CONFLICT MEDIATION IN SOUTHERN AFRICA AND THE EVOLUTION OF INSTITUTIONALISED MEDIATION SUPPORT

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Abstract

Given its core function of maintaining regional peace and stability, the Southern African Development Community (SADC) has gained extensive experience in conflict mediation over the past 30 years. Its mediation initiatives have assumed various forms, corresponding with its growing experience of peace processes and its roles in contexts where multilevel and multilateral negotiations were initiated. Thus SADC mediation efforts have progressed from ad hoc missions that rely heavily on the prestige and influence of serving heads of state to hybrid missions that help the organisation to maintain its presence on the ground. Acceptance of the benefits of mediation has grown, as has the recognition that peace processes require substantial professional support. This has led to the establishment of the SADC Mediation Support Unit (MSU), tasked with assisting the regional organisation to improve its mediation practices. However, political backing of the MSU has wavered, resulting in a poorly resourced and underutilised unit. The MSU's involvement in regional peace processes has further been constrained by SADC's history of assigning peace initiatives to member states that provide their own mediation support. This study finds that member states should be encouraged to make more active use of mediation support. Moreover, mediation support services could be improved by integrating the Mediation, Conflict Prevention, and Preventative Diplomacy structures into regional peace processes.

Introduction

The Southern African Development Community (SADC) has a long history of peacemaking and mediation efforts led by member states. Envoys, mediators and facilitators traditionally relied on ad hoc support drawn from their own countries instead of resources provided by SADC. The idea of consolidating mediation support services into a formal structure – i.e., institutionalising mediation – has gained traction only recently, in the late 2000s. The establishment of a normative capacity and framework for mediation support services, and the formalisation of its use within an organisation are all examples of institutionalisation, which are explored in this study (Immergut 2011:1204; Stenner 2017:9–10).

Mediation support units (MSUs) provide technical and logistical assistance to third parties in mediation processes that request it. In the contexts in which they are established, they tend to develop gradually. Scholars have increasingly recognised the importance of paying close attention to the evolution of mediation support structures, particularly their functions and activities (Whitfield 2015; Hartmann 2013; Odigie 2016; Bustamante & de Carvalho 2020; Pring 2021; Aeby 2021).

However, research on African MSUs is uneven and, in some cases, inconclusive as regards the institutional practices that generate demand and supply for mediation support services across Regional Economic Communities (RECs). This study seeks to fill this gap by examining mediation support structures within the SADC, particularly the extent to which they have been institutionalised. It examines the main trends in SADC's involvement in regional conflicts, the evolution of its MSU, and its participation in mediation processes.

MSUs are designed to assist organisations in improving their mediation practices (Mediation Support Network, n.d.). This can involve a range of activities and can be directed towards mediators in peace processes, the parties to a conflict, and the conflict field as a whole (Lanz et al., 2017:4). Mediation support has also been described as 'activities that assist and improve mediation practices, such as training, guidance, research, networking, and engaging with third parties (Mediation Support Network,

2016). Lehmann-Larsen (2014:3) describes four types of mediation support that organisations can offer to promote preventive diplomacy and assist in mediation across a conflict cycle. The first is facilitating networking and experience-sharing among mediation actors in order to improve relationships and bridge hierarchical or institutional divides. The second is knowledge management and research on the mediation profession, and on substantive issues encountered during peace processes. The third is institutional capacity-building and training. This focuses on improving structures and individual competence in actual mediation processes. It entails developing processes for decision-making, planning, and coordination, standard operating procedures, briefing and debriefing procedures, designing training curricula, and supporting expert networks and human resources. The final component is operational support. It can be provided directly through field deployment (on-site secretariat assistance, deployment of mediation practitioners and technical experts) or indirectly through desk support (ongoing support of mediation practitioners and technical experts).

