Abstract

The creation of the Organ on Politics Defence and Security (OPDS) was a major milestone within the Southern African Development Community. This Organ was to mediate through peaceful means both intra-state and inter-states conflicts within the region. In order to perform these functions, the SADC Summit formulated a protocol, which paved the way for the OPDS to execute this enormous task. As such, appropriate bureaucratic institutions were also created which were to assist this Organ to implement its mandate. These institutions were also staffed by and responsible to SADC while on the other hand they were also responsible to the Organ, as the SADC implementing body. While OPDS was frequently successful in carrying out its mandate, in other cases it was not so successful. For instance, two years after the OPDS was created there were two military interventions in the Democratic Republic of Congo (DRC) and the Kingdom of Lesotho. These interventions were followed in 2002 by the disputed elections in Zimbabwe. The region was faced with two major problems even before these interventions; the failure of Swaziland to democratise while most member states have done so including the newest member and regional power the Republic of South Africa (SA), as well as the continuing and protracted civil war in Angola. Serious misconceptions about the purpose and the role of OPDS within member states were soon to stifle its performance and led to its ultimate failure. It is the task of this paper to demonstrate why the Organ has failed.

Introduction

On the 28th June 1996, the Heads of states and government of Southern African Development community launched the protocol, which established the 'Organ on Politics, Defence and Security' (OPDS)[2]. According to Cilliers, the newly appointed South African Minister of Defence, Mosiuoa Lekota, in applauding the SADC initiatives of establishing this Organ, argued that it was a defence pact to protect countries from foreign aggression[3]. He stated further that: "it was no longer appropriate for the region to have an ad hoc response to threats to national sovereignty in the region. Without an instrument that provides guidelines to protect legitimate governments in the region from foreign armed aggression, peace cannot be guaranteed"[4]. The paper traces the establishment of the OPDS and evaluates its success and challenges the SADC region is facing since the inception of this Organ.

This Organ was born out of several SADC Summits and Council meetings.[5] In this protocol, which establishes the Organ as will be discussed below, their

commitment to peaceful resolution of both intra-state and inter-state conflicts was clear[6]. They were reaffirming their commitment to regional arrangements in terms of how to manage their politics, security and defence problems. The aim of member states in designing the structure of the Organ was to make it flexible and responsive to regional problems that might arise. Similarly, this security architecture was designed in such a way that it operates within the framework and in some cases the direction of the Summit. Article 3 of the Organ[7] clearly reflects this line of thinking.

Article 11 of the 1996 protocol, obliges the Organ to operate in terms of international law. Section one (1) under the above Article, embraces the UN Charter by stating that 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. State parties shall manage and seek to resolve any dispute between two or more of them by peaceful means. The Organ shall seek to manage and resolve inter-and intra-state conflict by peaceful means. Therefore, the Organ shall also seek to ensure that the State Parties adhere to and enforce all sanctions and arms embargoes imposed on any state party by the United Nations Security Council.[8]

SADC created a framework, which encapsulated procedural aspects that govern OPDS roles and responsibilities in conducting its relations with member states when dealing with conflicts. According to Nathan, the Organ in its preamble emphasised strict respect for each member state's territorial integrity and sovereignty.[9] The preamble also advocated respect for good neighbourliness, interdependence, sovereign equality, political independence,

non-aggression and non-interference in the internal affairs of the member states. The 1996 protocol also articulated the objectives of the Organ, which provided the framework for its operations. These objectives laid down collective security arrangements. For instance, Baregu[10] argued that, the objective of the OPDS protocol as provided by Article 2 of the Organ illustrated succinctly collective security arrangements.

This protocol committed the member states to abide by UN Security Council resolutions in the maintenance of peace and security within the region. They would work in close co-operation in matters relating to politics, defence and security. They committed themselves to adopt conflict resolution mechanism rather than direct intervention in the domestic affairs of member states. The Summit reaffirmed that the SADC Organ constituted an appropriate institutional framework by which SADC countries would coordinate their policies and activities in the areas of politics, defence and security. They therefore agreed to the principles, which would guide OPDS in its operation in addition to those explained by Nathan above. The principles appear as inter-alia, set out in Article 4 of the SADC treaty, which shall be the guiding principles for the SADC Organ on Politics, Defence and Security:

I. Achievement of solidarity, peace and security in the region;
II. Observance of human rights, democracy and the rule of law;
III. Promotion of economic development in the SADC region in order to achieve for all member states, equity, balance and mutual benefit;
IV. Peaceful settlement of disputes by negotiation, mediation and arbitration;
V. Military intervention of whatever nature shall be decided upon only after all possible political remedies have been exhausted in accordance with the charter of the AU and of the United Nations.[11]

The organ was therefore set up to achieve the above principles and objectives. However as a SADC implementing body the Organ in executing its

mandate had to work closely with member states. The Organ since its inception appears to have achieved some successes in implementing the above mandate. Despite some limitations, which derived from the fact that the Organ is still young and growing, some achievements have been recorded to date.

OPDS Achievements

The foremost achievements of SADC-OPDS have been in all sectors including politics, defence and security, demonstrating that regional co-operation is not only desirable but also possible.[12] SADC has also been able to inculcate a sense of regional belonging as well as a tradition of consultation among the people and governments of Southern Africa in defence policy issues and security within the region. The region has been able to put in place a regional programme of action - the SADC Programme of Action - that covers cooperation in various economic and security sectors[13].

Secondly, SADC Organ under the chairmanship of Zimbabwe has been able to mount operation Blue Hungwe successfully[14]. It proved, albeit on a small scale and under simulated conditions, that these elements of the various armed forces of the region have the capability to train and operate together. Despite far greater South African resources, Zimbabwe has been accepted at the level of the ISDSC as the 'lead nation' for peacekeeping training in the SADC region.[15]

This operation became a success despite the fact that it experienced several problems regarding command and control, communications and radio procedures, and others. The operation also shows the determination of members of SADC in operationalising OPDS. Recently, Both SA, Lesotho and

Mozambican forces have mounted several cross border searches in the prevention of stock theft and other criminal related matters under OPDS.

Thirdly, Summit recently tasked the SADC Organ on Politics, Defence and Security with the responsibility to formulate a strategy for speeding up implementation of the DRC Agreement, in collaboration with the Joint Military Commission (JMC)."[16] SADC Organ working with the JMC and MONUC was able to complete this task successfully. The Organ was mandated to monitor the withdrawal of Rwandan and Ugandan forces from the DRC by the United Nations. OPDS has ensured that both Ugandan and Rwandan forces withdrew from DRC according to the above mandate as quickly as possible. This task has since been completed hailing another success on the part of the OPDS.

