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Navigating Africa's democracy agendas: A guide for civil society engagement

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Regional economic communities (RECs) in Africa have a responsibility to protect and promote the implementation of the continent's democratic norms within their respective regions. However, the distribution of responsibilities and labour between the African Union and RECs is not always clearly laid out. Even where clearly articulated, the level of REC engagement in democratic governance varies for a number of reasons. This disparity presents challenges for civil society organisations (CSOs) that seek to engage with the RECs on issues of democratic governance.

In this paper, we summarise the results of our research on the African Union and different RECs, examining their governance agendas and how they interact with civil society, including through digital technologies. We focus on three RECs: the East African Community (EAC), the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC).

We found that, contrary to their mandate under the African Governance Architecture, not all regional organisations have developed sufficient frameworks to promote democracy among member states. Of those that do have such frameworks, not all have the mechanisms in place to implement them effectively. Similarly, CSOs are perceived differently – and indeed are very different – across regions. Building on our findings, we outline a number of areas in which civil society can engage with their respective regional organisations and significantly contribute to the promotion of democracy at the regional level.

Table of contents

List of boxes

List of figures

List of tables

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Acronyms

ACDEG	African Charter on Democracy, Elections, and Governance
ADF	African Development Fund
AGA	African Governance Architecture
AMU	Arab Maghreb Union
AU	African Union
CDF	Consultative Dialogue Framework
CEN-SAD	Community of Sahel-Saharan States
COMESA	Common Market for Eastern and Southern Africa
CNGO	Council of Non-Governmental Organisations
CSO	Civil Society Organisation
EAC	East African Community
EACJ	East African Court of Justice
EACSOF	East African Civil Society Organisations' Forum
EALA	East African Legislative Assembly
ECCAS	Economic Community of Central African States
ECOSOCC	Economic, Social and Cultural Council
ECOWAS	Economic Community of West African States
IGAD	Intergovernmental Authority on Development
MoU	Memorandum of Understanding
NGO	Non-governmental organisation
PSC	Peace and Security Council
REC	Regional Economic Community
SADC	Southern African Development Community
UCG	Unconstitutional Changes of Government
WANEP	West Africa Network for Peacebuilding
WADEMOS	West Africa Democracy Solidarity Network
WACSOF	West African Civil Society Forum

1. Introduction

1.1. Background

African regional economic communities are inter-governmental organisations that are also members of the African Governance Architecture. This gives them a responsibility to promote the implementation of the continent's norms, including democratic norms, in their respective regions. Some regions adopt additional norms, and in a few cases these can be more progressive or accompanied by further implementation mechanisms than the overarching pan-African ones.

In the area of democracy, as in others, the relationship and distribution of labour between levels of governance (the African Union (AU), regional communities, and member states) are not straightforward. Some organisations have essentially no activity in the area of strengthening accountable governance, while others play a highly proactive role and are further developing norms and dedicated structures (e.g. the Court of Justice of the East African Community (EAC)), respond to breaches of governance norms through sanctions (e.g. the South African Development Community (SADC) suspending Madagascar between 2009 and 2014), or even actively police their own member states in extreme cases (e.g. the Economic Community of West African States' (ECOWAS) was ready to forcefully intervene in the Gambia in 2017 intervention and threatened the same in Niger following the coup in 2023).

This diversity of approaches and mandates among RECs creates numerous "frictional encounters" (Wiebusch et al. 2019), i.e. issue areas where there is disagreement on how to handle a crisis. For instance, in 2019 the (SADC) endorsed the DRC's post-elections leadership even while the AU was about to send a mission to investigate electoral malpractice. Furthermore, this diversity also leaves a vacuum of practical leadership in other regions: for instance in North Africa, where the regional organisation is dormant, there is no regional authority to promote democratic governance. Some particular norms, such as that on zero-tolerance for Unconstitutional Changes of Government (UCG), are attracting more and more attention, especially with the recent spate of military coups in West and Central Africa and the ensuing sanctions. But no norm is implemented consistently across regions. Other standards, for instance the prevention and repression of so-called 'constitutional coups' (Klobucista and Ferragamo 2023), are more loosely defined and unevenly applied, but are no less important in the eyes of citizens.

Civil society organisations are natural counterparts to the African Union and Regional Economic Communities (RECs) in the promotion of democratic norms and the existence of a healthy civic space is essential for the implementation of this agenda. Regional organisations interact with CSOs in a number of ways, seeing them as anything from watchdogs that hold RECs (and their member states) to account, to service providers and allies, which can provide support in early warning or election monitoring. This means that RECs not only have very different agendas: their receptivity to working with CSOs also varies significantly. Different RECs therefore offer radically different levels of space for civil society to engage and to contribute to

the promotion of an accountable governance agenda. To account for this diversity, it is important to look into each region separately and assess the practice of regional CSO engagement, to see how governance norms and civil society engagement operate.

1.2. Purpose and approach

Across the board, CSOs are important actors in the formulation, promotion and enforcement of the accountable governance agendas of RECs and the AU. While the relationship between CSOs and RECs varies across regions, CSOs that engage in advocacy at different levels and across regions stand to benefit from a nuanced analysis of the different governance agendas of African RECs, and those factors (legal, ideational, historical, political, or economic) that determine RECs' ability and appetite to engage in the domestic governance of their members. In addition, understanding the political economy dynamics of civil society engagement with the governance agenda in each REC, and in relation to the AU, will allow CSOs to plan and engage in a more informed and targeted manner.

This discussion paper serves as a guide for CSOs that seek to engage their respective regional community. It brings together the findings from comparative case studies on regional economic communities as well as research on the African Union, their respective roles in shaping regional governance agendas, their interactions with civil society and how these interactions can be fostered going forwards, including through the use of digital technologies.

This work relied on desk research, remote and in-person interviews, as well as focus group discussions and workshops (for the case studies on ECOWAS and EAC). Altogether, around sixty practitioners, advocates and experts have been consulted for this research. Whenever information is not attributed to a written source, it comes from these consultations. The methodology draws from the political economy analysis approach to unpack existing structures and frameworks, and the sets of drivers and incentives that explain how democratic norms came to be, are pursued or not, and whether and how CSOs make use of them to map practical ways forward.

The paper is prepared as part of the Charter Project Africa, a pan-African effort focused on supporting more CSO action on the ratification of the ACDEG and the implementation of the commitments therein. The project promotes the use of digital technology to amplify citizens' voices and open spaces for collaboration between citizens, civic initiatives and African Union policymakers.

The next section (2) introduces the AU framework on governance and civil society engagement before zooming in on eight regional democratic governance frameworks to draw lessons from the commonalities and discrepancies between them. The section following (3) sets out the AU framework on civil society engagement for comparative purposes and then focuses on three regional democratic governance frameworks to draw lessons from the commonalities and discrepancies between the cases. Section (4) draws lessons from the commonalities and discrepancies between the cases to identify how organisations have sought to be more

people-centred. A final section (5) presents a few recommendations for civil society seeking to deepen their engagement with African regional organisations.

2. Reviewing African regional organisations with roles as governance actors

Continental and regional structures, in Africa as elsewhere, are intergovernmental, with primary accountability to their member states. Member states characteristically support some aspects of the governance agenda more than others, which is then reflected in their international policies. For instance, the holding of elections and constitutional handovers of power are prioritised more strongly than addressing corruption, largely because election-related violence and military coups can be a source of regional destabilisation and conflict. In other words, governance is generally addressed with a security lens among regional organisations, at least in terms of the underlying motivations. However, whether and how governance norms are applied depends on factors linked to the history and current politics of the region in question.

Before delving deeper into lessons learned from relations between civil society and regional organisations, this section introduces the organisations in question. The section focuses in particular on the governance roles of the AU and the eight regional communities it recognises, with a focus on entry points for civil society. It draws from a mapping of the African Governance Architecture, its organs and the RECs (Okechukwu and Ronceray 2023), and on a study of the AU's governance setup (Shiferaw et al. 2021). It also builds on three case studies prepared in partnership with Democracy Works Foundation on the SADC (Katundu et al. 2023); with the European Partnership for Democracy on the EAC (Songa and Ronceray 2023); and with the Gorée Institute on ECOWAS (Ronceray et al. 2023).

2.1. The pan-African governance agenda and civil society

The AU has adopted various initiatives to promote democracy, good governance, and human rights in Africa. Key AU organs, including the AU Commission, Peace and Security Committee, Pan-African Parliament, and human rights entities, have undergone reforms in recent years. This included merging the Commission's departments of political affairs and peace and security to ensure a more streamlined approach (Shiferaw et al. 2021).

The AU's norm-setting instruments, known as 'shared values instruments', are the bedrock of its collective action. These include the ACDEG, a legally-binding treaty that was adopted in 2007 and came into force in 2012 (Ronceray et al. 2022). The ACDEG is implemented through the African Governance Architecture (AGA), which was established in 2011 and aims to coordinate AU-recognised institutions, promote good governance, democracy, and human rights, and oversee ACDEG implementation across African countries; although challenges persist in monitoring this implementation. Members of the African Governance Platform

include 11 AU institutions and 8 Regional Economic Communities recognised by the AU (see table below).

Table 1: Members of the African Governance Architecture

AU governance-related organs and institutions	**Regional Economic Communities**
➢ AU Commission (AUC) ➢ African Union Peace and Security Council (AU-PSC) ➢ Pan-African Parliament (PAP) ➢ African Union Development Agency - New Partnership for Development (AUDA-NEPAD) ➢ African Peer Review Mechanism (APRM) ➢ African Commission on Human and Peoples' Rights (ACHPR) ➢ African Court on Human and Peoples' Rights and Court of Justice ➢ Economic, Social and Cultural Council (ECOSOCC) ➢ AU Advisory Board on Corruption ➢ African Committee on the Rights and Welfare of the Child ➢ AU Commission on International Law	➢ Arab Maghreb Union / Union du Maghreb Arabe (AMU / UMA) ➢ Community of Sahel–Saharan States (CEN-SAD) ➢ Common Market for Eastern and Southern Africa (COMESA) ➢ East African Community (EAC) ➢ Economic Community of Central African States (ECCAS) ➢ Economic Community of West African States (ECOWAS) ➢ Intergovernmental Authority on Development (IGAD) ➢ Southern African Development Community (SADC)

The aforementioned shared-values instruments have fostered a number of democracy-related norms that have become progressively entrenched across the continent.

Civilian rule is central to the AU's democracy agenda, embodied in the declared 'zero tolerance' for unconstitutional changes of government. The African Peace and Security Council has demonstrated a limited ability to apply sanctions against governments when there were clear cases of non-constitutional transfers of power, such as military coups. This was, for instance, the reason why in early 2022 the African Union suspended the membership of Burkina Faso, whose de facto leaders had just come to power through a military coup. This is but one example of the AU's recent history of membership suspensions following military coups (Guinea, the Sudan, Mali and Niger being other examples). Nevertheless, the fact that the AU has a mandate to play a role in governance does not mean that it can consistently enforce these rules. Weeks after the coup in Mali, the military took over power in Chad when President Idriss Déby died, yet the country was not suspended, even though the AU called on the military to return power to a civilian government.

Electoral democracy is an area with some traction for AU engagement, with the ACDEG providing the overall framework of principles for the integrity of elections and sanctions for their violations. This results in frequent observer missions that monitor not only polling stations on voting days, but also the wider political climate, media freedom, ICT infrastructures and legal safeguards, among others. Observers, however, have no means of enforcement even when they identify breaches: their sole recourse are the communiqués and reports they release. Also, reports from election observation missions tend to be technical and avoid pointing fingers too directly. Even so, countries where the most blatant breaches of democratic norms are expected tend to avoid exposing themselves to international observers, including AU ones, and in turn observers have limited capacity and often decline to come monitor elections that do not offer minimal guarantees of integrity (Aggad and Ronceray 2018). For instance, the contested August 2023 elections in Gabon – that were followed by an army takeover – seemed so unlikely to be transparent and fair that the AU, alongside most international observers, declined to monitor it in the first place.

