

**PUBLIC AND PRIVATE DIALOGUE ON REGIONAL
TRANSPORT AND COMMUNICATIONS POLICY:
WHERE CIVIL SOCIETY AND GOVERNMENT MEET
IN SOUTHERN AFRICA**

by

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INTRODUCTION

Until recently, centrally planned economies were the norm in Africa. The institutions, politics, practices and dialogue were reflective of this. Governments and affiliated institutions were the main players as far as dialogue was concerned to the exclusion of civil society particularly the private sector. The role of the latter was largely reactive rather than proactive or participatory.

The combined effects of deteriorating terms of trade, declining export receipts amid increasing economic and social demands, a mounting debt burden and economic mismanagement has led to a crisis of expectations by both the rulers and the ruled. The inevitable result has been political and economic re-adjustment and reform.

In tandem, the policies, institutions and practices are having to adapt and this has had an impact on the nature of dialogue. The era of multi-party democracy and good governance, free market economics and restructuring and privatisation, respect for human rights and economic empowerment is beginning to create an environment conducive to positive participatory dialogue.

PUBLIC AND PRIVATE DIALOGUE

The political/economic culture of the seventies and eighties in most countries of Africa including Southern Africa, did not encourage dialogue between the public and private sectors. In this case, "public" is defined to mean, government institutions and machinery, including the parastatal sector (State Owned Enterprises) while "private" is defined as the private sector, non-governmental and other civic organisations including individuals in their private capacities.

Most countries were One Party States and the government was synonymous with the political party. The private sector was frowned upon and looked at with suspicion. The State had monopoly on the political and economic front and therefore on the institutions, policies and even management practices. This included permitting or not permitting dialogue. It could be said that governments had monopoly over dialogue.

There were poor linkages between government and industry particularly the private sector and between government and the ordinary citizenry. Whatever dialogue existed was often one way in the form of policy pronouncements and directives. There was often no consultation in policy formulation and this tended to be embedded in secrecy. Neither were there mechanisms to encourage and promote policy debate. Constructive public and private dialogue was at most, not encouraged and at worst, non-existent.

WHERE CIVIL SOCIETY AND GOVERNMENT MEET

"Civil Society", where this is defined as the private sector, consumers, civic organisations, Non-Governmental Organisations, institutions of higher learning, the church, village organisations

and other interest groups rarely met the government. Actually they met, but this was normally to contend and not to engage in mutually beneficial consultative dialogue. There was often little input from these organisations in shaping national policies.

OBJECTIVES OF SADC

Southern Africa comprises eleven countries which belong to an economic grouping known as the **Southern African Development Community (SADC)**, an organisation that seeks to foster economic integration among the countries of: **Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe**. More recently, **Mauritius** has joined this economic grouping.

The SADC region has a land area of about 7 million square kilometres, a population of 130 million and a Gross National Product (GNP) totalling US\$ 147 billion. It is therefore, a sizeable economic market. However, this must be seen in the context of the fact that South Africa, the recent member of SADC, accounts for 80 percent of the GNP, 31 percent of the population and 18 percent of the land area.

Exploitation of this regional economic potential is inhibited by institutional, policy, operational and structural constraints. As an example, although the regional economy is largely trade oriented, only 10 percent of the total international trade is intra-regional. Trade with overseas countries is predominant. A major priority of SADC is therefore to increase trade in the region. Because the region is large and markets dispersed, the efficiency of transport and communications services is critical to the promotion of regional trade and to support regional economic integration generally.

It is in recognition of this fact that the first commission of SADC to be created was the **Southern Africa Transport and Communications Commission (SATCC)** based in Maputo, Mozambique. This must be seen in the context of the fact that at that time, most of the region's transport systems were unserviceable due to the wars of liberation and the countries were therefore particularly vulnerable to disruption of their international transport routes.

SATCC was therefore charged with the responsibility of co-ordinating regional policies, projects and programmes with a view to evolving an integrated and efficient regional transport system that would best support the objective of broader regional economic integration. Throughout the eighties, SATCC concentrated on a regional infrastructure approach to mobilising donor resources to upgrade and rehabilitate transport infrastructure and facilities. SATCC's role has now shifted towards harmonising policies and practices aimed at improving the efficiency and profitability of the transport and communications systems and attracting investment to these sectors.

