



FACULTY OF SOCIAL SCIENCES

DEPARTMENT OF POLITICAL & ADMINISTRATIVE STUDIES

**THE ROLE OF NGOS IN THE IMPLEMENTATION OF INTERNATIONAL
AGREEMENTS AND THEIR INTERACTION WITH THE GOVERNMENT OF
BOTSWANA: A CASE STUDY OF GENDER LINKS**

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CHAPTER ONE: INTRODUCTION

1.1 Background of the Study

This study is motivated by the fact that the interaction between the public, private sector and voluntary sectors breed an environment that in a way necessitates transformation that can lead to positive progress towards enhancing government potential. The transformation is observed to emanate from increasing interaction between the public, private and voluntary sectors that are composed of political institutions that include among others the following: financial institutions; electoral rules; form of government; political regime; executive, legislature, the media and organized groups as well as non-state actors, and it normally manifests itself through the public sector (Magstadt, 1996).

The above formula for transformation into positive progress, does not only apply within the confines of each country, they are also observed to function in the same manner at international level. Banuri, and Spanger-Siegfried (2001) observed that networks and coalitions have sprung up around the world to draw attention to fundamental issues such as justice, equity and fair play that were normally considered as the reserve of conventional political activity. Beyond drawing attention to crucial issues such as justice and equity, the coalitions have enhanced the participation of actors and voices that were hitherto excluded from discussions, complemented and expanded the technical and political capacities of governments and further worked to introduce collaborative efforts aimed at devising consensus-based and more sustainable policies (Banuri, and Spanger-Siegfried,2001).

The description of the international networks and coalition have however been expounded to take various names. According to Banuri, and Spanger-Siegfried, (2001), they have many features, and has been described in the literature under a variety of names: global social movements, global civil society, the global NGO movement, and global public policy networks (GPPNs). Also noted is that, Non-Governmental Organisations (NGOs) are classified under GPPNs but are distinguished from organisations established by inter-governmental agreement because they fulfil a diversity of functions in international cooperation (Oberthur, Buck, Muller, Palmer, Pfahl, and Tarasofsky, 2002).

The international agreement of focus in this study is the SADC Protocol on Gender and Development which is a commitment made by fifteen (15) countries in Southern Africa not to discriminate against any person on the grounds of inter alia, sex or gender. Its goals are to deepen regional integration and strengthen community building that can only be realised by eliminating gender inequalities and marginalisation of women throughout the SADC

region (SADC Secretariat, 2016:6). The SADC Gender Protocol encompasses eleven thematic areas which include Constitutional and Legal Rights; Governance (Representation and Participation); Education and Training; Productive Resources and Employment; Economic Empowerment; Gender Based Violence; Health; HIV and AIDS; Peace Building and Conflict Resolution; Media, Information and Communication; and implementation (SADC Secretariat, 2016:6).

The protocol is premised on the various international human and women's rights agreements that the 15 countries in Southern Africa have acceded to and is intended to harmonise their implementation throughout Southern Africa. It is also intended to achieve gender equality and equity through development and implementation of gender responsive legislation, policies and programmes (SADC Secretariat, 2016).

Given the background above, this study seeks to understand the role played by Non-Governmental Organisations (NGOs) in the implementation of international agreements in Botswana. The study further looks into the influence NGOs have on the policy processes and the extent to which government facilitates them. This study describes the role of NGOs in the implementation of international agreements with an understanding that they also have a position in the development process and their presence enhances policy success.

1.2 Significance of the study

According to Vision 2036 Presidential Task Team (2016), Vision (2036) aspires for civil society organisations to act as watchdogs and play pivotal role in identifying gaps and advising government on key socio economic issues. Although the Vision aspirations for civil society are stated as above, studies show that the relationship between the Government of Botswana and NGOs is largely undefined and NGOs have been relegated to service delivery only. Alexander, and Kaboyakgosi, (2012:4) stated that,

While the system is praised for its minimal interference with civil society operations, it also does the minimum to ensure the strengthening of civil society. One example is that while an NGO policy was adopted by parliament in 2002, to date it has not been put into practice, leaving relations between civil society and the State largely undefined and thus State-centred. A perusal of the policy shows, further, that the State has overlooked the fact that civil society organisations exist for reasons other than service delivery, for example, as pressure groups.

The caption above clearly substantiate for an enquiry on the role of civil society or NGOs in the development process as watchdogs and pressure groups especially on the implementation of international agreements that Botswana ratified.

Another important element displayed by NGOs is that they participate in the development process through bringing in their own technical resources. Oberthur, Buck, Muller, Palmer, Pfahl, and Tarasofsky, (2002:3), indicated that ‘NGOs contribute their own expertise and thereby enhance the scientific and policy-related knowledge base of policymaking; are engaged in advocacy and lobbying; serve as members of national delegations; participate in review and enforcement procedures; ensure transparency of international processes; and support international secretariats’. Therefore if NGOs could contribute as stated above, then they are a vital sector that should be engaged at all times. Noted as well is that the combination of NGOs, Government and private sector are required in the process of implementing international instruments in order to yield policy coherence and successful international instruments (O’Brien and Gowan,2012).

To provide insights on the role of NGOs in the development process, this study focuses on gender and development programme that is implemented by both NGOs and Government. The Non-Governmental Organisation studied is Gender Links that works closely with Government and other NGOs in implementing the SADC protocol on gender and development. As would be stated below under the problem statement, NGOs managed a breakthrough before reduction in donor funding and since Gender Links is one of the NGOs that are still progressing even after donor flight, it will be studied to understand the role it plays in the SADC gender protocol implementation and how Government facilitates the organisation and its partners to participate in the development process. The study will also discuss remedial actions that could be adopted to strengthen NGOs.

A study of this nature will generate information that will enhance understanding and emphasis on the role played by NGOs in the implementation of international agreements, their influence on policy formulation and development which can bring greater benefits to the development process.

1.3 Statement of the problem

Non – Government Organisations not only provide service or act as watchdogs, they also bring in the element of directing societies towards participating as global citizens. According to Gemmill, and Bamidele-Izu, (2002:2), NGOs and other civil society organisations are not only stakeholders in governance, but also facilitate for greater international cooperation through the active mobilization of public support for international agreements. What prevails globally is that implementation of international agreements require participation of both public, private and pressure groups such as NGOs in order to be successful. In supporting

this, O'Brien and Gowan (2012:3), indicated that, 'for any agreement to be successful, it must win the support of key domestic constituencies in the states involved depending on the focus of the agreement and these include political parties, government bureaucracies and civil society groups'.

However, in Botswana the strength of NGOs and Civil society in the development processes is not fully pronounced and not fully supported by the Government of Botswana. Their role of ensuring transparency of international processes and support for international secretariats within the local contexts remain compromised. Compounding the problem is that the existence of the NGO policy that govern operational modalities of NGOs is largely dominated by Government resulting in decision making swaying to one side. Alexander, and Kaboyakgosi, (2012:4) added that, 'an NGO policy was adopted by parliament in 2002, but has not been put into practice, leaving the modes of operation and relations between civil society and the State largely undefined and State-centred'.

The closest that NGOs have come in terms of executing their mandates in the past had been through technical and financial assistance that was provided by international donors. 'In the last three decades, NGOs thrived as a result of donor funding and this has since changed due to the decline in donor support. The situation has negatively impacted on the participation and contribution of NGOs in national development and promotion of social welfare,' (Government of Botswana, 2001:6). This demonstrates that the government has not been fully engaging and involving NGOs and it could be concluded that, an exclusion of NGOs in the development process could breed problems such as policy failure and policy implementation and outcomes that are not people-centred.

1.4 Research Questions

This section detail the questions that are the cornerstones of the investigation. The study endeavour to understand the role of Gender Links in the implementation of the SADC protocol on gender and development. The question would facilitate the investigation with answers on the how, and the extent of influence Gender Links has on gender policy.

- What are the roles of Gender Links in the implementation of the SADC gender protocol?
- What are the modes of implementation utilised by Gender Links in the implementation of the SADC Gender Protocol?

- How does Botswana as a country facilitate Gender Links with implementation of the SADC gender protocol?
- To what extent does Gender Links influence policy change through implementation of the SADC gender protocol?
- What can be done to strengthen relations between NGOs and other sectors?

1.5 Objectives of the study

- To describe roles and responsibilities of Gender Links in the process of implementing international agreements
- To identify modes of implementation utilised by Gender Links in implementing the SADC Gender protocol.
- To establish the extent to which Gender Links influence gender policy in Botswana.
- To provide insights that may demonstrate how government can facilitate NGOs in implementing international instruments.
- To recommend solutions to strengthen NGOs, the private sector and government in implementing international agreements.

1.6 Operationalisation of Concepts

Non-Government Organisations (NGOs): self-governing, private, not-for-profit organizations that are geared to improving the quality of life for disadvantaged people. Could also be defined as Civil Society Organisation (Charnovitz, 1997).

1.61 International Agreements

International agreements are formal understandings or commitments between two or more countries. An agreement between two countries is called “bilateral,” while an agreement between several countries is “multilateral.” The countries bound by an international agreement are generally referred to as ‘States Parties’ (Widdows, 1979).

1.62 SADC Protocol on Gender and Development

It is a commitment made by fifteen (15) countries in Southern Africa. Its goal is to deepen regional integration and strengthen community building that can only be realised by eliminating Gender inequalities and marginalisation of women throughout the SADC region (SADC Secretariat, 2016).

1.7 Methodology

1.71 Research Design

Fisher and Foreit (2002) described study design as the investigator’s plan of action for answering the research questions. This study was qualitative and descriptive in design.

According to Zainal, (2003), a descriptive study sets to describe the natural phenomena which occur within the data in question. In terms of qualitative research, five methods have been identified to include narrative; phenomenological; grounded theory; ethnography; and case studies (Creswell, 2003). This study adopted a case study method that is defined by Zainal, (2001:2) as, ‘an empirical inquiry that investigates a contemporary phenomenon within its real-life context; when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used’. Case studies also select a small area or a very limited number of individuals as study subjects, then explore and investigate modern real-life phenomenon through detailed contextual analysis of a limited number of events or conditions and their relationships (Zainal, 2001).

Given the above description of a case study method, the researcher generated answers for the research questions through interviewing, studying documents and other available material from Gender Links and its partners. Considering that the research question endeavoured to understand the roles played by NGOs in implementing international agreements and how they are facilitated, the descriptive case study method was employed. According to Zainal (2001:2), descriptive case studies require starting from theoretical perspective to support the description of the phenomenon.

1.72 Study Population

The study population consisted of four representatives from Gender Links and organisations working with Gender Links on implementing the SADC Protocol on Gender and Development. The respondents were drawn from BOCONCO which is a network for all Non - Governmental Organisation in Botswana; Government of Botswana where the National Gender Machinery is housed; as well as the Telegraph Newspaper that publishes and capacitates Media houses on gender and development issues. A representative from government was interviewed to establish the interactions between government and Gender Links. The other sources of information were organisational reports, academic papers, journals, and available material.

All the four respondents were females aged between 35 and 65 years of age and this could be associated with the fact that most of the people engaged in the area of gender are women. The respondents had all attained tertiary education which does not come as a surprise because gender is a specialised area.

1.73 Sampling

The technique adopted in selecting respondents was purposive sampling. It refers to selection of sites or participants that will best help the researcher to understand the problem and the research question, they must be willing to reflect on and share knowledge (Creswell, 2003). This method facilitated the researcher to select respondents knowledgeable and experienced in implementation of the SADC Protocol on Gender and Development. Representatives from Gender Links, Government, and organisations working with GL on implementing the SADC Protocol on Gender and Development, were selected to participate as key informants in the study.

1.74 Data Collection

Data was collected from respondents and documents that detailed operations of Gender Links in implementing the SADC protocol on gender and development were reviewed. The respondents were engaged in an in-depth discussion was led by a discussion guide based on the objectives of the study. Fisher and Foreit (2002) stated that key informant interviews are often called in-depth interviews and instead of reading formal questions from a structured interview schedule, the interviewer has an outline of topics or a set of general questions that serve as a guide to the kind of information required.

