



Regional Development Policy Dialogue

Seminar One Report

The Cotonou Agreement- What it means for Lesotho?

Thursday 9th December 2010
State Library Auditorium - Maseru Lesotho

For more information on the seminar. Visit
www.lcn.org.ls or www.lgnsp.org.ls

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Acronyms

ADB	African Development Bank
EIB	European Investment Bank
EPA	Economic Partnership Agreement
EU	European Union
EUD	European Union Delegation
ITT	Interim Task Team
JAR	Joint Annual Review
LCN	Lesotho Council of NGOs
LGNSP	Local Governance and Non-State Actors Support Programme
NSP	National Development Plan
NIP	National Indicative Programme
NSA	Non-State Actor
NUL	National University of Lesotho
SAIIA	South African Institute of International Affairs
OVC	Orphans and Vulnerable Children
UN	United Nations
WVI	World Vision International

Seminar Two

The Cotonou Agreement – what it means for Lesotho

Introduction

A six-month project to strengthen the engagement of Non-State Actors (NSA) in policy dialogue Lesotho, entitled “Provide Support to Non-State Actors (NSAs) in Policy Dialogue in the context of the Cotonou Agreement and other Regional Frameworks”, was launched in November 2010. It was jointly run by the Lesotho Council of Non-Governmental Organisations (LCN), the South African Institute of International Affairs (SAIIA) and an international development expert, Dr Jennifer Tangney, on behalf of Business and Strategy (B&S) Europe. It is funded through the European Union’s Local Government and Non-State Actor’s Programme (LGNSP) in Lesotho.

This report covers deliberations on the second seminar held on the 9th of December at the National Library Auditorium entitled “**The Cotonou Agreement and Development: What does it mean for Lesotho?**”. The seminar was aimed at umbrella organisations, networks, and platforms as well as individual non-state actors and activists. Deliberations were on the Cotonou Agreement and its implications for Lesotho with the seminar also providing practical experiences on existing support to Non State Actors in Lesotho and implementation of EU funded projects.

The second seminar set the scene by providing information on the Cotonou Agreement, the actors involved and the opportunities that exist for NSA in Lesotho within this framework. A special focus was afforded to the development aspect/pillar to the agreement with information being provided on the ways that NSA can engage and influence on the NIP (National Indicative Program), programming of funds, Joint Annual Review (JAR). The other elements including governance and the Economic Partnership Agreements (EPAs) will be discussed in further detail at later seminars.

Objectives of the Seminar

- To know more about the Cotonou Agreement and its implications for Lesotho
- To provide information on the development pillar to the Cotonou Agreement
- To ensure a better understanding of donor coordination in Lesotho, how it happens and where can NSA engage.

Expected outcomes

- Knowledge of the Cotonou Agreement and the rights/responsibilities of NSA
- Better understanding of how donors in Lesotho work together and how government coordinates donor support

Methodology

The seminar was conducted in the form of panel discussions with time for questions and answers as well as discussion. Many speakers used visual aids such as PowerPoint presentations – which were to be made available for download via the LGNSP website.

Mapping of expectations

Participants identified the following expectations

- To learn more about the EPAs
- To learn about engagement of civil society organisations in the Cotonou agreement and utilisation of the other opportunities within EU development cooperation.
- To understand the role of NSA within the Cotonou Agreement and the possibility of partnerships and collaboration.
- Sharing ideas to facilitate EU projects implementation.
- To understand the impact of Cotonou agreement on ordinary citizens.

Session I – The Cotonou Agreement and What it Means for Lesotho

This session sought to explain the contents of the Cotonou Agreement to ensure that everyone had a basic understanding of the Agreement. It was explained that the Agreement impacts on Lesotho's regional relationships including SACU and SADC and it is therefore imperative that the Lesotho NSA take the opportunity to influence, oversee and monitor the implementation of the Cotonou Agreement. This engagement is made all the more important as the EU's development methodology has moved to budget support of the Lesotho government – leaving the key area for NSA engagement in the realm of policy dialogue to influence and oversee the aid. The EU representative assured participants that the structure of the Cotonou Agreement provided space for such NSA participation – but that it was up to NSA to take up the role and come to the table prepared and ready to engage.

