacks by thoroughly, promptly and independently investigating them and bringing the perpetrators to justice and providing effective remedies and adequate reparation.
- k. States ensure that the framers and implementers of domestic laws are aware and informed about the rights based approach to development and ensure that there is full compliance with international human rights standards and facilitate rather than hinder the exercise of these rights, including:
allowing and facilitating access to domestic and international sources of funding, ensuring administrative requirements are not burdensome, repealing requirements to register as foreign agents if in receipt of international funding, and allowing informal groups to operate and be able to access funding from both national and international communities.
- l. States should carefully examine intelligence information gathered regarding the activities of civil society organisations and take concrete actions to decriminalise defamation, including laws shielding public officials many of whom usually perpetuate human rights violations and abuse of office usually targeted by the advocacy work of civil society organisations and avoid broad definitions in counter-terrorism and incitement laws, and laws restricting whistle-blowers and foster the establishment of laws that protect the whistle-blowers such as anti-corruption, transparency, accountability civil society organisations.
- m. States should repeal or amend any other legislation that may hinder the legitimate activities of civil society organisations such as the tax law and annual return laws that are blind to the diversity and overlapping needs of civil society organisations and those that present high financial, human and administrative burden to civil society organisations.
- n. States establish effective mechanisms to openly and meaningfully engage with civil society actors to deliberate on the measures to foster collaborative approaches between civil society and government agencies
- o. States should sensitize law enforcement agencies on human rights-based approach to development and the importance of civil society organisations as well as train them on how to investigate attacks against civil society organisations thoroughly and sensitively, and on how to police assemblies in accordance with human rights standards and best practice.

- p. States should ensure the free movement of civil society founders, volunteers, employees and or board members within and beyond their borders and meet their commitments under the regional and global Refugee conventions and migration frameworks. Specifically states
 - i. Should revise the visa policy as well as the procedure for rapid issuance of visas to civil society actors to aid their work beyond borders establish in circumstances where they receive short notice invitation and or when the need arises and for purpose of preparing for future journeys and activities away from their home;
 - ii. should consider establishing a specific facilitated visa types/ procedure for civil society actors and issue long term multiple-entry visas to reduce on the administrative burdens for especially less funded and or under funded organisations.
 - iii. should encourage establishment of mechanisms that may grant temporary and or permanent residence for the purpose of undertaking their civil society work away from home such as establishing organisations in such territories, undertaking short courses, and or participating in resource mobilisation activities where they are not necessarily invited by individuals and or entities in such countries
 - iv. should scrap and or drastically reduce on the visa costs for civil society actors especially those whose organisations and or initiatives are less funded or not funded at all.

Such actions are purposely proposed to the following countries/ intergovernmental authorities; The European Union under the Agreement Establishing the Schengen Area and due to the numerous preconditions that visa applicants have to meet so as to be able to obtain a visas and due to the apparent existence of a wider donor base in such region, the African Union and the Regional Economic Communities (RECs) under the auspices of the Agreement establishing the Africa Continental Free Trade Area, United States since it hosts several global entities such as the United Nations Head Quarters, the world bank, the International Monetary Fund (IMF) that all in one way or the other work with several civil society organisations across the globe and others and due to the very expensive nature of their visas and the United Kingdom since it hosts the Commonwealth Head Quarters that works with several civil society organisations across 53 countries in the globe and due to the very expensive nature of the UK visas...the Commonwealth secretariat should facilitate visa arrangements for commonwealth citizens to facilitate free and easy movement of commonwealth citizens.

- q. States should take accelerated steps to recognize the role and contribution of online donations and resource mobilisation platforms for civil society organisations and establish mechanisms that facilitate the use of such systems by both financial institutions and the civil society to enhance crowd resourcing and online resource mobilisation given the dwindling traditional donor base and revise any such laws as the anti-money laundering laws that may foster withholding and freezing of financial accounts of civil society organisations that receive money from various sources online or sent directly to their bank accounts.

2. ACTION BY FINANCIAL INSTITUTIONS

Forced evictions, destruction of the environment and forceful buying of land in the context of investment projects have brought to the fore the responsibility of the financial institutions that fund such projects as well as how many such institutions are ill-equipped to deal with social conflicts arising out of their projects, activities and production of the entities they provide financial support. Therefore, we demand that all financial institutions in their diversity;

- a. We demand that financial institutions especially microcredit and depositing taking institutions recognise civil society as critical development actors and partners of the banking sector and establish services and products that seek to strengthen the relationship between the civil society and banking sector as significant reduce and or eliminate any such policies and

procedures that drastically affect the image of the civil society organisation holding the accounts in their banks and or frustrate their work. Further, the financial institutions should provide loans both short-term and longer term to facilitate development projects and or sustainability initiatives proposed by the civil society organization holding the account in their bank.

