

IMSSA FINAL REPORT TO USAID

GRANT NO 674-0301-G-SS-4113-00

GRANT PERIOD 1 OCTOBER 1996-31 MAY 1999

1 INTRODUCTION This is IMSSA's final report to the USAID in respect of Grant 674-0301-G-SS-4113-00 covering the period 6 September 1994 to 31 May 1999. During the period under review, IMSSA engaged in various activities concerning the South African Outreach and Leadership Development Project. The discussion that follows will illustrate this point.

2 Objective of Grant

IMSSA's programme objective was to contribute to the achievement of USAID strategic objective SO1 "Democratic institutions strengthened through civil society participation" and Intermediate Result 1.3 "Strengthened capacity to prevent, manage and resolve democracy-threatening conflicts", and specifically to Sub-Intermediate Results 1.3.1 (strengthened conflict management institutions) and 1.3.2 (increased community involvement / engagement in the conflict management process).

2.1 Performance under Grant**2.1.1 Intermediate Result 1.3****"Capacity to prevent, manage and resolve democracy-threatening conflicts strengthened"**

IMSSA has since its inception developed expertise in a wide range of Appropriate Dispute Resolution (ADR) mechanisms ranging from mediations, arbitrations, facilitations, relationship building initiatives and commissions of inquiry both in the labour and community spheres. IMSSA has also conducted training in industrial and community dispute resolution. During the grant period, IMSSA's interventions in ADR increased steadily in number and complexity. Recently, IMSSA has been doing more than simple fire-fighting interventions but also assisting parties build their own conflict management capacity so that they would rely more and more on themselves in addressing internal conflict. Because of IMSSA's extensive expertise however, the parties continue to enlist IMSSA's intervention in serious and complicated cases.

Through out the grant period, IMSSA also interacted and interfaced with various government and non-government organisations to help inculcate the value of seeking non-violent resolution of conflict. In the labour arena for example, there has been a marked decline in the number of days lost in strike action as both management and labour explore alternative means of resolving differences.

IMSSA also played an important role in the establishment of the CCMA. The initial commissioners for the CCMA were all trained by IMSSA and IMSSA also helped when the CCMA had a backlog of cases. During the funding period too, IMSSA has cooperated with several government departments such as Justice, Labour, Education and Land in various conflict management areas.

IMSSA has during the grant period made strides in the achievement of Intermediate Result 1.3. In November 1998, thanks to the cooperation of and generous donations from USAID, UNHCR, the Standard Bank, the Embassy of Finland and CCR, IMSSA successfully

hosted the African Mediation Seminar. This was a three day long event held from November 3- 5 and it brought together 43 participants comprising scholars, practitioners and government representatives. The primary aim of the seminar was to stimulate thinking and generate ideas about 'best practice' in mediation. The keynote address for the seminar was by DR Laurie Nathan of CCR followed by presentation of case studies from throughout Africa by various speakers. At the end of the seminar, a small task group, that would among other things, coordinate the sharing of information and resources was put together.

In accordance with achieving the same objective, IMSSA has since 1995 to date been managing the National Land Reform Mediation and Arbitration Panel (NLRMAP). The first contract in 1995 was entered into between the Royal Netherlands Embassy, Department of Land Affairs and IMSSA, while the second, which is a two - year contract, involves just the Department of Land Affairs. The NLRMAP aims to provide immediate dispute prevention and resolution capacity in land related conflicts which promotes consensus-seeking approaches, facilitates fair and informed community participation and decision- making. During the grant period, this project had conducted training workshops for panellists, DLA Restitution Training, Training on the Labour Tenant Act, Dispute Screening and Matching Training for Land Claims Court judges and for Development Facilitation Act Tribunal Chairpersons and officials. The NLRMAP arbitrators/mediators are appointed from IMSSA panellists while others are drawn from a number of independent dispute resolution agencies.

Through the Project Management Unit (PMU), IMSSA has also during the grant period sought to further the attainment of objective of Intermediate Result 1.3. Through grants offered by this project, local government structures in various provinces were assisted to reduce and in some cases, remove altogether causes for conflicts between traditional leaders and democratically elected civic leaders. This was done through assisting these parties develop dispute resolution mechanisms and systems that combine western and traditional forms of addressing conflicts namely, the Integrated Dispute Resolution System (IDRS). The IDRS has been initiated in the following provinces, Mpumalanga, Free State, Northwest Province, Northern Province and Northern Cape.

