

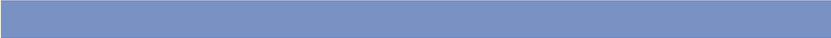


**S O U T H E R N   A F R I C A N  
D E V E L O P M E N T   C O M M U N I T Y**

**Strategic Indicative Plan for the  
Organ on Politics,  
Defence and Security  
Cooperation**







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# Foreword

Peace, security and political stability are the linchpins for socio-economic development. The vision of the Southern African Development Community (SADC) reminds the Member States and citizens of their historical bonds underpinning the SHARED FUTURE. It is in pursuance of this noble and unflinching desire that SADC concluded the Protocol on Politics, Defence and Security Cooperation to serve as an instrument for dealing with the Southern African region's political, defence and security challenges.

The effective operationalisation of the Protocol will provide a positive contribution in addressing the political, socio-economic and security strategies and careful planning that can provide coherent focus towards advancing and promoting our regional objectives.

This is the reason d'être for formulating the Strategic Indicative Plan for the Organ (SIPO). The SIPO is not an end in itself. Instead, 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.

The SIPO and the RISDP are distinct, yet complementary. Thus, it is imperative that in the implementation process, special attention is paid to the maximisation of their synergies and the rationalisation of the cross-cutting issues.

SIPO provides general guidelines that spell out specific activities, in accordance with the Protocol's objectives, and the strategies for their realisation and public security. It provides the way forward through appropriate strategies and activities in each specific field. The SIPO also provides the institutional framework for the day to day implementation of the activities of the Organ, including the Protocol on Politics, Defence and Security Cooperation and the Mutual Defence Pact.

While the implementation of the SIPO should, to a large extent, rely on regional resources, this should not preclude the involvement of our cooperating partners. Partnership is primordial for the realisation of the activities in the areas of peace support and humanitarian operations; disaster management; combating organised crime; management of refugees; post-conflict reconstruction and reintegration programmes; demining; HIV and AIDS programmes; combating of illicit trafficking in small arms and light weapons; combating of illicit drug trafficking; and capacity building in the areas of preventive diplomacy, peace and security.

I strongly believe that we cannot succeed to implement our regional political, Peace and security agenda without linking up with the continental political, peace and security agenda. Hence, in the implementation of SIPO, SADC will align its political, peace

and security agenda with that of the African Union. Particular emphasis will be in the areas of Standby Force, democracy, human rights, good governance the fight against corruption. We will do so with a strong conviction that the political and security agendas of SADC and the African Union are not mutually exclusive.

For a peaceful, stable and prosperous Southern Africa



**Pakalitha Bethuel Mosisili (MP)**

Prime Minister of the Kingdom of Lesotho and the Chairperson of the Organ on Politics, Defence and Security Cooperation.

5 August 2004





# Strategic Indicative Plan for the Organ (SIPO)

## 1. Introduction

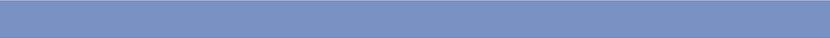
- 1.1 The Declaration and the Treaty define the SADC vision as the SHARED FUTURE in an environment of peace, security and stability, regional cooperation and integration based on equity, mutual benefit and solidarity.
- 1.2 This vision needs to be appreciated within the context and historical processes and experiences of the region. Formal cooperation in politics, defence and security can be traced back to the creation of the Front Line States (FLS) in 1977.



The Front Line States played a pivotal role in the liberation of Southern Africa.

- 1.3 To strengthen the existing cooperation, preserve independence, ensure regional development and integration, the region established the Southern African Development Coordination Conference (SADCC) in 1980.
- 1.4 The need for peace and security, economic and social development through regional integration culminated in the birth of the Southern African Development Community (SADC) in 1992.
- 1.5 Recognising the need for establishing a climate conducive to social and economic development in the region, SADC has been undertaking various actions aimed at contributing to the maintenance and consolidation of peace and security. It has, in particular, structured itself in a manner designed to make its efforts to preserve peace and security more effective.
- 1.6 Member States are demonstrating the political will to cooperate in political, defence and security matters and this has created an enabling environment for peace, security and stability in the region through the prevention, management and resolution of conflicts within and between states. However, the region still faces potential and actual military threats that include inter alia, armed conflicts in some Member States, unfinished demobilisation, disarmament, reintegration and monitoring of former military personnel, terrorism and the prevalence of landmines.
- 1.7 The Summit of Heads of State and Government held on the 28th June 1996, in Gaborone, Botswana, established the SADC Organ on Politics, Defence and Security Co-operation.

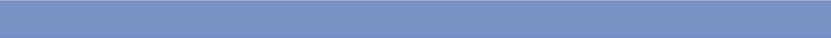
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- 1.8 On the 17th August 1999, in Maputo, Mozambique, the Heads of State and Government decided to restructure all SADC Institutions including the Organ. The Extra-ordinary Summit of Heads of State and Government, in Windhoek, Namibia, on the 9th March 2001, approved the Report on the Review of the Operations of the SADC institutions.
  - 1.9 On the 14th August 2001, in Blantyre, Malawi, the Heads of State and Government signed the Protocol on Politics, Defence and Security Co-operation, which provides an institutional framework by which Member States coordinate policies and activities in the areas of politics, defence, and security.
  - 1.10 At its extraordinary meeting held in Blantyre, Malawi, on the 14th January 2002, Summit mandated the SADC Organ on Politics, Defence and Security Co-operation to prepare the Strategic Indicative Plan for the Organ (SIPO), which would provide guidelines for the implementation of the Protocol on Politics, Defence and Security Cooperation for the next five years.
  - 1.11 The Strategic Indicative Plan for the Organ is based on the objectives and common agenda of SADC stated in Article 5 of the Treaty as amended on 14 of August 2001 in Blantyre, Malawi. The guiding principles for the strategic activities outlined in the SIPO are those that guides the implementation of the common agenda as stated in the Report on the Review of the Operations of SADC Institutions approved by Extraordinary Summit on the 9th of March 2001 in Windhoek, Namibia.



## 2. The SIPO Development Process

2.2.1 The 1st Meeting of the Ministerial Committee of the SADC Organ on Politics, Defence and Security Co-operation, held on 17th - 18th December 2001, in Luanda, Angola, noted that since its inception, in 1996, the SADC Organ on Politics, Defence and Security Co-operation had not formally produced an Indicative Strategic Plan for its mid and long-term activities. The Committee also noted that with the signing of the SADC Protocol on Politics, Defence and Security Co-operation the Organ was given a new thrust, which had created great expectations within and outside the region. It is in this context that non-State Parties expressed their willingness to support and cooperate with the Organ.

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- 2.2.2 In this regard, the Ministerial Committee recommended that the Chairperson of the Organ, assisted by the Secretariat, should draft the Terms of Reference (TORs) for the development of the SIPO, pursuant to Article 2 of the Protocol on Politics, Defence and Security Cooperation.
- 2.2.3 At its Extra-Ordinary meeting held on 14th January 2002 in Blantyre, the SADC Summit of Heads of State and Government approved the Terms of Reference (TOR) for the development of the SIPO and established a Task Force comprising the Troika of SADC and that of the Organ to undertake the exercise.
- 2.2.4 After the Summit mandate, the Draft Inception Paper was developed in Maputo, from 24–26 April 2002. The Ministerial Committee of the Organ approved the Inception Paper at its meeting held on 23rd August 2002 in Maputo, Mozambique.
- 2.2.5 The Task Force met in Harare, Zimbabwe, from 9 – 13 September 2002 and prepared a Zero draft of the SIPO. At its meeting held from 18 – 22 October 2002, in Dar-Es-Salaam, the United Republic of Tanzania, the Task Force produced the First Draft SIPO. In the process of improving the First Draft, the Task Force met from 18 –21 March 2003 in Maseru, the Kingdom of Lesotho and produced the Second Draft SIPO.
- 2.2.6 The Task Force submitted the Second Draft for consideration and input by all Member States at a Workshop held from 13 – 16 April 2003 in Gaborone, Botswana. All Member States except the DRC and Seychelles attended the workshop. Mauritius sent apologies.



## **2.3 The structure**

2.3.1 The Strategic Indicative Plan for the Organ is divided into four main Sectors. These are:

- (i) The Political Sector;
- (ii) The Defence Sector;
- (iii) The State Security Sector; and
- (iv) The Public Security Sector.

2.3.2 The objectives of the SIPO are those provided for in the Protocol on Politics, Defence and Security Cooperation. The SIPO therefore, seeks to identify strategies/ activities to achieve the objectives.



