

Chapter 2

The Security Dimension of Regional Integration in SADC

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Introduction

Southern Africa is a region ravaged by conflicts. What distinguishes it is not the presence of conflict, but the region's history in attempting to resolve such conflicts. As this chapter will show, this aspect and the politics of the region have proven to be formative for the security dimensions of the project of regional integration (Omari and Macaringue 2007: 45).

Historically, the member states of the Southern African Development Community (SADC) privileged economic cooperation are engaged in what Deng (1995), writing on Sudan, called a 'war of visions'.¹ This in turn mediated an uneven process towards institutionalised regional integration, particularly in the domains of defence and security. The complex interfaces between conflict, security and development is the focus of the *World Development Report 2011* that was released in April 2011. From a comparative perspective formal security cooperation among developing countries is essentially defined by the politics (as distinct from the economics) of a particular region and in the context of the global collective security system of the United Nations (UN) (Cawthra 2007: 23-44).

The most explicit provision about the security functions of regional organisations is contained in Chapter VIII of the UN Charter, that reads: 'The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority' (Article 53.1) and, 'Members of the United Nations... shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council' (Article 52.2). Regional Economic Communities (RECs), such as SADC, thus represent sites of first resort as far as the peaceful resolution of conflicts is concerned, but the UN Charter makes it clear that coercive means of conflict intervention requires the authorisation of the Security Council (Article 53.1).

The division of the international system into regions is not as self-evident as the UN Charter might have envisaged it at the time, and is further complicated by the existence of various

¹ See also Khadigala (1994).

sub-regional organisations, particularly in Africa. The African Union (AU), for example, is supported by a number of such organisations, of which SADC is but one.

Nevertheless, there has been a significant rise in political, economic, and security cooperation at the regional level. From a theoretical perspective (Hettne, Inotai, and Sunkel 2000: xix-xx; CCR 2008), it has been suggested that such forms of regional interaction display the characteristics of 'new regionalism'. Multi-dimensional interaction in the domains of economic, political, social, cultural, and security cooperation that transcends traditional forms of free-trade regimes or security alliances is characterised by the following (Fawcett and Hurrell 1995: 3-4):

- It is driven by a combination of economic or security imperatives, as well as by ecological and other developmental concerns.
- It involves both state and non-state actors, and to some extent is driven from below rather than from above.
- It is outward looking, or 'open', in the sense that it seeks to integrate member states into the global political economy rather than erecting tariff barriers.
- It varies in the extent of institutionalisation, with some regional organisations deliberately avoiding large bureaucracies.
- It sometimes spans the divide between the developed and developing world, e.g., the North American Free Trade Agreement (NAFTA).

Although an absolute distinction cannot be made between 'old' and 'new regionalism', security cooperation in SADC can conveniently be considered from such a perspective, provided that the history and political 'drivers' of such cooperation be kept in mind. In the case of SADC, for example, it can be argued that the security dimensions of regional integration and cooperation are being driven by both *negative* and *positive* features (Baregu 2003: 21).

Given the history of security cooperation in the SADC region and considering the security architecture, especially since 1992 when the current treaty came into force, the idea of a 'security complex' i.e. 'a group of states whose primary security concerns link together sufficiently closely that their national securities cannot realistically be considered apart from one another' (Baregu 2003: 21), is useful for analysing security cooperation in SADC.

A 'security complex', however, does not by and in itself define a region, nor does it adequately explain the nature of security cooperation, but security interactions of this nature are bound to have a significant imprint on the institutional culture and operations of a regional organisation. Furthermore, as regions progress towards deeper and more diverse forms of integration and develop and practise common values, a much closer nexus between security linkages and political cooperation emerges. At such a point, one can talk of 'security regionalism'.

SADC: towards a security community

As a Regional Economic Community (REC), SADC displays characteristics of a nascent 'security community' under construction.² It would, however, be premature to argue that SADC has evolved into a robust 'security community'. This is so, because the construct of a 'security community' raises several complex and potentially intractable concepts such as what defines 'community', governance, common institutions, democratic transformation and common values and policies. For a region to qualify as a matured 'security community', there needs to be a *positive and reciprocal* relationship between these variables, the prevalence of mutual trust among the members states and a process of 'collective identity formation' (Adler and Barnett 1998: 29).

From the perspective of 'New Institutionalism' (Hurrell 1993), however, it can be argued that SADC has evolved towards some common values, such as the preference for peaceful, democratic change of political leadership, a common framework for the conduct of legitimate and transparent elections³, a regional code for policing, common protocols that govern security and development, trade and investment agreements among member states, and the existence of a common doctrine for Peace Support Operations (PSOs). Ultimately, however, a 'security community' would be impossible to sustain in the context where democracies and their normative values are not the norm.

