



# CONFERENCE & WORKSHOP REPORT

## THIRD CITIZENS' CONTINENTAL CONFERENCE ON THE AU SUMMIT



## UNDERSTANDING THE AU & SEIZING OPPORTUNITIES FOR CHANGE

CONFERENCE & WORKSHOP PROCEEDINGS



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## INTRODUCTION

The transformation of the Organization of African Unity (OAU) into the African Union (AU) in 2001 was the landmark moment. The African Union strategic plan for 2004-2007 set out five 'priority programmes'. The second programme is to 'actively involve African citizens at large and members of the Diaspora in the process of building continental integration.' Accordingly African people are expected to drive the agenda of the Union to bring about integration of African people and not just Heads of States and Governments. To this end, different stakeholders mainly African based CSOs, have been organizing consultation meetings at various levels with the idea of informing the people of Africa about the current process including their voices within the decision making bodies of the African Union. However, there is still a lack of coordination and missed opportunities for working on the AU especially around the bi-annual Summits.

Due to this fact on March and November 2007, two training workshops on the AU and two bi-annual continental conferences were organized in Ghana and Ethiopia ahead of the June and January African Union Summits. These workshops successfully built the capacity of both Ghanaian and Ethiopian NGOs to engage the AU and to also participate in the Ordinary Summits.

Recognizing this potential of enhanced AU-CSO engagement, the Centre for Citizens' Participation in the African Union (CCP-AU) was established at the end of the training workshop in Ethiopia. The CCP-AU is an informal platform committed to the actualization of a people-centred African Union, and aspires to broaden and strengthen opportunities for substantive engagement between CSOs and the AU. The CCP-AU and its founding organizations have contributed to the continental conferences and CSOs training workshops. The most recent and promising events that the CCP-AU organized were the CSO Training Workshop from May 24-25 in Cairo, Egypt and the Third Citizens' Continental Conference on the 11th AU Summit, which took place in Sharm El-Sheikh, Egypt, from June 22-23, 2008.

The present report focuses on that conference. Any reader of this report will not be able to deny the stunning breadth of topics that was covered during the conference. Such breadth is proof positive that African Civil Society is indeed grounded in and concerned about numerous issues of vital importance to the African project. Far from being a potted plant on the wane, African Civil Society is an emerging force in the conduct of African affairs. The people-driven expertise along with the civic courage that are inherent to civil society lie at the bedrock of the creation of a truly people-centred African Union. Our hope is that all readers will be exposed to and acknowledge the tremendous potentialities that lie in the field of AU-CSOs engagement.

The Centre For Citizens' Participation in the African Union

## BACKGROUND

On June 22-23, 2008 over 100 African civil society representatives, citizens, and coalitions from all five regions of Africa convened for the Third Citizens' Continental Conference ahead of the 11<sup>th</sup> African Union Summit in Sharm El Sheikh, Egypt on "Meeting the Millennium Development Goals on Water and Sanitation". In addition to civil society and citizen participants, the conference was attended by H.E. Ambassador Shamel Nasser, Egyptian Deputy Minister of Foreign Affairs for Africa Division, the Chairperson of the African Commission for Human and People's Rights, the AU's Special Rapporteur on Women's Rights, as well as representatives from African embassies based in Egypt. This conference was organized by the Centre for Citizens' Participation in the African Union, and represented the third such independent gathering of civil society, citizens, and Diaspora ahead of Ordinary African Union Summits. The conference is aimed at maintaining the presence and influence of civil society in addressing and lobbying decision makers at the Summit level. The conference deliberated on the various issues on the Summit agenda, including but not limited to the Audit of the AU, Peace and Security Situation in Africa, Millennium Development Goals-in particular Water and Sanitation, and International Justice, with a view to arrive at a consensus on policy recommendations to be presented in a communiqué to national delegations attending the summit.

## DAY ONE

### Opening Session

In his welcome remark, **Mr. Desire Assogbavi**, Pan-Africa Senior Policy Analyst; Oxfam Liaison Office with the African Union, expressed his utmost welcome to His Excellency, partners, and participants to the Third Citizens' Continental Conference. He emphasized that their presence was a response to the vision and mission of the African Union to build an integrated Africa, prosperous, peaceful, and driven by citizens. He noted the AU stated commitment to involving citizens and the Diaspora in the process of building integration and that this endeavor was not just one for governments and heads of state. Rather it was also incumbent on citizens to drive the agenda. He went on to detail the history and



origins of the Citizens' Continental Conference, from the first one held in Accra, Ghana, ahead of the 9<sup>th</sup> AU Summit to the subsequent one in Addis Ababa, Ethiopia ahead of the 10<sup>th</sup> AU Summit. He highlighted the importance of the Conference, as creating an independent forum for civil society and individuals to discuss and strategize on key issues facing the AU in order to contribute to its decision making processes. He then requested **Dr. Amany Asfour**, President; Egyptian Business Women's Association, as host organization to give the keynote address.

Dr. Asfour began her speech by stating her privilege to be among her brothers and sisters, and welcoming them all to Sharm El Sheikh, the City of Peace. Indeed it was an honor for Egypt to host not only the AU Summit, but also the gathering of civil society at the Continental Conference. She continued her speech by emphasizing the importance of accommodating the various voices of African citizens in the decision making processes of the AU. She noted that the establishment of ECOSOCC was indicative of African leaders' promotion of civil society and its views. She went on to add that the AU was not only a political body, but also one with social and economic dimensions. In this regard, she highlighted Africa's resource wealth, but paradoxical developmental poverty. She challenged those present that development was civil society's role, and that civil society needed to come together, regardless of differences and areas of work, to work collectively towards this endeavor. Indeed, she asserted that this diversity was a great advantage. She highlighted the need for capacity building of African communities and institutions to allow for greater self-sufficiency in agriculture, manufacturing, and other sectors key to development. This necessitates civil society partnership with the private and public sectors. She concluded her address by stressing the need to build a culture of peace for stability and development.



The first keynote speech was followed by an address by **Ms. Yemisrach Kebede**, Director; Centre for Citizens' Participation in the African Union. She started by welcoming all to the Third Citizens' Continental Conference, organized by the Centre in collaboration with its partners. She extended a heartfelt thank you to the various partners who played various roles, be it logistical, financial, or moral, in making the conference a reality. She also expressed her appreciation for the collaboration

and support of the Egyptian government in allowing for this event to happen in Sharm El Sheikh. She went on to introduce the Centre, noting that it was an informal platform and coordinating body for civil society engagement with the AU. The Centre was borne out of the need to coordinate civil society engagement with the AU to influence outcomes at multiple levels. She called on all to take ownership of this initiative, noting that it was their organizational and individual support that would make it successful. She reiterated the need to learn from previous initiatives and take new approaches to old problems. Civil society should not play the role of the critic, but instead engage with the AU and policy issues. She expressed her hope that African civil society would actively participate and lobby at the upcoming summit and beyond. She concluded by urging that when doors close on civil society, it should look for a way in or organize its own spaces, until a time when those who are closing the doors realize that civil society's rightful place is inside. She then called on **H.E. Ambassador Shamel Nasser**, Egyptian Deputy Minister of Foreign Affairs for Africa Division, to present his address.

H.E. Ambassador Shamel Nasser commenced his speech by thanking the organizers for reaching out to the Egyptian government and inviting them to be a part of the event. He praised the initiative of the Centre for organizing an independent forum for African citizens to constructively input into the upcoming AU Summit. He went on to note that Egypt was keen to work with and facilitate the engagement of civil society. He pointed out that Egypt was a founding member of the OAU and now the AU, as well as a strong supporter of all AU initiatives. In addition, Egypt is the host of several African conferences, be they political or cultural. With regards to the upcoming Summit, H.E. Ambassador Nasser relayed that Egypt has proposed three agenda items, namely Afro-Arab cooperation, UN-AU cooperation, and Agricultural development. He concluded his address by urging civil society to continue their side meetings ahead of the AU Summit.