During the interview, the interviewer used a discussion guide and a tape recorder to ensure that the whole discussion is captured. Additional to recording, the interviewer took notes to capture non-verbal communication.

1.75 Data Analysis

After data collection, the data was processed before progressing into data analysis. Flick (2013:5-6) describes qualitative data analysis as, ‘the classification and interpretation of linguistic material to make statements about implicit and explicit dimensions, structures of meaning-making in the material and what is represented in it. The aims of qualitative data analysis are to, describe a phenomenon in some or greater detail, comparing several cases and on what they have in common or on the differences between them’. Saldaña (2009) also added that data analysis involves coding processes that can range in magnitude from a single word to a full sentence to an entire page of text to a stream of moving images.

Since the data was collected with a tape recorder, it was later transcribed and translated into text in order to facilitate analysis. Data was then coded to bring out the essence and meaning of the data that respondents have provided. Beyond coding, themes were developed using the codes that were generated from the interview to create meaning of the data.

1.76 Delimitations

The study used purposive sampling which is a non-probability sampling method. By virtue of this method, there is an element of biasness and the results cannot be generalised. Fisher and Foreit (2002), indicated that if purposively selected, the sample automatically is not representative of a much larger group. Therefore knowledge generated from this study would not be generalized to the whole population.

1.77 Limitations

Time allocated for the study was a limiting factor such that failure to acquire permission in time to interview government official resulted in resorting to interviewing one of the retired government officials who had been involved in the implementation of the SADC gender protocol to acquire information on behalf of government.

1.78 Ethical Considerations

This study used humans as subjects and therefore, the ethical principles were adhered to and covered issues regarding the quality of research procedures, professional and social obligations to the research participants. Ethics in research ensures that the protection and the welfare of the research participants are dealt with (Marczyk, DeMatteo, and Festinger, 2005). During the planning stage, a careful assessment to ensure that the research was ethically acceptable was done. An official permission was obtained from the Ministry of Nationality, Immigration and Gender Affairs that hosts the gender function in Botswana. The permit was then coupled with the request for participation in the study to the respective organisations that were selected. During data collection, informed consent was sought from the participants before proceeding with the interview. According to Marczyk, *et .al*, (2005), to respect a person on their capacity as a participant and the right to self-determination should always be observed through seeking informed consent after the participant is provided with information regarding the research.

The objectives of the study were explained and consent was sought before proceeding with the interview. The participants were also informed of their right to withdraw at any time during the interview. The right to confidentiality was also covered to assure the participants that the data generated from the study would be accessed by the researcher and those who funded the study. The participant were also assured that the results will be anonymous such that the information cannot be traced back to them.

CHAPTER TWO: LITERATURE REVIEW

2.1 Introduction

This chapter reviews literature on the role of NGOs in the implementation of international agreements and how they are facilitated to contribute to the policy processes in order to fill the gap which does not seem to be clearly articulated. The chapter focuses on NGOs perspective both at international, regional and local levels, defines international agreements and demonstrates how they are operationalised. The role of NGOs in the implementation of international agreements is also discussed with challenges faced by NGOs included. Theoretical frameworks that demonstrate the role of NGOs in the development processes are also discussed.

2.2 Non-Governmental Organisation Perspective

The global economic integration has reduced the power of national governments while granting other economic and political actors access to the world stage (Gemmill, and Bamidele-Izu, 2002). This has resulted in the past forty years witnessing evolution of involvement of NGOs. These changes in the global governance are attributed to globalisation that had weakened the traditional processes (Gemmill, and Bamidele-Izu, 2002). Furthermore, the intensity of this transition of power could be explained by emphasis of the push and pull factors that existed at global context. The push factors are traced in improved communications and the strength of civil society whilst the pull factors are associated with the weaknesses of the system of global public policy formulation (Banuri, and Spanger-Siegfried, (2001).

The existence of NGOs was also noted by Matenge, Jairos, and Themba (2017) who indicated that NGOs have been growing in numbers and influence the world over and in recent decades became concentrated in developing countries particularly in Asia, Latin America, and Africa. Due to their growing influence, NGOs are increasingly becoming significant participants in both political and socio-economic activities, (Matenge *et. al.* 2017). On the same platform of Africa and other developing countries, NGOs existed during

colonial times and their roles were centred on welfare but overtime responded to the changing landscape. Ball, and Dunn, (1995) verify that in the developing world, with Africa included, the functions of NGOs responded to the changing times such that the NGOs of today go beyond welfare functions and are working for structural change in the society to remove the dehumanising elements. Further noted is that NGOs identify systemic factors causing the inequalities and exploitations that marginalise various group within societies. NGOs also have the goal of working towards transformation of existing structures, systems and relationships in order to enhance human dignity among the socio-economically deprived groups, involvement in research, public education and advocacy, (Ball, and Dunn, 1995). Another submission by Mukamunana and Brynard, (2005) is that over the past two decades, the concept of civil society has achieved prominence in the social sciences and developmental discourses as citizens' associations and movements from the developing world started putting more pressure on their governments calling for democratic rule. The same publication also noted that in Africa, citizens were mobilized to rid themselves of the military and one-party systems that were beneficial for the development of illegitimate power, and institute substantive governance reforms. In a nutshell the existence and relevance of NGOs in Africa has continuously adjusted to the changing times such that they moved from welfare function to human rights.

One of the Southern Africa countries that have an old history of NGO movement dating back to 1910 is South Africa where the NGO movement was associated with discrimination that resulted from the white minority government. According to Mazibuko, (Not dated), South Africa has a history that is strongly influenced by racial prejudice and discrimination. Also indicated is that during the same period, four types of NGOs existed and they included the organizations closely linked to and servicing the anti-apartheid movement, liberal NGOs advocating changes in apartheid policies, NGOs focusing on social service delivery and welfare bodies cooperating with the apartheid regime on the racially segregated delivery of social services (Heinrich, 2001).

Again in Southern Africa, Botswana presents an NGO sector that exist as a result of post-independence development and their formation was based on community needs (Government of Botswana, 2001). Notable is that the NGO sector in Botswana is still growing but focussed on development. This sector is anchored in the development of the nation and guided by the principles of democracy, social justice, good governance and sustainable development

(Government of Botswana, 2001). Botswana therefore presents that its local NGOs are driven by development of communities which is not too varied from the initial reason for formation of NGOs in Africa.

2.3 International Agreements and how they are operationalised

International agreements are formal understandings or commitments between two or more countries. The countries bound by an international agreement are generally referred to as States Parties. O'Brien and Gowan (2012:8) defined an international agreement as, “a multilateral accord between sovereign states that is global in scope”. This therefore indicates that for an agreement to be termed as international, it has to have global consideration. This is believed to work when the agreement is encompassing and valuable to the parties. Findlay (2006) indicated that agreements work because they embody a norm, an aspiration, a settlement that is valued by all of the parties and in addition they should be well constructed to reflect these elements to satisfy state parties with the outcome. The publication also stated that there should be no incentives to defect from the agreement. This basically shows that for an agreement to have outcomes that satisfy state parties, it should be well written without provision that allow movement in and out of the treaty. Another element presented for making agreements work is for their goals to be simply expressed and readily identifiable with measurable achievements. O'Brien and Gowan (2012) on the other hand stated a number of points that highlighted operationalisation of international agreements towards achieving their outcomes. The first point speaks to the political buy-in, emphasises the fact that a successful agreement must win the support of key domestic constituencies in the states involved and these include political parties, government bureaucracies and civil society groups. Therefore, an agreement should fit well with existing systems of operation.

Secondly, the design of the agreement is to be vital to its success where factors that spur negotiations, key actors in negotiations, actors that influence agreement formulation are considered. These basically highlight that an agreement would not be concluded by an individual actor without considering other actors' issues. Thirdly, the strategic choices of agreements are made in order to determine the depth or the breadth of their achievements. In terms of breadth, an agreement can be narrowly focused on resolving a small number of problems; with depth, negotiators can aim for shallow accords that place relatively light obligations on states. Highlighted under this point is the fact that an agreement must have a genuine impact on the issue in question and that the success of an agreement must be

measured in the context of the breadth and depth of the challenge (O'Brien and Gowan, 2012).

On the fourth point, is the issue about negotiators' concerns that include interstate negotiations, levels of negotiations and the sequence of negotiations. The fifth point is on implementation and monitoring of the agreements that speaks to assessment of international agreements' success and the manner in which relevant actors implement and comply with agreements and how these are enforced and monitored. Further stated is that implementation is affected by a number of things such as domestic policies, information sharing from state parties, measures in place, involvement of NGOs and Civil society capacity and resilience (O'Brien and Gowan, 2012).

In summary, operationalisation of international agreements depend on the political buy-in, design of the agreement, the depth and breadth of the agreement, negotiation with key actors and lastly implementation and monitoring. The above tenets of operationalising of agreements apply across board, however, human rights agreements bind the states to the agreements. O'Brien and Gowan (2012:30) indicated that, "human rights agreements are unlike agreements in regimes such as trade, environment or security in that they are not intended to have an effect on interactions between states, instead they regulate behaviour within state". This shows that when a country signs a human rights agreement, it allows for dominance by the agreement. The following were identified by O'Brien and Gowan (2012:30) the way through which human rights agreements are operationalised:

agreements generally take the form of binding contracts, and are negotiated in inclusive frameworks at the site of formal institutions; outline a wide range of appropriate state behaviours; implementation is achieved through domestic passage of rules and regulations; agreements do not utilize strong enforcement mechanisms like direct sanctions; the human rights regime has established third-party institutions like the ICC; information-sharing mechanisms are strong; and formal institutions, NGOs and civil society actors all facilitate implementation and compliance.

International agreements are arrangements that are entered into in order to collectively deal with issues or problems that are faced by a number of states either regionally, intercontinentally or at international level. Simmons (1998) argued that international agreements are viewed as a way to address a perceived need and they are entered into because states endeavour to solve common problems that they have difficulties solving. Through involvement of more than one country into an agreement, compliance becomes important in operationalising the agreements.

For the purpose of this essay compliance would be highlighted especially because human rights agreements always bind member states to adapt legislation to it. Simmons (1998:77) defined compliance as, “the adoption of domestic rules or regulations that are meant to facilitate, but do not in themselves constitute, compliance with international agreements”. The argument could be that the binding characteristics of human rights agreements do not always cover all the member states systems even though they have to comply.

2.31 Operationalising the SADC Protocol on Gender and Development

SADC Protocol on Gender and Development which is an international agreement is a commitment by fifteen (15) countries in Southern Africa not to discriminate against any person on the grounds of inter alia, sex or gender. Its goals are to deepen regional integration and strengthen community building that can only be realised by eliminating gender inequalities and marginalisation of women throughout the SADC region (SADC Secretariat, 2016:6). The Protocol has thirty-six (36) articles, twenty – eight (28) targets, encompasses eleven thematic areas which include Constitutional and Legal Rights; Governance (Representation and Participation); Education and Training; Productive Resources and Employment, Economic Empowerment; Gender Based Violence; Health; HIV and AIDS; Peace Building and Conflict Resolution; Media, Information and Communication; Implementation, (SADC Secretariat, 2016:6).

The protocol is premised on the various international human and women’s rights agreements that the 15 countries in Southern Africa have acceded to and is intended to harmonise their implementation throughout Southern Africa. It is also intended to achieve gender equality and equity through development and implementation of gender responsive legislation, policies and programmes (SADC Secretariat, 2016).

The protocol stipulated four cardinal elements without reservations through which it would be in operation in the member states as follows: harmonising of national legislation; policies; strategies; and programmes with international instruments on gender. Matters related to the protocol will be decided through a consensus; cooperation on the development of technical and financial capacity in facilitating implementation; and adopt policies, strategies and programmes and special measures to aid implementation (SADC Secretariat, 2016). The protocol, which is a human rights agreement is binding and the above elements resonate the points indicated earlier under the operationalisation of human rights agreements.