The nature of security cooperation in SADC takes many forms, such as a mutual defence pact (SADC Mutual Defence Pact 2003), common Peace Support Operations (PSOs) under the provisions of the SADC Standby Force (SADCSF) and the African Union (AU), non-

² See Deutsch (1957). See also Adler & Barnett (1989). For an initial application of the notion of a 'security community' to SADC, see Ngoma (2005) and Van Nieuwkerk (2009: 99-115).

³ See the Principles for Election Management, Monitoring and Observation in the SADC Region, adopted on 6 November 2003 at the Kopanong Hotel and Conference Centre, Benoni, South Africa.

aggression pacts, and common collaborative security arrangements augmented through bilateral Joint Permanent Commissions (JPCs). The various protocols, notably the 2001 SADC Protocol on Politics, Defence and Security Cooperation and the subsequent Strategic Indicative Plan for the Organ on Politics, Defence and Security Cooperation (SIPO) of 2004⁴, are additional strings in the bow of a nascent 'security community'.

Security cooperation

The SADC Consultative Conference that took place in Windhoek, Namibia, in April 2006, although a good five years ago, is the appropriate starting point for understanding current forms of security cooperation in the region. Hence, key decisions and outcomes of this conference are summarised in this contribution. The principal outcome of this meeting was the Windhoek Declaration on a New SADC-ICP Partnership (or 'Windhoek Declaration'). This declaration came in the wake of significant institutional changes at SADC level. These included the restructuring of key SADC institutions, a more coherent SADC Common Agenda, the development of the Regional Indicative Strategic Plan (RISDP) two years earlier and the Strategic Indicative Plan for the Organ on Politics, Defence and Security Cooperation (SIPO), also in 2004.

Earlier formative changes in the regional and global political economy impacted on both the security and development projects of SADC. These included, but are not limited to, the adoption in 2000 by Heads of State and Government at the United Nations General Assembly of the Millennium Declaration, and the acceptance of the Millennium Development Goals (MDGs) as a monitoring framework for progress on key development indicators, as well as the September 2005 World Summit Outcome as adopted by the Heads of State at the Summit.

Together with a number of international memoranda and declarations on aid effectiveness, notably the Paris Declaration on Aid Effectiveness of March 2005, SADC decided in Windhoek to reconfigure cooperation between itself and International Cooperating Partners (ICPs). The Windhoek Declaration put in place a new SADC/ICP Partnership for the implementation of the SADC Common Agenda as outlined in the RISDP and the SIPO.

⁴ The original 2004 SIPO is currently under review; see a subsequent discussion in this chapter.

The overall objective of the New Partnership as defined in the Windhoek Declaration (2006: 4) was 'to contribute towards the achievement of the SADC Common Agenda as articulated by SADC, in particular, the attainment of the SADC Mission of promoting sustainable and equitable economic growth and socio-economic development through efficient productive systems; deeper cooperation and integration; good governance; strengthened capacity and participation of stakeholders; and durable peace and security so that the region emerges as a competitive and effective player in international relations and the world economy'.

Specific objectives of the partnership included, among others 'Ensuring regular, institutionalised dialogue at the political, policy and technical levels for constructive engagement, information and experience exchange and the promotion of best practices on development cooperation' (Ibid.).

The New SADC-ICP Partnership was based on 'fundamental principles of good governance, democracy, and respect for the rule of law and human rights, gender equality, peace, stability and security as enshrined in the SADC Treaty and reiterated in the RISDP and the SIPO' (Ibid.: 5).

Significantly, the Windhoek Declaration stated that the 'SADC exercises effective leadership in coordinating and implementing the SADC Common Agenda (RISDP and SIPO) at regional and national levels'. It continues in similar vein [that SADC committed itself to 'Translate the RISDP and SIPO into prioritized results-oriented operational programmes expressed in mid-term expenditure frameworks and annual budgets' while the ICPs committed themselves to 'Respect SADC leadership and help strengthen SADC's capacity to exercise it at regional and international levels' (Ibid.: 5) .

The Windhoek Declaration embodied the understanding that RISDP and SIPO, the two principal policy frameworks on regional development and security respectively, would be aligned with a view toward responding to the wider goals of supporting SADC member states achieve the Millennium Development Goals (MDGs), strengthen human security, and attain their respective poverty reduction strategies. In addition, these two policy frameworks were meant to implement and achieve the objectives contained in the New Partnership for Africa's Development (NEPAD), to which all SADC member states subscribed.

