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Human Security in SADC





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From the Director

J.G. (Pal) Martins



Pax Africa, the newsletter, is back after a brief hiatus from publication. Over the past year, we have been very busy with a number of different projects, and with building up the organisation, which prevented us from putting out our newsletter regularly. However, we are now back in full swing and hope you will enjoy this and future editions.

Last year, Pax Africa undertook a major study for the South African Departments of Foreign Affairs (DFA), Defence (DOD) and the South African Police Service (SAPS) on South Africa's participation in international peace missions. The study coincided with the review of the White Paper on South Africa's Participation in International Peace Missions, which was adopted in 1999 before the country had any real experience of peace missions. The research examined a number of case studies, including Burundi, Democratic Republic of Congo (DRC), Sudan, Ethiopia-Eritrea, Lesotho and the Comoros, to draw lessons from South Africa's involvement in peace-making, peace-keeping and peace-building activities. The research also reviewed the relevant normative and institutional frameworks at national (SA), regional (SADC), continental (African Union) and global (UN) levels. The research team had the opportunity to visit South African troops deployed across the continent, as well as interviewing key stakeholders from government, civil society, multilateral organisations and international partners in South Africa and in the case study countries. The study generated a number of recommendations to help improve South Africa's future participation in peace missions.

Pax Africa has focused on the SADC region recently. We undertook two additional studies for the DFA on South Africa's engagement in peace and security issues in the region, with a focus on improving bilateral and multilateral engagement, strengthening the SADC Organ for Politics, Defence and Security Cooperation (OPDSC) and operationalising the region's peace and security architecture.

Pax Africa has also been engaged in a project to support and accelerate the operationalisation of the human security agenda in the SADC region. This project has entailed research on regional human security priorities, policy dialogue, engagement with the SADC Organ Directorate and the commencement of a regional network of civil society organisations (CSOs). The network grows out of a recent conference convened by the SADC Secretariat and facilitated by Pax Africa, at which CSOs developed an action plan to provide support and assistance to the Organ Directorate.

The draft action plan will be circulated to a wider range of civil society stakeholders for input, before being forwarded to the SADC Secretariat. The objective is to strengthen civil society cooperation within Southern Africa, enhance civil society support for the SADC Secretariat and ultimately, accelerate achievement of the region's human security objectives.

In addition to our work at regional level, Pax Africa has continued to work on the issue of natural resource governance. We are now in the final phases of producing a volume that addresses the governance of a number of different natural resources (water, land, forests, marine resources, fossil fuels, minerals) as well as cross-cutting issues such as gender and climate change. The volume seeks to provide practical information and policy recommendations to ensure that natural resources contribute to sustainable peace and development.

In the coming months, we hope to build on our previous work by continuing to provide support to the South African government, SADC Secretariat and African Union Commission in the development and implementation of the African Peace and Security Agenda (APSA). This will include continuing research, analysis and policy facilitation in support of a number of priorities, including: mediation and peace-making efforts; the civilian dimension of the African Standby Force and the SADC Brigade; and rolling out the AU policy on post-conflict reconstruction and development (PCRD) in the SADC region. In addition, in the spirit of enhancing capacity and broadening participation, we have expanded our internship / mentorship programme and continue to provide training to government personnel, diplomats (including lectures in the DFA Senior Diplomat Training Programme), representatives of multilateral organisations as well as civil society groups.

While the global financial crisis is likely to restrict Northern aid contributions to Africa and may force some African countries to reconsider their budget priorities, we have no doubt that the human security approach remains the most appropriate and viable one for addressing the region's peace, security and development challenges. We hope that any measures taken to mitigate the effects of the global crisis will adopt such an approach to ensure that they contribute not only to short-term economic stabilisation but also to longer-term human security in Africa.

Enjoy your read.

Editorial Comment

Brittany Kesselman

This edition of the Pax Africa newsletter examines the state of human security in the Southern African Development Community (SADC). Since its emergence in development discourse in the 1994 Human Development Report (UNDP), the term human security has been much used and much misunderstood. Human security entails a focus on the security of individuals and communities, rather than only of states. It encompasses political, socio-economic, environmental and other forms of security, at local, national, regional and continental levels.

As the final report of the Independent Commission on Human Security stated, “Human security complements state security, enhances human rights and strengthens human development. It seeks to protect people against a broad range of threats to individuals and communities and, further, to empower them to act on their own behalf”.¹

Three critical innovations result from this multi-dimensional and multi-tiered approach to human security. First, security is broadened to incorporate issues such as the eradication of poverty as well as access to rights. Second, the notion of empowerment and participation is considered integral to human security. Finally, unlike the traditional, somewhat adversarial concept of state security, in which other states are frequently perceived as threats to the security of their neighbours, human security emphasises the inter-connectedness of the security of countries. Because a threat to human security in one country is likely to be a threat to human security in neighbouring countries as well, this approach fosters cooperative security arrangements.

The concept of the responsibility to protect (R2P), which posits a shared, international responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity when national authorities are manifestly failing to do so, is in some respects an outgrowth of the notion of human security. While R2P recognises that the protection of populations is first and foremost the responsibility of the states in which they reside, it counters the sovereignty argument by saying that the security of individuals and populations is a global responsibility.

The SADC region has traditionally maintained a strict separation between peace and security issues, on the one hand, and development, on the other (see article on human security). This separation, which exists at both conceptual and institutional levels, is contrary to the notion of human security, which the region and the continent have at least nominally adopted.

While it is impossible to capture all aspects of human security in this newsletter, we cover some of the critical areas, such as the institutional and policy frameworks for addressing human security in the region; socio-economic development (through NEPAD); control of firearms; conflict prevention, management and resolution; post-conflict reconstruction; and crises of governance. The country profile in this edition focuses on Madagascar, which has recently suffered a (somewhat indirect) coup and is now in need of support from SADC and the AU to ensure a return to constitutional governance.

Critical to the success of the human security agenda is the participation of civil society in its development and implementation. Article 5(2)b of the SADC treaty, states that SADC shall “encourage the people of the Region and their institutions... to participate fully in the implementation of the programmes and projects of SADC”. Pax Africa has therefore decided to enhance its cooperation with other CSOs in the region, and to augment its capacity building activities, to ensure that civil society is able to participate fully in the realisation of the region’s objectives. I hope you will enjoy your read, and as always, look forward to your feedback.



¹ Commission on Human Security 2003 *Human Security Now*. New York: Commission on Human Security, p 2.

Human Security in the SADC Region

Brittany Kesselman

With the end of the conflicts in Mozambique and Angola, the end of apartheid and the holding of elections in the DRC, the SADC region has entered a period of relative stability and with that, economic growth. Pockets of instability remain, such as the Cabinda enclave, Eastern DRC or the more recent crisis in Madagascar, but for the most part the region is at peace.¹ Currently, most threats to the region are not traditional, military threats to state security, but rather socio-economic or environmental hazards that fall under the broader rubric of human security.

For the purposes of this article, the definition of human security is taken from the Common African Defence and Security Policy (CADSP, paragraph 6), which states that human security embraces: *human rights; the right to participate fully in the process of governance; the right to equal development as well as the right to have access to resources and the basic necessities of life; the right to protection against poverty; the right to conducive education and health conditions; the right to protection against marginalization on the basis of gender; protection against natural disasters, as well as ecological and environmental degradation.*

The definition in the CADSP goes on to indicate that human security functions at different levels: *At the national level, the aim would be to safeguard the security of individuals, families, communities, and the state / national life, in the economic, political and social dimensions. This applies at the various regional levels also; and at the continental level, the principle would be underscored that the “security of each African country is inseparably linked to that of other African countries and the African continent as a whole.”*

Three elements of this definition are of fundamental importance: the recognition of the multi-dimensional nature of human security; the need to safeguard both the security of individuals as well as of states; and the inter-connectedness of the security of African countries. With these three elements in mind, the appropriateness of the human security concept to the SADC context becomes immediately apparent.

Indeed, current threats to the region include HIV / AIDS and other diseases, food insecurity, poverty, inequality, climate change and natural disasters, amongst others. While SADC acknowledges these threats in the Strategic Indicative Plan for the Organ (SIPO) and other key documents, the SADC Organ is still largely oriented toward more ‘traditional’ threats, such as inter-state conflict. Issues such as food security or HIV/AIDS are largely the responsibility of other SADC directorates, and there is a very strict division between the Organ and the rest of SADC in this regard.² Despite the official integration of the Organ into SADC structures in 2001, the practical process of integration has been slower. Unlike at the AU Peace and Security Council

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¹ The ongoing conflict in the Eastern DRC is a significant threat because of its regional dimension and the possibility that it could re-ignite other conflicts in the Great Lakes Region.

² Interviews with SADC Secretariat personnel.



(PSC), a culture of secrecy persists, and the Organ handles its affairs completely separately from the rest of SADC, despite the areas of overlap.

An example of an area that requires bridging the gap between the Organ and other directorates is natural resource governance. This is linked not only to the sustainable socio-economic development of the region, but also to peace and security. Inequitable distribution of natural resource wealth is often a cause of conflict, while exploitation of natural resources can be used to sustain conflicts. In post-conflict settings, natural resources can be used to mobilise funds for reconstruction. The region has strategic natural resources that can benefit not only the countries in which they are located, but the entire region. The hydro-electric potential of the Congo River (Inga Dam), for example, is of value to the entire region. Therefore, SADC as a whole should contribute to the development of Inga, as part of an integrated energy strategy. Similarly, the Lesotho Highlands Water Project is of regional significance, but requires additional investment to reach its potential. Realisation of such projects for natural resource exploitation requires the development of regional strategies as well as harmonisation of laws and policies across member states. This is in line with continental priorities, which call for the development of continental minimum standards for the exploitation and management of natural resources.

The issue of climate change also requires a more integrated and cooperative approach within the SADC Secretariat. As climate change has the potential to impact upon agriculture, energy production and use, the environment, economic development and migration, and also has the potential to increase the likelihood of conflict, it should be addressed by multiple directorates, in partnership with other stakeholders such as civil society.

SADC has made strides in terms of putting in place various instruments to address human security challenges in the region. Aside from the Protocol on Politics Defence and Security Cooperation, the region has also adopted protocols or declarations addressing: defence (Mutual Defence Pact), governance (Principles and Guidelines Governing Democratic Elections, Protocol Against Corruption),

poverty (Regional Indicative Strategic Development Plan), food security (Declaration on Agriculture and Food Security), gender inequality (Declaration on Gender and Development), HIV/AIDS (Declaration on HIV/AIDS), arms control (Protocol on the Control of Firearms, Ammunition and Other Related Materials), natural resource management (Protocol on Fisheries, Protocol on Forestry, Protocol on Mining, Protocol on Shared Watercourses, Protocol on Wildlife Conservation and Law Enforcement).

At the level of implementation, however, the region faces a number of constraints. Some of the instruments adopted at SADC Summits have yet to be ratified by member states and therefore have not entered into force. Other instruments that have entered into force are not implemented at national level, due to lack of capacity, resources or political will. SADC is an organisation of member states, which means it is only as strong as the members make it. In a region facing tremendous poverty, it is unsurprising that the SADC Secretariat and its various institutions battle with lack of funding, human capacity shortages and other challenges. This leaves the Secretariat unable to implement many of the decisions taken by member states, or to monitor implementation at national level.

Another weakness is the strong emphasis on sovereignty amongst many SADC member states. In light of this, member states do not want to cede any real power to the regional body, rendering it ineffective and toothless. While the Organ can take decisions, it has no mechanism to enforce those decisions, leaving it to the member states themselves to voluntarily abide by them. In the case of elections, for example, the SADC Principles and Guidelines Governing Democratic Elections (adopted in 2004) are a voluntary instrument, with only the “name and shame” effect to encourage compliance. Finally, SADC works on the basis of consensus, which makes the decision-making process significantly slower than it would be in a single member state. While this is positive for inclusiveness, it can lead to a single member state blocking action by the region.

Many analysts refer to “two SADCs”. One grouping consists of member states seen as more progressive, embracing democratic governance and the notion of human security, while the other grouping is said to have a narrower conception of sovereignty and a poorer record in terms of democratic governance and human rights. The division between these “two SADCs” becomes visible in the face of conflict or crisis situations in the region. In the case of the DRC, in 1997 some SADC member states intervened militarily (Angola, Namibia and Zimbabwe), while others preferred to continue dialogue and negotiation (e.g. South Africa). In the case of Zimbabwe’s political crisis,



some member states called for a stronger stance against perceived human rights abuses there, while others showed solidarity with President Robert Mugabe. These divisions weaken the region's ability to respond to crises, whether military, political or humanitarian, as they prevent consensus on the actions to be taken.

Until all SADC member states truly embrace and demonstrate their commitment to a set of shared values, it is unlikely that SADC institutions will be allowed to become strong enough to address regional challenges. One possible solution would be to make SADC agreements legally binding and put in place mechanisms to monitor and enforce compliance. The development of implementation guidelines for regional agreements, with benchmarks and indicators, would support those states making real efforts to achieve them and would highlight non-compliance amongst other member states.