2.4 Relationship between NGOs and International Agreements

In defining NGOs in the context of international agreements Charnovitz (1997:186) quoted the Encyclopaedia of Public International Law that defined NGOs as, “private organizations not established by a government or by intergovernmental agreement which are capable of playing a role in international affairs by virtue of their activities”. Also quoted by Charnovitz (1997: 186) is the International Law Dictionary that defined an NGO as “a private international organization that serves as a mechanism for cooperation among private national groups in international affairs”.

The above definitions position NGOs as intermediary between the local and international context and by virtue of the definitions, NGOs promote international agenda within their respective local environments. The international organs are mostly part of the intergovernmental organization that had openly recognized and endorsed the need to collaborate with the non-governmental sector (Gemmill, and Bamidele-Izu, 2002). The UN has a history of cooperation with NGOs primarily as partners in the implementation of certain programs, particularly in the areas of emergency response, human rights, and election monitoring, (Ibid). Therefore the relationship between NGOs and international agreements is determined by a number of requirements that are set forth by the various international organs such as the Economic and Social Council (ECOSOC), Council of Europe and the United Nations Conference of trade and development (UNCTAD). Oberthur, Buck, Muller, Palmer, Pfahl, and Tarasofsky (2002:22-25) reported that the various organs stated requirements for NGOs are as follows:

- Founding act: International organisations are established by an intergovernmental agreement, which is an instrument governed by public international law. NGOs in contrast are generally established by individuals, groups of individuals or associations under the domestic law of a state. Therefore this requirement would hold because the domestic law would have been determined by intergovernmental agreement.
- Headquarters and executive officer: NGOs are required to have headquarters and an executive officer and therefore the need to have some basic organisational structure.
- NGOs are required to be supportive of the UN Charter and the specific objectives of the respective international institutions. This requirement aims at preventing the opponents of an institution from making use of the institution’s structure itself to pursue their objective.
- Expertise or representativity: NGOs are required to either be representative of important elements of public opinion or to provide special expertise and competence on topics relevant to the international institution in question
- NGOs are required to be non-profit-making

- No governmental control over activities: NGOs are generally regarded as actors which voice opinions and carry out activities independent of, complementary to or possibly conflicting with governmental positions
- NGO governance: NGOs required to have internal governance-structure including democratic structure, accountability of NGO representatives, and transparency of decision-making procedures.

The above requirement by International institutions show that for an NGO to have a relationships with international agreements, they should be established through a founding act, have organisational structure in place, provide expert advice, not for profit, not controlled by government and have an internal governance structure.

According to Molomo and Somolekae, (1999), civil society emerged in Africa, particularly in the 1980s when international financial institutions, donor agencies and Western governments shifted some of their aid from African governments to civil society. The argument was that NGOs fill in gaps left by governments such that they became the better option for the aid providers. In addition, NGOs were considered for collaboration with the state as providing an opportunity for improving their influence or leverage in order to achieve their stated objectives (Makoba, 2018).

NGOs that operate in Africa serve a variety of goals, including offering relief services during times of natural disaster, promoting environmental conservation, fostering development, and promoting human rights. As a result of the involvement of NGOs in these, the international community considered NGOs to be more accountable and better able to address local development conditions such that the major financial institutions, including the World Bank, supported the rise of NGOs (Udo 2008). Although this was the case, Lekorwe and Mpabanga (2007) asserted that in some cases, governments in Africa spite civil society organisations for the sympathetic attention they receive from international organizations and donor agencies. This could be argued that the sympathetic attention is related to the nature of the mandates of some of the NGOs.

In Botswana, Lekorwe and Mpabanga (2007) indicated that a lot has happened since 1996. There were socioeconomic and political changes that resulted in the civil society being transformed in terms of its structure, core roles and the overall management of activities. This resonate the existence and growth of NGOs across the world where civil society mandates have changed with time to address issues as they evolved around the world. An example

given was that various NGOs focus on the agreements that address their mandates when they implement. For example Ditshwanelo is the only not-for-profit organization in Botswana responsible for human rights issues in the country. The centre seeks to affirm human dignity and equality irrespective of gender, ethnicity, religion, sexual orientation, social status or political convictions; financial resources are mainly sourced from donor agencies, volunteers, and other supporters; and maintains that the government needs to honour its responsibility of ensuring that the people within the borders live their lives with dignity (Lekorwe and Mpabanga, 2007).

2.5 The role of NGOs in the implementation of International Agreements

At global level, much has been written about the role of NGOs in initiating and influencing negotiations on multilateral agreements as well as their increasing level of involvement in the implementation of such agreements, sometimes directly and sometimes by assisting states parties in implementation (Meier and Tenner, 2001). Their involvement is reported to include monitoring the activities of governments and non-state actors in order to detect and publicise breaches and in some cases they assist in bringing the government and the non - state actors back into compliance. However, the major function of NGOs is to monitor compliance with international agreement completely outside the formal system (Meier and Tenner, 2001). The same publication also observed that NGOs have a unique contribution to monitoring of international agreements. It is therefore appropriate to conclude that NGOs play a dual role of ensuring compliance as well as actual implementation and filling in the gaps left by government programmes.

Gaer (2003) reported that the UN has mechanisms to assess member state compliance to treaties and protocols but NGOs contribution have created the key to successful monitoring, by providing alternative information about member state and the status of legislation. In other words, NGOs provide information that the government might not include in progress reports of the international agreements. Additional to monitoring aspect, Oberthür *et. al.*, (2002:3) noted that NGOs contribute their own expertise in executing the monitoring of agreements and stated that,

NGOs contribute their own expertise and thereby enhance the scientific and policy-related knowledge base of policymaking; engaged in advocacy and lobbying; serve as members of national delegations; participate in review and enforcement procedures; ensure transparency of international processes; and support international secretariats.

Besides advocacy and monitoring international agreements, NGOs fill in the gaps left by the market such that they address the unmet need from service provision. Teegen *et. al.*, (2004:5) stated that ‘NGOs have long stepped in to serve as critical safety nets filling voids generated where markets fail, where politically challenged, indebted, or corrupt states are unable or unwilling to provide for unmet needs and where global problems defy neat nation-state responsibilities’. This therefore demonstrates that NGOs fill the gaps created by the systems such as government, and address issues that prevail internationally but not considered by the domestic market. They do not act as stakeholders only, they also mobilise public support for international agreements and are a driving force for international cooperation (Gemmill, and Bamidele-Izu 2002).

Even though the role of NGOs in international agreements is not clearly stipulated, there are some international organs that have made provision for incorporating NGOs in the processes. Udo (2008), observed that in article 71 of the U.N. Charter, ECOSOC made suitable arrangements for consultation with Non-governmental organizations that are concerned with matters within its competence. The article therefore creates a consultative relationship with NGOs as opposed to giving them actual decision-making powers (Udo, 2008).

In Africa, NGOs are a channel through which development aid is transferred by donor agencies when there is need to address the failure and neglect by states and markets in delivering economic development. Makoba (2018), noted that the results of government corruption and inefficiency in Africa, had led to market failures and the international donor then preferred to channel development aid through NGOs. This failure has also been observed to contribute to the rapid growth and expansion of NGOs on the continent (Makoda, 2018).

Klugan (2014), studied conditions under which NGOs play the role of influencing policy in the direction of equity; the skills required by NGOs in order to play this role; and the strategies required to influence the policy process. The study indicated that in South Africa, NGO participation is essential to good policy-making and implementation and it is widely accepted such that it has been institutionalised in international agreements.

Mukamunana and Brynard (2005), who studied the extent to which civil society organisations influence the policy making process in the post genocide Rwanda, as well as identify the limitations and challenges they face in their policy advocacy and lobbying role. The report indicated that the role of civil society organisations varies greatly depending on their political

contexts. Civil society, in a democratic government, is a channel through which citizens participate in making and implementing public decisions, they identify, prioritise and resolve public problems, allocate and manage public resources (Mukamunana and Brynard, 2005).

Zambia NGOs had also made initiatives to complement the state by evolving their own programs to fill the gaps in the public services to make the services appeal to the citizens and become subject to democratic influences. The approach was implemented when new village nutrition groups imposed accountability and reoriented the priorities of the government Primary Health Care (PHC) service to respond more faithfully to the citizen demands. The initiative resulted in motivating PHC staff members who were initially isolated from their communities (Ewoh, 2002).

In Botswana the role of NGOs in the development process is not clear and clouded by low performance of NGOs, lack of funding and the relationship with government. In a study that explored and evaluated the management of non-governmental organizations in Botswana using secondary data, Lekorwe and Mpabanga, (2007) who quoted Maundeni (2005), reported that civil society in Botswana is very weak and organizations usually lobby government officials rather than politicians. Further asserted is that civil society is characterized by ad-hoc ways of organizing, by extension meaning that civil society organizations are temporary in nature as they address particular issues in the society and then go into a state of decline. Emphasis on ad hoc operations of NGOs in Botswana was also made with reference to the fact that the last thirty years NGOs thrived as a result of donor funding and this has since changed due to the decline in donor support (Botswana Government, (2001). This basically means that the operations of NGOs in Botswana depended on the availability of funding from donor agencies.

2.6 Challenges identified in implementation of International Agreements by NGOs

NGOs play a crucial role in the implementation of international instruments, but still there are gaps that exist and hinder full achievements of the agreements. International institution have stipulated requirements that determine the relationship between NGOs and international institutions, but there are no specific roles that are stipulated for NGOs within operationalisation of the agreements. Gaer (2003) identified this as a gap and reported that the situation results in the relationship between the treaty supervisors and the NGOs to be developed on an ad hoc basis.

On another note, NGOs contribute substantially to implementation of agreements, but they still provide for themselves by mobilising resources from the private sector, development partners and government. Willetts (Not dated), indicated that operational NGOs have to mobilize resources, in the form of financial donations, materials or volunteer labour, to sustain their projects and programs. Other types of NGOs basically work with other organisations in order to generate funds for overheads. The partnerships are usually intended to increase knowledge, understanding and enhancing economic interests and the status of their organizations (Willetts, Not dated).

Teegen *et. al.*, (2004) conducted a study that covered a number of issues that included introducing the concept of NGOs and contrasted them with their private-sector (firm) and public-sector (government) counterparts; discussed factors giving rise to NGOs as important organizational entities that participate in global value creation and governance; and identified limits to NGO efficacy and viability. The findings indicated that as a result of mobilising resources for themselves, NGOs tend to serve diverse principals that range from clients, donors, individual members, staff and the needs for the principals are also diverse and in some instances depart from their mandates. The study also found out that as a result of the engagement with many masters NGOs end up grappling with determining the appropriate scope and focus of activities.

National contexts also have a bearing in the operations of NGOs such that interactions with their counterparts by elsewhere to pursue a common objective may be short-changed restrictions that governments place on them (Teegen *et. al.*, 2004). In terms of inclusion of NGOs in national delegations to international meetings, there is a problem with large numbers of NGOs in every setting and it becomes difficult to select a representative for NGOs from the different sized memberships and individuals belonging to multiple NGOs (Charnovitz, 1997).

As already indicated, international agreements are made between the international organs and the member states such that the fundamentals of implementation depend on the relationship between the implementers and the members States. Hofisi and Hofisi (2013), explored State-NGO relations and their impact on development in Africa and employed a historical approach in the analysis. The findings indicated that in Africa, the relationship between the state and NGOs has been challenged by lack of mutual trust and in some instances, the State

disseminated a large number of legal instruments targeted at limiting the activities of NGOs. Member States on the other hand would raise issues that NGOs interfered on areas that are privy to states such as sovereignty. In the same report it was indicated that NGOs were also accused of being responsible for foreign penetration based on allegations that they pursue political interests that are not of the state or those of the international community as their agenda (Hofisi and Hofisi, 2013). Also observed is that as agents that monitor compliance and sensitivity to human rights, NGOs in some cases accuse government on the societal ills such as corruption, governance and autocracy and point at these as the main factors that hamper development, and thereby, justifying their existence (Hofisi and Hofisi, 2013).