As expected, the Declaration (Ibid.: 13) lists several priority areas for cooperation in the RISDP. These include:

- (a) Crosscutting areas, including poverty eradication; the combating of the HIV and AIDS pandemic; gender equality and development; science and technology; environment and sustainable development, and statistics, and
- (b) Sectoral cooperation and integration areas – trade/economic liberalisation and development; infrastructure support for regional integration and poverty eradication; sustainable food security; and human and social development. Since the SIPO aims at enabling the realisation of the objectives outlined in the RISDP through the creation of a peaceful and stable political and security environment, the following areas of cooperation were identified:
 - (a) Peace support and humanitarian operations;
 - (b) Democracy and good governance;
 - (c) Disaster management;
 - (d) The combating of organised crime including drug trafficking, money laundering and human trafficking;
 - (e) Post-conflict reconstruction and social reintegration interventions;
 - (f) Mine clearance;
 - (g) HIV and AIDS mitigation;
 - (h) Small arms and light weapons control;
 - (i) Joint training exercises, and
 - (j) Food security.

Further to the specific areas of cooperation listed under the RISDP and the SIPO, the Declaration called for ICPs' support for capacity building at both the regional and national levels in order to facilitate effective implementation and monitoring of the various programmes and their respective activities.

The Declaration also dealt with funding arrangements, inclusive of sector-wide and programme support and called for comprehensive results-based monitoring and transparent

reporting at both the strategic and the operational level on progress made with implementing the RISDP and the SIPO. Annual progress reports would be tabled at the Integrated Committee of Ministers and the Ministerial Committee of the Organ on Politics, Defence and Security Cooperation (OPDS), respectively.

Finally, a Joint SADC ICP Task Force (JTF) consisting of a wider group of SADC and ICPs representatives, the latter under the chairpersonship of the Republic of Austria, was established. The meetings of the Task Force would be co-chaired by the European Commission Delegation and the SADC Secretariat.

Recent progress

As shown above, the 2006 Consultative Conference was meant to be formative for subsequent security-related developments in SADC. Substantively, however, implementation of the 2006 Declaration has been slow and uneven, mostly for political reasons and the preoccupation of some member states with domestic reconstruction. One area that has seen meaningful reform, however, is that of policing. Established in 1996, the Southern African Regional Police Chiefs Cooperation Organisation (SARPPCO) has emerged as the key mechanism of cooperation between police in the SADC region. Since 2010 SARPPCO has set the agenda for regional policing with particular emphasis on organised crime (focusing in the initial phase on the illegal trade in stolen vehicles, drugs, weapons and money laundering). SARPPCO also approved a Code of Conduct for SADC police forces, and since 2009-10, the Legal Sub-Committee has concerned itself with the harmonisation of legislation on aspects such as corruption, organised crime and money laundering, while the Training Sub-Committee has initiated various activities – often in collaboration with private research networks and training providers (Van der Spuy 2009:43).

Since its formal recognition by SADC as the key agency in the domain of policing in 2009, SARPPCO has most recently re-engaged the matter of a region-wide Code of Conduct for policing, while training for peacekeeping has been added to a growing list of training needs with the decision to build African peacekeeping capacity.

Given the fragile social fabric and human security fractures in many of the SADC member states, police reform has emerged as a key long-term policy concern. One analyst comments succinctly: 'It is important that the international community and the most influential donors,

in particular, recognize that reform of the police is a long-term project marked by differing stages of consolidation and not the fruits of a once-off short-term intervention' (Van der Spuy 2009: 43).

Another area where progress has been made in 2010 is that of Peace Support Operations (PSOs). Although the Harare-based Regional Peacekeeping Training Centre (RPTC) was duly recognised by the SADC member states as a SADC-funded institution in 2009, since then the RPTC has been reconfigured and training for peacekeeping and peace support operations has commenced albeit with a small permanent staff and rather limited support from some member states. Political difficulties in the host country, Zimbabwe, however, have made it difficult for the RPTC to develop fully, so as to robustly discharge its mandate of building capacity in this vitally important area (Ibid.: 55).

The former SADC Brigade that was officially launched in August 2007 in Lusaka, Zambia, was renamed in 2010 as the SADC Standby Force (SADCSF) in compliance with the provisions that govern the African Standby Force of the African Union.⁵ At its inception, the erstwhile SADC Brigade was augmented by a Memorandum of Understanding (MOU) to guide its operations and member states' contributions, while it was widely expected that the SADCSF would be fully operational in June 2010 and its Planning Element suitably strengthened. While meaningful progress has indeed been made, notably in terms of Standard Operating Procedures (SOPs), command and control, logistics, funding, doctrine and training, the main logistic depot is still in its infancy.⁶

While a Regional Early Warning Centre (REWC) was established in 2006 in Gaborone, Botswana, at the time of writing, the REWC was not yet fully operational, notwithstanding the fact that an operational plan had been developed for it. The REWC is only as effective as the willingness of member states to share security-related information and intelligence. Ultimately, the REWC is meant to link up with the Continental Early Warning System of the African Union, as provided for in Article 12 of the 2002 Protocol of the Peace and Security Council of the AU.