Despite the OPDS limitations, another SADC structure that was retained after the FLS became SADC was the Inter-State Defence and Security Committee (ISDSC). This structure continued to meet informally at both official and ministerial level frequently. Van Nieuwkerk argued that the success of the ISDSC could be traced back to FLS. For instance,

> the ISDSC advised and implemented decisions of FLS Summit meetings. When the later was disbanded, the ISDSC was retained and its membership was expanded to include all SADC member states. Its objectives are to promote regional co-ordination and co-operation on matters related to security and defence and also to establish appropriate mechanism to this end.[17]

This body formed part of the OPDS arm and is currently concentrating on multilateral military co-operation. This involves issues of military peace keeping, training and capacity building. It continues to build a database of information relating to cross border crimes such as small arms trade, illegal goods, drug-smuggling, public security and state security. However, like the

OPDS, it has the major weakness of excluding civil society and other non-state actors, while at the same time firmly controlling regional peacemaking and peacekeeping agendas.[18]

The Challenges of the SADC Organ on Politics Defence and Security

Despite the above successes, the SADC Organ was not able to prevent the first interventions in both the DRC and Lesotho by some member countries. Both these interventions were claimed to have been conducted on behalf of SADC. However, the evidence was not presented to justify this claim. It is still not clear as to whether the above principles and objectives of OPDC were operationalised in both cases.

Zimbabwe, Angola and Namibian intervention in the DRC

Several theories have been articulated to explain the Zimbabwean intervention in the DRC. Like the South African intervention in Lesotho these claims were both based on interests' calculations[19]. In the case of Zimbabwe, the intervention was based on strategic, economic and political interests, despite the fact that a military solution to the crisis in DRC was not feasible. The civil war in the DRC in 1998 forced the embattled Kabila regime to appeal to the international community to help dislodge the rebel advance to Kinshasa. It recruited Zimbabwe, Namibia, Angola, Chad and several non-state militias to avert an imminent collapse of the regime. The DRC civil war thus became international. Most of these participants did not only want to assist Kabila but they had special interests as well[20]

It was further argued that the real interests of Zimbabwe have been disguised as a rescue mission but the truth of the matter was that, "Zimbabwean President Robert Mugabe is reported to have his sights set on Mbuji-Mayi's

diamond wealth. In addition, Congo's Kabila owes $40 to $200 million for military support"[21]. It can also be argued that Zimbabwe would not trust any allies of Rwanda and Uganda to repay the debt Congo owes to Zimbabwe if they come to power in the DRC.

It is clear that Zimbabwean elites and their allies have turned the DRC civil war into a profitable business for themselves[22]. For another Zimbabwean SADC partner in this war, President Nujoma, Namibian intervention like that of Zimbabwe in the DRC was to defend DRC sovereignty and territorial integrity. Nevertheless, this assertion, like that of Zimbabwe, was political rhetoric and nothing else. Orogun argued that,

> the Namibian government had plans to divert water from the river
> Congo across Angola to northern Namibia. Thus, by intervening on
> Kabila's behalf in the current Congo crisis, President Sam Nujoma,
> like President Mugabe of Zimbabwe, was trying to secure economic
> and vital resource benefits while advocating the political rhetoric of
> standing up to South Africa.[23]

Similarly, Namibia had been equipping Kabila's government with military equipment to sustain the regime's war effort. While initially Namibia refused to acknowledge that it had been supplying arms to Congo, it finally agreed under much public pressure, but refused to confirm or deny accusations that it had sent its army into the DRC.

Angola on the other hand had a long history of involvement in the DRC. This was mostly related to its domestic conflicts with UNITA (Union for the Total Independence of Angola) rebels said to be operating from DRC territory[24]. Therefore, Angolan government supported Kabila in this war because it did not want "any ceasefire that leaves a government friendly to UNITA in place in the region"[25]. The Angolan interest had been to block UNITA at all costs from having military access and other logistical access from Congo[26].

South Africa and Botswana's intervention in Lesotho

The 1998 May elections in Lesotho culminated in more disputes because the opposition parties questioned the validity of the results. The government and opposition parties sought mediation from South Africa to settle the disputes. A South African High Court Judge, Justice Pius Langa, headed the investigating commission.[27] The Langa Commission's findings created more anxiety and confusion among stakeholders in Lesotho. Despite its credible process and transparency, the report was mishandled.[28] At first, the SA Deputy President Thabo Mbeki came to Lesotho ostensibly to present the Langa Commission report[29].

Subsequent to the above confusion, between the 10th and 16th September 1998, an Army mutiny broke up at the main Army barracks in Maseru. This exacerbated the fragile situation in the country. A situation of hopelessness and confusion ensued. Eventually, on the morning of the 22nd September 1998 the South African National Defence Force (SANDF) intervened in Lesotho[30].

From South African official pronouncements, the intervention in Lesotho was justified in order to stop a military coup in process[31]. In justifying the intervention, SA claimed that it intervened in Lesotho on behalf of SADC after being invited by a legitimate government. The SA intervention in Lesotho has been subjected to many interpretations. The fact that the SA military went to Katse Dam before going to Maseru where there was an Army mutiny unfolding and anarchy in process was a key issue[32].

In explaining the SA interest in this operation, it is important to focus our attention on the Lesotho Highlands Water Project[33]. In explaining the mandate

of operation Boleas, the Acting South African President Mangosuthu Buthelezi argued that their objectives were three pronged, "to secure the Dam, restore order in the security establishment and clear protests from the Royal Palace".[34] It was very clear where the South African interests were and what motivated their intervention in Lesotho. Water was the primary objective. Even the embattled Prime Minister of Lesotho did not claim that the water project was in danger when he invited SA to come and quell the alleged coups d'etat.[35]

The history of international relations contains many examples where states have acted unilaterally outside the confines of international law. We must accept that, "according to foreign affairs officials, South Africa sent troops to Lesotho amongst others to defend Katse Dam".[36] This was the result of indications that some Lesotho troops attempted to bombard the Katse dam after battling SA troops. Therefore, it can be argued that, "South Africa's intervention into Lesotho was thus driven more by material interests than political and humanitarian imperatives".[37] We can confidently conclude that the SA intervention was influenced by realism.

SADC peacekeeping role has not been clear, as the cases of the DRC and Lesotho have indicated. What weakened the case for intervention in both cases has been the lack of transparency and clarity in relation to when the consensus was reached to intervene. Lack of accountability and transparency in a decision of this magnitude serve only to erode SADC credibility as a regional body. This has raised questions relating to whether these countries have indeed abided by the 1992 SADC Treaty which "calls on its member states to promote peace and security, human rights, democracy, the rule of

law and the peaceful settlement of disputes".[38] The perceived lack of transparency and accountability has left a major hole in understanding of the above peacekeeping operations. These operations also raised questions of procedure, specifically as to whether proper procedures were followed or not. Similarly, issues concerning peaceful settlements of disputes have also been raised by these interventions, though the main question has always been which protocol sanctioned these interventions.

In establishing the Organ on Politics Defence and Security, SADC formulated clear objectives and principles for this body to achieve, and yet the Organ's performance was hampered by the member states themselves. The interventions in DRC and Lesotho indicated clearly that member states were more interested in securing their own interests than promoting peace. Even though OPDS has some achievements since its inception in 1996, they are not sufficient to conclude that the Organ has achieved most of its objectives. It is fair to indicate that there were some impediments, which hindered the Organ from achieving its goals. It is to these issues that we discuss below.