Makoba (2018) argued that African governments pose as challenge in their mistrust for NGOs in areas of human rights, democracy and environment when they view NGOs with suspicion and hostility. The argument here could be that whenever there is involvement of the third party in the process of agreements, African governments become hostile and suspicious. In addition, to this submissions, it has been observed that the relationship between government and NGOs in Africa are usually critical and distrustful. In the analysis that examined the role of NGOs in influencing public policy in Africa, Ewoh (2002) observed that for a friendly coexistence between an NGO and a government to occur, the NGO would have to depend on government for protection when implementing its functions and a government may be comfortable when its authority is neither threatened nor challenged.

In Botswana the major challenge for NGOs in executing their mandates in implementing international agreements lies with financial resources especially when dealing with procedures for accessing funds from government and other donors. NGOs are also not organised to collectively deal with problems as one sectors resulting in poor quality of programmes and projects that end up not impressing donors (Europeaid, 2011). Also observed is that lack of collaboration and coordination among NGO; different mechanisms, procedures and financial regulations used by government and donors to attribute and manage funds for NGOs to reach a critical mass is a challenge (Europeaid, 2011).

In pursuit of understanding the donor market as perceived by NGOs in terms of who the major donors are; how, when and why they fund NGOs and their funding challenges, Matenge, Josiah, and Themba (2017), used a case study approach involving eight major NGOs based in Gaborone, the capital city of Botswana. The findings revealed that as a result

of dependency on government of Botswana and other donors for funding, NGOs became less innovative and slow to respond to contemporary issues. The local NGOs' dependency on state funding has caused many of them to be less creative and lazy. The other element is that NGOs model their activities around those of the donors. Government, private donors tend to be cause-specific and thus require NGOs to align their activities with specific causes which they support, (Matenge *et. al.*, 2017).

2.7 Theoretical perspective on operations of NGOs in the development process

In understanding how NGOs operate to ensure compliance to and operationalisation of international agreements, economic theories of the non-profit sector were reviewed. Young (2000), presented economic theories that suggested several different ways of understanding the relationship between government, private and not-for-profit organizations. The different strands of the theories present the alternative views that non – profit organisations operate independently as supplements to government; work as complements to government in a partnership relationship; and are engaged in an adversarial relationship of mutual accountability with government (Young,2000:149).

The Public Goods theory of the non-profit organisations

The public goods theory of the non - profit organisations describes how NGOs operate independently and supplementary to government. In this context, the state failure to provide services necessitates for emergence of NGOs intervention. Kingma (1997) quoted Weisbrod (1977) and described the entry point for NGOs to be where they satisfy a demand for public goods that is left unfilled by government provision. The same publication also indicated that the government satisfy the demand of the average constituent and fails to provide for the other citizens whose level of demand is greater than the average voter's desire. The unmet need for the public good is then satisfied by non-profit organisations (Kingma, 1997). The model described the non-profit organisations as suppliers of output of a public good which is undersupplied by the government. The major issue that necessitates entry of NGOs is the heterogeneity of communities, in which citizens have tastes for public goods which are more diverse than the median voter (Kingma, 1997). However, this framework is limited by the fact that private goods are usually imperfect substitutes for public goods.

Partnership or interdependence theory

With the partnership or interdependence theory, NGOs work as complements to government in a partnership relationship. The core concepts and principles of the theory are therefore dictated by the interdependence arrangement between partners. Sama, (2015) noted that on a situation where NGOs have to share experiences, resources and expertise, the relationship might be complementary, and under such arrangements, the theory of interdependence argued for NGOs as partners. It is important to note that the process of partnership involves sharing of resources because both partners work towards achieving a common goal. Another angle to this theory was presented by Young (2000), who expressed that NGOs are seen as partners to government, helping to carry out the delivery of public goods largely financed by government. In this perspective, NGOs and government expenditures have a direct relationship with one another and as government expenditures increase, they help finance increasing levels of activity by NGOs. In this theory, the key concepts and principles used to analyze group dynamics, power and dependence, social comparison, conflict and cooperation, attribution and self-presentation, trust and distrust, emotions, love and commitment, coordination and communication, risk and self-regulation, performance and motivation, social development, and neuroscientific models of social interaction (Van Lange and Balliet, 2015). The positioning of this theory in the centre of the development process is driven by the fact the rewards and costs associated with relationships between organisations resonate with peoples' expectations. However, the limitation to the framework kicks in when the NGOs raise funds for activities that would not be supported by public demand. However, the private funders may find it more efficient to work with government to produce as opposed to producing the goods themselves, (Young 2000).

Contract failure theory

NGOs are also engaged in an adversarial relationship of mutual accountability with government and this is demonstrated through contract failure theory. The theory is helpful in understanding why government is moved to oversee non-profit organization behaviour and performance and sometimes to pressure non-profit organizations to change. According to Young (2000), the theory of contract failure was first developed by Hansmann (1980) who postulated that non-profit organizations are chosen as efficient vehicles for delivering services where there is a condition of information asymmetry between consumers and producers that could end up with consumers exploited by producers. In this theory NGOs are seen to be more efficient in this circumstance because their internal governance structure of

non-profit organizations reduces the incentives and opportunities for non-profits to cheat consumers, making them more trustworthy (Young, 2000).

The theory employs a number of approaches and solutions that include licensing, accreditation, competition, and other means (Young, 2000). The entry of NGOs displayed in this theory is one of the driving forces towards making government accountable on instances where they violate the trust bestowed upon them by the public. In this theory there are two distinct issues, trust and regulation. The trust is traced through the ability of NGOs to protect consumers as well as the credibility of their internal structures. Entry for regulation is when government has to control the problem associated with exploitation of consumers. With Government involved, the result will be introduction of policies to govern the relationship between profit making firms, NGOs and the consumers. Young, (2000) noted that in pursuit of protecting the consumer from exploitation, NGOs pressure government to make changes in public policy and to maintain accountability to the public, reciprocally, government attempts to influence the behaviour of non-profit organizations by regulating their services. However, the theory might be limited if government place restrictions on NGO advocacy and eventually playing the adversarial role in the policy process.

2.8 Conclusion

This review has clearly showed that the role of NGOs in the process of implementing international agreements is not clear across board such that the literature was limited at global level and even at continental level. Again from the above evidence, the role of NGOs in implementation of international agreements and policy process is recognised but not integrated into the local and international systems of operation. The role also includes variable issues such as negotiations, advocacy, monitoring governments, monitoring and evaluation of international agreements, influencing policy, and implementation through consultation with the public. NGOs are a sector of development that do not use state resources but facilitate development and are not always recognised as partners. On instances where they are consulted, they are not given decision making powers. At national contexts, NGO participation is essential to policy making but varies depending on the political context. The other role played by NGOs is being a channel of resources for development to address the market failure. NGOs also partake in the development process, what is not clear in the literature is how government facilitates NGOs. Given the above reasons, the economic theories of the non-profit sector that include the public goods theory, partnerships or

interdependence theory and the contract failure theory would be adopted in the analysis in order to address the variable roles presented by NGOs.

CHAPTER THREE: GENDER LINKS AND THE IMPLEMENTATION OF THE SADC GENDER PROTOCOL

3.1 Introduction

This chapter covers Gender Links Botswana background and its relationship with SADC Protocol on Gender and Development herein referred to as the SADC gender protocol. The relationship is determined by the requirements for NGOs in implementing international agreements. Also covered is the role played by Gender Links Botswana in the implementation of the protocol. The chapter further discusses the challenges faced by the organisation in implementing the protocol. The Chapter concludes by identifying challenges in implementation that will be addressed during data collection.

3.2 Gender Links Background

Gender Links was formed in March 2001, and it works in fifteen (15) countries in the SADC region to promote gender equality and justice and it is headquartered in South Africa, (Gender Links, Not dated). Its vision is to see a region in which women and men are able to participate equally in all aspects of public and private life in accordance with the provisions of the Southern African Development Community (SADC) Protocol on Gender and Development. Since its formation, GL opened offices in Mauritius and Mozambique and by February 2012, GL had registered country offices in Botswana, Lesotho, Mauritius, Namibia, Zambia and Zimbabwe. In Botswana, GL opened a country office in October 2008(Gender Links, Not dated). The aims of Gender Links Botswana include the following:

- Promote gender equality in and through the media and conduct effective campaigns for ending gender violence, HIV and AIDS, as well as promoting economic and climate justice and LGBTI rights;
- Strengthen policies and action plans to achieve gender responsive local and national governance as women and men are facilitated to engage critically in democratic processes that advance equality and justice.
- Sustainably end GBV and empower women GBV survivors to capably deal with violence and financial improved their lives and livelihood

3.3 Relationship between Gender Links and the SADC Protocol on Gender and Development

According to Oberthür, Buck, Müller, Palmer, Pfahl, and Tarasofsky (2002:22-25), various international organs expect NGOs to be established and functioning though the following requirements: an NGO should be founded through an act; have headquarters and executive officer; be supportive of the UN Charter and the specific objectives of the respective

international institutions; provide special expertise and competence on topics relevant to the international institution in question; non-profit-making; no governmental control over activities; and have internal governance-structure including democratic structure, accountability of NGO representatives, and transparency of decision-making procedures.

In accordance with the requirement that an NGO should be founded by an act, the Government of Botswana, (1972), Section 5 of Registration of Societies Act, stated that a society shall be deemed to be established in Botswana although it is organized and has its headquarters or chief place of business outside Botswana, if any one of its office-bearers or members resides or is present in Botswana, or if any person in Botswana manages or assists in the management of such society or solicits or collects money or subscriptions on its behalf. Through the description stipulated by this act, Gender Links is now registered and operating (Gender Links, 2015).

In terms of supporting the UN Charter, Gender Links (GL) is committed to an inclusive, equal and just society in the public and private space in accordance with the SADC Protocol on Gender and Development. Gender Links, (2015) indicated that its vision is achieved through a people-centred approach guided by the SADC gender protocol that is also aligned to the Sustainable Development Goals, Beijing Plus Twenty and Africa Agenda 2063 that are some of the UN agreements implemented internationally.

Gender Links works with partners at local, national, regional and international level. GL also represents the elements of public opinions through including minority groups in all its initiatives. Gender Links (2015) indicated that it envisioned a region in which women and men, Lesbians, Gays, Bisexuals, Transgender, Intersexual (LGBTI) persons are able to participate equally in all aspects of public and private life in accordance with the provisions of the SADC gender protocol.

Gender Links Botswana (2015) expressed that it is an independent, self-sustaining organisation whose work entails close relationships with partners at local and national levels. In adhering to this requirement of non-government control, it started in 2008 with the research entitled “At the Coal Face: Gender and Local Government” that provided evidence of women’s under representation and participation in decision-making. The partnership was also demonstrated through the GBV study that Gender Links partnered with government to conduct.

On the issue of governance structures, Gender Links (Not dated) described itself as a small organisation with large footprints, where the delivery mechanism is strategically developed based on partnerships, networking and collaboration. The partnerships span from national government, local government, civil society, faith based organisations and media fraternities.

The SADC Protocol on Gender and Development on the other hand stipulated elements that include harmonising of national legislation, policies, strategies and programmes with international instruments on gender; matters related to the protocol will be decided through a consensus; cooperation on the development of technical and financial capacity in facilitating implementation; and adopt policies, strategies and programmes and special measures to aid implementation (SADC Secretariat, 2016).