Constitutional coups are revisions of national legal frameworks instituted by leaders towards the end of their tenure in office, which undermine the principle of democratic change of government (Mbata Mangu 2018). In particular, they tend to target term limits to allow incumbents to remain in power by lifting or resetting limits. These types of legal manoeuvrings have allowed a number of presidents to remain in power for decades, to the point where Africa accounts for an impressive proportion of the world's longest serving leaders (Klobucista and Ferragamo 2023). The African Union has at times sought to address constitutional coups – indeed the ACDEG formally lists them among types of UCG (AU 2007) – and more recently the AU's Accra declaration on unconstitutional changes of government in Africa (AU 2022) emphasises tackling constitutional amendments as a form of UCG. But when it comes to responses such as sanctions, suspensions and (threats of) intervention, the AU has been selective in addressing only the issue considered most pressing and worrying by sitting officials: military takeovers and other such 'traditional' coups.

Human rights sit prominently on the continental agenda. Under the auspices of the AU, a large corpus of texts have been adopted, which address the rights of particular vulnerable groups. At the top of this corpus stands the African Charter on Human and Peoples' Rights, known as the African Charter. To help turn these commitments into reality, the AU set up a human rights promotion system, which revolves around a court and a commission, and a number of dedicated institutions which together evaluate adherence to human rights standards, especially through the adjudication of individual complaints regarding human rights violations.

Wider accountability and integrity are norms that sit less prominently on the AU's agenda; while significant efforts are deployed in these areas, they are largely left to dedicated institutions to handle. In the area of anti-corruption, since the adoption of a Convention on Preventing and Combating Corruption, this role is played by the Anti-Corruption Board, which

encourages African countries to adopt and apply legal measures to counter the scourge of corruption.

Digitalisation and emerging democracy challenges. The AU is grappling with a rapidly evolving digital landscape: while digital tools offer potential benefits such as enhanced transparency and inclusivity, they also present regulatory dilemmas, such as balancing access to information and freedom of speech with the regulation of harmful online contents. The AU's key instruments, starting with the ACDEG, date back to a different technological era and lack comprehensive provisions addressing the impact of digital technologies on democratic processes and digital governance, resulting in fragmented approaches to regulation (Domingo and Shiferaw Tadesse 2022). Continental policy frameworks relevant to data governance include the AU's 2022 Data Policy Framework, the 2019 declarations on freedom of expression and on access to information in Africa of the African Commission on Human and Peoples' Rights, and the AU's engagement on hate speech.

The subsequent sub-section delves deeper into the drivers of regional commitment to governance. A preliminary point to note, however, is that no two cases are identical, so understanding the context for a given REC – including changes that may have occurred recently – is a prerequisite for engagement.

2.2. Why some regional organisations are more active than others on governance

Certain regional organisations are generally significantly more active than others on governance. As intergovernmental organisations, they are state-centric, and essentially only as dynamic as their member states allow them to be. If member states decide not to meet in summits – RECs' primary means of decision-making – they end up without direction; similarly, if states withdraw funding, the REC's operational capacity is constrained. RECs that have received no political impetus for too long to operate can remain technically functional, but dormant, and have been designated as 'zombies' (Gray 2018; as of early 2024, of eight RECs, two are now dormant– AMU and CEN-SAD – with two more only functioning to a limited extent or for a specific part of their agenda: ECCAS and COMESA). This is not to say that no activities take place at these RECs - even dormant RECs can have a functional secretariat and hold activities at times. But the fact remains that their potential to be meaningful actors in governance is significantly lower than for the other six RECs. This makes it overall less fruitful for civil society to engage with them.

The primary reason for RECs to be specifically active on governance is security; that is, member states' interest in cooperation and policing, especially as a way of preventing conflicts that may likely spill over. This was the case with ECOWAS, where engagement on governance was accelerated by a few member states due to a sense of urgency to prevent UCGs (with poor results). Concerted efforts in the area of peace and security can lead to a focus on governance issues as a means of conflict prevention – as was the case with IGAD and its efforts to consolidate early warning and political monitoring. Wherever none of these priorities is present, democratic governance tends to be a secondary REC priority, if it is one at all. The

implication for civil society organisations keen to engage RECs on governance is that it is likely worth investigating the reasons why they may be interested in a given theme, and the ways in which their activity might be relevant to security concerns.

Another reason is member states' interest in controlling the governance conversation. Countries with the largest governance-related challenges have an interest in keeping governance a strictly national matter, by avoiding empowering regional structures (Ronceray et al. 2021). Countries with governance challenges are therefore invested in the AU's governance agenda, but in a self-serving manner (Söderbaum 2013), such as to control the narrative and steer the focus away from themselves. For instance, election observation by several organisations finds its origins in the objective to keep the monitoring in-house in order to offset the impact of foreign observers. – These activities only later attained some degree of credibility (interview).[1] Member states sometimes see the value of REC involvement in the area of governance because to the extent that it is an international norm that requires some attention (or at least, some lip service) for the sake of citizens' perceptions, and/or to improve relations with external donors (interview).

It should further be noted that **not all organisations are equally mandated to operate in the area of governance.** All RECs, similar to the AU, are created through a founding treaty adopted by member states. These treaties differ widely in the level of detail about the purpose of the organisation, its values and its methods.[2] All constitutive treaties outline a vision and refer to shared values and priorities, which revolves around political cooperation, trade integration and/or common security. Almost all of these treaties include democratic principles in this vision, although practical provisions are often left for supplementary instruments and protocols. Half of the RECs have promulgated such supplementary instruments, though no new ones have been proposed since drafts were circulated for EAC and IGAD good governance protocols, in 2011 and 2014 respectively. Nevertheless, even for the three RECs that have not set themselves any objectives in the area of democracy (ECCAS, AMU, CEN-SAD), an implicit mandate exists insofar as they are formally members of the African Governance Architecture. In the case of IGAD, the mandate is somewhat more than implicit as the REC focuses on peace and security, and governance is addressed as a potential root cause of conflicts. It can be useful for CSOs to get clarity on the governance mandate (explicit or implicit, recent or not) of the REC with which they seek to engage, as a conversation-starter.

Norm enforcement is as uneven from region to region as norm adoption. In Western, Southern and Eastern Africa there have been attempts to develop mechanisms that match continental commitments to constitutionalism, electoral integrity, and preventing constitutional coups,

[1] This results in the apparent paradox of countries with a more problematic governance record being sometimes vocal and/or investing highly in being represented at the continental institutions (interview). Meanwhile, other countries that do well in governance, for instance island states such as Mauritius or Cape Verde, remained less vocal. Reportedly, Ghana is an exception as a country both doing well on governance and very active in the AU arena. It is hoped that organised civil society can help provide the political push and the technical support needed to encourage more ambitious investment in this area.

[2] Indicatively, the AMU treaty is 5 pages long, whereas treaties instituting the EAC and COMESA count hundreds of pages, with most others (including the AU constitutive act) in the range of a few dozens of pages.

among others. However only ECOWAS has operationalised a substantial part of these ambitions: its member states have gone further than other African countries in granting their REC the power to have a say in mediations, impose sanctions on perpetrators, and even to intervene, albeit with limited success. For the other organisations that have operationalised a governance mandate of sorts (EAC, SADC, IGAD), CSO engagement can benefit from research into which norms seem to hold traction lately.

A complicating factor is the **contentious distribution of power between the continental and the regional levels**. The relations between the AU and RECs are regulated by a protocol which calls for biannual coordination meetings - an admittedly good start - but which does not allow this forum to address ongoing crises (AU 2008a). There is still heated debate around the applicability of the concept of subsidiarity, whereby decisions should be adopted as close to the ground as possible (ISS 2022), vis-à-vis the principles of complementarity, comparative advantage and cost-sharing considerations. In the absence of a single standard operating procedure, some issues end up resolved at the regional level, others at the continental level and still others remain unaddressed.[3] This can present both an opportunity (helping address a gap) and a challenge, in matching thematic relevance to organisation.

The funding situation of organisations is to some extent a by-product of the interest of their member states. Some RECs, and increasingly the AU, are transparent regarding which members pay their dues, and put in place systems to self-fund more predictably (Apiko and Miyandazi 2019). Also, rich countries that consistently contribute (e.g. Nigeria and South Africa for their respective RECs – see box 1 below) provide a baseline which helps organisations function in normal times, and in turn increases their ability to respond to emergencies. International partners frequently plug gaps or even fund a substantial part of RECs' activities – circa 40% for both the EAC and SADC, as against circa 10% for ECOWAS. External funding can nudge RECs towards the agendas and methods of donors, and it tends to incentivise governance work, although purely self-set and self-funded priorities tend to see stronger implementation (Vanheukelom et al. 2020). The question of who funds the REC is important for civil society engagement, because it is likely to indicate potential allies or key players. Conversely, if a REC's governance work is externally-funded, this can indicate a lack of internal buy-in which requires cautious engagement.

[3] Interview with former ECOWAS representative at the AU.

Box 1: *Hegemons* shaping regional democracy agendas

Regional organisations benefit from having an influential country – or *hegemon* – investing in them, to set a course and put diplomatic weight behind initiatives. Conversely, influential member states can block progress in a given direction, becoming 'veto players'.

The most striking case of a hegemon has been Nigeria, a dominant player in West Africa. With its own history of coups and the threat of instability in its neighbourhood (e.g. around Lake Chad), Nigeria has invested in ECOWAS as a way to stabilise the region and ensure a balance between the anglophone and francophone countries of the region. As the richest, most populous and militarily most powerful country in the region by far, in addition to hosting the ECOWAS secretariat in Abuja, Nigeria was able to put resources behind this commitment, to the point that sources suggest that it alone funds some 40% of the then 15-member organisation's budget (ECOWAS Parliament n.d.).

In Southern Africa, there is a similarly dominant player with South Africa, but the roots of the REC as a coalition against apartheid help explain why South Africa has not seen fit to invest in regional policing and norm-promotion in a similar way as Nigeria, focusing instead on trade issues. Yet another REC which used to have a driving force is CEN-SAD: it originated as a project of former Libyan leader Muammar Gaddafi (Magu 2023). A more dynamic REC is the EAC, but the region's powerhouse, Kenya, has prioritised economic – not governance – objectives within the EAC (with a reliance on IGAD for security issues). Nevertheless, Kenya's more recent concern for security in Eastern DRC may serve to contribute to increasing the profile of the democratic theme within the REC.

As can be seen, most RECs have a hegemon of sorts, but only in ECOWAS so far have the interests of that country coincided somewhat consistently with the regional promotion of democratic norms.

Comparatively, the African Union does not have any single hegemon, although different countries have been key players over the years. Most recently, Rwanda has been prominent in pushing for the reform of AU institutions and has exerted a level of influence larger than its small size would suggest, for instance via the adoption of a package of reforms outlined in a 2017 document tellingly named 'Kagame Report' (Apiko and Miyandazi 2019). The fact that the AU's latest 'steerer', Rwanda, is a country with significant governance challenges (with a president well into his third decade in office) could then be part of the reasons why the AU itself is not prioritising democracy promotion on the continent lately.

While member states and their interests are the primary driver of activity, organisations are also invigorated by having **active organs**. Even a so-called 'zombie REC' can have a functional secretariat able to conduct some activities, although democracy promotion tends to be too political to take place without any explicit political mandate. Several RECs have legislative assemblies that reflect a form of regional-level electoral democracy – in the case of the EAC, the regional assembly even votes on the community's budget. Many others have courts that have received or acquired a level of jurisdiction over human rights - encompassing political

rights as well. The box below examines further the case of regional courts as governance actors, and the backlash they have faced.

Box 2: Contribution and contestation of African regional courts

The AU and RECs have established independent courts for the purpose of adjudicating border disputes, trade issues and/or compliance with regional policies. Several of them have over the years acquired human rights jurisdiction, making them key actors in the promotion of political rights, and by extension democracy. For instance, the East African Court of Justice examined challenges to the Kenyan 2022 presidential election. In another landmark decision at the instigation of civil society, it adjudicated on the legality of a decision by the Burundi Constitutional Court to allow President Nkurunziza run for a third term in office.

The ECOWAS Court of Justice stands out for not requiring petitioners to exhaust all local remedies before filing a claim for alleged human rights violations in a member state. This has led to hundreds of human rights cases, with a high rate of compliance with its rulings, in part thanks to the adoption of an ECOWAS protocol on sanction for non-compliance. (see figure 1).