### Post-Audit of the AU: What Next?

The first presenter, **Mr. Osama Abdel-Khutek**, Counselor; Egyptian Mission to the African Union, started his talk by expressing his delight to be present at the Continental Conference. He characterized diplomats as two types; those that fear building bridges with civil society and those that are open and willing to engage with civil society. In turn, he also grouped civil society into two; those living in a bubble and those having a tangible effect on the ground. He emphasized that he was the first type of diplomat and that his presence was out of respect for those civil society organizations having a concrete affect on the ground. He noted that Egypt is a top five contributor to the AU, as well as being a member of the Peace and Security Council. With regards to the Summit, he noted the importance of the current theme- meeting the Millennium Development Goals on water and sanitation. He presented a number of statistics highlighting the immense efforts required to make these goals a reality, including the 200 million Africans lacking adequate water supply, 3.8% of current water resources as well managed and properly utilized, and a forecast that at current rates the MDGs will be met six decades late. Meeting the water and sanitation needs of Africa was central not only in relation to meeting the basic rights of the African people, but also to agricultural development and public health. Thus this Summit was a unique opportunity to resolve many issues, in recognition of the flow on benefits from improved access to water and sanitation. It would serve as the impetus for member states to redouble their commitments to water and sanitation targets through concrete plans of actions, including prioritization of water and sanitation in national development policies, as well at the regional and sub-regional levels. He gave particular emphasis to the need to develop continental mechanisms for managing trans-boundary resources such as water and coordinating various efforts. In addition he highlighted the need for Africa-appropriate, cost-effective technology in this endeavor. He went on to note that the impact of climate change on efforts towards enhanced access to water and sanitation necessitates mitigation and adaptation plans. Efforts would inevitably require adequate financing, and the international attention on the AU Summit provided an opportune avenue to mobilize finances internationally as well as domestically. He concluded his speech by outlining the other issues to be dealt on the Summit agenda including the Audit of the AU and Peace and Security situation in Africa.

**Mr. Krysantus Ayangafac**, Senior Researcher; Institute for Security Studies, started his presentation on the AU Audit with a confession of his pessimism about the whole process. He traced the history of the Audit, and situated it in the context of broader moves towards integration, its principal objective being making recommendations to strengthen the efficiency and effectiveness of current AU institutions as

well as accelerating integration. Notwithstanding this, other incentives driving the process included the need for a 'clean bill of health' for continued funding from international partners. He faulted the Audit for being a technical, as opposed to political assessment. The central challenges to integration, namely good governance and sovereignty were not dealt with in the Audit. The AU is not an "abstract entity that exists somewhere up there" but rather a confederation of African member states. To understand the AU, the Audit needed to consider the domestic issues of member states. The "technical issues should not precede political ones". Consequently, some of the critical issues at the core of the audit were rejected when it was seen to impact on the sovereignty of states. Thus negotiating national sovereignty is still the major stumbling block to integration.

Furthermore, he underscored that the impact of the Audit on the grand debate and integration would depend on implementation, yet there is a great deal of ambiguity over who the implementation agency is. In terms of where the Audit is right now, he opined that it seems to have become an instrument to be "manipulated (opposed, delayed, supported) by different forces within the AU for their different agendas". In light of this, he recommended that the Audit be scrapped and set aside.

The next presentation given by **Ms. Roselyn Musa**, Advocacy Officer; FEMNET, also looked at the Audit process, with a focus on the CSO and women's perspective. She too admitted to her pessimism, but noted that she was not disclaiming the AU, and it was still Africa's "superpower son". This exercise of critic has one of hope for improvement. In relation to the participation of CSOs and women, she pointed to the presence of only three women out of 13 panelists on the Audit Panel and the cosmetic involvement of CSOs and women in the consultation process. She urged that CSO and citizen involvement should be practicalized immediately in line with the AU's principles as enshrined in its Constitutive Act. Furthermore, she applauded the maintenance of the gender parity at the AU Commission level, and emphasized that this also needs to be done in other AU institutions and within member states. With regards to the recommendations to come out of the Audit, she noted that they were numerous and broad. There is a strong impression that the recommendations are too many, and if we keep giving recommendations, no one will implement them. She opined that it is "time the Dr. stops prescribing so that the surgeon can operate, otherwise the patient will be lost". She noted that civil society and the people of Africa are waiting to see how the AU uses the information and outcomes of the Audit, will they be considered or will the status quo remain? As a case in point, she referred to the recommendation that Ordinary Summits be limited to an annual basis, to allow for more time for implementation. She posed the challenge as to how the AU wants to use the Summit, and whether it would remain an intellectual exercise. With regards to the accelerators, or 'performance enhancement drugs', identified in the Audit, she expressed reservations on the move towards the free movement of peoples, given the recent events in South Africa, she recommended that African peoples first embrace their diversity. Ultimately, what is needed is a concrete action plan for immediate implementation, which takes into consideration the prioritization of reforms. She urged that implementation should not only be at the AU level, but trickle down to the REC and national level. Civil society, on its own part, also needs to take the AU and member states to account on this issue. Civil society however can only play this watch-dog role if accessible and timely information and platforms are provided. She concluded that CSO involvement, being crucial to enhanced performance by the AU and member states, should not remain at an ad-hoc or "gate crashing" level.

## Arising Discussions and Recommendations

- The gap between CSOs, AU organs, and heads of states needs to be closed for civil society voice to have a greater impact.
- The exclusion of political issues has undermined the Audit
- The peace and security aspect of water needs to be adequately dealt with.
- Despite a number of good initiatives at the AU level, poor implementation has been the norm. How can this be breached? How can leaders be pushed to change? Political will needs to be paid attention to in CSO advocacy.
- CSOs are often seen as troublemakers and governments are often disinterested in partnering with civil society. The tabled Ethiopian legislation seeks to limit the ability of civil society to operate. This is unfortunate, given that Ethiopia is the seat of the AU.
- Member states and governments need to move their philosophy on sovereignty from that of the OAU to the AU.
- This forum needs to collaborate with other forums such as the recent AU-CSO Pre-Summit Meeting; recommendations will gain more weight and acceptability if they are widely endorsed.
- Sovereignty lies with the people, and as such, the people must be consulted in all decision making processes that affect them.
- Ongoing conflict situations are evidence of the weakness of CSOs.

## The Situation of Peace and Security in Africa

**Mr. Ali Agab**, Advocate- Khartoum Center for Human Rights and Environmental Dev., started off the session on the situation of peace and security in Africa with an update on the prevailing situation in Darfur. He noted that there has been no improvement in the overall situation, and the suffering of the Darfuri people has been ongoing for the past five years. Women and children are still threatened with violence and insecurity - with increasing numbers displaced from their homes. Local authorities are either unwilling or unable to tackle cases of human rights abuses, and civilians have little confidence in the AU. The government continues to obstruct the deployment and movement of peacekeeping troops and the work of humanitarian organizations. Moreover, it continues to refuse to hand over Ahmed Harun and Ali Kushayb to the ICC in contravention of the UN Security Council resolution. The government has also failed to disarm its militias and the Janjaweed, leading to the continued insecurity and terror of the civilian population in Darfur. He concluded by stating that in his opinion, the international community was a long way from putting a stop to the conflict in Darfur, and the AU was not willing to take strong action.



**Mr. Ibrahima Kane**, AU Advocacy Director- Open Society Institute, gave the second presentation on electoral and constitutional conflict. He noted the prevalence of electoral and constitutional conflict in Africa, and the deadly toll it has on African peoples and their human security. Elections in Africa have become sites of conflict, with violence occurring during various stages of the election process in countries such as Kenya, Zimbabwe, and Cote D'Ivoire. In the case of Zimbabwe, while relative calm was observed in the lead up to the first round of elections, violence quickly ensued when it appeared that the incumbent was losing. It is not only electoral process that becomes sites of manipulation, but also constitutions, as incumbents amend constitutions in order to extend their hold on power. He challenged that in the face of such a trend, it is important to review the case for elections, in particular presidential elections. Moreover, this necessitates proactive monitoring of situations well in advance of elections. He recommended that supervision of elections in Africa be made mandatory by the AU, ensuring peaceful transfers of power. He also acknowledged the importance of ensuring national electoral commissions are independent and impartial. In addition to intervention at the election stage, the AU should urge member states to sign and ratify the Charter on Democracy, Governance, and Elections, which in addition to provisions for intervention by the AU in elections advances the democratization agenda. There are also other regional and international guidelines on elections and good governance, such as the SADC principles on elections. Member states need to act collectively to promote and enforce them, as well as impose sanctions on those states that fail to do so.

As a case in point of the previous presentation, **Mr. DZimbabwe Chimbga**, Project Manager International Litigation- Zimbabwe Lawyers for Human Rights, focused on the situation in Zimbabwe preceding the run-off June 27 elections. He emphasized that there was a grave possibility that the will of the people would not be accepted as the escalating violence make free and fair elections impossible. Various statements such as that by the incumbent stating the "current government will not give up power by the pen when they achieved it through the barrel of the gun", and the First Lady who declared that "there is no vacancy in the state house". While rhetoric, the conduct



of the government indicates that they mean what they are saying. The violence perpetrated after the first round of elections has mainly been against the opposition leadership and their supporters. In addition to harassment of the top leadership, some of them remain in custody despite a court order for their release. This intimidation has also extended to observers, and caused the disenfranchisement of voters in various parts of the country through displacement and intimidation. Perpetrators have included militias, youth, and even police. In addition, the government has ordered NGOs to cease operations on the accusation that they are an extension of the opposition. This has led to the politicization of services by the government, as it was mainly humanitarian organizations that provided food and medical supplies.