Following the adoption of the protocol in 2008, GL consolidated its action plan into four areas: governance and economic justice, media, alliance and justice. It integrated the targets of the protocol into the abovementioned core programmes and also included the cross cutting issues. The cross cutting issues include economic justice, climate change and LGBTI (Gender Links Botswana, 2017). Additional to the above areas of operation, GL coordinates the SADC Gender Protocol Alliance that brings together over forty (40) NGOs at national and regional level in six thematic clusters for advancing gender equality in the region (Gender Links, 2015).

The Alliance for the SADC protocol on gender and development works through national focal networks, thematic clusters and interest groups, and there are 15 country networks, nine theme groups and two interest groups existing (Gender Links Botswana, 2015). In addition to that, country focal networks identify champions for each of the 28 SADC Gender Protocol targets at national level. Botswana Council of Non-Governmental Organisations (BOGONGO) is the Alliance focal organisation in Botswana.

To address governance and economic justice Gender Links forged partnerships with government and started in 2008 with the research entitled “At the Coal Face: Gender and Local Government” that provided evidence of women’s under representation and participation in decision-making. This resulted in a strategy document on the buy-in for mainstreaming gender in the local authorities; a training manual; training for councillors to champion the process and built ownership of the project (Gender Links, 2015)

Gender Links also integrated the targets of the protocol into the work on gender and media that includes research, monitoring and on the job training for journalists, (Gender Links, Not dated). In terms of gender justice, the sixteen days of activism campaign have been expanded to become 365 days action plan to end gender based violence, prevalence, attitudes, ending violence and empowerment of women in communities (Gender Links, Not dated).

3.4 Gender Links' role in the implementation of the SADC Protocol on Gender and Development

Literature highlighted the roles of NGOs in the implementation of international agreements to include initiation and influence on negotiations; increase implementation and filling the gaps left by the market to address the unmet need; monitoring the activities of government and other actors in order to detect and publicise breaches; and monitoring compliance outside formal systems. In the case of Gender Links, it monitors implementation, also implements the SADC gender protocol and subsequently documents progress and challenges annually.

3.41 SADC Gender Protocol Alliance

As part of the Post 2015 agenda, GL works closely with the SADC Gender Unit and the SADC Gender Ministries for a stronger Protocol aligned to the SDGs, the Beijing Platform for Action and the African Union Agenda 2063. BOGONGO as the Alliance focal organisation been facilitative in the negotiations for signing of the protocol. The role of BOCONGO is to organise and mobilise around monitoring the implementation of the Protocol; use variable tools such as the annual SADC Gender Protocol Barometer to gauge implementation; develop gender champions at national level for advocacy work on key provisions of the SADC Gender Protocol; organise linkages between the regional and global level campaigns; launch advocacy campaigns on burning platforms; button issues such as 50/50 campaign, gender based violence (GBV) campaign; and documentation of good practices that demonstrate the SADC Gender Protocol at work (Gender Links,2015).

Through the engagement of BOCONGO as the local network for the alliance, results yielded include notable progress towards attainment of the protocol targets. Improvements were registered from the education and health sectors (BOCONGO. 2015). Case studies from the areas of governance and media as well as individuals were submitted to compete during the gender summit where the winners would participate at regional level also increased in numbers (BOCONGO, 2015).

3.42 Gender and Media programme

Gender Links engage media houses in the centres of excellence (CoE) for gender in the media project. Working with seven media houses, the CoE approach, builds on GL's experience in working with media houses on developing and implementing gender policies and action plans, (Gender Links Botswana, 2017). Since media is an advocacy avenue, the organisation concentrates on bringing together research, policy, action plans, on the job support and capacity building to build a model that best expresses Botswana in terms of the 28 targets of the Protocol (Gender Links, 2017). Also indicated is that the programme empowers media practitioners with gender analysis skills to build citizens capacity to hold media and governments accountable.

3.43 Governance and Economic Justice

In this programme area, Gender Links facilitated establishment of thirty-two (32) Centres of Excellence (CoE) programme in the country's District Councils (Gender Links, 2015). Through the CoE, its goal is to strengthen the CoE programme, encourage ownership and sustainability, and promote diversity and the human rights of all people. With the believe that local government is where the people are and it is the access point to most people's key services, the CoE programme focus on the local level to mainstream gender into the daily activities of the District Councils and into key service delivery processes (Gender Links, 2015). According to the same publication, the target groups for the programme are local government councils that include Cities, Towns and Districts Councils. The interventions with local authorities at the grassroots level and upwards have proven the best way to integrate policy and community actions in gender mainstreaming. This is also streamlined into the service delivery approach of local government (Gender Links, 2015).

In gauging the results of the gender mainstreaming initiative, BOCONGO, (2015) reported that SADC Gender and Development Index (SGDI) score for governance of Botswana is 30% ranking 12th in the region. Also stated by the same publication is the SGDI for economic justice is 74% reflecting that Botswana is among the countries with a high proportion of women in economic decision making positions.

3.44 Justice Programme

In its justice programme, Gender Links has carried out baseline surveys on prevalence and perpetration of gender based violence (GBV) which revealed that GBV is caused by limited Sexual Reproductive Health and Rights awareness levels and poor policy backup. BOCONGO, (2015) reported that the GBV study facilitated adoption of a composite index

for measuring GBV. As a follow up to the index, a deliberate effort to influence change at policy was made where Gender Links worked extended 16 days of Activism on gender based violence to a 365 Day National Action Plan to end gender violence (BOCONGO, 2015). Further to influencing policy, the organisation has been cascading GBV action plans for the local level through the CoEs in order to make a case that violence can be ended within every community (BOCONGO, 2015).

3.45 Monitoring progress made on implementation

In monitoring implementation of the SADC gender protocol, an annual tracking report on the country's performance against the twenty-eight (28) targets of the protocol is produced. The gender measures used to track performance are the SADC Gender and Development Index and Citizen Score Card (BOCONGO, 2015). Notable progress was recorded from the tertiary education which showed that women outnumbered men in performance. From the health sector more than 90% of births are delivered by trained health personnel and 84% of the population live within five (5) kilometres of a health facility (BOCONGO, 2015). Overall, monitoring the protocol has shown the significant strides in women's rights, women's empowerment and the advancement of gender equality, such that there were 85 women for every 100 men in the decision making positions within the public sector (BOCONGO, 2015).

3.5 Challenges in implementation

The major challenge faced by NGOs in the implementation of international agreements is access to sustainable financial resources (Europeaid, 2011). Also observed is that the different mechanisms, procedures and financial regulations used by government and other donors to attribute and manage funds to NGOs pose a challenge (Europeaid, 2011). Gender Links (Not dated), reported that like all other civil society organisation, they face funding challenges. Gender Links depends on financial assistance from various funders but the resources are reduced by the depreciation of the South African Rand where the headquarters and the control of the resources are located.

The absence of gender policies in many of the government departments and other institutions lead to limited understanding of the concept of gender resulting in gender issues relegated to social and health areas. Gender Links, (2017) reported that the study on Gender and Local Government that was conducted by Gender Links found that there were no gender policies in place in any of the district councils where the research was conducted. In most instances gender mainstreaming is simply understood to mean women's projects, and the council

automatically refers gender work to be the work done by the department of Social and Community Development (S & CD) and clinics (Gender Links, 2017).

The dual legal system creates loopholes for gender stereotypes to prevail. BOCONGO (2015) noted that the road to gender equality is suffocated by the contradiction between common and customary laws where more citizens continue to practice customary laws that contain some practices that are discriminatory to women, unwritten, ethnicity inclined and tolerate unequal power and gender relations.

Another platform that hinders progression towards gender equality is the limitation of national statistics bureau to produce gender disaggregated data which results in inability to compute gender indices. For instance the SADC gender and development index scores on GBV, media reports, police reports, anecdotal evidence and police reports cannot be sourced automatically from the Statistics Botswana (BOCONGO, 2015).

Corresponding to the challenges related to systems is the socio cultural landscape that presents social ills and diseases such as GBV, maternal mortality and HIV. Gender Links (2017) noted that gender-based violence, infanticide, maternal mortality and the prevalence of HIV infection pose as the main challenges to programming. Believes about the role of women continuously position them far from leadership and decision-making circle (Gender Links, 2017).

3.6 Conclusion

Gender Links Botswana conforms to the requirements for operations of NGOs from the international institutions such that it was established through the Registrar of Societies, has a headquarters, expertise, supports the UN charter, not controlled by government, not for profit and also collaborates with other sectors like government in the implementation of the SADC Protocol on Gender and Development.

Gender Links Botswana plays the role of implementing the protocol, through four areas namely; governance and economic justice, media, justice and alliance. Through these four areas, the organisation covers all the targets of the SADC gender protocol especially by mainstreaming gender across board. Monitoring implementation of the protocol is regularly done on annual basis by gauging progress on the targets of the protocol. However areas such as policy influence and interaction with Government, do not show results that can create a conducive environment for policy coherence.

The key challenge for Gender Links Botswana is within the systems of governance. The District Councils do not fully exercise their responsibilities because they are controlled by central government. The other challenge of the systems is the dual legislative system that create opportunities for discriminatory cultural practices. Unavailability of gender indicators from is also a challenge. Lastly, the socio cultural challenges like diseases and social ills continuously hinder progress towards gender equality.

CHAPTER FOUR: PRESENTATION, ANALYSIS AND DISCUSSION OF RESEARCH FINDINGS

4.1 Introduction

This chapter presents findings from data collected from key informant interviews from organisation that work with Gender Links were interviewed. The mandates of the organisations will also be discussed. The research findings are presented according to the themes generated from the data. Thereafter a discussion will follow.

4.2 Mandates of the organisations

The mandates of the four organisation studied had one common area which was implementation of the SADC Protocol on Gender and Development. The respondents were interviewed between the 10th and 26th April 2019 and the mandate for each of the four organisation had different strongholds. Gender Links, is mandated to ensure the implementation of the SADC Gender protocol and gender equality in the Southern region guided by the SADC gender protocol and other instruments such as the SDGs. BOCONGO oversees and ensures that Gender Links' mandate is carried out in Botswana and that the SADC Protocol on Gender and Development is implemented. The Gender Affairs Department, is mandated to interface between men and women in all areas of development with a consideration of gender equality in all opportunities. The Telegraph Newspaper publishes and capacitates Media houses on gender and development issues.

4.3 Presentation and Analysis of the research findings

4.31 Roles and responsibilities of Gender Links and its partners

4.311 Ensuring implementation

The most prominent theme surrounding the roles and responsibilities of NGOs is ensuring implementation. The respondents described the roles to include ensuring that the signed international agreements, including the SADC Protocol on Gender and Development, are implemented, authentically and correctly reported on by reflecting on what has been done and what is still outstanding. The other area the respondents emphasized was ensuring gender equality in all opportunities through mainstreaming gender in all programmes, policies and projects. One of the respondents described the role as follows,

'We are mandated to ensure the implementation of the SADC Gender protocol and also just to ensure gender equality in the Southern region guided by the SADC gender protocol and other instruments such as the Sustainable Development Goals'.
[Interview on 17th April 2019]

4.312 Advocacy and putting pressure on those accountable

Another outstanding theme was advocacy, where the respondents indicated that NGOs play an advocacy role whenever there is need for change. They reported to have advocated for gender equality and signing of the protocol. They also put pressure on government and the policy makers to recognise atrocities around gender imbalance and inequality. Another approach employed was holding government and the authorities responsible for implementation accountable. One of the respondents said,

‘And then if there is a delay in implementation, we have to hold the people responsible for implementation accountable and ask them about their commitments’.
[Interview on 17th April 2019]

4.313 Monitoring implementation

The respondents indicated that NGOs use instruments of measurement to gauge the progress made in implementing agreements as well as whether the agreements reach the population. Monitoring and evaluation is also conducted to ensure that those who signed the Protocol keep their end of the bargain.

4.314 Other roles for NGOs

The respondents also indicated that some of the roles of NGOs include looking at all areas of development and interface between men and women, address different instruments through programmes, write about the agreement to sensitise and educate people. Another role indicated is measurement of the country’s performance against their counterparts. NGOs also produce shadow report that complements the one produced by government.