SATCC co-ordinates the seven sub-sectors of: **railways, roads and road transport, ports and shipping, civil aviation, telecommunications, postal services and meteorology**.

POLICY FORMULATION AND IMPLEMENTATION PROCESS

The policy formulation and implementation role of SATCC is best understood in the context of the **Protocol Development Project** which also serves to illustrate the impact of dialogue in policy formulation. This project is funded by the **United States Agency for International Development (USAID)** under the global **Implementing Policy Change Project (IPC)**. SATCC is being assisted in managing this project by **Management Systems International** and **Abt Associates Inc.**

The goal of SADC is to develop policies aimed at the progressive elimination of obstacles to free movement of capital, labour, goods and services and peoples of the region generally. Towards this end, the **SADC Council of Ministers**, which is the highest policy organ of SADC reporting to the **SADC Summit (Heads of State and Government)**, directed Sector Co-ordinators to conclude protocols that would define priorities and modalities for co-operation in the specific sector. The aim is to ensure that such protocols which would be legally binding, lead to policies and programmes facilitative of investment, production and trade in the region and the overall goal of economic integration.

Protocols are being formulated in other sectors such as: trade and finance, water and natural resources, energy, manpower and human resources, security and other sectors of SADC co-operation. The protocols in transport and communications are therefore part of a larger whole.

CHALLENGES AND RISKS TO THE PROTOCOL PROCESS

The objective of the Protocol Development Project is to assist SATCC define protocols or legal agreements in the seven sub-sectors of transport and communications which should be signed by governments of the region by August 1996.

The conclusion of protocols should be viewed as a process rather than a project. There were a number of challenges and potential risks that had to be overcome before the process started and during the process itself.

Ownership: the first challenge was to get SATCC, the main direct client to buy into the process. SATCC had prepared its own proposal on how to achieve the aim of defining protocols. SATCC's view of the external assistance required was for funding and not expertise and management assistance as the perception was that this could be mobilised from the region. The first step was therefore to convince SATCC that external management support could and would make a difference.

This was achieved through the first planning meeting involving SATCC and IPC. The one day planning meeting reviewed the project in detail in terms of: the outputs to be achieved, the

strategy to be adopted, the stakeholders and how they were to be identified, the approach to the workshops, the roles of the major parties to the project and related considerations.

This first meeting helped SATCC to appreciate that there may be some merit in external support and that SATCC would be a major player in the process and not be marginalised. It also more importantly, helped to demonstrate to SATCC that the ownership of the process would remain with SATCC. Without the first meeting helping to provide a different perspective to the process and thereby gaining SATCC's confidence and alleviating their fears, there was a danger of alienating SATCC from the project and process and therefore receiving little support throughout the region for the whole process.

Strategy and Approach: the other challenge was to agree with SATCC on the strategy and approach to be adopted. In this context, the critical constraint was time. There was only an eleven month period from November 1994 to September 1995, to set up the project, carry out the consultative process, define the issues and formulate protocols across seven distinct but inter-related sub-sectors in eleven countries.

SATCC's initial proposal was to have seven regional workshops corresponding to each of the sub-sectors to be followed by national workshops. These workshops were to be held in different locations. The exchange of views from the first planning meeting resulted in consensus on having two instead of seven regional workshops therefore saving costs and time both for the project and for the stakeholders.

Concentrating the workshops and sub-sectors also resulted in inter-sectoral interaction of stakeholders and highlighting cross-sectoral issues. These considerations may not have been readily perceived by SATCC initially. Thus the planning meetings helped to devise a cost effective and productive approach to the protocol consultative process.

Stakeholder Participation: stakeholders from government and the parastatal sector had a tradition of meeting in the region through various SATCC fora. There was little involvement of other civil society organs particularly the private sector in these regional meetings. The challenge was twofold: how to identify the right private sector institutions and to get them to be interested in the process and to participate in it, but more importantly, to convince them that this was not just another "talking shop" but a process with a practical impact.

Even at the government level, there was the challenge of getting the right representation in terms of institutions and seniority of officials.