The session began with a Panel discussion by the Governance Advisor from the EU, Action Aid Lesotho, and the SADC Secretariat. Unfortunately, the Government of Lesotho representative did not attend as foreseen, with only minor engagement provided by other government staff.

It was explained that the ACP-EU partnership agreement, in short the Cotonou agreement, is a comprehensive trade and aid agreement concluded between the EU and 77 African, Caribbean and Pacific countries. It was concluded for a twenty-year period (2000-2020) and signed in June 2000 in Cotonou, Benin. At the same time the agreement is a financial protocol, which is divided into 5-year periods. The financial means are provided under the corresponding European Development Fund (EDF). The Cotonou Agreement has three key pillars:

- Development
- Governance
- Trade

The Agreement recognises the complementary role of, and the potential for, contributions by NSAs to the development process. NSAs will, where appropriate, be kept informed of and involved in consultation on co-operation strategies. They will be provided with financial resources, involved in the implementation of co-operation projects and programs and be provided with capacity building support in critical areas in order to reinforce their capabilities. The Local Government and Non State Actor's Programme (LGNSP) is the EU's support the NSA in Lesotho in line with the requirements of the Cotonou Agreement.

It was asserted by ActionAid that the spirit of tripartite dialogue was not being applied in Lesotho. The recent signature of the interim-Economic Partnership Agreement (EPA) by the Lesotho government despite calls by many NSA in Lesotho for further engagement and consideration. The government signed the agreement without any consultation with the non-state sector and in the face of serious reservations amongst other Southern African Customs Union (SACU) members.

Having made their presentations, the panel invited contributions from participants. The following issues were raised:

- There is lack of communication and consultation between NSA and government.
- The EU itself does not systematically engage with NSA.
- The government consults NSA at the design stage of projects but excludes them during the implementation stage.
- Is there any strategy for NSAs to participate on signing of the agreements?
- There is a lack of political will to engage with NSA

It was clear to all present that NSA in Lesotho needed to organise more effectively in order to be a stronger partner to government and to have a coherent voice on behalf of the poor. On the question of government engagement, for matters concerning EU-Lesotho relations, Article 2 of the

Cotonou Agreement states that the government should consult NSA. The new Interim Task Team that was piloting under this project as a means of strengthening NSA participation was referred to and NSA were informed that:

- The ITT was comprised of four NSA networks, two business platforms, three labour federations, two academic representatives and one professional association.
- The ITT was seeking to better coordinate across sectors and to profit from the bargaining power that each of the sectors has to strengthen engagement with government.

Session 2 – The Development Pillar to the Cotonou Agreement

The second session had presentations made by Dr. Hoste - EU Delegation (EUD), Mr. Phakisi - LGNSP and Mr. Moyo - World Vision. A specific focus was on European Development Fund (EDF) and EU funding.

In his presentation, Dr. Hoste (EUD) confirmed that the European Development Fund (EDF) from 2002 to 2013 focused on budget support in the water sector, human development and other areas. In addition to support from the EUD there are other sources of development assistance provided by the EU including the European Investment Bank (EIB) loans, the Centre for the Development of Enterprise grants and the direct budget lines from Brussels including the European Initiative for Democracy and Human Rights (EIDHR). He pointed out that in the project cycle, NSAs are consulted in the first three steps leading to a project, which are:

- drafting of the country Strategic Paper and the National Indicative Programme,
- Identification of the sectors of intervention and
- formulation of the projects' specific details.

Such engagement or consultation can be done through workshops organised by governments, by the delegation or by the consultants working on the above steps on behalf of governments and the delegation.

The EUD representative explained the general frameworks for funding and the main procedures for NSA in order to access funding, which are through either tenders or calls for proposals. He said that the EU's rules and methods are transparent, fair and competitive but that the cost for this was that the procedures take a long time. The recent contracts for NSA in Lesotho were won by organisations including Skill share, Care, World Vision, Red Cross and others.

Dr Hoste confirmed that commitment to NSA engagement and support remains central to all EU strategies while confirming that this stronger role for NSA should still be considered as emerging in Lesotho. His presentation indicated that the government, the EUD and NSA need to integrate the concept of NSA participation in their activities and processes to fully achieve the intentions of Cotonou Agreement.

