



Factsheet

The NGO INSAKA

NGO Accountability and Self-regulation Project

Formation of the INSAKA Group

Civil society in Zambia has often been characterised by fragmentation, competition and weak cooperation. This has not helped to achieve their intended goals of promoting service delivery to vulnerable communities and advocacy for state reform processes. Realising this, a group of NGOs have formed a consortium called the NGO INSAKA, officially launched on 15 July 2008. The Good Governance Programme in its efforts to promote civil society organisations in their networking capacities has been cooperating with the INSAKA group since May 2009. The aim is to develop an NGO code of conduct (CoC) and a self-regulatory framework.

The INSAKA group comprises of mostly umbrella civil society organisation and specialised NGOs, among others Anti-Voter Apathy Project (AVAP), Caritas, Civil Society for Poverty Reduction (CSPR), Non Governmental Organisation Coordinating Council (NGOCC), Transparency International Zambia (TIZ), Women in Law and Development in Africa (Wildaf) and Zambia Council for Social Development (ZCSD).

Cooperation

The INSAKA consortium has established a lively internal cooperation. The group cooperates with international NGOs such as MS Zambia and with two regional umbrella NGOs, Southern Africa Development Community Congress of Non Governmental Organisation (SADC-CNGO) and the World Alliance for Citizens Participation (CIVICUS).

The NGO Act of 2009

The recently passed NGO Act of 2009 provides for new structures and rigid stipulations how NGOs are to be operating and will be regulated by government. Altogether, the Act infringes on the freedom of expression, association and assembly as guaranteed in the Zambian constitution through the bill of rights and international

human rights instruments that Zambia is a party. The Act, in fact, denies the vital role NGOs and CSOs contribute to national development.

The Accountability and Self-regulation Project

The NGO Accountability and Self-regulation Project is refining the draft Code of Conduct of December 2006 for a new CoC and a self-regulatory mechanism. This stands in the framework of the prevailing legislation which is the Societies Act, Companies Act, Trustee Act, Lands and Deeds Act and Adoption Act.

The NGO Accountability Project works on the base of values and standards of performance for which organisations can be held accountable. Consequently, NGOs that would subscribe to the forthcoming CoC will adhere to establish internal governance systems and structures such as vision, mission and mandate, constitution, decision making body, membership regulations, organisational structure, management and accounting structure and human resource development.

Systems and structures would not only be value based, but at the same time would demonstrate legitimacy to participate in, contribute to and monitor national governance reform such as the constitutional reform, electoral reform, Poverty Reduction Budget Support (PRBS), budget creating and implementation and legal reform. On a regional and international level, CSOs will further advocate and participate in initiatives such as the African Peer Review Mechanism (APRM) and the Economic Partnership Agreements with the European Union.

Phased Approach

The implementation of the NGO Accountability Project has been designed in three phases. The first phase included a baseline survey in different provinces providing information on the receptiveness of CSOs for such a self-regulatory mechanism. This phase reviewed efforts undertaken by CSOs in previous years to developing a



CoC and applying lessons learnt to promote a culture of accountability. In the second and third phases the code of conduct will be finalised and disseminated.

In view of the recent enactment of the NGO Act in 2009, the consortium has shown its adaptability to a changing environment. The NGO Accountability Project is implemented with a multi-tier approach.

How the INSAKA group works

The secretarial functions of the consortium were assumed by ZCSD. The organisation has been co-operating with government since May 1992 when it first organised the NGO Policy Development initiative, the result of this being the draft National Policy on NGOs alongside the draft NGO Bill of 1996. The 1996 bill was not tabled to parliament until 2007. This 2007 bill was withdrawn after intensive NGO intervention. The bill was reintroduced in June 2009 and finally became law on 26 August 2009. The NGO Accountability Project is a direct response to the NGO Act. The project aims to substitute the NGO legislation through a self-regulatory mechanism.

The INSAKA group is applying a participatory approach, which has allowed its members to develop a spirit of volunteerism upon which the sustainability of the project relies on. Various member organisations have been incorporating their comparative advantage and have used their expertise to volunteer on various sub-teams. For instance, FODEP and Wildaf have provided comprehensive legal guidance and analysis whenever this was needed, while the umbrella bodies such as ZCSD, NGOCC and CSPR have assisted in relaying information and views from their provincial teams.

The participatory approach is based on mutual respect. This has reduced the risk of biased decision making by larger and more influential NGOs. The INSAKA group has been transparent and bold enough to dialogue with other stakeholders in a frank but respectful manner.

Phase 1

Structured dialogue

The NGO INSAKA started through a one-day internal consultation meeting which:

- Reviewed previous efforts in developing a NGO self regulatory mechanism
- Initiated a process towards finalising the draft code of conduct aiming at being adopted by the INSAKA members

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- Embarked on countrywide dissemination of the draft CoC in order to promote a culture of accountability among CSOs and motivating as many CSOs as possible to subscribing to the code of conduct.

The baseline survey confirmed the strong interest of CSOs to be governed through a self-regulatory mechanism.

Steering structure

Five civil society organisations were tasked to guide the NGO Accountability Project. CSPR, NGOCC and ZCSD were selected to provide a platform for reporting, feedback and mobilisation to other organisations at national and sub-national level. Based on its professional and extensive work in promoting anti-corruption in Zambia, TIZ was further selected as being the lead facilitator for the code of conduct, besides Wildaf has been chosen to provide legal counselling to the consortium.

Phase 2

Focused group dialogue at provincial level

ZCSD has embarked on focused group meetings at sub-national level to popularise the proposed code of conduct and also to inform about the implications of the new NGO Act. The broad based dialogue has led to the formation and in some cases strengthening of upcoming NGO consortia at provincial and district level, among others a NGO forum in Western Province comprising of district fora in Mongu and Kaoma, Eastern Province with district fora in Chipata and Petauke, Southern Province with district fora in Choma and Monze and similar groupings in Luapula province in particular in Mansa and Mwense districts.

The formation of NGO fora at district level aims at engaging stakeholders from civil society and government. At national level, the INSAKA consortium has used an approach of continuously engaging Members of Parliament from the ruling and opposition parties in order to establish a constructive dialogue. Parallel to this higher degree of advocacy, grass root NGOs were briefed on the implications of the NGO act for their operations.

Phase 3

Completing the code of conduct

The consultations among larger umbrella CSOs and their outreach will deliver a structured approach for subscribing to the code of conduct. The CoC and the regulatory mechanism would later be endorsed by a national symposium of CSOs. The formal subscription to the code of conduct and the regulatory mechanism are expected to set a signal that CSOs are able to regulate themselves within given legislation. Consequently, proposals to either amend or even dissolve the new NGO Act are expected to be forwarded to government and the National Assembly.