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THE STRATEGIES ADOPTED BY CIVIL SOCIETY ORGANIZATIONS (CSOS) IN SEEKING TO INFLUENCE EAST AFRICAN COMMUNITY (EAC) POLICIES

Gilbert Kimutai

PhD candidate at the Department of History; Political Science and Public Administration, Moi University – Kenya and a Tutorial Fellow, Department of International Relations and Diplomacy, Maseno University - Kenya
kimmtajnr@gmail.com

Ken Oluoch

Associate Professor, Department of History; Political Science and Public Administration, Moi University, Eldoret – Kenya
oluochken@yahoo.com

Paul A. Opondo

Senior Lecturer, Department of History; Political Science and Public Administration, Moi University, Eldoret - Kenya
1st line of address
2nd line of address
Kenya
opondopaul1@gmail.com

ABSTRACT

This research paper presents an examination of the strategies adopted by Civil Society Organizations (CSOs) in seeking to influence the policies of the East African Community (EAC). The introductory part details an overview of the role of CSOs in domestic and international governance frameworks. This is followed by a discussion of the existing strategies employed by CSOs in the EAC in their engagement with partner states and the regional body following their inclusion in the Charter that re-established the organization. The article is a product of a doctoral study conducted through the collection of both qualitative and quantitative data from CSOs in the region, EAC officials and government representatives from partner states. The study noted a general trend of CSO inclusion in the EAC policy processes and a fairly established framework of engagement. The strategies identified include creation of awareness, collaboration and networking, training and capacity building, campaigns and advocacy, expert advice, dialogue and partnership, provision of information, engagements with partner states, petitions, liaison with the media and the academic community, picketing and litigation.

General Terms: Regional integration, strategies of civil society organizations

Keywords: Civil society, regional policies, regional integration, East African Community

1. INTRODUCTION

Nation states are considered to be the dominant actors in global governance and regional integration initiatives. Generally, states are the initiators, negotiators, and authors of integration schemes (Kivuva 2018). Consequently, they are key in determining the depth and width of integration arrangements. However, whereas states may be the primary actors in integration schemes by virtue of their features, other non-state actors including CSOs play important roles. In the current neo-liberal world order which has called for a minimal role for the state and a strong private sector (Clayton et al 2000), CSOs and other interest groups play key roles in shaping and influencing integration efforts. Consequently, there has been an increasing importance of Civil society organizations in world politics over the past few decades and the subsequent growth of academic interest in the drivers of this development (Bohmelt et al 2013).

The term "civil society" can be traced through the works of Cicero and other Romans to the ancient Greek philosophers (Carothers and Barndt 2000). Philosophers including Hobbes, Locke, Marx and Gramsci deliberated on the concept from their varying contextual observations. For de Tocqueville (1835, 1840), civil society limits the state; for Hegel (1821), civil society is a necessary stage in the formation of the state; for Marx, civil society is the source of the power of the state; and for Gramsci (1929-1935), civil society is the space where the state constructs its hegemony in alliance with the dominant classes (Chandhoke 2007). Hegelian, Marxian and Gramscian theories of civil society share one thing in common. They refer to the sphere of social life that falls outside the state though they do not see it as necessarily free from state interference. Civil Society, therefore, is normally seen as the site at which most interactions between the state and society happen (Mohan 2002).

As representatives of diverse societal groups and interests, CSOs attempt to influence governmental decisions and processes at domestic and international levels for the benefit of their respective constituencies. In contrast to earlier perceptions, their role has evolved in complexity beyond the one defined in terms of resistance and now includes actual participation in governance as well as multi-faceted contributions to legitimizing and democratizing global and regional governance (Armstrong et al 2011). Civil society, often loosely defined as the public realm and the associational life existing between the state and the private sector is seen as an arena where different associations can express their interests and engage with the state (Godsater 2015, Ibrahim 2015). This engagement happens both at the national and international levels. States have thus devised mechanisms of incorporating the input of CSOs at the domestic and regional levels.