It is vital to consider how SADC defines and conceptualises mediation and the spectrum of activities it undertakes. Peacemaking organisations use a range of structures and approaches that affect how they work in practice. For example, the United Nations (UN) (2017), which is considered a pioneer in mediation support globally, defines mediation support as "activities aimed at making mediation more effective, including efforts to create an enabling environment for mediation; to support ongoing mediation processes, the implementation of peace agreements, and capacity-building for mediators, conflict parties, and societies at large". In 2006, it established a MSU that is currently located in the Policy and Mediation Division of the Department of Political and Peacebuilding Affairs (DPPA). It was created to provide professional, cross-cutting assistance to 'good office' activities such as preventive diplomacy and conflict resolution. Its activities include operational support for mediation, facilitation, and dialogue processes, strengthening partner mediation capacity, and developing mediation guidance and best practices. A standby team of

mediation experts can be deployed rapidly to provide technical advice to UN officials and others leading mediation and conflict prevention efforts.[1]

The objectives of the African Union (AU) Mediation and Dialogue Division (MDD) provide a detailed explanation of mediation support. The MDD is a new institution established as a result of AU reforms implemented from 2018 onwards. The MSU, which formerly provided mediation support services to AU mediators and AU-led peace initiatives, was consequently incorporated into the MDD (Bustamante and de Carvalho 2020:6). The MDD is housed in the AU's Political Affairs, Peace, and Security Department (PAPS), also formed by the merger of the Peace and Security Department and the Department of Political Affairs. A Secretariat for Special Envoys, High Representatives, the Panel of the Wise and the FemWise-Africa Network was also set up under the MDD to coordinate and assists in the successful execution of their mandates (AU, 2021:80).

The MDD's overall mandate is to strengthen and institutionalise the AU's preventive diplomacy and mediation efforts by establishing a systematic, professional and comprehensive mechanism, offering technical, logistical and operational support to the work of AU-designated mediators and AU-led mediation processes (AU, 2021:80). It aims to "improve the functional capacity and technical expertise of AU mediators, mediation teams, RECs and Regional Mechanisms in planning, deploying, managing, supporting, and monitoring mediation interventions" (AU, 2020:ibid). It further aims to improve the coherence, coordination and complementarity of mediation and mediation support approaches between RECs and the UN. Like other mediation support structures, the MDD manages institutional memory, acting as an institutional repository for mediation knowledge, lessons learnt and best practices.

In contrast, the Economic Community of West African States (ECOWAS) employs the concept of 'mediation facilitation'. This function is carried out by its Mediation Facilitation Division (MFD), which was established in 2015 to "support, coordinate, and monitor mediation efforts by ECOWAS

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1   For a detailed account of the UN MSU and its activities, see United Nations Peacemaker at <https:// peacemaker.un.org/>

institutions and organs, member states and non-state actors, and through joint initiatives", and to "promote preventive diplomacy in the ECOWAS region through mediator competence and skills enhancement, information sharing, and logistical support" (Odigie 2017). It has been upgraded to a directorate within the Department of Political Affairs, Peace and Security.

SADC defines mediation support broadly to include aspects of operational assistance, networking and experience-sharing, knowledge management and research, and institutional capacity-building and training. These functions were first outlined in the 2010 Inception Guidelines, which detail its Mediation, Conflict Prevention, and Preventative Diplomacy Structure (MCPPD). The MCPPD's mandate is outlined in a revised version of the guidelines (SADC 2017). Its stated purpose is to "strengthen SADC's preventative diplomacy, conflict prevention, mediation, and resolution capacity; undertake all actions necessary to facilitate effective conflict mediation; carry out fact-finding missions in situations of potential conflict as directed by the Organ Troika or Summit; assist and advise the Organ Troika and parties in conflict as they prepare for dialogue, negotiation, or mediation" (SADC 2017:4).

The MCPPD is divided into three tiers. The first is a Panel of Elders (PoE) made up of high-profile figures including former heads of state, government ministers, former representatives of international organisations, and other eminent people with the experience needed to undertake preventive diplomacy and mediation efforts. Second is a Mediation Reference Group (MRG), which provides expert advice to SADC envoys and mediators; and third is a Mediation Support Unit, described as a secretariat that supports the other tiers (SADC 2017:6). The MSU is located in the SADC Organ Directorate's Politics and Diplomacy Sector and assists SADC envoys, mediators, and their teams, the PoE and the MRG with logistical, technical, and administrative support (SADC, 2017:11). These three components are supposed to complement each other, and in some respects, their optimal functioning is co-dependent and complementary. The MSU has been operational since November 2014, the MRG since March 2015, and the most recent PoE appointments were made in October 2021.