## 3. The Political Sector

### 3.1 Analysis

- 3.1.1 Following the achievement of peace in Angola and the ongoing peace efforts in the Democratic Republic of Congo (DRC) the Southern African region is currently enjoying relative peace, political stability and security.
- 3.1.2 The regional political situation is characterised by the acceptance of political pluralism. In this regard, SADC countries hold regular democratic elections and conduct consultations aimed at enhancing and deepening a democratic culture. Good political cooperation has ushered in peace and created an enabling environment for socio-economic development.
- 3.1.3 In the diplomatic sphere, Member States undertake regular



consultations on matters of mutual interest both through formal and informal networks. The formal networks that Member States maintain to promote political, economic, and social and other forms of cooperation include accreditation of resident and non-resident missions to each other's Capital.

- 3.1.4 A number of regional institutions have been created with the aim of, among others, deepening cooperation and mutual trust among Member States. One such institution is the Inter-State Politics and Diplomacy Committee (ISPDC).
- 3.1.5 Statepersons and eminent persons of the region have assisted in the mediation of conflicts within the region and beyond.
- 3.1.6 The prevailing peace and the deepening of democratic practices have contributed to the emergence and growth of civil society organisations. Various Organisations within civil society are involved in different developments initiatives that directly impact on the lives of the people.
- 3.1.7 The strengthening of existing common values and culture is at the centre stage of cooperation among Member States. Whereas conventional borders confer nationality to citizens cultural values transcend boundaries. The process of building the nation-state is taking place in tandem with the process of building the SADC Community.
- 3.1.8 A number of public and private research institutions are involved in the analysis of politics, international relations, security and human rights issues.
- 3.1.9 At the continental level SADC has been active in the establishment and consolidation of the African Union (AU), its institutions and programmes such as the Peace and Security Council and the New Partnership for Africa's Development (NEPAD).

## **3.2 Challenges**

3.2.1 Despite the above positive developments, SADC still faces a number of political, economic and social challenges. These include:

- i) Economic underdevelopment and poverty;
- ii) The HIV and AIDS pandemic;
- iii) Inter and intra state conflicts;
- iv) Consolidation of democracy and good governance;
- v) Refugees, irregular movers, illegal migrants and internally displaced persons;
- vi) The need to redress imbalances in the accessibility to natural resources and wealth;
- vii) The demobilisation, disarmament, reintegration and monitoring of ex-combatants;
- viii) The development and consolidation of regional disaster management mechanisms; and
- ix) Corruption.

## **3.2 Objectives**

3.3.1 The overall objectives of the Organ in the Political Sector are stipulated in Article 2 of the Protocol on Politics, Defence and Security Cooperation, and are:

### **OBJECTIVE 1**

**To protect the people and safeguard the development of Region against instability arising from the breakdown of law and order, intra-state and inter-state conflicts and aggression.**

## Strategies / activities

- i) Promote exchanges of information on and reviews of regional and other developments;
- ii) Establish appropriate mechanisms to avert aggression against Member States through diplomatic initiatives.
- iii) Consolidate peace, security and stability to achieve sustainable socio-economic development and eradicate poverty
- iv) Establish and strengthen bilateral commissions; and
- v) Devise measures to Combat the HIV and AIDS pandemic.

## OBJECTIVE 2

**To promote political co-operation among Member States and the evolution of common political values and institutions**

## Strategies / activities

- i) Promote public debates and awareness activities throughout SADC on its achievements;
- ii) Convene seminars to establish a forum of the region's research and academic institutions on foreign policy';
- iii) Submit to the regional fora of research and academic institutions concrete proposals on studies to be taken on foreign policy.;
- iv) Introduce SADC related matters in the curricula of the school system;
- v) Implement the Protocol on Education and Training, giving 5% of vacancies in public training institutions to students from the region;
- vi) Promote regular cultural, arts and sports events; and
- vii) Harmonize structures dealing with SADC Affairs

## OBJECTIVE 3

To prevent, contain and resolve inter and intra- state conflict by peaceful means

### Strategies / activities

- i) Establish early warning units in each Member State;
- ii) Define common standards to identify conflicts;
- iii) Enhance the capacity for conflict prevention, management and resolution;
- iv) Encourage the contribution of civil society to conflict prevention, management and resolution;
- v) Establish and operationalise confidence building measures for conflict prevention, management and resolution mechanisms
- vi) Operationalise the ISPCD structures;
- vii) Promote regular assessment of factors that have the potential to lead to conflict e.g.: imbalances in welfare and poverty;
- viii) Develop appropriate policies for social reintegration of ex-combatants, refugees and internally-displaced persons:
  - Establish a common understanding on the target groups for reintegration and identify partners for funding;
  - Develop a hand book on social reintegration;
  - Share the best experience and practices of the region on social reintegration of demobilised combatants, refugees and internally displaced persons; and
  - Organise training workshops and seminars.

## **OBJECTIVE 4**

**To promote the development of democratic institutions and practices by State Parties and encourage the observance of universal human rights**

### **Strategies / activities**

- i) Establish common electoral standards in the region, including a code of electoral conduct;
- ii) Promote the principles of democracy and good governance;
- iii) Encourage political parties to accept the outcome of elections held in accordance with both the African Union and the SADC Electoral Standards;
- iv) Establish a SADC Electoral Commission and define its functions;
- v) Establish a Regional Commission for the promotion of and respect for human rights; and
- vi) Strengthen Members States judicial systems.

## **OBJECTIVE 5**

**To observe and encourage State Parties to implement the United Nations Charter, African Union Constitutive Act and other international conventions and treaties on peaceful relations between states.**

### **Strategies / activities**

- i) Ratify and accede to the relevant Conventions, Treaties and Protocols; and
- ii) Promote regular bilateral and multilateral consultations on matters of mutual interests.

## **OBJECTIVE 6**

**Develop peacekeeping capacity of national defence forces and co-ordinate the participation of State Parties in international and regional peacekeeping operations**

### **Strategies / activities**

- i) Co-ordinate the region's involvement in international peace-keeping missions; and
- ii) Mobilise resources and enhance regional capacity for peace support operations.

## **OBJECTIVE 7**

**Enhance regional capacity in respect of disaster management and coordination of international humanitarian assistance.**

### **Strategies / activities**

- i) Strengthen and consolidate regional disaster management mechanisms;
- ii) Conduct research and establish a database on regional intervention capacity;
- iii) Strengthen national capacity for combating natural calamities; and
- iv) Oversee the activities of the Regional Committee on Disasters Management.

## **OBJECTIVE 8**

**Develop common foreign policy approaches on issues of mutual concern and advance such policy collectively in international fora.**



## **Strategies / activities**

- i) Operationalise the Inter-State Politics and Diplomacy Committee;
- ii) Develop common foreign policy approaches;
- iii) Undertake regular consultations;
- iv) Define criteria for identifying and fielding candidatures for positions in international organisations and for hosting regional events.
- v) Establish specialized structures and mechanisms.



## 4. Defence Sector

### 4.1 Analysis

4.1.1 The Southern African region has for decades been developing and strengthening regional cooperation in the Defence Sector. It is this cooperation that underpinned the establishment of the Inter-State Defence and Security Committee (ISDSC) in 1977, which is a forum for defence, and security cooperation. ISDSC played a crucial role in the liberation struggles against colonial and racist regimes and in the maintenance of the national sovereignty and territorial integrity of the Member States.

4.1.2 The advent of relative peace throughout the region has expanded the focus of the military to the secondary roles such



as peace support operations, humanitarian assistance and support to civil authority. For example, during the floods-induced disasters of 2000/2001 in Mozambique the SADC Defence Forces played a critical role in saving lives and in the restoration of communication links before civilian authorities could resume reconstruction activities.

4.1.3 In order to ensure effective conduct of peace support operations the ISDSC established a Regional Peacekeeping Training Centre in Zimbabwe. In enhancing effectiveness in the conduct of peace support operations SADC Defence Forces have held a series of joint peace support exercises such as Blue Hungwe, Blue Crane, Tanzanite and Airborne Africa 2002.

4.1.4 At the international level, many SADC Member States have contributed personnel to UN peace missions in Somalia, Sierra Leone, Ethiopia/Eritrea, Burundi, in Africa; and as far afield as East Timor and Cambodia in Asia, Bosnia and Croatia in Europe.

## **4.2 Challenges**

4.2.1 Notwithstanding the achievements stated above, the region still faces a number of challenges, which impact on the defence sector. These include:

- i) Armed conflicts within Member States;
- ii) Terrorism;
- iii) HIV and AIDS;
- iv) Developing policies and capacities to ensure that the region maintains trained units ready to be deployed in peace support operations in the region or under the

- auspices of the African Union or the United Nations;
- v) Developing a regional capacity on defence technology;
- vi) The clearance of landmines and Unexploded Ordinances (UXOs);
- vii) Responding to external aggressions;
- viii) The reintegration of ex-combatants and rehabilitation of child soldiers;
- ix) Developing a doctrine that will enable the inter-operability of the Defence Forces;
- x) Disaster relief support capability;
- xi) The proliferation of and illicit trafficking in small arms and light weapons; and
- xii) Any other threats.