In an effort to realise Intermediate Result 1.3 IMSSA also collaborates with other organisations who are engaged in efforts aimed at the prevention and management of conflict elsewhere. Through the Mozambican Internship Programme, IMSSA assisted LINK, an NGO coalition in Mozambique, to train Mozambican interns in conflict resolution. Since the beginning of this cooperation, IMSSA has trained a total of 10 interns (3 in 1997, 3 in 1998 and 4 in 1999) and these have gone on to practice in different fields of ADR in their country. This is a meaningful albeit small contribution that IMSSA has injected in the attainment of this objective. The most gratifying result of the cooperation between IMSSA and LINK is the establishment of ORAC, which could be regarded as IMSSA's equivalent in Mozambique. As stated in an earlier report, two officials in LINK are former interns, an indication of the success of the internship programme.

IMSSA has been involved in a number of labour and community processes during the funding period. By the end of May 1999, IMSSA had conducted a total of 3367 labour arbitrations, 482 in 1999 (between Jan and May), 1152 in 1998, 876 in 1997 and 857 in 1996. This is an increase of 25% from the inception of the programme. The major issues of intervention included wages and conditions of employment, unfair dismissals and other issues.

Up to May 1999, IMSSA had conducted a total of 1862 labour mediations and facilitation processes, (627 in 1996, 411 in 1997, 599 in 1998 and 225 by May 1999). This is an increase of 34% since the inception of the programme. The most prevalent interventions

were in these sectors Health and Education followed by Transport and then Food and Beverage Sector The dominant issues being wages and conditions of employment

2 1 Sub – Intermediate Result

1 3 1 “Strengthened conflict management institutions”

IMSSA’s sustainability strategy adopted in 1996 has progressed very well and the labour interventions are now wholly self- sufficient Presently, only community interventions are being subsidised This unfortunately, will continue to be the case as communities are unable to raise the required funds for processes Through the assistance that we have been getting from benevolent donors like the USAID and others, we have been able to help the needy communities

IMSSA’s dedication to staff development has seen a number of staff going through a variety of in-house and external courses during the funding period The most exciting was the Diversity Management Training for staff and panellists and the introduction of the HAY Performance Grading System Presently, the Human Resource Manager is meeting staff to outline how the new HAY System would work There will be a dry run of the process beginning in June/ July this year The Diversity Management Training was conducted by one of the IMSSA directors assisted by a consultant from the Wits Business School Through the Staff Development, IMSSA continues to help staff who are studying through other institutions During the period under review IMSSA also ran 36 panellists training sessions in different skills including, arbitration, mediation and Diversity Management

IMSSA also worked towards achieving Sub Intermediate Result 1 3 1 by conducting workshops to train staff/ panellists in discrimination – related conflict resolution Three AIDS workshops were conducted in all four regional offices involving both members of staff and panellists The Black Lawyers Training Programme has got up to the third phase To date, there have been three groups comprising 106 participants who have come aboard Unfortunately, because of unforeseen problems the training has dragged on much longer than the anticipated period Presently, we are reorganising the last phase and hope to put the participants through the last phase of their training soon

A major step in the field of Information Technology was the installation of the IMSSA website providing for reviews of the organisation’s services Staff at Head Office have been able to access information directly by surfing the net and this has had a tremendous impact on productivity and morale Progress in getting the regional offices to access the Internet has been rather slow because of high costs Still, IMSSA will continue to look out for affordable alternatives Regarding access to e - mail, only staff in the Kwa Zulu Natal region are not yet connected A new data base system is being installed and operations should begin in September thus giving the regions access to the full system at Head Office via remote access

2 2 Sub – Intermediate Result 1 3 2

“Increased community engagement in the conflict management process”

During the funding period IMSSA conducted numerous community interventions and ran various training events in order to contribute towards Sub – Intermediate Result 1 3 2 The following were some of the noteworthy interventions conducted during the period under review