Differences in MSU mandates across the UN, AU, ECOWAS, and SADC reflect their distinct institutional cultures. Unsurprisingly, there are disparities between the original intentions and motivations for establishing MSUs and how they function in practice. This study analyses the forms that SADC mediation support has taken, and how its MSU has contributed to peace processes. It draws on interviews with SADC mediation experts and officials, conducted between August and December 2022, as well as a literature review. It is structured into three sections. First, it traces the evolution of SADC's mediation efforts and practices, focusing on institutional and operational aspects. Second, it contextualises mediation support by looking at its evolution in general and the MSU specifically. Third, it discusses some of the MSU's involvement in regional peace processes, highlights the difficulties encountered, and concludes with some findings.

An evolution of SADC's mediation practices

Encroachments on state sovereignty – whether real or imagined – remain a contentious issue in southern Africa, due to the history and cost of the region's liberation struggle. This sensitivity to external interventions of the past is evident in the state-centric approach that individual SADC members have tended to adopt to resolving internal conflicts (Van Aardt 1996, Nathan 2009; Khadiagala 2012; Van Nieuwkerk 2013; Matlosa 2017, Aeby 2017). In an expression of political solidarity, SADC countries resolved that managing disputes among themselves would be done peacefully through diplomatic engagement, mediation, and arbitration. But there was no formalised framework for addressing internal political issues like democracy and governance, a factor that later limited the breadth and impact of its efforts. It was only in 2001 that SADC adopted its Protocol on Politics, Defence and Security Cooperation (OPDSC) that became an institutionalised mechanism for political and security cooperation (Nathan 2009:62; Motsamai 2018:14).

The Protocol was a culmination of efforts in the early 1990s to recast political and security cooperation away from a focus on regional destabilisation by South Africa's apartheid regime and proxy Cold Wars,

towards mechanisms for conflict avoidance, management and resolution, and creating a 'non-militaristic security order' not dependent on armed forces and military action (Nathan 2009:56). A ministerial meeting in 1994 then recommended that a Protocol on Peace, Security, and Political Co-operation be drafted and that the following structures be set up: an independent human rights commission, a SADC committee of foreign ministers charged with peace promotion, a SADC committee of defence and security ministers, and a sector on conflict resolution and political co-operation. Representatives of the European Union (EU) and other international donors endorsed and supported this recommendation, offering to fund the sector on conflict resolution and political cooperation (Nathan 2009:ibid).

However, some southern African countries rejected this proposal, proposing instead that an Association of Southern African States (ASAS) be formed as an independent regional forum for security and peacemaking, with an informal and flexible structure (Nathan 2009:59; Motsamai 2018:16–17). This group was led by Zimbabwe. It argued convincingly that the EU and other international partners' interest in funding the proposed conflict resolution and political cooperation sector meant that they wanted to control it and, by extension, dictate the region's political and security agenda (Nathan 2007:60). Then Zimbabwean president, Robert Mugabe, also urged that the ASAS retain the Frontline States tradition of being led on a permanent basis by the region's longest-serving head of state, namely himself. Other countries preferred a rotating chair. In 1996, a compromise was reached and SADC member states – now including South Africa – agreed to form the Organ on Politics, Defence and Security Cooperation (OPDSC). The founding protocol stated that it should operate at the highest level, yet with some degree of autonomy (SADC 1996). Its first chair was Zimbabwe.

Its early years were marked by disagreements among member states over the Organ's autonomy. From 1996 to 2001, Zimbabwe held a five-year monopoly over the Organ, and total control over which conflicts it addressed (Breytenbach 2009:86–8; Nathan 2009:70–3). Intrastate conflicts in the Democratic Republic of the Congo (DRC) and Angola, as

well as political instability in Lesotho, were ongoing at the time. South Africa, which joined SADC after achieving democracy in 1994, was a vocal critic of Zimbabwe's monopoly over the Organ during Nelson Mandela's presidency (1994–9).