Why the Organ was unable to address the Challenges of the SADC Region

SADC is not a superstate, but an institution of sovereign states that meets to formulate regional policies, which serve their interests. In such a community of states, an institution like OPDS, as a policy implementing body of SADC cannot be autonomous but is accountable to SADC Summit proper. From the earlier analysis, it is clear that the SADC Organ performance has been mixed. Several factors have contributed to the demise of OPDS. This was despite the fact that 1996 protocol had clarified the way forward about how conflicts should be managed.

The Organ failure was also exacerbated by an attempt to end conflicts through unilateral interventions. This strategy did not bode well for a new Organ like the OPDS. One other major factor, which contributed to the Organ failure, was the institutional confusion by some key member states such as Zimbabwe and South Africa[39].

Lack of Consensus and Political Will

According to Christopher Landsberg and Mwesiga Baregu, Southern African Development Community "continued to be plagued by difficulties stemming from the lack of consensus among SADC member states regarding the OPDS statute in relation to the SADC treaty"[40] The Organ's lack of autonomy has been inhibited by some member states misinterpretations of the 1996 protocol. This limitation was reflected by the disagreements, which emerged between SA and Zimbabwe, the Organ was unable to resolve these differences. It was these differences, which inspired the SADC initiative to convene yet another Summit in March 2001 in Windhoek Namibia to address their differences over the functions of the Organ. The regional leaders ultimately made a breakthrough during this summit when they decided to integrate the OPDS into the SADC structure.[41]

The Lack of Unified Strategy of Ending Conflicts

While SADC Organ principles and objectives were clear about how to end wars and what procedures must be followed, it appears that member states lack a concerted strategy to bring this to fruition[42]. These strategies were absent from SADC. Their absence made it difficult for SADC countries to develop concerted strategy for ending war in Angola. The main unresolved question was what could the Organ do to bring this protracted conflict to

finality? The Angolan civil war "had escalated and threatened to engulf the region; this too, brought tension within the OPDS to the fore".[43] The question had always been how to intervene in this country. It would appear that since SADC was divided on the operations of OPDS, the region appeared reluctant to address the Angolan conflict. This was also exacerbated by the Angolan intervention in the DRC, the matter that had created much tension within the region, and also the current ongoing role of the UN in that country. In general as long as the tension about DRC intervention still exists the OPDS appears not able to make headway on this issue.

Unilateral Interventions

Two years after its establishment, the OPDS, was challenged by two unilateral interventions in the region in the DRC and Lesotho, creating stress and polarisation among member states[44]. This intervention challenged the OPDS directly, because this Organ did not facilitate it. The unilateral action of Zimbabwe and its allies was criticised by other SADC members, including South Africa as the chair of SADC, who advocated diplomatic solutions rather than war[45].

These countries ignored SADC and OPDS when mounting this operation. They opted for direct military intervention and ignored South African calls for a diplomatic resolution to the DRC conflict.[46] President Mugabe ignored both rebel and SADC calls to cease hostilities and told the Zimbabwean state media that, "no one is compelled within SADC to go into a campaign of assisting a country beset by conflict". [47] He argued further that those who do not want to help should keep out, and not discourage those who want to help[48].

The chairman of SADC had to call the ceasefire in the fighting in DRC and also called an emergency SADC Summit to discuss peaceful resolution of DRC conflict. According to Reuters, Mandela argued that "we have been asked to call a Summit of SADC leaders…I want President Robert Mugabe (of Zimbabwe) to be involved,"[49]. Mandela was aware of deep disagreements, which appeared destined to fragment SADC and weaken the OPDS. Therefore, the DRC situation has "illuminated tensions around several issues;

❖ Autonomy (the relationship between OPDS and SADC Summit);
❖ The legal framework in which OPDS should be operating; and
❖ The hegemonic power struggles in the post liberation, post apartheid era".[50]

Not only did the South African government refuse to join the military intervention, but it was also very vocal in denouncing the intervention. The country was at pains to emphasise that as chair of the SADC, it regarded no other alternative to a diplomatic solution of the DRC conflict. Despite the above SA protestations against Zimbabwean intervention in the DRC, on September 22nd 1998, South Africa and Botswana intervened in Lesotho. They argued that they had mounted the military intervention under the auspices of the SADC Organ, the OPDS.[51] This operation it was later claimed followed consultations between the governments of Mozambique and Zimbabwe before it was launched.[52] Operation Boleas as the intervention was called had been criticised from different quarters for violating the territorial integrity and sovereignty of Lesotho, and also the OPDS protocol. For instance, John Seiler[53] argued that SADC policy of regional efforts and initiatives in containing intra-interstate conflicts was still in a drafting stage therefore the intervention could not be regarded as legitimate. Secondly, the

Acting SA State President Buthelezi consultations with SADC member states were purely informal and done through telephone communication[54].

In response to the above criticisms, South African officials were at pains to indicate that a legitimate government requested the intervention. On the other hand, the significance of this intervention was its lack of reference to international law on interventions and the use of force. In fact both South African and Lesotho officials were inconsistent about which relevant provisions of the UN charter were consulted.[55] It was this unilateralism that has defeated the smooth operation of the OPDS. In fact, Nathan argued further that,

> the SADC decision to not allow coups in the region had in fact been a proposal from the ISDSC to the SADC Summit; the proposal had included the proviso that UN, OAU and SADC approval be obtained prior to any military intervention; the Summit had neither endorsed the ISDSC's proposal nor authorised military action in Lesotho; and, in the absence of Summit approval, the decision by the two neighbouring states to launch the operation was inconsistent with SADC's decision-making rules.[56]

This operation highlighted the absence of agreed rules and also complexity in decision-making within the Organ when it comes to legal, military and political matters for undertaking collective enforcement action by the institution.

Institutional Confusion

For the first time since its inception, "SADC showed signs of severe stress when South Africa and Zimbabwe were at loggerheads over how best to address Southern Africa's security challenges".[57] Member states soon began to confuse the role of the Organ as an institution by equating it with that of SADC. They forgot that like other sectors, which were accountable to the Summit, the Organ as well is in fact a creature of the Summit[58]. It also used the Inter-State Defence and Security Committee (ISDSC) of the disbanded

Front Line States as its institutional memory and ad hoc secretariat. The ISDSC was therefore declared to be an institution of the Organ. Therefore, according to Pitso,[59] the ISDSC, even though it has no permanent structure, comprises Ministerial Council and three Sub-committees, on Defence, Security and Intelligence respectively. Subordinate to the Defence Sub-committee are three functional committees: the Operations Sub-committee, the Standing Maritime Committee and the Standing Aviation Committee. The Operations Sub-committee, in turn, consists of structures focussing on (military) intelligence, logistics, personnel, communications, legal affairs, chaplaincy, and medical affairs[60].In terms of decision-making, the Summit remains the supreme decision making body in this regard. Both Organs are accountable to the community and as such do not enjoy autonomy. Therefore, they form part of their regional structure.[61]

SADC Organ until recently has been functioning independently under the chairmanship of President Robert Mugabe. He had chaired the Organ since its inception in 1996 in Botswana. This was "to fill the void left after the Frontline States dissolved in 1994"[62] and the longest serving statesman was elected by the Summit to fill this position. The Zimbabwean Ministry of Foreign Affairs also administered the Organ on behalf of SADC.