To strengthen the Organ and enhance its ability to deliver on the region's human security objectives, a number of steps should be taken. Some of the critical areas requiring immediate attention include:

- **Revision of SIPO.** This process is already underway, as the initial SIPO is due to expire this year. In addition to reviewing progress on the SIPO, there is a need to develop a set of limited priorities (the SIPO had at least 130 areas for action with no prioritisation). The new plan should also be based on a partnership with stakeholders beyond the Secretariat, including member states, civil society and the private sector (as NEPAD was) to enlist the greatest possible amount of support and accelerate achievement of the region's objectives.
- **Revision of election criteria and tenure of Organ troika members.** While this could be contentious, the current system can lead to deadlock if Organ troika members lack the commitment or resources to fulfil their role. Presently, the Chair of the Organ troika is expected to host meetings, at their own cost, which proves prohibitive for some member states and leads to paralysis of the Organ.
- **Review of Organ powers.** If the Organ is to be truly effective, it will have to be granted enforcement powers. At present, it does not have the means to enforce compliance with its decisions.
- **Cooperation and partnership.** There is a need to institutionalise cooperation between the Organ directorate and other directorates, in the face of the multi-dimensional threats to human security in the region. Further, the Organ should institutionalise cooperation with other stakeholders, such as civil society and the private sector, to facilitate more structured assistance for greater impact.
- **Capacity building.** Current capacity constraints at the SADC Secretariat, which include financial and human resources, render it impossible for the body to monitor follow-up or implementation of SADC decisions. While some capacity building may be provided by international cooperating partners, regional civil society groups and academic institutions can also contribute through training, policy advice, research and other forms of support.

Overview of the SADC Strategic Indicative Plan for the Organ (SIPO): Achievements and challenges:

Anthoni van Nieuwkerk

INTRODUCTION

In 2004, the political leaders of the Southern African Development Community (SADC) adopted a strategic security framework with the aim of promoting the interests of the regional organisation. The *Strategic Indicative Plan for the Organ* (SIPO) was designed to be the operational side of the organisation's security structure, the *Organ on Politics, Defence and Security Cooperation* (OPDSC). As the foreword to the SIPO document notes:

*The SIPO is not an end in itself... it is an enabling instrument for the implementation of the SADC developmental agenda embodied in the Regional Indicative Strategic Development Plan (RISDP). The core objective of the SIPO therefore, is to create a peaceful and stable political and security environment through which the region will endeavour to realise its socio-economic objectives.*¹

In light of the region's history and developmental profile, the achievement of peace and stability remains a challenge. As an analyst recently noted, the security challenges facing the southern African region are not primarily military, but largely political, social, and economic in nature.² There is broad consensus amongst analysts that poverty and underdevelopment are at the heart of the region's human insecurity, and given external as well as internal dynamics, that insecurity will deepen. Essentially, the region faces a double crisis. It is affected by the crisis of state building, including the social and psychological dimensions of violence in relation to the perceived security assumed to derive from the state. It is also affected by the crisis of global development: the global political economy tends to reproduce economic

There is a need to inculcate and disseminate regional awareness of the long-term requirement of integrating politics and security matters into the overall SADC approach to regional integration.

insecurity which is a prime source of social and political conflict.³

It is therefore pertinent to ask, five years after its adoption, what the SIPO has achieved. Indeed the broader question is to what extent SADC and its people are satisfied with the political, defence and security performance of the Organ, including the efficiency of the various policies and frameworks meant to promote the vision of the organisation. One way of approaching this is through a thorough review of the SIPO and recommendations for its reformulation. This short paper offers a background to the issues relating to the SIPO and the question of its review.

ORIGINS OF SECURITY COOPERATION

Formal, inter-state cooperation in southern Africa is a relatively new phenomenon. Wars of liberation from

European colonial exploitation gave rise to security cooperation (especially the Frontline States (FLS) alliance, formed in the 1970s) and economic cooperation (via the Southern African Development Coordination Conference (SADCC) established in 1980).

Largely in preparation for a liberated South Africa, the region reconfigured its cooperative strategies by establishing the Southern African Development Community (SADC)

in 1992. As it grew in membership (from nine to the current fifteen) and objectives (from socio-economic cooperation to integration), SADC's structure and operations had to be refined. This process was initiated in 1999 and concluded in 2001. It also formalised peace and security cooperation by establishing a comprehensive decision making architecture and in 2004, adopting an implementation plan.⁴

¹ SADC (2004) *Strategic Indicative Plan for the Organ*. SADC, Gaborone, p5-6.

² Cawthra, G (2008) *Southern Africa: Threats and capabilities*. Africa Program Working Paper Series. New York: International Peace Institute.

³ For more on this see Berger, M and Weber, H (2009) 'War, Peace and Progress: conflict, development, (in) security and violence in the 21st century', *Third World Quarterly*, 30:1,1 - 16.

⁴ For an overview, see Oosthuizen, G (2006) *The Southern African Development Community: The organisation, its policies and prospects*. Midrand: Institute for Global Dialogue.

THE SADC SIPO

The SIPO was designed to do three things: provide guidelines for action (strategies and activities); shape the institutional framework for the day to day activities of the Organ (including the operationalisation of the Protocol and the Mutual Defence Pact); and align the regional peace and security agenda with that of the African Union (in particular the Standby Force and aspects of good governance).

For various reasons the production of an implementation plan (to prioritise and address the SIPO's 130 or more objectives) lagged and no serious effort was made to produce a business plan for the operationalisation of the Organ. First of all, the manner in which the document evolved is important for understanding its shape. SADC's preference for consensual policy-making resulted in a number of countries adding their voices to the activities of the working group which was set up to construct the guideline in the first place. The resultant document reflects more accurately the combined national interests of fourteen countries instead of a strategic management tool to guide Organ activities. As such it reminds us of the delicate nature of security perspectives and preferences amongst members of the SADC.

Secondly, the management of the Organ's affairs takes place in the context of a small administrative infrastructure and capacity. This has obvious implications for the Secretariat's ability to prioritise, implement, monitor and evaluate mechanisms and plans relating to its peace and security agenda. The choice to run a 'minimalist' Organ Directorate relates to divergent political outlooks and priorities of member states, whereby some governments are preoccupied by national (or regime) security issues, while others emphasise human security.

It would therefore be misleading to expect the SADC Secretariat to be engaged in political decision making relating to regional peace and security: it exists by design of the member states, in order to carry out their political instructions. Put differently, the SADC Treaty and the mandates of the Secretariat and Organ Directorate restrict them to being administrative (or implementation, monitoring and evaluation) units with

little or no political decision-making powers. SADC member countries have not (yet) chosen to establish a regional institution with supra-national power in the areas of defence and security - critically, a precondition for moving the institution towards a security community. Given these strictures, the relationship between the Secretariat and individual member states becomes key, as does leadership.

STATUS OF IMPLEMENTATION

The rather exhaustive list of objectives, strategies and activities contained in the SIPO includes democracy building, peacekeeping training, police co-operation especially regarding cross-border crime, disaster management, conflict management (with the emphasis on conflict resolution), and food security. The management of the HIV/AIDS pandemic features prominently. In the (much) longer term the organisation plans to promote institution-building, peace enforcement and harmonisation of foreign policies. But where is the current focus?

The OPDSC and SIPO's biggest challenge arguably lies in the area of democracy building. For example, Makoa has serious reservations about the ability of the Organ to act as an integrative, democratic force in the region and points to its 'inability' to deal with political crises in Angola, Zimbabwe, Swaziland and the DRC.⁵



⁵ Makoa, F (2005) 'Managing conflict in an intergrating southern Africa: peace, security and stability in lieu of democracy?' in Hansohm, D et al, *Monitoring Regional Integration in Southern Africa Yearbook Volume 5* (2005). Windhoek: NEPRU; See also Nathan, L (2004) 'The absence of common values and failure of common security in Southern Africa, 1992-2003', *Crisis States Programme Working Paper Series no. 1*. London: Development Research Centre.

This, in his view, demonstrates its lack of credibility and legitimacy ('protecting governments rather than people'), leading to his call for the Organ to realise its potential by being democratised, that is, opened up to the people, presumably via the introduction of parliamentary oversight over the institution. Although this article cannot fully deal with the question of the status of governance in the region, it is safe to say that democracy has not been consolidated in many countries, and has suffered reversal in some instances. As Tsie and Kaunda note, the introduction of electoral reforms in several SADC countries in the 1990s and development of regional electoral norms and standards 'may enhance the march of democracy' (provided electoral guidelines are made binding).⁶

Research on the status of the SIPO's implementation is scarce or absent. Nevertheless, we can point out three priority areas: small arms, elections management and peace support efforts.⁷ On the first issue, although progress is evident, the question of the relationship between the OPDSC and the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO) needs further attention. Regarding peace support operations, one can register progress but also various problems: difficulties in getting the Regional Peacekeeping Training Centre (RPTC) in Zimbabwe re-activated, the absence of a mandate for SADC BRIG deployment, the question of financing the deployment of a mission, the confusion around the operationalisation of the Early Warning System, and finally, contrary to UN doctrine, the absence of any meaningful civilian involvement in the activities of the standby brigade. Again, it must be noted that the putative SADC BRIG can only be understood from the perspective of the AU's continental security architecture and plans.⁸ A new dimension to the work of the Organ and its directorate relates to the question of conflict mediation - an issue which came to the fore with SADC's engagement in the Zimbabwe peace process. From a SIPO perspective, the question is how to enhance the organisation's conflict mediation (and perhaps more broadly, conflict management) skills.

This overview of the status of the SIPO has also thrown up a longstanding problem, namely the ongoing uneasy relationship between the Organ and its Directorate on the one hand, and international cooperating partners (ICPs) and civil society members on the other. In order for the SIPO and its managers to move beyond some of this criticism, it is suggested that the proposed SADC-civil society partnerships, as identified by the acting Director of Politics, Defence and Security during the SADC Consultative Conference of 2006, be activated expeditiously.⁹ Apart from establishing a much-needed channel of communication, such structured engagements will allow both sides to pursue matters in a manner that will benefit the broader integration project.

Over and above such confidence-building measures, it will also provide ICPs, non-governmental organisations (NGOs) and academic institutions active in the security field with an additional channel to engage with the Organ.

CONCLUSION

In 2007 and 2008 the Formative Process for Integration in Southern Africa (FOPRISA) consortium published a series of papers on the question of SADC security.¹⁰ As it is the only ongoing comprehensive analysis of security cooperation in SADC it is worth capturing some of its recommendations. The research paper on SIPO suggested the following challenges to be addressed with urgency:¹¹

- SADC needs a holistic vision of the security sector, one that ensures that the sector is functioning in a democratic environment. To that end, SADC should adhere to the view that recognises the nexus between security and development by ensuring that people's security is prioritised over that of regimes.
- There is a need to inculcate and disseminate regional awareness of the long-term requirement of integrating politics and security matters into the overall SADC approach to regional integration.

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⁶ Tsie, B and J Kaunda (2007) 'Electoral norms and standards in SADC' in Kaunda, J (ed) *Proceedings of the 2006 FOPRISA Annual Conference*. Botswana Institute for Development Policy Analysis: Gaborone.

⁷ Tjonneland, E (2005) 'Making SADC work? Revisiting institutional reform?' in Hansohm, D et al, *Monitoring Regional Integration in Southern Africa Yearbook Volume 5* (2005). Windhoek: NEPRU.

⁸ Van Nieuwkerk, A (2003) 'Promoting collective security in Africa: the role of the African Union and the New Partnership for Africa's Development' in Field, S (Ed) *Towards a collaborative security regime for Africa*. Johannesburg: Institute for Global dialogue.

⁹ Ndlovu, J (2006) 'New SADC-ICP Partnership for the implementation of the SIPO'. Briefing note delivered at the SADC Consultative Conference, 27 April 2006, Windhoek.

¹⁰ Kaunda, J (2007) *Proceedings of the 2006 FOPRISA Annual Conference*. Botswana Institute for Development Policy Analysis: Gaborone; Cawthra, G and J Kaunda (2008) *Towards Political and Economic Integration in Southern Africa: Proceedings of the 2007 Annual Conference*. Botswana Institute for Development Policy Analysis: Gaborone.

¹¹ Macaringue, P and S Magano (2008) *Operationalising the Strategic Indicative Plan for the Organ on Politics, Defence and Security Cooperation in Cawthra and Kaunda*, Ibid.

The Implementation of NEPAD in the SADC Region

John Rocha



The New Partnership for Africa's Development (NEPAD) enunciates the vision of an 'African Renewal' whereby Africans should harness their collective energies to transform the continent into a region where economic progress, development, consolidation of democracy, good governance and peace, security and stability reign.

In this respect, NEPAD is conceived as a programme of the African Union that is a "holistic, comprehensive and integrated sustainable development initiative for the revival of Africa."¹ The Third Summit of the NEPAD Heads of State and Government Implementation Committee (HSGIC) in June, 2002, emphasized the fact that NEPAD is a framework and programme outline and that in developing programmes, consideration should be given to the continental and regional nature of the programme, particularly the processes of identifying programmes, especially when considering infrastructure projects.

The Third Summit also stressed that as a framework, NEPAD provides the policy and programme direction within which states, sub-regional bodies and continental structures can operate. Therefore, as regards regional infrastructure development, NEPAD highlights the importance of this issue, provides a framework for engagement among stakeholders and provides impetus and support to regional infrastructure priorities identified by national, regional and continental structures.