⁵ Notwithstanding capacity and fiscal constraints, SADCSF conducted a Map Exercise (MAPEX) and a Command Post Exercise, both in 2009, and in 2010 a joint training exercise called 'Dolphino' held along the Namibian coast.

⁶ See the chapter by Oppong (2011) in this volume.

Arguably one of the potentially most significant developments in 2010 was a decision taken by the Summit, to recast the original SIPO of 2004. At the time of writing, a Draft Strategic Indicative Plan (2010-2015) for the OPDS has been composed; it however, still awaits formal adoption by the Summit in 2011. As argued above, SIPO together with the RISDP constitutes the two key policy frameworks that guide SADC in the domains of collective and common security, as well as balanced regional development. Since the process was originally initiated to develop an Indicative Strategic Plan for the OPDS in 2001 and its subsequent adoption by the Summit in 2004, the SIPO with its four sectors – the Political Sector, the Defence Sector, the State Security Sector and the Public Security Sector – each with specific objectives and corresponding strategies/activities, was never really fully actualised. Several reasons account for this state of affairs, among these the policy complexity and comprehensiveness of the original SIPO, as well as human resource constraints within the OPDS. Since its inception the OPDS has been understaffed, particularly in the Department for Politics, Defence and Security and its sub-divisions: the Directorate for Politics and Diplomacy, the Directorate for Defence and Diplomacy, and the Strategic Analysis Unit, the latter responsible for the Situation Room in the Regional Early Warning Centre (REWC).

The text of the revised SIPO has more coherence than the original version, while it proposes to strengthen human and public security and the gender dimensions of security and recommends institutional linkages between the Defence Intelligence Standing Committee (DISC) and the Regional Early Warning Centre (REWC), among others. It contains fewer strategies for implementation than the original (2004) version. If adopted by the Summit, it should articulate more closely with the programmatic activities provided for in the RISDP. The revised SIPO harks back to the April 2006 SADC Consultative Conference held in Windhoek and was undertaken with input from research institutions and civil society in the region.

Another matter with both political and security implications that awaits resolution in 2011 is that of the non-compliance of SADC member states with decisions of the SADC Tribunal. To date, there have been three instances in which Zimbabwe has been referred to the SADC Summit Heads of State and Government for its non-compliance with decisions of the SADC Tribunal. At the SADC Summit of August 2010, it was resolved to appoint a committee of suitably qualified persons to report back to the Summit within six, but not exceeding twelve months, on proposed changes to the mandate and powers of the Tribunal.

The report from this committee of experts is still awaited and it is widely expected that it will serve at the Summit in August 2011.

Mediation: Madagascar and Zimbabwe

The last aspect that this chapter addresses is that of the role of SADC in managing political crises and conflicts, with special reference to Madagascar and Zimbabwe. While SADC also engaged Lesotho and the Democratic Republic of Congo (DRC), the focus of this chapter falls on Madagascar and Zimbabwe, since these two conflicts have dominated 2010 and at the time of writing have yet to be resolved to the satisfaction of all parties concerned.

Madagascar

The backdrop to the current crisis in Madagascar dates back to 2001 when Marc Ravalomanana established his grip on presidential power, using his position as mayor of Antananarivo, the capital city, and his considerable business interests to propel him forward. However, his power began to be challenged in 2008 when Andry Rajoelina, another flamboyant business person and former disc jockey, became mayor of Antananarivo, and his challenge, based on popular protests in the capital, culminated in Ravalomanana leaving office after a military intervention in March 2009. With the support of a small but powerful unit of the army, responsible for technical and personnel support, Rajoelina and his allies established a High Transitional Authority (HTA) which became the de facto government, as well as a Military Council for National Defence (MCND).

While the immediate antecedent to the current crisis began in 2009, 'its roots may be traced back to the difficult history of democratic transition in the country, and the failure to consolidate democratic processes and structures' (Cawthra 2010: 13). Madagascar is a Least Developed Country (LDC) with 70 percent of its population living on less than US\$2 per day ('Country profile: Madagascar' 2009: 30). With an estimated population in excess of 20 million, this means that there are large numbers of people living in extreme poverty, and the social economy is characterised by deep inequalities.

Both SADC and the African Union (AU) reacted strongly to this unconstitutional change, and SADC subsequently became one of the principal mediators in an international coalition, eventually leading to an agreement for a transitional government. Rajoelina, however, did not honour this agreement, leaving the conflict unresolved.