4.32 Modes of implementation utilised

4.321 Gender mainstreaming

Gender mainstreaming was prominently described by the respondents as the mode of implementation that is utilised in media houses and in the local councils to integrate gender into their systems. Appointment of gender focal persons is also one of the methods utilised. One of the respondents described the work they do and stated as follows:

‘We conduct gender mainstreaming in local government and in the media, we have a 10 stage project developed together with representatives from different local councils from across the region and then we came up with a module that guides in assessing whether a media house or council has mainstreamed gender’. [Interview on 17th April 2019]

4.322 Seeking buy-in as a mode of implementation

The respondents reported that in order to attain buy-in, NGOs interact with beneficiaries of programmes and facilitate them to learn about their needs. They indicated that for the local Councils to be taken through gender training, the respondents sought buy-in into the process of gender mainstreaming. They reported that they also engaged politicians to bridge the gap between politicians and the technocrats. The respondents also added that the media is also trained on how to report on gender issues. One of the respondents placed emphasis on how they acquire buy-in and stated that,

'we get buy-in, when they agree to take part in the mainstreaming processes, then they are taken through gender training where we now make them understand gender concepts and mainstreaming. With that understanding of gender concepts we then take them through the process, coming up with their own action plan, which is uniform to all beneficiaries'. [Interview on 17th April 2019]

4.323 Other modes of implementation

Other modes of implementation reported by respondents included a ten staged project that the councils and media houses complete before they go through the process of gender mainstreaming. Another mode of implementation utilised is lobbying, where the respondents indicated that for the signing and ratification of any international agreement including the SADC gender protocol, NGOs would have employed lobbying. Belonging to structure put in place by Civil Society to implement agreements was another mode that was highlighted by the respondents. Knowing the kind of language to use when reporting on gender issues was yet another method of implementation reported.

4.33 Facilitation of NGOs in implementing International Agreements

4.331 Facilitation by Government

The prominent theme indicated was on how government facilitate NGOs in the development process. The respondents indicated that government recognise civil society and their work such that there is a subversion specifically for the network of NGOs to help with functioning of the Secretariat. They indicated that on other instances government facilitation is not satisfactory. They also reported that they work in a casual manner with no formal agreement with government. The other limitation reported is that government does not consult NGO, such that they chose who to participate when attending review meetings. One of the respondents stated that,

'We are facilitated by government in the sense that they support BOCONGO, by way of a subversion fund, which has been in existence for over 15 years, but that only helps the secretariat to operate'. [Interview on 10th April 2019]

4.332 Other ways through which NGOs are facilitated

Other facilitation stated include assistance to participate during the annual and quarterly review meetings for the SADC gender protocol by other organisations. However, respondents noted that NGOs always force to get space for participation due to reluctance from government. Additional to facilitation by government, the respondents reported that the private sector was also consulted to facilitate NGOs by setting aside Corporate Social responsibility.

4.34 Influencing policy

The most outstanding thing that the respondents emphasized is that gender and development progress is a collective effort such that achievements cannot be associated with an individual organisation. Contribution towards policy change was reported to be through policy briefs, placement of information about agreements in the media for people to react, and also with stories of individuals for government to realise the magnitude of the problem. Research recommendations from NGOs was reported to have also been used to inform programmes and policy. One of the respondents gave the example below and said,

'The 2012 GBV study resulted in a strategy to ending GBV in Botswana and it's a point of influence'. [Interview on 17th April 2019]

4.35 Partnerships in implementation of international agreements

4.351 Partnerships with Government

The respondents reported that they work closely with government departments and have a cordial relationship established through a Memorandum of Understanding. The other thing reported was that government uses data generated by NGOs such as the gender barometer data. Another partnership initiative reported by the respondents was where government partnered with Gender Links to conduct GBV study. The respondents also indicated that NGOs sit in implementation structures set by government such as the National Gender Commission.

4.352 Other forms of Partnership

The respondents indicated that there are other forms of partnership that they engage in but recognised that all NGOs play a crucial role in the development process. They acknowledged that SADC gender protocol gives direction to all the NGOs. The gender summit that is

coordinated by Gender Links was also acknowledged as a platform for partnership by both NGOs and Government. The respondents also noted that there is still opportunities to form new partnerships.

4.36 Challenges faced by NGOS

4.361 Challenges from government

The respondents indicated that there is a challenges emanating from the positioning of the gender function within the government systems and that it was one of the root cause of the slow progress of gender and development programme. They reported that gender function within government came in as a reactive gesture to the international commitments that government had made. The respondents also associated the gender function with a gender mandate that is loaded but without power. Additional to the heavy mandate they indicated that the Department is positioned low in the government system and therefore fails to pitch as authority. One of the respondents summed it up by indicating that,

'The gender function came into place as a reactive gesture from international instruments as opposed to a function that comes through a statute which stipulates all the processes and power'. [Interview on 26th April 2019]

The respondents also stated that there is no feedback mechanism resulting in issues raised at international level not receiving attention at local level. The respondents also reported that it is difficult to deal with government because NGOs are regarded as a distraction. They also indicated that government doesn't want to give space for civil society in the development process. In supporting these submissions one of the respondents indicated that,

'Even if they come with good news from wherever, in terms of what is happening internationally, the word goes through people who may not even be convinced about what you are saying'. [Interview on 26th April 2019]

4.362 Challenges in accessing government

The respondents indicated that there is no point of contact for NGOs in the government system and therefore they are not directly facilitated. They stated that there are no gender desks that they could be utilised as points of entry and this results in no accountability. For those respondents who reported they have Memorandum of Understanding, they indicated that it is difficult to beyond it. One of the respondents summed it as thus,

'It's a challenge, because firstly we don't have a contact person at Ministerial level, we find ourselves working with BALA, but it is very difficult for us to go beyond them. There are no gender desks at ministerial level, we understand that there are some

ministries that have mainstreamed gender but we have not found any one who has been facilitating us. [Interview on 17th April 2019]

4.363 Challenges with interactions between NGOs

On how NGOs work together, the respondents indicated that their organisations do not have a formal way of working together and therefore work in isolation, fragmented with no trust between each other. The other challenge indicated is that there are too many players in the gender and development movement.

4.364 Other challenges

The respondents indicated that there were few funding opportunities resulting in a very tough competition for a small pot of resources. The respondents also stated unavailability of information and even if it is there, it is not sufficient to inform programming. They also indicated that government is stingy with information. Additional to the above challenges, the respondents observed that the younger generation is disadvantaged by culture, because the older generation does not learn from them but chose to claim knowledge on young people's issues.

'Even as we claim knowledge of that culture it is diluted, and we don't even know what we are passing to our children, how it is linking up with everything else'. [Interview on 26th April 2019]

4.37 Strengthen relations between NGOs, the private sector and government

4.371 Coordination of NGOs

The respondents expressed that since NGO Council is the link between government and NGOs, it should be in position to support NGOs. The respondents raised a number of ideas in terms of how the NGO sector could be coordinated. They suggested that there is need for proper coordination, formation of collaborations, networking and formation of different thematic groups. They also suggested that they could be assisted to connect, facilitated to become experts in gender and development, build relationships work together to understand each other. The SADC Gender Unit was identified as one of the organs that could facilitate NGOs. The coordination theme is summed up as follows,

'NGO council is supposed to be the overall link between government and NGO and also ensure that NGOs are supported'. [Interview on 10th April 2019]

4.372 Consultation

The respondents reported that consultation is key in the development process. They indicated that signing international agreements should be preceded by consultation. Consent and

accepting differences between NGOs was another issue that was emphasised under consultation. They also recommended that there should be deliberate measures to ensure women's voices in every deliberation. One of the respondents summed the discussion on consultation and said,

'When government signs agreements, it is on behalf of all of us, so the assumption is that the consultation should precede the signing. People centred development cannot be finalised and wrapped up in offices, we cannot have one group making decisions for all of us'. [Interview on 26th April 2019]

4.373 Information sharing

The respondents suggested sharing information to keep each other informed as a point of strength. Realising the importance of including gender in the content of newspapers was another angle suggested. On the same note the respondents suggested that editors in the media should be empowered and guided on how to capture gender issues. To accomplish these, one of the respondents suggested that it would be better if the union of journalists is engaged in gender and development.

4.374 Government intervention

Directed towards government is the responsibility of strengthening the NGO Council. The respondents noted that since the Council is the link between the NGOs and government, it should be supported. To allow for NGOs to reach their full potential, government should let go of some of the responsibilities. Lastly the respondents indicated that there is need for a legislation that keeps affairs of gender in check. One of the respondents supported this and said,

'There should be a law that keeps us in check, same spirit that informed localisation should be employed to balance all of us'. [Interview on 26th April 2019]

4.4 Discussions

According to Zainal, (2001), a descriptive case study method, require starting from theoretical perspective to support the description of the phenomenon. Since NGOs present variable ways of participating in the development process, three economic theories of the non-profit sector would be utilised to describe the roles of NGOs in this case study. These theories present that there are several different ways of understanding the relationship between government, private and not-for-profit sectors. The different strands of the theories demonstrate that non – profit organisations operate independently as supplements to government; work as complements to government in a partnership relationship; and are

engaged in an adversarial relationship of mutual accountability with government (Young,2000).

The findings indicated that the roles of NGOs are described through ensuring implementation, advocacy, monitoring and sensitisation of the public. With ensuring implementation, NGO roles in the development process is to implement signed agreements, authentically and correctly report by reflecting on what has been done and what is still outstanding. This shows that NGOs follow through the commitments made at international level to the extent that they ensure signing, ratifying, implementation and proper reporting. The emphasis made by the respondents was on ensuring that intended outcome of the agreements are achieved. This concurs with Meier and Tenner (2001) who indicated that the role of NGOs is to initiate and influence negotiations on multilateral agreements as well as increase the level of involvement in the implementation of such agreements, sometimes directly and sometimes by assisting states parties in implementation. This is also supported by the public goods theory that Kingma (1997) described that the entry point for NGOs is where they satisfy a demand for public goods that is left unfilled by government provision. For instance when NGOs implement agreements and ensure authentic reporting, they narrow the implementation gap left by the government and the private sector.

According to the findings NGOs also play an advocacy role especially where there is need for change. For example they played the role when advocating for signing of the SADC gender protocol. The description of the role indicated that they put pressure on government this is in sync with Ball and Dunn (1995:14) who described the role of NGOs and stated that, 'NGOs also have the goal of working towards transformation of existing structures, systems and relationships in order to enhance human dignity among the socio-economically deprived groups, involvement in research, public education and advocacy'. In this case as previously indicated, NGOs advocated for changes in the situation of women and put pressure on the policymakers to sign SADC gender protocol that addresses women's rights and needs.

Monitoring of agreements is ensured through utilisation of instruments of measurement such as the SADC gender protocol barometer that reviews progress on the targets of the protocol, identifies gaps and areas that have to be addressed. Data from the barometer is also used to gauge progress of countries against each other. This eventually shows the level of improvement on gender and development in the region. Another aspect of monitoring implementation is to ensure that the authorities keep their end of the deal. These

responsibilities have also been expressed by O'Brien and Gowan (2012) who indicated that monitoring of agreements is the assessment of international agreements' success and the manner in which relevant actors implement and comply with agreements as well as how implementation and compliance are enforced and monitored.

In summary of the above, reference is made to the theory of contract failure that states that non-profit organizations are chosen as efficient vehicles for delivering services where there is a condition of information asymmetry between consumers and producers and could end up with consumers exploited by profit-making firms. The entry of NGOs displayed in this theory is one of the driving forces towards making government accountable on instances where they violate the trust bestowed upon them by the nation. With the information stated above, it could be concluded that the objective that intended to describe roles and responsibilities of Gender Links as an NGO in the process of implementing international agreements has been met.