### **4.3 Objectives and activities**

4.3.1 The overall objectives of the Organ in the Defence arena are stipulated in Article 2 of the Protocol on Politics, Defence and Security Cooperation, and these are:

#### **OBJECTIVE 1**

**To protect the people and safeguard the development of the Region against instability arising from the breakdown of law and order, intra-state and inter-state conflicts and aggression.**

#### **Strategies / activities**

- i) Develop regional defence capability against military aggression;
- ii) Conduct regular assessment of the regional security situation;

- iii) Define and identify common interests and threats in the region; and
- iv) Formulate regional policies with regard to reintegration of demobilised ex-soldiers including ex- child soldiers.

## **OBJECTIVE 2**

**Promote regional coordination and cooperation on matters related to security and defence and establish appropriate mechanisms to this end.**

### **Strategies / activities**

- i) Harmonise national defence policies to be constantly in line with foreign policy objectives;
- ii) Establish and operationalise confidence building measures for conflict prevention, management and resolution;
- iii) Promote interaction among senior officials of the Member States Security and Defence Forces through consultation and joint training programmes;
- iv) Conduct activities aimed at enabling co-ordination in handling conflicts, harmonise policies and strategies;
- v) Promote debates and meetings on the establishment of an early warning system and mutual defence measures;
- vi) Promote social, cultural and leisure activities within Armed Forces; and
- vii) Monitor the implementation of the decisions taken by the Summit on external policies with regard to defence issues.

### **OBJECTIVE 3**

**To consider enforcement action in accordance with international law, as a matter of last resort, where peaceful means have failed.**

#### **Strategies / activities**

- i) Establish stand-by arrangements and promote professionalism of the defence forces in the conduct of peace support operations;
- ii) Design and implement professional training programmes for the defence forces; and
- iii) Promote civil-military relations.

### **OBJECTIVE 4**

**To consider the developments of a collective security capacity and conclude a mutual defence pact to respond to external military threats.**

#### **Strategies / activities**

- i) Finalise of the draft SADC Mutual Defence Pact;
- ii) Operationalise the SADC Mutual Defence Pact;
- iii) Promote and disseminate Mutual Defence Pact within the Member States Institutions
- iv) Harmonise military doctrines and operational concepts in the region in order to achieve regional inter-operability; and
- v) Adopt and rehearse operational procedures aimed at achieving the spirit of the Pact.

## **OBJECTIVE 5**

**To observe and encourage State Parties to implement United Nations, African Union and other international conventions and treaties on Arms Control, Disarmament and peaceful relations between states.**

### **Strategies / activities**

- i) Develop a regional culture of binding our defence forces to relevant International Conventions and Treaties; and
- ii) Incorporate in the training programmes and curricula the existing international conventions and treaties.

## **OBJECTIVE 6**

**To develop peacekeeping capacity of national defence forces and co-ordinate the participation of State Parties in International and Regional Peacekeeping Operations.**

### **Strategies / activities**

- i) Develop a regional peace support operational capability based upon each individual Member State's standby arrangements;
- ii) Consolidate and develop the activities of the Regional Peacekeeping Training Centre;
- iii) Finance the Regional Peace-Keeping Training Centre (RPTC) according to the capacities of Member States or through possible foreign partners;
- iv) Design and establish a regional peace support operational structure with appropriate means;

- v) Promote the inter-operability of military equipment to be used in peace support operations;
- vi) Train regional forces for peace support operations; and
- vii) Conduct joint multinational exercises.

## **OBJECTIVE 7**

**To enhance regional capacity in respect of disaster management and co-ordination of international humanitarian assistance.**

### **Strategies / activities**

- i) Implement Early Warning Systems and establish operational procedures related to disaster management
- ii) Train national defence forces for an effective rapid response in search and rescue missions
- iii) Conduct joint exercises for humanitarian assistance and disaster relief
- iv) Identify areas of intervention that could be funded by cooperating partners;
- v) Adopt operational emergency procedures that will guide the use of military forces in search and rescue operations
- vi) Ensure that Member States have equipment to be used in case of emergency;
- vii) Strengthen the regional mechanism and coordination of the SADC Mine Action Programme;



## 5. The State Security Sector

### 5.1 Analysis

5.1.1 The success of the integration process in the SADC region requires a satisfactory level of state security. Political cooperation has created a conducive environment for enhanced security cooperation.

5.1.2 While the security situation in the region is characterized by peace and stability there are externally and internally induced threats to the security of Member States. The following are some of the main areas of concern:

- Threats to subvert constitutional order and diminish national sovereignty; and
- Manoeuvres or activities designed to undermine the economic interests of Member States and/or the Region.

5.1.3 Regular exchange of intelligence information among the services and mutual assistance rendered to each are some of the important factors defining the current state of cooperation in the State Security Sector. This process has also significantly benefited from the formal and informal links between the services.

5.1.4 The state of bilateral cooperation among the services is one of the key pillars underpinning the growth of regional security cooperation.

## **5.2 Challenges**

5.2.1 Despite the above positive developments, the State Security sector still faces a number of challenges. These include:

- (i) Enhancement of the capacity to prevent the subversion of the constitutional order and national sovereignty;
- (ii) The negative effects of globalisation such as the growing vulnerability of national borders, increase in organized and transnational crime, drug trafficking, money laundering and human trafficking;
- (iii) Terrorism;
- (iv) Enhancement of bilateral relations;
- (v) Implementation of Early Warning System (EWS);
- (vi) Address the impact of the HIV and AIDS pandemic;
- (vii) Limited resources;
- (viii) Food security; and
- (ix) Protection of maritime resources.

## **5.3 Objectives and activities**

5.3.1 The overall objectives of the Organ in the State Security Sector are stipulated in Article 2 of the Protocol on Politics, Defence and Security Cooperation, and these are:

### **OBJECTIVE 1**

**To protect the people and safeguard the development of the Region against instability arising from the breakdown of law and order, intra-state conflict, inter-state conflict and aggression.**

#### **Strategies / activities**

- i) Identify and diffuse threats of instability within the region;
- ii) Exchange intelligence information relating to acts which potentially threaten the stability of Member States;
- iii) Exchange training programmes;
- iv) Share information on suspected terrorist syndicates within the region;
- v) Hold regular workshops and seminars on combating terrorism;
- vi) Organise specialized regional training programmes on combating terrorism;
- vii) Coordinate sourcing of assistance to prevent and combat terrorism;
- viii) Enact and or strengthen national legislation on terrorism;
- ix) Prevent the spread of the HIV and AIDS pandemic through public awareness and advocacy campaigns;

- x) Identify the sources of opportunistic and communicable diseases and other pandemics;
- xi) Undertake HIV and AIDS education against stigmatisation and discrimination; and
- xii) To promote the observance of human rights in security related issues.

## **OBJECTIVE 2**

**To promote regional co-ordination and co-operation on matters related to security and defence and establish appropriate mechanisms to this end.**

### **Strategies / activities**

- i) Undertake regular exchange of intelligence;
- ii) Hold regional workshops, seminars and training programmes;
- iii) Hold regional meetings; and
- iv) Share resources both financial and technological.

## **OBJECTIVE 3**

**To prevent, contain and resolve inter- and intra-state conflict by peaceful means.**

### **Strategies / activities**

- i) Identify potential early warning signs of inter state and intra state conflicts;
- ii) Monitor regional security situation; and
- iii) Exchange information of common interest.



## **OBJECTIVE 4**

To consider the development of a collective security capacity and conclude a mutual defence pact to respond to external military threats.

### **Strategies / activities**

- i) Exchange intelligence of mutual interest;
- ii) Harmonise intelligence systems; and
- iii) Undertake regional training initiatives.

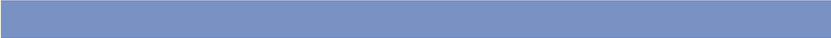
## **OBJECTIVE 5**

To develop close co-operation between the police and state security services of Member States in order to address:

- i) Cross border crime; and
- ii) Promotion of a community-based approach to domestic security

### **Strategies / activities**

- i) Hold meetings between police and state security services; and
- ii) Exchange intelligence through the development of a common database on cross border crime.



## 6. Public Security Sector

### 6.1 Analysis

- 6.1.1 The situation in the public security sector is characterised by an increased cooperation and collaboration between various services responsible for law enforcement and public security.
- 6.1.2 Law enforcement agencies have been conducting joint cross-border operations, which resulted in the reduction of crime and recovery of stolen property. Transnational organized crime and incidents of terrorism constitute some of the serious concerns to law enforcement agencies such as Immigration, Police, Customs, Border Guards, Coast Guards and Fiscal Inspectors.
- 6.1.3 The immigration services of the SADC are engaged in collec-



tive planning aimed at strengthening the control and facilitation of the movement of persons in the region. The region's long and porous borders, economic attractions and the relative peace and stability make the region a preferred destination and transit of, not only investments, but also criminal elements.

