

BRIEF REPORT ON THE 7:30 BREAKFAST DEBATE – JULY 25TH 2008

TRANSPARENCY & ACCOUNTABILITY WITHIN CIVIL SOCIETY: AN OPPORTUNITY FOR SELF-REFLECTION.

Civil society in Tanzania has emerged as a serious political actor in the country's processes of governance and development and with it, so has the call for NGO accountability. This so-called 'third sector', now finds itself faced with concerns over its legitimacy, effectiveness, and reliability. These concerns, coupled with questions about the 'check and balances' on NGO activity, have come at a time when the number of civil society organizations continue to grow and money from donors continues to flow. Are there sufficiently rigorous mechanisms to ensure transparency accountability within civil society in Tanzania?

Policy Forum and HakiElimu dedicated July's debate to the issue of transparency and accountability within civil society. The speakers were Godfrey Tweve of Non-governmental Organization (NACONGO) who presented on the National NGO Code of Ethics and Bubelwa Kaiza of the Concern for Development Initiatives in Africa (ForDIA) who presented on the Applicability of the NGO Code of Ethics in the Real World. The Discussant was John Mkubi from the Ministry of Community Development Gender and Children, Mr. Semkae Kilonzo facilitated the debate.

The first presentation was done by Mr. Tweve who started by giving an outline of the background, purpose and core values of the code of ethics. The NGO Act no 24 of 2002 provides for the establishment of an umbrella organisation for Non-Government Organizations like the National Council of NGOs (NACONGO) whose purpose is to co-ordinate Non-Governmental Organisations operating in Mainland Tanzania. The Act under section 27 provides the NGOs Council with the responsibility to develop a code of conduct and such other regulations which shall facilitate self-regulation of Non-Governmental Organisations. The main purpose of this code of conduct is to establish core values and principles that shall guide the conduct and operations of all NGOs working in Tanzania.

The National NGO code of ethics looks at aspects such as governance, accountability, financial transparency, human resources, communication and information sharing, and the relationship between NGOs and other stakeholders. In governance, NGOs are answerable to their constituencies and work in accordance with national laws. In accountability, there are multiple levels like downward and upward accountability, internal and external accountability and horizontal accountability. Financial transparency refers to the development of, and adherence to clear, well defined and written financial regulations that are consistent with financial management principle and practice.

In human resources, NGOs shall develop and adhere to clear well defined written human resource and administrative policies and procedures consistent with the laws of Tanzania. Communication and information sharing refers to effective information management systems and lastly is the relationship between NGOs and other stakeholders in which NACONGO shall promote and ensure good working relationship with stakeholders at all levels.

The second presentation was done by Mr. Kaiza who started by conceptualising the code of ethics by saying that it is a set of rules outlining the responsibilities of or proper practices for an individual or organisation. Moreover, he said ethics refers to the right conduct/morals of good life. Hence, a code of ethics is often a formal statement of the organisation's values on certain ethical and social issues. He further explained the essence of and rationale for NGO code of ethics, which is the collective values and professional practices ethics and it rationalised by enhancing managerial efficiency, good governance practices, knowledge and skills competences as well as

knowledge-based social/economic development. The basic assumption is that, we have a common history i.e. what prompts our being as organisations, shared core values, common knowledge and overall national mainstream policy shaping national development plans and practices.

Mr. Kaiza also said that should there be a situation where the state enforces compliance of the NGO code of ethics, this would imply weak ownership of the code amongst NGO/CSO members. However, because there is increasing civic competence and conscious awareness amongst members of the public (political socialisation to promote good governance), the code of ethics may not require legal enforcement.

In his conclusion, he said we need to establish sanctions and rewards for NGOs/CSOs violating or effectively complying to established ethics and maintain a voluntary non-statutory Code of Ethics for NGOs/CSOs.

The discussant Mr. Mkubi said that there are still many challenges concerning the implementation of the NGOs code of ethics but some have been overcome since the NGO Act of 2007. This law has its own demands in which all the NGOs should adhere to. He insisted, however, that the code of conduct is for their own (NGO) consumption and not government consumption.

Comments and Questions from Plenary Discussion:

Table 1:-

- We all agree on the code of ethics but wonder whether it put the issue of CBOs in context.
- The challenge now is how to popularise it.

Table 2:-

- Is it possible to have effective self-monitoring?
- Is this a foreign-driven code of ethics?

Table 3:-

- The code of ethics is very important but needs to make sure that all NGOs are involved for it to be successfully implemented.
- It has to be fully integrated at regional and district levels so that self-monitoring is possible.

Table 4:-

- A participatory approach is very important in implementing this code of ethics.
- The code of ethics should also be in Kiswahili so that it is user-friendly, especially to CBOs.

Table 5:-

- We should popularise the code of conduct. But who is responsible for this task?
- International NGOs should also have a strategy to build capacity of local NGOs to implement the code of ethics.

Table 6:-

- Should there be a legal document to support the code of ethics?
- Should this code of ethics be voluntary?

Respond to the Comments and Responds:

- There are still challenges faced in trying to popularise the code of conduct to publics and CBOs working at lower levels (it takes a lot of time and resource)
- The code of conduct has been initiated in Dar es Salaam because most NGOs are based in Dar.

- Regarding monitoring, we are strategising how to use the NGO networks at the regional and district levels.
- Language - plans are underway to have it popularised in Swahili. In all previous processes during its formulation, Swahili was used.
- NACONGO is the one going to take the lead in popularising it even if the government will decide to do so.
- The Act is for NGOs and it does not cover the CBOs.
- Monitoring - this is a process that will involve a number approaches and will include all levels.

Mr. Semkae Kilonzo from Policy Forum closed the discussion and welcomed the audience to the next breakfast debate which was scheduled to be held at the same venue on the 29th of August, 2008.