In essence, the NEPAD framework provides guidelines to assist Regional Economic Communities (RECs) and Member States to prioritise, adapt and design their own programmes and projects according to their own needs and local realities. Further, these guidelines are meant to enhance coordination, synergies and complementarities amongst the different actors and promote attainment of the objectives of the

Constitutive Act of the African Union. Therefore, all other initiatives promoted by individual African countries should be subsumed under the NEPAD process, to represent a basis on which Africa can collectively and effectively cooperate with its development partners (Communiqué of the First HSGIC Summit in Abuja, Nigeria, October 2001, Para 8).

NEPAD's major responsibility is to lobby and conduct advocacy for increased levels of support for the projects identified, prioritized and submitted to it by the individual member states. Therefore, NEPAD's success should be gauged on its ability or failure to garner such support.

Bearing the above in mind, SADC has embraced NEPAD as a credible development framework and developed the Regional Indicative Strategic Development Plan (RISDP) guided by the objectives, principles and priorities embodied in the NEPAD framework document.

Therefore, from the outset SADC sought to coordinate and synchronize the implementation of the RISDP with that of NEPAD. The decision for SADC to adhere to the NEPAD initiative was taken at the highest level, namely the Extraordinary SADC Summit on NEPAD of 7 July 2002 in Durban, South Africa.

Further, to coordinate and fast-track implementation, SADC set up a committee of representatives of SADC in the NEPAD Steering Committee and HSGIC plus the SADC Chair known as the SADC 4+1 Group. The SADC 4+1 Group met regularly with the NEPAD Secretariat and presented reports to the SADC Council of Ministers. Unfortunately, over the past three to four years the SADC 4+1 group interactions with the NEPAD Secretariat lost their initial momentum resulting in a gradual decline of interest and erosion of the relevance of NEPAD across the region. In this writer's considered opinion, the ultimate responsibility for the status quo does not lie with any single institution. Rather, it is a consequence of collective neglect of the responsibilities bestowed on all parties by the HSGIC, including the NEPAD Secretariat, SADC Secretariat, member states, private sector and civil society.

¹ *NEPAD in brief*. Downloaded from www.nepad.org in March 2006

To demonstrate its commitment to the NEPAD initiative, the SADC RISDP reflected the objectives, principles and priorities of NEPAD. In addition, together with member states, SADC submitted for consideration and *funding within the NEPAD framework* various programmes and projects covering: agriculture, energy, environment, healthcare, transport, tourism and water. Some of the infrastructure programmes and projects submitted by SADC include:

- Implementation of a Harmonized Regional Bond Guarantee Scheme across COMESA and SADC (NEPAD Short Term Action Plan);
- Implementation of One Stop Border Posts;
- Kazungula Bridge to replace the current ferry between Botswana and Zambia;
- Nacala Development Corridor through Mozambique, Malawi and Zambia;
- Rehabilitation of the Benguela Railway System;
- Lobito Port Rehabilitation and Provision of Trans-shipment Facilities;
- Assessment of Surface Water Resources;
- Consolidation and Expansion of SADC HYCOS (Hydrological Cycle Observing System).

In agriculture, SADC in consultation with NEPAD developed programmes as part of the measures for recovery and long-term regional food security. These programmes are aligned to the NEPAD Comprehensive Africa Agriculture Development Programme (CAADP) pillars for priority investment in irrigation and water management; promotion of agricultural trade and food safety; establishment of a regional strategic food reserve facility and agricultural research technology dissemination and adoption. The same applies to health and HIV/AIDS and environment which are both aligned to the NEPAD Health Strategy and the Environmental Action Plan, respectively. Therefore, the implementation of the

RISDP is, without doubt, a key driver of the African renaissance and rebirth, and is a centre piece of the NEPAD process for the socio-economic development of Africa. This implies that a symbiotic relationship exists between NEPAD and the RISDP.

At the national level, even though the HSGIC through its communiqués issued at the First and Third Summits stated categorically that the ultimate responsibility for the implementation of NEPAD priority projects is that of individual countries (note the reference to countries and not simply governments), somehow, there seem to be some expectations on the part of member states that the responsibility lies with the NEPAD Secretariat. NEPAD's major responsibility is to lobby and conduct advocacy for increased levels of support for the projects identified, prioritized and submitted to it by the individual member states. Therefore, NEPAD's success should be gauged on its ability or failure to garner such support.

Judging from the positive response of the international community, one can confidently say that NEPAD has done its fair share and that it is up to the countries to step up to the plate, firstly, by providing sufficient, reliable and suitable information on projects and, secondly, by making an honest effort to coordinate and keeping the SADC and NEPAD Secretariats abreast of developments.

In this respect, Mozambique has played an exemplary role when it comes to the implementation of NEPAD priority projects. According to Mozambican authorities, some of the projects implemented within the framework of NEPAD are: Mphanda Nkuwa Hydropower Station, Mozambique-Malawi Electricity Inter-connectors, Great Limpopo Trans-frontier Park and Rovuma Unity Bridge, to mention but a few. These



projects were part of the NEPAD Short Term Action Plan and have been implemented by Mozambique in partnership with other SADC member states such as Malawi, South Africa, Tanzania and Zimbabwe.

This is not to say that other SADC member states have failed to implement programmes and projects within the framework of NEPAD. Much has been and is being done by SADC member states and quite frankly much of it with minimal involvement from the NEPAD Secretariat in terms of direct financing or actual facilitation of implementation. However, reducing the significance of NEPAD in mobilizing support for the implementation of a NEPAD project to whether or not the financing came from NEPAD Secretariat defeats one of the key principles of NEPAD, which is the principle of ownership, leadership and self-reliance.

This implies that individual countries must take ownership and exercise leadership by mobilizing their own resources, and partnering with other stakeholders to fast track implementation of NEPAD priority projects. In this respect, 'the country' denotes more than just 'the government,' and is also inclusive of civil society, the private sector and most definitely international development partners. The essence and relevance of NEPAD was that countries should define their own priorities and objectives and then engage with partners for assistance, as required. As a result of NEPAD advocacy, we are witnessing a dramatic shift from the traditional approach of external imposition to one where donors are responding to African priorities. This represents a major contribution by NEPAD not only to regional integration in SADC but also to national development.

Therefore, the major challenge confronting SADC as a regional body and NEPAD as a socio-economic programme of the African Union, is the following: to tackle the unwillingness of several SADC member states, in particular, and African Union member states, in general, to give due recognition to NEPAD when implementing programmes and projects that they themselves submitted and identified as NEPAD projects. This rejection is symptomatic of a trend that has seen African countries rejecting or failing to implement decisions taken at regional and continental level, such as the numerous policy instruments that have been adopted but never implemented at national

level. This raises the question, could NEPAD be a victim of a deeper socio-political ill that afflicts the SADC region, in particular, and Africa in general?

In stark contrast, until most recently international partners continued to report their contributions to NEPAD, even in instances where these emanated from their bilateral relations and / or agreements. Even the United Nations devoted an entire session to discussing international support for NEPAD where countries across all regions of the world reported on their own contributions to NEPAD. This was not reciprocated by any African country and instead what we heard were only complaints about NEPAD not delivering. Unfortunately, the failure by African countries (governments, civil society, private sector and ordinary

citizens) to embrace and internalize NEPAD as a strategic framework has gradually eroded the international credibility of NEPAD to the extent that, today, many international partners are extremely reluctant to associate their bilateral assistance with NEPAD.

The fact remains that many projects being implemented today, especially in

infrastructure, would not have happened were it not for NEPAD advocacy. For example, the NEPAD strategies and priorities have now become the approved framework for Africa's development and engagement with partners. The African Peer Review Mechanism, which is a NEPAD innovation and one of its flagship programmes, has received international acclaim. Further, as a result of the advocacy and leadership by NEPAD, several technical and financial instruments such as the NEPAD Infrastructure Project Preparation Facility (NEPAD-IPPF), Infrastructure Consortium for Africa (ICA), Investment Climate Facility (ICF) and the Pan African Infrastructure Development Fund (PAIDF) are now in place. In addition, strong partnerships have been established with key institutions to provide the necessary technical and financial assistance to support implementation.

For instance, in infrastructure the African Development Bank - NEPAD's lead infrastructure partner - mobilized over US\$ 3.6 billion for several infrastructure projects. These projects, which are a part of the NEPAD Short Term Action Plan, consist of eighteen (18) physical projects, including one private sector project, twelve (12) studies, and

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three (3) capacity building projects. In the field of information and communication technology (ICT), the pilot phase of the NEPAD e-schools project has also been successfully rolled out in more than 15 African countries with preparations ongoing to roll out the business plan across the continent. Further, the East Africa Submarine Cable System (EASSy) is currently under implementation, though it is no longer classified as a NEPAD project. The fact is that NEPAD, through the e-Africa Commission, devoted significant resources and concentrated the attention of the international community to a point where it has now become a reality.

The key question, therefore, should not be whether NEPAD has succeeded or failed but whether the entire SADC region, including all stakeholder groups, has taken ownership of the NEPAD principles, values, objectives and priorities. As former President Kennedy once said, “Ask not what your country can do for you but what you can do for your country”. In other words, ask not what NEPAD can or should do for you but rather what you should do to advance the NEPAD vision.

As alluded to in the preceding paragraphs, NEPAD was adopted by all 53 member states of the African Union at the 37th Summit of the Assembly of the then Organization of African Unity in July 2001. This was endorsed by SADC member states at their subsequent summits. This makes the implementation of NEPAD our collective responsibility because ultimately SADC member states adopted NEPAD as representatives of the peoples of the region. Moreover, the failure to embrace and implement NEPAD has serious

implications for the RISDP since it is a reflection of NEPAD at regional level.

In other words, our commitment to NEPAD and desire to see it succeed should be measured through our individual and collective actions. Merely bemoaning the slow pace of implementation and expressing disillusionment should not be misconstrued as commitment to the integrated development of the continent. Neither should the loudest voices and skeptics be perceived to be more passionate about Africa. For those who cannot offer their commitment offer their words as excuses, and those who can and will commit let their actions speak for themselves.

The factors that led to the adoption of NEPAD are still present today in all SADC member states and manifest themselves on a daily basis in the lives of ordinary citizens as well as corporations seeking to take advantage of the enormous opportunities that this region offers. Therefore, NEPAD is still relevant, if not more so today, in the face of the global financial crisis.

If the SADC region is to achieve the goals and objectives of the RISDP, complete adherence to the NEPAD principles, values, objectives and priorities constitutes its principal recipe for success. For NEPAD extols the values and vision that SADC requires to successfully forge a prosperous, integrated and economically significant regional bloc.

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The key question, therefore, should not be whether NEPAD has succeeded or failed but whether the entire SADC region, including all stakeholder groups, has taken ownership of the NEPAD principles, values, objectives and priorities.

Recent Regional Firearms Control Progress in SADC

Guy Lamb and Ben Coetzee

Three regional firearms control instruments have been established in Africa over the past decade, mainly within the structures of regional economic communities:

- The Southern African Development Community (SADC) Protocol on Control of Firearms, Ammunition and Other Related Materials (2001);
- The Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa (2004); and
- The Economic Community of West African States (ECOWAS) Convention on Small Arms and Light Weapons, their Ammunition and other Related Materials (2006).

These agreements have sought to, amongst other objectives: make the illicit production and possession of small arms a criminal offence; ensure / promote the destruction of stocks of surplus weapons; and introduce tighter control measures over weapon stockpiles and arms transfers.

The SADC firearms protocol was the first African regional small arms agreement to become legally binding. It came into force on 8 November 2004, thirty days after the ninth country deposited its ratification instrument with the SADC Secretariat in Gaborone. The countries that have ratified the Protocol are: Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. Angola, the DRC and Madagascar are countries that still have to ratify the Protocol.

Through its provisions, the SADC firearms protocol aims to promote cooperation between states and coordinate small arms and light weapons activities aimed at curbing and preventing the illicit manufacturing of firearms, ammunition and other related materials, as well as their excessive and destabilizing accumulation, trafficking, possession and use. States in the region have successfully cooperated to coordinate several arms control initiatives, particularly in the area of arms collection and destruction.

THE ROLE OF SARPCCO

The Southern African Regional Police Chief's Co-operation Organization (SARPCCO), which has a

secretariat based in Harare, Zimbabwe, has coordinated the implementation of the SADC firearms protocol. SARPCCO is an affiliated SADC structure, and has a dedicated firearms desk officer responsible for assisting states with the implementation of the SADC firearms protocol. Established in 1994, SARPCCO has sought to:

- Promote, strengthen and perpetuate co-operation and foster joint strategies for the management of all forms of cross border and related crimes with regional implications;
- Prepare and disseminate relevant information on criminal activities as may be necessary to benefit members to contain crime in the region;
- Carry out regular reviews of joint crime management strategies in view of changing national and regional needs and priorities;
- Ensure efficient operation and management of criminal records and efficient joint monitoring of cross-border crime taking full advantage of the relevant facilities available through Interpol;
- Make relevant recommendations to governments of member countries in relation to matters affecting effective policing in the Southern African region;
- Formulate systematic regional training policies and strategies taking into account the needs and performance requirements of the regional police services / forces; and
- Carry out any such relevant and appropriate acts and strategies for purposes of promoting regional police co-operation and collaboration as regional circumstances dictate.