Mr Phakisi from LGNSP indicated that EU support to the programme is € 6, 4 million (Maloti 76 800 000) covering operational costs, grants and capacity building. The three year initiative which ends in 2011 is targeted at non-state actors and local government. The LGNSP is intended to deepen local democracy, improve local governance and reduce poverty through the creation of a supportive and enabling environment at community and district level which strengthens dialogue around effecting social change and furthers citizen participation in Lesotho. Beyond that, it seeks to enhance active participation of citizens, local authorities and non-state actors in Lesotho in the debate about the local governance and decentralisation framework. He informed the seminar that to date, large grants in Lesotho have been given to MISA, GROW, CCJP and WLSA, with 53 small grants allotted to NSAs and 51 small grants to Community Councils.

Challenges highlighted include the confusion of programme objective as to whether it is targeting NSA or Local Government. The weak capacity of NSA sector in Lesotho in terms of resources and

institutional strength was also identified as a challenge for the programme as NSA were often unable to manage projects in line with EU rules. Implementation a NSA programme managed by the government proved to be a challenge as well.

Concerns raised to EUD and LGNSP representatives were about the fact that;

- EC is often not seen as responsive to needs with its funding but goes ahead based on internal rules and thinking without any adaptation to environment
- The government is given 77.9% with little role being taken up by NSA in determining how this money is spent
- Implementation of LGNSP period is too short
- EU provide huge money to regional integration and that support is not effective in promoting international relations
- EUD funding seems to be accessed by international NGOs with little chance for local actors to win

The EU responded to the complaints regarding EU procedures by stating that the same rules were applied everywhere in the world and that the procedures were designed in part to protect EU taxpayers money which is what the EU was spending. Regarding the imminent closure of the LGNSP Dr Hoste said that there would be other initiatives to continue the work done by LGNSP on NSAs and local government projects.

Mr Moyo from World Vision provided a presentation on practical experience in implementing a project under the EDF. He confirmed that World Vision had to work hard in order to access the grant from EU and that it has not been easy. The local office had consulted other WVI offices to ensure that the presentation being proposed was in line with the guidelines and rules. He confirmed that World Vision now had several EU-funded programmes such as a gravity irrigation project, a crop production project and one supporting orphans and vulnerable children (OVC). The World Vision projects are being implemented in Leribe, Mafeteng, Mohale's hoek and Qacha's nek.

Session 3 – Donor Coordination in Lesotho – how it happens and where can NSA engage?

In this session, discussions centered on issues of how Lesotho coordinates donors' work, the platform for NSA engagement and how NSA can be more than service providers. The first panellist was Mr Kumo from the African Development Bank (ADB) - who presented on donor harmonisation and aid effectiveness. He began his presentation by posing the question, "why is Africa still dependent on aid even after 50 years on independence"?

The ADB representative acknowledged that aid has become more effective and the ADB is committed to improving its performance against the Paris principles, not because of any external pressure from the West, but because the principles are appropriate for Africa. Nonetheless, he asserted that aid is only one piece in making development effective and that support to creating an enabling environment for economic growth and catalysing other sources of funding were also of importance.

He emphasised that even though many countries in Africa depend on aid no country will develop through aid alone. He based this assertion on the fact that developed countries were not developed because of the donations but rather through strategic planning to strengthen economic growth. He stressed that Lesotho also need to look within to see where its strategic growth points may lie.

UN Resident Representative,, Ms Ahunna provided information on the development partners' consultative forum in Lesotho, which is a multi-donor meeting to discuss development and strengthen coordination. Her presentation further indicated that the UN promotes inclusiveness in all aspects and have efforts in place to support NSAs. She confirmed that the Development Partners

Consultative Forum was open to NSA engagement and that discussions should move forward on how this could take shape.

The Resident Representative indicated that the Forum was established in 2005, in realisation of the increasing need for alignment and harmonization in line with the Paris Declaration on aid effectiveness. The main functions of the Forum were to build on the partnership principles and the Rome and Paris declarations and to align partners' programmes with national priorities.

Mr Koto, the Chief Economist at Ministry of Finance and Development Planning, briefly presented on behalf of the government for coordinating policy and aid flows. He emphasised that the government is willing to work with NSA for policy implementation. On aid flows, he confirmed the need for the Minister of Finance and Development Planning to remain the national authorizing officer, in order to oversee that the funds are well utilized and that targeting is appropriate. Many participants questioned the willingness of government to engage and stressed that they were often perceived as "the opposition" rather than as development partners. Mr Koto stressed the willingness of his Ministry to engage.