- b. Adopt a policy commitment on human rights, including zero tolerance of reprisals and requiring human rights due diligence to identify and mitigate human rights and reprisal-related risks. This should include an assessment of the enabling environment for human rights defenders and for public participation, and specifically the potential risks for individuals, groups and communities due to their participation in, scrutiny or criticism of, or actual or perceived opinions related to a development activity.
- c. Screen portfolios for human rights defenders-related risks and establish early warning systems to detect potential conflicts related to projects at an early stage and put in place effective mitigating measures.
- d. Independently verify that projects have secured and maintained the free prior and informed consent of indigenous peoples and good faith broad community support of other communities. Independently verify that consultation processes are meaningful and free of intimidation or coercion. Identify human rights defenders as a key stakeholder for consultation.
- e. Adopt a protocol for responding to threats and attacks against human rights defenders in the context of development activities, including consulting with the target of the threats and attacks and any reference organisation to develop an assessment of ongoing risk and a plan of response acceptable to the defender. Possible response measures should include issuing directives to the client that it takes all necessary measures to prevent and mitigate further harm, pressing state authorities to take effective action to investigate harm and protect defenders, issuing public statements in defence of the defender, utilising influence with other lenders, sanctions and compliance measures, and suspension of funding until a safe environment for defenders is guaranteed.
- f. Include contractual provisions in all project contracts requiring respect for human rights, and requiring reprisal prevention measures, as well as investigation and prosecution of reprisals in the case of public sector loans. Violation of the covenant should result in an immediate investigation and potential invalidation of the contract, debarment or other sanctions.
- g. Systematically monitor projects for reprisal risks and ensure that communities have access, without fear of reprisal, to project level grievance mechanisms as well as independent accountability mechanisms within financing institutions that meet the UN Guiding Principles' effectiveness criteria for non-judicial grievance mechanisms.
- h. In research, lending policy, public statements, and technical assistance, reiterate the importance of an enabling environment for safe and meaningful public participation in development activities and the positive role that human rights and human rights defenders play in sustainable development, especially lifting up the most marginalised and vulnerable.

3. ACTION BY CIVIL SOCIETY ORGANIZATIONS

- a. Civil society actors need establish mechanisms and systems that foster internal accountability and transparency so as to foster legitimacy and eliminate possibilities of being subject of doubt and isolation from among others the donor community and other development actors.

- b. There is a need for CSOs to continuously support each other and stand in solidarity with organisations facing pushbacks from state and non state actors.
- c. There is a need for civil society actors to prioritise mental health and psychosocial wellbeing of their staff, volunteers and or board among others as part of their work as running institutions without money may be challenging coupled with being targeted by state and non state actors can have along lasting negative impact on the well being of an individual as result of heightened stress especially for those involved in advocacy activities that comes at times at the costs of one's life.
- d. There is need for civil society leaders to make an effort to continuously strengthen systems as well as programmes/ project management capacity of their teams especially in responding to the needs of various legal and policy frame works prevalent in the country and or region.
- e. There is need for the civil society actors to deliberate on acceptable NGO Code of corporate governance so as to foster self-regulation taking into consideration the plight and challenges of the various institutions.

4. ACTION BY DONORS (GOVERNMENT AND PRIVATE)

We demand that, donors both government and private:

- a. Substantially increase funding for initiatives aimed at creating awareness about the significance and contribution of civil society organisations to the development of communities in Africa and the creation of an enabling environment, in correspondence with the significant resources allocated by those perpetuating the negative narrative towards civil society organisations.
- b. Consider the diversity in needs, location, establishment, country and or intergovernmental agency within which specific organisations operate and establish flexible and non-discriminatory funding modalities that seek to support and finance their work depending on their aspirations.
- c. Given the increasing restrictions towards access to funding especially from the global North and the Global West manifested in legislation apparently aimed at regulating the civil society sector in several countries across Africa. There is an urgent need to explore alternative and flexible strategies to ensure the delivery of financial support to civil society organisations especially those with less established financial structures but with a significant contribution to the socio-economic and political development in Africa particularly marginalised civil society whose voices are increasingly being silenced, and oppose governments' attempts to make funding only available through channels deemed legal.
- d. Donors take critical steps in accommodating divergent opinion and take it in good faith from the civil society actors who point out their weaknesses and or faults in their funding mechanisms and avoid treating them as agents of States suppressing civil society and avoid any tendencies that could lead them to not being funded and avoid any attempts that could frustrate their ability to access funding from various sources due to the ideas and or opinions that they hold regarding certain donor procedures for purposes of creating equitable access to financing and development.