KEY PROGRESS

Since the inception of SARPCCO, member states have engaged in joint cross border arms and ammunition collection and destruction operations. The focal countries have been Mozambique, and more recently Namibia and Angola. In the case of Mozambique, a substantial number of weapons caches (which were



remnants of the Mozambican civil war) were uncovered and destroyed. In total, approximately 46,000 small arms and light weapons, and close to 25 million rounds of small arms ammunition (amongst other arms and ammunition) were collected and destroyed. Some countries in Southern Africa have unilaterally destroyed surplus, obsolete and illegal arms and ammunition, the most prominent being South Africa.

The 2007 SARPCCO Annual General Meeting (AGM), held in Lusaka, Zambia, resolved that a Regional Coordinating Committee (RCC) on Small Arms and Light Weapons be established to serve as a body responsible for implementation of the SADC firearms protocol. To date, the RCC has met on two occasions: in Harare in March 2008 and Cape Town in October 2008. It is due to meet for the third time in Swakopmund in May 2009. The focus of each RCC meeting has been to devise strategies

to implement key provisions of the SADC firearms protocol. Already, task teams have been created to establish a common electronic firearm database system and a specialised firearms training course for SARPCCO member states. SARPCCO anticipates that a pilot specialised firearm identification course will be administered towards the end of 2009.

In addition SARPCCO has assisted member states to reform their firearms legislation to conform to the provisions of the protocol. SARPCCO, in partnership with the Institute for Security Studies (ISS) has developed standard operating procedures (SOPs) for national implementation of the protocol, which were approved by the 2008 SARPCCO AGM (in Windhoek, Namibia). The objective of the SOPs is to standardise, simplify and enhance the process of firearm controls and transfers in Southern Africa. The SOPs include recommendations on, *inter alia*:

- The definitions and terms that should be used when drafting national legislation;
- Common procedures and minimum standards for marking firearms during manufacturing;
- The monitoring and licensing of civilians, dealers, arms brokers, manufacturers, gunsmiths and private entities as well as effecting more stringent control measures over the firearms and ammunition under their control;

- The standardisation of the process for issuing permits for the import, export and transit of firearms as well as regulations for search, seizure and forfeiture of firearms; and
- Firearm amnesties and the destruction of firearms.

The SADC firearms protocol aims to promote cooperation between states and coordinate small arms and light weapons activities aimed at curbing and preventing the illicit manufacturing of firearms, ammunition and other related materials, as well as their excessive and destabilizing accumulation, trafficking, possession and use. States in the region have successfully cooperated to coordinate several arms control initiatives, particularly in the area of arms collection and destruction.

The SARPCCO National Central Firearms Registrars Forum, an unofficial body that was established in 2006, facilitated the development of the SOPs. The Forum drew its mandate from a resolution of the 2005 SARPCCO AGM (in Luanda, Angola), which tasked the SARPCCO Secretariat, in conjunction with member countries, to develop guidelines on best practices to control firearms, ammunition and related materials in Southern Africa. Botswana, Malawi and Namibia are in the process of amending their firearm control legislation and are using the SARPCCO operating procedures as a resource.

In 2008, SARPCCO, with the support of the German Gesellschaft für Technische Zusammenarbeit (GTZ), provided capacity building training on management and administration to a number of small arms national focal points in Southern Africa, such as Lesotho, Malawi and Swaziland. SARPCCO and its co-operating partners will continue to assist Southern African national focal points in 2009 and beyond.

FUTURE ACTIVITIES

SARPCCO is committed to prioritising the implementation of the SADC firearms protocol. To facilitate this process, a workshop with SARPCCO officials on how to effectively use the SOPs to accelerate legislative change as well as standardisation of policies and procedures to operationalise the SADC protocol will take place in the latter part of 2009. SARPCCO is also anticipating that a complete specialised firearms identification course for relevant police personnel will be launched in 2010 at the latest. Significant progress on the exchange of firearms related information between SARPCCO member states is expected from late-2009 as a common Southern African firearms database is finalised. Where required, further Southern African states are expected to amend their firearms control legislation to bring it in line with the SADC firearms protocol.

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Elections and Conflict Risks in the SADC Region: Preview of the Upcoming Elections in 2009

Khabele Matlosa

This article grapples with the problem of election-related conflicts in the Southern Africa region, posing a fundamental question of the meaning of elections in the region in respect of democracy, peace, security and political stability. The main argument in the paper proceeds from the principal assumption that although elections are not synonymous with democracy, they form its critical ingredient. Furthermore, while elections are, *ceteris paribus*, supposed to promote political stability, peace and security, if not well managed, they can trigger political instability of unimaginable proportions bordering on, or leading to, political violence or even civil war. A good election is one that promotes democratic governance, peace and security necessary for the pursuit of sustainable human development. Conversely, a bad election is one that leads to violent conflict, which not only triggers political instability, but also reverses socio-economic advancement of the people.

CONTEXT

In 2008, the Southern African Development Community (SADC) held four elections. Zimbabwe held its harmonised (presidential, parliamentary and local government) elections on 29 March and a presidential run-off poll on 27 June. Angola held parliamentary elections on 5 September. Swaziland held no-party parliamentary elections on 19 September. Zambia held its presidential by-election on 30 October. No major violent conflicts occurred during or in the immediate aftermath of the Angolan and Zambian elections. Overt and violent conflict marked the pre-election and post-election phases of the Zimbabwe elections, especially the June presidential run-off, leading to the signing of a SADC-brokered power-sharing arrangement that still remains fledgling and fragile. Covert political violence marked the no-party September political ritual in Swaziland, which, by all indications, does not qualify as an election, in the conventional sense of the term. While SADC has played an active part in mediating the post-election political crisis in Lesotho in 2007 and Zimbabwe's political impasse of 2008, its 'quiet diplomacy' towards Swaziland is deafening. It is with this backdrop that we preview the upcoming elections in the SADC region in 2009.

Following these prefatory remarks, the next section of the paper highlights the importance of elections for human rights and democracy. This is followed by a preview of the 2009 elections. The conclusion proffers some thoughts on how SADC could improve on its efforts in dealing with electoral conflicts within the framework of the Strategic Indicative Plan for the Organ on Politics, Defence and Security Cooperation (SIPO) and the Principles and Guidelines Governing Democratic Elections, both adopted during the 2004 Summit of Heads of State and Government held in Mauritius.

ELECTIONS AND HUMAN RIGHTS

An election is an expression of popular sovereignty through which citizens freely choose their leaders, who are in turn given a time-bound mandate to run affairs of the state on their behalf. It is an expression of human rights and civil liberties that is enshrined in various international, continental and regional instruments and conventions. For instance article 21 of the United Nations Universal Declaration of Human Rights of 1948 provides that:

- Everyone has the right to take part in the government of his country, directly or through freely chosen representatives;
- Everyone has the right to equal access to public service of his country; and
- The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or equivalent free voting procedure.

The fundamental point that elections are an expression of human rights and civil liberties is further reinforced by article 25 of the 1966 International Covenant on Civil and Political Rights of the United Nations, which provides that every citizen has the right:

- To take part in the conduct of public affairs, directly or through freely chosen representatives;
- To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot guaranteeing the free expression of the will of the electors; and
- To have access, on general terms of equality, to the public service in his country.

It is within the context of the above international human rights instruments that elections are conducted everywhere in the world. It is within this normative framework that the six elections scheduled for 2009 in the SADC region will take place. SADC itself has domesticated the above UN conventions by adopting its own principles and guidelines aimed at ensuring that elections serve as a political asset rather than a liability to democracy. These are summarised in the table below.

Table One: Summary of the SADC Principles and Guidelines Governing Democratic Elections

Principles
Full participation of citizens in the political process
Freedom of association
Political tolerance
Regular intervals for elections
Equal opportunity for all parties to access the state media
Equal opportunity to exercise the right to vote and be voted for
Independence of the judiciary and impartiality of the electoral institutions
Voter education
Political parties accept and respect election results proclaimed to have been free and fair by the competent national electoral authorities
Guidelines
Constitutional and legal guarantees of freedom and rights of citizens
Conducive environment for free, fair and peaceful elections
Non-discrimination in voter registration
Existence of updated and accessible voters' roll
Timeous announcement of the election date
Where applicable, funding of political parties must be transparent and based on agreed threshold
Polling stations should be in neutral places
Counting of votes at polling stations

Source: SADC. 2004. *Principles and Guidelines Governing Democratic Elections in the SADC Region*, SADC Secretariat, Gaborone, Botswana.

THE 2009 ELECTIONS

Six SADC member states will hold their general elections in 2009. These are South Africa (22 April), Malawi (19 May), Angola (September), Botswana (October), Namibia (November) and Mozambique (December). All of these countries have held peaceful elections in the recent past, the most recent being Angola's parliamentary election of 2008 which did not cause the oil-rich country to plunge into a violent conflict like the one that marked the first two decades

of its post-colonial existence. It is highly unlikely that the forthcoming presidential election in Angola will reverse this trend. It is likely to deepen the political hegemony of the ruling Popular Movement for the Liberation of Angola (MPLA), which has ruled the country since independence in 1975.

Botswana's elections over the last forty years since its political independence have not only been peaceful; they have all been won by the same party, the ruling Botswana Democratic Party (BDP). Botswana's forthcoming election in October is not likely to trigger any political violence. BDP dominance is likely to be deepened through the election itself. In any case, BDP is already miles ahead of the opposition parties, given that the new President, Ian Khama, has already taken up the mantle from the former president, Festus Mogae, in a transition without a popular vote. In that regard, the presidential race is already finished. What remains is the parliamentary race.

There are political rumblings in both Namibia and South Africa. In both countries, the ruling liberation movements-turned-parties have experienced splits ahead of the elections. In Namibia, the South West Africa People's Organisation (SWAPO) suffered a split leading to the emergence of the Rally for Democracy and Progress (RDP) led by former SWAPO bigwig, Hidipo Hamutenya. In South Africa, the ruling African National Congress (ANC) suffered a split leading to the emergence of the Congress of the People (COPE) led by Mosiuoa Lekota and Mvume Dandala. Although political tensions are already simmering in both countries, it is unlikely that these will escalate into outright and overt political violence on a national scale. The tensions seriously threaten political tolerance and may generate violence on a small scale and in isolated incidents in specific hot spots in both countries. For instance in South Africa, the main hot spot is surely the Kwazulu-Natal province and in Namibia, the Caprivi Strip remains a politically volatile region. While we are fairly certain that the existing political tension will not lead to outright war in either country, it remains unclear whether the new developments in these countries sound a death knell for the dominant party syndrome that has been the stock-in-trade of politics since the demise of the settler colonial regimes in the early 1990s. Although both SWAPO and the ANC are most likely to win the forthcoming elections, the 'million dollar question' still remains: will they manage to garner a two-thirds majority in parliament, to have the requisite political muscle to change the constitution should the need arise?

Mozambique has held three peaceful elections since its political transition of 1992. The forthcoming election, the fourth since the transition, is expected

to solidify the country's peace and in the process nurture its fledgling democratic experiment. Given the overwhelming political hegemony of the ruling Front for the Liberation of Mozambique (FRELIMO) and the enfeebled, disjointed and fragmented opposition, FRELIMO is likely to win the 2009 elections. The pre-election period is not likely to be marked by political tension of the magnitude witnessed in Namibia and South Africa. In fact, if the results of the local government elections held in 2008 are anything to go by, the main opposition, Mozambican National Resistance (RENAMO) is on a downward spiral of political decline. That is not a good sign for the nurturing and consolidation of democracy, which requires a strong opposition to keep the ruling party in check.

A major headache for SADC is surely going to be Malawi. The country experienced its democratic transition in the early 1990s. Following Kamuzu Banda's iron-fisted rule of about four decades, Malawi re-introduced multi-party politics and held transitional elections in 1994. Since 1994, the United Democratic Front (UDF) has ruled the country through the ballot, a development that moved the country's governance landscape miles ahead of the bullet-based one-person rule of Banda. However, democracy in Malawi has not been without its own problems. The former president, Bakili Muluzi, attempted to amend the constitution ahead of the 2004 election in order to gain a third term in office. He failed dismally. He then hand-picked Bingu wa Mutharika as the presidential candidate for UDF for the same election, with the intention of continuing his rule by controlling his successor. However, Mutharika chose not to be controlled and this did not go down well with Muluzi. As tension and conflict simmered between the two UDF leaders, Mutharika resigned from the UDF and formed his own party, which became the ruling party, thereby assigning the UDF, which brought him into power, to opposition status. Muluzi has vowed to fight back and intends to contest the presidential race against Mutharika, who is determined to retain power. Mutharika has unleashed the anti-corruption machinery against Muluzi, which has brought graft charges against the former president. With elections slated for 19 May, these developments are bound to seriously poison the pre-election landscape. Of all of the SADC countries holding elections in 2009, Malawi is the hot spot that needs the most attention and proactive intervention by SADC, on the basis of the SIPO and the election principles and guidelines briefly outlined above. Fortunately, both SADC and the African Union (AU) are engaged in finding a peaceful resolution to political crisis in Malawi ahead of the election. SADC has dispatched several fact-finding and mediation teams to Malawi since 2007. The AU recently dispatched a

high-powered team, comprised of former president of Ghana, John Kofuor and former president of Mozambique, Joachim Chissano, to mediate a solution to the conflict between Muluzi and Mutharika.