At that time, SADC lacked an institutionalised mechanism to guide both diplomatic and military interventions. In theory, interventions had to be approved by all member states. In practice, however, powerful countries went about it unilaterally, driven by their own security and economic interests, though sometimes purporting to do so under the SADC banner (Likoti 1998; Matlosa 2010). The military interventions in DRC and Lesotho reflect the period's controversies and rivalry over mediation and security interventions between South Africa and Botswana on the one hand and Zimbabwe, Angola, and Namibia on the other.

Beginning in the mid-1990s, civil conflicts in Lesotho, Zimbabwe, and Madagascar prompted SADC to appoint member states – effectively their presidents – to facilitate peace in those countries. These conflicts served as the foundational cases that tested the intervention skills of heads of state while also establishing some of the current practices in the demand and supply of mediation support services. This process began in 1994 when presidents Nelson Mandela of South Africa, Ketumile Masire of Botswana and Robert Mugabe of Zimbabwe sent a 17-member fact-finding mission to Lesotho following a military mutiny in that country (Deleglise 2020:142). The governments of these countries, representing SADC, established a conciliation commission to mediate negotiations between the warring parties, resulting in the abdication of King Letsie III and the reinstatement of Prime Minister Ntsu Mokhehle (Selinyane 2006:80).

Following this initial engagement, fact-finding missions and commissions of inquiry became routine. The SADC Secretariat assisted these missions with logistical and administrative support (Key informant interview, September 2022). SADC's intervention in Lesotho continued in 1998, with the formation of a commission of inquiry into the country's contested elections in May, led by a South African judge, Pius Langa. It also comprised election experts from Botswana, South Africa, and Zimbabwe. However, the Langa process was circumvented when, on 22 September,

3 500 SADC peacekeeping troops from Botswana and South Africa were deployed in Lesotho to restore law and order (Molomo 1999:144).

SADC created another commission comprising representatives of Botswana, Mozambique, South Africa and Zimbabwe to facilitate negotiations among political factions, resulting in a 24-member Interim Political Authority that assumed control of the Lesotho government. From 2007 to 2009, SADC resolved another political impasse over Lesotho's election results by dispatching a fact-finding mission comprising the SADC Organ Troika ministers to assess the situation on the ground (SADC 2007:2). The mission recommended that the government initiate dialogue with opposition parties. It appointed Sir Ketumile Masire, a former president of Botswana, as its facilitator. This drew elder statesmen into the fray of mediation in southern Africa, a trend that had already begun elsewhere in Africa.[2]

SADC elected another elder statesman, the former Mozambican president Joachim Chissano, to mediate in Madagascar following the ousting of elected president Marc Ravalomanana by Andry Rajoelina in March 2009. Both SADC and the AU suspended Madagascar's membership shortly after Rajoelina took power and formed a High Transitional Authority (HTA). Reflecting the need to anchor the mediation in broader international frameworks, Chissano led a Joint Mediation Team comprising the UN, the AU, and the International Organisation of the Francophonie (IOF). In September 2009, the mediators convinced the parties to sign the Maputo Political Agreement, establishing a Government of National Unity (GNU) that would pave the way for a return to constitutional order (Ploch & Cook 2012; Nathan 2013).

Following a two-year failure to implement the Maputo Agreement, SADC launched new talks in 2011 to break the impasse. Former Mozambican foreign affairs minister Leonardo Simão assisted Chissano on the Joint

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2   For an excellent analysis of the institution of elder statespersons and how they supplement state and regional mediators, see Khadiagala, G.M. (2018). "The Conflict-Mediation Role of Elder Statespersons," in Tieku, T. & Coleman, K. (eds), African Actors in International Security: Shaping Contemporary Norms. Boulder: Lynne Rienner.

Mediation Team. They relied heavily on their support teams, reporting directly to the SADC Organ and the Summit (Key Informant Interviews, September 2022). The mediation team eventually produced a road map for ending the crisis, which included the establishment of transitional institutions, a framework for elections, and international mechanisms to support the implementation of the agreement (McNeish 2011). But it was rejected by key political players, a development attributed in part to a lack of internal oversight capacity and a breakdown in communication between the SADC Secretariat and the Chissano mediation team (see Nibishaka 2012; Christie 2011; Cawthra 2010).