Moving on to the recent xenophobic attacks and unrest in South Africa, **Mr. Bayo Akinlade**, Africa Liaison; Advocates International, started by relaying a conversation with a South African colleague. In discussing the attacks and international concern, the colleague asked, "Is there a peace and security issue in South Africa?" which he was unable to answer with certainty. He went on to note that it was difficult to put a finger on the current problem in South Africa; it amounted to more than people perpetrating violence against foreigners. For several years in South Africa, the media had been reporting the escalation in crime as connected to, if not attributable, to the influx of Zimbabweans into the country due to economic and political woes. Unemployment was rampant, and there was a perception that foreigners were taking jobs and starting their own businesses. The youth especially did not understand events outside their immediate environment and were pressured by economic inequality. The government was in turn battled with the need for skills development and improved service delivery, in addition to the burden of a downturn in the global economy. Zimbabweans constituted the largest group of foreigners and South Africans were beginning to feel the pressure of their presence. All these elements, including an immigration policy that failed to adequately process and integrate refugees into society, contributed to the xenophobic attacks. He questioned whether these attacks were the beginning of the end, and the disintegration of South Africa into civil unrest. He concluded by outlining a number of recommendations, including but not limited to educational and economic reform. With regards to educational reform, he highlighted the need to provide equal and accessible education for those in the townships like the privileged. The educational system should also incorporate African history, giving South Africans a sense of the role other African countries played in ending apartheid and inculcating them with a sentiment of their place in the wider continent. Economic reform needs to tackle unemployment and the continued inequitable distribution of wealth. Lastly, he underscored the importance of South Africa's apologies to the victims of the attacks.

**Mr. Allioune Tine**, Secretary General; Rencontre Africaine Des Droits de l'Homme (RADDHO), looked at the security situation in West Africa in the next presentation. He seconded what the previous speaker outlined on elections as processes threatening peace and security in Africa. Indeed, all West African elections have been regularly contested except in the case of Ghana. In Cote D'Ivoire, the electoral commission is flawed, Guinea is a 'time bomb', mal-governance in Gambia is evident from the severe oppression of journalists and civil society, and the treaty on governance signed in Dakar, Senegal is not respected or adhered to. The case of Mali- is a rare one, where the president has exerted tremendous efforts in maintaining calm, otherwise there is a clear democratic, governance, and leadership crisis in Africa. In this case, he provoked "what is the use of elections in Africa?" Elections require trust and good faith, and the ability to accept defeat and handover power peacefully. However, the evidence has shown that this has rarely happened. The issue of bad governance has spilled over into insecurity, conflict, and underdevelopment. He noted the dangerous trend of illegal migration to Europe as a consequence. Indeed, the slogan among youth in West Africa is "Go to Barcelona or die". He underscored the need for the AU to take leadership on the good governance and democratization agenda. The AU should moreover "throw out the rotten potato from the bag", censuring those members states that do not demonstrate adherence to democratic and good governance norms.

The final presentation, on the conflict situation in Somalia, was given by **Mr. Desire Assogbavi**, Pan-Africa Senior Policy Analyst; Oxfam Liaison Office with the African Union. He stated that the situation in Somalia was a shame for Africa. Over one million Somalis are displaced with 2.6 million in need of humanitarian

assistance. UNICEF has even declared it the worst place in the world for children. Humanitarian agencies have limited access to those in need due to insecurity from banditry and lack of respect for international humanitarian law by parties to the conflict. He noted that in 2006, the AU authorized troops for Somalia, but they were only dispatched, with limited numbers, in early 2007. Unfortunately, the force was not dispatched with a clear mandate on the protection of civilians. He urged that humanitarian space be preserved and protected to allow for the provision of basic humanitarian aid to millions of Somalis. AU member states also need to pledge greater troop contributions to allow for the withdrawal of Ethiopian forces. Hand in hand, he reiterated the need for progress on the political and reconciliation front. This also requires that the international community condemn serious abuses of international humanitarian law by all parties, and call for the TFG to initiate an independent investigation into allegations and prosecute those responsible.

### Arising Discussions and Recommendations

- Given the unsuccessful SADC mediation process, the AU should take immediate and strong action on Zimbabwe.
- Even after post-electoral reconciliation, there is a need to ensure that coalition governments, as the case in Kenya, are held accountable.
- Mechanisms for electoral dispute need to be put in place.
- We need to differentiate between xenophobia and afrophobia in the case of the South African attacks.
- What was the 10-15 year forecast of the ANC? Could the recent problems have been prevented?
- The AU has the capacity for its own peacekeeping missions. It needs to limit foreign intervention and draw up a continental strategy to deal with peace and security situations internally.
- CSOs need to establish coalitions for observing elections on the ground.
- CSOs need to be more proactive, action oriented, and in touch with the people; as well as initiating programs sensitizing citizens on their rights.

### International Justice

**Mr. Don Deya**, Chair; African Human Rights Court Coalition, started off the session with a brief overview on the Coalition for an Effective African Court. The Coalition was established in May 2003, and currently has 600 members. It has two physical presences; a Secretariat in South Africa and Communications in Nigeria, with preparations to move the seat of the Court to Arusha, Tanzania. He then went on to update participants on the establishment of the African Court of Justice and Human Rights. This Court has its origins in a 2004 AU Summit resolution to merge the African Court of Justice and the African Court on Human and People's Rights in order to reduce institutional proliferation and costs. Only the Court on Human and People's Rights is in force, having attained the minimum number of ratifications. In terms of access to this Court, signatories to the Protocol have to make a specific declaration allowing direct access by individuals and civil society organizations. So far only Burkino Faso has done so, and it is hoped that other states will soon follow. He urged civil society to lobby states who have not already done so to ratify the Protocol, as well as making express declarations to enable direct access. He also noted that it was important that civil society remain vigilant to ensure that the Human Rights mandate is not undermined in the merged Court.

With regards to progress on the proposed merger, he noted that the Panel of Experts convened to draft the Merger Protocol recommended direct access to be guaranteed with the provision that any state that did not wish its citizens to have direct access, issue a declaration to that effect. However, this position was reversed in a meeting of African Ministers of Justice and Attorney Generals, removing individual access unless a State-party specifically provides for it. He underscored that this would make it more difficult to provide direct access for the millions of Africans that need it, “diluting the African human rights protection system”. He pointed out that African states generally support direct access as evidenced by the presence of the principle in regional judicial tribunals and most of the courts of the Regional Economic Communities. He compelled civil society to approach their national delegations and advocate for direct access to be guaranteed in the Merger Protocol, as recommended initially by the Panel of Experts tasked with drafting the Protocol. He ended his presentation by emphasizing the “importance of strong African institutions to facilitate sustainable African solutions to festering African problems”.

The second panelist, **Ms. Eleanor Thompson**, Outreach Liaison for Africa; Coalition for the International Criminal Court, presented on the International Criminal Court as an instrument for justice globally. She began by emphasizing that justice and peace were mutually reinforcing, and in the context of a continent riddled with conflict, the ICC was an important mechanism for ending impunity. The court tackles international crimes such as war crimes, genocide, and crimes against humanity, and allows victims to participate in the process. The ICC treaty entered into force on July 1, 2002, with the necessary ratifications of the 1998 Rome Statute. It currently has 106 State-parties, 30 of which are African countries. Thus Africa has the biggest geographical representation in the ICC Assembly of state parties of the court. She outlined out how cases come before the Court; this being either through the referral of a State-party to the Prosecutor, the UN Security Council, or by the Prosecutor himself. Currently, the Court is dealing with four cases; Northern Uganda, the DRC, Central African Republic, and Darfur. Some of the challenges and outcomes of the above cases give rise to a number of recommendations to ensure that the Court is able to function effectively. With regards to the continued non-action of the Sudanese government in the arrest and handover of the two indictees of the Darfur case, she highlighted the importance of states’ cooperation with the ICC. She also urged member states to ratify the Rome Treaty, as well as assist each other in adopting and constitutionalizing the treaty. She also called on the AU to sign the outstanding cooperation agreement with the ICC. She concluded by highlighting the need to also take a bottom up approach, urging civil society to raise awareness of and popularize the Court among ordinary citizens.