In August 2005 Madagascar joined SADC, and since then former president, Ravalomanana, and the governing party, Tiako-Madagasikara (TIM), cemented ties with the United States of America (US) and opened up the economy for investment from China and South Korea. After the unconstitutional transfer of power from Ravalomanana to Rajoelina in March 2009, Madagascar was suspended from both the AU and SADC. The crisis precipitated an economic meltdown, terminated investment and trade agreements and led to the evaporation of most external funding for the government (constituting about 70 percent of its income). With former president Ravalomanana in exile in South Africa, and with the Rajoelina government de facto in power but not internationally recognised, for SADC, the focus shifted to mediation to resolve the conflict.

Initially instrumental mediation, in the sense of opening up space for communication amongst the political contestants, had been attempted by the Madagascar Council of Churches, but it soon passed to the international community in the form principally of the AU and SADC, with former president Joaquim Chissano of Mozambique, an accomplished mediator, as the principal mediator, appointed on 20 June 2009 by SADC. Throughout the mediation process, the AU remained formally in charge; this subsequently led to tensions between SADC, the AU and a host of other international actors such as the Indian Ocean Commission, the UN and the European Union (EU), which were jointly grouped as the International Contact Group (ICG). The mediation was further complicated when in addition to the two principal political rivals, two former presidents, Ratsiraka and Zafy, proclaimed themselves and their followers as self-styled 'movements', a development that was reluctantly accepted by the international mediators.

The second phase of the mediation took place from 20 to 22 May 2009 and led to agreements amongst the four 'movements' about the holding of elections as soon as possible as well as the establishment of transitional structures, inclusive of a High Authority of the Transition (HAT), a National Council of Reconciliation, an Economic and Social Council, a government to be headed by a prime minister, a Congress of the Transition, a Committee of Reflection on Defence and Security, a High Court of Transition, and an independent electoral commission amongst others. The issue of amnesty was also broached.

A third phase of mediation commenced, when in August 2009, former president Chissano convened a meeting in Maputo, Mozambique where the four 'movements' met in face-to-face negotiations. They agreed to a 15-month transition process and a government of national

unity with a president, a prime minister, three deputy prime ministers, 28 ministers, a legislature with a higher chamber of 65 members and a 'congress of transition' with 258 members, as well as the other transitional arrangements agreed to earlier in May 2009. Rajoelina returned to Madagascar in triumph after the agreement struck in Maputo, especially since it was decided that Ravalomanana would only be able to return to the country when 'favourable political and security conditions' prevailed, according to the *Charte de la Transition* (2009). Furthermore it was agreed that only the president of the transitional government could present himself as a presidential candidate at the end of the 15-month transitional period.

The optimism that accompanied the Maputo agreement of August 2009 soon evaporated as it became increasingly evident that Rajoelina thought he could proceed alone, and disagreements arose over who would fill which public positions. A second conference held in Maputo in the following month, again mediated by former president Joaquim Chissano, during which it was hoped to resolve the allocation of positions in the various transitional structures, fell apart without agreement. Rajoelina then went on to unilaterally install a transitional government, in which some members of the previous government served (including the Minister of Defence) but which was widely rejected by the international community as being unlawful and as violating the previous Maputo agreement. Rajoelina argued that he would respect the terms of the Maputo agreement, provided that the international community lifted sanctions – a demand rejected by all international actors.

In October 2009, further AU mediation followed in Addis Ababa. The three opposition formations agreed that Rajoelina could remain as head of the transitional government provided he did not contest the envisaged presidential elections, and two 'co-presidents' were appointed from the opposition. A formal agreement on the transitional arrangements was signed by the four parties on 7 November 2009, with consensus being reached on the main leadership posts, although the issue of the interim cabinet posts remained unresolved (Cawthra 2010: 15).

This fragile accord was again undermined in December 2009, when the three opposition parties unilaterally and in violation of previous agreements, appointed a 'unity government' after a further meeting held in Maputo. Rajoelina was absent at this meeting, mediated by Joaquim Chissano. Rajoelina retaliated by preventing the return of the opposition groups to Madagascar and pledging to go ahead with parliamentary elections on 20 March 2010 and

rejecting further international involvement in both the elections and the transition. Since then, the brinkmanship and the stalemate continued, and in retrospect, there is now less space for SADC to mediate successfully in the ongoing conflict. Since no SADC members state has core economic or security interests in Madagascar, resolving the conflict in that country is not an immediate concern.

Having briefly outlined the contours of the SADC mediation in Madagascar, the focus now shifts to Zimbabwe.