- Northern Cape School Governance Training Fifteen training courses were conducted for School Governing Bodies and Government officials in the Northern Cape These training course include training in Negotiation and Conflict Management, Facilitation and Dispute Resolution, Effective Dispute Management, Arbitration Skills Training, Labour Relations Act to mention just a few
- In 1998, IMSSA mediated between the Swaziland Public Service Trade Unions and Government
- In 1998, IMSSA conducted Relationship Building Initiatives for Debswana Diamond Mining and Botswana Ash Mining Companies
- IMSSA conducted a Dispute Resolution Skills Training for NGO's and representatives of two political parties in Ethiopia
- In February 1999, IMSSA mediated between the Teacher's Trade Union and Government and was also asked by the United Nations Office for Projects services to facilitate several workshops in Swaziland
- In February 1999, IMSSA formed part of the OAU delegation that was invited to observe the Nigerian elections

During the period under review IMSSA was also involved in a number of interventions in the labour field, notably

- The wage dispute between the SABC and labour on March 19, 1999
- IMSSA chaired a disciplinary hearing against 32 SA Revenue Service members who were involved in an illegal strike earlier in the year at the Beit Bridge border gates The hearing is continuing
- In Witbank, IMSSA is chairing disciplinary hearings for SAMANCOR Ferrrometals The dispute is between management and different unions operating on the mine The process is ongoing
- IMSSA arbitrated in a collective dismissal dispute between the President Steyn Mine and NUM The dismissal was upheld

Success Stories

Since the last report, IMSSA has been involved in the following ongoing noteworthy events

- Fine Town Fact- Finding Commission The process was commissioned by the MEC for Safety and Security of Gauteng The case involved the killing of people in the area and four of IMSSA's panellists have been appointed commissioners An interim report outlining the budget has been submitted to the ministry
- Premier Group and Drieziek Community Mediation This housing dispute relates to non-payment of bonds, deposits, title deeds, unfinished buildings as well as defective buildings One meeting has been held with the parties and the process is continuing
- Johannesburg (Community Policing Forum) Area Board The Ministry of Safety and Security requested IMSSA to mediate a racial dispute between the different CPF's in the Johannesburg area The facilitation process involved CPF's located in the white areas of Sandton and Rosebank and those in black areas such as Alexander and Hilbrow/ Yoeville
- IMSSA was also asked to facilitate a Strategic Planning Workshop for the Independent Complaints Directorate in the Eastern Cape
- United Nations Office for Projects Services (UNOPS) On February 25-6 February 1999, IMSSA facilitated a workshop on Capacity Strengthening for Good Governance Design and Conflict Resolution in Swaziland at the request of UNOPS The participants included a wide range of stakeholders including, public servants, educators, business, labour and non-governmental organisations

- IMSSA conducted Community Mediator Training for the Department of Water Affairs and Forestry officials in April 1999
- In May 1999, IMSSA facilitated a Conflict Management Skills Programme (CMSP) for members of the Centre for the Study of Violence
- In May 1999, IMSSA facilitated a report back meeting for the Gauteng Self Employed Women Association and the Gauteng Self Employed Women Union (GASEWU) This event involved 400 participants

Conclusion As this is the final report to USAID, IMSSA wishes to take this opportunity to express our sincere thanks for their unwavering and steadfast support through out the funding years. During this partnership, we learnt many lessons and gained experience that we hope would be invaluable for us to continue our work.

**IMSSA
JULY 1999**

ATTACHMENT 8

| | | | |
|---|--|--------------------|---|
| NAME OF GRANTEE | <u>IMSSA</u> | REPORT DATE | <u>30 May 1999</u> [Period ending Mar 31 or Sept 30] |
| AGREEMENT NO | <u>674-0301-G-SS-4113-00</u> | | |
| AGREEMENT APPROVED [Date of original grant or contract] | <u>06/09/1994</u> [DD/MM/YYYY] | TARGETS | <u>Cumulative</u> [Annual or Cumulative] |
| GRANT COMPLETION DATE | <u>30/09/1997 (extension proposed to 30/05/1999)</u> | | |