CONCLUSION

SADC needs to be more assertive in applying the basic tenets of the SIPO and the Principles and Guidelines Governing Democratic Elections, if elections in the region are truly and effectively to contribute to conflict prevention, management, resolution and transformation. We need to consciously and deliberately avoid the unfortunate developments in Madagascar where the military has catapulted Andry Rajoelina into power by unconstitutional means that go against SIPO, the election principles and guidelines and above all the AU Constitutive Act (2000) and the African Charter on Democracy, Elections and Governance (2007). SADC needs to be more proactive in preventing and resolving political crises in its member states. For instance, SADC is supposed to be fully engaged with all of the countries holding elections in 2009. This engagement is supposed to include, inter alia, sending pre-election assessment teams. At the time of writing this article, SADC had not yet sent a pre-election assessment team to South Africa a month before the poll. It is also critical that in observing elections and resolving election-related conflicts, SADC should involve civil society actors so that it combines track I and track II diplomacy in the prevention, management, resolution and transformation of conflicts.

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South Africa's Role in Regional Peace and Security

Brittany Kesselman

Since the advent of democracy in South Africa, the country has assumed a leading role in the SADC region. Whereas apartheid South Africa was responsible for destruction and destabilisation in neighbouring states, the new government has sought to express its gratitude to its neighbours for their support during the struggle and to provide leadership based on the promotion of human rights, democracy, justice and respect for international law.¹ Given South Africa's economic dominance, there were high expectations amongst other SADC member states that South Africa would contribute to the economic development of the region, as well as to peace and security initiatives. South Africa's peaceful transition, in particular the Convention for a Democratic South Africa (CODESA) process, served as a model for other countries emerging from conflict.

South Africa has prioritised Africa, and especially the SADC region, in its foreign policy. The African renaissance concept championed by former president Mbeki calls for African solutions to African problems, highlighting the need for peace, stability and security across the region as necessary conditions for sustainable

economic development. South Africa has placed a premium on multilateralism, rather than unilateral action, for engagement on peace and security issues. This emphasis necessarily leads to a policy of strong support for SADC and, at the continental level, the African Union. The renaissance agenda also rightly recognises the inter-connectedness of African countries and emphasises that conflict and instability in one country affect the political and economic stability of its neighbours.²

In light of the high expectations for South Africa to play a leading role in the region, and of the increasing role of regional organisations, South Africa's engagement with the SADC region is of real significance.

Globally, regional organisations have begun to play a more prominent role in maintaining peace and security. While the UN remains the ultimate guarantor of global peace and security, the advantages of regional organisations have become increasingly apparent, due to their proximity to conflict situations, their familiarity with the parties, and their vested

interest in maintaining peace in their own backyards. In line with Africa's initiative to take more responsibility for solving its own problems, the African Union (AU) and regional economic communities (RECs) have developed a peace and security architecture and an agenda of priority issues to address the scourge of conflicts on the continent and promote sustainable economic development.³ South Africa has played an important role in the conceptualisation and operationalisation of the African Peace and Security Agenda (APSA), which prioritises human security based on the recognition that poverty, inequality, environmental change, food security and diseases pose a significant threat to regional peace and security.

In light of the high expectations for South Africa to play a leading role in the region, and of the increasing role of regional organisations, South Africa's engagement with the SADC region is of real



¹ Mandela N 1993 'South Africa's Future Foreign Policy' *Foreign Affairs*, vol 72, no 5, November / December. Available online at <http://www.anc.org.za/ancdocs/history/mandela/1993/nm9311.html> [accessed June 2008].

² Mbeki T 1998 *The African Renaissance, South Africa and the World*. Speech at the United Nations University, 9 April 1998. Available online at: <http://www.unu.edu/unupress/mbeki.html> [accessed April 2008].

³ See African Union 2002 *Protocol Relating to the Establishment of the Peace and Security Council and SaferAfrica 2003 Report of the AU-NEPAD Consultations on Peace and Security*, 17-18 February 2003, Addis Ababa, Ethiopia.

significance. Since no other member state can match South Africa's capacity to advance the SADC agenda, South Africa is burdened with a special responsibility vis-à-vis the region. At the same time, South Africa's resources are limited, and there are pressing domestic priorities such as health, housing and education that are of more immediate concern to most members of the public than regional peace and security matters. As a result, South Africa must balance its domestic obligations with its regional responsibilities and ensure that these efforts are mutually reinforcing.

South Africa has employed numerous avenues for engagement in regional peace and security. These include, *inter alia*: mediation in regional political crises, post-conflict peace-building, as well as support for the development of the regional peace and security architecture.

MEDIATION IN ZIMBABWE

At an extraordinary summit in March 2007, SADC mandated South African President Mbeki to continue to mediate between the Zimbabwean government and the opposition Movement for Democratic Change (MDC) - aiming to secure a new constitution and conditions for free and fair elections.⁴ Former President Mbeki has served as official and unofficial mediator in Zimbabwe since 2001, when the SADC Summit established a task force comprised of the SADC Troika - Botswana, Mozambique and South Africa - to work with the government of Zimbabwe on the political and economic issues affecting the country.⁵ From that time onwards, Zimbabwe remained on the agenda of the SADC Organ and was a standing issue in report of the Chair of the Organ at SADC Summits.

Mbeki's mediation was generally carried out behind closed doors, giving rise to the term 'quiet diplomacy'. This approach allowed speculation on the contents and progress of the talks to flourish, and in the absence of any information with regard to achievements along the way, the public was left with the perception that the mediation made no progress.

However, during talks in 2007 the parties agreed to key reforms that paved the way for the 2008 elections, including constitutional amendment 18, which provided for harmonized elections and made changes to laws that affect the electoral environment, as well as a

new requirement to post the preliminary vote counts outside of polling stations.

While the pre-electoral period was characterised by less violence than during previous elections, delays in the vote count as well as allegations of fraud led to a tense period preceding the presidential run-off, from which the MDC withdrew in the face of repression and intimidation of supporters. Ultimately, the parties reached a power-sharing agreement in September 2008, but due to wrangling over allocation of posts and other components of the agreement, it was not implemented until almost six months later.

South Africa's engagement with Zimbabwe is probably the most scrutinised foreign policy of the post-apartheid government. Mbeki was roundly criticised for failing to take a stronger stance in the face of alleged abuses by President Mugabe's government and security forces. He was called biased, and on more than one occasion the MDC called for his removal as mediator.⁶ Mbeki was also criticised for shielding Mugabe from harsher criticism by keeping Zimbabwe off of the agenda of the UN Security Council. Yet South Africa's policy of 'quiet diplomacy' (this name was never officially used by the Government) also received significant support, especially amongst Southern African commentators.

If the South African government's stated objective with regard to Zimbabwe was to prevent civil war, then the engagement must be deemed a success. If the goal was to prevent the collapse of Zimbabwe, it has been less successful. While the Zimbabwean state continued to function, the economy reached previously unthinkable lows, with inflation in the millions, almost total unemployment, and severe shortages of food, fuel and other basic commodities. Mbeki did manage, as mediator, to bring the parties together for talks. He also succeeded in reducing the asymmetry between the parties and got them to agree on key reforms.



⁴ SADC 2007 *Communique Extra-ordinary SADC Summit of Heads of State and Government*, Dar-es-Salaam, March 2007.

⁵ SADC 2001 *Heads of State and Government Summit Communique*, Blantyre Malawi, August 2001.

⁶ 'Tsvangirai's explosive letter to Mbeki' *The Times* 4 July 2008. Available online at: <http://www.thetimes.co.za/PrintEdition/Article.aspx?id=776836> [accessed August 2008].

The Zimbabwe mediation process illustrates the challenges of mediating on behalf of a regional organisation that was itself divided over the most appropriate approach. In future, SADC must speak with one voice in defence of the principles and values of the region, and provide unequivocal support to its appointed mediators. South Africa should seek to maintain neutrality while taking firm positions in support of the constitutional principles of democratic governance and protection of human rights.

Now that the new government of national unity is in place, Zimbabwe requires significant support to bring about an economic turn-around. SADC has begun to consider measures to assist Zimbabwe, and South Africa has indicated readiness to assist. It is essential that South Africa's, and SADC's, support for Zimbabwe's recovery be based on a long-term strategy for Zimbabwe's economic recovery and political stability and aligned to a coherent regional assistance plan.

MEDIATION AND PEACE-BUILDING IN THE DRC

South Africa's engagement in the Democratic Republic of Congo (DRC) conflict moved from an initial, peripheral role to a pivotal role in bringing peace and contributing to post-conflict reconstruction and development (PCRD). Then President Mandela organised a diplomatic initiative to bring Mobutu and Laurent Kabila together on a South African naval ship to negotiate a power-sharing arrangement, but the talks were overtaken by events.⁷ Mandela opposed the military intervention by Angola, Namibia and Zimbabwe in 1998, preferring continued dialogue. South African Minister of Foreign Affairs Nkosazana Dlamini Zuma, in conjunction with her Zambian counterpart, assisted in negotiating the withdrawal of Rwanda and Uganda from the DRC. The combination of lack of success by previous mediators, Zambian President Chiluba and Botswana President Masire, as well as South Africa's willingness to host talks when other SADC member states were unable to do so, contributed to South Africa's assumption of a central

role in the DRC peace process. South Africa then hosted several rounds of talks, leading to the landmark signing in Pretoria of the global and all-inclusive agreement on 16 December 2002. This agreement was then endorsed in the final session of the Inter-Congolese dialogue at Sun City in April 2003, and facilitated the setting up of a transitional government of national unity in the DRC.

Perhaps even more important than South Africa's role in the peace talks has been its contribution towards peacebuilding and PCRD. All parties agree that without South Africa's immense support - financial,

technical and logistical - the historic 2006 elections could not have taken place.⁸ South Africa and the DRC have signed more than 30 bilateral agreements, most of which involve capacity building and other post-conflict support. These agreements cover a wide range of areas, from security sector reform, to public service reform, to infrastructure development and investment. In addition, South Africa

has contributed a brigade to MONUC, the UN peacekeeping mission in the DRC. South African troops are generally considered professional and praised for their ability to interact with the local population, though this ability has also led to abuses in terms of sexual exploitation and abuse (SEA) of locals.⁹

SADC's engagement in the peacebuilding process in the DRC has been limited, due to capacity constraints. To date, SADC's most significant participation was the 1998 intervention by Angola, Namibia and Zimbabwe. That intervention occurred during a struggle between President Mugabe of Zimbabwe and then-President Mandela of South Africa over the control of the SADC Organ. As such, it contributed further to divisions between SADC member states. Regardless, many Congolese stakeholders credit the 1998 intervention with preventing the collapse of the DRC. Recently, SADC has opened an office in Kinshasa and has held consultations with the DRC to determine priority areas for assistance, which have resulted in planned support for the disarmament, demobilisation and reintegration

The development of the military component of the SADC Brigade has outstripped the pace of the police and civilian components. Work on these areas has commenced, and the police have developed a code of conduct, but there is still significant work to be done.

⁷ Bischoff P 1999 'A Foreign Policy for All: South Africa and the call for an African Renaissance. *Conflict Trends*, issue 3, p 34.

⁸ Interviews with government, opposition and civil society stakeholders in DRC.

⁹ Interviews with DRC civil society representatives and MONUC representatives, Eastern DRC.

(DDR) process. However, progress in terms of implementing the SADC action plan has been slow.

South African and Congolese stakeholders have called for greater visibility of SADC in the PCRDR process, given the importance of the DRC to the region's stability and development. The sheer number of countries involved in the DRC conflict underscores the negative impact it had on regional peace, security and stability. However, the mineral wealth, the hydro-electric potential of the Inga dam project and the agricultural potential of the DRC leave little doubt as to its potential contribution to regional economic development. While SADC's capacity constraints are well known, the region must be seen to be involved in peacebuilding in the DRC, and South Africa can provide leadership and support for such regional involvement.

SUPPORT FOR THE SADC PEACE AND SECURITY ARCHITECTURE

South Africa has played a pivotal role in the establishment of the region's, and the continent's, peace and security architecture. South Africa has contributed to the development of key regional policies and protocols, as well as to the operationalisation of continental policies at regional level - for example, through support for the establishment of the regional early warning system. Key amongst regional structures is the SADC Brigade, the region's contribution to the African Standby Force (ASF).

The SADC Brigade is supposed to be able to respond quickly to crises, with the full range of peacekeeping capacities. Though the brigade was launched at SADC Summit in 2007, it is far from ready to deploy. A planning element and headquarters have been set up and staffed in Gaborone, Botswana, but the regional logistics base has not yet been established. Many member states have pledged troops, but do not have the necessary equipment (e.g. airlift) to deploy them. The fact that several SADC member states are members of more than one regional economic community, and therefore fall under more than one regional brigade, remains a challenge.