Zimbabwe

There is a history of political conflict in post-independent Zimbabwe. Initially the conflict was based on contestation between the Zimbabwean African National Union-Patriotic Front (ZANU-PF) and the Patriotic Front-Zimbabwe African National Union (PF-ZANU), the two former liberation movements, which were formed to some extent along ethnic and territorial lines (Raftopoulos and Mlambo 2009: 184-188). There is also a history of authoritarian politics that survived the transition to independence in 1980 and that subsequently undermined the many historical compromises, such as those on land and the integration of military forces of the former ZANU and ZAPU combatants that characterised the Lancaster House Agreement of the previous year and the politics of national reconciliation. Conflict peaked during the mid-1980s. The conflict ended with a unity accord between the two parties in December 1987. With the decline of the 'white Rhodesian vote' (and seats guaranteed under the Lancaster House constitution) Zimbabwe became de facto a dominant party state. A growing political factor, however, was the 'War Veterans' – mainly disgruntled former combatants of ZANU-PF who demanded welfare and other social assistance from the state, including fast-track and large-scale land reform.

The roots of the current economic and political crisis go back to February 2000, when President Robert Mugabe lost a referendum on a new constitution. This constituted the first major recent challenge to his rule and that of his dominant party, ZANU-PF, and followed on the formation of an opposition alliance, the Movement for Democratic Change (MDC), under the leadership of former trade unionist, Morgan Tsvangirai.

While elections in Zimbabwe had been almost completely dominated by ZANU-PF after the end to the Matabeleland crisis of the mid-1980s, the parliamentary election following the lost

referendum of June 2000, was both closely contested and marked, according to international observers, by widespread electoral irregularities (Raftopoulos and Mlambo 2009: 209-210). A subsequent presidential poll held in March 2002 was characterised by violence and, according to most international observers, by irregularities. Significantly, however, many African countries, including SADC member states such as Angola, Namibia and South Africa, declared them legitimate. One of the few dissenting African voices was the SADC Parliamentary Forum, although the SADC Secretariat gave its stamp of approval. All this happened against the backdrop of the second, 'fast-tracked', phase in the history of land reform that proved to generate more conflict inside the country, and growing signs of an economic meltdown, such as inflation and joblessness spiralled out of the control of government.

Cumulatively, these developments led to a significant engagement by the international community, which, however, remained divided on important policy issues and modes of possible intervention in the crisis. In March 2007 at its Dar-es-Salaam Extraordinary Summit, SADC appointed former South African president Thabo Mbeki as its principal mediator.⁷ Although Mbeki played a prominent role in making sure that President Mugabe no longer continued to chair the OPDSC at the SADC Summit in August 2001, beyond this, however, Mbeki and SADC took limited action, repeatedly declaring their support for the president and, importantly, characterising the crisis as one of land reform rather than governance, thus giving credence to the nationalist rhetoric of ZANU-PF. The EU and the US imposed 'targeted sanctions' against the leadership of ZANU-PF, and a number of other countries (initially Australia, Canada, New Zealand and Switzerland) followed suit.

The role of the AU in the subsequent mediation has been minimal; it is best seen as playing an 'oversight role' over SADC, and endorsing its decisions. There have also been important differences within SADC over Zimbabwe. President Ian Khama of Botswana openly broke ranks after the contested 2008 presidential elections, condemning President Mugabe as 'repressive' and calling for internationally-supervised elections; the governments of Zambia and Tanzania were also critical about the lack of progress made in implementing the

⁷ It was only when the matter of Zimbabwe was referred to the African Union Summit held in Sharm-El-Sheik, Egypt, in late June 2008 that the AU directed that SADC be put in charge of mediating a solution to the crisis. The subsequent appointment of Thabo Mbeki proved to be controversial, with the MDC- Tjangerai formation arguing that he was pro-ZANU-PF. The March 2007 SADC Extraordinary Summit held in Dar-es-Salaam, United Republic of Tanzania, started the process of mediation. Decisions taken in Dar-es-Salaam were endorsed in Lusaka in April 2008 and subsequently by the AU Summit held in Sharm El-Sheik, Egypt, from 30 June to 1 July 2008.

October 2008 Global Political Agreement (GPA), brokered by Thabo Mbeki. Cawthra (2010: 30) comments succinctly: 'On the other hand, the dominant trend within SADC is the continuation of the liberation solidarity of the former Frontline States (FLS) period, with the former liberation movements, SWAPO, MPLA, FRELIMO and ANC lining up in solidarity'. They are joined by the DRC, Swaziland and Malawi.

Global Political Agreement

The GPA of October 2008 was crafted on to a Memorandum of Understanding, reached on 21 July 2008 between President Robert Mugabe on behalf of government and the ZANU-PF party, the leader of the Movement for Democratic Change (MDC-T), Morgan Tsvangirai and the leader of the smaller formation of the MDC-M, Arthur Mutumbara.

