

EU CS Committee on the JAES

Discussion paper

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Options for mechanisms of civil society participation in future EU-AU/Africa partnership

In the current context of growing criticism and restriction of civil society action in all parts of the world it is essential for the future EU-Africa partnership to defend the space and role of civil society and to put human rights, fundamental freedoms, including freedom of expression and opinion, association and peaceful assembly at its core.

In line with the vision of a people centred partnership agreed upon in Lisbon in 2007, the two partners should recognize the positive contribution of an independent and diverse Civil Society (CS) that is democratically and transparently organised, in promoting democracy, peace, and wellbeing and in implementing the Agenda 2030 for sustainable development.

Our experience as EU CS Committee since the adoption of the Joint Africa-EU Strategy has proved that it is not enough to recognise CSOs as actors of the partnership to ensure their meaningful participation in all dimensions of the partnership in a structured and on-going way. Concrete mechanisms have to be established and financially supported to make this happen.

The purpose of this paper is to make proposals on the form these mechanisms could take and how they could be structured and supported. Key for the success of a renewed impetus for civil society participation will be to build the participation and dialogue mechanisms on existing structures and initiatives of civil society; to make sure that there is political will and interest to take account of civil society contributions; to allocate the necessary administrative and financial resources to ensure effective and on-going processes; and to facilitate the participation of a diverse group of CS actors and a balanced representation of all rights holders and interests in society.

We identify 4 main elements that are critical and complementary for an effective CS participation in the future EU-AU partnership.

Element 1: On-going participation and space for dialogue at national and regional levels

- Participation at national and regional level should be based on existing structures and mechanisms by which civil society organises itself and engages in policy making and advocacy with public authorities and with EU and other international actors. If necessary these structures and mechanisms should be strengthened or created.
- Supporting self-organisation of civil society by securing an enabling environment and legal framework at national and regional level and supporting the functioning costs and activities of CS national and regional platforms, coalitions, and thematic or professional networks.
- Facilitating and supporting their interaction with the relevant authorities at national and regional levels through institutionalised spaces of dialogue or more ad-hoc and specific mechanisms of consultation in relation with policy making processes (i.e. trade negotiations or review of sectoral policies or national action plans...).
- Increase and reinforce the engagement between EU Delegations (national, regional and AU) and civil society. Ensuring that EUD engage with a diverse group of civil society actors including grass roots organisations, human rights and women's rights organisations, and support their participation in policy dialogue and programming and implementation of EU cooperation.

Element 2: Standing Civil Society bodies at EU and AU level

- Independent standing CS Bodies should be established on EU and AU side to act as representative CS advisory and coordinating groups. The existence and the role, mandate and functioning of these 2 bodies should be established through specific provisions in the EU-AU partnership agreement. These bodies should be different and independent from the EESC and the ECOSOCC. These bodies will respect the principles of accountability, transparency, efficiency and openness.
- The standing bodies, by keeping a gender balance, would be composed of accredited CS representatives (number to be determined) from the EU and Africa respectively, nominated by their CS peers through a transparent and open procedure, and they would be the main CS interlocutors of their respective EU and AU institutions for issues relating to the EU-AU partnership. They would also represent CS in multi-stakeholder meetings or platforms.
- The standing bodies would meet in bi-continental settings (EU-AU) twice a year or more if required. Other formats of meetings for thematic or sectoral seminars or in a smaller format could also be envisaged when relevant.
- Appropriate financial and administrative support should be provided to each body and for the organisation of their joint meetings. Financial support, originating from the EC or/and the AUC budgets should be dedicated to civil society activities in relation to the EU-Africa partnership independently from other resources for CS and should in no way interfere with the independence of the CS bodies' decisions with regard to their governance, activities and who participates in them.
- The standing CS bodies will themselves be nourished and reinforced by CS acting at national and regional level including working groups on thematic issues.
- The standing CS bodies will take the lead in regularly organising open and self-organised CS forums at bi-continental level with the support from the respective institutions. For example, once a year, alternatively in Africa or in Europe, an open CS Forum could be organised before a joint meeting of the two standing bodies. In order to guarantee inclusivity and to fully include women voices, CS bodies will proactively outreach women's rights organizations and women leaders to take part in the forum.

