The 8th Citizens Continental Conference

Addis Ababa, Ethiopia

Introduction

2019 will be the African Union Year for Refugees, Returnees and Internally Displaced Persons, themed on finding durable solutions to internal displacement. The year will also see the 50th Anniversary and 10th Anniversary of the adoption of the OAU Convention and IDP Convention respectively. This comes at a time when Africa has developed a Protocol on Free Movement of Africans across Africa[1] and an agreement on a common free trade area,[2] and is also negotiating differing migration arrangements with Europe. With a number of countries coming out of conflict and/or autocratic rule, transitional justice is also key on the Continental agenda. It is anticipated that Africa's Transitional Justice Policy Framework will finally be adopted at the February 2019 Summit, after eight (8) years of hard work.

It is further expected that the African Commission on Human and Peoples' Rights (ACHPR) will report on the measures it has taken to comply with the July 2018 decision which provided for more regular oversight from the policy organs of the AU; prior approval from the country concerned before reporting violations against that country; revision of its criteria for granting of observer status to be in line with the existing criteria on accreditation of NGOs to the AU, "taking into account African values and traditions"; "observe confidentiality" and withdraw CAL's observer status by the end of the 2018.[3] The decision while indicating that the ACHPR's independence was only "functional", decided that the work of the ACHPR should be aligned with the Constitutive Act, Agenda 2063, African Common Positions, institutional reform of the AU and decisions of the policy organs.[4] In particular, the Summit directed the ACHPR to take into consideration "the virtues, historical tradition and values of African civilisation, which should inspire and characterise their reflection on the concept of human and peoples' rights". Of specific concern was the suggestions that the ACHPR's interpretive mandate should be withdrawn, and the caution expressed in "the ACHPR acting as an appellate body thereby undermining national legal systems". The ACHPR was also requested to develop a Code of Conduct and revise its Rules of Procedure.[5] Specifically, the direction for the ACHPR to withdraw a status that was already granted and restrict its granting and further define its withdrawal of observer status is a direct threat to civil society participation in that space.

The February 2019 Summit will also take stock of the progress made towards the reform of the African Union (AU) decided in an extraordinary Summit in November 2018, in Addis Ababa. The decisions from the November 2018 Summit centred around the number, election process and removal of the Commissioners, Chairperson and Deputy Chairperson of the African Union Commission (AUC); the transformation of NEPAD into the newly established African Union Development Agency (AUDA) to be hosted by South Africa; the integration of the African Peer Review Mechanism (APRM) into Au structures; delineation of roles between the AU, RECs and

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[1] Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment, Adopted on 29 January 2018.
[2] African Common Free Trade Area (AfCFTA), Adopted in Kigali in March* 2018, aka the Kigali Agreement*
[3] AU Decision on ACHPR and CAL
[4] ibid.
[5] ibid.

Member States; and matters impacting on the AU budget and budgetary contributions, as well as other administrative and financial reforms.[6]

The initial proposals for reform made by President Paul Kagame in January of 2017,[7] were more extensive in their scope and much more ambitious in their proposals to improve efficiency at the AU, towards achieving a 'realigned and re-energised African Union t[hat] perform[s] significantly better".[8]

As indicated in the introduction to the report:

> *The Assembly has adopted more than 1,500 resolutions. Yet there is no easy way to determine how many of those have actually been implemented. By consistently failing to follow up on the implementation of the decisions we have made, the signal has been sent that they don't matter. As a result, we have a dysfunctional organisation in which member states see limited value, global partners find little credibility, and our citizens have no trust.[9]*

Mandated by the July 2016 Summit to spearhead a study on the institutional reforms needed, President Kagame recommended four (4) key action areas to: focus on key priorities, realign African Union institutions to deliver against those priorities, manage the AU efficiently at both political and operational levels, and ensure sustainable self-financing. The report further lists recommendations on reducing the AU's priority areas and respecting subsidiarity between Member States and the regional and continental institutions; reviewing and updating AU bodies in light of the refined priorities; reforming of the working methods of the Summit and attendance of partnership Summits; strengthening implementation and continuation through the establishment of a troika leadership; strengthening and enforcement of the sanctions regime; reviewing the structure and staffing of the African Union Commission; reframing Africa's self-financing and establishing clear financial management and accountability principles; and increasing the Africa Union's relevance to citizens. This latter recommendation was in recognition of the fact that:

> *The African Union is perceived to be disconnected from citizens. Although it has made strides in ensuring that gender and youth issues are a core focus of the institution, there is still some way to go in demonstrating real value and impact for African citizens.[10]*

However, the recommendations for women and youth quotas, establishment of a volunteer core, the issuance of a passport, and provision of valued common services, have been criticised as falling far short of measures needed for achieving real people-centeredness within the AU. Agenda 2063,[11] Africa's apex strategy and vision, stipulates that "Africa will be a continent where the institutions are at the service of its people. Citizens will actively participate in the[ir] social, economic and political development and management."[12] Aspiration 6 provides for "an Africa whose development is people-driven, relying on the potential of African people, especially its women and youth, and caring for children".[13] A question to be asked is whether the reform process so far,