- 6.1.4 The Public Security Sector has also been engaged in the prevention of poaching in some Member States and in illegal trade in wildlife products.
- 6.1.5 Member States have also been working together to curb incidents of transit fraud and under-valuation of imported second hand goods from Asia as well as cross border smuggling.
- 6.1.6 Cognisant of the region's vulnerability to cross-border crime, SADC, through its security institutions, has been active in the development of international instruments to fight transnational crime. SADC, through the Southern African Regional Police Chief Cooperation Organisation (SARPCCO), prepared the Protocol on Firearms, Ammunition and Other Related Materials which was adopted and signed at the Blantyre Summit on 14 August 2001.
- 6.1.7 SADC also adopted and signed the Protocols on Extradition, Against Corruption and on Mutual Legal Assistance in Matters of Crime.
- 6.1.8 At the Continental level, SADC Member States were instrumental in the development and adoption in 2000 of the Bamako Declaration on Small Arms and Light Weapons.
- 6.1.9 At the International level, SADC actively participated at the UN Conference on Illicit Trade in Small Arms and in the

adoption of the respective Programme of Action held in July 2001 in New York. SADC countries were also instrumental in the adoption of the UN Convention on Transnational Crime.

## **6.2 Challenges**

6.2.1 Despite the above achievements, the Public Security Sector still faces numerous challenges which include:

- (i) Transnational criminal activities and organised criminal syndicates;
- (ii) Cyber crime
- (iii) Terrorism
- (iv) Drug dealing and trafficking;
- (v) Violent crime;
- (vi) Control and regulation of private security companies for the elimination of mercenary activities;
- (vii) The proliferation of and trafficking in small arms and light weapons;
- (viii) Money laundering and cash in transit heist;
- (ix) The negative effects of globalisation such as the growing vulnerability of national borders;
- (x) The scarcity of resources;
- (xi) Efficient communication systems backed by a reliable criminal intelligence network;
- (xii) Combating human trafficking;
- (xiii) Combating and prevention of rape, abuse and violence against women, and children;
- (xiv) HIV and AIDS; and
- (xv) Enforcement of the agreed policies pertaining to the control of conflict diamonds.

## **6.3 Objectives and activities**

6.3.1 The overall objectives of the Organ in the Public Security Sector are stipulated in Article 2 of the Protocol on Politics, Defence and Security Cooperation, and these are:

### **OBJECTIVE 1**

**To protect the people and safeguard the development of the Region against instability arising from the breakdown of law and order, intra-state conflicts and aggression.**

#### **Strategies / activities**

- i) Conduct regular assessment and evaluation of the regional public security situation;
- ii) Ensure safety of the region and build the capacity for combating cyber crime and terrorism;
- iii) Devise effective measures to address the HIV and AIDS pandemic in the law enforcement agencies;
- iv) Hold regular meetings to identify and combat activities likely to promote the breakdown of law and order;
- v) Train law enforcement officers on effective law and order maintenance strategies;
- vi) Regularly review law and order related matters; and
- vii) Intensify joint operations and exchange of information.

### **OBJECTIVE 2**

**To promote regional co-ordination and cooperation on matters related to security and defence and establish appropriate mechanisms to this end.**

## Strategies / activities

- i) Develop a Database for law enforcement agencies;
- ii) Conduct regional workshops, seminars and training;
- iii) Hold regular meetings between legal experts of the law enforcement agencies and SADC Legal Affairs Unit to develop the necessary legislation on combating crime;
- iv) Establish a common approach on illegal migration and refugees;
- v) Establish mechanisms for regional co-ordination among Customs and Immigration Services;
- vi) Harmonise and consolidate immigration procedures and control mechanisms to facilitate the movement of people amongst Member States;
- vii) Institute measures to combat human trafficking; and
- viii) Strengthen internal and external co-operation to combat terrorist acts.

## OBJECTIVE 3

**To consider enforcement action in accordance with international law and as a matter of last resort where peaceful means have failed**

## Strategies / activities

- i) Train the police on special operations management; and
- ii) Ensure and promote professional accountability within the police services;

## **OBJECTIVE 4**

**To promote the development of democratic institutions and practices within the territories of State Parties and encourage the observance of universal human rights as provided for in the charters and conventions of the AU and UN.**

### **Strategies / activities**

- i) Develop a common code of conduct for law enforcement agencies;
- ii) Undertake regular joint training programmes; and
- iii) Develop a culture of observance of the existing international provisions on Human Rights.

## **OBJECTIVE 5**

**To develop close co-operation with State Security and Defence Forces of State Parties in order to address cross border crime and promote a community based approach to domestic security.**

### **Strategies / activities**

- i) Exchange information through development of a common database on cross border crime;
- ii) Hold regular meetings between police and state security services;
- iii) Identify and implement common community-based policing initiatives;
- iv) Establish a common approach on contraband, counterfeit and illicit trade of goods; and
- v) Promote cooperation and sharing of best practices on combating poaching, illegal fishing and border crime;

## **OBJECTIVE 6**

To observe and encourage State Parties to implement UN, African Union and other international conventions and Treaties on Arms Control, Disarmament and peaceful relations between states.

### **Strategies / activities**

- i) Encourage ratification and implementation of the various existing legal instruments; and
- ii) Conduct joint training courses and operations.

## **OBJECTIVE 7**

To develop peacekeeping capacity of national police services and co-ordinate the participation of State Parties in International and Regional Peacekeeping Operations.

### **Strategies / activities**

- i) Promote the joint training of Civil Police for peace support missions; and
- ii) Establish a regional database of trained personnel.

## **OBJECTIVE 8**

To enhance regional capacity in respect of disaster management and co-ordination of international humanitarian assistance.

### **Strategies / activities**

- i) Conduct joint humanitarian assistance and disaster management training;
- ii) Establish a database on available resources in respect

- 
- of disaster management in the region; and
- iii) Strengthen regional coordination mechanism for disaster prevention and response.



## 7. Strategies for Sustainability of the Plan

### 7.1 Political commitment

7.1.1 Political commitment is the linchpin and fundamental ingredient underlying all stages of the implementation of SIPO. Member States have to uphold the principles and objectives of the SADC Treaty and the Protocol on Politics, Defence and Security Co-operation as they implement the SIPO. It is therefore, important that Member States ratify the Protocol and effectively implement other relevant legal instruments, particularly those concerning the Organ, such as the Protocol on Politics Defence and Security Cooperation (2001), Protocol on Combating Illicit Drugs (1996); Protocol on the Control of

Firearms, Ammunition and Other Related Materials (2001), the Protocol Against Corruption (2001) and the Protocol on Extradition (2002).

## **7.2 Partnership**

7.2.1 Southern African Development Community (SADC), in recognition of the fact that political, defence and security matters transcend national and regional borders, seeks to cooperate with non-state parties and international Organisations and, where possible, involve cooperation agreements between State Parties and Non-State Parties on such matters as provided for in the Protocol on Politics, Defence and Security Cooperation.

## **7.3 Funding, budget management and financial audit**

### **7.3.1 FUNDING**

7.3.1.1 The activities of the Organ will, as a matter of principle, be funded through assessed contributions from Member States. They may also be catered for by other contributions such as special funds, endowment funds and other external sources as Summit may decide;

7.3.1.2 The external funding of the Organ shall be in line with the provisions of Article 10 of the SADC Protocol on Politics, Defence and Security Cooperation.

7.3.1.3 The areas amenable for cooperation with international cooperating partners include:

- i) Peace Support and Humanitarian Operations;
- ii) Disaster management;

- iii) Combating organised crime including drug trafficking, anti-money laundering and human trafficking;
- iv) Post-Conflict reconstruction and social reintegration programmes;
- v) Mine Action Programmes;
- vi) HIV and AIDS programmes;
- vii) Small arms and light weapons control;
- viii) Drug trafficking control programmes;
- ix) Joint training exercises;
- x) Food security; and
- xi) Other areas as may be decided by Summit;

## **7.4 Budget and budget management**

7.4.1 The Ministerial Committee of the Organ shall propose the budget to Council for approval. However, the present regulations governing the management of SADC budget should apply in the management of the budget of the Organ. The Ministerial Committee of the Organ is the competent authority to approve the allocation of the resources for the normal functioning of the Organ.

## **7.5 Auditing**

The regulations governing the auditing of SADC finances shall apply to the auditing of the finances of the Organ. However, the team of the Auditors shall be drawn from institutions akin to activities of the Organ.

