



THE SADC ELECTORAL ADVISORY COUNCIL (SEAC) STRATEGY FOR THE PREVENTION OF ELECTORAL RELATED CONFLICT

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Acronyms

APSA	African Peace and Security Architecture
AU	African Union
ECF	Electoral Commissions Forum of SADC Countries
EMB	Electoral Management Bodies
EOM	Electoral Observer Mission
GM	Goodwill Missions
I4P	Infrastructures for Peace including established and emerging national, and sub-national mediation and peace building capacities
LTO	Long Term Observer Missions
MCO	Ministerial Committee of the Organ
MRG	Mediation Reference Group
MSU	Mediation Support Unit
The Organ	The Organ on Politics Defence and Security Cooperation
OAU	Organisation of African Unity
REWC	SADC Regional Early Warning Centre
SADC	Southern African Development Community
SEAC	Southern African Development Community Electoral Advisory Council
SEOM	SADC Electoral Observation Mission
SIPO II	The Harmonised Strategic Indicative Plan for the Organ on Politics, Defence and Security
UN	United Nations

1. Overview

- 1.1 The SADC Electoral Advisory Council (SEAC) Strategy for the Prevention of Electoral Related Conflicts aims to enhance the capacity of SEAC to advise the Southern African Development Community (SADC) through the Ministerial Committee of the Organ (MCO) on the resolution and prevention of electoral related conflicts. The strategy is tailored to enable SEAC to play an active advisory role on electoral and democracy matters and to carry out actions that will complement and add value to existing SADC mediation strategies. The development of this strategy is prompted by the SEAC Structure, Rules and Procedures (1.2.2), the Revised SADC Principles and Guidelines Governing Democratic Elections and the clarity these Guidelines provide on the role of SEAC.
- 1.2 The Revised SADC Principles and Guidelines Governing Democratic Elections outline the core objective of SEAC as providing advice to SADC and its electoral institutions on all matters pertaining to electoral processes and the enhancement of democracy and good governance in the SADC region. The SEAC Strategy outlines a durable, pragmatic and context specific response to electoral related conflict, through which SEAC members will be able to advise and connect key institutions. The implementation of this strategy will establish SEAC as an informed advisor, a facilitator and an enabler of national and regional mediation efforts that can accompany the long-term resolution of the underlying root causes of conflict in the varied contexts across the SADC Region. These underlying root causes exacerbate tensions, trigger violence and threaten peace and stability throughout the span of the electoral cycle.
- 1.3 The SEAC Strategy for the Prevention of Electoral Related Conflict is specifically developed for the context of SADC. The strategy will complement and inform existing mediation and conflict resolution efforts in the SADC Region. SADC has a unique history and a set of conflict dynamics specific to the region. An effective strategy thus needs to connect directly to the existing frameworks, protocols and institutions within which the SEAC contribution is located.
- 1.4 Informing and complementing the mediation efforts of the Panel of the Elders and the Mediation Reference Group (MRG) is central to the intentions of the strategy. Working closely with the MRG and Electoral Management Bodies (EMBs) in the region, including the Electoral Commissions Forum (ECF). SEAC will enhance existing electoral related mediation efforts and build on capacities that enable the accompaniment of long-term mediation processes and the implementation of mediation outcomes.
- 1.5 In line with Article 1.2.3 of the SEAC Structures, Rules and Procedures SEAC will establish a resource hub for electoral conflict related knowledge, information sharing and analysis, and work with the SADC Regional Early Warning Centre (REWC) to share information and provide an evidence base for recommendations to the Organ for Politics, Defence and Security (The Organ), working through the MCO.
- 1.6 In line with the Responsibilities and Roles of SEAC in Electoral Processes outlined in Article 7.2 of the Revised SADC Principles and Guidelines Governing Democratic Elections the strategy focuses on the role of SEAC during the pre-election and post-election period. Additional existing SEAC mechanisms, including pre-election assessments, Goodwill Missions (GMs), post-

election reviews and follow-ups will provide dialogue opportunities for the implementation of the strategy throughout the electoral cycle as well as generate information and analysis that will be used by SEAC in its advisory role to the Organ through the MCO.