- e. Support initiatives that seek to bolster dialogue between donors and civil society actors and other and or establish forums to enable donors to network, dialogue and share knowledge with not only the civil society they are currently funding and or those they funded in the past, but also with the broader civil society as a learning process to help shape funding and philanthropy policies and practices that resonate with the changing times and contexts in socio-economic development in Africa.
- f. Donors need develop an open approach to dealing with the diverse civil society organisations and find ways to engage with them at different levees when approached for financing as opposed to telling them to go and work with so and so, most times organisations already being funded by that specific donor approached. Specifically, where the donor approached is referring a civil society actor, this should be in written and propose ways how the organisations they are already funding can work with the new one that has approached them.
- g. Provide longer term funding, including core operating costs, sufficient staffing levels and investment in training and upskilling, to strengthen the sustainability and resilience of the organisations and support administrative costs, both immediate emergency security and humanitarian needs as well as the longer-term resilience building, including crisis response support, organisational strengthening, support for dependents and the community volunteers as well as collaborators who may directly be affected as a result of engaging with the civil society organisations already receiving or likely to receive funding.
- h. Reduce on the eligibility requirement for potential grantees by simplifying calls for proposals, proposal templates and reporting requirements so as to minimise the administrative burden imposed on grantees and broaden the pool of civil society organisations that could benefit from calls for proposals and prioritise grassroots organisations and or of those national and or regional organisations working directly with grassroots organisations and communities and establish mechanisms trough which pressure groups, unregistered organisations and movements, networks, coalitions and alliances can be facilitated to receive funding. In circumstances where applicants may not be having the capacity to deliver, rather than reject them, donors need facilitate and arrangement to enable them to form alliances to implement the proposed projects and provide capacity building during the life of the project.
- i. Take critical care while evaluating proposals requiring potential grantees to submit names of referees to support and or recommend their work so as not to potentially hamper the aspirations of especially organisations who may not have diverse base of referees readily available to them as this could reduce chances of vibrant ideas from benefiting from existing granting mechanisms.
- j. Consider applications from grantees (both existing and potential) with financial requests that seek to respond to the psychosocial implications of their work context aimed at ensuring the availability of psychosocial support, self-care and collective wellbeing measures for staff, volunteers, collaborators and family members and guarantee provision of the requisite resources for psychosocial wellbeing.
- k. provide support for networking, knowledge sharing, solidarity and convening to create spaces of exchange, discussion and mutual support between civil society organisations as a strategy to counteract the fragmentation of civil society.
- l. Hold regular consultations with civil society organisations on the changing political and social realities, and their implications on the development priorities.

- m. Support the corporate governance of the civil society organisations through support to internal governance, accountability and audit and oversight mechanisms such as board meetings, board allowances, annual general meetings and audit processes so as to foster accountability, credibility and sustainability. Several organisations do not have the resources to undertake internal audit, hold annual general meetings and board meetings among others. Several organisations struggle to get committed and willing to spend most of their time on the work on the organization while expecting no pay. This affects the credibility and financial management of the organization in the absence of the board hence further affecting the ability of an organisation to gain funding from other sources.

5. ACTION BY INTERGOVERNMENTAL ORGANISATIONS

In 2015, the African Union (AU) adopted the ‘Agenda 2063’ that sets out seven key aspirations of the African people. The document under Aspiration 6 envisions an Africa whose development is people-driven, relying on the potential of African people, especially its women and youth, and caring for children. Specifically, it states that, “The youth of Africa shall be socially, economically and politically empowered through the full implementation of the African Youth Charter” and that “All forms of systemic inequalities, exploitation, marginalization and discrimination of young people will be eliminated and youth issues mainstreamed in all development agendas”.

Under ASPIRATION 4 the African Union envisions a peaceful and secure Africa and recognizes that a prosperous, integrated and united Africa, based on good governance, democracy, social inclusion and respect for human rights, justice and the rule of law as the necessary pre-conditions for a peaceful and conflict free continent.

Aspiration 3 of the Agenda 2063 envisions an Africa of good governance, democracy, and respect for human rights, justice and the rule of law. Specifically, the AU promises that Africa shall have a universal culture of good governance, democratic values, gender equality, and respect for rights, justice and the rule of law.