With the negotiations needing more pressure from SADC heads of state, Chissano's team became less relevant. Thus, in September 2011, SADC dispatched a high-level team of South African, Tanzanian, and Zambian ministers to pressure Rajoelina into signing the amended roadmap (SADC 2011). It also set up a SADC Liaison Office in its capital Antananarivo, led by a South African diplomat, and staffed by experts seconded from SADC member states (one each from Namibia and Zambia, and two each from Angola and Tanzania) and local personnel (Key Informant Interview, September 2022). The Liaison Office was a reference point for the Malagasy political formations to implement the roadmap, as it was for SADC to closely monitor its implementation. Further interventions by SADC and South Africa's then president, Jacob Zuma, in 2012 and 2013 led to the final implementation of the roadmap following the election of a new president in December 2013 (International Crisis Group 2014).

Except for the Masire and Chissano missions, all SADC's mediation efforts have been led by member states. SADC's management of Zimbabwe's complex crises from 2001 to 2013 again provides a good example.[3] The violent and disorderly way in which the Zimbabwe African National Union – Patriotic Front (ZANU PF)-led government in Zimbabwe implemented its Fast Track Land Reform Programme (FTLRP) prompted SADC to convene a summit in 2001, announcing the establishment of a

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3   For a thorough coverage of Zimbabwe's multiple crises from the late 1990s, see Raftopoulos 2009 and Zondi 2011.

task force comprising Botswana, Mozambique, and South Africa to "work with the Government of Zimbabwe on the economic and political issues affecting it" (SADC 2001). South Africa's president at the time, Thabo Mbeki, engaged Mugabe in dialogue in 2001, working with the Nigerian president, Olusegun Obasanjo, as the Commonwealth envoy to bring ZANU PF and the opposition Movement for Democratic Change (MDC) to the negotiating table. However, SADC's initiatives collapsed due to a combination of factors, including Mugabe's violent pursuit of the FTLRP (Hoekman 2012; Ndlovu-Gatsheni 2013) and South Africa's inability to steer Zimbabwe's president down a democratic path.

In 2007, SADC reappointed Mbeki to mediate between the country's political parties. The period, however, was marked by massive state-controlled violence (Raftopoulos 2013:11), exposing the shortcomings of state-led mediation as well as differences among SADC countries on how to handle the Zimbabwean crisis. Nonetheless, South Africa continued to lead regional peace processes, prioritising mediation (Nhlapo & Mokwele 2020:111). Mbeki had established his own (private) bureaucracy for managing his 'quiet diplomacy' to the Zimbabwean matter (Key Informant Interview, August 2022). When, in 2008, President Jacob Zuma took over the task of implementing the Global Political Agreement Mbeki had facilitated, he appointed his own advisers in the form of Lindiwe Zulu, Mac Maharaj and Charles Ngqakula (Ndlovu-Gatsheni 2013:163), with technical assistance from the South African Department of International Relations and Co-operation (DIRCO).

SADC's missions in Lesotho from 2014 to 2018 further demonstrate the organisation's preference for state-led mediation missions that largely provided their own support services. In this period, SADC appointed South Africa's then deputy president, Cyril Ramaphosa, to facilitate its peace process in Lesotho. Like the Zuma-led mediation in Zimbabwe, Ramaphosa was supported by technical and mediation experts from DIRCO. SADC also deployed an observer team known as the SADC Observer Mission in Lesotho (SOMILES), which was made up of police officers and military personnel from various member states (SADC 2015b); it coordinated

with the Ramaphosa mediation effort and oversaw a peaceful election in February 2015.

When in June of that year the country was thrown into another crisis, following the assassination of its army chief, Lieutenant-General Maaparankoe Mahao, South Africa resumed its leadership of the Lesotho peace process. As chair of the Organ, it sent a ministerial fact-finding mission to Lesotho and established an oversight committee to monitor instability (Deleglise 2020:146). SADC then established an independent commission of inquiry into Mahao's death, which was on the ground for several weeks. Following criticism that SADC had failed to oversee the commission's recommendations, a double troika summit in Luanda in 2018 appointed the South African judge Dikgang Moseneke to support Ramaphosa, who had since been elected South African president. Throughout the various stages of Lesotho's peace process, the South African government relied on its own expertise and resources, while the SADC Secretariat provided administrative and logistical support (Key Informant Interview, October 2022). The MSU began to play a more active role from 2017 when the oversight committee became operational, with its role growing from providing administrative and logistical assistance to supporting research and analysis of the different phases of the mission (Key Informant Interview, October 2022).