The final speaker of the session, **Mr. Allioune Tine**, Secretary General; RADDHO, looked at the justice question through the particular case of Hissen Habre. He acknowledged that the ICC was a great step towards the end of impunity. He went on to highlight the history of Hissen Habre and his rise to power through a coup d'état followed by massive human rights violations. The African Union has requested that a Senegalese court be tasked with judging Habre where he is currently residing. In this regard, he emphasized the need for the AU to ensure adequate financial resources and technical assistance for such special investigations and court proceedings to allow for an effective and efficient judicial process. Furthermore, he underscored the importance of compensation or reparations for individual and group victims within justice processes. He also emphasized that rape as a weapon of war should be more judiciously pursued and prosecuted.

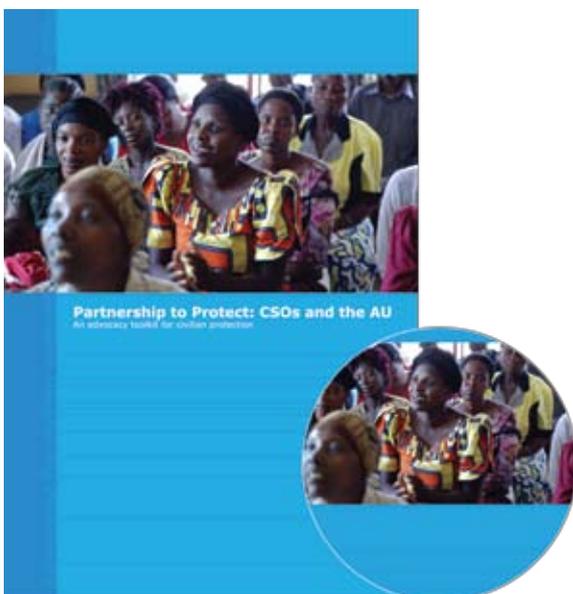
### Arising Discussions and Recommendations

- The ICC does not address rape and sexual violence, even though these are war crimes. More needs to be done in this manner.
- Very few Liberians know of Charles Taylor's trial. It is vital for the reconciliation and healing process of a post-conflict nation for citizens to be able to participate and be informed of the judicial process.
- ICC cases such as that of Jean-Pierre Bemba, have dented the credibility of the ICC and international justice due to the lack of transparency. The Court needs to show more transparency and remain a-political in its dealings.
- The ICC does not address the worst crimes for fear of overstepping a country's sovereignty, as is the case in the DRC.
- Widening country support for the ICC is made difficult by the US aid cuts to countries who support the ICC.

### Launching of an Advocacy Toolkit on the Responsibility to Protect

At the conclusion of the regular sessions for Day One of the conference, **Ms. Blen Shimelis**, External Relations Officer; African Humanitarian Action, was invited to present and launch an advocacy toolkit on

the Responsibility to Protect. She began by thanking all those who contributed to making the toolkit a reality, with a special note of thanks to Oxfam for their financial assistance. She presented an overview of the contents of the toolkit, and challenged civil society to take up this worthy aim of holding governments accountable and working with them to put the responsibility to protect into practice. She cautioned that the term "responsibility to protect" was one that should be used selectively with African governments. While most policy makers agreed with the principle, the term is often seen as Western, and use of the term could set back efforts to work with and lobby governments.



## DAY TWO

### Meeting the Millennium Development Goals: Where is Africa?

**Mr. Lamine Ndiaye**, Head of Economic Justice; Oxfam International, started the session on the Millennium Development Goals (MDGs) with a focus on the impact of climate change on progress towards their attainment. He underscored that climate change was threatening the gains made on many, if not all the MDGs. It would exacerbate social tensions over limited and dwindling resources; and underprivileged groups, in particular women who depend to a greater extent on the environment are more vulnerable to these effects. By 2050, it is expected that one billion people will face water shortages and hunger, including 600 million in Africa alone. He went on to note that the worst impact of climate change will be felt by Africa, specifically Sub-Saharan Africa, even though it produces the lowest emissions of carbon per person. Specifically, climate change is expected to exacerbate current gender inequalities as women depend more on the natural environment for their livelihoods, and have to contend with fewer resources and a greater workload. Climate change is also anticipated to lead to more deaths and illnesses due to extreme weather conditions and phenomena, worsening mortality rates and malnutrition. Moreover, gains in educational attendance may be reversed as children are diverted from school to domestic chores made all the more difficult by dwindling resources and environmental degradation. These strains and impacts inevitably require adequate resources to mitigate. Indeed, estimates show that there is a shortfall of 50 billion for climate change adaptation. Possible avenues of funding include international funding mechanisms, carbon taxes, and international travel levies. Moreover, he noted the importance of instituting the polluter pays principle as a means of financing climate change adaptation. Payment should be made mandatory, and apply to historical emissions as well as current emissions. "If someone ruins your house, you are entitled to damages or to having the house rebuilt". In the same vein, what African countries would be asking for in relation to climate change amounts to compensation, and not charity or aid. This necessitates that African governments stand together and send a unified message on climate change and demand justice in global deals. At the country level, African policy makers need to prioritize climate change within national action plans, giving special attention to marginalized groups such as women, children, and pastoralists.



**Ms. Caroline Muthoni Muriithi**, Programme Officer- Equality Now, presented an assessment of MDGs, with particular emphasis on women's rights. She emphasized that the MDGs cannot be attained without due consideration of women. She noted that women's participation in politics is improving and the proportion of women in extreme poverty decreasing. With regards to the specific MDGs, she outlined the progress and challenges to greater attainment. Efforts to reduce poverty need to contend with cultural practices, issues of inheritance, and access to land by women. Legislative reforms to abolish discriminatory laws, including employment laws, need to be affected to see greater gains in poverty reduction. With regards to the goal of primary education, enrollment for girls has gone up; the challenge remains retention at the secondary level, violence against women in school settings, and the traditionally female burden of being caregivers. Gender equality shows slow progress. There is lack of recognition of the double burden of work and family care/unpaid domestic work. Women are also faced with trafficking and violence such as that seen towards female political candidates during the post-election violence in Kenya. Maternal and child health is hampered by lack of access to facilities, low levels of literacy, low value placed on saving women's lives, and the impact of the HIV epidemic. Moreover environmental sustainability, goal 7, requires extraordinary efforts in the face of rapidly expanding cities. The failure to meet this goal has effects on the other goals, as domestic chores such as fetching water diverts girls from school. She noted that the Protocol on Women addresses such issues and grievances affecting African women. Hence, she emphasized that ratification of the Protocol on African Women, and subsequent incorporation into national action plans, was a central tool to achieving MDGs.

In the next presentation, **Ms. Linda Odhiambo**, Campaigning and Communications Associate- UN Millennium Campaign, provided an overview of progress towards the MDGs. She began with a general



assessment of progress towards MDGs, pointing out that while notable progress can be seen on individual goals, many countries, especially in Sub-Saharan Africa remain off track. Significant gains remain targeted

in certain countries. She noted that rising food and energy costs were affecting efforts to halve poverty and hunger. Notable progress has been made in relation to universal primary education, but governments now have to address issues of quality, retention, and transition to secondary school. Women's participation in parliament has increased, however more needs to be done to empower women economically and in the decision making processes that affect their lives. Poor progress has been made with regards to child, and in particular maternal health. With regards to environmental sustainability, early action on controlling greenhouse gases is central to reducing mitigation and adaptation costs. She went on to outline the reasons behind the country disparities in progress towards MDGs. Countries that have shown progress are characterized by alignment of MDGs to National Plans and Strategies, pro-MDG budgeting, focus on delivery mechanisms, and the engagement of a wide range of stakeholders including the media, private sector, and civil society. Challenges to further progress included EPAs, climate change, conflict, high food prices, and rapidly growing populations. In closing, she recommended that progress required investment in infrastructure and health personnel, concrete commitments to reducing gas emissions, and lobbying for the completion of the Doha round.