## **7.6. Monitoring and evaluation**

Strict monitoring and evaluation mechanism shall be put in place. The monitoring mechanism shall include:

- i) Review of the implementation of planned activities; and
- ii) Provision of information on regular basis to stakeholders.

### Format of the Reporting Mechanism

<b>PRODUCT OF MONITORING &amp; EVALUATION PROCESS</b>	<b>OBJECTIVES</b>	<b>CONTENT</b>
Quarterly Reports	<ul style="list-style-type: none"> <li>• To monitor the implementation of the planned activities in the light of the defined targets</li> </ul>	<ul style="list-style-type: none"> <li>• Activities which have been undertaken and those still in progress;</li> </ul>
Annual Reports	<ul style="list-style-type: none"> <li>• To assess the stage of implementation of the annual objectives;</li> <li>• In the light of the above assessment, to recommend necessary adjustments</li> </ul>	<ul style="list-style-type: none"> <li>• Planned activities and the progress in their implementation;</li> <li>• Perspectives and Recommendations</li> </ul>



## 8. Institutional Structure and Staffing

### 8.1 The office of the chairperson of the organ

8.1.1 The task of chairing the Organ entails financial commitments that ought not to be borne solely by the chairing Member State. It is against this background that provisions should be put in place to ensure that resources are available to meet these obligations.

8.1.2 The Office of the Chairperson is hereby established and shall be staffed by two (2) assistants to be drawn from nationals of the Member State chairing the Organ. This Office may be funded by the Organ.

8.1.3 The assistants shall be responsible for the implementation of

assignments as may be decided upon by the Chairperson of the Organ. Moreover, they shall liaise with the SADC sub-structures responsible for the affairs of the Organ.

## **8.2 The role of the secretariat**

8.2.1 Article 9 of the Protocol assigns to the SADC Secretariat the responsibility to provide secretariat services to the Organ. In view of this, the Secretariat shall assist both the Chairperson of the Organ and the committees, keeping records of meetings, assisting in policy development and monitoring the implementation of decisions. It shall also provide administrative backup to the functioning of the Organ.

## **8.3 The structure**

8.3.1 Against this background and pursuant to Summit decision taken at its Extra-Ordinary Meeting held in Blantyre, Malawi, in January 2002, a new sub-structure called Department for Politics, Defence and Security is hereby established within the SADC Secretariat. A Chief Director, to report directly to the Executive Secretary, shall head this Department.

- (i) The Department shall comprise the following sub-divisions:
- (ii) Directorate for Politics and Diplomacy;
- (iii) Directorate for Defence and Security; and
- (iv) Strategic Analysis Unit, also responsible for the Situation Room.

8.3.2 The requirements to fill the above posts will include, among others, the following:

(i) **Chief Director**

- An advanced degree in either political science, international relations, strategic studies or other relevant areas;
- At least 10 years working experience 5 of which should be at managerial level;
- Working knowledge of SADC structures;
- Research skills; practical experience in projects monitoring and evaluation;
- International working experience shall be an added experience;
- Solid computer literacy and use of GIS software; knowledge of at least one SADC official languages.
- Be a citizen of the Southern African Development Community (SADC).

(ii) **Directors**

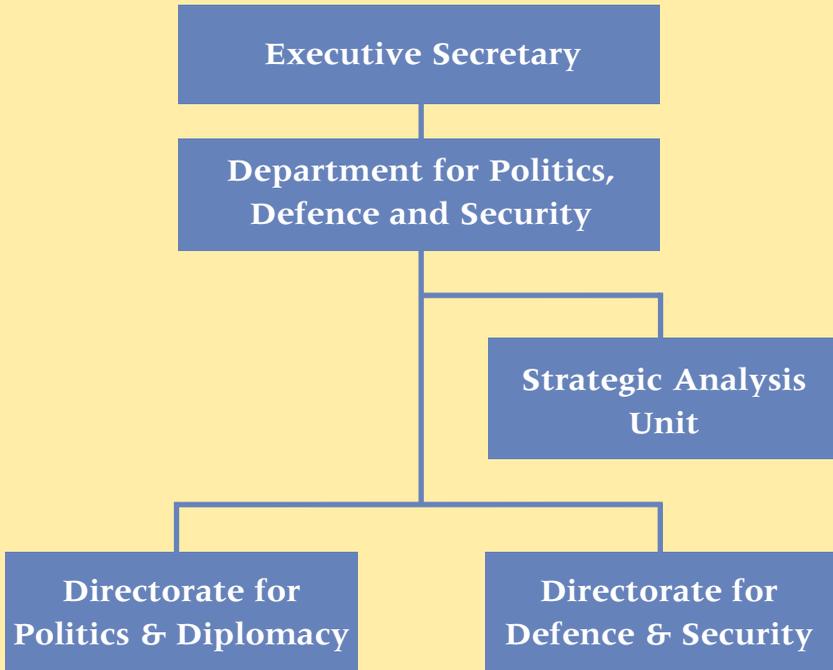
- Advanced degree or equivalent and background in the relevant areas; 7 years working experience of which 2 at managerial level and familiarity with SADC working practice; report writing skills, computer literacy; and be a citizen of the Southern African Development Community (SADC).

(iii) **Officers in the Directorates**

- Degree and background in the relevant areas; 4 years working experience in the relevant areas; computer literacy; excellent drafting skills and working with GIS software; familiarity with

SADC objectives; and be a citizen of the Southern African Development Community (SADC).

## Organogram of the Department for Politics, Defence and Security





## **Annex A**

# **Protocol on Politics, Defence and Security Cooperation**



# Preamble

We, the Heads of State and Government of:

**The Republic of Angola**  
**The Republic of Botswana**  
**The Democratic Republic of Congo**  
**The Kingdom of Lesotho**  
**The Republic of Malawi**  
**The Republic of Mauritius**  
**The Republic of Mozambique**  
**The Republic of Namibia**  
**The Republic of Seychelles**  
**The Republic of South Africa**  
**The Kingdom of Swaziland**  
**The United Republic of Tanzania**  
**The Republic of Zambia**  
**The Republic of Zimbabwe**



**TAKING COGNISANCE** of the decision of SADC to create the **ORGAN** on Politics, Defence and Security Co-operation which appears in the Gaborone Communiqué of 28th June 1996;

**NOTING** Article 9 of the Treaty which establishes the Organ;

**BEARING IN MIND** that Chapter VIII of the UN Charter recognizes the role of regional arrangements in dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action;

**RECOGNISING AND RE-AFFIRMING** the principles of strict respect for sovereignty, sovereign equality, territorial integrity, political independence, good neighbourliness, interdependence, non-aggression and non-interference in internal affairs of other States;

**RECALLING** the 1964 resolution of the Assembly of Heads of State and Government of the Organisation of African Unity, declaring that all Member States pledge to respect the borders existing on their achievement of national independence;

**FURTHER REAFFIRMING** the primary responsibility of the United Nations Security Council in the maintenance of international peace and security, and the role of the Central Organ of the Organisation of African Unity Mechanism for Conflict Prevention, Management and Resolution;

**CONVINCED** that peace, security and strong political relations are critical factors in creating a conducive environment for regional co-operation and integration;

**CONVINCED FURTHER** that the Organ constitutes an appropriate

institutional framework by which Member States could co-ordinate policies and activities in the area of politics, defence and security;

**DETERMINED** to achieve solidarity, peace and security in the Region through close cooperation on matters of politics, defence and security;

**DESIROUS TO ENSURE** that close cooperation on matters of politics, defence and security shall at all times promote the peaceful settlement of disputes by negotiation, conciliation, mediation or arbitration;

**ACTING** in pursuance of Article 10A of the Treaty;

**HEREBY AGREE AS FOLLOWS:**

## **Article 1**

### **Definitions**

1. In this Protocol terms and expressions defined in Article 1 of the Treaty shall bear the same meaning unless the context otherwise requires.