The Emergence of the Impasse

The relationship of the Organ within the whole SADC has always been complex. This was as a consequence of the current disagreements between SA and Zimbabwe. The fact that SADC members agreed that the Organ should operate at the summit level created more problems than was anticipated. This major problem of SADC was that it became split in two

areas. That is the security leg and the socio-economic leg. Therefore, Breytenbach argued that, "the chairmanship was to rotate (but never did); the ISDSC became the secretariat (separate from the SADC secretariat in Gaborone). A summit was introduced (mandated) in the communiqué, but a second summit within SADC was not sanctioned by the SADC Treaty of 1992"[63].

The 1996 protocol emphatically emphasised that OPDS shall operate at the Summit level, independent from other structures. This presupposes that SADC had two Chairpersons, one for SADC as a regional body and the other for the Organ[64]. This simmering tension came to the public domain in the heated 1997 Summit whereby the South African President Mandela threatened to resign the SADC chair. He was vehemently opposed to Mugabe's monopoly of the Organ, which he wanted to chair indefinitely. The dispute revolved around the implementation of Gaborone Protocol which "reads that the Organ shall 'function independently' from other SADC structures".[65] It also argued that the Organ should report to the Summit. It was this section of the communiqué, which confused Zimbabwe completely. For instance, "Zimbabwe, the chair of SADC Organ since it was established, interpreted this to mean that the SADC Organ should function totally independent of SADC proper".[66] Therefore, Zimbabwe argued that it should be an independent institution capable of holding its own Summits separate from those of SADC.[67]

For Zimbabwe the Organs should operate separately but parallel to the body in accordance with the 1996 Summit, which established the Organ. Mugabe argued that SADC was donor-funded body, which was susceptible to foreign

influence.[68] Zimbabwe argued further that members of the Organ are also members of the SADC and it would be improper for members of the OPDS to report to the SADC Summit while all were both members of this body.[69]

The impasse between President Mandela and President Mugabe indicted that Organ/SADC relations were very complicated. According to Mugabe the Organ operates independently from SADC while Mandela took a different view as the Chair of SADC. In actual fact, "Pretoria argued that issues of politics, defence and security were too sensitive and important to be effectively left to one member state"[70]. Therefore, "any fears about the separate SADC Organ Summit being abused by the SADC Organ Chairman are unfounded",[71] because decision chains as envisaged by SADC Gaborone Communiqué mostly relating to interstate issues cannot be unilaterally taken without consultation with all member states of SADC. In terms of the SADC Organ, the Chairman of SADC must first consult the Troika whose decision must be endorsed by the Summit.

Consequences of the Impasse

These differing views have important policy implications. Under these circumstances, who makes policy regarding interventions? Can policy be formulated where both chairs hold diametrically different positions?[72] This impasse precipitated one of the most fundamental failures of the Organ on Politics Defence and Security[73]. The Organ has not been able to mount an operation on its own or under SADC support. However, the two interventions in the DRC and Lesotho were alleged to have been conducted under the auspices of SADC. This raises a lot of legitimacy questions. These questions

lead us to conclude that the Organ was not operational during these interventions.

The Resolution of the Impasse

In order to address these differences relating to Organ relations with SADC, member states devised a new strategy of resolving this conflict. It was on the basis of the above challenges that SADC adopted a new thinking. This approach necessitated member states to delegate Swaziland to review OPDS and make necessary recommendations to the SADC Summit[74]. Zacarias argued that even though there have been several claims that certain activities have taken place within the OPDS, this argument lacks credence because they were ad hoc agreements taken between Senior Officials of member states acting outside SADC[75]. As a departure from the then existing structure and in order to ameliorate divisions within SADC major powers therefore,

> the leaders decided that OPDS would not be accountable to the chair country of the structure but to the heads of states and government. The OPDS will be integrated in the SADC structures but coordinated at the summit level, and it will rotate on an annual and troika basis reporting to the chair person of the summit.[76]

Furthermore, another structure was established which will regulate the functions and operations of the OPDS. This was a new protocol on Politics Defence and Security Co-operation. The decision of this Summit heralded and affirmed regional commitment towards collective security and collective accountability. This decision was adopted and ratified at Malawi, Blantyre in August 2001. The OPDS was placed firmly under SADC and the Organ was now called Organ on Politics, Defence and Security Cooperation (OPDSC).[77] According to this treaty "the OPDSC will operate on a troika basis, with the troika members to be selected by the Summit. However, the chairperson of the Summit cannot at the same time have the chair of the SADC summit".[78]

Different Levels of Development

When Southern African countries formed SADC, they were all at different levels of development. They became aware that economic development

cannot be achieved or even sustained unless there is "peace, stability and concomitant move towards democracy - part and parcel of an approach to emancipate the market, increase trade and reduce trade barriers within the region".[79] Nevertheless, this reality has complicated relations between SADC countries.

Tense relations over the mechanics of the OPDS were also exacerbated by political and economic strains. This tension came almost to the boiling point when several member states even accused South Africa of pursuing selfish and inimical economic and inhospitable migration policies.[80] Some member states have become very sceptical about each other's actions, more especially regarding economic management and levels of democratisation.

These embedded tensions came to the fore in 1994 after South Africa became the newest member of SADC. Some members notably Zimbabwe, Angola and Namibia became even more suspicious of SA. This came as no surprise because some SADC members are among "the poorest nations in the world, with a declining share in the global economic product-a paltry 0, 58 percent in 1993, or 0, 13 percent without South Africa's input".[81] It was not surprising that some of these countries viewed SA as pursuing inimical policies. Therefore, SA as an economic and military power in the region has raised more concerns to some of these countries. It was as a result of these tensions that some countries supported Zimbabwean intervention in the DRC while others remained opposed, and supported SA diplomatic approach.

In terms of trade, SADC members fear fair competition with SA. In fact their economies cannot even compete with that of South Africa. Trade has become a major foreign policy concern in the region. South Africa was accused by its neighbours of not allowing access to its market. Among the countries, which were most vocal, were Zambia, Zimbabwe and Mauritius. These countries

were "complaining about South Africa's positive trade balance with the rest of the region and alleging unfair trade practices by South African businesses in cooperation with the government."[82] This conflict reflects lack of confidence and trust between member states. Therefore, it has serious implications for the SADC Organ to operate efficiently and effectively. Member states must have confidence and trust in order to graft a common defence policy, which will be implemented impartially by the OPDS. While these suspicions remain, the goal is nevertheless, difficult to achieve.