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[6] 11th Extraordinary Summit Summary of Key Decisions, November 18, 2018,
https://au.int/en/pressreleases/20181118/11th-extraordinary-summit-summary-key-decisions
[7] The Imperative to Strengthen Our Union: Report on the Proposed Recommendations for the Institutional Reform of the African Union, by H.E. Paul Kagame, 29 January 2017.
[8] ibid.
[9] ibid.
[10] ibid.
[11] Agenda 2063: The Africa We Want, https://archive.au.int/assets/images/agenda2063.pdf
[12] ibid.
[13] ibid.

goes far enough in establishing the Africa and African Union that we want, as citizens of this continent. It is pertinent to note that despite specific mention of civil society as a key stakeholder in the reform of the continental institution, the reform process has not engaged with civil society or African citizens, and has not provided clear avenues for such engagement. This conference allows for collective civil society reflection on the reforms, and for us to strategise on inputting into the reform process, in line with the global tenet of "leaving no one behind".

Barely a week after the reform Summit, a report from a high-level committee was released and widely covered in media[14] following reports of sexual harassment of women in the African Union Commission. The report follows a memo signed by thirty-six (36) women of the Commission alleging professional apartheid and decrying their marginalisation at the Commission. This, despite the AU's strict gender and regional balance rules and various commitments to streamlining gender and diversity at the commission.[15] Beyond providing for a gender balance between the two top most AUC posts, there was no specific mention in the reforms decision, of how the AU was going to respond to these deficits in the protection of women working at the Commission or make the environment more safe and free from abuse, harassment and exploitation. In order to craft appropriately responsive programming that would meet the exigencies of the reported segregation and harassment, the AU would need to do similar assessments across its other organs and institutions, in order to determine the pervasiveness of this culture.

A big question remains on how Africa will become self-reliant and self-financing. Much of its resources currently are supplied by development partners in the Global North and Asia. We would need to determine not just how to sustainably finance the African Union, but also finance Africa's development towards the attainment of SDGs and Agenda 2063. This involves sealing the loopholes that have allowed Africa's resources, which could potentially be harnessed for development, to escape in the form of corruption and illicit financial flows. The institution of an African Financial Architecture comprising Africa's core financial institutions and would also be critical to continental financial stability. With the dwindling availability of resources from international sources, the discussion on domestic resource mobilisation is more pertinent today than ever before.

Background

This will be the 8th Citizens Continental Conference being held on the margins of the African Union Summit. The Citizens Conferences are claimed spaces where citizens and civil society coalesce around the Summits of the African Union to discuss issues that are critical to them and that are impacted by discussions and decisions of the AU Summit. The Conferences have become all the more important with the shrinking space for engagement of civil society at the continental level.

Since 2007 when a coalition of organisations inaugurated the 1st Citizens' Conference on the margins of the AU Summit to:
- Provide an avenue for synthesising continental civil society positions on specific policy issues which were under consideration at the Summit
- Provide a space for deeper networking between civil society.

Seven (7) of these Conferences have been held thus far.

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[14] See, BBC, etc
[15] AUC Rules of Election

The Conferences contribute to providing space for debate and dialogue, and have also helped a number of African CSOs to build their capacity and expertise in understanding the decision-making processes of the AU. In the past few years, civil society actors have reiterated the need to reinvigorate the Citizens' Conference as a means to strengthen their collaboration on advocacy around critical AU policies and developments.

The 8th Citizens Continental Conference

The theme of the 8th Citizens Continental Conference will be:

Where is the Africa we want? Citizens Perspectives

Towards entrenching a people-centred Africa, this will be an evaluatory convening to check the status of the union, especially in the light of the ongoing reforms, and an African space for dialogue and strategy-building as citizens and civil society.

The specific objectives of the Conference will be:

1. To evaluate the African Union from a citizens' perspective, in the light of the ongoing reforms in order to determine if we are indeed moving towards the AU We Want?
2. To dialogue with African Union officials and development partners about pertinent issues impacting the continent;
3. To strategise as civil society and come up with joint actions and/or concrete recommendations to the African Union and African member States.

The conference will centre around the following sub-themes:

a. *African Union Reforms and Financing*
   i. The reform proposals from the Kagame Report and the November 2018 Summit
   ii. Working towards an African Financial Architecture
   iii. Financing Agenda 2063 and SDGs
   iv. Financing the Kagame Reforms
   v. Corruption and IFFs
   vi. Civil Society review of the Year of Anti-Corruption
   vii. Domestic Resource Mobilisation / Continental Resource Mobilisation

b. *Shrinking Civic Space and threats to the African Human Rights System*
   i. The Law and Civil Society
   ii. The "will of the people" in Elections in Africa – inconsistencies in policy and practice
   iii. "Functional independence" of AU organs and institutions
   iv. "African Values"
   v. Status of the proposed Pan-African Human Rights Institute (PAHRI) and its implications
   vi. The African Human Rights Action and Implementation Plan 2017-26
   vii. Digital and space-cyber security in the era of differently organised civic action