**Brian Kagoro**, Policy and Advocacy Manager; Action Aid, ended the session with a presentation on financing development to meet the MDGs. He began by noting that the problem of lack of progress towards the MDGs has so far been seen through political lens, but there is a need to look at it from a financial one. Indeed he argued that civil society has embraced economic illiteracy, while what it is dealing with is rooted in the nature and impact of money and financial flows. Liberalization of public goods, the retreat of the state, and squeezing of fiscal

space, raises the question of who best provides the funds for MDGs- the private or public sector? He pointed out that there is a hidden financing gap, with official estimates showing a big financial deficit on plans to achieve the MDGs. He noted that Africa pays more in debt servicing than they receive by way of ODA, and more in capital flight than in debt servicing. This ODA-debt gap represents a small fraction of the equation, the other being in illicit flows to tax havens in the North, the majority of which are commercial and a very negligible percentage being corruption related. This situation makes developing countries net creditors of donor countries. In light of this, he emphasized that civil society has so far misdirected its efforts towards better aid, debt cancellation, and anti-corruption while the evidence shows that Africa's bleeding lies in capital flight and illicit commercial flows. So Africa is not asking for charity but reparations in limiting capital flight through effective regulatory frameworks, removing harmful tax and secrecy practices of tax havens, and the return of stolen wealth by the North. These efforts need to happen not only at a national level but continentally as well.

## Arising Discussions and Recommendations

- National right to information legislation is key to facilitating civil society monitoring on use and abuse of financial transactions and budgetary contributions.
- Water must be seen as a basic right that needs to be protected by governments. However the provision of such services cannot be free, but it can be financed through the arrest of capital flight.
- Governments need to adequately assess the cost of adaptation to climate change and plan accordingly. An African Index should be developed to assess needs on a country by country basis.
- The bleeding of Africa, both of its financial and human resources, needs to be stopped and compensated for.
- Water may in time become a political problem and a source of conflict.
- Civil society needs to take a greater role in national MDG reporting, especially in relation to outreaching at a grassroots level.
- Participation in local and national governance is central to the attainment of the MDGs.
- The multiple development plans and frameworks needs to be harmonized to streamline development efforts.
- The Protocol on Women addresses many development issues facing women, and so greater efforts need to be made in getting states to ratify and implement it.
- Women's empowerment needs to look at more than parliamentary representations and other sites

## Social and Economic Justice in Africa

**Ms. Ruth Pearl Ngángá**, Communications and Campaigns Officer- Agency for Co-operation and Research Development (ACORD), started off the session on Social and Economic Justice with a presentation on the Economic Partnership Agreements (EPAs), lessons learned, and the way forward for CSOs engaging with trade issues. She noted that ACORD came into the EPAs in 2006, later than other civil society organizations. With regards to the status of the EPAs, she pointed



out that the EPAs were initialed by certain African states after significant bullying by the EU. This initiated subsequent confusion about the difference between initialing and signing an EPA. This situation was made much more difficult for CSOs in their engagement, who had to contend with a lack of information and things done under the table. She went on to highlight further the internal and external challenges CSOs convening around the EPAs had to deal with. These included lack of region and country specific research, lack of differentiation in strategy by CSO coalitions, lack of coordination and overlapping efforts, and coherent stand, the language barriers between Anglophone and Francophone Africa, as well as tactics by the EU to ensure that civil society was shut out of the EPA process. Her presentation then proceeded

to recommendations on the way forward. She emphasized the need for the CSO coalition to broaden its constituency, by stopping “preaching to the converted”, and building linkages with partners in Latin America as well as the North who have access to greater information and often enjoy greater acceptability by African governments. She also urged civil society to use the current coalition around the EPA to address other trade issues such as BRIC and inter-Africa trade. In addition, she noted the importance of utilizing and leveraging the policy space created as a result of lobbying around the EPAs. Ms. Ngángá, finished her presentation by outlining her dream and vision for Africa—“that one day, we would all trade as Africans, reliant on ourselves, and trading on what we want rather than what others say we want”.

The second presentation of the session given by **Ms. Bibiane Mbaye**, ActionAid, focused on the food crises and women as agricultural producers. The presentation started with a short documentary which gave an overview of the food crises and the difficulties women face in accessing land and other agricultural inputs. Even though women are the primary actors in rural life, they are faced with immense challenges in providing for their families. Indeed over 80 percent of food is produced by women and yet in the face of this overwhelming contribution to agricultural productivity, the quality of their lives remains low. Women control less than five percent of the land and represent over 60 percent of those suffering from hunger. This lack of control and ownership over land means that despite being producers, women have little or no say over the sale and benefits of their produce. Furthermore, land ownership is a basis for livelihood, status, and often legitimacy of citizenship. The film traced some of the factors leading to women’s poor access to land ownership. Cultural beliefs which hold that men are owners of land and the decision makers, as well as discriminatory traditions against widow inheritance all contribute to the insecurity of land tenure that women face. While challenges to food security may come from ‘within’ while husbands are alive, women are threatened by displacement by male members of the community upon the death of their husbands and are reliant on the goodwill of traditional mechanisms, which are often skewed in favor of males for recourse.

National laws are often silent or soft on issues of land ownership and even where there has been legislative reform recognizing equal ownership of land and access to productive inputs; there have been immense challenges to implementation. Authorities are often slow or unwilling to uphold women’s rights, and violations are often ignored, allowing men to act with impunity. Moreover, high levels of illiteracy mean that women are also overwhelmingly unaware of their own rights. Despite this legal disempowerment, the film noted that in some countries, women had resorted to securing land through collective action outside of traditional mechanisms. The film concluded with the firm conclusion that women’s access to land, continuity of ownership and ability to fully exploit the land needs to be protected and guaranteed. This necessitates that governments work to apply already existing human rights provisions, the adoption of equal rights and corresponding legislative reform, reform of the agrarian systems, and finally the allocation of adequate resources for implementation. Following on from the film, Ms. Viviane highlighted the inter-linkages between issues of land, agriculture, and the EPAs. As the majority of producers, and often on a small scale, women are likely to be disproportionately affected by trade liberalization, and it is imperative that governments work to protect such producers. Moreover, as a cross cutting issue across the continent, access to land and agricultural inputs, in particular that of women, calls for an AU continental policy. She finished her presentation with a reiteration on the need for women to gain better access to finances and

other agricultural inputs and technology in addition to the formulation of appropriate and enabling legislative framework and implementation of the same.

The final panelist of the session, **Mr. Rotimi Sankore**, African Public Health Alliance, started his talk by commenting on some of the issues touched upon in the previous presentation. He noted that agricultural economies of scale were low in Africa, and that the model that states should adopt should be one which raises levels of production so that women do not take the lion's share of the productive burden. Moving on to his presentation, he noted that a lack of social developmental policy was having a severe impact on the delivery of social and economic rights on the continent. He underscored that governments should not only be interested in economic growth, but socio-economic growth, as any growth without a social component was in essence negative. Thus the challenge for governments and those working on development was how to breach the contradiction of economic growth amidst falling living conditions evident throughout the continent. He indicated that while Africa was blessed in that it did not suffer catastrophes such as tsunamis and hurricanes; it was subject to "the tsunami of indifference of our governments". He indicated that more than eight million lives were lost every year mainly from five health conditions, and that this not only erodes economic growth but also the human capital of African countries, and he opined that this would lead to countries becoming socially unviable, and ultimately collapsing. In addition, he identified other impediments to socio-economic development including brain drain, stating that Europe needs to invest in their own human capital and not continuously raid Africa; the EPAs, as some level of protection is necessary for African states to develop; and a lack of a comprehensive continent wide policy on agriculture and food security, allowing countries to better plan against projected food needs.

### Arising Discussions and Recommendations

- In order to widen support for the campaign to stop the EPAs, information needs to be repackaged to appeal to illiterate people.
- The CSO movement against EPAs needs to look at how those countries opposing the EPAs can be supported.
- Are member states and the AU faced with lack of policy coherence or lack of policy direction?
- Agricultural reform should not be donor driven, but rather grow out of the particular needs of the country.
- Efforts towards food sufficiency need to pay adequate attention to proper water management.

### Closing Session and Adoption of CSO Communiqué

The final session was devoted to reviewing the collated recommendations raised throughout the two day period and adopting the resulting communiqué. Ms. Yemisrach Kebede gave a short speech to officially close the conference, thanking participants for their active participation and wishing them all a fruitful time lobbying and engaging decision makers at the upcoming Summit and beyond at the national and regional level.



## Cairo CSO Training Workshop

### Understanding the African Union and Seizing Opportunities for Change

#### CCP-AU CSO Workshop May 24-25th, 2008 Cairo, Egypt

*"[...] This vision and mission of the AU required certain preconditions: an Africa fully aware of its potential, conscious of its own weaknesses, inclined to actively participate in global trade and determined to offer its people basic goods and services at affordable prices. This also raises the question: how will we attain these goals? [...] the political will of member states, a firm commitment to the AUC, total involvement of African peoples and the optimal use of all assets such as human and natural resources".*

*Dr. Mohamed Naimi  
Head, Policy Analysis & Research Division  
African Union Commission*

On May 24th and 25th, 2008, close to 40 participants representing key North African and regional NGO's such as The Moroccan Organization for Human Rights, The Cairo Institute for Human Rights Studies, The Egyptian Initiative for Personal Rights, the Moroccan Association for Human Rights, The Khartoum Center for Human Rights, The Algerian Collective for Disappeared Persons, the Center for Democracy and Development in Lagos and the Nadim Center for Rehabilitation of Victims of Torture and Violence in addition to key international organizations such as The International Federation for Human Rights and Oxfam, gathered in Cairo for a workshop entitled "Understanding the African Union and Seizing Opportunities for Change".