| |
|--|
| STRATEGIC OBJECTIVE SO1 [DEMOCRATIC INSTITUTIONS STRENGTHENED THROUGH CIVIL SOCIETY PARTICIPATION] |
| RESULT NAME IR 1 3 [STRENGTHENED CAPACITY TO PREVENT MANAGE AND RESOLVE DEMOCRACY THREATENING CONFLICTS] |
| INDICATOR 3 [Number of functioning mediation structures at provincial and local level] |

| UNIT OF MEASURE Numbers of structures and systems established | YEAR¹ | PLANNED² | ACTUAL³ |
|---|-------------------------|----------------------------|---------------------------|
| SOURCE Grantee records and reports | 1996 "B" | 0 | 0 |
| INDICATOR DESCRIPTION Includes both formal and informal dispute resolution structures and systems | 1997 | 30 | 25 |
| COMMENTS Grantee Comment IMSSA is engaged in "dispute systems design" with a wide range of organisations, generally resulting in a dispute system being "written in" to a wider agreement or formal document or memorandum of understanding | 1998 | 35 | 45 |
| | 1999 (March) | 35 | 48 |
| | 1999 (May) | 35 | 50 |

| | |
|---|--|
| Negotiator for USAID Responsible Party for Grantee Date Attachment 8 negotiations completed | RLynch & NMasihleho Mark Turpin 22/07/99 |
|---|--|

1 Initial year is baseline information Please indicate baseline year with a "B"
 2 Negotiated between USAID and Grantee / Contractor [Annual or cumulative]
 3 Provided by Grantee / Contractor [Annual or cumulative]

ATTACHMENT 8
PART 1

| | | | |
|---|--|--------------------|---|
| NAME OF GRANTEE | <u>IMSSA</u> | REPORT DATE | <u>30 May 1999</u> [Period ending Mar 31 or Sept 30] |
| AGREEMENT NO | <u>674-0301-G-SS-4113-00</u> | | |
| AGREEMENT APPROVED [Date of original grant or contract] | <u>06/09/1994</u> [DD/MM/YYYY] | TARGETS | <u>Cumulative</u> [Annual or Cumulative] |
| GRANT COMPLETION DATE | <u>30/09/1997 (extension proposed to 30/05/1999)</u> | | |

| |
|---|
| STRATEGIC OBJECTIVE SO1 [DEMOCRATIC INSTITUTIONS STRENGTHENED THROUGH CIVIL SOCIETY PARTICIPATION] |
| RESULT NAME IR 1 3 [STRENGTHENED CAPACITY TO PREVENT, MANAGE AND RESOLVE DEMOCRACY THREATENING CONFLICTS] |
| INDICATOR 2 [Number of people trained and involved in conflict mediation and management] |

| UNIT OF MEASURE Numbers of people | YEAR¹ | PLANNED² | ACTUAL³ |
|---|-------------------------|----------------------------|---------------------------|
| SOURCE Grantee records and reports, especially IMSSA monthly statistics | 1994 "B" | 160 | 174 |
| | 1995 | 176 | 173 |
| | 1996 | 194 | 277 |
| | 1997 | 2000 | 3480 |
| | 1998 | 2500 | 2550 |
| INDICATOR DESCRIPTION Data collected systematically through IMSSA research department | 1999 (March) | 3000 | 3015 |
| | 1999 (May) | 3000 | 3375 |
| COMMENTS * Note indicator has been modified to reflect numbers both "trained" and "involved" as of FY 97 Grantee Comment IMSSA training course targets continue to be met A wide variety of organisations receive training IMSSA needs to align its training courses with the proposed National Qualifications Framework | | | |

| | |
|---|--|
| Negotiator for USAID Responsible Party for Grantee Date Attachment 8 negotiations completed | RLynch & Nmasihleho Mark Turpin 22/07/99 |
|---|--|

1 Initial year is baseline information Please indicate baseline year with a "B"
2 Negotiated between USAID and Grantee / Contractor [Annual or cumulative]
3 Provided by Grantee / Contractor [Annual or cumulative]

ATTACHMENT 8

NAME OF GRANTEE IMSSA **REPORT DATE** 30 May 1999
 [Date of original grant or contract] [DD/MM/YYYY] [Period ending Mar 31 or Sept 30]