In the case of the EAC, CSOs are unequivocally recognized in Chapter 25 (Art. 127-129) of the new East African Community Treaty (EAC Treaty 1999). In Article 127(1), partner states agree to provide an enabling environment for the private sector and civil society to take full advantage of the community. Article 127(2) expects states to promote an enabling environment for the participation of civil society in development activities within the community. Articles 127(3) and 128 (2) require the Secretary General and the Council to provide a forum for consultations between the private sector, CSOs, other interest groups and appropriate institutions of the community and to establish modalities that would enable the business organizations or associations, professional bodies, and civil society in the partner states to contribute effectively to the development of the community, respectively. Article 5 (3) (g) states that the community shall ensure “the enhancement and strengthening of partnerships with the private sector and civil society in order to achieve sustainable socio-economic and political development” (EAC Treaty 1999). These important sections of the Charter that establish the EAC simultaneously appreciate the significance of CSOs and anticipate that they will play important roles in the integration scheme. This article, being part of a doctoral study on the influence of CSOs on the integration of the EAC presents the strategies they employ in seeking to influence the policies of the regional organization.

2. CIVIL SOCIETY ORGANIZATIONS (CSOs) STRATEGIES IN THE EAST AFRICAN COMMUNITY (EAC)

CSOs in the EAC adopt different strategies in seeking to influence regional policies. According to data from the study, awareness building ranked highest as the main strategy whereas consultation ranked lowest. Campaigns and advocacy, expert advice, dialogue and partnership, provision of information and consultation scored as illustrated in figure 1 below. Other strategies identified by the study include collaboration and networking, training and capacity building, petitions, engagements with partner states, picketing, liaison with the media and the academic community, and litigation and engaging the EACJ. Each of these strategies is discussed in detail in the following sections.



Figure 1: The strategies employed by CSOs in the EAC

2.1 Creation of Awareness

This strategy aims at providing information to the citizens of the EAC particularly about the integration processes. As a core aspect of its work, EACSOF focuses on empowerment of the citizens by building their civic confidence and competencies to demand for their rights. It seeks to do this by growing into a strong and efficient regional network of national platforms that promotes timely and effective vertical and horizontal communication and information sharing. The timely and effective dissemination of information is expected to create an informed and empowered citizenry which is able to engage adequately in the EAC integration process.

Awareness creation on the World Wide Web and social media including on Twitter, Facebook and Instagram are important strategies deployed by CSOs to push their agenda in the region. Advocacy through the internet and social media generates needed traction around issues that CSOs are championing in the region. The Tanzania Association of Non-Governmental Organisations (TANGO) EAC online forum was launched on 6th March 2013 in Dar es Salaam, Tanzania to enhance integration of the East African Community. The forum is an online dialogue platform for individuals, CSOs, the private and public sector and Tanzanians in general to widely discuss regional integration issues in various ways. TANGO Executive Director, Mr. Nunga Tepani, while launching the platform appealed to partner state governments to use the information generated through the facility to inform policy decisions at both national and regional levels. He elaborated that the forum funded by Trademark East Africa specifically seeks to generate additional knowledge and evidence for deepening and widening the regional integration process but more importantly catalyze civic action and champion a common advocacy agenda and thus complement various other civil society offline regional engagement initiatives. All civil society actors in Tanzania and beyond that have an input to make into the EAC regional integration agenda were urged to use the tool to present their views, share evidence and ensure that the various stages of cooperation are or will be people centered. The portal is currently hosting dialogues with resultant views and recommendations being synthesized into policy briefs and action alert notes for further engagement and advocacy by CSOs (EACSOF 2013).

EACSOF website was created for more flow of communications to stakeholders. In January-December 2014 EACSOF website has attracted 10,797 web visitors of which 8,075 are unique visitors. In the year 2013 and 2012 the EACSOF website attracted a total of 5,472, 3,129 website visitors respectively. Increased EACSOF e- news and press releases mailing list subscribers summing to 5,259 recipients (EACSOF Newsletter 2015). The internet presence, annual reports, calendars, bulletin and other communication strategies are aimed at documenting and disseminating the outcomes of EACSOF's work widely and therefore promote the visibility of EACSOF at national and regional level.

2.2 Expert Advice

CSOs offer concrete and beneficial expert input and suggestions to the policy processes of the EAC. Research and the building of necessary expertise on issues such as governance, conflict resolution and economic issues increase the demand for CSO input in the policy process. CSOs play a key role in all aspects of the research process, from developing a research agenda that responds to the needs and concerns of the public, to conducting research and transforming research findings into action. They are thus invited to offer crucial input on their respective areas of expertise in the Council of Ministers or even at the Summit level. This affords them the leverage needed to influence regional policies according to their preferences. Offering needed technical support also enhances the relevance of CSOs in the region. Additionally, documentation and publishing of the work done by CSOs and the utilization of research findings to influence change and establish best practices has been an important strategy of enhancing the influence of CSOs and their role in the integration process. CSOs have greater influence when they turn their practical knowledge and expertise into evidence that can be used to inform other parts of the policy process (agenda setting, formulation and evaluation).