The evolution of the MSU and revival of the MCPPD

The relative balance of power within SADC, which influenced state-led mediation approaches beginning in the 1990s, gradually reduced the Secretariat's role in peace processes to the point where, when mediation support structures were conceptualised in 2004, they were designed to be streamlined into existing state-led processes (Key Informant Interview, September 2022). That said, there was a parallel desire within SADC to pool resources, 'democratise' mediation, and share the costs and resources involved (Key Informant Interview, September 2022). After 2001, SADC had a more explicit mandate and concrete procedures for mediating conflicts within member states. This was stipulated in its Organ Protocol which states that SADC must prevent, manage and resolve conflict by peaceful

means, which include preventative diplomacy, negotiation, conciliation, mediation; good offices; and arbitration (SADC Organ Protocol Art. 2.2(e); 11.1(b); 11.3(a)). In 2004, the SADC Summit in Mauritius decided to develop the organisation's mediation capacities. However, establishing corresponding structures only returned to the SADC agenda in 2008, when SADC intervened in crises in Zimbabwe, Lesotho and Madagascar.

In 2008, the SADC Ministerial Committee of the Organ (MCO) meeting in Luanda, Angola, directed the Secretariat to develop a Concept Paper on SADC's capacity for Mediation, Conflict Prevention and Preventative Diplomacy (SADC, 2017:1). Between 2008 and 2010, the Secretariat oversaw a drafting process involving regional and UN experts. In August 2010, the MCO approved the resulting conceptual framework for Mediation, Conflict Prevention and Diplomacy, which envisaged the establishment of the PoE, MRG, and MSU. While members of the PoE and MRG were nominated, the MSU's operationalisation was delayed by a lack of funding, which member states were required to provide. SADC eventually launched it in November 2014, through an EU-funded Regional Political Cooperation Programme (RPCP) that began in 2012 and formed part of SADC's 11th European Development Fund (EDF) support. It was located in the Organ Directorate's Politics and Diplomacy Sector, with three officials. Its terms of reference, which was predicated on the contribution agreement with the EDF and the Strategic Indicative Plan for the Organ (SIPO II), eventually included capacity-building in the form of training and the operationalisation of the mediation infrastructure's other components (Aeby 2021:48). However, early operationalisation of the MSU was hindered by the fact that it was dependent on donor funding and, as a temporary donor-funded project, did not have broad political support from SADC decision-makers and officials (Aeby 2021:48–9).

The MSU's reporting lines were split between the Senior Officer of the Politics and Diplomacy Sector, whose portfolio was paid for by the contributions of member states, and the Director of the RPCP, whose portfolio was funded by the EU. The latter had to ensure that the programme complied with the EDF contribution agreement, an issue that affected its status within the Organ, and the level of support it received from officials

and political decision- makers (Aeby 2021; Key Informant Interviews, November 2022). As a result of the RPCP's expiration in 2018 and SADC's decision not to make the necessary funding available to maintain the MSU, the MSU's team and operations were scaled back, halting progress on institutionalisation. SADC then agreed that mediation and early warning were strategic programmes that could only be sponsored by SADC member states (SADC 2021:81).

Revival of the MCPPD

SADC's MCPPD now provides dedicated capacity to bolster mediation and early warning. Its mandate is to strengthen SADC's preventative diplomacy, conflict prevention, mediation and resolution capacity; undertake all actions necessary to facilitate the effective mediation of conflicts; carry out fact-finding missions in situations of potential conflict as directed by the Organ Troika or Summit; assist and advise the Organ Troika and parties in conflict as they prepare for dialogue, negotiation or mediation; and act in response to Organ Troika requests to intervene in conflict situations (SADC 2017a:5).

