

ALL AFRICA MINISTERIAL CONFERENCE ON DECENTRALIZATION  
AND LOCAL DEVELOPMENT (AMCOD)

CONFERENCE AFRICAINE DE LA DECENTRALISATION  
ET DU DEVELOPPEMENT LOCAL (CADDEL)



CONFERÊNCIA AFRICANA DA DESCENTRALIZAÇÃO  
E DO DESENVOLVIMENTO LOCAL (CADDEL)

المؤتمر الأفريقي حول اللامركزية والتنمية المحلية

# **BENCHMARKING THE ENVISAGED AFRICAN HIGH COUNCIL OF LOCAL AUTHORITIES**

**GIZ AMCOD/UCLGA SUPPORT PROGRAMME**

**February 2013**

**Dakar, Senegal**

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## OUTLINE

1. **PURPOSE**
2. **BACKGROUND**
3. **STATUS AND ROLE OF (ORGANISED) LOCAL GOVERNMENT AND LOCAL AUTHORITIES AT MULTIPLE LEVELS OF GOVERNANCE**
4. **KEY OBSERVATIONS**
5. **STRATEGIC RECOMMENDATIONS AND CONSIDERATIONS**



## PURPOSE

1. To **enrich the dialogue** on the envisaged the High Council of Local Authorities within the framework of the African Union (AU)
2. **Address the fundamental question:**

*“What should be the nature, status and role accorded to local government in the continental governance architecture of the African Union?”*

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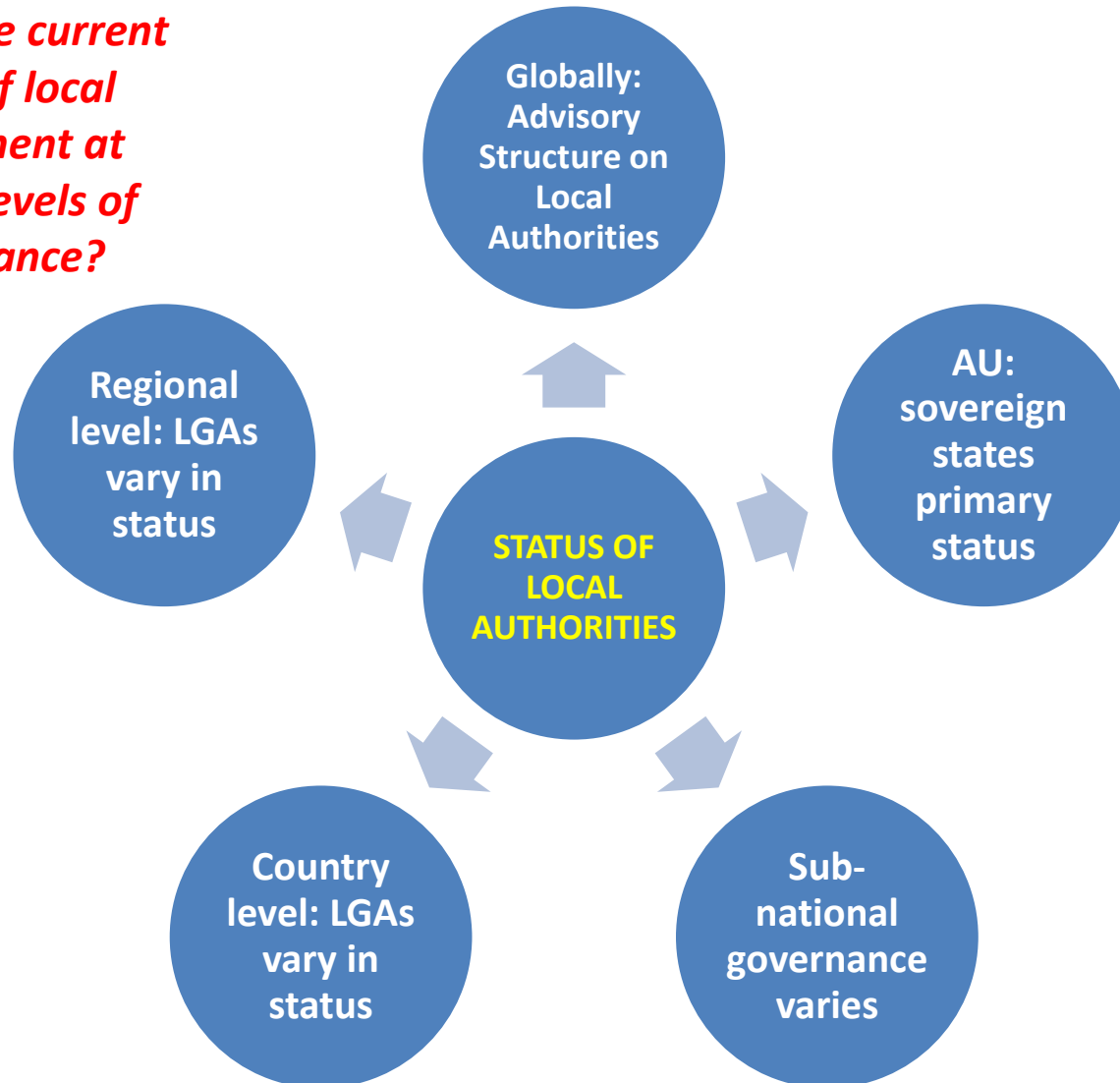
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## BACKGROUND AND PROBLEM STATEMENT

- 1. Local authorities** in Africa have **gradually evolved** over the last few decades:
  - From mere appendages and administrative outposts of central governments
  - To local self-governments, “free administrations”, devolved governments & local spheres of government in their own right.
- 2. Two key milestones** have been the establishment of:
  - ✓ AMCOD in 2000
  - ✓ UCLGA in 2005
- 3. Central challenge at Continental level:** unclear and uncertain status, position and role of local authorities and local government within the overall governance architecture of the African Union.