2.3 Campaigns and Advocacy

A campaign is as a series of actions aiming to bring about a (policy) change. Campaigns are seen as valuable instruments for CSOs to mobilize the political will necessary to improve development policy and practice. Campaigns can help by increasing awareness and support, bypassing traditional channels and pooling resources (Court et al 2006). Through campaigns, CSOs can achieve several objectives including raising awareness among the general public on the policy issues at hand, mobilizing action such as through consumer boycotts or citizens' petitions, and pressurizing governments and the regional body to act on issues and take on board the views expressed through these campaigns. Environmental, health and rights-related issues are among the most common subjects of such campaigns in the region. In 2012, the EAC Secretariat with support from GIZ rolled out a series of sensitization and awareness campaigns on the EAC integration for civil society, private sector and local governments and the general public. The meeting brought together representatives from the East African Business Council (EABC), East African Civil Society Forum (EACSOF), the East African Local Governments Association (EALGA) as well as the Ministries of EAC in the Partner States. The major aim of the sensitization campaigns was to create awareness among the citizens of East Africa on the integration process in order for them to take full advantage of the benefits of regional integration (EACSOF 2012).

CSOs engage in advocacy work among citizens and policy makers. They sponsor bills which they consider crucial for the Community. Bills such as the Anti-counterfeit Bill aimed at protecting citizens' access to quality generic medicines and the HIV/AIDS prevention and management bill have benefited immensely from the input of CSOs in the region. CSOs also played a leading role in

defending EALAs mandate to raise private members' bills, collaborated with the EABC in launching the EAC Health Forum and initiated advocacy for free movement of Africans in Africa under the auspices of Centre for Citizens' Participation in the African Union (CCP-AU).

On April 23, 2012 at the 4th Meeting of its 5th Session, the East African Legislative Assembly (EALA) debated and passed the HIV and AIDS Prevention and Management Bill, 2012. The passage of the Bill was a major score for the civil society in the region who were instrumental in bringing the Bill to life. The Bill seeks to harmonize and strengthen the national responses to HIV and AIDS in the EAC Partner States by providing a regional legal framework for the attainment of a synergistic and more coordinated response which shall, in turn, contribute to the overall reduction in HIV incidence and prevalence rates in the EAC. The Bill takes a progressive approach by emphasizing on prevention whilst embracing the other key aspects of the response to the pandemic, namely, treatment, care and support. It takes the Rights –based Approach (RBA) in its content and spirit and provides for the application of the RBA in its application and in HIV & AIDS programming in the region. Further, in a more progressive fashion, it fosters the promotion, actualization and protection of human rights of all in the context of HIV & AIDS (EACSOF 2012).

2.4 Consultation

Consultations are a vital part of broader participatory methods in policy processes. They take place in any stage of the policy and project cycle. Consultations with civil society in the EAC range from national level meetings aimed at obtaining feedback or reaching consensus on specific policies to regional level fora. They are granted the opportunities to be consulted before some of the key decisions are made and are invited to attend the regional decision-making fora. These consultations yield practical advice on how to make policy processes more effective. Through consultation, stakeholders are given the opportunity to interact and provide feedback, and may express suggestions and concerns. CSOs can provide essential local knowledge that is vital to the policy process and that gives voice to the opinions and experiences of the citizens. These contributions place partnerships among governments, civil society, and the private sector at the center of policy design and development planning. CSOs also play increasingly important roles in influencing policies and policy-makers at the regional level. However, analysis and decisions are usually made by outsiders, and stakeholders have no assurance that their input will be used.

2.5 Dialogue and Partnership

Dialogue offers CSOs a space to engage with and influence the EAC policy processes as well as for the EAC and partner states to leverage CSO knowledge, capabilities and their role as advocates for the marginalized sections of the society. Civil society partners also engage at the regional and country levels to make the EAC integration effort citizen centered and more inclusive. CSOs are increasingly forming partnerships among themselves, with government bodies and private sector companies in order to influence policy-making at various levels of the EAC integration process. They interact directly with the EAC to promote policy debate and exchange information and experiences about the EAC policies, initiatives and issues. CSOs are actively advocating regional policy initiatives by working closely with partner state governments to review or even help draft regional policies and legislation. They bring in the voice of the marginalized and excluded groups into the regional policy dialogues. However, the space for CSOs to engage in policy dialogue varies depending on the nature of the policies under consideration. Through these partnerships, stakeholders work together as equals towards mutual goals.