- 1.7 Electoral related conflict and election violence has its roots in structural and systemic elements that extend beyond the events that are directly related to an election. Elections are not the root cause of conflict but they can trigger violence. The process of competing for political power often exacerbates existing underlying tensions and triggers the escalation of these tensions into violence. An effective strategy for the prevention of electoral related conflict needs to address the proximate and structural causes of electoral conflict and violence, as well as the events that trigger rapid escalation.
- 1.8 A strategy that addresses electoral related conflict recognises that the electoral cycle is continuous. Post-election processes and contributions that build peace and a culture of democracy require long-term engagement. Long term peacebuilding and conflict prevention goes beyond responding to rapidly escalating tensions and violence. Reviews of past and current SADC mediation efforts in response to electoral conflict and violence identify gaps in the period between the agreed outcomes of mediated processes and the implementation of these outcomes. The 2010 report of the AU Panel of the Wise on Election Related Disputes and Political Violence recommends that mechanisms to prevent election-related disputes and conflicts need to be aligned with the electoral cycle in a way that is long-term in approach.
- 1.9 The SEAC Strategy for the Prevention of Electoral Related Conflict responds to electoral conflict in a systemic way, with a set of integrated and complementary interventions. The strategy is nested within the SEAC 2016-2020 Strategic Plan, addressing specifically Item 4.1.5 the development of conflict resolution and mediation strategies. Under this strategy SEAC's role includes the identification of conflict situations and providing advice and recommendations on conflict mediation strategies to the MCO. The item goes on to state "As necessary, SEAC will continue to perform this task based on its findings of its Goodwill Missions, Pre-Election Assessments and Post-Election Reviews; and the reports of SADC Electoral Observation Missions (SEOMs). SEAC will aggregate relevant aspects of Goodwill Missions, Pre-Election Assessments and Post-Election Reviews; and the reports of SEOMs (LTOs and STOs) to form the basis of its recommendations on the conflict resolution and mediation strategies."
- 1.10 The Revised Principles and Guidelines Governing Democratic Elections (1.11) note that elections with integrity need to translate into a fundamental change in the welfare of the people; and particularly enabling peace, prosperity, stability and security. An effective strategy for the prevention of electoral conflict located within this understanding recognises that effective interventions are not only about responding to violence related crises or rapidly escalating tensions. Building national dialogue and conflict prevention capacities, supported by an external body like SEAC, can ensure the long-term accompaniment of efforts that address the underlying structural and systemic root causes of conflict.
- 1.11 The Strategy for the Prevention of Electoral Related Conflict supports the introduction of dialogue and national mediation efforts at all phases of the electoral cycle, with multiple stakeholders and at multiple levels. The intention of the strategy is to identify and diffuse

tensions before they escalate or become violent and to contribute to the peaceful resolution of electoral related disputes within member states. This will contribute to the African Peace and Security Architecture (APSA) and is in line with the 2009 AU Tripoli Declaration on the Elimination of Conflicts in Africa and the Promotion of Sustainable Peace.