The advancement of a fair, conducive and productive working and operating environment for civil society organizations is further established by the African Commission on Human and People’s Rights through the guidelines and principles code named The Fundamental Principles of the Guidelines on Freedom of Association and Assembly in Africa. The Guidelines provide that; any legal framework put in place or other steps taken relative to the rights to freedom of association and assembly shall have the primary purpose of enabling the exercise of the rights. **Political and social participation of an independent civil society:** The independence of civil society and the public sphere shall be ensured, and the participation of individuals in the political, social and cultural life of their communities shall be enabled. **“Human rights compliance:** All constitutional, legislative, administrative and other measures shall comply with the full extent of regional and international human rights obligations, deriving from the rights to freedom of association and assembly and all other guaranteed rights.

The African Union as a continental Intergovernmental Agency espouses eight regional economic blocks through which the agenda 2063 is envisaged to be implemented. These include the East African Community (EAC), the Intergovernmental Authority on Development (IGAD), Common Market of East and Southern Africa (COMESA), Southern Africa Development Community (SADC), Economic Community of West African States (ECOWAS), Economic Community of Central African

States (ECCAS), the Community of Sahel –Saharan States (CEN-SAD) and the Arab Maghreb Union (AMU).

Nonetheless, several countries in Africa are members to intergovernmental organizations outside the African Union and these include the Commonwealth of Nations and the United Nations among others. Protection, respect and promotion of human rights are among the core principles of these intergovernmental agencies.

As such these organizations play an important role in ensuring the realization of an environment that guarantees respect and recognition of the role and contribution of the Civil Society Organizations to socio-economic and political development in Africa and beyond.

Therefore, we demand that intergovernmental organizations, whether through their political, technical or expert bodies:

- a. Enact a policy framework that provide for and recognizes standards in the protection and promotion of the rights of human rights defenders among the member countries.
- b. There is need for the EAC to devise appropriate and clear mechanisms for collaboration between the EAC Secretariat and the diverse civil society organizations without fostering discrimination and stigmatization of some civil society organizations while preferring to work with others.
- c. There is need to standardize policies related to youth age bracket across the regions so as to make the work of youth human rights defenders and youth civil society easier.
- d. There is need to harmonize the definition, parameters and description of what constitutes a national, regional and international organization as each countries appears to have their own definitions and parameters.
- e. The African Union and especially the member countries need nurture and cultivate fair and convenient environments that seek to promote locally and legally guided local giving (philanthropy) including reviewing and revising existing tax regimes that prevent local philanthropy to flourish is need to provide alternative funding mechanisms for African civil society organizations as opposed to sitting at the AU and member countries deliberating on laws and policies to regulate civil society organizations with the impression they are agents of the western world yet they are not providing alternatives for the promotion and enhancement of the civil society locally.
- f. The Africa civil society division as well as the African Commission on Human and People's Rights (ACHPR) need to strengthen forums for dialogue with diverse civil society organizations especially the youth civil society organizations who are hardly provided with space and platforms to be able to understand the diverse challenges of the African civil society and strengthen already existing mechanisms for dialogue to foster inclusivity among the diverse civil society organizations.
- g. There is need to create agencies (where non-exist) charged with the mandate to undertake work on issues of civil society, nonprofits and philanthropy among others. This agency should

act as medium for dialogue and collaboration between government agencies and civil society organizations.

- h. Urgently investigate member countries where independent civil society organizations do not exist and where independent civil society actors are not allowed by all means to operate within their countries and institute mechanisms that seek to open civic space and review of the existent laws that bar the establishment and promotion of independent civil society organizations. Specifically, the intergovernmental agencies need focus on the following countries; Eritrea and others.
- i. Monitor the implementation of states' obligations regarding the protection of and promotion of conducive working environment for civil society organizations especially those usually targeted and branded agents of the western world and usually undertaking work in the areas of human rights, anti-corruption, governance, accountability, transparency, freedom of assembly, speech and expression since they are usually targeted.

This action plan has been adopted by the participants of the 3rd Annual Africa Civil Society Summit 2023, held in Arusha Tanzania on the 4th and 5th September 2023, under the auspices of the Transformative Leaders Network-Africa (TRANET-Africa), Eritrean Movement for Democracy (EMDHR), The Horn of Africa Civil Society Forum (HoACSF) and Dunia Salama Foundation, in consultation with more than 100 civil society organizations and networks from across Africa.