2.5 Provision of Information

CSOs provide policy relevant information to national and regional authorities in the EAC. CSOs are sector specific and they have built considerable knowledge and information in their respective areas of operation. This information is vital for policy makers as they strive to craft workable and relevant policies in the region. Organizations such as Transparency International which have extensive expertise on economic and monetary issues have been in the forefront in providing much needed information to the EAC on curbing graft and illicit financial flows in the region.

3. OTHER STRATEGIES

3.1 Collaboration and Networking

EACSOF executes its plans through establishing strategic partnerships with likeminded organizations and synergizing efforts through coordination and networking. The CSOs in the region are clustered into national chapters which subsequently channel their representation in the EAC through their regional body – EACSOF. This has unified the strength of the CSOs in the region and enhanced their chances of influencing policy processes in the EAC. EACSOF has been engaging in both horizontal and vertical networking among CSOs in the region. Horizontal networking is the quantitative scaling up of the number of its members, the expanding of geographical coverage, and adding of complementary organizations. Through its national chapters, EACSOF has been conducting recruitment campaigns in the region in efforts to broaden its membership portfolio and geographical coverage in the region. This strategy is aimed at enabling it to develop a stronger coalition and have broader influence at national and regional levels which can enhance CSO impact in the various sectors of the EAC integration process. Vertical networking on the other hand entails the expansion of objectives and activities involving functional, organizational, and political scaling up of EACSOFs activities in the

region. This is ultimately aimed at strengthening the capacity of CSOs to innovate and enhance their autonomy and independence. Both horizontal and vertical networking enhances collaboration among CSOs with shared objectives and facilitates the realization of their common goals. Through collaboration and networking, EACSOF, has sought to unify and amplify the voices CSOs in the EAC. Bringing CSOs together under EACSOF and acting on issues that require collective effort also reduces vulnerability among individual CSOs. Channeling grievances and working through EACSOF office domiciled in Arusha has also been an important aspect of the workings of CSOs in the EAC. EACSOF can ably represent the agenda of even the smallest CSOs in the region and amplify their voices in the Community. EACSOF can also deliver letters and petitions on behalf of CSOs in the region. The Commonwealth Foundation supported the institutional strengthening of EACSOF and worked with it to develop an East Africa regional agenda for action at the EAC. National consultations were undertaken in each of the five East African countries and findings were brought together at EACSOF's General Council meeting in 2015.

Furthermore, EACSOF has initiated and maintained contacts between organizations that share common goals. The umbrella body provides a forum for the establishment of formal and long-term networks for CSOs in the region. These networks enable CSOs to work collaboratively in pursuing common goals and hence become more effective and achieve bigger outcomes. Additionally, CSOs network and collaborate with different organizations at local, regional and international levels to enhance capacity development on regional policy matters. To achieve greater mileage, EACSOF works in partnership and in alliance with other sub regional and global partners and networks. Under this strategy EACSOF seeks to identify and subscribe to strategic networks and coalitions, share information and linkages with continental, international and sister CSO platform such as the West African Civil Society Forum (WASCOF), and identify strategic funding partners to support in building a stable resource base for the platform by developing an effective fundraising strategy (EACSOF 2016).

EACSOF has successfully formed working networks with stake holders such as the Great Lakes Civil Society Project (GLP), the Tax Justice Network Africa (TJNA), Catholic University Kenya, United Nations High Commissioner for Refugees (UNHCR), MS Training Centre for Development Cooperation (MS TCDC), African Child Policy Forum (ACPF), Policy Forum (European Commission), Consumer Unity and Trust Society (CUTTS International) and the German International Development Agency (GIZ) through the EAC-IIDEA (Incubator for Integration and Development in East Africa) Programme. It has also increased its working partnerships and alliances with various stakeholders such as the Auto mobile Associations of Uganda, Tanzania, Kenya, Zambia, Zimbabwe, Nigeria, Mozambique, WACSOF, SADC, Mass Public Opinion Institute (MPOI), Global Platform, Africa Rising and youth networks from EAC countries (EACSOF 2017).