2. Background

- 2.1 The formation and operationalisation of SEAC has the potential to transform election observation, the conduct of democratic elections and the prevention of electoral related conflict in the SADC region. Established in August 2005 in terms of Article 9(2) of the SADC Treaty by the SADC Summit held in Gaborone, Botswana, SEAC's broad mandate is to advise SADC on matters pertaining to elections, democracy and good governance.
- 2.2 Significantly, the formation of SEAC was preceded by the adoption of the first set of Principles and Guidelines Governing Democratic Elections by the SADC Head of State Summit in 2004. As such, SEAC, inter alia, became a strategic institutional mechanism to ensure that Member States adhered to the SADC Principles and Guidelines Governing Democratic Elections and to international norms and standards for democratic elections more generally.
- 2.3 The proposal to establish SEAC resulted from a stakeholder workshop convened by the SADC Secretariat in Lesotho in 2004. Stakeholders recommended that SADC form a mechanism that would not only guarantee the implementation of the SADC Principles and Guidelines Governing Democratic Elections but also strengthen the capacities of EMBs and facilitate the work of the SEOMs.
- 2.4 Following a comprehensive assessment of the workshop recommendations, the MCO recommended to the Heads of State Summit, the formation of a SADC Electoral Advisory Council (SEAC). After SEAC's formation in 2005, the MCO adopted the SEAC Structures, Rules and Procedures in March 2009. SEAC was officially established in August 2010 at Maputo, Mozambique and inaugurated on 13 April 2011 in Gaborone, Botswana.
- 2.5 According to the SEAC Structures, Rules and Procedures, the main objective of SEAC shall be to advise SADC, through the Ministerial Committee of the Organ on Politics, Defence and Security, on issues pertaining to elections and the enhancement of democracy and good governance. In addition to its main objective, the specific objectives of SEAC are:
 - 2.5.1 To urge and encourage SADC Member States to adhere to SADC Principles and Guideline Governing Democratic Elections;
 - 2.5.2 To encourage SADC Member States to adhere to international best practices whenever they are holding elections;
 - 2.5.3 To advise SADC Member States on strategies and issues to enhance and consolidate capacity of Electoral Management Bodies in the SADC region; and
 - 2.5.4 To encourage SADC Member States to uphold and respect the independence and autonomy of Electoral Management Bodies.

- 2.6 Embedded in SEAC's scope of work is the specific task for this body to facilitate the development of a strategy that will address conflicts in the pre and post-election periods. The development of this strategy for the prevention of electoral related conflict is driven by SADC's commitment to promote democratic values, credible, free, fair and transparent elections in peaceful and stable political environments.
- 2.7 The SEAC strategy strengthens the region's capacity to respond to electoral related conflicts. The strategy is nested within the 2016-2020 SEAC Strategic Plan that addresses SEAC's role on strengthening a regional culture of democratic elections through inter-related peace building initiatives including fostering national reconciliatory initiatives and conflict prevention.
- 2.8 In the Introduction and Background to the SADC Principles and Guidelines Governing Democratic Elections, in Article 1.9 (b) the emergence of Long Term Observation (LTO) is noted as "... a more professional and comprehensive approach of assessing electoral performance which provided further prospects of complementing existing mechanisms ranged at ensuring regional stability – such as early warning systems, conflict prevention and conflict mediation initiatives". The SEAC Strategy will be implemented alongside Long Term Observer Missions to facilitate the implementation of complementary initiatives, including multi-stakeholder conflict analysis and dialogue processes.
- 2.9 In line with this the strategy will support the revised SADC Principles and Guidelines Governing Democratic Elections which stipulate in Article 7.1.1 (a), that one of the key responsibilities and roles of SEAC in the pre-election period, is to "reflect on possible conflict situations in respective countries on matters pertaining to electoral processes and render advice to the (SADC) Ministerial Committee of the Organ on the development of mediation strategies, before, during and after elections."
- 2.10 The SADC Principles and Guidelines, in Article 7.3.1 (a) and (e), on SEAC's Role during the Post-Election Period, task SEAC to "Advise the MCO on the development of mediation strategies to address any post-election conflicts, as necessary" and "Encourage the EMB of the respective Member State holding elections to convene post-election dialogue forums with stakeholders". These elements are contained within the strategy.
- 2.11 The SEAC Strategy for the Prevention of Electoral Related Conflict builds on these recommendations and aims to strengthen several complementary activities outlined in the SEAC Strategic Plan 2016-2020. The strategy outlines a set of integrated strategic interventions that include mainstreaming mediation efforts and developing a deeper understanding of electoral conflict into the pre-election assessments, election observation missions, post-election reviews and follow up missions. The Conflict Prevention Analysis reports, referred to in the SEAC Strategic Plan, which will be produced for each member state, will also serve as a solid foundation for identifying trends and structural and proximate causes of conflict that the SEAC Strategy for the Prevention of Electoral Related Conflict will focus on.
- 2.12 The conflict prevention strategy includes facilitating and adding value to preventive diplomacy efforts, inclusive multi-stakeholder dialogue facilitation, trust and confidence building measures, and building and supporting the establishment of institutionalised national

mediation efforts. The strategies will be implemented alongside the Electoral Management Bodies and in collaboration with the Electoral Commissions Forum of SADC countries, and will be inclusive of all stakeholders.