Alternatively known as the GPA or the Zimbabwe Unity Agreement (ZUA) (2008: 1-19), consensus was reached between ZANU-PF and the two Movement for Democratic Change (MDC) formations, 'on resolving the challenges facing Zimbabwe'. Starting with the usual preamble in which the parties to the agreement reaffirmed their commitment to resolving 'permanently' 'the challenges facing Zimbabwe' such as that 'citizens enjoy equal protection of the law and have equal opportunity to compete and prosper in all spheres of life' (Ibid. 2008: 1), and 'recognizing, accepting and acknowledging that the values of justice, fairness, openness, tolerance, equality, non-discrimination and respect of all persons without regard to race, class, gender, ethnicity, language, religion, political opinion, place of origin or birth are the bedrock of our democracy and good governance' (Ibid.: 1-2).

Apart from the 'Framework for a New Government', provided for in Article XX of the GPA, the agreement provided for the restoration of economic stability and growth (Article III and its sub-articles), endorsed the position of SADC on sanctions imposed against Zimbabwe⁸, recognised the primacy of the land question and the need to 'conduct a comprehensive, transparent and non-partisan land audit' as well as 'ensuring security of tenure to all land owners'. The GPA (Ibid: 4-5, Article V 'Land Question') also agreed to 'call upon the United Kingdom government to accept the primary responsibility to pay compensation for land acquired from former land owners for resettlement'.

⁸ The enactment of the Zimbabwe Democracy and Economic Recovery Act by the US Congress which outlaws the country's right to access credit from International Financial Institutions (IFIs) in which the US Government is represented or has a stake.

On the need for a new constitution, the GPA concurred, among other complicated aspects, that a Select Committee of Parliament composed of members of the parties to the agreement, would establish sub-committees chaired by a member of parliament on which representatives of civil society would serve. The Select Committee, responsible for the draft constitution, had to be established within two months of the power-sharing arrangement, and had to submit it to a referendum for public endorsement. In the event of the draft constitution being approved in the referendum, it had to be gazetted within one month of the date of the referendum.⁹

The GPA was grounded in recognising key domain values, such as the promotion of equality, 'national healing', cohesion and unity (Article VII); free political activity (Article X); respect for the Rule of Law and for the Constitution (Article XI), and freedom of assembly and association (Article XII). Moreover, the GPA made provision for humanitarian aid and food assistance (Article XVI), legislative agenda priorities (Article XVII) and dealt extensively with issues of the security of persons and the prevention of violence (Article XVIII).

The 'Framework for a New Government' set out in Article XX (inclusive of its various sub-articles) of the GPA provided for a complex political compromise, influenced by an earlier AU mediated agreement on Kenya. One of the key provisions of the GPA (Article XX, 20.1.1) was that of a collegiate executive, in terms of which executive authority would be shared among the president, the prime minister and the cabinet.

The GPA provided for a cabinet, chaired by the president – who also continued to chair the National Security Council. The cabinet was vested with the authority to evaluate and adopt all government policies and programmes, and had the authority to subject to approval by parliament, allocate the financial resources for the implementation of government programmes. The President and the Prime Minister had to agree on the allocation of ministries. This last matter, predictably, led to deep disagreement between the two individuals and undermined the credibility and swift implementation of the GPA from its inception.

The GPA also made provision for a Council of Ministers, chaired by the Prime Minister, 'to ensure that the Prime Minister discharges his responsibility to oversee the implementation of the work of government' (Article XX, 20.1.5). Finally, provision was made for a Senate of

⁹ See the various provisions under Article VI of the GPA (2008: 5-7).

14 members, five appointed by the President, and a further nine, of whom three would be nominated by ZANU-PF, and a similar number by the MDC-T and MDC-M, respectively.

To its credit, the GPA in Article XXII did provide for implementation mechanisms, principally in the form of the Joint Monitoring and Implementation Committee (JOMIC), but to date, this mechanism has not been successful in creating and building mutual trust and confidence between the parties (Ibid.: 17-18).

Since Jacob Zuma became president of South Africa in 2008, and subsequently when he was formally appointed as SADC mediator, he attempted to make progress on all outstanding issues in the GPA. A team consisting of Zuma's international advisor, Lindiwe Zulu, and two former ANC cabinet ministers, Charles Nqakula and Mac Maharaj, was appointed to provide him with decision support.

Reasons given for President Zuma taking a different approach to Zimbabwe include that he is closer to the powerful Congress of South African Trade Unions (COSATU) and its ally the South African Communist Party (SACP) – both of which played significant roles in his ascendance to power. He is also seen to be less rigid than his predecessor and a better listener, open to suggestions.