Effective stakeholder participation was achieved through marketing and communication. The first planning meeting produced a workplan that was not clouded with detail. The workplan provided in a few pages, a summary of the whole process, including workshops to be held and their timing, expected participation and expected outputs. This had the benefit of providing a succinct briefing document.

The next step was to market the process to stakeholders throughout the eleven countries. This was achieved by communicating the process to potential stakeholders and undertaking a face-to-face briefing in all the eleven countries, thus giving the opportunity for stakeholders to be clear about the process. The other measure taken was to identify key and influential private sector trade associations and use them as a conduit for selling the process to their members. Needless to state, all this required knowledge of, and contacts in, the region.

The Workshop Process: the regional workshops were large. The first regional workshop had about 150 participants. The questions were: how to get effective participation from such a large number of people, how to ensure that participants were free to articulate issues from their own understanding of the problems and possible solutions without being inhibited by country, institutional and other narrow considerations, how to bring out the issues and maintain focus on them and how to document them and provide feedback to the stakeholders.

The strategy adopted was that a number of technical resource persons from the region were identified to prepare and present discussion papers as a means of stimulating debate. This helped the stakeholders to identify with the issues and develop confidence that the process was not being imposed from outside.

In all, fourteen workshops were held involving more than a thousand participants. Two regional stakeholder workshops were held. One covered the sub-sectors of: railways, roads and road transport and ports and shipping, the other dealt with: civil aviation, telecommunications, postal services and meteorology. The sub-sectors were grouped according to their interrelatedness and to optimize stakeholder participation.

Issues identified at regional level were subject to further debate at national level. Eleven national stakeholder workshops were held in each of the eleven countries. The aim was to broaden the stakeholder consultative process but also to start to obtain an indication of national positions and interests on the issues.

It was made clear to the participants at both the regional and national workshops that they were participating in the workshops in their individual professional capacities and not as representatives of institutions. In a region where there is a tradition of dialogue being led by superiors and where differing views may be perceived as dissent, this freed participants to express themselves and was further reinforced by ensuring that the sitting arrangements in the workshop were random.

The actual debates and issue identification were helped by: the "IPC facilitation process" which was new to the region, the combination of plenary and smaller syndicate group discussions which ensured that everyone had the opportunity to participate and the immediate feedback. The fact that debates were recorded and feedback given to the participants helped them to build confidence in the process. The participants also left the workshops with a clear understanding of what had been achieved.

It was only during the last regional omnibus workshop which was the culmination of the consultative process that official national positions were sought based on the consensus from the regional and national workshops.

The foregoing may seem minor considerations but they were significant in making the protocol process, the success that it is perceived to have been.

Co-ordination and Logistics: the co-ordination and logistics challenges and risks faced should be seen in the context of the number of workshops held and the number and diversity of participants involved against a serious time constraint and communication and travel difficulties in the region.

Most of these challenges and risks were overcome as a result of active dialogue on a number of fronts. The first involved the Project Core Team and in this respect, there was regular liaison between the Field Office in Maputo and Washington and Cambridge. The other was keeping all major players, including stakeholders, informed of the process: what was happening and what to expect. From the onset, a deliberate effort was made to ensure that SATCC, through the Director of the SATCC-TU and Sector experts were involved in the process so as build ownership and mutual trust.

OUTCOME OF THE PROTOCOL PROCESS

Feedback obtained from workshop evaluations, discussions and from SATCC as the main client, indicates that the protocol process was considered a major success. In more specific terms, this was brought out by the following;

Fostering Dialogue: although in the past, there had been some attempt to involve institutions other than those from government and the public sector in SATCC meetings, the protocol process through the workshops, enabled a cross section of stakeholders not only to participate in the workshops, but to contribute more directly in the formulation of regional policies. The private sector particularly welcomed the initiative.

Common Understanding: the workshops, which in all involved over a thousand participants in the eleven countries, helped to build a common understanding of the issues, constraints and possible solutions across the seven sub-sectors, sensitivities and expectations of various countries/parties, potentially contentious issues and more importantly, a common commitment to the whole process. The workshop process adopted helped to bring clarity to the issues and was a new approach to policy formulation in the region.