The modes of implementation of agreements, identified by the respondents included gender mainstreaming, seeking buy-in, and belonging to NGO structures and lobbying. In terms of gender mainstreaming, the respondents indicated that they use the strategy with local authorities in order to ensure gender inclusion in the activities of the local councils. The SADC gender protocol recognises gender mainstreaming as a strategy for attaining gender equality in Southern Africa. The SADC Secretariat (2016), indicated that the gender protocol recognises elements that include harmonising of national legislation, policies, strategies and programmes with international instruments on gender; and adopt policies, strategies and programmes and special measures to aid implementation.

The results show that buy-in is also sought through interacting with beneficiaries of the gender and development programmes to facilitate them to learn about their needs. Politicians and technocrats are also involved in order to have both sides (political and administration) understanding gender issues on the same level. O'Brien and Gowan (2012) noted political buy-in as key and placed emphasis on the fact that a successful agreement must win the support of key domestic constituencies in the states involved, depending on the focus of the agreement, and these include political parties, government bureaucracies and civil society groups.

In lobbying for success of the agreement, the respondents indicated that signing and ratification of any international agreement including the SADC gender protocol, NGOs have employed lobbying and affiliation to other structures of governance. This basically strengthened their efforts towards achieving gender equality because collective efforts yields more results. Gemmill, and Bamidele-Izu, (2002) noted that NGOs do not only act as stakeholders, they also mobilise public support for international agreements and are a driving force for international cooperation. On another note Oberthür *et. al.*, (2002) supported lobbying and advocacy and indicated that NGOs contribute their own expertise, engaged in advocacy and lobbying, serve as members of national delegations and ensure transparency of international processes. These two submission support and demonstrate that the indications from the respondents show that NGOs ensure that agreements are signed and ratified after awareness have been raised. The conclusion here is that another objective of the study that intended to identify modes of implementation utilised by Gender Links in implementing the SADC Gender protocol was met.

With facilitation of NGOs in the implementation of international agreements, respondents expressed positive and negative views about the way they are facilitated. On the positive, they indicated that government recognise civil society and their work such that there is a subversion specifically for the network of NGOs to help with functioning of its Secretariat. It could be argued that Botswana presents a different case by facilitating BOCONGO with financial resources. Willetts (Not dated) reported that operational NGOs have to mobilize resources, in the form of financial donations, materials or volunteer labour, in order to sustain their projects and programs.

On the negative, they expressed that government facilitation is not satisfactory and they work in a casual manner with no formal agreement with government. Another negative submission by the respondents is that government choses who to participate especially when attending review meetings for agreements, and that NGOs are always forcing to get space for participation during the meetings for the SADC gender protocol. Hofisi and Hofisi (2013), explored State-NGO relations and their impact on development in Africa and found that in Africa, the relationship between the state and NGOs has been challenged by lack of mutual trust and in some instances, the State disseminates a plethora of legal instruments targeted at limiting the activities of NGOs. Also observed is that as NGOs monitor compliance and sensitivity to human rights, they sometimes accuse government on the prevalence of societal ills. NGOs sometimes accuse governments of corruption, governance and autocracy, pointing

at these as the main factors that hamper development, and thereby, justifying their existence, (Hofisi and Hofisi, 2013). As indicated by the discussion, the objective that intended to provide insights that may demonstrate how government can facilitate NGOs in implementing international instruments was met.

The findings indicated that gender and development progress is collective such that achievements cannot be associated with an individual organisation. The respondents indicated that influencing policy comes through programmes that are implemented by various organisations. Mukamunana and Brynard (2005) had studied the extent to which civil society organisations influence the policy making process and indicated that the role of civil society organisations varies greatly depending on their political contexts. The conclusions stated that civil society, in a democratic government, is a channel through which citizens participate in making and implementing public decisions, they identify, prioritise and resolve public problems, allocate and manage public resources. This basically demonstrate the earlier point that expressed that policy change is collective and cannot be the effort of one organisation.

In terms of partnership, the respondents reported that they work closely with government departments and also have a cordial relationship that have been established through a Memorandum of Understanding. Government on the other hand benefited from data generated by NGOs such as from the gender barometer which is an annual progress report on the SADC gender protocol. Government also partnered with Gender Links to conduct Gender Based Violence study. The negative aspect of partnership is that NGOs sit in implementation structures set by government such as the Gender Commission but the government is always in the majority.

Partnership that is demonstrated through working together to influence policy, conducting research with government, sitting in government boards and other structures is supported by the interdependence or partnership theory. It highlighted that NGOs are seen as partners to government, helping to carry out the delivery of public goods largely financed by government. In this perspective, NGOs and government expenditures have a direct relationship with one another and as government expenditures increase, they help finance increasing levels of activity by NGOs (Young, 2000). The argument that NGOs are partners in the development process by Sama (2015) holds, especially in a situation like the one above expressed by respondents, where NGOs have to share experiences, resources and expertise with government.

Given the above discussions on partnerships and policy influence, it could be concluded that since the organisations studied worked together with Gender Links, they have influence on gender policy collectively. They identified areas through which they influenced policy as forging partnership between NGOs and with government, therefore, the objective that focused on establishing the extent to which Gender Links influence gender policy in Botswana has been met.

The findings indicated that challenges in implementation emanate from working with government, accessing government and interaction between NGOs. The positioning of the gender function within the government systems was reported to be one of the root cause of the slow progress of gender and development due to the fact that the function was established as a way of reacting to the international agreements that the country has signed and was not legislated. This was seen as a disadvantage because the mandate is large but without authority. NGOs are regarded as a distraction resulting in difficulties in working with government. The government also doesn't want to give space for civil society in the development process such that issues raised at international level are not given a platform for discussions and decision making. This is an issue of trust between government and civil society. Makoba (2018) indicated this when arguing that African governments pose as challenge where they do not trust NGOs in areas of human rights, democracy and environment such that they view NGOs with suspicion and hostility. The argument here could be that whenever there is involvement of the third party in the process of agreements, African governments become hostile and suspicious. Access to government is yet another issue, the respondents indicated that there is no point of contact for NGOs in the government system resulting in no one directly facilitating them.

The respondents indicated that their organisations do not have a formal way of working together such that they work in isolation, engaged on ad hoc basis, fragmented with no trust between each other. Given these circumstances and limited funding opportunities, NGOs then compete amongst themselves for resources. Government was also accused for withholding information from NGOs. Supporting this is Ewoh (2002) who observed that for a friendly coexistence between an NGO and a government to occur, the NGO would have to depend on government for protection when implementing its functions and a government may feel at ease with an NGO when its authority is neither threatened nor challenged.

International institutions have stipulated requirements that determine the relationship between NGOs and international institutions, but there are no specific roles that are stipulated for NGOs within operationalisation of the agreements. Gaer (2003) identified this as a gap and reported that the situation results in the relationship between the treaty supervisors and the NGOs which is developed on an ad hoc basis. This is also observed in the findings where the respondents indicate that they work with governments without gender desks that they could account to or even engage on discussions about international agreements.

The respondents stated that strengthening relations between NGOs and government stem from all angles such as within government, inside NGOs and with resources. To strengthen the relationship between NGOs and government, the respondents suggested the following areas as points on entry; coordination of NGOs, consultation, information sharing and government intervention. The findings emphasised that the NGO Council which is the link between government and NGOs, should rightfully be positioned to support NGOs. According to Government of Botswana, (2001), the NGO Council's main functions are to co-ordinate the implementation of the NGO policy in collaboration with the parent Ministry and the NGO sector; to facilitate a participatory monitoring and evaluation of the policy implementation and its impact on NGO sector; facilitate a better and more widespread understanding of NGOs; and provide overall policy guidance on all aspects of NGO operations and activities within the framework of this policy. Given these responsibilities for the NGO Council, it is clear that it is rightfully positioned. To sustain their expectation on the Council, the respondents raised a number of ideas in terms of how the NGO sector could be coordinated and they indicated that there is need for proper coordination, formation of collaborations, networking and formation of different thematic groups. They suggested that they could be assisted to connect, facilitated to become experts in gender and development, build relationships and work together to understand each other.

The respondents suggested how the Government could intervene and emphasis was that government should take the responsibility of strengthening the NGO Council to support NGOs. The respondents advised that in order for NGOs to reach their full potential, the government should let go of some of the responsibilities. Lastly the respondents indicated that there is need for a legislation for gender and development.

Consultation was reported as key in the development process, and the respondents indicated that it should precede signing of international agreements. Sharing information and keeping

each other informed as well as involving the media fraternity was seen as another addition to strengthening relations. To accomplish these, one of the respondents suggested that it could be achieved if the union of journalists is engaged. The objective that intended to recommend solutions to strengthen NGOs, the private sector and government in implementing international agreements was therefore met.

4.5 Conclusion

The finding indicated that the roles of NGOs in the implementation is described through ensuring implementation, advocacy, monitoring and sensitisation of the public. In ensuring implementation, NGO follow through the signed international agreements to ensure that they are implemented, authentically and correctly reported on by reflecting on what has been done and what is still outstanding. NGOs also play an advocacy role especially where there is need for change. Monitoring of agreements was also ensured through utilisation of instruments of measurement such as the SADC Gender Protocol barometer that reviews progress on the targets of the protocol. Data from the barometer is also used to gauge progress of countries against each other. From the respondents' description of the roles of NGOs in implementation of agreements, it can be concluded that they conform to the practice of their counterparts elsewhere in the world.

The modes of implementation of the agreements especially the SADC Gender protocol identified by the respondents included gender mainstreaming, seeking buy-in, and belonging to NGO structures and lobbying. In terms of gender mainstreaming, the respondents indicated that it is a strategy utilised to integrate gender into systems and the development process. They also use the strategy with local authorities in order to ensure gender is included in the activities of the local councils. Buy-in is sought through interacting with the beneficiaries of the gender and development programmes to facilitate them to learn about their needs. Politicians and technocrats' involvement to facilitate understanding of gender issues by both political and administrative arms of governance is also another way of seeking buy in. Lobbying and affiliation to other structures of governance were also employed for the success of the agreements. This basically strengthened the efforts towards achieving gender equality because collective efforts yields more results.

Facilitation of NGOs in the implementation of international agreements had two ways that included facilitation by government and other forms of facilitation. In this area, there were positives and negatives views. They positive view is that the government recognise civil

society and their work such that there is a subversion specifically for the network of NGOs to help with functioning of its Secretariat. The negative view stated that government facilitation is sometimes not satisfactory especially in the casual manner that they adopted in working with civil society in the absence of a formal agreement. The conclusions made would be that the relationship between States and NGOs will always be negative because one exists to keep an eye on the other.

In terms of contribution to policy change, the findings indicated that gender and development progress is collective such that achievements cannot be associated with an individual organisation. Influencing policy comes through programmes that are implemented by various organisations. The other thing stated is the use NGO research recommendations to inform programmes and policy.

On the issue of partnership, the NGOs work closely with government departments and also have a cordial relationship that have been established through a Memorandum of Understanding. Government on the other hand benefits from data generated by NGOs such as from the gender barometer which is an annual progress report on the SADC gender protocol. Partnership was also noted when government partnered with Gender Links to conduct Gender Based Violence study. However, NGOs sit in implementation structures set by government such as the Gender Commission but the government is always in the majority.

Although the roles, modes of implementation, facilitation of NGOs, contribution to policy change and partnerships exists within the NGO sector, there are challenges to implementation. Challenges in implementation have a number of areas where they emanate from namely, challenges from government, accessing government, interaction between NGOs and other challenges from the development process. The positioning of the gender function within the government systems was reported to be one of the root cause of the slow progress of gender and development. The function was unlegislated resulting in it placed very low in the government. Government is also perceived to view NGO as a distraction resulting in difficulties in working together. NGOs do not have a formal way of working together such that they work in isolation, when engaged it is on ad hoc basis, they are fragmented with no trust between each other.