Judicial activism by these courts has sometimes led to backlash from member states that saw them as acting against their interest. For instance, as far back as 2009. The Gambia called for a revision of the ECOWAS Court's mandate to require that applicants exhaust all local remedies before filing at the Court. The most striking example of backlash, however, concerns the SADC Tribunal, which was only active between 2005 and 2010. During this time, it was very proactive in adjudicating alleged human rights violations. In 2010 the Zimbabwean government refused to implement a ruling concerning Zimbabwe's land reform programme which condemned the seizure of land from 79 white farmers. Unlike The Gambia, Zimbabwe was subsequently successful in pushing for an SADC decision to suspend the court, a decision which is still effective to date. This case illustrates that initiatives to promote governance norms regionally face risks whenever they clash with an influential member state.

At the continental level, the African Court on Human and People's Rights complements the African Commission on Human and Peoples' Rights, which delivers influential but non-binding decisions, in the protection and promotion of human rights. The Court has, for instance, examined challenges to the electoral system in Côte d'Ivoire, and a revised establishing protocol will see the Court able to examine a broader range of crimes, including the crime of unconstitutional changes of government. Like other regional courts, it is primarily open to states and African institutions; individual and NGO access is possible if the state in question has made the relevant declaration or via a referral by the Commission. A majority of AU members have made this declaration, although Benin, Côte d'Ivoire, Rwanda and Tanzania have since withdrawn their declarations).

The following section reviews trends in regional democracy promotion that came to light over the course of this research.

2.3. The three facets of regional democracy promotion

An analysis of intergovernmental approaches to democracy on the continent indicates that they vary in detail, thematic substance, and ambition. Three trends in approaches emerge, albeit influenced by contextual factors:

1. **Conservative/moderate scrutiny on governance matters** (in the framework of ECOWAS, often via the AU and more rarely in other active RECs) which allows addressing clear breaches of key norms on a reactive basis;
2. **Avoidance** in the less active RECs (AMU, CEN-SAD) that by and large disregard the governance agenda;
3. **Mutual agreement to eschew accountability** of member states (in all other RECs), unless clear breaches of key norms threaten the region's stability.

It suffices to note that even those RECs without a clear governance agenda still have some level of responsibility for governance promotion and protection, by virtue of AU instruments and their membership of the African Governance Platform.

The most visible and prominent form the scrutiny of governance matters takes is by reactions to crises such as coups or problematic elections. These are typically adopted at extraordinary summits of heads of state. For instance, the recent spate of military coups in West and Central Africa (twice in Burkina Faso and Mali; once each in Guinea, Niger, and Gabon, just since 2020) triggered a series of responses from ECOWAS and the AU, ranging from suspensions of memberships to economic sanctions. In the case of Niger in 2023, ECOWAS heads of states threatened military intervention to reverse the coup. It shows that ECOWAS (and the AU, subject to the principle of subsidiarity) has been attempting to uphold the norm of constitutional handover of power in the region. ECOWAS has sent mediation missions and played a key role in brokering and monitoring transitional power-sharing agreements in these countries. This reflects a general stance of **cautious but active scrutiny of member states' constitutional order**. Similarly, ECCAS and also the AU suspended Gabon's membership following the 2023 coup in that country.

The contrast between ECOWAS's responses in the Sahel and the more feeble ones by other RECs to (arguably quite different) coups – e.g. in Chad in 2021 and Zimbabwe in 2017 – shows that even though commitments to constitutional change of government are unanimous, **the application of this norm to different contexts is sometimes subject to controversy and the willingness to react**. As mitigating factors, these two coups involved long-standing autocrats; but it remains significant that the respective RECs did not condemn the coups, with the AU cautiously criticising the events in Zimbabwe and justifying the Chad takeover in light of the passing of the president.

Another challenge to the continental governance agenda lies in problematic elections. Electoral democracy is such a central norm that virtually all RECs provide election observation missions. Alongside other external actors, these missions have contributed to establishing a baseline of evidence for reactions to elections. In general, however, electoral observation

missions have set the bar very low, with an emphasis on avoiding crises and a tendency to legitimise the proclaimed election winners unless the elections were so structurally flawed that they are met with unanimity against them (Matlosa 2021). Recently, legislative elections in Eswatini were commended by missions from SADC and the AU, in what Fabricius (Fabricius 2023) called a "caricature of democracy," since the Swazi legislature has no real power. Similarly, election observers from the AU praised the conduct of the 2017 Kenyan election, and SADC's mission endorsed the 2020 Malawi elections, before national courts overturned the results in both cases (Ronceray 2020) – suggesting that regional observers might have attached more weight to stability and a check-boxed approach to democracy than to the integrity of electoral processes. This is, nevertheless, not always the case, as, in a "rare rebuke", SADC's election observer mission questioned the integrity of the August 2023 Zimbabwean elections (Africa News 2023).

Whenever several election observer missions are present, those from the relevant RECs tend to **avoid direct criticism**, sometimes going to great lengths to find aspects of the elections to commend, as exemplified by the SADC (Kelley 2010, Mathanda 2023). At times, the presence of the REC observer mission can even serve to legitimise elections that were otherwise de facto boycotted by external actors. i. This was the case of the EAC (and also the AU) observing the 2021 elections in Uganda, whereas international actors such as the United States and the European Union had declined to do so (Reuters 2021). It can nevertheless be argued that the mild - but clear – criticism it expressed about parts of the process (such as an internet shutdown and voter registration issues) carried all the more weight for this reason (EAC 2021).

Democracy promotion is a non-issue among 'zombie' organisations; CEN-SAD and AMU do not take a position on governance dynamics within member states. Their actions in this regard were limited to occasional election observation, and even when they did provide this, their reports tended not to question the elections in any way. One could then conclude that weak RECs have displayed a **mutual agreement to eschew accountability**. COMESA and ECCAS have limited activity in this area, aside from occasional election observation and projects. Of the two, COMESA has more of a mandate to conduct such work, besides other projects to promote stability and peace in the region, in a way that is similar to that of IGAD.

On the whole, regional organisations have rarely been able to address the 'missing links' of the governance agenda. **Wider breaches of political rights, as well as other democratic norms, are largely left to the action of existing courts**. In some regions these courts have managed to prosecute perpetrators and even hold states to account for issues such as crackdown on protests, detention of opposition leaders, internet shutdowns aimed at denying information and preventing opposition from organising, etc. (see box 2). Corruption and integrity in general are governance issues that matter to citizens, but regional organisations have had limited success in establishing a formula to address these, and/or have shown limited appetite to try. Efforts by the AU to halt illicit financial flows and to promote domestic resources mobilisation have been an exception.

Member states have rather shown a preference to handle issues such as economic governance and the proactive promotion of integrity, natural resources management and the sharing of income rents from minerals, fossil fuels and also positional advantages of countries (upstream of large rivers or providing access to the sea to landlocked neighbours),themselves or in ad hoc cooperation frameworks. Xenophobia and violence linked to migration are increasingly on their agenda, with examples of initiatives by the ECOSOCC at the continental level. The management of diversity in multicultural societies and the promotion of gender equality are works in progress, but tend to face inertia (see box 3).

Box 3: Gender equality promotion across RECs and AU

African countries have officially committed to promoting women's participation in political governance through international, continental, and national frameworks. Notably, in line with the Maputo Protocol the ACDEG incorporates gender equality objectives throughout its provisions, and the AU adopted a strategy on Gender Equality and Women's Empowerment (GEWE) 2018-2028. While implementation varies, these normative instruments offer valuable tools for advocates aiming to advance women's rights. These efforts emphasise that gender equality is a societal and political concern rather than just a women's issue, encouraging collective action. Civil society actors and social movements have used digital technologies to monitor and push for progress in these areas (Salzinger et al. 2022).

The gender component of the latest series of AU reforms was put to the test with the 2021 election of the current AU executive leadership. This competitive process saw the introduction of stringent gender quotas, such as the requirement to appoint equal numbers of female and male commissioners and deputies, in order to make the organisation more representative of the continent alongside geographic origin rules. This resulted in significant delays in nominations as many pre-selected applicants were no longer eligible due to the requirements, but the AU proceeded with a full-on application of its own rigid rules instead of reverting to the more politicised horse-trading that had accompanied nominations before (Apiko et al. 2022).

At the time of writing, all active RECs have gender policies and programmes, as well as dedicated structures internally, although many of these policies are inward-looking as opposed to being proactive in promoting more gender-inclusive governance in member states. The State of African Women report (Eerdewijk van et al. 2018) found that five RECs (ECOWAS, EAC, SADC, IGAD, COMESA) had an explicit gender equality and/or women and girls' rights normative framework in place, all of which were recent or recently updated. Unsurprisingly, only the least active RECs – the remaining three – showed little to no commitment to gender equality and women's rights. The report also highlighted that some regional gender advocacy networks of civil society actors are active at the level of the RECs, most prominently in SADC, EAC and, to some extent, ECOWAS..

In sum, despite having a mandate to promote democracy, most RECs see their member states consistently unwilling to hold each other to account on democratic governance and to empower their regional forum to do this. The implicit **'brotherly agreement' is to let political governance issues be internal matters** of each country.

Even among stronger RECs, when coercive responses have been formulated, this tended to target small member states that are political light-weights – for instance the ECOWAS military intervention in The Gambia in 2017, or the SADC political one in Lesotho in 2014 – or to remain aspirational as in the case of the ECOWAS ultimatum to Niger. Other strong RECs have not been very proactive in responding to crises, with the exception of clear-cut coups. Far from spearheading reactions, the EAC stood out for its lobbying to *lift* sanctions adopted under the auspices of the African Union and targeting EAC partner country Burundi (2016-2022) after a constitutional coup (The East African 2022). Similarly, SADC has advocated for the *lifting* of sanctions by Western actors from one of its member states, Zimbabwe, for its human rights and wider governance record.

The three stances examined highlight a problem with the principle of subsidiarity: in cases where the regional community is less keen than the AU to take action, member states can invoke this principle to give precedence to the regional level (as with SADC in the DRC in 2019). This results in a lowest-common-denominator dynamic: the bar can always be set to the most lenient stance, whether this be the AU or the REC. These stances regarding political developments do not preclude technical engagement such as the provision of election observers, although this activity is more often akin to information gathering and/or promotion of stability by endorsing election results than seeking a transformative impact for more democratic elections.

The question is thus less whether an organisation is capable and willing to play a role than where it sets the bar: what are the red lines at which it activates its mandate (if any) to break the overall 'live and let live' agreement that unites heads of state. The next section looks at civil society engagement and how it can play a role in activating regional organisations.

3. How African organisations have sought to be people-driven

People-driven approaches across the African continent have varied depending on the level of engagement (continental or regional) and on the organisation in question. This chapter synthesises the results of research conducted into engagement with civil society by three regional organisations, viz: ECOWAS, the EAC and the SADC. In order to situate the discussion within the wider continental practice, the subsequent section will first review civil society engagement by the AU, before investigating each of the case studies in turn.

3.1. The AU's civil society engagement

A central governance norm of the **African Union is commitment to citizen engagement**. This commitment appeared in the preamble to the Constitutive Act and also in the Agenda 2063 aspiration to "place the African people at the centre of all continental efforts, to ensure their participation in the transformation of the continent." Putting people – and by extension the civil society organisations through which they organise themselves – at the centre is instrumental

in mobilising their good energies and expertise, as well as in ensuring that policies are inclusive and rooted in local demand.

The AU substantially interacts with between 600 and 1,200 CSOs through a diversity of channels. These organisations regularly interact with AU organs in a mix of capacities revolving around: (1) their legitimacy to represent wider constituencies and (2) their technical expertise.[4] Tiéku (2017) proposed a typology of CSOs that interact with the AU, around the following categories: transnational African research centres (often involved in advising the AU directly), locally-rooted African CSOs (primarily through representation of constituencies) and international NGOs (strongest at setting the agenda).

The African Union Commission's Citizens and Diaspora Directorate (CIDO) is responsible for promoting and coordinating the mobilisation and participation of civil society and the diaspora in the work of the AU (AU 2022). An aspect of this work has been to host the secretariat of the **ECOSOCC, the organ formally mandated to advise the AU on behalf of social and professional groups.** The ECOSOCC's main components are its secretariat, the general assembly of CSOs, formal assembly committees as well as (informal) thematic rosters of CSOs, and, since 2015, national chapters. In the past years, ECOSOCC has been revitalised: it now works more dynamically with the CSO rosters, carrying their voice to the AU via events, position papers and other activities on a wide range of themes, such as migration policy frameworks, remittances, and xenophobia. Interested CSOs can join these rosters as a way to engage with the AU and its organs.