Joint training exercises help to address inter-operability, but they are incredibly costly and therefore cannot be held as often as desired. From 22-28 February 2009, SADC member states participated in Phase I Mapex of Operation Golfinho (Dolphin) in Cabo Ledo, Angola. The operation sought to increase the readiness of the SADC Brigade to participate in multi-dimensional peace missions. Another regional training exercise is anticipated in September this year. SADC signed two memoranda of understanding (MoU) with the AU/EU Peace fund, for capacity-building of the SADC Brigade,

but the funds have not yet been disbursed.

In addition to offering significant financial and technical resources in support of the SADC Brigade, South Africa has seconded several people to the SADC Secretariat, including General Bottoman, the Chief of Staff of the SADC Brigade, as well as an advisor for the police component of the Brigade.

The development of the military component of the SADC Brigade has outstripped the pace of the police and civilian components. Work on these areas has commenced, and the police have developed a code of conduct, but there is still significant work to be done. At present, the Inter-State Politics and Diplomacy Committee (ISPDC), one of the two Committees of the Organ, does not have a role in the SADC Brigade, despite the fact that it should be responsible for the political and peace-making elements of the civilian component. Once all of the components are established, SADC should hold joint training exercises across all three components, since in many member states the military is not accustomed to working with police or civilians.

Linked to the SADC Brigade's readiness is the state of the Regional Peacekeeping Training Centre (RPTC) in Zimbabwe. Ultimately, the RPTC needs to provide strategic and operational training to military, police and civilians, the three components of the stand-by force, in line with the peacekeeping standards of the UN and AU. To date the focus has been military. The Centre does not have the capacity to train sufficient numbers of people, nor can all member states afford to send personnel for training. This lack of capacity has been compounded by the loss of donor funds, due to sanctions against Zimbabwe. Some aspects of training have been decentralised so that each member state can offer the relevant courses, but there are certain issues that should be handled at regional level. Further, multi-national courses enrich the experience of students and develop understanding between key personnel from the security forces of member states. In line with this, many South African institutions already host students from other SADC member states. Further, a network of peace support training centres, the African Peace Support Training Association (APSTA) is being established, which should help to standardise training across the region.

South Africa's experience in AU and UN peacekeeping operations will also enrich its contribution to the SADC Brigade. South African generals held the post of force commander in AMIB (the AU Mission in Burundi) as well as ONUB (the UN operation in Burundi). A South African currently holds the post of police commissioner in the hybrid AU-UN mission

in Darfur (UNAMID). These experiences, along with those of other SADC member states who have participated in peacekeeping operations, many for longer than South Africa, should contribute to the development of regional peacekeeping policies and procedures. Unfortunately, South Africa's participation in the civilian dimension has not been as robust, but the country is committed to enhancing this aspect of its contribution to peace missions and to developing the necessary frameworks to ensure effective participation.

Once all of the components are established, SADC should hold joint training exercises across all three components, since in many member states the military is not accustomed to working with police or civilians.

South Africa cannot escape its position as an economic powerhouse of the region. This position gives South Africa the ability, and the responsibility, to provide leadership to the region. The country has generally tried to avoid occupying the position of regional hegemon, in favour of a rules-based multilateral approach. While consultation and respect for the sovereignty of other SADC member states is important for regional cohesion, South Africa should not shy away from principled leadership in support of the region's peace and security priorities.

Overview of the SADC Strategic Indicative Plan for the Organ (SIPO): Achievements and challenges:

CONTINUED FROM PAGE 10

- Ultimately the management of change should include altering security perceptions and attitudes of states and people.
- There is also a need to reduce the gap between the aspirations reflected in the strategic vision contained in the SADC policy documents and the reality on the ground, to make SADC's usefulness more visible by making an impact on the existing challenges to regional security.
- Looking at the individual SADC member states' security sector configuration, it is clear that if the region is to progress in its integration project, a process of reconstructing and transforming the security architecture, commonly known as Security Sector Transformation (SST), is required.
- In addressing the heterogeneity of the SADC security sectors, the harmonisation of the following areas, at a minimum, is a matter of priority:

Defence:

To achieve agreed military reform throughout the region with at least two components addressing the review of the defence forces and the reform of the ministries responsible for them. This will achieve consensus that would assist in addressing the disparities in organisation and functioning of these institutions in the SADC.

Police and Intelligence:

Develop well-resourced and planned police and intelligence reforms that include training, education and capacity building activities.

Judiciary:

The military, police and intelligence reforms can only be complemented by a judiciary component that revives the legal norms and the institutions necessary for the creation, interpretation, and application of the law.

A functioning judiciary is an important component for SIPO to succeed because only a security sector guided by the rule of law can provide a conducive environment for development. Unfortunately this seems to be the missing link in the OPDSC and SIPO.

All of the above aspects should be complemented by a coordination component. This requires a consensus on the most fundamental aspects of the reform process to make possible and viable the formation of an all-encompassing security sector strategy.

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Supporting the Peace in the DRC

David Mwaniki

BACKGROUND

The Democratic Republic of Congo (DRC), formerly known as Congo Free State, Belgian Congo, the Democratic Republic of Congo and Zaire, was a Belgian colony from 1885 to 1960. Despite its enormous endowment of natural resources, life expectancy in the DRC has plunged from 52.6 years in 2000 to a low of 42.5 years in 2004, according to the 2006 UNDP Human Development Report, with 72 percent of the population undernourished, only 46 percent having access to clean water and 30 percent with access to sanitation.

In 1996, the Banyamulenge began an active rebellion in the South Kivu region of Uvira, which grew into a larger insurrection as several combatant groups and regional governments joined the insurrection to overthrow the regime of Mobutu Sese Seko. The resulting coalition group, the AFDL (Alliance des Forces Démocratiques pour la Libération du Congo-Zaire), supported by Angola, Zimbabwe, Rwanda, Uganda and Namibia, took as its leader a former Zairian rebel commander, Laurent Kabila, who, after the fall of the Mobutu regime to the rebels in May 1997, became president of the (newly named) Democratic Republic of Congo.

Accusing Kabila of "corruption, nepotism, and failure to bring about democratic reforms, ethnic harmony and regional stability," the Congolese Rally for Democracy (RCD), a coalition of rebel groups that had been members of the AFDL, was formed in 1998 to depose him.

The renewed conflict once again took on a regional dimension when neighbouring states intervened in the conflict. Zimbabwe, Angola and Namibia, under a SADC mandate, deployed troops to the DRC in support of President Kabila (and later his son and successor, Joseph Kabila), while Rwanda and Uganda, acting on vested security concerns in the Great Lakes region, deployed troops against the Kinshasa government.

This new configuration of support to competing interests in the DRC by regional states, effectively heralded a new dimension to the previously successful and cohesive alliance between SADC member states (Zimbabwe, Angola, Namibia), their East African counterparts (Rwanda and Uganda) and their proxies. For what started as an act of solidarity by fellow African countries rapidly degenerated into an episode of looting, wanton plunder and abuse of the DRC's hospitality¹.

Following the assassination of Laurent Kabila in January 2001, his son Joseph Kabila became President. A 1999 peace agreement, the Lusaka Accord, faltered for years but eventually led by 2003 to the withdrawal of all foreign troops, and to the establishment of a transitional government and unified army, drawn from the Joseph Kabila government and opposition groups.

POLITICAL CONTEXT

After a transitional period under the leadership of Joseph Kabila, the Democratic Republic of the Congo held general elections in July, 2006. It would be the country's first election since 1960.



¹ UN Expert Panel on Illegal Exploitation of Natural Resources and other forms of Wealth in the Democratic Republic of Congo, 2004, http://www.oecd.org/document/6/0,3343,en_2649_34889_27217798_1_1_1_1,00.html [accessed March 2009].

While the new Congolese authorities have inherited a barrage of problems and attitudes that date back to the Mobutu era, the composition of the coalition government re-introduces some of the elements that contributed to the institutional gridlock that characterized the transitional process. For instance the new cabinet is made up of six ministers of state, 34 ministers, and 20 deputy ministers.² This large bureaucracy is the result of the political trade-off that saw political figures backing President Kabila in exchange for key cabinet positions.

In addition, Kabila's coalition, Alliance de la Majorité Présidentielle (AMP), also has a tall order holding together its 30 constituent parties, risking internal splits over representation in the cabinet and on policy matters, as was the case during the recent Rwandese military operations in the Kivus, sanctioned by Kabila. This could render the president ineffective in the face of additional opposition from coalition forces within his own cabinet.

Further, after decades of neglect and the entrenchment of poor work ethics, the new government of the DRC must now face the daunting challenge of transforming an intransigent public service into an effective and efficient governance machinery.

THE ROAD TO DEMOCRATIZATION

The DRC democratization process was negotiated into the peace accords in 2004 to establish a legitimate government and to consolidate peace through full participation. Thus the new constitution enacted in 2006 has changed the country's governance system and called for many democratic reforms.³ This constitution sets the framework of the Congolese democratization process by transforming the relationship between

institutions, people and communities on the one hand and power and responsibility on the other.

Although the Constitutional emphasis is on power sharing, the DRC's democratic trajectory is still full of stumbling blocks. Participation, representation, good governance and accountability will be the real indicators of the democratic consolidation.

THE SECURITY LEGACY AND THE NEW REFORM CHALLENGE

When Mobutu could no longer count on his external backers, he employed survival strategies such as

fragmenting the army in different sections and reshuffling the commanders regularly. No less than six different special forces units existed in Zaire: the DSP (La Division Speciale Présidentielle), GACI (La Garde Civile), SARM (Le Service d'Action et des Renseignements Militaires - military intelligence), BSRC (La Brigade Speciale de Recherché et de Surveillance), SNIP (Le Service National d'Intelligence et de Protection) and FAS (Les Forces d'Action Speciale). Besides these special army units, Mobutu could rely on the use of foreign mercenaries which he employed on more than one occasion.⁴

The current DRC national army, FARDC, is still ill-trained and underpaid, and remains largely

a collection of former government and rebel forces that has not been effectively transformed by security sector reform efforts.⁵ FARDC is characterised by weak command, lack of discipline and a predatory relationship with the civilian population in the DRC. Numerous human rights abuses including brutal attacks on civilians, extrajudicial killings, unconstitutional detention, physical abuse and rape of women and minors have been attributed to the FARDC forces.

The presence of rebel groups and roving armed bandits who continue to destabilize the Kivu region underscores the strategic imperative to comprehensively complete the security sector reform agenda, and strengthen the capacity and ability of the Government to protect its national sovereignty and territorial integrity. This reform task should be performed holistically and driven by sustained SADC engagement to consolidate the democratic gains achieved in the DRC thus far.

² www.monuc.org

³ Bewa, A 2008, *An opportunity for Democratization, Governance and Accountability in the Democratic Republic of Congo*, Available online at: <http://www.ssrnetwork.net/documents/PractionersCourse/DRCjan08/GFN-SSR%20-%20SSR%20democratisation%20governance%20and%20accountability%20-%20Anaiah%20Bewa.pdf> [accessed 14 March 2009].

⁴ Cornelis, C 2003, *The crippled Bula Matari: the roots of the Congolese war economy*, RISQ Reviews. Available online at: <http://www.risq.org/article/08.html> [accessed 15 March 2009].

⁵ Boshoff, H. & Wolters, S 2006, *The impact of Slow Military Reform on the Transition Process in the Democratic Republic of Congo*, Institute for Security Studies. Available at: <http://www.iss.co.za/index.php?link id=31&slink id=3631&link type=12&slink type=12&tmpl id=3> [accessed 15 March 2009].

In areas where natural resources abound, some rogue elements within the army have engaged in the illicit exploitation of the country's natural resources, while in the North Kivu some previously forged informal alliances with Rwandese rebel forces (FDLR), supplying this group with arms and ammunition as well as participating in shared operational military manoeuvres.

SADC member states, particularly Angola and South Africa, have been involved in the training of various units of the Congolese national army as part of the wider security sector reform agenda. The re-building of the DRC's security architecture under a unified command and with a common doctrine is challenging in light of the diverse backgrounds and operational practices of both the trainers and the trainees.

The presence of rebel groups and roving armed bandits who continue to destabilize the Kivu region underscores the strategic imperative to comprehensively complete the security sector reform agenda, and strengthen the capacity and ability of the Government to protect its national sovereignty and territorial integrity. This reform task should be performed holistically and driven by sustained SADC engagement to consolidate the democratic gains achieved in the DRC thus far.

The stabilization of the DRC's Kivu region should be a SADC priority in enabling peace and development in the DRC and broader SADC region. Currently the insecurity in this region has been exacerbated by the presence and proliferation of undesirable armed elements from Rwanda and Uganda. Recent joint operations in the DRC by the governments of the DRC, Uganda and Rwanda specifically to root out LRA (Uganda's Lords Resistance Army) and FDLR (Democratic Forces for the Liberation of Rwanda) insurgents has come at a very high humanitarian cost. Neither of these operations to rout the rebels has been successful in humanitarian nor security terms, but they have heralded success in renewed diplomatic and bilateral cooperation between the DRC and its neighbours (Rwanda and Uganda). The de-escalation of hostilities and diplomatic tension between the DRC and these two countries reduces the prospect

of heightened tensions between the two East African countries and other SADC member states and further reinforces the prospect of lasting peace in the Great lakes region.