2. In this Protocol, unless the context otherwise requires:

**Chairperson** means the Chairperson of the Organ;

**ISDSC** means the Inter-State Defence and Security Committee;

**ISPDC** means the Inter-State Politics and Diplomacy Committee.

**Signatory** means a Member State which signs this Protocol;

**State Party** means a Member State that has ratified or acceded to this Protocol.

## **Article 2**

### **Objectives**

1. The general objective of the Organ shall be to promote peace and security in the Region.
2. The specific objectives of the Organ shall be to:
  - a) protect the people and safeguard the development of the Region against instability arising from the breakdown of law and order, intra-state conflict, inter-state conflict and aggression;
  - b) promote political co-operation among State Parties and the evolution of common political values and institutions;
  - c) develop common foreign policy approaches on issues of mutual concern and advance such policy is collectively in international fora;
  - d) promote regional co-ordination and co-operation on matters related to security and defence and establish appropriate mechanisms to this end;
  - e) prevent, contain and resolve inter-and intra-state conflict by peaceful means;
  - f) consider enforcement action in accordance with international law and as a matter of last resort where peaceful means have failed;
  - g) promote the development of democratic institutions and practices within the territories of State Parties and encourage the observance of universal human rights as provided for in the Charters and Conventions of the Organisation of African Unity and United Nations respectively;
  - h) consider the development of a collective security capacity and conclude a Mutual Defence Pact to respond to external military threats;
  - i) develop close co-operation between the police and state secu-

rity services of State Parties in order to address :

- (i) cross border crime; and
- (ii) promote a community based approach to domestic security;
- j) observe, and encourage State Parties to implement, United Nations, African Union and other international conventions and treaties on arms control, disarmament and peaceful relations between states;
- k) develop peacekeeping capacity of national defence forces and co-ordinate the participation of State Parties in international and regional peacekeeping operations; and
- l) enhance regional capacity in respect of disaster management and co-ordination of international humanitarian assistance.

## **Article 3**

### **Structures**

1. The Organ shall be an institution of SADC and shall report to the Summit.
2. The Organ shall have the following structures:
  - a) the Chairperson of the Organ;
  - b) the Troika;
  - c) a Ministerial Committee;
  - d) an Inter-State Politics and Diplomacy Committee (ISPDC);
  - e) an Inter-State Defence and Security Committee (ISDSC); and
  - f) such other sub-structures as may be established by any of the ministerial committees.
3. The Troika shall consist of:
  - (a) the Chairperson of the Organ;
  - (b) the Incoming Chairperson who shall be the Deputy Chairperson of the Organ; and
  - (c) the Outgoing Chairperson.

## **Article 4**

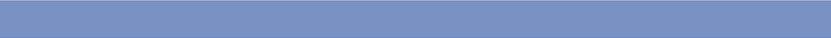
### **Chairperson of the organ**

1. The Summit shall elect a Chairperson and a Deputy Chairperson of the Organ on the basis of rotation from among the members of the Summit except that the Chairperson and the Deputy Chairperson of the Summit shall not simultaneously be the Chairperson of the Organ.
2. The term of office of the Chairperson and Deputy Chairperson of the Organ shall be one year respectively.
3. The Chairperson of the Organ shall consult with the Troika of SADC and report to the Summit.
4. The Chairperson, in consultation with the Troika of SADC, shall be responsible for the overall policy direction and the achievement of the objectives of the Organ.
5. The Chairperson may request reports from any ministerial committee of the Organ on any matter which is within the competence of the committee
6. The Chairperson may request any ministerial committee of the Organ to consider any matter, which is within the competence of the committee.
7. The Chairperson may request the Chairperson of SADC to table for discussion any matter that requires consideration by the Summit.

## **Article 5**

### **Ministerial committee**

1. The Ministerial Committee shall comprise the ministers responsible for foreign affairs, defence, public security and state security from each of the State Parties.

- 
2. The Committee shall be responsible for the co-ordination of the work of the Organ and its structures.
  3. The Committee shall report to the Chairperson.
  4. The Committee shall be chaired by a Minister from the same country as the Chairperson for a period of one year on a rotation basis.
  5. The Chairperson of the Committee shall convene at least one meeting on an annual basis.
  6. The Chairperson of the Committee may when necessary convene other meetings of the Ministerial Committee at a request of either ISPDC or ISDSC.
  7. The Committee may refer any relevant matter to, and may request reports from, ISPDC and ISDSC.

## **Article 6**

### **Inter-state politics and diplomacy committee**

1. ISPDC shall comprise the ministers responsible for foreign affairs from each of the State Parties.
2. ISPDC shall perform such functions as may be necessary to achieve the objectives of the Organ relating to politics and diplomacy.
3. ISPDC shall report to the Ministerial Committee without prejudice to its obligation to report regularly to the Chairperson.
4. ISPDC shall be chaired by a Minister from the same country as the Chairperson for a period of one year and on a rotation basis.
5. The Chairperson of ISPDC shall convene at least one meeting on an annual basis.
6. The Chairperson of ISPDC may convene such other meetings as he or she deems necessary or as requested by another Minister serving on ISPDC.

- 
7. ISPDC may establish such sub-structures as it deems necessary to perform its functions.

## **Article 7**

### **Inter-state defence and security committee**

1. ISDSC shall comprise the ministers responsible for defence, ministers responsible for public security and ministers responsible for state security from each of the State Parties.
2. ISDSC shall perform such functions as may be necessary to achieve the objectives of the Organ relating to defence and security, and shall assume the objectives and functions of the existing Inter-State Defence and Security Committee.
3. ISDSC shall report to the Ministerial Committee without prejudice to its obligation to report regularly to the Chairperson.
4. ISDSC shall be chaired by a Minister from the same country as the Chairperson for a period of one year and on a rotating basis.
5. The Chairperson of ISDSC shall convene at least one meeting on an annual basis.
6. The Chairperson of ISDSC may convene such other meetings as he or she deems necessary or as requested by another minister serving on ISDSC.
7. ISDSC shall retain the Defence, State Security and Public Security Sub-Committees and other subordinate structures of the existing Inter-State Defence and Security Committee.
8. ISDSC may establish such other structures as it deems necessary to perform its functions.

## **Article 8**

### **Committee procedures**

The following provisions shall apply to the ministerial committees of the Organ:

- a) the quorum for all meetings shall be two-thirds of the State Parties;
- b) the ministerial committees shall determine their own rules of procedure; and
- c) decisions shall be taken by consensus.

## **Article 9**

### **Secretariat**

The SADC Secretariat shall provide secretariat services to the Organ.

## **Article 10**

### **Co-operation with non-state parties and international organisations**

1. In recognition of the fact that political, defence and security matters transcend national and regional boundaries, co-operation agreement on these matters between State Parties and non-State Parties, and between State Parties and organisations, other than SADC, shall be accepted provided that such agreements shall not:
  - a) be inconsistent with the objectives and other provisions of the Treaty and this Protocol;
  - b) impose obligations upon a State Party that is not a party to such cooperation agreement, and
  - c) impede a State Party from fulfilling its obligations under the Treaty and this Protocol.

2. Any agreement between the Organ and a non-State Party, or between the Organ and an international organisation, shall be subject to approval by the Summit.

## **Article 11**

### **Conflict prevention, management and resolution**

1. Obligation of the Organ under International Law
  - a) In accordance with the Charter of the United Nations, State Parties shall refrain from the threat or use of force against the territorial integrity or political independence of any state, other than for the legitimate purpose of individual or collective self-defence against an armed attack.
  - b) State Parties shall manage and seek to resolve any dispute between two or more of them by peaceful means.
  - c) The Organ shall seek to manage and resolve inter- and intra-state conflict by peaceful means.
  - d) The Organ shall seek to ensure that the State Parties adhere to and enforce all sanctions and arms embargoes imposed on any party by the United Nations Security Council.
2. Jurisdiction of the Organ
  - a) The Organ may seek to resolve any significant inter-state conflict between State Parties or between a State Party and non- State Party and a 'significant inter-state conflict' shall include:
    - (i) a conflict over territorial boundaries or natural resources;
    - (ii) a conflict in which an act of aggression or other form of military force has occurred or been threatened; and
    - (iii) a conflict which threatens peace and security in the

Region or in the territory of a State Party which is not a party to the conflict.

- b) The Organ may seek to resolve any significant intra-state conflict within the territory of a State Party and a 'significant intra-state conflict' shall include:
- (i) large-scale violence between sections of the population or between the state and sections of the population, including genocide, ethnic cleansing and gross violation of human rights;
  - (ii) a military coup or other threat to the legitimate authority of a State;
  - (iii) a condition of civil war or insurgency; and
  - (iv) a conflict which threatens peace and security in the Region or in the territory of another State Party.
- (c) In consultation with the United Nations Security Council and the Central Organ of the Organisation of African Unity Mechanism for Conflict Prevention, Management and Resolution, the Organ may offer to mediate in a significant inter-or intra-state conflict that occurs outside the Region.