The AU's executive council mandated ECOSOCC to actively pursue a harmonised mechanism and clear criteria for granting CSOs AU consultative and observer status. **A process is now ongoing under ECOSOCC leadership, to propose an AU-wide (observer and consultative status) system that would help formalise AU-civil society engagement**. The proposed mechanism would have ECOSOCC provide an entry point for CSOs which meet relatively basic requirements, thus generating a consolidated list, out of which specific organs could continue selecting their accredited interlocutors more transparently and more efficiently (interview).

The **criteria to be a formal member of ECOSOCC's general assembly** have been restrictive so far. They excluded organisations without an African majority in funding sources and management mechanisms. This sought to foster a genuinely local civil society ecosystem around the AU by side-lining the ubiquitous international non-governmental organisations (NGOs), better funded and equipped as they may be, and focusing instead on the organisations with African roots. But **these criteria set the bar so high that not many organisations could realistically participate** (Aeby 2021) In this context, it will be important to see whether the mechanisms for general accreditation under consideration will manage to be more enabling (Ronceray and Songa 2024).

[4] 2023 interview with practitioner involved in compiling a database.

While the ECOSOCC is an important formal entry point for civil society, in practice, AU collaboration with CSOs can take place on a needs basis and through ad hoc relations, without necessarily going through a dedicated interface. For instance, principles of flexibility and relevance were adopted by the PSC since 2014 to provide better grounds for collaboration with non-accredited organisations (AU 2014). This is a tweak to the Livingstone formula (AU 2008b) which determines the modalities for engagement between CSOs and of the AU's crucial Peace and Security Council (PSC), and originally included a requirement that CSOs should hold ECOSOCC accreditation.

In the same spirit of informal collaboration, AU organs have developed ad hoc Memoranda of Understanding (MoUs) to facilitate and formalise their collaborations with specific CSOs (whether accredited or not) which play a constructive role. The AU's website reports up to dozens of MoUs every year for the Commission itself, and individual AU organs report many more MoUs structuring their relationships with a wide range of actors including civil society, on virtually all topics.

Box 4: Main avenues for citizen engagement with the African Union

1. ECOSOCC: The Economic Social and Cultural Council, an organ of the Union.
2. CIDO: The Citizens and Diaspora Organisations division of the AU Commission.
3. Provisions and frameworks organising the contribution of citizens, their formations, and affected populations within the peace and security and governance frameworks of the Union. Such provisions and frameworks include the Livingston Formula, the Maseru Conclusion, the African Governance Architecture, and the African Peace and Security Architecture.
4. A mechanism for the participation of CSOs in the work of the Africa Commission for Human and Peoples' Rights.
5. A mechanism for the interaction of child-focus organisations with the African Committee of Experts on the Rights and Welfare of the Child (ACERWC).
6. The Pan African Parliament also aims to provide a platform for people's representatives from the various member states to contribute to the African Union's work.

Source: Assogbavi 2023

3.2. ECOWAS, governance and civil society

The Economic Community of West African States (ECOWAS) is a regional economic community and political union of, previously fifteen, now twelve countries located in West Africa. Its headquarters are located in Abuja, Nigeria. It was first envisioned, at its onset in 1975, as an economic integration project with some social and cultural impact, rather than a political project. In the 1990s, the union became concerned with governance, engaging in military coups and civil wars. It is notable that the very forward-looking ECOWAS Protocol on Democracy and Good Governance, adopted in 2001 but still very frequently invoked, provided an inspiration for the ACDEG.

ECOWAS is presently the most active REC in the area of governance. It dispatches election observation and mediation missions and adopts frequent high-level statements and sanctions in response to governance crises and challenges. The region shows an unmatched level of uptake of the ACDEG (with 13 ratifications for 15 member states until recently), and further regional norms. It has had comparatively high levels of democracy, although this is challenged by the recent spate of coups in Sahelian countries, whereby four (at the time of writing) of its then fifteen member states are now ruled by military regimes, with three withdrawing from the REC as a result of ECOWAS's stance . This could undermine the region's unity and its ability to play a strong role in promoting democracy, although it also places this agenda front and centre on a regular basis (Ronceray 2023). Other factors accelerating the regional governance agenda include ECOWAS's sustainable funding, the support of Nigeria as a regional economic powerhouse (currently reduced) and arguably a form of latent competition with other regional initiatives such as UEMOA.[5]

When it comes to the governance agenda, the **most important ECOWAS institutions** are (1) the Authority (of heads of states) and (2) the Council of Ministers, which form together the political level where member states provide the community with directions, as well as (3) the ECOWAS Commission, the community's executive arm – and in particular its department for Political Affairs, Peace and Security. Additionally, (4) the ECOWAS Court of Justice not only provides dispute resolution and advisory opinions for member states, but it also grants remedies to CSOs, NGOs and individuals for breaches of human rights.

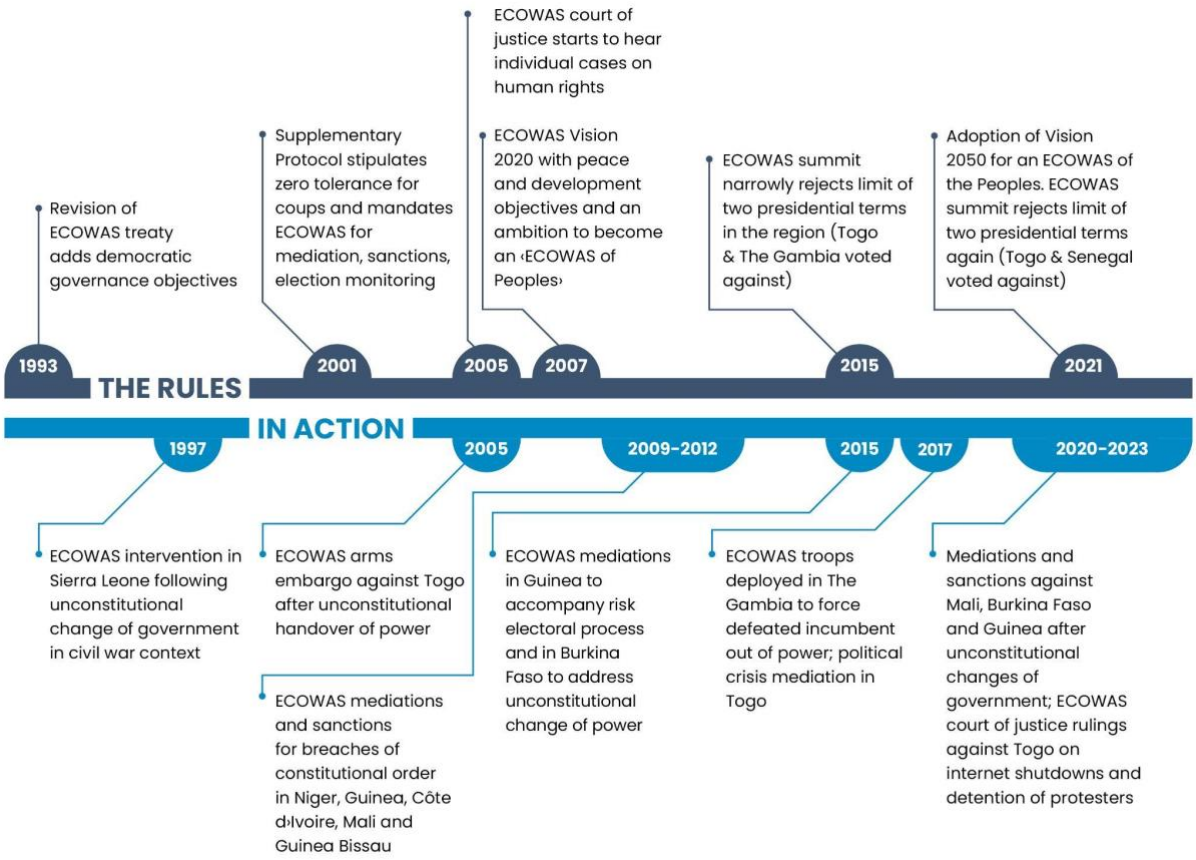
Governance norms are comparatively important in the region because governance is contested. The regional policy of zero tolerance for unconstitutional changes of government (UCG) resonates with leaders, but a segment of the region's population sees UCGs as a necessary evil to oust ineffective and corrupt leaders that hold on to power; in fact, data collected by Afrobarometer shows that populations are now more willing to accept military takeovers to remove corrupt governments(Lierl 2023). Regional norms help structure such

[5] Parallel to ECOWAS is the West African Economic Union (known by its French acronym UEMOA) that counts eight member states, all of which are francophone ECOWAS members. While not formally a REC, it constitutes something of a block-within-the-block and generates a degree of competition which reportedly pushed both organisations to affirm themselves (Interview with ECOWAS representative, 2021).

controversies and formulate rules-based crisis responses, although they are less successful at addressing shrinking civic space and contested third presidential terms.

The figure below highlights key events in the development and activation of the ECOWAS democracy framework. It shows that alongside legal frameworks on governance, the organisation also developed mechanisms to enforce them. It indicates that this was by no means a linear process, as crises led to norm-development but setbacks also occurred, such as the repeated refusal by member states to agree on presidential term limits.

Figure 1: ECOWAS governance agenda timeline



Source: Ronceray et al. 2023.

ECOWAS offers **entry points for civil society engagement on governance**. It is committed to a 'people-centred' regional integration agenda – this was laid out in its Vision 2020 and Vision 2050 plans (adopted in 2007 and 2021 respectively) (ECOWAS 2022). Civil society engages with the Community through accreditation and observer status; a number of organisations also have signed memoranda of understanding with it. Furthermore, informal interactions outside of these collaboration frameworks can often be fruitful. The ECOWAS Court of Justice additionally offers redress to citizens and organisations without the requirement to exhaust all

local remedies. Although the Court lacks enforcement powers, its decisions carry weight in important human rights discussions. For instance the Court recently ordered for the release of the deposed Nigerian president, thereby maintaining attention on UCGs in the region (Africa News 2024).

With regard to forms of engagement, **ECOWAS prefers to interact with networks representing plurinational civil society constituencies**. Two such networks, the West African Network for Peacebuilding (WANEP) and the West African Civil Society Forum (WACSOF), stand out as privileged partners, with more emerging. WANEP focuses on conflict prevention and peacebuilding, notably by providing ECOWAS's early warning tool through grassroot perspectives on governance situations before they turn into crises. WACSOF has a broader mandate to represent CSOs and has been promoting the uptake of the ACDEG. Many more umbrella organisations engage with ECOWAS, each with their own constituency and preferred institutional counterparts. This generates a degree of healthy competition but also fosters duplications, rivalries and confusion.