In pursuit of strengthening the relationship between the sectors, the respondents suggested the following areas as points on entry; coordination of NGOs, consultation, information sharing

and government intervention. Regarding coordination, emphasis was made on the involvement of the NGO Council, which is the link between government and NGOs, that it should rightfully be positioned to support NGOs. In order for NGOs to reach their full potential, the government should let go of some of the responsibilities. Consultation was reported as key in the development process, and signing of international agreements should precede signing. Sharing information and to keeping each other informed as well as involving the media fraternity was seen as another addition to strengthening relations.

CHAPTER FIVE 5: SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter summarises the whole study. The conclusions and the recommendations are based on the findings of the study.

5.2 Summary

This study sought to understand the role played by Non-Governmental Organisations (NGOs) in the implementation of international agreements in Botswana. The study further looked into the influence NGOs have on the policy processes and the extent to which government facilitates them. The study was motivated by the fact that the government has not been fully engaging and involving NGOs and their exclusion in the development process could breed problems such as policy implementation and outcomes that are not people-centric and policy failure.

This study was qualitative and descriptive in design and described the natural phenomena which occur within the data. The study adopted a case study approach that is defined as an empirical inquiry that investigates a contemporary phenomenon within its real-life context. The study population consisted of representatives from Gender Links and organisations working with Gender Links on implementing the SADC Protocol on Gender and Development. A total of four (4) representatives from organisations were selected as key informants for the study. The key informants were interviewed using a discussion guide based on the objectives of the study.

The finding reflected that the roles of NGOs in the implementation of international agreements are described through ensuring implementation, advocacy, monitoring and sensitisation of the public. The modes of implementation of the agreements especially the SADC Gender protocol identified included gender mainstreaming, seeking buy-in, and

belonging to NGO structures and lobbying. Facilitation of NGOs in the implementation of international agreements had two ways that included facilitation by government and other forms of facilitation. In this area, NGOs also expressed dissatisfaction with the way government facilitated them.

In terms of contribution to policy change, the findings indicated that gender and development progress is collective such that achievements cannot be associated with an individual organisation. Influencing policy comes through programmes that are implemented by various organisations.

On the issue of partnership, the NGOs work closely with government departments and also have a cordial relationship that have been established through a Memorandum of Understanding. Government benefits from data generated by NGOs such as from the gender barometer which is an annual progress report on the SADC gender protocol. The respondents emphasised that there is still opportunities to form new partnerships.

Although the roles, modes of implementation, facilitation of NGOs, contribution to policy change and partnerships exists within the NGO sector, there are challenges to implementation. Challenges in implementation have a number of areas where they emanate from namely, challenges from government, accessing government, interaction between NGOs and other challenges from the development process. The positioning of the gender function within the government systems was reported to be the root cause of the slow progress of gender and development.

In pursuit of strengthening the relationship between the sectors, the respondents suggested the following areas as points on entry; coordination of NGOs, consultation, information sharing and government intervention. On coordination, emphasis was made on the involvement of the NGO Council, which is the link between government and NGOs, that it should rightfully be positioned to support NGOs. Consultation was reported as key in the development process, and in signing of international agreements it should precede signing. Sharing information and keeping each other informed as well as involving the media fraternity was seen as another addition to strengthening relations.

5.3 Conclusions

The literature reviewed reflected that evolution of involvement of Non-Governmental Organisations is attributed to globalisation, which has weakened the traditional governance

processes. NGOs have been growing in numbers and influence the world over and in recent decades became concentrated in developing countries particularly in Asia, Latin America, and Africa. Due to their growing influence, NGOs are increasingly becoming significant participants in both political and socio-economic activities. NGOs also existed during colonial times and their roles were centred on welfare but overtime responded to the changing landscape and focussed on issues related human rights.

NGOs are defined as private organizations not established by a government or by intergovernmental agreement which are capable of playing a role in international affairs by virtue of their activities. The role of non-governmental organisations therefore includes initiating and influencing negotiations on multilateral agreements as well as increasing the level of implementation of agreements. Their involvement is reported to include monitoring the activities of governments and non-state actors in order to detect and publicise breaches and in some cases they assist in bringing the government and the non - state actors back into compliance. The major function of NGOs is to monitor compliance to international agreement completely outside the formal system. Additional to this, NGOs have been observed to have a unique contribution to monitoring of international agreements. Therefore the involvement of NGOs in the international processes position them as watchdogs, and they also provide assistance to the member states.

The roles of NGOs in the implementation on international instruments is described through three economic theories of the non-profit sector (public goods, partnership and contract failure theories), especially due to their variable ways of participation in the development process. The theories present that there are several different ways of understanding the relationship between government and the not-for-profit sectors. The different strands of the theories demonstrate that non – profits organisations operate independently as supplements to government (public goods theory); work as complements to government in a partnership relationship (partnership theory); and are engaged in an adversarial relationship of mutual accountability with government (contract failure theory). The public goods theory described that the entry point for NGOs is when they satisfy a demand for public goods that is left unfilled by government provision. In the study it is demonstrated in the case where NGOs implemented the agreements and ensured authentic reporting which resulted in narrowing the implementation gap left by the government and the private sector.

In terms of partnership theory, the respondents reported that they work closely with government departments and also have a cordial relationship that have been established through a Memorandum of Understanding. Government on the other hand was reported to benefit from data generated by NGOs such as from the gender barometer which is an annual progress report on the SADC gender protocol. Partnership was also noted when government partnered with Gender Links to conduct Gender Based Violence study.

With the contract failure theory, the entry of NGOs displayed where the respondents indicated that they hold authorities accountable on instances where they do not provide information on the progress of the international agreements.

The findings reflect that indeed the NGOs play a role in the development process. This is described through ensuring implementation, advocacy, monitoring and sensitisation of the public. In ensuring implementation, NGO follow through the signed international agreements, including the SADC Protocol on Gender and Development to ensure that they are implemented, authentically and correctly reported on by reflecting on what has been done and what is still outstanding. Monitoring of agreements was also ensured through utilisation of instruments of measurement such as the SADC Gender Protocol barometer that reviews progress on the targets of the protocol. It can be concluded that NGOs conform to the practice of their counterparts elsewhere in the world because they implement, advocate and monitor the performance of international agreements.

The modes of implementation of the agreements especially the SADC Gender protocol identified by the respondents included gender mainstreaming, seeking buy-in, and belonging to NGO structures and lobbying. In terms of gender mainstreaming, it was indicated as a strategy utilised to integrate gender into systems and the development process. Buy-in is also another mode of implementation and it is sought through interacting with the beneficiaries of the gender and development programmes to facilitate them to learn about their needs. Lobbying and affiliation to other structures of governance were also employed for success of the agreements. Conclusion here is that NGOs reported that they employed modes that ensured that the SADC Gender protocol fit well with existing systems of operation.

Facilitation of NGOs in the implementation of international agreements had two ways that included facilitation by government and other forms of facilitation. In this area, there was dissatisfaction displayed by NGOs in terms of how government facilitated them. The positive

view is that the government recognise civil society and their work such that there is a subversion of funds specifically for the NGO network. The negative views stated that government facilitation is sometimes not satisfactory especially in the casual manner that they adopted in working with civil society. There is no formal agreement of how they should work together. The conclusions made would be that as elsewhere in the world, the relationship between States and NGOs will always be negative because one exists to keep an eye on the other.

In terms of contribution to policy change, influencing policy comes through programmes that are implemented by various organisations. Contribution towards policy change also come through production of policy briefs, media coverage on the information about agreements for people to react, and stories of individuals' experiences on gender discrimination.

NGOs work closely with government departments and also have a cordial relationship that have been established through a Memorandum of Understanding. Government on the other hand benefits from data generated by NGOs such as from the gender barometer which is an annual progress report on the SADC gender protocol. Partnership was also noted when government partnered with Gender Links to conduct Gender Based Violence study. Emphasised was that there is still opportunities to form new partnerships, but issues of trust and consent between NGOs were indicated as lacking.

Challenges in implementation have a number of areas where they emanate from namely, challenges from government, accessing government, interaction between NGOs and other challenges from the development process. The positioning of the gender function within the government systems was reported to be one of the root cause of the slow progress of gender and development. NGOs do not have a formal way of working together such that they work in isolation, when engaged it is on ad hoc basis, they are fragmented with no trust between each other.

In strengthening the relationship between the sectors, the respondents suggested the following areas as points on entry; coordination of NGOs, consultation, information sharing and government intervention. Emphasis made was on the involvement of the NGO Council, which is the link between government and NGOs, that it should rightfully be positioned to support NGOs. There is need for a legislation that keeps affairs of gender and development in

check. Consultation and information sharing was reported as key in the development process, and in signing of international agreements it should precede signing.

It would be expedient to conclude that the objectives of the study had been met and the answers to the research question have been answered. The role of NGOs in the implementation of agreements have been identified. In terms how government facilitate NGOs, they acknowledge that government facilitate them but with a lot left to be desired.

5.4 Recommendations

The following recommendations were made through deducting from the research findings:

- To allow for NGOs to reach their full potential, the government should let go of some of the responsibilities. The current way of operation where Gender Department implements activities that should be done by NGOs does not facilitate NGOs to partake in the implementation of the agreements resulting in them being compromised
- To position gender as a function that has a mandate that has power and can keep gender and development programming in position, there is need for a statute that stipulates all the processes and authority of the gender function.
- The government should appoint gender focal persons in the Ministries for them to be utilised by NGOs as points of entry, facilitation and accountability.
- Due to the position of the NGO Council as the overseer of the NGOs, it is supposed to be the overall link between government and NGO. The government should strengthen the NGO Council in order for it to ensure that NGOs are sufficiently supported.
- To ensure that NGOs are properly coordinated, the NGO council should institute formation of collaborations, networking and formation of different thematic groups. To sustain this NGOs should be assisted to connect, facilitated to become experts in gender and development, build relationships and work together to understand each other.
- Consultation is key in the development process but comes with aspects of consent and acceptance of differences that have to be addressed. However, consultation should be precede signing of international agreements to ensure that consent and acceptance of differences are factored in.
- To enhance partnerships between NGOs and government, there should be continuation of involvement and consultation between them.

- To ensure that the NGOs are satisfactorily facilitated, a formal agreement between the government and NGOs should be instituted.
- Information sharing is also important in strengthening relations between the sectors, therefore to facilitate each other in implementation of agreements, the sectors need to be transparent to each other.

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APPENDICES

Appendix A

Consent form

My name is Molly Makondo, a postgraduate student of the University of Botswana. I am currently conducting a study that is a requirement of the University of Botswana Master's Degree in Research and Public Policy. The study is sponsored by the Ministry of Finance and Economic Development and is titled, the role of NGOs in the implementation of international agreements and their interaction with the government of Botswana: a case study of Gender Links. It is hoped that the study will generate information that will enhance understanding and emphasis on the role played by NGOs in the implementation of international instruments.

Your participation in this study is voluntary and you are at liberty to withdraw from the study at any time. I ensure you that you will be treated with respect and with human dignity you deserve. The information generated from this study will be confidential and anonymous.

Researcher's Signature

I, understand that my voluntary participation in this study as an informant will generate information that will be recorded, processed and analysed. I have been assured that the information will be processed in order to facilitate analysis and that it will be anonymous. I have not been forced to participate in this study and have the right to withdraw from it at any time.

Participant Signature

Appendix B

Discussion guide for the respondent

Demographic Information

Gender

Male

Female

Other

Educational Attainment

Primary

Secondary

Tertiary

Age of respondent

Organisation

Mandate of the Organisation

Does organisation have influence from and on other organisations?

Policy processes

- Roles of Organisation in the implementation of international agreements
 - Probe for the SADC gender protocol?
- How the organisation is facilitated in implementation of international agreements
 - Probe for implementation of the SADC gender protocol
 - Probe for facilitation by sectors
- What are some of the challenges faced by the organisation?
 - Probe for relationship
- To what extent does organisation influence policy change through implementation of the SADC gender protocol?
- What can be done to strengthen relations between NGOs and other sectors?