The PoE's responsibilities mirror these functions and include leading and supporting SADC mediation processes and facilitating confidence-building measures as mandated by the Summit; participating in early warning deployments to potential crises; acting as interlocutors between or among parties during peace processes; and facilitating dialogue and confidence-building. At its August 2022 Summit, SADC heads of state and government appointed five members to the PoE: Dr Jakaya Kikwete, former president of Tanzania (chair); Paramasivum Pillay Vyappory, former vice-president of Mauritius; Dr Joyce Banda, former president of Malawi; Patrick Chinamasa, former minister of finance, justice, and parliamentary affairs in Zimbabwe; and Charles Tibone, a former minister in Botswana. Members of the MRG were first appointed during the SADC Summit in Zimbabwe in August 2014 (SADC, 2015a) but were rarely deployed to support regional peace

processes until 2021, when new appointments were made (Key Informant Interview, August 2022). The MRG provides technical and political advice to the PoE and "may recommend, in certain instances, the initiation of dialogue, preventative diplomacy and mediation efforts in situations of conflict or potential conflict in consultation with the Chairperson of the Organ with the assistance of the Executive Secretary" (SADC 2017a:11). It has nine members from Angola, Botswana, Lesotho, Malawi, Mauritius, Mozambique, Zimbabwe, Namibia and South Africa.[4]

The MSU is intended to provide "dedicated and specialised support to conflict resolution, mediation and preventative diplomacy initiatives undertaken by SADC" (SADC 2017a:17). Its goals include providing professional logistical support and technical backstopping to processes of mediation and preventative diplomacy; deepening skills in dialogue, mediation and preventative diplomacy through appropriate research, information dissemination and collective learning events; ensuring that dialogue, mediation and preventative diplomacy initiatives are supported with timely information derived from comprehensive analysis; and maintaining contact with external professionals that can be called to provide services and technical support (SADC 2017a:17–18). It is also expected to work with the SADC Early Warning Centre to alert the PoE of impending crises.

While the MSU's functions are clear on paper, its activities in practice have been hampered by the fact that the vast majority of peace processes were implemented before it became operational. As illustrated by the cases below, the MSU has fulfilled its responsibilities, with some variations.

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4   Past members include Ambassador O Tebape (Botswana), Ambassador M Leteka (Lesotho); Dr V Gounden (South Africa), Mr A Midzi (Zimbabwe), Mr G Lassemillante (Mauritius), Dr L Simāo (Mozambique), and Ms O Liwewe (Malawi).

The DRC

MSU officers assisted a SADC mission to the DRC in July 2015 to assess progress in implementing the Peace, Security and Cooperation Framework – a peace deal facilitated with the assistance of SADC, the International Conference on the Great Lakes Region (ICGLR), the AU, and the UN. They helped to coordinate meetings between local and international stakeholders, and document their proceedings. In March 2017, MSU officers returned to the country as part of a SADC Electoral Advisory Council (SEAC) goodwill mission to determine the country's readiness to stage general elections and to encourage the DRC government to uphold electoral law and regional rules. They supported SEAC with logistics and data analysis during the pre-election evaluation process (SADC, 2017b). Members of the MSU team also helped to brief other sectors of the SADC Organ on political developments in the DRC by drafting and submitting analytical reports. The MSU further assisted the SADC Special Envoy to the DRC with administrative tasks and in setting up the SADC Liaison Office in Kinshasa. Staffed by officials seconded from member states, this office enhanced SADC's presence in the DRC, and helped to coordinate SADC's political, electoral and security support initiatives in the country (SADC, 2017b). The MSU officers joined the SADC Election Observer Mission (SEOM) that observed DRC elections in December 2018, aiding with research and logistics (Key Informant Interview, December 2022).

Lesotho

MSU officers were assigned to the Lesotho Oversight Committee, a 2016 endeavour to monitor Lesotho's political and security situation and support its comprehensive reform process. They helped to coordinate the National Stakeholder Dialogue and were part of the committee that drafted proposals on constitutional, security sector, parliamentary, judicial, and public sector reforms, including suggested amendments to defence and police legislation (Key Informant Interview, December 2022). During the Extended Oversight Committee phase, which began in 2019, the MSU provided additional logistical and research support to SADC-seconded political, military, police, and state security personnel. They were on

the ground to stabilise Lesotho's security sector and formulate concrete proposals for security sector reform (Key Informant Interview, August 2022). The MSU coordinated stakeholder meetings and assisted in efforts to monitor insecurity nationally. They also collaborated with the EU on the development of an EU-funded Project on Judicial Aid to the Kingdom of Lesotho, which aimed to give judicial assistance in criminal prosecutions involving former high-level security officers (Key Informant Interview, December 2022).