However, the trade disputes spread to Zimbabwe. For instance, in March 1997, "the cement war occurred between Zambia and Zimbabwe, after Zimbabwe unilaterally increased the import duty on cement from Zambia."[83]

The impact of these actions affects SADC directly because mutual trust and confidence is critical for OPDS to work within the region with member states. The Organ cannot function properly under the environment of mistrust and lack of confidence among member states.

The 1996 SADC Finance and Investment report, which was produced for SADC by South Africa, accentuated these suspicions between South Africa and Zimbabwe. The report alleged that

> "Zimbabwe's GDP in 1995 had declined by 10 percent-an allegation that was untrue…A formal apology was delivered to Zimbabwean government the next day by South African foreign minister Alfred Nzo, South African Finance Minister Chris Liebenberg, and SADC executive secretary Kaire Mbuende."[84]

An enquiry into these events was launched and further apology was demanded and South Africa had to deliver it once again. For the Zimbabwean Foreign Ministry, the above distortions of facts were nothing but a conspiracy meant to undermine both SADC and Zimbabwe.

These events have contributed to declining confidence levels within SADC member states and consequently have affected the Organ operations. If members of the region view each other with so much suspicion they cannot work closely on sensitive military issues. This mistrust led to the April 1999, "Zimbabwe, Namibia, Angola and the DRC concluding a Defence Treaty without official notice to SADC."[85] This treaty provided that an attack on one of the signatories would be regarded as an attack to all. The treaty also affirmed that they would train together and conduct their own collective operations. It has been this treaty, which among other factors contributed to the failure of the Organ.

Conclusion

We can safely conclude that the Organ was not well equipt to address the above challenges. It has been difficult to see how the Organ can work effectively and efficiently among countries which are at different levels of development. In such a situation suspicions and jealousies and led alone confidence levels provide a challenging prospect. It was for these reasons that these countries were unable to develop similar foreign policy conception and a unified strategy of ending conflicts. These countries could not agree, as demonstrated above, they cannot develop consensus on crucial policies and lack political will to do so. It was for these reasons that the noble goal of establishing OPDS to address new challenges were not successful.

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Notes

[2] SADC Organ on Politics, Defence and Security , in http://www.iss.co.za/AF/RegOrg/unity_to_union/pdfs/sadc/1Protocol_on_Defence_Organ.pdf.

[3] Jakkie Cilliers, "The SADC Organ For Defence, Politics and security," in Institute for Defence Policy Papers, No10, (October 1996),

[4] Jakkie Cilliers, http:///www.iss.co.za/PUBS? monographs? No43/Contents.html, 14.

[5] The first workshop which recommended establishment of SADC Organ on politics, Defence and security was held at Windhoek from 11 to 16 July 1994. This workshop was known as workshop on Democracy, Peace and Security. The workshop set SADC on a course towards involvement in security co-ordination, conflict mediation, and even military co-operation at the state level. The recommendation was then passed to the Council of Ministers meeting in Botswana. However, the meeting decided to establish a wing for conflict mediation and prevention, as opposed to a sector. The breakthrough came on the 3rd March 1995 when SADC Foreign Ministers recommended the creation of Association of Southern African States (ASAS), under Chapter 7, Article 21 (3) (g) of the SADC Treaty. It was envisaged that ASAS would incorporate two specialized SADC sectors, one dealing with political affairs and the other with military security. By launching the establishment of the OPDS, these leaders made a strong statement to the world about their commitment to principle of regionalism and democratization.

[6] They vowed to settle their internal problems through negotiations and consensus. In doing this the Heads of states and government committed themselves to the promotion of peace through working together, assisting each other to create political stability in their countries. They envisaged that all things being equal, the Organ would for all intents and purposes address most of their democratic transition challenges.

[7] SADC Organ on Politics, Defence and Security , in http://www.iss.co.za/AF/RegOrg/unity_to_union/pdfs/sadc/1Protocol_on_Defence_Organ.pdf. For instance section 1 illustrated that the Organ shall be an institution of SADC and shall report to the Summit. This means that the Organ

is accountable to the Summit for its entire operations. In order to fulfil the above role, the Organ according to section 2 of the same Article, shall have its chairperson, the Troika, a Ministerial Committee, an Inter-State Politics and Diplomacy Committee (ISPDC), an Inter-State Defence and Security Committee (ISDSC) and such other sub-structures as may be established by any of the Ministerial committees. Section 3 of this Article, argues that the Troika shall consist of the Chairperson of the Troika, the incoming Chairperson who shall become Deputy Chairperson of the Organ and the outgoing Chairperson. This structure offers the advantage of guaranteeing continuity, as the troika presiding over SADC remained uncharged for three consecutive years. This arrangement provides harmonisation of security policies. The OPD will be integrated in the SADC structures but coordinated at the Summit level, and will rotate on an annual and troika basis reporting to the chairperson of the Summit. These bureaucratic institutions were geared towards making the Organ more effective and efficient in carrying out its functions. The Protocol goes further in Articles 4 to 9 to describe how the above structure would be operationalised.

[8]SADC Organ on Politics, Defence and Security, op cit. In terms of OPDS jurisdiction, Article 11 section two (2) of the protocol, stated that 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 a conflict over territorial boundaries or natural resources. It may also include a conflict in which an act of aggression or other form of military force has occurred or been threatened. This conflict shall also involve 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. 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 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. Furthermore, a military coup or other threat to the legitimate authority of a State, a condition of civil war or resurgency, and a conflict which threatens peace and security in the region or in the territory of another state

Party. Subsection (c) of this section argued that the Organ in executing all these functions must do so in consultation with the United Nations Security Council and the Central Organ of the African Unity Mechanism for Conflict Prevention, Management and Resolution. The Organ may also offer to mediate in a significant inter-or intra-state conflict that occurs outside the region. Like any international organisation, OPDS must adopt certain methods and procedures that will assist in the implementation of these obligations. According to section three (3) of Article 11, these methods employed by the Organ are envisaged to prevent, manage and resolve conflict by peaceful means. They shall include but not be limited to preventative diplomacy, negotiations, conciliation, mediation, good offices, arbitration and adjudication by an international tribunal. This section goes further to state that the Organ shall establish an early warning system in order to facilitate timeous action to prevent the outbreak and escalation of conflict. Where peaceful means of resolving a conflict are unsuccessful, the Chairperson acting on the advice of the Ministerial Committee may recommend to the Summit that enforcement action be taken against one or more of the disputant parties. 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, i.e. with the authorization of the Security Council. Therefore, 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. The OPDS in its quest to execute its mandate of conflict management and prevention must follow procedures, which are contained in Article 11 section four (4). They stated that, in respect of both inter-and intra-state conflicts, the Organ shall seek to obtain the consent of the disputant parties to its peacemaking efforts. The Chairperson, in consultation with the other members of the troika, may table any significant conflict for discussion in the Organ. According to this subsection therefore, 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; the Chairperson shall meet such requests expeditiously. Similarly, the Organ shall respond to a request by a State Party to mediate in a conflict within the territory of that state and shall endeavour by

diplomatic means to obtain such request where it is not forthcoming. Finally, and in accordance with Article 11 section 4 (e), the exercise of the right of individual or collective self-defence shall be immediately reported to the Security Council and to the Central Organ of the African Unity Mechanism for Conflict Prevention, Management and Resolution.