Issues relating to donor, NSA and government relationship were raised as many felt that there was nothing concrete identified as a way forward to ensure that a platform was developed. It was agreed that the current project could be a first step but that there would need to be political will and support from both donors and government to include NSA in dialogue. The National Development Plan (NDP) process was considered to be a good starting point for NSA to organise and more effectively engage.

Session 4 – How to move ahead effectively?

This closing session gathered the following recommendations:

- Need for coordination and better organisation on the part of NSA to be able to be a meaningful and competent partner to donors and government
- Need for political will on all sides to strengthen tripartite dialogue
- Need for an approach to NSA coordination that can facilitate a trickle-down of information to grass roots
- More information needed on how the rights under the Cotonou Agreement for NSA participation can be enforced – guidelines for dialogue to be prepared
- Need for Lesotho to look at its own economic potential and move away from reliance on external aid

Conclusion

It was recommended that there is need to

- Move from aid effectiveness to development effectiveness
- NSA participation should be institutionalized in Lesotho both at the level of policy design, implementation and monitoring and this would conform with Article 2 of the Cotonou Agreement,
- The EU, government of Lesotho and NSA must initiate a regular platform to take the space afforded by the Cotonou Agreement
- There are some lessons that can be learnt from the previous exercises such as development of Vision 2020, PRSP, and APRM just to mention a few cases where NSA engagement was strong.

Annex I – Programme

08:00-09:00	Registration, tea and coffee	LCN
09:00-09:15	Welcome and opening remarks	LGNSP
09:15-09:30	Introduction of participants, and discussion of expectations	LCN
09:30-11:00	<p>SESSION 1: What is the Cotonou Agreement and what does it mean for Lesotho</p> <p>Presentation by Dr. Jennifer Tangney</p> <p>PANEL DISCUSSION</p> <ul style="list-style-type: none"> • HE H. Duynhouwer- Head of Delegation (EU) • Ministry of Finance and Development Planning • Ntate Seabata Motsamai - Action Aid • Mr. Mojakisane Mathaha - SADC Secretariat 	<p>Details shall be provided on the Cotonou Agreement, its key elements and the space that it affords to NSA for engagement as part of the tripartite structure.</p> <p>Session Chair – Interim Task Team Member</p>
11:00-11:30	Tea and coffee break	
11:30-13:00	<p>SESSION 2: The Development Pillar to the Cotonou Agreement</p> <p>Presentations by:</p> <ul style="list-style-type: none"> • Dr Amaury Hoste (EUD) – The Development Pillar • Mr. Tlelima Phakisi (LGNSP)– Support to NSA in practice • World Vision presentation of practical experience in implementing under the EDF 	<p>A breakdown of the development component to the Cotonou Agreement in practice – looking at areas where NSA can engage, partner and participate. A specific focus will be on the European Development Fund (EDF) in Lesotho and the other EU funding mechanisms.</p>
13:00-14:00	LUNCH	
14:00-15:30	<p>SESSION 3: Donor coordination in Lesotho – how it happens and where can NSA engage?</p> <p>Presentations:</p> <ul style="list-style-type: none"> • Mr. Wolassa Kumo- African Development Bank - Harmonization and Aid Effectiveness • Ms Ahunna Eziakonwa-Onochie - UN Resident Representative - Development Partners Consultative Forum –NSA engagement? • Ministry of Finance and Development Planning – coordinating policy and aid flows 	<p>How is Lesotho coordinating donors’ work, how are donors working together? Where is the space for NSA voice and influence? How can NSA be more than service providers?</p> <p>Session Chair – Interim Task Team Member</p>

	– where do NSA fit as a partner, implementer, watchdog?	
15:30-15:45	Tea and coffee break	
15:45-16:15	SESSION 4: FACILITATED DISCUSSION: How to move ahead more effectively?	What can be done better, how can NSA most effectively engage and influence. Way forward for government, donors and NSA. Session Chair - Dr. Tangney
16:15-16:30	Summary and Closing	LCN

Annex 2 – List of Participants

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