MSU's involvement in election observation and civic engagement

MSU officers accompanied SEOMs in Tanzania (2015), Seychelles (2015), Zambia (2016), Lesotho (2017) and Zimbabwe (2018) among others, helping to draft election observation and related briefing reports. They also facilitated a workshop in Tanzania convened by the SADC Secretariat to collaborate with local peace infrastructures in SADC member states (Key Informant Interview, November 2022).

Mediation curriculum and training

The MSU has been active in training mediation experts from state and non-state institutions in order to strengthen SADC's capacity to deploy competent professionals in support of mediation initiatives. In 2016, MSU officers produced a Mediation Training Curriculum and Facilitators' Guide, and provided mediation training to MRG members and a diverse range of stakeholders in Tanzania, South Africa, Lesotho, Zambia, and Zimbabwe (Key Informant Interview, December 2022). Between October 2016 and March 2018, the MSU trained about 500 individuals from SADC countries (Key Informant Interview, December 2022).

Drafting of policy strategies

In 2017, MSU officers helped to develop the Joint MRG-SEAC Strategy, which focuses on how the two organisations could work together to identify and address the root causes of electoral and systemic conflicts. In accordance with UN Security Council Resolution 1325, they worked closely with the SADC Gender Unit to develop the SADC Strategy on

Women, Peace, and Security (2018–2022), which intends to improve women's participation in regional peace processes (Key Informant Interviews, December 2022).

Conclusion

SADC has a history of politically charged mediation processes that required mediators with significant credibility and standing. Consequently, the organisation relied on serving presidents to head mediation missions, who turned to their own national resources for mediation support. Due to SADC member states' key role in guiding and resourcing mediation missions, the SADC MSU struggled to gain a foothold in mediation processes in the years following its establishment. This was reflected in low demand for mediation support services from countries that presided over these missions. As a new entity with no prior involvement in regional peace processes, the MSU also struggled to gain legitimacy, initially because it was donor-funded and the MCPPD – which provided a clearer mandate of its functions – was not fully operational. Since the MSU is described as a secretariat servicing the MCPPD's other tiers, the ten-year delay in forming it negatively affected the demand for MSU's services. Within this period, no such support was provided to mediators and envoys on the ground.

The operationalisation of the MCPPD has helped to institutionalise mediation support within SADC, strengthening the MSU's role in the process. Using the criteria for institutionalisation laid out in the introduction, we can conclude that SADC has institutionalised mediation support, if only to a limited degree. According to these criteria, mediation support services are institutionalised when an organisation formally adopts them, builds the necessary normative capacity, and incorporates them into its structures. Through the examples of the MSU's involvement in peace processes and supporting SADC goodwill and election observer missions, this study has demonstrated that SADC has the institutional wherewithal to professionalise mediation support by means of capacity development, knowledge management, and coordination with other SADC institutional

organs' and entities' efforts. Going forward, the level of institutionalisation will be contingent on three interdependent factors:

- Notwithstanding the mandate and operational guidelines of the MCPDD, the MSU can only provide support at the request of mediators or when deployed by the Secretariat. There are no institutionalised mechanisms that make collaboration with the MSU obligatory. The MSU is also likely to continue to supplement state-led mediation missions until member states relinquish this role to the PoE and the MRG.

- Mediation support is sensitive and can hinge on a confidence-based working relationship. While the MSU initially struggled to find its footing as an EU-funded programme, its legitimacy may improve when it is funded by member states.

- The MSU will be utilised more frequently if the PoE and MRG participate in regional peace processes, and the reverse is also true. Demand for the MSU's services has been constrained by the absence of cooperation between the MRG and the PoE. But the southern African conflict landscape is always evolving, and SADC's MSU is still in its infancy. Demand for its services among mediators may increase as a result of its track record in knowledge management, institutional capacity development and training, and effective engagement with SADC's internal sections and units, notably the SEAC.

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