[9] Laurie Nathan, (2002) "Organ Failure": A Review of the SADC Organ on Politics, Defence and Security: In Regional Integration for Conflict Prevention and Peace Building in Africa; ed. Laakso Liisa (Regional Integration for Conflict Prevention and peace Building in Africa, Europe, SADC and ECOWAS. University of Helsinki, Department of Political Science 2002), 62-102.

[10] M. Baregu, "Preventive Diplomacy and Peace-Building in Southern Africa", SARIPS Peace and Security Series 2, Harare, Zimbabwe, 1999: 73-75. This is because they are geared towards protection of human rights and serve as guiding principles for the Organ as they seek to;

❖   Protect the people and safeguard the development of the region against instability arising from the breakdown of law and order, intra-state conflict, interstate conflict and aggression;

❖   Promote political co-operation among the member states and the evolving common political value system and institutions;

❖   Develop a common foreign policy in areas of mutual concern and interest and lobbying as a region on issues of common interest in international fora;

❖   Promote regional co-ordination and co-operation on matters related to security and defence and establish appropriate mechanism of conflict prevention, management, and resolution to this end;

❖   Prevent, contain and resolve inter and intra-state conflict by peaceful means and through mediating inter-and intrastate disputes;

❖   Use preventative diplomacy to pre-empt conflict in the region, both within and between states, through an early warning systems and consider enforcement action in accordance with international law and as a matter of last resort where peaceful means have failed;

❖ Promoting and enhancing the development of democratic institution 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 UN and OAU;

❖ Developing a collective security capacity and concluding a mutual defence pact for responding to external military threats, and building up regional peacekeeping capacity within national armies that could be called on to act within the region and elsewhere;

❖ Develop close co-operation between the police and state security services of the States Parties in order to address cross-border crime as well as promoting a community based approach to domestic security;

❖ Observe, and encourage the State Parties to implement, United Nations and African Union and other international conventions and treaties on arms control, disarmament and peaceful relations between states;

❖ Develop the peace-keeping capacity of national defence forces and co-ordinate the participation of the State Parties in peace-keeping operations; and

❖ Enhance regional capacity in respect of disaster management and co-ordination of international humanitarian assistance and also address conflicts outside the region that affect peace and security in Southern Africa.

[11] The SADC Communiqué on the Summit of Heads of States and Governments of the Southern African Community (SADC) met in Gaborone, the Republic of Botswana, on 28th June 1996, under the Chairmanship of His Excellency, Sir Ketumile Masire, president of the Republic of Botswana, to launch the SADC Organ on Politics, Defence and Security.

[12] Coning Cendric de, "A new Lease of Life for the SADC Organ", in Conflict Trends-No.4/1999, Southern African Development Community; In http://www.accord.org.za/web.nsf/0/89cf608dc3288fc542256a14002f810?OpenDocument (accessed 2003/08/06).

[13] These hard-earned achievements have provided a firm foundation without which any attempt at building a regional security and defence community would have definitely failed.

[14] Blue Hungwe was, at best, a multinational joint field training exercise in the tactics and techniques of UN peacekeeping, such as patrolling, observation, convoy escort and negotiation.

[15] Ibid. This operation, which was the first to be mounted by the OPDS under the chairmanship of Zimbabwe, proved a major success for the security of the region. The first tangible evidence of regional cooperation for peace operations was presented when the Zimbabwe Defence Forces in conjunction with the British Government took the initiative in hosting a regional battalion-level peace operations field exercise from 1-20 April 1997. It involved a combined total of some 1 400 members of the armed forces of ten of the twelve SADC countries, as well as civilian police observers and international humanitarian NGOs and agencies. The troop contributions varied from 400 Zimbabweans and 300 South Africans to one or two observers from Botswana and Zambia.

[16] LETTER FROM THE PRESIDENT ANC Today Joint Statement on ANC-Cosatu bilateral meeting, 12 January 2002 in http://www.anc.org.za/ancdocs/pr/2002/pr0112.html Volume 2, No. 3.

[17] Anthoni Van Nieuwkerk "Regionalism into Globalism? War into Peace? SADC and Ecowas Compared" in African Security Review, Vol.10 No.2 (2001), 14.

[18] Ibid.

[19] Paul, S. Orogun, "Crisis of Government, Ethnic Schisms, Civil war, and Regional Destabilization of the democratic Republic of the Congo" World Affairs Vol. 165 (Summer 2002), 25-41.

[20] Nevertheless, the involvement of SADC countries in this civil war outside the SADC mandate created a major challenge to the Organ itself. While the Chairperson of OPDS (Zimbabwe) claimed that they were conducting a peacekeeping role in the DRC, their actions did not support this claim. Firstly, there was no written agreement between the warring forces, which necessitated SADC peacekeeping forces. Secondly, the intervention was not conducted according to 1996 protocol of OPDS. Therefore, their peacekeeping role was not even sanctioned by SADC or the Summit itself which is the highest decision making body. The argument goes that it was not

feasible for Zimbabwe, to defy SADC, its citizens and the International Community by dispatching over 11000 army personnel out of its 30,000 strong army if it was not benefiting from the whole exercise.

[21] Ibid, 37. This intervention was therefore, driven by strict economic interests of the elite. Several media houses such as the Financial Times have provided an in-depth analysis of the Zimbabwean motivation to intervene in the DRC. The scope and magnitude of Zimbabwean economic interests have been considerable. Rather than Zimbabwean intervention being on political imperatives of rescuing another SADC member state, the results were on the contrary. The intervention strongly manifests empirical overtones of economic interests.

[22] The takeovers of Geca mines (by Zimbabweans operator Billy Rautenback) and oil reserves by Angolans as compensation for Kabila's debts to these countries were cases in point.

[23] Ibid, 36.

[24] From the 2nd August 1998, Angola had been supplying military weapons to the besieged Kabila government. It used its air power and troops to repel rebels from reaching Kinshasa and overthrowing Kabila's regime. Angola saw the toppling of Kabila by the Tutsi alliance as a direct threat to its security interests, since it believed that UNITA was going to have access to the DRC bases that might enable it to launch fresh attacks

[25] Paul S. Orogun, op cit, 35.

[26] In like manner, it was more desirable to have a regime in Congo, which was friendly to the Angolan government. Kabila was identified as a genuine ally of Angola. It was in MPLA's (Popular Movement for the Liberation of Angola) interest to have Kabila in power in order to deny UNITA this tactical advantage. The Angolan elite wanted to protect Angolan security interests, hence their involvement in this war. It was for this reason that they ignored to request SADC authorisation.

[27] Sehoai Santho, "Conflict Management and Post- Conflict Peace Building in Lesotho. In Crisis in Lesotho: The Challenges of Managing Conflict in Southern Africa", Lambrechts Kato Foundation for Global Dialogue. ed. Series No2. (1999), 11-13.