  c. Human Movement and Trade
    i. African Union Year of Refugees, Returnees and Internally Displaced Persons. Theme: Towards Durable Solutions to Forced Displacement – 50th Anniversary of the adoption of the OAU Refugee Convention and 10th Anniversary of the adoption of the IDP Convention
    ii. The impact of conflicts on forcibly displaced Africans
    iii. What next after the adoption of the Free Movement Protocol and AfCFTA? Civil Society strategy session.
    iv. Migration in Africa: unpacking the narrative
    v. Right to a Nationality and the eradication of statelessness
    vi. Human security and dignity - safeguarding citizens from abuse and exploitation

  d. Transitional Justice
    i. What next after the adoption of the Transitional Justice Policy Framework for Africa? Strategy session for implementation and applicability.

Gender, youth and minority issues will be streamlined and included into all the main plenary panels. We will be sending out a call for applications for presentations falling within these sub-themes, from potential attendees and presenters, and the selected presentation titles will go towards finalising the Agenda for the conference.

As this is a self-financing conference, participants will be expected to cover their own travel, subsistence and accommodation costs. PACIN and our partner organisations will cover the core costs which include the conferencing and translation facilities. We will also bilaterally seek contributions from organisations looking to host panels and sponsor participants and will, where possible, connect potential sponsors with interested participants.

Outcome

Gauging from our past conferences, we anticipate that we will have up to 100 participants drawn from different constituencies and from the 6 geographical regions of Africa, including the diaspora. In addition to strengthening their networks and knowledge-base of the issues being discussed at the conference, the participants will be able to share their experiences and good practice, and raise awareness on critical issues impacting Africa. The sessions will be designed to draw out pertinent recommendations from the different constituents, in the form of a conference communique, which will then be circulated to different actors post-conference, and utilised as an advocacy tool for influencing continental decision-making processes.

Who we are

The Pan African Citizens Network, (formerly CCPAU)
PACIN has established itself as a critical Pan-Africanist initiative which facilitates a deeper engagement of African civil society organisations and citizens with regional and continental policies and programmes. PACIN's mandate extends to ensuring that the continent has its people at its centre and not governments, and that decision-making is driven by, and accountable and accessible to African citizens. PACIN is a network of national, regional and continental African civil society organisations and citizens. We utilise invited and claimed spaces to foster substantive

and procedural changes within regional and continental mechanisms, and to amplify African citizen voices. We seek to achieve this through the enhancement of African citizens' awareness and knowledge of continental and regional mechanisms, and provide information on their instruments, decisions and activities; and facilitate continental advocacy initiatives that strengthen democracy, human rights, rule of law, equity and equality, economic justice, regional integration and peace and security in Africa.

Our theory of change recognises citizen-led accountability as the bedrock of democratic governance and development on the continent. Citizens are the legitimate rights holders and need to be more involved in claiming the promise of a "peaceful, prosperous and integrated Africa" as envisioned in Agenda 2063. We believe that citizens who are more informed and empowered will be better able to demand for the implementation of resolutions, decisions and treaties at national and local levels, which are the sites of implementation; and that the AU will be better informed in pursuing citizen-informed agendas. Therefore, PACIN serves as a leading knowledge centre regarding the African Union and regional institutions from an African perspective, and participates in a wide range of activities and programmes including organising of the signature Citizens Continental Conferences, advocacy, and research and production of policy briefs on pertinent continental issues like Freedom of Movement in Africa. PACIN also carries out training, campaigns and mobilisation, and cross-continental exchanges. Our key thematic areas are: Regional integration; Peace and Security; Gender Equality and Women's Rights; Economic Justice; Democracy, Governance and Human Rights. In 2017, the African Commission on Human and Peoples' Rights granted Observer Status to PACIN.

FEMNET – the African Women's Development and Communication Network
FEMNET is a pan- African, membership-based feminist network based in Nairobi with over 700 members across 46 African countries. FEMNET envisions an African society where gender equality is achieved and women and girls enjoy all their rights and live in dignity. FEMNET exists to facilitate and coordinate the sharing of experiences, ideas, information, and strategies for human rights promotion among African women's organizations through networking, communication, capacity-building and advocacy at the regional and international levels.

Since inception in 1988, FEMNET has played a leading role in building the women's movement in Africa and ensuring that women and girls' voices are amplified, and their needs, priorities, and aspirations are prioritized in key policy dialogues and outcomes that have direct and indirect impact on their lives. FEMNET has established her niche as a nucleus serving to mobilize African women and girls to influence, lobby and advocate for the domestication and implementation of commitments made by African governments to the advancement of gender equality and realization of women's rights. Such commitments include the global and continental declarations on gender equality and women's rights that African governments are signatories to such as the Convention on the Elimination of All forms of Discrimination against Women and Girls (CEDAW), Beijing Platform for Action (BPfA), ICPD Programme of Action, and the 2030 Agenda on Sustainable Development (SDGs) at the global level and the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (Maputo Protocol) at the regional level.