### 3. Methods

- a) The methods employed by the Organ to prevent, manage and resolve conflict by peaceful means shall include preventive diplomacy, negotiations, conciliation, mediation, good offices, arbitration and adjudication by an international tribunal.
- b) The Organ shall establish an early warning system in order to facilitate timeous action to prevent the outbreak and escalation of conflict.
- c) Where peaceful means of resolving a conflict are unsuccessful, the Chairperson acting on the advice of the Ministerial Comm-

- 
- ittee may recommend to the Summit that enforcement action be taken against one or more of the disputant parties.
- d) The Summit shall resort to enforcement action only as a matter of last resort and, in accordance with Article 53 of the United Nations Charter, only with the authorization of the United Nations Security Council.
  - e) External military threats to the Region shall be addressed through collective security arrangements to be agreed upon in a Mutual Defence Pact among the State Parties.
4. Procedures
- a) In respect of both inter- and intra-state conflict, the Organ shall seek to obtain the consent of the disputant parties to its peace-making efforts.
  - b) The Chairperson, in consultation with the other members of the Troika, may table any significant conflict for discussion in the Organ.
  - c) Any State Party may request the Chairperson to table any significant conflict for discussion in the Organ and in consultation with the other members of the Troika of the Organ, the Chairperson shall meet such request expeditiously.
  - d) The Organ shall respond to a request by a State Party to mediate in a conflict within the territory of that State and the Organ shall endeavour by diplomatic means to obtain such request where it is not forthcoming.
  - e) The exercise of the right of individual or collective self-defence shall be immediately reported to the United Nations Security Council and to the Central Organ of the Organisation of African Unity Mechanism for Conflict Prevention, Management and Resolution.

## **Article 12**

### **Confidentiality of information**

1. The State Parties undertake not to disclose any classified information, obtained under this Protocol or as a result of their participation in the Organ, other than to members of their own staff to whom such disclosure is essential for purposes of giving effect to this Protocol or any decision taken by the Organ.
2. State Parties shall ensure that the staff referred to in paragraph 1 of this Article shall at all times maintain strict secrecy.
3. State Parties further undertake not to use any classified information obtained during any multilateral co-operation between them to the detriment of any Member State.
4. A State Party shall remain bound by the requirement of confidentiality under this Article even after it withdraws from the Organ.

## **Article 13**

### **Settlement of disputes**

Any dispute arising between two or more State Parties from the interpretation or application of this Protocol which cannot be settled amicably shall be referred to the Tribunal.

## **Article 14**

### **Withdrawal**

A signatory may withdraw from this Protocol upon the expiration of twelve (12) months from the date of giving written notice to that effect to the Chairperson of the Organ. Such Signatory shall cease to enjoy all rights and benefits under this Protocol upon the withdrawal becoming effective.

## ***Article 15***

### **Relationship with other international agreements**

1. This Protocol in no way detracts from the rights and obligations of State Parties under the Charters of the United Nations and the Organisation of African Unity.
2. This Protocol in no way detracts from the responsibility of the United Nations Security Council to maintain international peace and security.
3. This Protocol shall not derogate from existing agreements between a State Party and another State Party or a non-State Party and an international organisation, other than SADC, provided that such agreements are consistent with the principles and objectives of this Protocol.
4. Where an existing agreement is inconsistent with the principles and objectives of this Protocol, the Member State shall take steps to amend the agreement accordingly.

## ***Article 16***

### **Signature**

This Protocol shall be signed by duly authorized representatives of the Member States.

## ***Article 17***

### **Ratification**

This Protocol shall be subject to ratification by the Signatories in accordance with their respective constitutional procedures.

## **Article 18**

### **Accession**

This Protocol shall remain open for accession by any Member State.

## **Article 19**

### **Amendments**

1. Any State Party may propose an amendment to this Protocol.
2. Proposals for amendments to this Protocol shall be made to the Chairperson who shall duly notify all State Parties of the proposed amendments at least three (3) months in advance of the amendments being considered by the Ministerial Committee and the Chairperson shall advise the Chairperson of Summit of the recommendation of the Committee.
3. An amendment to this Protocol shall be adopted by a decision of three-quarters of the State Parties.

## **Article 20**

### **Entry into force**

This Protocol shall enter into force thirty (30) days after the deposit of the instruments of ratification by two-thirds of the State Parties.

## **Article 21**

### **Depositary**

1. The original texts of this Protocol shall be deposited with the Executive Secretary who shall transmit certified copies to all Member States.
2. The Executive Secretary shall register this Protocol with the Secretariat of the United Nations and the Organisation of African Unity.

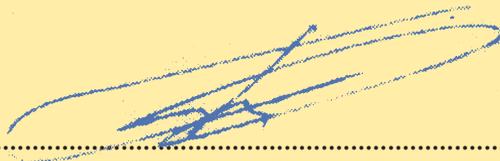
**IN WITNESS WHEREOF, WE,** the Heads of State or Government, or duly authorised representatives, of SADC Member States, have signed this Protocol.

Done at Blantyre, on the 14th day of August 2001 in three (3) languages English, French and Portuguese, all texts being equally authentic.

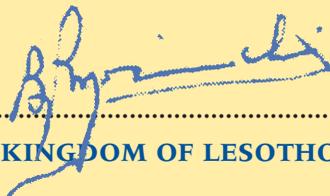
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**REPUBLIC OF ANGOLA**



.....  
**REPUBLIC OF BOTSWANA**



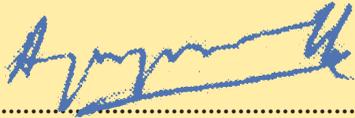
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**DEMOCRATIC REPUBLIC OF CONGO**



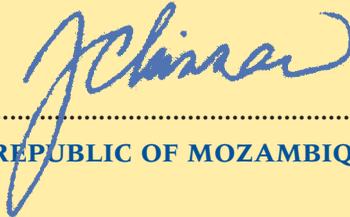
.....  
**KINGDOM OF LESOTHO**



REPUBLIC OF MALAWI



REPUBLIC OF MAURITIUS



REPUBLIC OF MOZAMBIQUE



REPUBLIC OF NAMIBIA



REPUBLIC OF SEYCHELLES



REPUBLIC OF SOUTH AFRICA



Mswati, III



KINGDOM OF SWAZILAND

Benjamin Mkandawire

UNITED REPUBLIC OF TANZANIA



REPUBLIC OF ZAMBIA

Robert Mugabe

REPUBLIC OF ZIMBABWE





## **Annex B**

# **Draft SADC Mutual Defence Pact**



# Preamble

We, the Heads of State and Government of:

**The Republic of Angola**  
**The Republic of Botswana**  
**The Democratic Republic of Congo**  
**The Kingdom of Lesotho**  
**The Republic of Malawi**  
**The Republic of Mauritius**  
**The Republic of Mozambique**  
**The Republic of Namibia**  
**The Republic of Seychelles**  
**The Republic of South Africa**  
**The Kingdom of Swaziland**  
**The United Republic of Tanzania**  
**The Republic of Zambia**  
**The Republic of Zimbabwe**



**PURSUANT** to the decision of the Summit, held in Gaborone, Botswana on 28 June 1996 and directives issued subsequent thereto:

**IN COMPLIANCE** with the provisions of Article 2 (2)(h) of the Protocol on Politics, Defence and Security Co-operation (hereinafter referred to as “the Protocol”);

**REAFFIRMING** our commitment to the principles of the Charter of the United Nations, the Constitutive Act of the African Union, the Protocol Establishing the Peace and Security Council of the African Union and the SADC Treaty;

**DESIROUS** to live at peace with all peoples and Governments

**ACKNOWLEDGING** our commitment to the SADC Treaty and Protocol on Politics, Defence and Security Co-operation;

**RECOGNISING** the sovereign equality of all States and their intention to strengthen the bonds that exist amongst them on the basis of respect for their independence and non-interference in their internal affairs;

**SEEKING** to promote peace, security, stability and well being among our peoples;

**DETERMINED** to defend and safeguard the freedom of our peoples and their civilisation, as well as their individual liberties and the rule of law;

**CONVINCED** that close cooperation in matters of defence and security will be to the mutual benefit of our peoples;

**HAVING RESOLVED** to unite our efforts towards collective self-defence and the preservation of peace and stability.

**HEREBY AGREE** to conclude this Mutual Defence Pact (hereinafter referred to as “the Pact”).

# Article 1

## Definitions

1. In this Pact, terms and expressions defined in Article 1 of the Treaty and of the Protocol on Politics, Defence and Security Co-operation shall bear the same meaning unless the context otherwise requires.
2. In this Pact, unless the context otherwise requires:
  - armed attack** means the use of military force in violation of the sovereignty, territorial integrity and independence of a State Party;
  - collective self-defence** means the measures undertaken collectively by the State Parties to ensure peace, stability and security in the Region;
  - destabilise** means to instigate, plan, execute or assist in any of the following:
    - a) an armed attack against a State Party;
    - b) sabotage aimed at the people of a State Party or an asset of a State Party, whether inside or outside the territory of the State Party; or
    - c) any act or activity aimed at changing the constitutional order of a State Party through unconstitutional means;
  - state party** means a Member State that has ratified or acceded to this Pact;

**signatory state**

means a Member State which has signed this Pact;

**third party**

means a State or entity which is not a party to this Pact.

## **Article 2**

### **Objective**

The objective of this Pact is to operationalise the mechanisms of the Organ for mutual cooperation in defence and security matters.