AGREEMENT NO 674-0301-G-SS-4113-00

AGREEMENT APPROVED 06/09/1994 **TARGETS** Cumulative
 [Date of original grant or contract] [DD/MM/YYYY] [Annual or Cumulative]

GRANT COMPLETION DATE 30/09/1997 (extension proposed to 30/05/1999)

| |
|---|
| STRATEGIC OBJECTIVE SO1 [DEMOCRATIC INSTITUTIONS STRENGTHENED THROUGH CIVIL SOCIETY PARTICIPATION] |
| RESULT NAME IR 1.3 [STRENGTHENED CAPACITY TO PREVENT, MANAGE AND RESOLVE DEMOCRACY THREATENING CONFLICTS] |
| INDICATOR 3 [Number of community members trained in conflict mediation skills] |

| UNIT OF MEASURE Numbers of trainees | YEAR ¹ | PLANNED ² | ACTUAL ³ |
|--|-------------------|----------------------|---------------------|
| SOURCE Grantee records and reports, especially monthly statistics | 1994 "B" | 0 | 750 |
| INDICATOR DESCRIPTION Figures relate to numbers of individuals trained on courses through IMSSA's Community Conflict Resolution training programme | 1995 | | 900 |
| COMMENTS Grantee Comment: Training is provided on demand to community organisations. Marketing is minimal – most requests for training arise from other IMSSA interventions. | 1996 | | 1106 |
| | 1997 | 1680 | 2265 |
| | 1998 | 204 0 | 765 |
| | 1999 (March) | 204 0 | 1110 |
| | 1999 (May) | 204 0 | 1470 |

| | |
|--|--|
| Negotiator for USAID responsible Party for Grantee Date Attachment 8 negotiations completed | RLynch & NMasihleho Mark Turpin 22/07/99 |
|--|--|

¹ Initial year is baseline information. Please indicate baseline year with a "B"
² Negotiated between USAID and Grantee / Contractor [Annual or cumulative]
³ Provided by Grantee / Contractor [Annual or cumulative]

ATTACHMENT 8

| | | | |
|---|---|--------------------|---|
| NAME OF GRANTEE | <u>IMSSA</u> | REPORT DATE | <u>30 May 1999</u> [Period ending Mar 31 or Sept 30] |
| AGREEMENT NO | <u>674-0301-G-SS-4113-00</u> | | |
| AGREEMENT APPROVED [Date of original grant or contract] | <u>06/09/1994</u> [DD/MM/YYYY] | TARGETS | <u>Cumulative</u> [Annual or Cumulative] |
| GRANT COMPLETION DATE | <u>30/09/1997 (extension proposed to 30 /05/1999)</u> | | |

STRATEGIC OBJECTIVE
SO1 DEMOCRATIC INSTITUTIONS STRENGTHENED THROUGH CIVIL SOCIETY PARTICIPATION]

RESULT NAME
IR 1 3 STRENGTHENED CAPACITY TO PREVENT, MANAGE AND RESOLVE DEMOCRACY THREATENING CONFLICTS
SUB IR 1 3 1 Strengthened conflict management institutions impacting on national, provincial local and community issues

INDICATOR
1 Number of institutions provided with technical assistance and support at national, provincial local and community level

| UNIT OF MEASURE Numbers of organisations and institutions assisted | YEAR¹ | PLANNED² | ACTUAL³ |
|---|-------------------------|----------------------------|---------------------------|
| SOURCE Grantee records and reports | 1996 B" | 500 | 554 |
| INDICATOR DESCRIPTION Organisations assisted in many different ways, through facilitation training, relationship-building accounting disclosure systems etc | 1997 | 800 | 500 |
| COMMENTS | 1998 | 800 | 464 |
| | 1999 (March) | 800 | 613 |
| | 1999 (May) | 800 | 688 |

| | |
|---|--|
| Negotiator for USAID Responsible Party for Grantee Date Attachment 8 negotiations completed | RLynch & Nmasihleho Mark Turpin 22/07/99 |
|---|--|

¹ Initial year is baseline information Please indicate baseline year with a "B"
² Negotiated between USAID and Grantee / Contractor [Annual or cumulative]
³ Provided by Grantee / Contractor [Annual or cumulative]