The Cairo workshop is based on the success of similar workshops in Accra and Addis Ababa in March and November 2007 respectively wherein Ghanaian and Ethiopian NGOs were trained to effectively seize the opportunities of civil society engagement within the African Union. The Cairo workshop is therefore an initiative to encourage Egyptians and other North African CSO's to engage with the bodies and structures of the African Union and to train them on how and when to do so.

Resourced by experts from the African Union Commission, the Egyptian Ministry of Foreign Affairs and CSOs, the training was conducted on the following areas:

1. Background of the African Union and the transition from the OAU to the AU
2. The vision, mission and mandates
3. Key organs of the AU including the Commission, the Pan-African parliament, the peace and security council, the human rights court, the citizens directorate and ECOSOCC
4. Decision making processes at the AU



5. Importance of collaboration between African CSOs and the AU
6. Importance of African citizens participation in African union affairs including Egyptian and other North African CSOs

The organizers reported at the conclusion of the workshop, that they felt participants displayed a better understanding of the structure of the African Union as well as a more pro-active attitude towards their role as CSOs within the AU. Hence the participants agreed to

engage with the AU and to take part in the CSO Continental Conference that was held in Sharm El Sheikh from June 22-23rd, 2008 prior to the 11th Ordinary African Union Summit that was held in the same city from 24 June to 1 July 2008. This conference, which is the Third citizens' continental pre-summit conference gathered African citizens from all parts of the continent and the Diaspora, CSOs and other concerned bodies to discuss the pertinent issues on the Summit agenda as well as key issues within the continent.

The workshop organizers and other stakeholders also believe that the workshop has helped participants understand the decision making processes and the opportunities for influencing these decisions as well as identify with other CSOs in the region and the importance of networking and collaborating.

This workshop was organized by The Centre for Citizens' Participation in the African Union (CCP-AU), the Cairo Institute for Human Rights Studies (CIHRS), the Egyptian Business Women Association (EBWA), FAHAMU, The International Federation for Human Rights (FIDH) and Oxfam.



## APPENDICES

### CSO COMMUNIQUE

#### Third Citizens' Continental Conference on the 11<sup>th</sup> African Union Summit Pyramisa Hotel Sharm El Sheikh, Egypt: 22, 23 June 2008

Civil Society Communiqué ahead of the 11<sup>th</sup> Ordinary African Union Summit on "Meeting the Millennium Development Goals on Water and Sanitation"

On the third gathering of continent-wide civil society ahead of Ordinary African Union Summits, the continent is faced with pressing development and security related issues, as well as challenges to the roadmap towards the Union Government and implementation of the recommendations of the AU Audit. We, as civil society and peoples' representatives from across the continent and Diaspora, welcome this opportunity to collectively reflect on the state of the continent, the issues facing it, and developments since the last Summit to arrive at a common position from which to communicate concrete recommendations to Heads of State and Government, Permanent Representatives, and Foreign Ministers convening at the 11<sup>th</sup> Ordinary African Union Summit. It is our sincere hope that such forums and spaces, which are indicative of our contribution and commitment to a people-driven African Union, enhance wider civil society contribution and input into deliberations and decision making at the AU level.

#### On Progress towards MDGs

**Concerned** that just past the midpoint to the target date of 2015, Africa as a whole is not on track to meet the MDGs; specifically in relation to MDG 7-Ensuring Environmental Sustainability-only 11 countries are likely to meet the water requirements in the rural areas and 7 likely to meet the urban sanitation requirement;

**Recognizing** the national and regional disparities in progress towards MDGs;

**Noting** the basic right to water and the strong linkage between adequate access to water and sanitation and levels of public health;

**Mindful** that the MDGs cannot be achieved without the utilization of social protection schemes and programs for vulnerable groups such as women, children, pastoralists, and the disabled;

**Cognizant** that failure to properly manage resources and address climate change will lead to conflict and greater food insecurity;

**Acknowledging** that empowerment of women is central to the attainment of the MDGs;

#### Recommends:

1. Greater coherence and harmonization of development frameworks, namely MDGs and NEPAD, and efforts towards them at the national and regional level;
2. Building Member States' and the AU Commission's statistical capacity to effectively monitor development results and design appropriate policies and interventions;
3. Meeting African Union member states' budgetary commitments such as the 15% budget commitment to health;
4. That member states formulate regional initiatives and actions to better manage trans-boundary

- resources such as water;
5. Member states plan for, and protect against, future shocks such as due to climate change, with a focus on implications for MDG-related expenditures;
  6. Member states and the African Union ensure adequate financing for MDGs by pushing for a 'polluter pays' principle;
  7. African Union takes measures to strengthen international mechanisms for the return of stolen wealth and the removal of harmful tax and secrecy practices of tax havens; AU further sets up a continent-wide framework for the regulation of FDI flows and special investment mechanisms and that the funds redeemed are invested into development programs and meeting the MDGs;
  8. Member States as a matter of priority ratify and implement the Protocol on African Women, and initiate and implement policies that enhance women's access to water and active participation in decision making processes on water and sanitation.

### On the Food Crisis

**Noting** the new threats to food security, in particular rapidly rising food prices and the impact of climate change on the livelihoods of the poor and other vulnerable groups;

**Mindful** of the underlying long-term under-investment in agriculture by Member States;

**Recognizing** the setbacks to development gains the food crisis will bring about and more immediately the challenge to the stability and security of countries;

**Keenly** aware that women constitute the overwhelming majority of food producers, yet control less than 5 percent of land and represent 60 percent of those suffering from hunger;

### Recommends that:

1. Member States to put in place short-term measures to mitigate the impact of the present global food crisis;
2. Member States to give appropriate budgetary priority to agriculture, specifically by honouring their commitment to the Maputo Declaration of allocating at least 10% of their national budgets to agricultural and rural development;
3. Member States initiate the necessary legislative and policy reforms to enhance women's access to land ownership, finances, and agricultural inputs and technology;
4. African Union builds and facilitates the implementation of a coordinated African agriculture and food security policy and response.

### On the Current State of the Economic Partnership Agreements

**Noting** that certain ACP states were pressured and ended up signing interim agreements in smaller trading blocs or individually rather than the originally envisaged groups;

**Mindful** of the obstacles that the EPAs present to regional integration;

**Concerned** that the EPAs are not compatible with the development needs of member states;

**Deeply concerned** by the EU's use of the EU-AU strategy to implement aspects of the EPAs;

## Recommends that:

1. Member States that have initialled the EPAs conduct a thorough impact assessment of the EPA deal;
2. Members States immediately move to revise or remove clauses from the initialled EPAs detrimental to their special development needs and interests;
3. Member States advocate for alternatives to the EPAs, specifically GSP plus.

## On the post-Audit Roadmap

**Concerned** that the AU Audit process was not adequately inclusive of CSOs and women;

**Noting** the AU Commission's reservations on certain recommendations of the AU Audit;

**Mindful** that the recommendations set out in the Audit report have far reaching implications for civil society and the peoples of Africa;

**Recognizing** that the Audit was a technical and not political appraisal of issues relevant to African integration;

**Cognizant** of the importance of the Audit recommendations trickling down to the REC level;

## Recommends that:

1. Immediate prioritization of and action on the Audit's recommendations, ensuring adequate financing and allocation of responsibility for implementation of the same;
2. Greater attention and concrete actions to implement the accelerators identified as central to speeding up integration;
3. Wide circulation and popularization of the Audit by the AU Commission, enabling civil society and African peoples to support the changes necessary and hold the AU accountable;
4. Limiting AU Ordinary Summits annually to allow more time for implementation of decisions;
5. Greater engagement of Member States with civil society and quickened establishment of a National Commission for African Affairs in every member state;

## On Zimbabwe

**Concerned** about the rampant and escalating politically motivated and organized post March 29 election violence;

**Noting** the massive disenfranchisement of the general population by displacement and intimidation;

**Concerned** about the selective or non-existent response of officials to the violence and the impunity of those who are perpetrating it;

**Recognizing** that the minimum conditions for free and fair elections are absent in period preceding the run-off June 27 elections;

**Acknowledging** that the SADC led mediation has failed to alleviate or bring an end to the current situation;

**Deeply disturbed** that despite four million Zimbabweans requiring humanitarian assistance, the government has ordered the suspension of the work of civil society organizations;

## Recommends that:

1. African Union publicly condemns and calls for an end to the violations and abuses taking place in Zimbabwe and a restoration of basic political and civil rights;
2. The Zimbabwean government invites the Special Rapporteur of the African Commission on Human and Peoples' Rights on the rights of human rights defenders and women to investigate allegations of human rights violations and abuses;
3. African Union calls for an independent and impartial investigation into grave human rights abuses;
4. Zimbabwean government reinstates immediately the work of civil society, and the African Union and Member States call for the donor community to commit necessary funds for humanitarian aid;
5. African Union brokers a multi-stakeholder dialogue to create a political process, including reforming state institutions, to create conditions in which internationally observed elections can be held as soon as possible.