***What is the current  
status of local  
government at  
various levels of  
governance?***



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## ORIGIN OF THE IDEA OF THE HIGH COUNCIL OF LOCAL AUTHORITIES



2005, UCLGA

- President Obansajo of Nigerian mooted the idea



2012, 6<sup>th</sup> AfriCities Summit

- Declaration to establish the High Council
- AMCOD supports the proposal



2013, AU Assembly

- Mandates President Sall of Senegal and AUC to undertake further consultations
- Report to be submitted to 2014 AU Summit



## COUNTRY CASE STUDIES

### Mali

- High Council of Local Authorities (1982)
- Constitution obliges the central government to consult High Council
- Association of Malian Municipalities (AMM): strengthen local democracy

### Tanzania

- Association of Local Authorities in Tanzania (ALAT) (2002) voluntary organisation
- Established in terms of Societies Act
- Advocacy and collective bargaining role

### South Africa

- Organised Local Government Act (1997): provides for South African Local Government Association (SALGA)
- SALGA: advocacy and employer roles
- IGR Act (2003) creates structures for local government participation
- SALGA participates as non-voting entity in parliament

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## REGIONAL CASE STUDIES

West  
Africa

**WAEMU Council  
of Local  
Governments  
(2011)**

**Role:** consider all issues  
that are likely to have an  
impact on local  
government arising from  
WAEMU decisions

East  
Africa

**East African Local  
Government  
Forum (EALGF)  
(2012)**

**Role:** platform for closer  
regional cooperation and  
joint working to  
strengthen  
decentralisation .. and  
meeting the MDGs in the  
region





## EUROPEAN CASE STUDIES

### Congress of Local and Regional Authorities - Council of Europe (est 1957 / 1975)

- **Role:** represent 200 000 local and regional authorities from member states & be the watchdog of local and grassroots democracy in Europe
- **Two Chambers:** Chamber of Region & Chamber of Local Authorities
- Adopted European Charter of Local Self Government (1985 / 2007). 45 Member States ratified.

### Committee of Regions - European Union (est 1994)

- **Role:** advisory body representing & acting as the voice of local and regional authorities in the EU
- All EU institutions are *obliged* to consult in EU legislative processes
- **Structure:** Plenary and 6 Commissions

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## OBSERVATIONS FROM CASE STUDIES

### 1. Emerging Global Consensus on the Relevance of Local Government

e.g. *European Charter on Local Self Government* as early  
1985 / 2007

e.g. UNHABITAT adopted the *International Guidelines on  
Decentralization* in 2007

### 2. Diversity in the Nature of Institutional Platforms and Configurations Accommodating Local Government

e.g. *Advisory Forums* , *Organs of Ministers responsible for  
decentralisation*

e.g. *Country organised local authorities associations &  
trans-national local government formations*

### 3. Asymmetry in the Political and Legal Status Accorded to Institutional Platforms

e.g. *Advisory status, Corporate entities, Non-legislative  
and non-executive status*

e.g. *Consultative bodies, Civil society status, Right to  
Appeal to a Judicial Entity*



## OBSERVATIONS FROM CASE STUDIES

### 4. Predominance of Representative, Advisory and Support-Related of Roles and Functions

*Representative and Advocacy Role  
Advisory Role*

*Support Role:  
e.g. monitoring local democracy & managing Structural Funds*



### 5. Formalised Institutional Arrangements and Codified Modus Operandi

e.g. Global: UNACLA formalised within UN HABITAT  
e.g. Country: Mali – High Council of Local Authorities

e.g. Europe: Council of Local and Regional Authorities (CoE) &  
Congress of Regions (EU)  
e.g. African Regions: WAEMU Council of Local Government



## STRATEGIC RECOMMENDATIONS AND CONSIDERATIONS

- 1. Entrench and Strengthen the Policy Position and Role of Local Authorities and Local Governments within the Development Paradigm and Governance Architecture of the African Union**
  - E.g. *African Charter on Decentralisation, Local Development and Local Governance* can become the overarching policy instrument and foundation for local governance within the AU (i.e. normative pillar)
- 2. Establish an Inclusive, Democratic and Well-Resourced Advisory High Council of Local Authorities in Africa**
  - *Advisory Status*: Current global governance paradigm recognises sovereign states as the principal entities in multi-lateral affairs.
  - *Inclusivity*: High Council must be inclusive of all local authorities on the continent.
  - *Democratic*: Membership of the envisaged High Council must democratically elected and be representative of all local authorities on the continent.
  - *Well-Resourced*: High Council must have competent support staff & sufficient resources to ensure ownership and accountability in the discharge its duties



## STRATEGIC RECOMMENDATIONS AND CONSIDERATIONS

3. **Clearly Define the Envisaged Roles and Responsibilities of the High Council of Local Authorities**
  - *Advocacy Role:* Advocacy and lobbying should be central to the High Council. *Mandatory dialogue and consultation* should be provided for.
  - *Support Role:* High Council should be able to anticipate the implications of various AU decisions and proactively support local authorities in embracing the impact.

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***Envisaged High Council of Local Authorities must be grounded in the policy position that seeks to advance, deepen and protect the position and role of local government and local authorities in a progressive and democratic governance paradigm for Africa***

**MERCI  
THANK YOU!**