3. Policy Context

- 3.1 The establishment of SEAC falls under an international, continental and regional normative framework that informs and guides the mandate and boundaries of the SEAC. These include the Southern African Development Community Treaty (1992), the Consolidated Southern African Development Community Treaty (2015), the Protocol on Politics, Defence and Security Cooperation (2001 (amended 2009)), and the Harmonised Strategic Indicative Plan for the Organ on Politics, Defence and Security (SIPO II) (2010).
- 3.2 Nesting the SEAC Strategy for the Prevention of Electoral Related Conflict within the frameworks of these established treaties and protocols will assist in ensuring its adherence, relevance and complementarity to existing agreements and intentions.
- 3.3 The scope of work undertaken by SEAC in preventing pre-and-post election conflict, is intended to complement and strengthen the Mediation, Conflict Prevention and Preventive Diplomacy Structure of the Organ, which comprises of the Mediation Reference Group (MRG) and the Panel of Elders and the Mediation Support Unit (MSU). SEAC aims to contribute to regional efforts to prevent and resolve significant inter and intra state conflict in the SADC region and to promote and achieve Southern African solutions to Southern African challenges.
- 3.4 Article 1.2.2(v) of the SEAC Structure, Rules and Procedures mandates SEAC to develop a strategy that responds to the escalating social and political conflict that can be triggered by elections and that bridges the gap between the electoral related work of SEAC and the role of the SADC Mediation, Conflict Prevention and Preventive Diplomacy Structures.
- 3.5 The Revised SADC Principles and Guidelines Governing Elections (2015) include several relevant elements central to defining the role of SEAC in preventing electoral related conflict. These include:
 - 3.5.1 The Revised Principles and Guidelines state as one of their key objectives the intention to use the Guidelines to promote and enhance adherence to the SADC Treaty and the Protocol on Politics, Defence and Security Cooperation. The introduction of more measurable indicators of electoral integrity, including the notion of a 'credible', 'transparent' and 'peaceful' election alongside the notions of being 'free' and 'fair' emphasise the importance of electoral peace and the need for a conflict prevention strategy as part of ensuring adherence to the Treaty and the Protocol
 - 3.5.2 The Organ and the SADC Summit are directly tasked with addressing member state shortcomings in relation to the Principles and Guidelines, making electoral related conflict and adherence to the Principles and Guidelines central to the defence and security agenda of the region. This adds weight to the role SEAC is expected to play.
 - 3.5.3 The Revised Principles and Guidelines point to a stronger role for SEAC throughout the election cycle, with more details regarding the role of SEAC during the pre-election period,