In a meeting of the civil society mobilization experts held from the 25th-27th November 2009 at Silver Spring Hotel, Nairobi Kenya, the EAC civil society mobilization strategy was formulated. This meeting saw the participation of EACSOF Governing Council and the representatives of the national government in each of the partner states. The main purpose of the strategy is threefold: to provide space for civil society participation in deepening and widening the integration process, to institutionalize dialogue between the EAC and the civil society and to enhance participation of the citizenry in the integration process (EACSOF 2010).

CSOs through EACSOF also collaborates with EAC Organs and Institutions and Partner States to formulate effective dialogue platforms at national and regional levels. EACSOF seeks to create spaces where CSOs can engage with established EAC organs and institutions particularly the annual EA- CSO Forum, CSO-EAC Summit, EALA-CSO Forum, Annual EAC SG Forum and National Dialogue Platforms for the Annual EAC SG Forum (EACSOF 2016).

3.2 Training and Capacity Building

EACSOF has invested in the institutional strengthening of CSOs in the region particularly their operational capacities, systems and procedures. Capacity building and training sessions have been facilitated by EACSOF for member organizations on human rights, good governance and policy engagement including civil society participation in trade negotiations. It has developed a sensitization manual for CSOs on EAC structures and processes and how CSOs can engage with the EAC (EACSOF 2018). In 2020, a regional training on protection of civic space under the FORD Foundation was conducted. Its aim was to strengthen the voice of CSOs in the shrinking civic space (especially during the COVID pandemic), explain challenges and strategies for overcoming, and Training of Trainers (TOT) sessions. The ToTs were aimed at equipping the participants with adequate knowledge of the EAC structures and processes to enable them to roll out sensitization and awareness activities in the partner states.

Trainings of representatives from CSOs on advocacy, lobbying and resource mobilization, networking for CSOs through online platforms and the creation of a global presence through the world wide web have also been conducted. Virtual engagements (webinars) on issues of concern have been held between EACSOF and CSOs in the region. There have been deliberate efforts aimed at empowering CSOs in planning, budgeting, decision making and law-making processes. Member organizations are also trained on human rights, good governance and policy engagement. A sensitization manual for CSOs on EAC structures and processes and how CSOs can engage with the EAC dubbed the "Strengthening Popular Participation in the East African Community- A Guide to EAC Structures and Processes" has been developed (EACSOF 2018).

In line with its capacity building program, EACSOFRwanda organized a study visit to the East African Community Partner States from February 24 - 28, 2013. The main purpose of the visit was to build regional and international networks amongst EACSOFRwanda members. It benefited 12 members of the EACSOFRwanda Steering Committee together with the EACSOFRwanda coordination office staff. The objective of the study tour was threefold: to share experiences with the regional organizations visited; to learn from the EAC Secretariat and regional umbrella organizations on the integration process; and to build networks with regional counterparts and explore potential opportunities (EACSOFRwanda 2013).

CSO Sensitization and EAC Engagement Strategy Development Retreat by EACSOFRwanda Chapter was held at The Great Rift Valley Lodge- Naivasha from 6th to 9th February 2013 following the recommendations of the 2012 annual general meeting of the regional EACSOFRwanda to strengthen EACSOFRwanda National Chapters. The retreat by the local chapter was also undertaken after initial meetings were held and recommended among other things the need to align engagement of the chapter with EACSOFRwanda Technical Working Groups and EAC Working Committees and Dialogue Framework. The meeting was organized by the EACSOFRwanda Chapter Secretariat with support from Trade Mark East Africa (TMEA). It was attended by a total of 17 Civil Society Organizations from Kenya. The objectives of the retreat were to develop activities that will make the EACSOFRwanda Chapter active, to reflect on what EAC was all about, to look at the institutions and interventions organized by EACSOFRwanda and their success, and to identify gaps within the participation of CSOs in the EAC integration processes

TMEA also provided financial and technical assistance to EACSOFRwanda for the Strengthening of the National Platform for Civil Society's capacity to the tune of \$293,000 from 2012 to 2016. The objective was to strengthen the capacity of the National Platform for Civil Society to represent civil society interests in regional integration. The target was the EACSOFRwanda chapter and affiliate member groups. The desired result was to strengthen the capacity of the Rwandan Civil Society to effectively engage in EAC issues and to influence regional integration policies and practices. This was expected to lead to CSOs positively influencing regional integration policies and practices for growth in trade. The key components included the development of project cycle management and monitoring and evaluation skills of EACSOFRwanda-Rwanda members, enhancement of organizational and institutional capacity of Rwandan CSOs, the carrying out of public awareness campaigns, holding of dialogue sessions with targeted decision makers, developing EACSOFRwanda-Rwanda regional and international networking, putting in place of information and knowledge sharing mechanisms among CSO members and carrying out of advocacy around key issues.