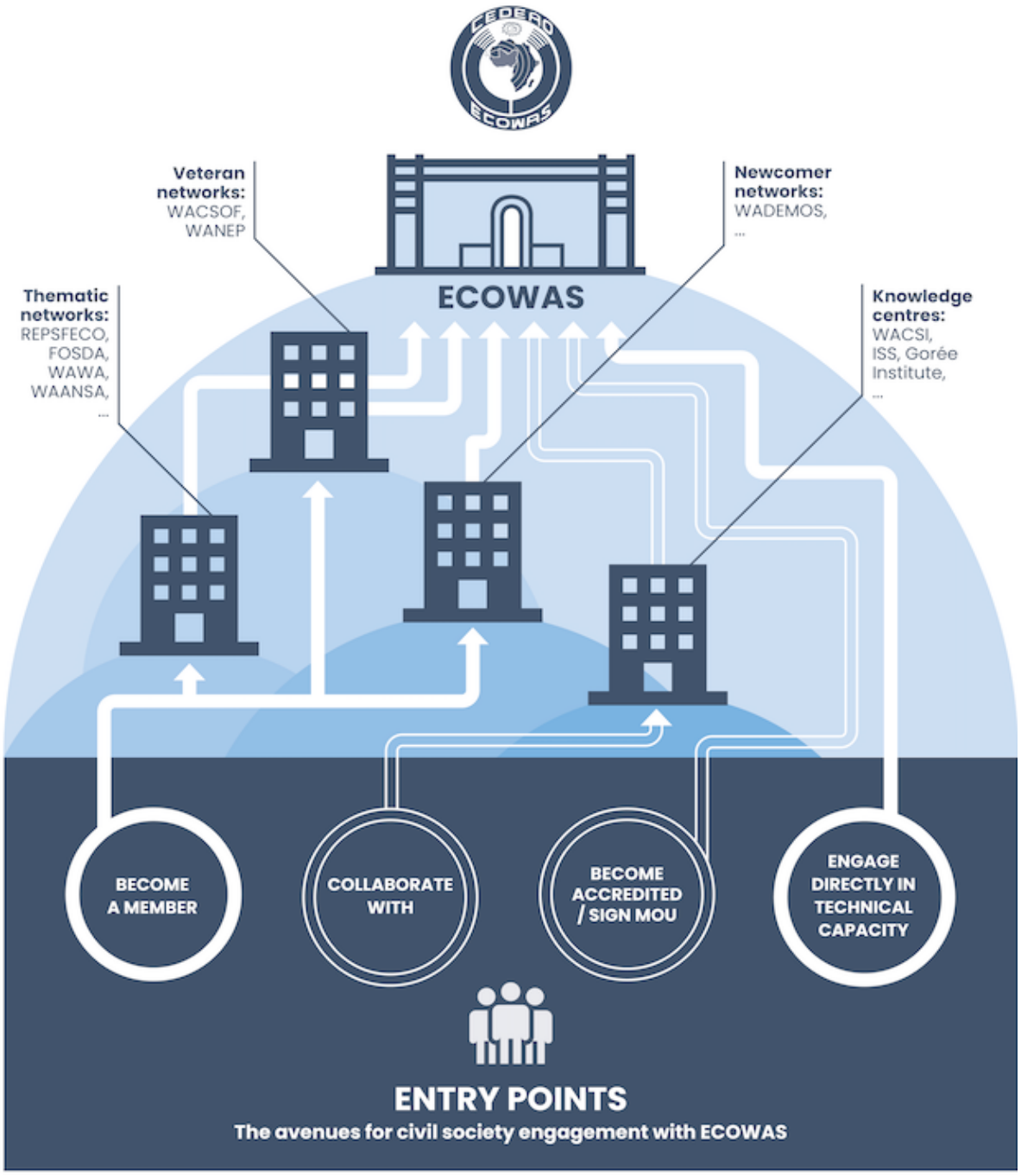
ECOWAS has displayed a preference for organisations that help it bridge delivery gaps, over those conducting advocacy and demanding political accountability and human rights. Many public servants acknowledge the positive role of independent civil society with a constructive mindset.[6] Specific organs of ECOWAS even cultivate their own favoured CSO counterparts on the basis of personal acquaintance, a practice that can prove to be unsustainable in the long run.

Civil society actors play an important role regionally by keeping themselves and others in check, which consolidates their legitimacy and roles as partners. Notwithstanding this, some West African CSOs have their own governance issues, starting with the challenge of representing transnational constituencies. Together with unintended consequences of international support (such as the brain drain of skilled staff and diverted accountability), this can play against the credibility and effectiveness of engagement with ECOWAS.

The figure below summarises the main entry points for civil society to engage with ECOWAS. It highlights the West African special case of having many umbrella networks and platforms, but also the fact – equally valid in other regions – that formal engagement with the REC via accreditation or memoranda of understanding is only one among many avenues.

[6] Interviews with practitioners from civil society umbrella networks, 2023.

Figure 2: Entry points for civil society engagement with ECOWAS



Source: Ronceray et al. 2023.

3.3. EAC, governance and civil society

The East African Community (EAC) is an intergovernmental organisation composed of seven member states located around the Great Lakes region of East Africa. It was originally founded in 1967, then underwent a dissolution in 1977, but was re-established by way of a treaty in 1999 and reached the current level of member states in 2022. The headquarters of the EAC are located in Arusha, Tanzania. It focuses on pursuing a customs union, a common market, a monetary union and ultimately a political federation.

The region has had a long history of regional cooperation, reaching back to the colonial era of the East African Federation, with institutional and physical infrastructure created in areas such as railway, communications and customs. **The EAC Treaty (as adopted in 1999) is detailed and ambitious on good governance, rule of law, accountability and social justice.** For instance, it refers to the African Charter on Human and Peoples' Rights (African Charter), provides grounds for cooperation on political issues, and establishes the East African Court of Justice (EACJ) with provisions to enable human rights jurisdiction. Nevertheless, the conferring of a mandate on political governance matters to the EAC does not mean that EAC partner states have ceded their authority for the Community to act independently on all matters within this scope.

The region has a low level of ACDEG ratifications (three out of seven member states) and a general trend of shrinking civic space, which hinders the promotion of democratic governance norms and citizen engagement. **The adoption of a regional democracy protocol has been stalled since 2011 and, of late, the EAC does not appear to be the right forum for most governance discussions.** This is so despite the fact that EAC members are concerned with conflicts in the region and their spillovers, especially when it comes to the Horn of Africa and Great Lakes regions, and in this respect they don't shy away from looking into some of the governance drivers of these conflicts. But important players in these discussions, Kenya and Uganda, tend to rely on the IGAD with its more advanced peace and security framework. When it has a formal role in these processes, the EAC tends to simply follow what has been decided in the other forum.

People-centred integration is at the heart of the first principle laid out in the EAC treaty. The central piece of the EAC's citizen engagement approach is the **Consultative Dialogue Framework (CDF)**, an ambitious framework, the implementation of which is meeting both successes and challenges. The CDF consists of 2 levels, namely, the Regional and National Dialogue Platforms. Both levels invite interactions from civil society, professional bodies and private sector bodies. Additionally, the annual EAC Secretary General Forum enabled civil society to provide inputs into the organisation's agenda using these platforms; although the conduct of this event has been inconsistent in recent years.

The East African Civil Society Organisations' Forum (EACSOF) provides an umbrella and a platform for civil society to engage with the EAC as part of the CDF. **Membership in EACSOF represents the best entry point for CSOs**, although the willingness of the EAC to engage with it has fluctuated over time. Obstacles to EAC-civil society relations include the prohibitive criteria

for accreditation to the EAC (which EACSOF itself has a hard time meeting), and, perhaps more importantly, the great degree of discretion that the EAC leadership has when it comes to informing and including non-state actors or not.

The private sector, which is consulted alongside civil society through the CDF, is finding access much easier, which some attribute to a culture of mistrust of civil society, but which also echoes the fact that governance norms are much lower on the EAC agenda than economic objectives. According to interviews, **the dialogue framework in place is more or less adequate, but the spirit in which it is handled (towards civil society) is the limiting factor.** This lack of commitment towards vitalising the organisation's partnerships with civil society is, for instance, evident in the deprioritisation of conducting the EAC secretary general forum.

Outside the CDF structure, the EAC also undertakes civic engagement by granting observer status to organisations and entering into MoUs. This gives civil society a space for ad hoc meetings with the EAC Secretariat and other organs such as the EAC Council of Ministers. Additionally, civic engagement with the EAC also takes the form of public interest litigation before the East African Court of Justice (which, for instance, EACSOF undertook to challenge the legality of a third-term for the Burundian president in 2015), and through lobbying and advocacy engagements with the East Africa Legislative Assembly.

3.4. SADC, governance and civil society

The Southern African Development Community (SADC) is a REC founded in 1992 that currently comprises 16 member states. It is headquartered in Gaborone, Botswana. It finds its roots in a previous alliance of countries that joined hands to fight against apartheid in South Africa, which itself joined the Community after its transition to democracy in 1994.

SADC has a formal role to play in the area of democratic governance, with commitments in its founding treaty additional instruments, protocols and guidelines adopted in the 2000s. SADC's principles and guidelines governing democratic elections, while not legally-binding, provide a clear vision of what governance in member states should look like when it comes to elections. Despite this vision, its member states rarely prioritise this agenda. The region has had relatively low incidences of unconstitutional change of government, and an overall comparatively good democratic record. As a result, **enforcement of democratic governance norms is sometimes not perceived as a priority for the region's stability and prosperity**. With a few exceptions, SADC has not operated as a custodian of democracy in the region. Rather, it has acted as a group within which member states could exchange and practice solidarity in the face of international and domestic challenges.

The SADC Treaty and other protocols and policy documents[7] adopted under its auspices clearly point towards the **ambition of effective engagement between SADC and civil society**.

[7] The key policy documents for the operations of the SADC are the Regional Indicative Strategic Development Plan (2020-2030) and the Strategic Indicative Plan for the Organ on Defence, Politics and Security. Both of them include stipulations on roles for civil society at the policy making and implementation levels.

This regional setup most notably includes the SADC Council of Non-Governmental Organisations (SADC-CNGO) and the SADC Civil Society Forum. The SADC-CNGO consists of national associations of CSOs from each SADC member state and exists to facilitate meaningful engagement between CSOs on the one hand, and the SADC Secretariat and member states at the national level on the other. The SADC Civil Society Forum, on its part, is held on the side-lines of the Heads of State and Government Summit to enable CSOs to provide input on the Summit's resolutions.

Despite these structures, stakeholders point to the **failure of SADC to tap into the full potential of constructive relations with non-state actors**. For instance, civil society demands issued during SADC Civil Society Forums are for the most part marginalised in the SADC decision-making system (interview). This has been at times attributed to very diverse factors ranging from a lack of formal structures for engagement; to a lack of goodwill (i.e. political support); or a dearth of civil society actors willing and able to play a constructive role in the areas closest to SADC's work. An example illustrates the conflictual relations that SADC entertains with both the governance agenda and civil society: the short lifespan of the SADC tribunal, which was disbanded in retaliation for it looking into domestic affairs of a member state at the instigation of civil society .

Going forward, it is possible that the oft-restated commitment to operationalise a mechanism for civil society's substantial engagement with SADC will be implemented. In truth, the general lack of operationalisation of SADC's commitments to citizen engagement does not preclude the possibility of fruitful ad hoc relations, outside of the SADC-CNGO and/or directly with certain parts of the SADC structure. But in the current state of things, interviewees had a **hard time to identify any promising operational entry points for civil society organisations with SADC at a structural level**.

3.5. Other African regional organisations, governance and civil society

Aside from ECOWAS, SADC and the EAC, five other RECs are formally recognised by the African Union, and a few more organisations (such as the UEMOA mentioned above) can play comparable roles. With a few exceptions, the roles they offer to civil society in the area of governance and/or the entry points are less substantial. As a result, they are covered in significantly less depth here.[8]

The Arab Maghreb Union (AMU) was established by Algeria, Libya, Mauritania, Morocco, Tunisia through the Marrakesh Treaty of 1989, and is headquartered in Rabat, Morocco. As a REC recognised by the AU, the AMU is part of the African Governance Architecture and is meant to promote African shared values in North Africa, but this remains largely unfulfilled. Due to disagreements linked to the Western Sahara dispute, members have not held an annual summit since 1994. This deprives the organisation of a central decision-making mechanism and it is, as a result, the least active of all RECs. The AMU's secretariat is still technically

[8] Additional information on the 8 RECs can be accessed through this interactive tool: https://ecdpm.org/work/interactive-tool-mapping-african-governance-architecture.

functional and able to engage on governance-related matters, for instance by participating in AGA meetings. But as long as the region is so divided, such efforts seem unlikely to bear much fruit regionally.

The Community of Sahel–Saharan States (CEN-SAD) was established in 1998 in Tripoli, Libya, at the instigation of the country's then-leader Muammar Gaddafi. CEN-SAD has been headquartered in N'Djamena, Chad, since its move there from Tripoli in 2019. With 29 member states, all of which are also members of other communities, CEN-SAD faces coordination issues as well as questions around its added value. Fluctuating membership and irregular summits signal a lack of investment by member states. While this hinders progress on its main stated agenda – trade integration and free movement – it does not preclude engaging in areas such as security - where it can play a supportive role - or sending occasional observer missions to scrutinise (and usually endorse) electoral processes.

The Common Market for Eastern and Southern Africa (COMESA) is the second-largest REC recognised by the African Union, and it forms the largest trading block in Africa. It currently has 21 member states and is headquartered in Lusaka, Zambia. It is a large REC focused on trade but with a limited common vision and the absence of a hegemon keen to drive its agenda. Member states have therefore tended to be more invested in other RECs of which they are members. The REC has wide-ranging objectives, including the promotion of trade and sustainable economic development through peace and security action, among others. Although it actively engages in electoral observation, COMESA has more modest objectives in political governance, on which it closely collaborates with other RECs, especially with IGAD, SADC and EAC. In recent years COMESA has increased its engagement with civil society organisations and made efforts to improve their capacity and role in decision-making.