## On Darfur

**Concerned** about the deterioration of the security situation in Darfur with 150,000 newly displaced, ongoing hijackings and banditry, and 9 Sudanese aid workers killed since the last summit;

**Noting** the continued non-cooperation and failure of Sudan to arrest and handover the two ICC indictees;

**Concerned** about the hundreds of men, women, and children arrested in Khartoum since the May 10 rebel attack on the capital seemingly on the basis of their ethnic profile;

**Acknowledging** that ending the crisis in Darfur requires protection of civilians, accountability for war crimes and crimes against humanity, and a peace agreement that addresses underlying political problems;

**Deeply concerned** about the continued obstruction to UNAMID deployment, offensive military flights, and contravention of the arms embargo by the Sudanese government;

## Recommends that:

1. African Union calls an immediate high level meeting with the UN (with the Peace and Security Council and the UN Security Council) and Sudan, setting out a roadmap and timeframe for peace talks with both parties and the adoption of a credible and functioning ceasefire agreement by all parties; this meeting should also be used to allocate the missing resources for UNAMID;
2. African Union immediately and publicly calls on Sudan to end all arbitrary arrests and detentions; promptly release all detainees for whom there is no legal basis for detention, or charge them with a offense; inform the detainees' families of their whereabouts; and immediately end all use of torture and other mistreatment of detainees;
3. African Union issues a resolution demanding Sudan to cooperate in bringing justice to Darfur by arresting and handing over government official Ahmed Harun and militia leader Ali Kushayb to the ICC;
4. African Union supports the appointment of a single, empowered mediator for Darfur, who will also deal equally with the Sudan-Chad proxy war and liaise with those responsible for oversight of CPA implementation;

5. Alongside the United Nations, the African Union expedites the deployment and better resourcing of the UNAMID force, and demand the Sudanese government's facilitation and cooperation in the deployment process;
6. Sudan immediately ratifies and implements the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa, to which it is a signatory;
7. African Union demands that the government of Sudan and rebel leaders to protect the ability of humanitarian actors to operate.

## On Somalia

**Noting** that the fighting between Ethiopian-backed TSG forces and insurgents has forced up to one million Somalis to flee their homes and killed an estimated 6,500 civilians since 2007;

**Deeply concerned** that 2.6 million Somalis require humanitarian assistance, a 40% increase since the last summit;

**Welcoming** the June 9 peace agreement between the Transitional Federal Government of Somalia and the opposition Alliance for the Re-Liberation of Somalia;

**Aware** that the presence of AMISOM and their corresponding mandate has not brought about improved security for Somali civilians;

## Recommends that:

1. All parties to the conflict allow for full and secure humanitarian access and civil society operation;
2. African Union condemns the abuses of international humanitarian and human rights law by all parties to the conflict and urge full and complete investigations into and prosecutions for civilian deaths and other violations;
3. African Union maintains support of the AMISOM mission until a time when it can handover to a UN peacekeeping force, which has been called for by the recent peace agreement;
4. Member States, regional bodies, and the African Union maintain support and necessary diplomatic pressure for the implementation of the recent peace agreement.
5. African Union urges Member States to immediately commit and deliver peacekeeping troops who would relieve Ethiopian troops.

## On the African Court of Justice and Human Rights

**Noting** that effective and accessible judicial institutions of the African Union are essential for the protection and promotion of the full range of rights guaranteed by the African Charter on Human and Peoples' Rights and its Protocols:

**Recommends that:**

1. Member States ensure that the final Protocol on the African Court of Justice and Human Rights (the Merger Protocol) guarantees direct access for individuals and civil society;
2. Member States as a matter of priority ratify the Protocol establishing the African Court on Human and Peoples’ Rights, and make the Declarations enabling direct access for individuals and civil society.
3. African governments support and protect human rights defenders in accordance with the UN Declaration on Human Rights Defenders adopted by the UN General Assembly in 1998.

**On International Justice**

**Recognizing** that international justice mechanisms are important means for fighting impunity and human rights violations;

**Recommends that:**

1. African Union urges states that have not done so to sign and ratify the Rome Statute;
2. African Union signs the outstanding cooperation agreement with the International Criminal Court;
3. African Union urges Member States to ensure necessary financial and technical assistance to special investigations and courts; in particular the Senegalese court tasked with carrying out the Hissen Habre case.

Adopted Sharm El Sheikh, Egypt, June 23<sup>rd</sup>, 2008

Signed,

ACORD International; ActionAid Africa; Action for Conflict Transformation; Advocates Africa; Africa Humanitarian Action; Africa Public Health Alliance; African Business Roundtable, African Centre for Democracy and Human Rights Studies; African Youth Association; Afro-Asian Peoples Solidarity Organization; Afroflag Youth Vision; Akina Mama wa Afrika; Algerian Coordination for Families of the Missing; Amnesty International, Arab Organization for Human Rights; Arab Program for Human Rights Activists, Arab Coalition for Darfur; CAFOB; Cairo Institute for Human Rights Studies; CEOSS, Coalition for the International Criminal Court; Civil Monitor for Human Rights; Coalition for an Effective African Court on Human and Peoples’ Rights; Commission Nationale Justice et Paix; EASSI; East Africa Law Society; ECCAS; Egyptian Business Women’s Association,; Egyptian Center for Women’s Rights; Egyptian Red Crescent; El Nadim Center for the Rehabilitation of Victims of Torture; Equality Now; Fahamu; FAMEDEV; Federation of Women’s Lawyers; FEMNET; Friends of African International; FWID; GCAP Senegal; Human Rights Association for Assisting Prisoners; Association for Freedom of Thought and Expression; International Federation for Human Rights; International Refugee Rights Initiatives; Khartoum Centre for Human Rights and Environmental Development; Land Centre for Human Rights; Organization for Human Rights; Ligue Tunisienne pour la Defense des Droits de l’Homme; OISEA; OMDH; OSISA; Peace and Development Platform; PELUM, Malawi; PELUM, Zambia; Plate-Forme Nationale des Organizations de la Societe Civile de Madagascar; Reseau des Jeunes pour la Democratie et la Politique; Save Darfur Coalition; SOAWR Coalition; TrustAfrica; United Nations Millennium Campaign; WANEP; Women of Liberia Peace Network; Zimbabwe Solidarity Forum.