Effective Participation: the seriousness of the dialogue and the priority accorded to the protocol process was reflected by the seniority and diversity of representation. Institutions represented at the workshops included: government ministries and departments, trade associations such as

road transport operators, clearing and forwarding agents, financial institutions, providers of transport and communications services, consumer groups, and other interested parties.

Issues and Agreement: the final result was definition of issues and protocols across the seven sub-sectors. Actually, it was more than that as the protocol process apart from identifying issues and building consensus was also inherently a negotiating process on a number of fronts: amongst governments, between governments and groups in civil society particularly the private sector, within the individual country and across the region, between interest groups in one country and those in another, within a sub-sector and across sub-sectors. It was therefore a complex maze of interactive dialogue.

For example, countries (and not just governments) agreed that a regional road transport policy should be adopted by August 1996, and that a regional telecommunications co-ordinating body should be established by January 1998. Another was that enabling legislation should be passed to facilitate airline integration by July 1997 and that an enabling environment for operation of seamless, integrated railway operations should be put in place by June 1997. Agreement was also reached on complex issues such as, uniform axle loading limits for truckers, harmonised road user charges and a common regional driver's licence.

Because stakeholders were involved in reaching agreement on these specific objectives, they are aware of the complexities associated with these tasks and therefore better able to appreciate and assist with the implementation process because they are better informed.

Common Regional Vision: apart from reaching a common understanding of the constraints inhibiting the efficient operation of the region's transport and communications systems and identifying possible solutions, the process also helped to build a common vision of the potential of these sectors to stimulate regional trade and economic development generally. For example, railways of the region have a common gauge. Provided current constraints are overcome, it is possible to run a through train from Lobito in Angola on the Atlantic ocean to Dar-es-Salaam and Beira on the Indian ocean or to run a train from Cape Town to Dar-es-Salaam. This common vision is important as a rallying point.

Demonstration Effect: civil society has not effectively participated in dialogue also because it has not been sufficiently organised to engage in effective dialogue. As an example, it is only during the last few years that private road hauliers in the region got together to form a regional association. As a result, they are now able to negotiate with governments with one voice and exert effective pressure for policy dialogue.

This has also helped them as operators to overcome their own difficulties and have their own forum for dialogue and negotiations. The contribution of the road hauliers in the workshops was perhaps more effective than others because they were grouped into a trade association and were therefore clearer as to what they wanted.

The impact of this was that there was a demonstration effect by other interest groups wishing to do the same. During the Harare workshop, road transport passenger operators involved in cross-border operations came together to explore the possibility of launching a regional association. During the Lusaka workshop, clearing and forwarding agents had the first inaugural meeting of a proposed regional association. These associations would perhaps have been formed subsequently, but there is no doubt that a combination of the demonstration effects from the road hauliers, the workshop process environment, the articulation of the issues and the facilitation from the project team, all combined to bring this about.

LESSONS LEARNED

A number of lessons were learned from the process. Among the major ones are:

1. **The Value of Strategic Planning:** a number of potentially contentious issues particularly related to the strategy and approach were resolved at the first planning meeting involving SATCC and IPC. The meeting also helped to reach a common understanding of the process, targets, and the specifics of what was to be done for the duration of the project. This way, there were no surprises and all parties felt part of the process.
2. **The Value of Involving the Client:** it is important that the process is not done for its own sake but reflects the perceptions and needs of the client in this case, SATCC, representing the governments of the region. Without engaging SATCC in dialogue and the planning process from the onset, there are indications that communication problems with an adverse impact on the whole process could have arisen. There is little point in a successful process if the intended beneficiaries or the client does not identify with it.
3. **Value of Marketing and Communication:** engaging the stakeholders from the onset was important to gain their interest and commitment to the process. It also ensured that all concerned had a common comprehensive reference document and therefore knew what to expect. Constant communication continued through out the process and this helped to sustain the interest as well as ensure that the process was current in the minds of all concerned.
4. **Value of Mutual Dialogue:** once the public and private sectors were brought together through the workshops, it became evident that their interests were not as divergent as earlier perceived. Thus the workshops helped to break the monopoly of governments in dialogue and demonstrated the value of mutual dialogue and co-operation in finding solutions to common problems. It also helped to undo suspicions which are re-inforced by absence of contact and dialogue.