EXTERNAL INTERESTS AND THE NEW SCRAMBLE FOR DRC RESOURCES

Within months of his confirmation as president, Joseph Kabila set out on a path of reform, specifically focusing on the many mining contracts that Laurent Kabila had signed with various Northern companies during the First Congo War. Those contracts were seen as terribly lopsided in favour of Northern interests, which received the bulk of mining revenue at the expense of the government treasury, which was itself being looted by the various corrupt schemes described in the UN Expert Panel reports.⁶

Subsequent to the announcement of the mining contract review, Kabila's government announced that it would sign a multi-billion dollar agreement with the Chinese government (now standing at \$9 billion) that would give the Chinese direct access to mineral resources in exchange for a host of infrastructure projects, including roads, hospitals and health care centers, schools, railroads, housing, and two hydroelectric projects. The Sino-Congolese agreement grants the Chinese a 68% share in the joint venture and the rights to two large cobalt and copper concessions, while the proposed road and rail systems will be used for mineral transport.

In November, 2007, with the backdrop of the Chinese agreement, Kabila's government-appointed panel leaked the results of the contract review, which recommended that all extant mining contracts be renegotiated or cancelled due to "irregularities" in license origination and negotiation, or "disrespect of the Congo's mining code." At the time, Resource Investor called the report a "contract shake-up" that was rocking the mining sector. Shares of major mining companies plunged. Freeport-McMoRan, BHP Billiton, AngloGold Ashanti, Nikanor and Katanga Mining (the two companies merged two days later in a \$3.3 billion deal that created "one of the world's largest independent copper and cobalt producers"), all had some 37 contracts

⁶ Anderson, K 2009, *Imperial Clash on the Congo Resource Front*, Available online at: <http://www.globalpolicy.org/security/natres/generaldebate/2009/0217clashdrc.htm> [accessed 15 March 2009].



with the Congolese government that were classified for renegotiation. Anvil Mining's claim to the Dikulushi copper-silver mine was recommended for termination; as a result, its stock price collapsed 19% in one day.

It was within this context, and that of China's larger push into Africa, that the Bush administration announced the formation of the US Africa Command, 'AFRICOM', devoted, as articulated by its commander General William Ward, to "work with the nations of Africa and their organizations to assist them in increasing their capacity to provide for their own security."

The US State and Defense Department advisor, Dr. J. Peter Pham, informed Congress that AFRICOM necessarily would be focused on China's movements in Africa. He stated: *"China is currently importing approximately 2.6 million barrels of crude oil per day, about half of its consumption; more than 765,000 of those barrels, or roughly a third of its imports, come from African sources, especially Sudan, Angola, and Congo (Brazzaville). Chinese President Hu Jintao announced a three-year, \$3 billion program in preferential loans and expanded aid for Africa. These funds come on top of the \$3 billion in loans and \$2 billion in export credits that Hu announced in October 2006 at the opening of the historic Beijing summit of the Forum on China-Africa Cooperation (FOCAC), which brought nearly fifty African heads of state and ministers to the Chinese capital. Intentionally or not, many analysts expect that Africa, especially the states along its oil-rich western coastline, will increasingly become a theatre for strategic competition between the United States and its only real near-peer competitor on the global stage, China, as both countries seek to expand their influence and secure access to resources."*⁷

This testimony was given in August, 2007, mere weeks after the China-Congo agreement was announced. AFRICOM was then established on October 1, 2007 and it didn't

take long before George Bush made his one and only trip to Africa in February, 2008, a whirlwind, five country tour.

The DRC's vast natural resources have played a big role in the international resource theatre. At the local level, driven by increasing demands for minerals such as coltan and tin, roving bands of armed groups supported by private corporations and individuals used the proceeds generated from the illicit exploitation of the country's natural resources to perpetuate atrocities against the population. The impact of these illegal activities on the economic stability of the DRC, the humanitarian crisis that has unfolded and the impending environmental catastrophe will only become apparent in years to come.⁸

CONCLUSION

In a region that has enjoyed relative stability, SADC has been tested by the conflict in the DRC, the recent political impasse in Zimbabwe and the current instability in Madagascar. SADC's military involvement in the security sector reform process in the DRC is commendable and has contributed to enabling the democratization of the DRC state. The challenges of rebuilding the social fibre of society and revitalizing its dilapidated economy are extremely urgent and demanding.

The DRC does not have the means or capacity to face all these challenges simultaneously. Therefore, prioritization of strategic SADC support is of great importance to set the country on course to recovery, reconstruction and sustainable development. The need to restore confidence and trust in the institutions of governance; the imperative to build strong, effective and efficient institutions based on the rule of law and respect for human rights; as well as the urgency to set in motion a process aimed at realizing the true value of the country's economic potential for the benefit of all the Congolese citizens are among some of the key priorities.⁹

Furthermore, in support of Congolese efforts, SADC and its organs must remain seized with developments in the DRC on three fronts: security sector reform to ensure sustainable peace, building governance

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⁷ Testimony of Dr. J. Peter Pham, Directory, The Nelson Institute for International and Public Affairs, James Madison University, at Committee on Foreign Affairs Subcommittee on Africa and Global Health hearing "Africa Command: Opportunity for Engagement or the Militarization of the U.S. Africa Subcommittee on Relationship?" on August, 2007.

⁸ Michael Nest, 'The Political Economy of the Congo War', in Nest M (with François Grignon and Emizet F. Kisangani), *The Democratic Republic of Congo: Economic Dimensions of War and Peace*. Boulder, CO: Lynne Rienner Publishers, 2006.

⁹ Georges Nzongola-Ntalaja, 2006 'DRC's Potential: Lighting the Continent from Cape to Cairo'. Pambazuka. Available online at: <http://www.pambazuka.org/en/category/features/35486> [accessed 14 March 2009]

Country Profile: Madagascar

The island of Madagascar, situated in the Indian Ocean off the coast of Mozambique, suffered a coup on 17 March 2009. The three-month stand-off between the island's president, Marc Ravalomanana, and the former mayor of the capital Antananarivo, Andry Rajoelina, which left more than 100 people dead, ended with the resignation of President Ravalomanana on 17 March. Several rounds of talks between the two parties failed to yield results, and it was not until significant elements of the military mutinied and appeared to side with Rajoelina that the president conceded defeat and issued a presidential decree handing over his powers, and those of the prime minister, to a transitional military authority. That same day, the generals transferred those powers to Rajoelina, essentially completing a coup by the opposition leader. Ravalomanana's term was not scheduled to end until 2011, and international observers, including the African Union (AU) and SADC, have condemned Rajoelina's take-over of power as unconstitutional.

CONTEXT

Madagascar is the fourth largest island in the world, with a land area of 581,540 sq km and a population of 20 million.¹ The island is home to a tremendous diversity of plant and animal species that are found nowhere else in the world, but deforestation threatens some of them with extinction. It is also exposed to tropical cyclones, such as those in 2000 and 2004, which left thousands homeless.² In 2008, cyclone

Ivan killed 93 and left over 330,000 people homeless. These storms also destroyed the livelihoods of many thousands more, who depend on subsistence agriculture for survival. The country's principal exports include vanilla, coffee, seafood, sugarcane, cloves and cocoa. Agriculture, including fishing and forestry, accounts for more than one-fourth of GDP and employs 80% of the population.³

The island's tourism industry has also taken off in recent years, generating nearly US \$400m in revenues annually.

In the 1990s, Madagascar abandoned its socialist economic policies and embarked on a policy of privatisation. While the overall economy has grown as a result, the majority of the population remains poor, with an estimated 70% living on less than US \$2 per day. In

October 2004, the World Bank and the International Monetary Fund (IMF) agreed to write off nearly half of Madagascar's debt, about US \$2bn.⁴ The country received another boost to its economy in 2008 when

An estimated 70% of Madagascar's population lives on less than US \$2 a day. Former President Ravalomanana's many business interests created significant wealth for him, and raised accusations of monopoly control of some key food and agricultural sectors, while the population has faced rising food and fuel prices. Their resentment was apparent when they targeted the President's businesses for looting and destruction earlier this year.



¹ 'Madagascar' CIA World Factbook. Available online at <https://www.cia.gov/library/publications/the-world-factbook/goes/ma.html> [accessed 11 March 2009].

² 'Timeline: Madagascar' BBC News. Available online at: http://news.bbc.co.uk/2/hi/africa/country_profiles/1832645.stm [accessed 12 March 2009].

³ 'Madagascar' CIA World Factbook. Available online at <https://www.cia.gov/library/publications/the-world-factbook/goes/ma.html> [accessed 11 March 2009].

⁴ 'Timeline: Madagascar' BBC News. Available online at: http://news.bbc.co.uk/2/hi/africa/country_profiles/1832645.stm [accessed 12 March 2009].



it produced crude oil for the first time in 60 years, at a time of record high oil prices. However, with political unrest crippling the tourist industry, and approximately US \$35m in aid from the World Bank, IMF and European Union (EU) frozen because of allegations of poor governance, the country seems likely to slip further into poverty.⁵

Madagascar achieved independence from France on 26 June 1960. In 1972, the country's first independent president, Philibert Tsiranana, handed over power to army chief Gen. Gabriel Ramanantsoa amid popular unrest. In 1975, a coup brought Lieutenant-Commander Didier Ratsiraka to power. Popular pressure forced Ratsiraka to introduce democratic reforms, leading to the election of Albert Zafy in 1993. However, Zafy was impeached in 1996 and Ratsiraka was voted back into office.

In the December 2001 elections, then-opposition candidate Marc Ravalomanana claimed outright victory and insisted there was no need for a second round, but President Ratsiraka would not concede defeat, leading to mass protests and claims of rigging by Ravalomanana's supporters. The seven-month electoral dispute nearly divided the country in half.⁶ In February, 2002 Ravalomanana declared himself president. The High Constitutional Court upheld Ravalomanana's victory after a recount in April 2002, leading Ratsiraka to seek exile in France in July of that year. At the time, Ravalomanana was critical of electoral regulations and promised reforms - a promise he did not keep.⁷

THE CURRENT CRISIS

The current crisis began with protests against closure of opposition media outlets in January, which turned bloody on 7 February when the presidential guard fired on a crowd of protesters, killing dozens. Opposition leader and then-mayor of Antananarivo, Andry Rajoelina, whose Viva TV station was shut down by the government in December 2008,

accused the president of denying freedom of expression and called for President Ravalomanana's resignation.⁸

Rajoelina accused the President of being a dictator, not listening to the public and mis-spending public funds. Ravalomanana's purchase of an expensive presidential jet and his plan to grant a long-term lease on a significant portion of the country's arable land (one million acres) to the South Korean firm Daewoo were extremely unpopular with the country's struggling population.⁹

Rajoelina has tapped into the grievances of the Malagasy people. An estimated 70% of Madagascar's population lives on less than US \$2 a day. Former President Ravalomanana's many business interests created significant wealth for him, and raised accusations of monopoly control of some key food and agricultural sectors, while the population has faced rising food and fuel prices. Their resentment was apparent when they targeted the President's businesses for looting and destruction earlier this year. There is also a division between the people from the hills ('plateau'), who have tended to dominate politics, and those from the coast, who have generally been marginalised. One analyst suggested that appointing some cabinet members from the coast could help appease the situation.

The government sacked Rajoelina from his position of mayor of Antananarivo in February. Since then, he has organised numerous demonstrations and continually called for Ravalomanana's resignation. In early March, he went into hiding amidst fears for his safety, but emerged after less than two weeks to address supporters at a rally.

The army has traditionally been seen as the guardian of law and order on the island. However, the security forces appeared divided when, on 8 March, some members of the army mutinied, insisting they would no longer obey orders to suppress demonstrations, because their role was to protect the population. In 2002, the military stepped in when the political crisis threatened to drag on too long, forming a transitional authority to change the constitution and prepare fresh elections. Despite divisions, the army never appeared likely to stage a coup of its own.

⁵ 'The mayor, the mogul and the massacre' *Cape Times* 3 March 2009, p. 9.

⁶ 'Madagascar' CIA World Factbook. Available online at <https://www.cia.gov/library/publications/the-world-factbook/goes/ma.html> [accessed 11 March 2009].

⁷ 'Madagascar leader pays for letting his people down' *Mail and Guardian* 17 March 2009. Available online at: <http://www.mg.co.za/article/2009-03-17-madagascar-leader-pays-for-letting-his-people-down> [accessed 18 March 2009].

⁸ 'The mayor, the mogul and the massacre' *Cape Times* 3 March 2009, p. 9.

⁹ 'Un rassemblement de l'opposition dégénère' *Radio France Internationale* 26 January 2009. Available online at: http://www.rfi.fr/actufr/articles/109/article_77735.asp [accessed 11 March 2009].

Prior to the president's resignation, the opposition declared an alternative government, the Transitional High Authority, took over the prime minister's office and the presidential palace. It is alleged that when Ravalomanana resigned and handed power to the transitional military authority, Rajoelina rejected that option outright, insisting that he was president.