Element 3: Bi-continental thematic working groups

- Sectoral policies and action plan and thematic approaches are an important level of decision where civil society experience, knowledge and expertise has a high added value. CS should be systematically consulted when ministerial meetings take place.
- Based on the work at national and regional levels, bi-continental CS thematic working groups could be established around the joint priorities of the EU-AU partnerships. The establishment and coordination of the thematic working groups could be a joint responsibility of the two standing bodies to whom the thematic working groups would report. The working groups should feed input into specific policy processes, e.g. ahead of ministerial meetings, summits and for the actions plans to follow them. A thematic group on gender is to be established and, together with a system of gender focal points, will also aim to ensure mainstreaming gender in the activities of the CS thematic working groups and policy analysis.
- These thematic working groups could stay in contact and work on an on-going basis and meet from time to time when relevant; for example, in preparation of ministerial meetings or to contribute to seminars, conference or other events organised in the context of the EU-AU partnership. To play that role, the thematic working groups would need financial support for travel that could be allocated as regular costs (through the two standing bodies functioning costs) or on an ad hoc basis for their participation in conferences or seminars. Here again, independence of CS action and decision should be preserved

Element 4: An on-line CS platform to stimulate, coordinate and facilitate CS participation

The discussions around the EU-AU partnership should continuously be energised and stimulated and the information should be shared more broadly. A facilitator/moderator role could be shaped as an online platform managed by an independent secretariat (based on the idea of upr-info.org) which would gather the latest information, updates on all the meetings, upload reports from CSOs, share calendar of meetings, collect individual suggestions or complaints on specific issues and facilitate on-line debates. The AU-EU partnership should share relevant information with CSOs in a friendly, timely, accessible and regular manner to allow CS to organise itself for relevant meetings and consultations. The information should also be available in all EU and AU working languages. The recently launched AU-EU Youth Hub is an example of the type of online platform we refer to.

What is needed in the future EU-ACP agreement and/or EU-AU partnership for this scenario to function?

The negotiations on the future EU-ACP agreement offer an opportunity to consolidate the mechanisms and resources for CS participation in the EU-ACP and potentially EU-AU partnerships. As the final outcome and architecture of the future agreement is not known yet it is a bit difficult to know exactly where the provisions for CS participation should be integrated. The following list provides the elements that should be part of a future EU-AU agreement whatever form it takes.

- a. Refer to human rights conventions and fundamental freedoms as essential elements of the partnership with an explicit mention of the freedoms of expression and opinion, association and peaceful assembly.
- b. Moreover, refer to the enabling environment for CS and the ability for CSOs to seek, receive and use resources as inherent to the right to freedom of association.
- c. Recognise CSOs as independent actors or stakeholders in their own right by referring to existing UN definition of civil society
- d. Refer to the specific mandates and formats of the Economic and Social Committees and distinguish them from CS and depart from the broad terminology of Non State Actors or multi-stakeholder approach.
- e. Recognise the multiple roles and contributions of civil society organisations and therefore the necessity to involve them at all levels of political and policy dialogue and when implementation plans are prepared, monitored and evaluated. In the foundation of the future EU-ACP agreement or the future EU-AU partnership, make reference to the establishment of standing civil society advisory bodies at regional levels with the following features: CS representatives nominated by their peers according to criteria agreed upon between CS and the joint institutions; make also reference to regular meetings between them and with their respective institutions and the joint institutions (at parliament, senior official, ministerial and HoS levels) in the EU-AU context or the (EU-A/EU-C/EU-P) context and whenever relevant at EU-ACP level.
- f. Make also reference to the organisation of EU-A/C/P or EU-ACP CS consultative meetings before joint parliamentary assemblies and ministerial meetings and of CS Forums before Heads of States Summits.
- g. Make reference to the fact that financial resources will be allocated to the mechanisms and structures established in e) and f) for the participation of CS.

Disclaimer:

The present discussion paper was prepared by CONCORD for the EU CS steering group on the JAES¹. After consultation of the broader EU CS committee on the JAES, taking into account its inputs, the document was endorsed by the steering group as a contribution to the upcoming negotiations between the EU and its sub-Saharan African partners on the Africa pillar of the post 2020 EU-ACP agreement and with the objective of strengthening CS participation in the JAES.

¹ The EU CS steering group on the JAES includes representatives of the following organisations: CBM, CONCORD, DSW, ENOP, IPPF EN and Wetlands International.