## **Article 3**

### **Conflict Resolution**

1. State Parties shall, in accordance with the principles of the Charter of the United Nations, settle any international dispute in which they may be involved, by peaceful means, in such a manner that regional and international peace, security and justice are enhanced.
2. State Parties shall refrain, in their international relations, from the threat of or use of force in any manner inconsistent with the principles mentioned in paragraph 1.

## **Article 4**

### **Military Preparedness**

In order to effectively achieve the objectives of this Pact, State Parties shall individually and collectively, by means of continuous co-operation and assistance, maintain and develop their individual and collective self-defence capacity to maintain peace, stability and security.

## **Article 5**

### **Consultation**

1. Any State Party that considers its territorial integrity, political independence and security to be under threat from another State Party, shall consult with such other State Party first and then with the Organ.
2. Where such consultation does not yield satisfactory results the Chairperson of the Organ may constitute a joint verification mission to investigate the reported threat or alleged threat by a State Party.

## **Article 6**

### **Collective Self-Defence and Collective Action**

1. An armed attack against a State Party shall be considered a threat to regional peace and security and such an attack shall be met with immediate collective action;
2. Collective action shall be mandated by Summit on the recommendation of the Organ;
3. Each State Party shall participate in such collective action in any manner it deems appropriate.
4. Any such armed attack, and measures taken in response thereto, shall immediately be reported to the Peace and Security Council of the African Union and the Security Council of the United Nations

## **Article 7**

### **Non-Interference**

1. Without prejudice to the provisions of Article 11 (2) of the Protocol on Politics, Defence and Security Cooperation, State

Parties undertake to respect one another's territorial integrity and sovereignty and, in particular, observe the principle of non-interference in the internal affairs of one another.

2. No action shall be taken to assist any State Party in terms of this Pact, save at the State Party's own request or with its consent, except where the Summit decides that action needs to be taken in accordance with the Protocol.

## **Article 8**

### **Destabilising Factors**

State Parties undertake not to nurture, harbour or support any person, group of persons or institutions whose aim is to destabilise the political, military, territorial and economic or social security of a State Party.

## **Article 9**

### **Defence Cooperation**

In order to realise the objective of this Pact, State Parties shall cooperate in defence matters and facilitate interaction among their armed forces and defence-related industries in the following and any other areas of mutual interest:

- a) the training of military personnel in any field of military endeavour and, to that end, they may from time to time hold joint military exercises in one another's territory.
- b) exchange military intelligence and information in all relevant matters subject to any restrictions or otherwise of national security; and
- c) joint research, development and production under license or otherwise of military equipment, including weapons and munitions, and to facilitate the supply of, or the procurement



of defence equipment and services among defence-related industries, defence research establishments and their respective armed forces.

## **Article 10**

### **Supplementary Agreements**

State Parties may, in respect of any particular issue covered by the provisions of this Pact, make such subsequent agreements, of a specific or general nature, as would, in their opinion, enhance the effective implementation of this Pact.

## **Article 11**

### **Implementation**

1. State Parties shall receive delegations of Member States for the purpose of consultation regarding implementation of any aspect of this Pact.
2. The Secretariat of the SADC Organ shall co-ordinate the implementation of this Pact.

## **Article 12**

### **Confidentiality**

1. State Parties undertake not to disclose any classified information obtained in the implementation of this Pact, or any other related agreements, other than to their own staff, to whom such disclosure is essential for purposes of giving effect to this Pact or such further agreements pursuant to this Pact.
2. State Parties further undertake not to use any classified information obtained during any multilateral cooperation among them to the detriment of or against the interests of any State

- Party.
- 3.. Visiting personnel shall, in the implementation of this Pact, comply with the security regulations of the host State Party and any information disclosed or made available to such visiting personnel shall be treated in accordance with this Article.

## **Article 13**

### **Settlement of Disputes**

Any dispute among the State Parties arising from the interpretation or application of this Pact, shall be settled amicably and where there is no resolution, the matter shall be referred to the Tribunal.

## **Article 14**

### **Withdrawal**

Any State Party may withdraw from this Pact upon the expiration of twelve (12) months from the date of giving written notice to that effect to the Chairperson of the Organ and shall cease to enjoy all rights and benefits under this Pact, and shall indefinitely remain bound by the provisions of Article 12.

## **Article 15**

### **Saving Provisions**

1. The State Parties shall:
  - a) declare that none of the international engagements between them and with any Third Party is in conflict with the spirit and provisions of this Pact;
  - b) recognise existing defence agreements, provided such agreements are not in conflict with the spirit and provisions of this Pact.

- 
2. Where an existing agreement is inconsistent with this Pact, the State Parties concerned shall take steps to amend the agreement accordingly.
  3. This Pact shall not derogate from the State Parties' rights and obligations under the Charter of the United Nations and the Constitutive Act of the African Union and relevant treaties and conventions concerning human rights and international humanitarian law.
  4. This Pact shall not derogate from the responsibility of the United Nations Security Council for the maintenance of international peace and security.

## ***Article 16***

### **Signature**

This Pact shall be signed by duly authorised representatives of State Parties to the Protocol on Politics, Defence and Security Cooperation.

## ***Article 17***

### **Ratification**

This Pact shall be subject to ratification by the signatory States in accordance with their respective constitutional procedures.

## ***Article 18***

### **Accession**

This Pact shall remain open for accession by any State Party to the Protocol on Politics, Defence and Security Cooperation.

## **Article 19**

### **Amendments**

1. Any State Party may propose an amendment to this Pact.
2. Such proposals are to be made to the Chairperson of the Organ who shall duly notify all State Parties of the proposed amendments, at least thirty (30) days in advance, for consideration by those members of the Ministerial Committee who are State Parties to this Pact.
3. An amendment to this Pact shall be adopted by decision of three quarters of all the State Parties.

## **Article 20**

### **Entry into Force**

This Pact shall enter into force thirty (30) days after the deposit of the instruments of ratification by two thirds of the Member States.

## **Article 21**

### **Depositary**

1. The original texts of this Pact, and all instruments of ratification and accession, shall be deposited with the Executive Secretary, who shall transmit certified copies to all Member States in English, French and Portuguese.
2. The Executive Secretary of SADC shall register this Pact with the Secretariat of the United Nations and the Commission of the African Union (AU).

## **Article 22**

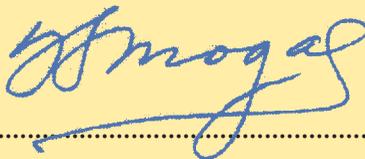
### **Breach of the Pact**

Any State Party may report an alleged breach of this Pact to the Chairperson of the Organ, who shall institute an investigation, compile a report and make recommendations to the Summit.

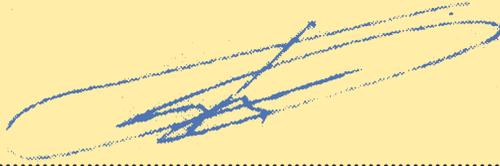
**IN WITNESS WHEREOF**, We, the Heads of State or Government or our duly authorised representatives have signed this Pact.

Done at.....on this ..... day of  
..... 2002 in three (3) original texts, in the  
English, French and Portuguese languages, all texts being equally  
authentic.

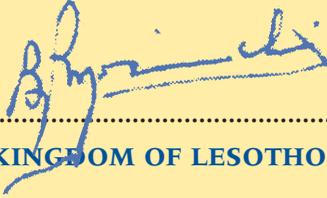
.....  
**REPUBLIC OF ANGOLA**



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**REPUBLIC OF BOTSWANA**



DEMOCRATIC REPUBLIC OF CONGO



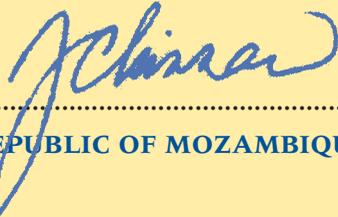
KINGDOM OF LESOTHO



REPUBLIC OF MALAWI



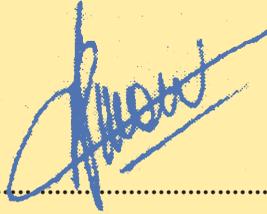
REPUBLIC OF MAURITIUS



REPUBLIC OF MOZAMBIQUE



REPUBLIC OF NAMIBIA



REPUBLIC OF SEYCHELLES



REPUBLIC OF SOUTH AFRICA



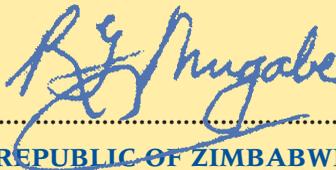
KINGDOM OF SWAZILAND



UNITED REPUBLIC OF TANZANIA



REPUBLIC OF ZAMBIA



REPUBLIC OF ZIMBABWE