The interactive process and dialogue also helped to break down barriers and create mutual trust not only between governments and the private sector, but also; amongst governments themselves; amongst private sector interest groups; sub-regional

organisations such as SATCC and donor agencies on the one hand and with international consulting companies such as MSI and Abt on the other. It also helped to break barriers and create mutual trust and confidence between regional and international professional staff.

5. **Management Autonomy and Flexibility:** for a complex project such as the protocols, management autonomy for the executing team in the field is essential otherwise, there is a danger of spending too much time and effort on bureaucratic requirements with little real relevance to realising project outputs.

For example, during the formative stages of the protocol process, there was some discussion on whether or not the Co-ordinator should communicate directly with governments and other stakeholders or should do so through the Director of SATCC. Such issues which may appear minor, can have a far reaching impact on the efficiency of project delivery. What is important is to reach agreement on reporting and monitoring arrangements which foster productivity without compromising accountability and which give all concerned, a reasonable level of comfort.

6. **The Value of Team Work:** The protocol process would not have the success it has been deemed to be without team work. Constant dialogue and communication ensured that constraints were resolved before they turned into crises. The Field Team received effective logistical and administrative backing from Washington and Cambridge as well as from the USAID office in Maputo and from SATCC.

THE FINAL RESULT

In a complex project such as the protocols with a multiplicity of interested parties, there are often varying expectations and this can lead to undue judgement on a project or process if they are not realised.

For SATCC, the test of the success of the protocol process is to have the protocols signed by August 1996. For this to happen, the results of the consultative process have to be translated into legal protocols which have to be negotiated amongst countries and signed. Further support is required for this.

On the other hand, the business community is often impatient with government bureaucratic processes. As far as the community is concerned, there has been too much dialogue by governments without real results. Now that the business community has been consulted and given its input, it feels implementation should commence.

For example varying rules and regulations on axle load controls and loading limits in the region are frustrating the smooth and efficient operation of the road transport industry including its profitability. Road hauliers want a harmonized system to be put in place immediately.

Yet to put in place a viable system requires review and harmonisation of institutional structures, policies, the legal framework and rules and regulations through out the region.

Governments would also like to see the the transport and communications systems operating efficiently and imposing fewer demands on their treasuries for subsidies. The consumer wants improved quality of service and better value for money. All see the protocol process as a means of achieving their perceived final results.

There is a compelling need to translate the success of the consultative process into practical implementable measures with a demonstratable positive impact in the short term, otherwise, expectations become frustrated. Only in this way will public and private dialogue and the meeting of civil society and government which IPC has initiated in the region become relevant and practical to the benefit of all concerned.

CONCLUSION

The protocol process has had a far reaching impact on stakeholders in transport and communications in Southern Africa and has demonstrated the value of a strategically managed process of policy dialogue. However, to be meaningful, such dialogue must become a way of doing things so that it is sustainable. For this to happen, the institutional capacity for dialogue needs to be created and strengthened. This means that direct linkages must be forged between the public and private sectors and between government and civil society.

- The example of the Federation of Regional Road Freight Associations (FRRRA) during the protocol process demonstrated that if civil society is organised, it can have a louder voice and make an impact in influencing policy change. Before the FRRRA was formed, truckers spent their time and energies fighting amongst themselves and not collectively lobbying their governments for change that would create a more conducive operating environment. This has now changed and the protocol process reinforced the value of organised dialogue. The region needs support so that other interest groups can be brought together in trade associations or other civil society groupings.

For example, as a means of fostering continued dialogue on the protocols at country level, a ministerial decision has been made at the recommendation of the project, that each country set up a **Protocol Consultative Committee (PCC)**. The PCC in each country should be composed of a representative cross-section of various interest groups involved in the protocol process. The PCCs are intended to provide a sustainable forum for multi-disciplinary dialogue on the protocols until signature in August 1996 but could be retained as pressure groups to ensure that governments are implementing agreed measures. However, these groups will need strategic management support to be able to perform effectively.

Policy dialogue has been initiated in Southern Africa, but longer term support is required if the process is to be sustainable.