In 2008, a networking meeting was organized by the East Africa Support Unit for NGOs (EASUN), which saw the participation of about 25 different NGOs in East Africa with the exception of Burundi and Rwanda. The meeting whose theme was "Managing Change Through Participation", was very crucial in re-shaping and rethinking the organizational culture, enhancing participation and providing a mirror, through which CSOs could look at their organization to encourage participation, embrace and develop resilience to work with and manage change. It was a learning opportunity that made participants understand what it meant to manage change, understand and use the different approaches in the change process, described international and regional framework on participation, explained the different challenges that hamper effective participation in an organization and clarified the processes of managing change. The opportunity motivated participants to use their experiences as reflective practices in the workshop (EACSOFRwanda 2008).

3.3 Petitions

In pushing their agenda at the regional level, CSOs present petitions and identify likeminded MPs in EALA to voice their issues and lobby in the assembly. On 16 November 2015, six civil society organizations, all registered within the EAC partner states, filed and served a Citizens' petition on Hon. Dan F. Kidega, Speaker of EALA, requesting the EALA to seize itself of the deteriorating political, human rights and humanitarian situation in Burundi. Taking action on the matter, the EALA Regional Affairs and Conflict Resolution Committee held a four-day public hearing on the human rights and humanitarian crisis in Burundi, from 13 to 16 January 2016, in Arusha, Tanzania, where the petitioners and other stakeholders provided background information on the situation to the Members of the Committee. Further, on 25 January 2016, a delegation from the Government of Burundi was given the opportunity to respond to the petition and present their own views on the situation (EACSOFRwanda 2016a).

3.4 Engagements With Member States

CSOs also take time to explain to the member states their work, interests, and the importance of whatever agenda they are lobbying for. This reduces resistance and aids in the building of consensus in favor of preferred policy positions.

3.5 Picketing

Agitation, picketing and making noise is a strategy employed by CSOs in seeking to have their voice heard by the policymakers. In 2013, EACSOFRwanda President Mr. Richard Ssewakiryanga of UNNGOF led Ugandan civil society to put up a spirited fight (Black Monday Movement) against corruption epidemic in Uganda under the NRM government led by His Excellency President Yoweri Museveni, current Chairman of the EAC, who was reported by local media as having offered to pay up legal fees (100 million/= US\$ 40,000) for a former minister after his conviction and sentence to 10years by the Anti-corruption Court (EACSOFRwanda 2013).

3.6 Liaison With The Media And The Academic Community

CSOs also attempt to adopt creative ideas like engaging the media and academia. The media provides publicity for CSO activities in the region and generate needed support from the public. The academic community through research and publication aid in identification of practical policy options and solutions that can aid CSO activities in the region. The voice of academia commands respect from both national and regional authorities. Their liaison with CSOs in the region thus boosts the activities of these organizations and enhance their credibility in the integration process.

3.7 Litigation And Engaging The EACJ

In special instances, EACSOFF resorts to litigation to address resolve problems and provide needed redress. These cases are filed at the EACJ where EACSOFF through its legal teams seek the determination of the court on issues of public interest. For instance, EACSOFF in collaboration with PALU filed an application at the EACJ to obtain a ruling on the legality of the decision reached by the Constitutional Court of Burundi on 5th May 2015, which allowed President Nkurunziza to run for a third term in elections (EACSOFF 2016a).

4. CONCLUSION

This article has presented information on the strategies employed by CSOs in seeking to influence policies in the East African Community (EAC). From the findings of the study, creation of awareness ranked high among these strategies whereas consultation was rated as the least adopted strategy. Other strategies identified include collaboration and networking, training and capacity building, campaigns and advocacy, expert advice, dialogue and partnership, provision of information, engagements with partner states, petitions, liaison with the media and the academic community, picketing and litigation.

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