- the election itself and the post-election period, including the importance of Goodwill Missions and Pre-election assessments, and the advice that will flow from these regarding the technical requirements for SEOMs.
- 3.5.4 The specific mention of the value of Post-Election Stakeholder Reviews, particularly in contexts that are conflictual, outlines the need for SEAC to make recommendations to the MCO and to advise on the development of mediation strategies in response to issues emerging out of these Post-Election Stakeholder Reviews.
- 3.5.5 The recognition of the imperative of Long Term Observer Missions aimed at complementing Short Term Observer Missions and addressing gaps identified in the effectiveness of SEOMs to date, are indicative of a more holistic conceptualisation of the electoral cycle and the potential for conflict dynamics to escalate at any stage of this cycle. The SEAC Strategy for the Prevention of Electoral Related Conflict thus points to the need for specific activities linked to each stage of the electoral cycle.
- 3.5.6 The expansion and diversification of the make-up of Electoral Observer Missions, including an emphasis on the participation of non-state actors such as experts, academics, civil society members and legislators, as well as a specific emphasis on the importance of gender equality and the need for a gender balance, guided by the SADC Protocol on Gender and Development (2008), particularly Articles 12 and 13 of the Protocol. This emphasis on the participation of women and of non-state actors opens opportunities for working alongside and enhancing and strengthening national capacities for conflict prevention and mediation.
- 3.6 The Revised SADC Principles and Guidelines Governing Democratic Elections affirm SADC's commitment to mediation, conflict prevention and peace building efforts that promote regional peace and stability, as outlined in the key guiding frameworks such as the SADC Treaty and SADC Protocol on Politics Defence and Security Cooperation. These instruments also speak of the need to safe guard the region from the breakdown of law and order as well as inter and intra state conflicts. Similarly, the Strategic Indicative Plan for the Organ on Politics, Defence and Security (SIPO) also calls for the region to prevent and resolve inter and intra-state conflicts by peaceful means.
- 3.7 In line with the SEAC Structure Rules and Procedures, Article 1.2.(i) "To urge and encourage SADC Member States to adhere to SADC Principles and Guideline Governing Elections" and Article 4.1.2 of the Revised SADC Principles and Guidelines Governing Democratic Elections SEAC will seek, through the Strategy for the Prevention of Electoral Related Conflict, to ensure that all citizens enjoy fundamental freedoms and human rights, including freedom of association, assembly and expression.
- 3.8 The Revised SADC Principles and Guidelines Governing Elections, the SADC Treaty and the SADC Protocol on Politics Defence and Security Cooperation provide the framework within which the SEAC Strategy for the Prevention of Electoral Related Conflict is located. The Strategy seeks to add a long-term preventive element to existing SADC mediation strategies by identifying and responding to needs identified at each stage of the electoral cycle. The advisory role of SEAC, and the review, assessment and dialogue facilitation function it plays aim to complement, strengthen and add value to the interventions of other institutions that form part of the

Mediation, Conflict Prevention and Preventive Diplomacy Structure of the Organ on Politics, Defence and Security.

4. The SEAC Strategy for the Prevention of Electoral Related Conflict

4.1 The SEAC Strategy for the Prevention of Electoral Related Conflict is a pragmatic, integrated and complementary strategy focused on carrying out pre- and post-election assessment, analysis and review processes and the engagement of electoral stakeholders in dialogue processes that generate an information evidence base of electoral conflict dynamics and an assessment of the effectiveness of the electoral system. This evidence base provides the foundation for reports and recommendations that support the SEAC advisory role to SADC and the Organ working through the MCO. The Strategy for the Prevention of Electoral Related Conflict includes identifying and enhancing the capacity of the EMBs and supporting dispute resolution, conflict management and conflict prevention capacities at national level. This includes identifying and utilising existing capacities, including indigenous knowledge systems and traditional dispute resolution processes.

4.2 The SEAC 2016-2020 Strategic Plan allows for a combination of short-term, medium term and long term objectives in the implementation of the Conflict Prevention Strategy. The medium-term intention to prevent electoral related conflict from becoming violent is a stepping-stone towards the establishment of a regional culture of democratic elections. The strategy includes components that support the establishment of national mediation capacities and peace infrastructures while carrying out inclusive multi-stakeholder dialogue processes and conducting reviews and assessments aimed at identifying areas where the conflict prevention components of an electoral system can be strengthened.

4.3 The role of SEAC is defined in accordance with the mandates given to each component of the SADC Mediation, Conflict Prevention and Preventive Diplomacy Structures and the complementary institutions of SADC including the MSU, the Panel of Elders, the MRG, the REWC, the Organ and the MCO.