[28] Ibid.

[29] Unfortunately, this did not happen. Instead, it was alleged that the report must be presented before Heads of Southern African Development Community (SADC) state meeting in Mauritius. It was not clear whether the report was finally presented at this summit. Rumours were rife in Lesotho that the report was being "Doctored" and its findings manipulated in favour of the ruling party, before it was presented to all parties.

[30] They first went to the northern part of the country, the Katse Dam, where they shelled members of the Lesotho Defence Force guarding this strategic Dam which stored water enroute to the South African industrial heartland. Operation "Boleas," as it was called, then moved down to Maseru to handle the ongoing anarchy that was taking place. It is also worth noting that the Botswana Defence Force (BDF) arrived late on the second day of the operation.

[31] They argued further that SA cannot allow a democratically elected government within its borders to be toppled by unconstitutional means.

[32] Roger Southall, (1999). "Is Lesotho South African's Tenth Province? In Crisis in Lesotho: The Challenges of Managing Conflict in Southern Africa", in Lambrechts Kato, Foundation for Global Dialogue. ed. Series No2. (1999),19-26. Katse Dam is part of a massive Lesotho Highlands Water project whereby Lesotho would divert water from its mountain to slake the industrial thirst of Gauteng in exchange for substantial revenue, which could underwrite the financial base of its government. The South African government paid for this project and both SA and Lesotho stood to benefit. But, it is clear that the RSA is the primary beneficiary rather than Lesotho.

[33] The Highlands water project formed the main element of South Africa national interest. It was rational for SA to first secure the Dam before quelling the anarchy.

[34] Lambrechts Kato (ed) Foundation for Global Dialogue. Series No2. (1999), 28.

[35] See both Khabele Matlosa, "The Lesotho Conflict: Major Causes and Management. In Crisis in Lesotho: The Challenges of Managing Conflict in Southern Africa", in Lambrechts Kato ed. Foundation for Global Dialogue.

Series No2. (1999) 6-11. And Laurie Nathan, "Peacekeeping in South Africa. In Crisis in Lesotho: The Challenges of Managing Conflict in Southern Africa", in Lambrechts Kato ed. Foundation for Global Dialogue, Series No2. (1999) 4-6. SA decided to intervene to protect these interests. Realist theory teaches us that where state interests are concerned, issues of morality are not considered. According to realist theory, when states pursue their interests they may disregard international law in pursuit of their own interest.

[36] Lambrechts Kato (ed) Foundation for Global Dialogue. Series No2. (1999), 27.

[37] Ibid, 27.

[38] Francis Kornegay and Simon Chestrman" Southern Africa's Evolving Security Architecture: Problems and Prospects" in Proceedings of a conference in Program on Developing Regional and Sub-Regional Security Mechanisms in Africa: Held by International Peace Academy in Partnership with the African Renaissance Institute the Southern African Regional Institute for Policy Studies and the Department of International Relations, University of the Witwatersrand. 11-13 December 2000, Gaborone, Botswana, 4.

[39] Tandeka C. Nkiwane, "The Quest for Good Governance," in Christopher Landsberg and Mwesiga Baregu, From Cape to Congo: Southern Africa's Evolving Security Challenges; A project of the International Peace Academy, ed. (London: Lynner Rienner Publishers 2003). It was during this confusion that the Organ was not able to arrest the ensuing instability in both the DRC and Lesotho. Member states were jealous about each other's economic successes and consequently became suspicious of each other. Therefore, it became difficult for members to deal with sensitive security matters while they lack confidence between themselves.

[40] Christopher Landsberg and Mwesiga Baregu, From Cape to Congo: Southern Africa's Evolving Security Challenges; A project of the International Peace Academy, ed. (London: Lynne Rienner Publishers 2003), 8.

[41] Ibid. OPDS was intended to be flexible to be able to defuse and pre-empt potential conflicts. As an institutional mechanism of conflict management, it was designed to be efficient and effective in addressing these conflicts. Unfortunately this was not to be the case. OPDS is yet to achieve its

objectives, which have not been operationalised fully to date. The lack of political will among the parties has led to delays in the implementation of the 1996 protocol. This has made it difficult for the Organ to operate as an institution able to achieve its goals without hindrance from member states. [42] It has become difficult to operationalise these principles in the absence of consensus and political will within the member states. One major advantage that the European Community had from the beginning was the political will and consensus on how to prevent future European wars.

[43] Ibid, 7.

[44] When Zaire became DRC under President Laurent Kabila, the country joined SADC. Kabila who won power after waging guerrilla warfare was backed by Zimbabwe, Angola and Namibia. The attainment of SADC membership by the DRC made it easier for these countries to come to Kabila assistance whenever his country was threatened. This happened in August 1998 when these countries intervened in the DRC to dislodge rebels who were threatening to topple the government.

[45] This culminated in the failure of these countries to have a new SADC Executive Secretary nominated from either of their countries. Instead, a compromise candidate was nominated from Mauritius.

[46] Ali B. Ali-Dinar, DRC: Zimbabwean, Angolan troops arrive to back Kabila 1998.8.21, in http:/www.reliefweb.int/

[47] Ibid, 1.

[48] In fact Mugabe's strategy, according to regional analysts, was to improve Kabila's bargaining position for negotiations that were hampered by the rebel captures of large areas of the DRC. This move to help Kabila at all costs by Mugabe and others appeared to have split SADC member states.

[49] Ibid, 2-4

[50] Christopher Landsberg and Mwesiga Baregu, From Cape to Congo: Southern Africa's Evolving Security Challenges; A project of the International Peace Academy, ed. (London: Lynner Rienner Publishers 2003), 7.

[51] Ibid.

[52] Nathan, Laurie (2002) "Organ Failure": A Review of the SADC Organ on Politics, Defence and Security: In Regional Integration for Conflict Prevention

and Peace Building in Africa; ed. Laakso Liisa (Regional Integration for Conflict Prevention and peace Building in Africa, Europe, SADC and ECOWAS. University of Helsinki, Department of Political Science 2002), 62-102.

[53] John Seiler, 'SA cannot Justify Lesotho Invasion' Sowetan, Monday October 26 1998.

[54] Ironically he did not speak with President Robert Mugabe, who was the current head of OPDS. In fact in justifying operating outside the OPDS mechanism, Buthelezi argued that there was no time for further negotiations, because economic coercion and threats of force mounted on Lesotho government leaders, their property and their lives were at risk.

[55] Nathan, Laurie (2002) "Organ Failure": A Review of the SADC Organ on Politics, Defence and Security: In Regional Integration for Conflict Prevention and Peace Building in Africa; ed. Laakso Liisa (Regional Integration for Conflict Prevention and peace Building in Africa, Europe, SADC and ECOWAS. University of Helsinki, Department of Political Science 2002), 62-102.

[56] Ibid, 79.

[57] Ibid, 7.