The Economic Community of Central African States (ECCAS) was established in 1983 and now has a membership of 11 countries, forming a block at the centre of the continent that is headquartered in Libreville, Gabon. Similar to COMESA, this REC straddles different regions of Africa and members rely more on other cooperation structures, which explains why it has not pursued very significant cooperation structures and deep integration on any theme. There have been recent efforts to reinvigorate ECCAS with a new treaty, turning its secretariat into a commission, and close collaboration with other RECs. Despite some modest accomplishments on peace and security and its involvement in electoral assistance, ECCAS has no vision statement or regional instrument on governance. There have been few attempts to connect with civil society structurally, with exceptions such as collaboration in the area of electoral observation.

The Intergovernmental Authority on Development (IGAD) was created in 1996, with objectives focused on drought prevention and desertification, as well as regional peace and security in the Horn of Africa. It also holds an implicit mandate to work on political governance, in the sense that democracy and integrity issues are root causes of conflicts. IGAD regularly holds extraordinary summits to tackle emergencies, particularly on peace and security, although exchanges at the head of state level have been more limited. The organisation's ability to

develop and adopt governance-related norms has been limited – for instance a draft Protocol on Governance Democracy and Elections has been pending adoption since 2014. A reform process has been taking place since 2019 to improve the organisation's day-to-day functioning. Some of IGAD's member states are, in principle, distrustful of civil society, which is reflected in the limited civic space at the REC. Areas that might hold promise for CSO involvement include supporting IGAD's early warning mechanism, peacebuilding consultations and data collection, and election observation.

Figure 3: Map of Africa (based on the ACDEG primer)

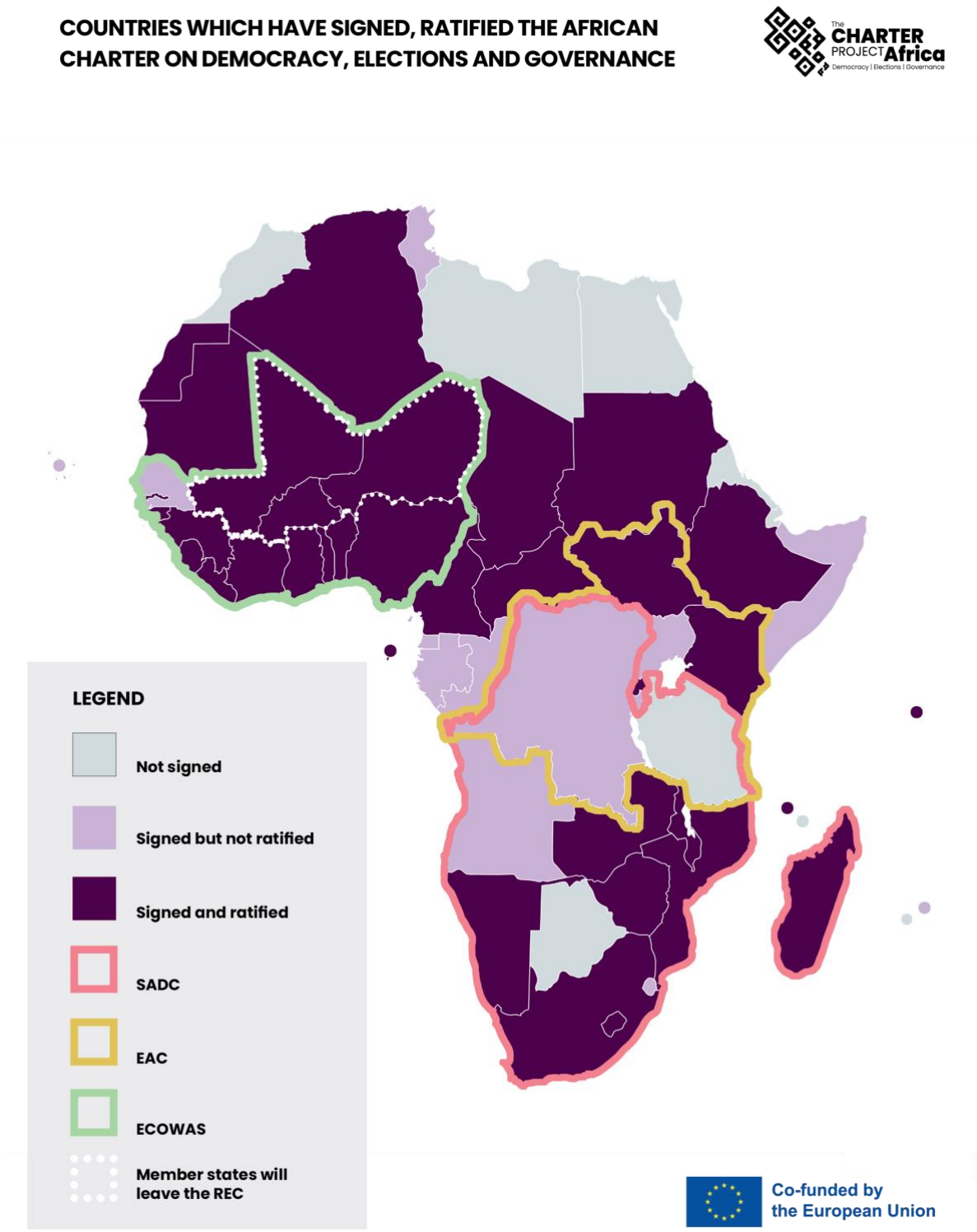


Table 2: REC governance frameworks in comparison

	Members	Politically active?	Governance mandate…	… operationalised?	People-driven objective…	… operationalised?
ECOWAS	12	✓	✓	✓	✓	✓
EAC	7	✓	✓	≈	✓	≈
SADC	16	✓	✓	✓	✓	X
CEN-SAD	29	X	X	n.a	X	n.a
AMU	5	X	X	n.a	X	n.a
ECCAS	11	≈	X	n.a	X	n.a
IGAD	7	✓	≈	≈	✓	≈
COMESA	21	≈	✓	X	✓	≈

Source: authors' elaboration

4. Lessons learned for civil society engagement with regional organisations

CSOs perform a number of functions addressed at and supporting both REC member states and the peoples they represent: CSOs can be partners that help elaborate data, deliver programmes and more generally implement regional accountable governance agendas; but CSOs can also benefit from this interaction to create and maintain a healthy civic space. RECs can create 'invited spaces', where CSOs get to contribute on the basis of a REC-defined agenda; but CSOs can also use RECs as an avenue where they 'claim' space for civic participation in their own right (Bisong 2021). Furthermore, they can voice civic dissatisfaction with issues vis-à-vis RECs at the national level. This role has been enhanced by rapid digital advancements which can help overcome the distance - real or figurative - between grassroots, national movements and REC headquarters, even if the digital divide between urban and rural populations in most African countries is a concern.

4.1. How some organisations have sought to become people-driven

As examined previously, all regional organisations are state-centric by nature, and not being supported by member states leaves them barely functional. However **many RECs have a stated objective to be people-centric, and a framework to operationalise this commitment.** The EAC, SADC and ECOWAS stand out in this regard, following the example set by the AU. Such frameworks typically assign responsibilities, whereby a certain part of the organisation is mandated to act as interface, and certain routines are put in place (such as processes for accreditation, but also periodic consultations and engagement avenues in existing summits and in dedicated events). In a number of cases, a specific CSO umbrella organisation is recognised formally as the official counterpart of the regional organisation, which typically entails providing it with particular access and even some funding or non-financial support. So in practice, a CSO engagement framework starts with having a CSO liaison office or focal point within the organisation's executive; proceeds to include dedicated statuses for non-state

actors (consultative or observer status for instance); ensures information-sharing processes; and also institutionalised dialogues and other opportunities to provide input on summits and/or technical committees.

When it comes to the **operationalisation of CSO engagement frameworks**, experiences differ but ECOWAS is quite unique in the vibrant ecosystem of civil society organisations that organically flourished around the community and the level of access it has granted them over the years. By contrast, the EAC has a very structured and institutionalised framework for engagement with civil society, which has been active for the most part; but in terms of real access to civil society it is less substantial and more restrictive. Despite its commitment to be people-centred, SADC has neither a dynamic civil society nor strong mechanisms for engagement, although it has been considering the adoption of a new framework to enable such.

Across case studies, interviewees from civil society frequently stressed that information is usually unavailable, for instance on what regional organisations are doing, who can do what, which organisations are accredited, what will be the opportunities to collaborate, etc. The weaker the organisation, the more difficult it finds to consistently communicate on its activities, let alone consult widely. But **efforts to streamline civil society engagement are ongoing in over half of organisations**. IGAD and COMESA have no strongly-stated ambitions on civil society participation but have nevertheless developed some methods. A new framework is in place in COMESA, which has a history of offering engagement via its Programme on Peace and Security, and a focus on engagement with the private sector rather than CSOs. IGAD faces a very adverse environment for civil society in most member states, but, at least on paper, it has an engagement mechanism which could be revived if the regional context were to change.

The box below summarises findings of research comparing the continent's most prominent civil society engagement frameworks.[9] It points to the interplay of formal frameworks (which rules and structures are in place) and informal ones (whenever some engagement takes place but not following the letter of the mechanisms officially in place). The way this plays out depends not just on the governance 'offer' by the regional organisation, although this is key, but also on the type of CSOs that exist and how they chose to approach the existing frameworks.

[9] Okechukwu and Ronceray 2023, Ronceray et al. 2021, Katundu et al. 2023, Songa and Ronceray 2023, Ronceray et al. 2023.

Table 3: Comparing REC / CSO engagement frameworks with that of the AU

Organisation	Institutional framework	Civil society features	Notable statuses
ECOWAS	Formal and informal. Loose framework with many entry points and general openness; proposed introduction of an ECOSOCC for ECOWAS	Self-organised, competitive	MoUs with WANEP on early warning
SADC	Framework that needs activation	Limited structuration	N/A
EAC	Formal. Structured framework (CDF), ambitious but only partly implemented	Centralised and hierarchical	Partnership with EACSOF
AU	Formal and informal. Ad hoc engagement per organ; ECOSOCC review of holistic accreditation mechanism in progress	Thematically driven	Numerous MoUs, consultative status per organ

Source: authors' elaboration

The AU itself stands out with an important reform in progress, which would task the ECOSOCC to grant consultative status to CSOs after a technical – not political – filtering process. Hence creating a roster of organisations from which different organs of the AU could pick partners and offer accreditation to, either directly or via an additional filtering process. This flexible but streamlined mechanism should increase predictability of engagement for both civil society and the AU. If it is validated, it could set the standard for regional organisations that have to deal with a multiplicity of CSOs (Ronceray and Songa 2024).

A key finding from the studies is that **the spirit with which regional organisations approach civil society engagement matters as much as the formal mechanisms they put in place**. Even RECs that have established engagement mechanisms can employ them to profit from their own agendas, consider civil society an afterthought, or even see them as an inconvenience. This links to the politico-administrative culture of the regional body, the level of transparency and inclusiveness it chooses to offer, and the resources it has to make this possible. It also links to different realities available to civil society, which can be very structured (for instance in the EAC), or vibrant and critical (in the ECOWAS region); it also relates to the mindset with which civil society may approach the regional organisation, ranging from watchdogs seeking to hold power to account through confrontation, all the way to entrepreneurs seeking connections or funding.

In turn, the spirit of collaboration depends on the **trust and networks that are established between civil society leaders and the leadership of the regional organisation**. The down side of this feature is that this can change dramatically over a short period of time - with a simple change of personnel on either side - unless efforts are made to build trust and awareness structurally. For instance, ECOWAS for a while nurtured its relationship with a particular umbrella organisation of civil society, going so far as to provide it with support in the shape of office space within its premises for a short period of time. After the latest change of ECOWAS leadership in 2022, that same CSO umbrella network reports finding itself marginalised in favour of other networks, not all of them new, but sharing a different language with the new officials.[10] Similarly, the EAC participated in a 2023 regional civil society forum close to its headquarters, but convened this at the exact same time as a private sector forum within the EAC premises, thereby showing the much stronger affinity it holds with the latter community, from which its current leadership originates.[11]

4.2. How civil society organises to engage regional organisations - Drivers of organised regional civil society

From our research, we find that there is no one way for civil society to engage on democratic governance at the regional level. To the contrary, this can take the shape of activism, 'naming and shaming', supporting projects and programmes with grassroots perspectives or providing technical know-how. But **whether civil society structures itself to engage at the regional level depends on if it sees an added value there.** At the most basic level, REC summits represent gatherings of heads of states who are regional power-players, with whom advocacy is possible. Even when the consensus among heads of states is rather adverse to discussing democracy at the regional level, CSOs can still utilise these forums as a means to advance a subset of this agenda – an example is the SADC Gender Protocol Alliance, a regional network of women's rights organisations that monitors the implementation of the 2008 SADC Protocol on Gender and Development in different sectors.