4.4 Overall Objective (from the SEAC Strategic Plan 2016-2020)

To contribute to the prevention of electoral related conflict in the SADC Region through the design and implementation of a conflict prevention strategy focused on each stage of the electoral cycle that outlines the specific contribution of the SADC Electoral Advisory Council

4.5 Pre-Election Conflict Prevention Strategy Components

4.5.1 Produce a pre-election Conflict Prevention Analysis that includes information generated by the REWC

4.5.2 Carry out an inclusive Stakeholder Analysis in each member state preparing for an election, to identify relevant institutions and key stakeholders, specifically women and youth, to participate in the post-election review and pre-assessment dialogue processes

- 4.5.3 Work with the EMBs to reflect on the current practice of establishing a code of electoral conduct in each member state, including an assessment of established procedures for addressing complaints and resolving disputes
- 4.5.4 Work with EMBs to convene a dialogue forum for media associations and the Public Broadcaster to discuss elections, conflict sensitive reporting on electoral related matters and the establishment of a media code of conduct on election reporting
- 4.5.5 Encourage and support EMBs and civil society stakeholders to carry out trainings with media editors and journalists on journalism that promotes peace and conflict sensitive reporting in relation to elections
- 4.5.6 Map existing credible and legitimate national and sub-national mediation and peacebuilding initiatives and existing dispute resolution mechanisms in each member state
- 4.5.7 Facilitate a dialogue process of electoral stakeholders, as part of the pre-assessment missions, to build consensus and agreement on acceptable practice throughout the electoral cycle, including agreement on respecting the outcomes of elections and commitment to utilising agreed accessible and credible procedures for addressing complaints and disputes
- 4.5.8 Aggregate the information and analysis generated by the pre-election conflict prevention assessment and review process and advise SADC through the MCO, on appropriate action in line with the findings of these processes

4.6 **Conflict Prevention Strategy Components throughout the Electoral Cycle**

- 4.6.1 Advise and collaborate with electoral conflict related stakeholders across existing and planned SEAC and SADC electoral related activities to integrate conflict prevention and dialogue facilitation skills, conflict analysis and electoral conflict knowledge
- 4.6.2 Produce research products and collate information, including the analysis and reports generated through SEAC activities, that can be utilised by an electoral conflict information resource hub, established in support of SEAC and SADC interventions on electoral conflict related matters
 - 4.6.2.1 Assess, document, advise and facilitate the exchange of lessons learnt on key emerging issues such as the effective management of coalition governments and the role of security forces in a democratic society to enhance electoral integrity, democracy and good governance
 - 4.6.2.2 Reflect on and assess the role of key stakeholders, including political parties and the media, in exacerbating or mitigating the escalation of electoral related conflict and make recommendations to SADC through the MCO

- 4.6.2.3 Map emerging trends in the region in respect of social and demographic factors to determine the extent to which they affect the electoral process and electoral related conflict
- 4.6.3 Assess the modalities for adopting the use of technology in elections to determine the impact of technology on electoral integrity and the effect of communications technology on electoral related conflict
- 4.6.4 Facilitate skills training processes on conflict prevention and the facilitation of multi-stakeholder dialogue with the ESU, SEAC, and the SEOMs
- 4.6.5 Build relationships and share information with electoral related conflict stakeholders at Regional and National levels and connect complementary mediation, conflict prevention and peace building efforts
- 4.7 **Post-Election Conflict Prevention Strategy Components**
- 4.7.1 Aggregate the information and analysis generated by the multi-stakeholder post-election review process and the post-election Conflict Prevention Analysis and advise SADC through the MCO, on appropriate action
- 4.7.2 Update the Stakeholder Analysis of relevant institutions and key electoral stakeholders in the post-election review and dialogue processes
- 4.7.3 Facilitate a dialogue process of electoral stakeholders, as part of the post-election review of the electoral process
- 4.7.4 Reflect on the efficacy of the electoral system in line with the Responsibilities of Member States holding Elections outlined in Article 5 of the Revised Principles and Guidelines Governing Democratic Elections, including reflection on the efficacy of any existing dispute resolution or conflict management infrastructures
- 4.7.5 Produce a post-election Conflict Prevention Analysis that includes information that may have been generated by the SEOM, by other international and domestic observer missions, the dialogue process and the REWC
- 4.7.6 Work with all electoral stakeholders and encourage the EMBs to develop a national capacity building programme to nurture and support identified mediation, conflict prevention and peacebuilding initiatives and peace infrastructures, including indigenous conflict management knowledge systems in preparation for the next election in the cycle