## LIST OF PARTICIPANTS

	Surname	First Name		Surname	First Name		Surname	First Name
1	Abbass	Hakima	36	El-Din Mo-hammed Sakr	Essam	71	Ndiaye	Lamine
2	AbdelHafez	Ahmad	37	El-faqui	Salem Abdel Hafez	72	Ng'ang'a	Ruthpearl Wanjiru
3	Abdeltawab	Ziad	38	Eskander	Emad	73	Njerere	Sarudzayi
4	Abdulmelik	Semiha	39	Fahmy	Omnia	74	Nkunda	Dismas
5	Abou Hussein	Shaaban	40	Fall	Mabassa Mohamed	75	Nyoni	Mantswe Edward
6	Abuelala	Abdul Raziq	41	Gaber	Fahim	76	Ojugo	Onyeluka-chukwu
7	Abulhassan	Lobna	42	Fahim	Concilie	77	Odhiambo	Linda
8	Agab	Ali	43	Galai	Ahmed	78	Oketch	Awino
9	Akinlade	Bayo	44	Ginsborg	Lisa	79	Olaniyan	Kolawole
10	Ali	Mohammed	45	Hidouri	Lofti	80	Omar	Ahmed
11	Aly	Karam	46	Ismail Atia	Abdel-Mawla	81	Omran	Mohamed
12	Aly Mohamed Zaki	Asmaa	47	Joof	Amie	82	Obasi	Onyeka
13	Andriamanana	Tolotra Aina	48	Kagoro	Brian	83	Osman	Amir
14	Asfour	Amany	49	Kalie	Sillah	84	Randriamampianina	Mialisoa
15	Assogbavi	Desire	50	Kane	Ibrahima	85	Randriamampionona	Lalao
16	Ayangafac	Chrysantus	51	Kane	Momar Talle	86	Randriamasivelo	Julien
17	Ayele	Heran	52	Kebede	Yemisrach	87	Rutazana	Francine
18	Balcha	Eyob	53	Khutek	Osama Abdel	88	Saad	Eman Abdel Moniem
19	Balfour-Paul	Jamie	54	Lecoutre	Delphine	89	Sankore	Rotimi
20	Baya	Delphine	55	Lofty	Ghada	90	Shimelis	Bilen
21	Belaid	Boudris	56	Mahmoud	Hamid	91	Sivieude	Marceau
22	Bere	Tinoziva	57	Maina	Anne	92	Tanui	Rebecca
23	Bouayyach	Amina	58	Manirumva	Ernest	93	Thompson	Eleanore
24	Brouk	Mesfin	59	Mansour	Rawya	94	Thompson	Una Kumba
25	Bushra	Maher	60	Mbaye	Bibiane	95	Watuulo	Josephine
26	Butegwa	Christine	61	Mbeca	Vicky	96	Zekri	Mina
27	Chimbga	Dzimbabwe	62	Mbelle	Nobuntu	97	Chikwanda	Clever
28	Dabees	Khaled	63	Metwalli	Nagwa	98	Qweni	Sandisiwe
29	Deya	Donald	64	Moyo	Bhekinkosi	99	Mashaba	Rosemary
30	Deyo	Julienne	65	Munthali	Ulemu	100	Mumhuke	K.W.
31	Douichi	Abdelkarim	66	Muriithi	Caroline	101	Mukonoweshiso	B.H.
32	Ebada	Gehan	67	Musa	Roselyn	102	Hwacha	T.V.
33	Eka	Majolie	68	Muthui	Hilary	103	Guillaunne	Vessah
34	El-Agati	Mohammed	69	Nambozo	Beverly	104	Catherine	Gatubelu
35	El-Amary	Mervat	70	Nayel	Haggag	105	Wandia	Mary

## News Statement and Press Releases

### Nearly 100 African Citizens CSOs and Coalitions Converged to Sharm –El-Sheikh, Egypt to Engage the 11<sup>th</sup> AU Summit

Sharm-El-Sheikh, Egypt – 23 June 2008 - Over 80 African Citizens, Civil Society Organizations (CSOs) and Coalitions from the 5 geographical regions and the Diaspora participated in the Third Citizens Continental Conference on the AU Summit organized by the Centre for Citizens Participation in the African Union (CCP-AU) at the Pyramisa Hotel in Sharm El Sheikh, Egypt.

Addressing the opening ceremony of the conference H.E. Ambassador Shamel Naser, Egyptian Deputy Minister of Foreign Affairs for African Affairs praised the initiative of the CCP AU for organizing an independent forum of African Citizens to constructively contribute to the upcoming African Union Summit. “It is important for us to allow various voices of African Citizens within the decision making process of the AU” said Dr. Amany Asfour, President of the Egyptian Business Women Association, the host organization of the conference.

Ms. Yemisrach Kebede, Director of the CCP-AU said “Many African citizens and CSOs’ are active in engaging the continental body. Our Centre plays catalytic role in coordinating those actions and efforts around the AU decision making bodies”.

The participatory sessions of the conference focused on various issues on the Summit agenda such as the audit of the AU; the Union Government of Africa; Peace and Security situation Darfur, Chad, Somalia, Zimbabwe and South Africa; Social and Economic justice in Africa; Water and Sanitation; the Millennium Development Goals and International Justice to name a few.

The Chairperson of the African Commission for Human and People’s Right Mrs. Sanji Mmasenono Monageng the African Union’s Special Rapporteur on Women Rights in Africa, Mrs Soyata Maiga as well as representatives from some African embassies based in Egypt participated in the Continental Conference along with civil society organizations.

A Sharm – El Sheikh Declaration including various policy recommendations addressed to the 11<sup>th</sup> African Union summit was adopted at the end of the conference. This declaration will be released on 27 June during the meeting of the Executive Counsel (African Ministers of Foreign Affairs) at the AU Summit.

End.

## Release of CSOs Sharm El Sheikh Declaration Today

Sharm El Sheikh, Addis Ababa June 27- African Civil Society expressed their positions on the Key issues of the 11<sup>th</sup> African Union Summit Agenda, in Sharm El Sheikh. During a press conference today CSOs' representatives launched a declaration with forty-three recommendations covering all pressing issues of Africa.

Talking about the situation in Zimbabwe, Mr. Allioune Tine, Secretary General of RADDHO said, "The election situation in Zimbabwe is unacceptable. What is the point of having elections in Africa, if it will always end up by power a sharing system? The Kenyan example should not be a model for Africa."

"We are calling the African Union for an immediate prioritization and action on the audit recommendations," said Ms. Yemisrach Kebede, Director of the CCP-AU. "We urge our leaders to speed up the process of free movement for African Citizens. This is a fundamental prerequisite to making the union government a reality", she added.

On the issue of food crisis in Africa, CSOs urge that African member states put in place strong short-term measures to mitigate the impact of rising food prices and the global crisis ensuing from it.

In her recommendation regarding the merging the African Court of Justice and Human Rights, Mrs. Osai Ojigbo, Programme Officer for Alliances for African Secretariat-CEAC said, "It is not acceptable that the new merged court isn't open to the actual victims of human right abuse. We urge our leaders to open up access to the court to citizens and CSOs.

### Contacts available for interview

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## AU must lead in brokering a political settlement in Zimbabwe Statement to the Peace and Security Council Members

The Peace and Security Council of the African Union meets to deliberate Zimbabwe, Sunday 29th June ahead of the AU Summit. Since the March 29th election in Zimbabwe, over 1000 cases of torture and assaults have been recorded with 100 members of the opposition have been killed and over 200,000 citizens displaced in grave danger. On the humanitarian side, millions of people are in great need of food relief and this number is expected to reach more than 5 million by the end of the year, which is around 1/3 of the entire population in Zimbabwe. The crisis threatens to spill over with 100 dead as a result of xenophobic attacks in South Africa. The following positions are adapted from the deliberations of 100 CSO leaders from the five regions of Africa and the Diaspora who had attended the Third Citizens Continental Conference on June 22-23, 2008 in Sharm El Sheikh, prior to the start of the 11th African Union Ordinary Summit.

**Concerned** about the rampant and escalating politically motivated and organized post March 29 election violence;

**Noting** the massive disenfranchisement of the general population by displacement and intimidation;

**Concerned** about the selective or non-existent response of officials to the violence and the impunity of those who are perpetrating it;

**Recognizing** that the minimum conditions for free and fair elections are absent in period preceding the run-off June 27 elections;

**Acknowledging** that the SADC led mediation has yet to succeed in alleviating or bringing an end to the current situation;

**Deeply disturbed** that despite millions of Zimbabweans requiring humanitarian assistance, the government has ordered the suspension of the work of civil society organizations;

### Recommends that:

1. The Peace and Security Council to recognize the run-off for what it truly represents; an unconstitutional change in Government and call on the relevant bodies to not extend recognition to a Zimbabwean authority that seeks to derive its legitimacy from the run-off and prohibiting it any participation in the activities of the Union.
2. The Peace and Security Council lead a mediation initiative that enables a multistakeholder dialogue on the political process, including reforming state institutions, restoring peace, thus creating conditions in which internationally observed elections can be held within one year.<sup>1</sup>
3. African Union publicly condemns and calls for an end to the violations and abuses taking place in Zimbabwe and a restoration of basic political and civil rights;
4. The Peace and Security Council mandate a fact finding mission to immediately investigate the full extent of the human rights violations and abuses, including those of the rights of human rights defenders and women;
5. Zimbabwean Government reinstates immediately the work of civil society, and the African Union and Member States call for the donor community to commit necessary funds for humanitarian aid;

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<sup>1</sup> Possible names of mediators that the AU could consider among whom include H.E. Kofi Annan, H.E. Benjamin Mkapa, H.E. Joaquim Chissano, H.E. Graca Machel, H.E. Alpha Konare and/or H.E. Olesgun Obasanjo





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