In most cases, **RECs have been in the driver's seat in encouraging the formation of regional CSO structures.** Most regions that have an overarching civil society platform have played a role in setting it up or at least recognising it as a legitimate counterpart. ECOWAS did this with a short-lived Forum of Associations Recognised by ECOWAS, then by empowering its successor, the West African Civil Society Organisations Forum, following which the West African regional civil society space then saw the emergence of many more actors. SADC was also instrumental in creating a CSO umbrella platform: the SADC -CNGO, largely ineffective, though it may be. Furthermore, programmes and projects by RECs (including those funded by external partners) play a role in the development of regional civil society, by creating activities for them

[10] Interviews with West African civil society leaders and activists from umbrella networks WACSOF, WANEP and WADEMOS.

[11] Interviews held during the EACSOF forum with regional civil society leaders.

to take part in and/or to implement. By contrast, the 'zombie REC' AMU offers so little dynamism that it does not inspire civil society from the region to form coalitions.[12]

Umbrella platforms play a pivotal role in CSO-REC engagement. This is because civil society 'speaking with one voice' is convenient and appreciated by RECs. ECOWAS, for instance, discourage organisations that are not representative of a transnational thematic network from seeking a direct partnership with it. Similarly in East Africa, in early 2023 the summit of the umbrella network EACSOF included a reflection on the challenge of getting a diversity of messages across to the EAC – and vowed to take an example from the regional business community which had managed to be more audible at the regional level, thanks to communication centred around the African Continental Free Trade Area (AfCFTA).

The privileged position of umbrella platforms can however generate competition among organisations that can play this interfacing role. In West Africa, where the high number of CSO initiatives generates dynamism but also some degree of confusion and duplication, this competition has been at times exacerbated between organisations whose constituencies are primarily in different language areas. It is in the nature of civil society structures that they represent a diversity of voices, all of which cannot easily be relayed to regional organisations. This generates pressure for umbrella networks to be inclusive and transparent in their own decision-making – which is not always easy.

But some of the more vibrant CSO networks are also self-organised rather than shaped by the REC. Highlighting the contrast between ECOWAS and SADC cases, Aeby points to the trade-off between sustainability and stability on the one hand – easier to achieve for platforms that are close to the respective regional organisation, like the SADC-CNGO – and the need for independence, which comes easier to those that keep their distances (Aeby 2021). WACSOF, for instance, after it stopped receiving direct support from ECOWAS, was able to establish its independence with actions such as for instance in issuing critical comments on ECOWAS electoral observation missions, the results of which it considered too lenient (interviews and Reinold 2019).

4.3. The role of digital technologies in regional civil society work

Digital technologies have emerged as a powerful tool for civil society organisations in African regions to **amplify their voices for advocacy**. With the advent of social media platforms and other online communication channels, CSOs can reach a global audience, bringing attention to situations where democracy and rights are at risk, for instance. They can disseminate information, share stories, and build public support at a rapid pace, which is essential for raising awareness and mobilising resources to drive their missions. While this is not specific to regional democracy promotion, a number of high-profile online campaigns got the attention of regional actors around #BringBackOurGirls or #EndSARS in the case of Nigeria alone

[12] As a result, "North African civil society" as a construct is primarily a byproduct of the European Union's approach which treats countries South of the Mediterranean as one region and offers incentives – financial and in terms of access – to organisations that adopt this geographic scope (interviews).

(Salzinger et al. 2022), as well as more niche efforts to get member states such as Botswana to #RatifyTheCharter – i.e. the ACDEG.

Digital technologies provide civil society organisations in African regions with the means to efficiently **mobilise constituencies** and engage citizens in democratic processes. Online platforms, mobile apps, and messaging services empower these groups to reach out to supporters, coordinate rallies, and organise campaigns with ease. Through these digital channels, they can promote voter registration, encourage voter turnout, and mobilise citizens to participate in civic activities. Civil society is using online tools to compile and distribute benchmarks of Parliaments in East Africa, for instance, comparing their respective strengths and weaknesses and incentivising action to improve the quality of democratic processes in the region (Dabo and Pouyé 2022, interviews).

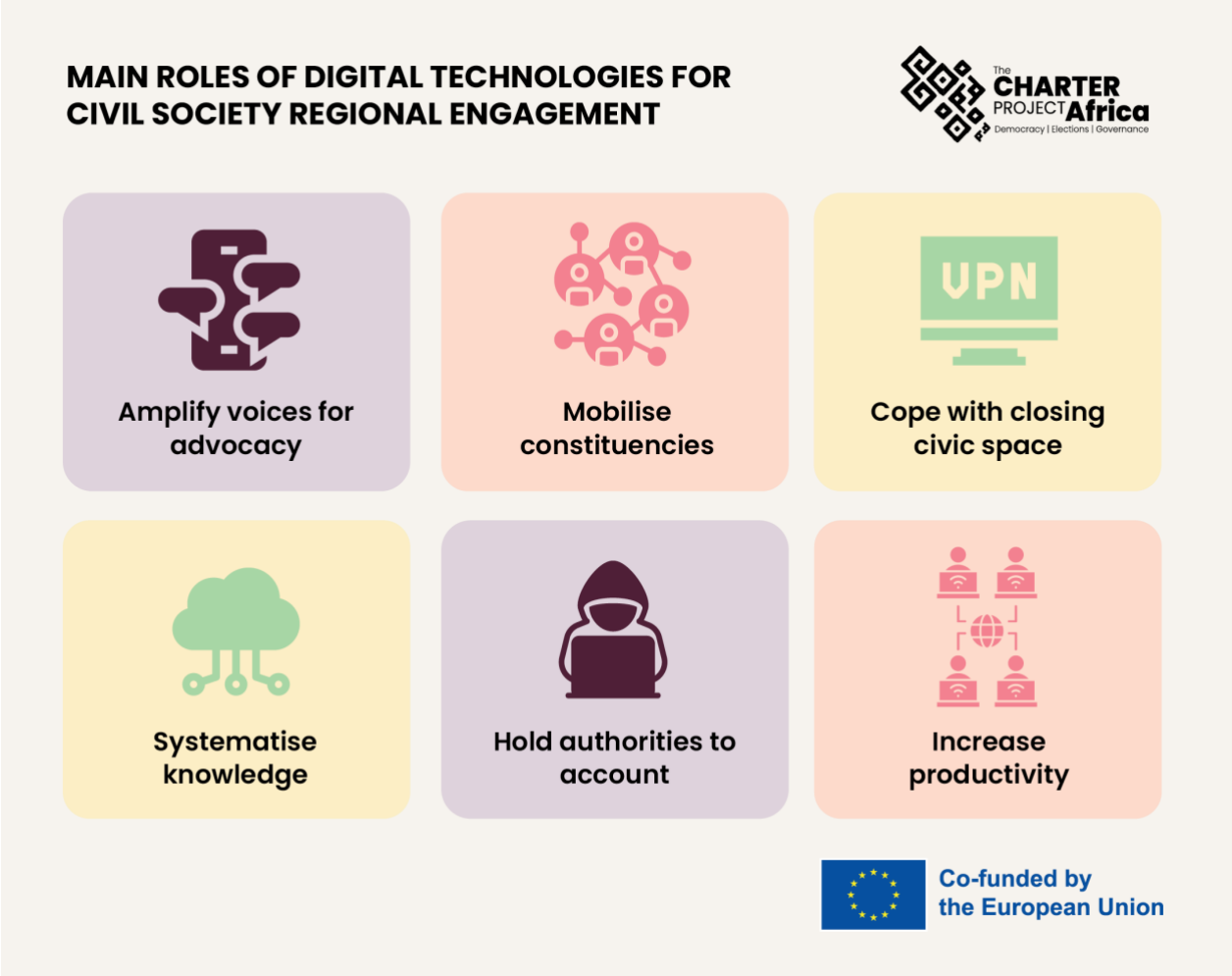
In all of Africa's regions as elsewhere around the world, civic space is under threat from various forms of repression, including restrictions on freedom of expression and association. Digital technologies ranging from encrypted messaging to VPNs and cryptocurrencies offer civil society organisations tools to **cope with shrinking civic space** by ensuring the organisations' resilience and helping their resistance (Bossuyt and Ronceray 2020).

Digital technologies also help civil society organisations in African regions **systematise knowledge** and collect data more efficiently. They can use digital tools to gather and analyse information on governance issues, election results, and human rights violations. This data-driven approach enhances their ability to monitor the state of democracy and human rights in their countries, making it easier to identify areas that require attention and to offer evidence-based entry points. For instance, the West African Network on Peace innovated with crowdsourcing grassroot information on conflict hotspots using dedicated tools, with the purpose of making it readily available in visual manners to the ECOWAS leadership. Prominently, the organisation Afrobarometer has been collecting views by African citizens on many issues relating to democracy, adding important evidence to heated debates for instance on the popularity in the Sahel of elected officials versus the military leaders that replaced them in recent coups.

Anonymising tools further help protect activists' data and maintain their operations even in environments where civic space is closing. These technologies enable organisations to continue their work and maintain their advocacy for democracy while minimising the risk of censorship, surveillance, or harassment. Digital tools thus allow civil society organisations to **anonymously hold authorities to account**, **thereby reducing the risk of personal reprisal**. They can use social media, online petitions, and public databases to expose corruption, misconduct, and violations of democratic norms. This not only serves as a deterrent to those in power but also provides a level of protection for activists and whistleblowers who might otherwise face retaliation, in particular when it comes to vulnerable populations such as LGBTQI who can be at severe risk if they expose themselves in person. By leveraging these digital tools, civil society organisations can maintain pressure on authorities to act transparently and uphold democratic values – for instance through initiatives such as Open Contracting and Open Government partnerships.

At a more prosaic, but no less important level, digital technologies significantly **increase the productivity of civil society organisations**. Communication tools, software and apps help streamline administrative tasks, such as record-keeping and event planning. Perhaps most visible is the use of WhatsApp and other messaging apps as primary communication channels. Moreover, collaboration and networking among organisations become more accessible through digital platforms, which can favour the retention of information and contacts – a particular priority in light of the importance of personal contacts and trust in making CSO-REC relations meaningful and not merely perfunctory.[13]

Figure 4: Main roles of digital technologies for civil society regional engagement



As a caveat, **there remains significant incentives for keeping (parts of) civil society regional engagement physical**. For a start, the majority of African populations do not actually have access to digital tools, the internet and the necessary digital literacy to engage in digital activism, thus cutting them off from this means of engagement. Furthermore the need for trust relations between officials and civil society representatives has been highlighted – in-person

[13] It is worth mentioning that digital technologies bring their important share of threats and problems when it comes to democratic governance, but this is not the subject of this study. For a general overview see Domingo and Tadesse (2022), and for a deeper dive into the gender dimensions see Salzinger et al. (2022).

meetings remain undoubtedly necessary to cement such trust relations. In contrast, it is all too easy for regional organisations to claim inclusiveness through the organisation of (token) online consultations, if they do not include in-person exchanges. There are also financial incentives, for instance the culture of per diems, whereby participants receive a substantial compensation for participating in activities, whereas their contributions in virtual settings can be de facto self-funded and/or deprioritised.

Box 5: Themes through which CSOs engage with regional organisations

- **Information sharing** with citizens on democratic processes and scrutiny mechanisms.
- **Election monitoring** to build public confidence and eventually improve the credibility of the processes.
- **Promotion of international frameworks** like ACDEG and other shared values instruments (including making legal recourse to them in regional courts).
- **Use of digital technologies** to access information, mobilise citizens, ensure transparency of public action / campaigning, and addressing inherent problems e.g. digital (gender) divide, polarisation, privacy breaches, repression, blackouts, etc..
- **Addressing root causes of conflicts** with regional spillover.
- **Integrity** across values chains and trade axes.