In November 2009 an emergency summit of SADC took place in Maputo, Mozambique, where the Zimbabwean parties represented in the GPA were told that the Interim Government (IG) had to be made to work and that the 30-day deadline for the resolution of outstanding IG issues (notably agreement on cabinet portfolios and the unilateral appointment of provincial governors and ambassadors by President Mugabe) had to be adhered to. Since then, however, limited progress has been made on outstanding issues. Notwithstanding a number of follow-up meetings between President Zuma, members of his team and the parties to the agreement, at the time of writing, the future of the GPA seems increasingly uncertain, unless the parties to the agreement can restore momentum and agree on a new time frame to implement outstanding issues.

Conclusion

The differences between the mediation of SADC in Madagascar and Zimbabwe are marked. Over the past several years most of the SADC member states repeatedly reaffirmed their solidarity with the ZANU-PF government and the president of that country and publicly

ignored violations of human rights by the parties to the GPA, disrespect for the rule of law and cases of political repression. When SADC eventually took on a mediation role, it is significant to note that this was done not within a multinational framework (save for the endorsement of the AU) but was largely limited to South Africa. Some good, however, did come out of the SADC endorsed mediation, notably the GPA of October 2008 and, subsequently, the construction of an electoral code of conduct for the SADC region.

In contrast, SADC acted swiftly to the political crisis in Madagascar and while it did not impose any sanctions, acted with commendable speed to suspend the country from membership of the regional body, in concert with the AU. The SADC mediation on Madagascar did take place within a multilateral framework, notably, that of the AU, and the SADC mediator remained engaged with the crisis, repeatedly calling on all parties to resolve their differences, and even went so far as preventing Andy Rajoelina from putting in an appearance at the UN General Assembly (UNGA).

The differences can be explained by two principal factors. First, SADC countries have relatively few core economic and political interests in Madagascar, compared to Zimbabwe, and as Cawthra (2010: 34) remarks, ‘the economy of which is closely intertwined with that of its immediate neighbours (and which shares economic interests with other countries such as the DRC), and which has a shared history of anti-colonial and liberation armed struggle with a number of SADC member states, and, secondly, incumbency. SADC is essentially a club of states, or more to the point a club of presidents, since all key decisions are by the summit of heads of state. The states – and the presidents – mostly act in mutual deference and support of each other and certainly would not like to see the contagion of non-constitutional overthrow of an incumbent president, as happened in Madagascar’.

Overall, SADC’s track record with regard to the two crises has been mixed. To ensure greater coherence of action and more effective diplomacy SADC would do well to insist upon a more robust explicit normative framework around issues of human rights, constitutionality, democratic governance, and the rule of law, and put in place a more dedicated and better resourced capacity in support of its mediation. This might consist of a specialised mediation unit – complementing the one at OPDS level – within the SADC Secretariat consisting of experienced professionals and officials with whom diplomats could interact, and which would provide background analyses of conflicts and decision support to political decision-makers at Summit level.

This chapter has shown that as a nascent 'security community', SADC has made modest progress in 2010 at both the institutional level and in promoting security integration in the region. The 2006 SADC Consultative Conference has proven to be useful, particularly in terms of the SADC Common Agenda and attempts to harmonise the provisions of the Regional Indicative Strategic Plan and the Strategic Indicative Plan for the Organ on Politics, Defence and Security Cooperation. The optimism of 2006, however, has not been realised in respect of every domain of cooperation with ICPs. Much remains to be done.

In 2010 SIPO underwent significant changes, and while the revised SIPO has yet to serve at Summit level, it augurs well for a more coherent and integrated approach to the various conflict fractures that face or could face the region. In its revised form, 'SIPO II' brings together key aspects of human security and collective, state-based security, and is informed by the notion that development and security are mutually constitutive. For SADC to respond comprehensively to the many human and national security challenges that beset the region, accelerated progress in harmonising security and development has become an ever more urgent priority.

Meaningful progress has also been made in respect of the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO) as the key mechanism of cooperation between police in the SADC region. Since 2010, SARPCCO has set the agenda more meaningfully for regional policing in the domains of training and as a response to transnational crime, while meaningful progress has been registered in harmonising legislation on aspects such as corruption, organised crime and money laundering.

The former SADC Brigade became the SADC Standby Force (SADCSF), and while not yet fully operational in terms of its main logistics depot, marked progress was made in respect of doctrine and training for peace support operations. In this respect, the capacity of both the Regional Early Warning Centre (REWC) and the Harare-based Regional Peacekeeping Centre (RPTC) was moderately strengthened in 2010. More, however, remains to be done.

The 30th 2010 SADC Jubilee Summit also approved a recommendation by Ministers of Justice in the region to review the mandate and jurisdiction of the SADC Tribunal. The Report by a group of experts would serve at the coming Summit of 2011.

Finally, although SADC mediation in the conflicts of Madagascar and Zimbabwe dominated the agenda of the regional body, SADC also continued to play a constructive role, mostly in the domain of confidence-building, in the political life of its member states.

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