[58] In the first instance, the prefix SADC that had been attached to the Organ explicitly meant that the Organ is part of SADC. Ever since the Organ was established, it had become the institutional framework of security cooperation within SADC.

[59] Major General G.L. Pitso, " Southern African Regional Security", in http://www.mil.za/CSANDF/CJSupp?TrainingFormation/DefenceCollege?Researchpapers... (accessed 2003/08/06)

[60] Initially, the Organ was expected to report directly to SADC Heads of State Summit, which is the supreme policy-making body of SADC in terms of its 1992 Treaty. However, the protocol through which the Organ was established departed from this provision of the Treaty. Contrary to the spirit of the July 1994 conference in Windhoek, the Organ operates at Summit, Ministerial and technical levels with its own chair and functions independently from other SADC structures. However, it is also important to look at the decision-making

apparatus and compare these processes with other Organs. While this may not be a new feature for a growing Organ, which still has to find its place within the region, it is fair to argue that it shares several institutional similarities with other security Organs of this nature. For instance, when compared with other regional Organs in Africa, OPDS shares most similarities with the ECOWAS.

[61] Breytenbach Willie, "Democracy in the SADC Region: A Comparative Overview" in African Security Review Vol.11, No4. (2002) 87-102.

[62] SADC to 'Wrest Security Organ from Mugabe' the Zimbabwe Independence 10, 2001, in

http://www.mdczimbabwe.com/archivemat/other/regional/zimind010810sadctxt.htm 2003/08/06

[63] Breytenbach Willie, "Democracy in the SADC Region: A Comparative Overview" in African Security Review Vol.11, No4. (2002) 86.

[64] The justification of this structural conflict between the Organ and the Summit by having two Chairpersons was that the Organ required an ad hoc flexible approach in order to respond expeditiously to regional conflicts. The tradition has been that SADC discusses political issues at the regional level and the creation of another Chairperson was seen as a duplication of effort that might create unnecessary tensions and operational problems. South Africa was vocal in indicating that SADC was not meant to have two Chairpersons. To suggest that an Organ like SADC be chaired by a different Chairperson and also OPDS was to bring unnecessary competition and undue organisational rivalries with bifurcation of goals between the two Organs. It was also argued that the Chairperson of the Organ should report directly to the SADC Summit and the SADC Chairperson.

[65] Cendric de Coning, "A new Lease of Life for the SADC Organ", in Conflict Trends-No.4/1999.

http://www.accord.org.za/web.nsf/0/89cf608dc3288fc542256a14002f810?OpenDocument (accessed 2003/08/06)

[66] Ibid.

[67] SADC to 'Wrest Security Organ from Mugabe' the Zimbabwe Independence 10, 2001, in

http://www.mdczimbabwe.com/archivemat/other/regional/zimind010810sadctxt.htm 2003/08/06

[68] Breytenbach Willie, "Democracy in the SADC Region: A Comparative Overview" in African Security Review Vol.11, No4. (2002) 86. Mugabe argued that, security was a very sensitive issue, which could not be subordinated to donor influence. He added that there could be too much interference and in any case the Organ needed to be headed by a long serving SADC leader.

[69] Ibid.

[70] SADC to 'Wrest Security Organ from Mugabe' the Zimbabwe Independence 10, 2001, in

http://www.mdczimbabwe.com/archivemat/other/regional/zimind010810sadctxt.htm 2003/08/06 There appears to be no problem for the Organ to be accountable to the chair and SADC Summit because this body is a SADC creation after all. In fact all heads of states make decisions relating to SADC structures including the Organ.

[71] Lieutenant Colonel Asher Walter Tapfumeneyi, "The SADC Organ on Politics, Defence and Security: Interpreting the Decision of the Maputo 1997 SADC Summit", in Accord Occasional Paper; No9/99. 5.

[72] Breytenbach Willie, "Democracy in the SADC Region: A Comparative Overview" in African Security Review Vol.11, No4. (2002) 86.

[73] These tensions also trickled down to the operational level. To the Operational Commanders it was not clear who they should report to: the SADC Chairperson or the Organ's Chairperson? These are difficult questions for mounting any peacekeeping operations. With the impasse around the Organ and SADC it would be very difficult to mount any operation under these circumstances. It has become impossible to determine who should be appointed to lead the operation. Therefore, this impasse has crippled the OPDS completely. It remains a major challenge to see how the Organ shall be operational under the prevailing conditions. It appears that the Organ relations with SADC as a whole have become untenable.

[74] However, in undertaking this task, Swaziland had to work in close consultation with member states. By 2000, member states were engaged in multilateral efforts to break the impasse between SA and Zimbabwe over the

confusion of OPDS functions. They persevered to find appropriate formal mechanisms to operationalise objectives of collective security in the divided region.

[75] Agostinho Zacarias " Redefining Security", in Christopher Landsberg and Mwesiga Baregu, From Cape to Congo: Southern Africa's Evolving Security Challenges; A project of the International Peace Academy, ed. (London: Lynner Rienner Publishers 2003),36.

[76] Ibid, 8.

[77] Ibid, 8. The OPDSC was to have its own structures, which will be served by the SADC secretariat as well. This structure was accorded a mandate to formulate and implement regional security policies.

[78] Ibid, 8. The protocol went further to prescribe functions of the Ministers who will be involved in this protocol. It argued that a Ministerial committee consisting of Ministers responsible for Public Security, or State, Defence, Foreign Affairs and Security would form the membership of OPDSC. Currently, the chairperson of the Organ is Mozambique and Zimbabwe as an outgoing chair and Tanzania as an incoming Deputy chair, both serve as a troika of the OPDSC. This protocol also provided for the establishment of inter-state Politics and Diplomacy Committee (ISPDC), which is composed of all SADC foreign Ministers. It is envisaged that their main functions would be the promotion of diplomacy within the OPDSC, which currently has an elaborate set of defence subcommittees. The protocol also established within Ministers of Public Security the Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO). This structure has a permanent secretariat hosted by Interpol sub- regional Bureau of Southern Africa in Harare. Among others functions the protocol also provides a framework for SADC policies and activities to promote, defend, and consolidate democracy, peace, security and stability. The above confusion was further exacerbated by the perceived differences of development levels within the member states. Thus jealousies arose as some countries saw other economies prospering while their own economies were lacking behind.

[79] Jakkie Cilliers, "The SADC Organ For Defence, Politics and security," in Institute for Defence Policy Papers, No10, (October 1996), 1.

[80] Ibid.

[81] Ibid, 1.

[82] Tandeka C. Nkiwane, "The Quest for Good Governance," in Christopher Landsberg and Mwesiga Baregu, From Cape to Congo: Southern Africa's Evolving Security Challenges; A project of the International Peace Academy, ed. (London: Lynner Rienner Publishers 2003),66.

[83] Ibid, 66.

[84] Ibid, 66.

[85]Nathan, Laurie (2002) "Organ Failure": A Review of the SADC Organ on Politics, Defence and Security: In Regional Integration for Conflict Prevention and Peace Building in Africa; ed. Laakso Liisa
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