5. Conclusions and recommendations for civil society

The above analysis showed the very different natures and substances of regional communities when compared to one another and the African Union. A few overarching governance norms unite most of them, starting with the requirements of constitutional change of government and the holding of elections. Yet the extent to which they can play the role of active democracy promoters in their respective geographic areas varies greatly. This dynamism sometimes depends on independent organs not directly linked to member states, although members remain the primary source of action for the democracy agenda. This points to a complex interplay between (1) the regional community, (2) the member states that largely set its agenda, and (3) the existing national and regional civil society structures.

Not all regional organisations have the same mandate to promote democracy among member states. Of those that do have such a mandate, not all have mechanisms in place to do this in practice. But there are regional organisations in which membership amounts to a commitment to democratic norms and opens up a country to scrutiny and peer pressure: in decreasing order ECOWAS (to an extent similar to the AU), then the EAC, SADC, ECCAS and COMESA.

Across organisations, the study identified **three general regional approaches to democracy**: *conservative scrutiny* where member states use the governance agenda to fight back destabilising factors; in the weakest regional organisations; and *mutual agreement to avoid accountability* in others, with a number of in-between situations.

Civil society is perceived differently – and indeed *is* very different – across regions. Some regional organisations are receptive to civil society when it challenges them, while others are only open to its most 'constructive' variations, and yet others are generally adverse to engagement. The study has outlined a number of areas where civil society can play important roles in regional democracy promotion.

This final section outlines a few recommendations for civil society organisations that may be keen to engage with regional democracy agendas.

Figure 5: Engagement with RECs: tips for civil society organisations

Recommendation 1: Being selective and strategic in the choice of themes and approach

- There is a large menu of options for civil society to get involved in their region's democratic governance agenda. This includes (1) policymaking, with the possibility to advocate or contribute to directions; (2) policy implementation through the delivery of

and contribution to projects , whether with technical know-how or access to grassroots memberships; (3) accountability, with the technology-powered possibility to scrutinise regional actors and share information about what they are doing to a wider audience.

- Distribution of labour among civil society organisations is useful. Some are more keen to act as contributors to policy making, as technical implementers, or as accountability holders (watchdogs). It can be useful to set clear boundaries, because while technical support to RECs can provide valuable information to conduct advocacy on the right problems, being too outspoken can also compromise the relations between regional organisations and CSOs and endanger other roles. While doing so, information sharing across the various 'sectors' of civil society - perhaps through an umbrella platform - remains necessary.
- Not all regional organisations are similarly relevant on all themes. A particular case in point are 'zombie RECs' and RECs that don't have a governance mandate; , so one REC may be a better avenue than others. The questions below are suggested as a heuristic tool to help decide if an organisation is relevant – if most boxes remain unticked after preliminary outreach and research, it is probably not worth engaging with it on a given theme.

Box 6: Questions to ask before engaging with your regional community

- It is at least somewhat active – or if not you know for a fact that they are trying to get active again (for instance if they will attend an AGA meeting, hold a summit again…).
- It has a formal mandate to work on your theme, or on one that is closely related, at least in its founding treaty or high level document (recent ones are best), or in outcomes of a recent summit.
- It has permanent secretariat staff or leadership that are interested in the theme (e.g. they need to report progress on it) or in a related theme that can be linked, or staff that is otherwise dynamic and open to civil society engagement.
- It has a capacity gap and/or a funding gap, especially if it is funded by a donor interested in this theme that might welcome support, or if it is self-funded but needs implementers.
- It has a member state (if possible, more than one and/or large ones) that has expressed an interest in your theme.

Recommendation 2: Targeting and cultivating the right levels - not always the highest ones.

- Technical structures are often where there is most potential for advocacy. While it may be tempting to try and influence summits of heads of states, in most instances their outcomes have been largely concretised in technical meetings which form better entry points for CSOs. Important entry points for CSO advocacy at the regional level include member states that set the agenda or push certain priorities, as well as independent organs such as courts and parliamentary assemblies.
- Formal engagement mechanisms with regional organisations are rarely a game-changer now. It can be worthwhile to make use of the existing engagement frameworks

including accreditation and consultative status, within umbrellas and/or as a standalone, or entering into ad hoc memoranda of understanding, but most engagement can be conducted outside these frameworks if there is trust and goodwill. It is important to keep abreast of and support promising reforms such as the envisioned ECOSOCC mechanism for providing consultative status at the AU, as this may set the tune for future, more streamlined CSO-regional organisation relations.

- Nurturing trust with the REC's staff is essential, which can be done gradually by nurturing contacts through consultations, collaborations and networking. Staff turnover both in CSOs and in regional organisations can be a serious limiting factor and requires efforts to build up institutional memory. A key approach to nurture trust can be to identify gaps in the REC's delivery, for instance on digital technologies, and champions within who might welcome support.

Recommendation 3: Investing in umbrella networks – and holding them to account.

- Joining forces via umbrella networks (thematic or generalist) is important, to have the weight of a transnational constituency and hence the ability to get the attention of regional organisations and the AU. These networks can hold significant convening power, and most of them are at least well-placed to engage with regional issues. They constitute excellent forums to exchange information and strategise on common messages, approaches and distribution of labour when it comes to regional agendas.
- Seeking transparency and accountability from umbrella networks. Networks need to remain accountable to their members and the citizens they represent. In particular in large regions, this can be challenging and require proactiveness from members of the networks to make sure their representatives do represent them, including across language and cultural barriers.
- Steer umbrella networks to the right balance between diversity and cohesion; between challenging and supporting regional organisations. The multiplicity of networks can bring dynamism, and lead to a healthy division of labour, but it can also lead to duplication of efforts and there are significant benefits to creating a united front among CSOs. It is up to CSO members to proactively influence them, through internal decision-making procedures.

Recommendation 4: Leveraging the power of digital technologies.

- Communications tools can bring efficiency to processes such as data collection and outreach, which can be of particular benefit in contexts of limited civic space and to work on sensitive themes of democracy promotion. There remains a need for meaningful in-person interactions as part of trust-building exercises, and risks associated with tech, which CSOs are well-placed to investigate and work around.
- Technological expertise can be a strong selling proposition for civil society, especially when engaging with regional organisations that – due to their size, official nature and/or work culture – may be less agile in adopting new tools. Some organisations also face issues at the level of basic ICT infrastructure, so playing a supporting role can offer an entry point.

- Regulation of tech is a policy area with a high impact on democracy. Issues range from defining acceptable limits to free speech in the name of countering harmful content online, protecting groups at risk, ensuring user privacy and preserving civic space, avoiding undue influence in political processes of tech giants and covert external players, ensuring decent work, while developing infrastructure in ways that serve all citizens. This is a highly political yet also technical area where (coalitions of) CSOs have a key role to play in setting the agenda and ensuring that policy makers strike the right balance.

Annex: REC comparison grid

REC - member states	**Activity level**	**Governance mandate and operationalisation?**	**Governance situation**	**Aim to be people-driven – operationalisation?**	**Any themes with traction on governance and digitalisation?**	**Recommendations and themes for civil society to address**
ECOWAS 15 MS	Active with multiple focuses	Yes – clear mandate and operationalisation documents that set clear rule of zero tolerance for UCG; more debated rules on 'constitutional coups'	Rather unstable (UCG very prevalent); dynamic and contested civic space; many democracies incl. powerhouse Nigeria. ECOWAS summits address UCG	Yes – mixed/high. Numerous operational structures for engagement (WACSOF WANEP WADEMOS…) though some have governance/coordination issues	UCG prevention and reaction including early warning (ECOWARN); tech to counter and mitigate closing civic space	Support/rationalise multiplicity of engagement initiatives; Make use of ACDEG high uptake (13 ratifications); Factor in Nigeria's agenda (its levies fund ~40% of ECOWAS); Address diverse views of UCG (problem for leaders but occasional popularity as a renewal of leadership); Address constitutional changes (incl. 2-terms limitation); Address gaps between linguistic areas.
EAC 7 MS (study ready for	Active with a trade and economic integration focus	Yes – clear mandate, but not operationalised (2011 protocol stalled)	Rather stable; limited civic space; some autocracies; opening in one country, Tanzania. Summits avoid governance; electoral	Yes - mixed. Ambitious CDF, structured civil society though limited will on REC side	Consolidating summits and substantial youth engagement; EACJ engagement; EALA (mixed)	EACSOF speaking with one voice; not waiting for the REC to activate dialogue; learn from private sector (messages and themes

publication here)			monitoring			prioritisation; technical support); pursue adoption of the democracy protocol Funding (ca. 40% donor dependency) ACDEG uptake (only 3 ratifications)
SADC 16 MS (study in progress here)	Active with economic and development focus	Yes - clear mandate and operationalisation documents (some of which have been updated last decade)	Rather stable; contested civic space; many democracies; no driving force MS. Summits avoid governance; electoral monitoring	Yes – low/mixed. CNGO and CSO forum but limited operationalisation due to lack of CS structures and limited structures and will on REC side	Continuing accountability drive; operationalising the new engagement mechanism	SADC-CNGO can carry voice but risk of gatekeeping; Factor in donor agendas (~40% dependency) and South Africa as large MS; Build on SADC Gender Protocol Alliance; developing national CSO chapters; refreshing governance documents?; ACDEG uptake (10 ratifications)
CEN-SAD 29 MS	Zombie with aspirations in trade, development and wider integration	No - mostly implied mandate as formal REC and AGA member	Wide diversity of situations across regions. Episodic electoral monitoring activity	No	N.A.	Avoid unless it should start showing dynamism on a specific issue
AMU 5 MS	Zombie with aspirations in regional	No - mostly implied mandate as formal REC and AGA member	Diverse across North African states; generally rather adverse; very few	No	Youth and digital tech (although the REC has limited added value in	Avoid unless it should start showing dynamism on a specific

	cooperation		summits and numerous conflict issues		addressing them).	issue
ECCAS 11 MS	Semi-active, with activities and aspirations in economic integration and security	No - mostly implied mandate as formal REC and AGA member	Adverse with many autocracies. Episodic electoral monitoring activity	No	Electoral support and observation	Consider engaging on a technical basis; Factor in overlaps with EAC and high level of donor dependency
IGAD 7 MS	Active with focus on security and disasters, migration	Mixed - limited explicit mandate; governance mostly as root cause of conflicts. Dedicated protocol is stalled since 2014, but early warning framework is relevant	Unstable region with shrinking civic space – except Kenya mainly as contested democracy. Frequent electoral monitoring and early warning activity	Mixed - some commitments despite adverse climate for civil society; a CSO-NGO forum exists on paper only	Early warning mechanism; peacebuilding consultations and data collection; election observation	Factor in agendas of Ethiopia and Kenya (contributors to budget) and donors; engage on a technical basis rather than advocacy
COMESA 21 MS	Semi-active with focus on trade	Yes - clear objectives of democratisation but with limited operationalisation	Large region with limited consistency and no driving force	Mixed - newly launched platform in need of consolidation	Economic root causes of conflicts (incl. via early warning system); electoral support; initiatives on youth	Consider engaging on recently reinvigorated agendas; factor in the lack of geographic unity
Lesson across RECs	All are state-centric and only as dynamic as MS wants them. RECs with limited geographic unity and no	Strong language in many founding treaties; many outdated or never-adopted operationalisation documents	Live and let live agreement (general rule of non-interference) in all but ECOWAS. Most conduct electoral support, but most are strongly suspected of bias towards incumbents.	From the RECs that have frameworks, some pilot them and others are driven by CSOs. ECOWAS and SADC show that when driven by CSO umbrellas they bring their own issues, but have most potential.	ICT to share information and foster engagement within CS and CS-REC – though working cultures favour in-person; tackling abuses of ICT and of regulation; Election observation as entry point in most RECs	Choose methods (and distribute roles) to conduct advocacy and technical support (more welcome) as befits the situation; Don't overfocus on HoS summits - technical levels yield more

	leader countries tend to be weak. The Secretariat has some autonomy. Even zombies can engage.		(EOMs to defuse crises not improve integrity) Interventions in small MS (political in Lesotho, military in The Gambia)		though frequently 'toothless'; early warning also often promising	influence; Don't overfocus on formal access structures (they help and provide an entry point but informal engagement can be a good start); Keep CSO umbrellas accountable

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