THE WAY FORWARD

The crisis in Madagascar has been an internal one, with relatively little outside interference. Bishop Odon Razanakolona, president of the Council of Christian Churches (known by its Malagasy acronym, FFKM), mediated several rounds of face-to-face talks between the parties, to no avail. A process of reconciliation and peace-building may be required in the wake of the crisis, which the FFKM would be well-placed to oversee. SADC sent two missions to the island, while the former colonial power, France, the African Union and the UN all sent envoys. None were able to broker an agreement.

The African Union decided on 20 March to suspend Madagascar's participation until constitutional order is restored. The AU stated that the correct

constitutional process for a transfer of power would entail the prime minister taking over a transitional authority, to organise elections within two months. Madagascar's highest court has ruled that the handover of power by the military to Rajoelina was constitutional, despite the fact that he is six years younger than the legal requirement for a president to be at least 40 years old. SADC has refused to recognise Rajoelina as president and has condemned the ousting of Ravalomanana, who fled to South Africa after resigning. The SADC Organ has placed the possibility of sanctions against Madagascar on the agenda of its meeting on 30 March.

The AU and SADC should oversee the transition in Madagascar to ensure that it follows constitutional norms and, if possible, to decrease its duration from the 24 months proposed by Rajoelina. Some international donors have already begun to cut off aid - for example, the US Millennium Challenge Corporation has suspended the remainder of its five-year, \$110 million poverty reduction grant. A combination of pressure and incentives may be required, as any transition will only be successful if it addresses the deeper issues of poverty, inequality and marginalisation that the crisis brought to the fore.

Supporting the Peace in the DRC

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institutions and structures and encouraging effective management and utilization of the DRC's wealth of natural resources to facilitate socio-economic recovery and development. In this regard, SADC leadership is required to ensure continued and appropriate donor commitment to fast-track internal reforms in the military and the effective disarmament, demobilization, reintegration and rehabilitation of former combatants. These and other priority areas fall under the activities highlighted in the AU Policy on Post-Conflict Reconstruction and Development (PCRD), which should guide the engagement of SADC and other international partners in the DRC. SADC must adopt a longer-term view than currently exists within the current UN MONUC mandate in order to strengthen the regional peace and integration agendas. SADC's

preparation for the withdrawal of MONUC in the DRC is imperative.

Likewise, SADC must show that the social, economic and political programme embarked upon by the government is irreversible. To do so effectively, the government and people of the DRC require the support of partners to help through these challenging times.¹⁰

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¹⁰ *ibid*

SADC and Pax Africa Host Conference on Human Security



On 12-13 March 2009, representatives of civil society gathered at Kopanong Hotel in Benoni for a conference on 'Human Security in SADC: Accelerating achievement of the region's human security objectives through partnership.' The meeting, which was convened by SADC and facilitated by Pax Africa, brought together civil society organisations (CSOs) from South Africa and the SADC region, international cooperating partners as well as representatives from the SADC Council of NGOs (SADC-CNGO) and the SADC Directorate for Politics, Defence and Security.



The specific objectives of the conference were:

- i) To develop and commence implementation of a plan of action of civil society support for regional human security priorities, with specific tasks, actors and time frames, that would optimise use of available resources;
- ii) To foster cooperation between South African civil society organisations (CSOs) and the SADC Secretariat, particularly the Directorate for Politics, Defence and Security, in order to accelerate progress toward regional human security objectives;
- iii) To develop and strengthen structures and mechanisms for regional CSO cooperation to ensure sustainability and to monitor and report on progress toward regional objectives.

The participation of civil society in SADC processes is enshrined in Article 23 of the SADC Treaty, which refers to civil society and non-governmental organisations (NGOs) as key stakeholders in the process of regional integration. In addition, Article 5(2) b states that in order to achieve its objectives, SADC shall "encourage the people of the Region and their institutions... to participate fully in the implementation of the programmes and projects of SADC". Despite these commitments, civil society's participation in official SADC processes remains marginal and ad hoc. There have been some efforts at enhancing cooperation, such as the meeting in December 2008 convened by the Organ in collaboration with SADC-CNGO, to map out specific areas of collaboration and actual implementation modalities. This conference sought to build upon those efforts to ensure sustained and coordinated engagement between CSOs and SADC.

In line with this, Colonel Tanki Mothae, the SADC

Director for Politics, Defence and Security, gave a presentation on the history of SADC involvement in peace and security issues and provided an overview of the evolution of SADC structures for engagement in peace and security, especially the Organ for Politics, Defence and Security Cooperation (OPDSC). The broad intent of the Organ Protocol, he noted, is to achieve solidarity, peace and security within the SADC region through close cooperation on matters of politics, defence and security. The emphasis is on the peaceful settlement of disputes by negotiation, conciliation, mediation and arbitration. In this context the Organ Protocol addresses both intra- and inter-state conflict and stipulates principles for collective action in managing such conflict.

Col. Mothae also gave an overview of the Strategic Indicative Plan for the Organ (SIPO), which was adopted by Heads of State in 2003 and launched in 2004 in an effort to strengthen the Organ and achieve the objectives of the Organ Protocol. The SIPO is broken into four sectors, namely: Political, Defence, State Security and Public Security. For each sector, the SIPO indicates challenges, objectives and key activities.

Col. Mothae also outlined some of the priorities of his directorate. In the area of democracy and good governance, for example, these include election observation, establishment of a human rights council, preventive diplomacy and promotion of a culture of dialogue. In the area of peace and security, priorities include DDR (disarmament, demobilisation and reintegration), peace support operations, peace-building and conflict resolution, mine action, resettlement of refugees and internally displaced persons, early warning and disaster risk reduction.



Another important process is the development of a charter for SADC civil society, which will be overseen by SADC-CNGO.

Col. Mothae called upon civil society to provide support and assistance to his Directorate in achieving regional objectives, especially through activities such as: institutional strengthening, training, capacity-building, technical assistance, policy advice, research and analysis. He urged CSOs to work together to ensure complementarity and to optimise the impact of their assistance.

CSOs then broke into groups according to the sectors of the SIPO. In the breakaway groups, delegates discussed the challenges and priorities within their respective sectors and contributed to a draft action plan outlining the areas and types of support to be provided to SADC. Participants were encouraged to indicate specific objectives, activities, deliverables and timeframes in the action plans.

These sectoral action plans were then presented to the plenary for further discussion. In discussing the action plan, a number of issues arose. These included:

- The fact that the group assembled at the conference was not representative of all of South African civil society. It was therefore recommended that the draft plan of action be disseminated to other CSOs for their input before being forwarded to SADC.
- The importance of engaging CSOs from other

SADC member states. While noting that there were more CSOs working on peace and security issues in South Africa than in other countries, participants noted the importance of providing support and capacity building to ensure that CSOs from across the region could participate in the realisation of human security objectives.

- The fact that the current SIPO would come to an end in August 2009, and that civil society should take note of whatever new plan for the Organ is adopted, and align their support accordingly.
- The need to provide support, based on a broad human security agenda, not only to the SADC Secretariat, but also to governments, civil society and other actors.
- The need for a mapping exercise to develop a database of CSOs in the region, that would indicate their areas of competence. SADC-CNGO, as the regional civil society umbrella body, might be well placed to coordinate such an exercise.

In discussing the way forward, participants agreed that the draft action plan should be circulated for further input from participants as well as from other CSOs who were not present at the meeting. In addition to proposing specific types of support, CSOs will be invited to propose what form future engagement with the SADC Secretariat should take, to ensure that such engagement is structured, coordinated and efficient. CSOs will also be asked to comment on how often the civil society network should meet to discuss engagement with SADC, as well as how progress on the action plan should be monitored and evaluated.

Some participants suggested that each of the four sectors (mentioned above) could appoint a CSO focal point that would coordinate engagement with the Secretariat, to avoid creating a further burden on the already stretched capacity at SADC. Another suggestion was to try to utilise existing structures, such as the SADC National Committees (SNCs) as a vehicle for CSOs to engage with the Secretariat. It was noted, however, that in most countries there is a SADC focal point but not an active SNC.



Pax Africa hosts Barizi* Forum on 12th AU Summit

On 13 February 2009, Dr. Admore Kambudzi, Secretary of the Peace and Security Council of the African Union, addressed Pax Africa's Barizi Policy Forum. Entitled, "The 12th AU Summit: Key issues, decisions and their implications," the forum focused on discussions and decisions related to the issue of the Union Government as well as the report of the Peace and Security Council (PSC) on its activities and the state of peace and security in Africa. The forum also addressed the way forward in terms of next steps at national, regional and continental level that will be required to implement Summit decisions. In attendance at the forum, which was chaired by Brigadier-General J.G. (Pal) Martins of Pax Africa, were representatives of the diplomatic community, academia and civil society who contributed to a rich discussion after Dr. Kambudzi's presentation.

Dr. Kambudzi provided an overview of the historical context of the Union Government debate. This focused on the time leading up to the transition from the Organisation of African Unity (OAU) to the African Union (AU), when African leaders discussed the future role of the organisation in achieving African integration. The presentation also presented a number of different views on the question of the Union Government: one perspective called for the rapid establishment of a Union Government, which would allow Africa to compete globally. A second perspective adopted a more gradualist approach, favouring integration through the regional economic communities (RECs) as a path to continental integration. Yet another perspective called for those states that are ready, to establish the Union Government now, and then allow other AU member states to join as they see the benefits.

At the 12th AU Summit in Addis Ababa, Ethiopia on 1-3 February 2009, the issue of the Union Government was hotly debated and a new method of decision-making by African elders was utilised to break the deadlock. The Assembly decided to establish an AU



Authority, though the specific details of its structure, mandate and competencies were not discussed. However, the Authority will have a president, a vice president, and various secretaries of specific portfolios. The Executive Council was tasked with working out how the AU Authority would be put into practice.

During the debate, three potential portfolios of the Authority were emphasised. They were:

- defence and security, especially to deal with issues relating to the African Standby Force and the Common African Defence and Security Policy (CADSP);
- international trade and finance; and
- infrastructure, which was the theme of the Summit, because infrastructure (transport, communications, economic, etc) is important for integration. A fourth area that is likely to become a portfolio of the AU Authority is the environment, since the issue of climate change should be addressed at continental level. Most likely, the AU Commissioners would be transformed into Secretaries of the various portfolios.

* Barizi is a Kiswahili* word meaning 'meeting,' 'reception' or 'council'. Pax Africa established the Barizi Policy Forum not to just create a platform to exchange information, but rather to create an environment in which to deepen understanding and partnership amongst the main players involved in implementing the human security agenda of the continent

* Kiswahili is one of the six working languages of the African Union



In addition to discussing the question of the Union Government, the Summit received the regular report of the Peace and Security Council (PSC) on its activities and the state of peace and security in Africa. Some of the keys issues raised in the report included the following:

- **Resurgence of coups.** This has been a very dangerous trend, with recent coups in Mauritania and Guinea, as well as attempts in Guinea Bissau and Cape Verde. There is a need to review the provisions in the Lomé Declaration on Unconstitutional Changes in Government (2000) and the PSC Protocol in order to prevent future coups. The AU Charter on Democracy, Elections and Governance also includes the rule that those who stage a coup cannot design the post-coup transition and cannot participate in the transitional elections. Yet the tendency is to do just that. There is a need for an Assembly decision, which would be stronger than the Charter, that the authors of coups cannot design the transition programme and cannot stand in elections after the coup.
- **Election related crises.** This is another dangerous trend. The past year saw such crises in Kenya and Zimbabwe, while Côte d'Ivoire keeps postponing planned elections. In 2009, about fifteen African countries are scheduled to hold elections. The AU and the Panel of the Wise

will help to supervise elections. The fact that Kenya submitted a well-received APRM (African Peer Review Mechanism) report, which was followed by the election crisis, indicates that there is a need for more independent views in the APRM assessments.

- **Political mismanagement.** This refers to the problem of elected leaders pursuing personal agendas, rather than meeting the basic needs of the whole population. This leads to increasing tensions amongst various groups in the country (labour, students, civil service) and to the breakdown of government services.
- **PSC protocol.** The PSC protocol was adopted in 2002. At this point, there is enough experience and practice in the PSC that the Protocol should be reviewed. By 2011-12, the Assembly should be able to approve amendments to the Protocol. One possible improvement would be to invite the Chair of the AU to PSC meetings, at least to the open sessions.

In addition to these general issues, the report of the PSC also addressed a number of specific peace and security challenges in member states. These included, *inter alia*:

- **Somalia.** There is a need to restore stability. The Somalia situation indicates the lack of an effective mechanism in the AU for dealing with breakaway movements for independence.
- **Sudan.** Darfur remains a challenge. UNAMID was created as an answer to the funding and other challenges of AMIS, but difficulties remain.
- **Côte d'Ivoire.** There have been frequent postponements of elections. There is a need to prevent another elections crisis.
- **Madagascar.** The PSC has decided that the situation needs to be properly managed, and a mediation team has been deployed. Madagascar is scheduled to host the next AU summit, so the situation needs to be stabilised quickly.

During the discussion at the Barizi forum, it was noted that it would be irresponsible for Africa to go into Union Government while the house is not in order. During 2009, the process of transforming the AU Commission into an AU Authority will commence. At the same time, regions such as East Africa that wish to form political federations may begin to do so. The fast pace of African integration was questioned during the discussion, but the counter-argument was made that the AU is not reinventing the wheel, but rather building on its own successes as well as other models such as the European Union.

