
INSTITUTIONALISATION OF MEDIATION SUPPORT WITHIN THE COMESA PEACE AND SECURITY ARCHITECTURE

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Abstract

The inevitability of conflict has given impetus to the emergence of mediation architectures as reliable mechanisms of dealing with conflicts at continental, regional and national levels. Taking cue, the Common Market for Eastern and Southern Africa (COMESA) has established a mediation support structure spearheaded by the COMESA Committee of Elders¹. The use of Elders in conflict management in this context is akin to the traditional conflict management and resolution mechanisms that were/are predominant in the traditional African societies. The Elders have been bequeathed with the autonomous role of mediation and promoting peace and harmony among belligerent states/groups in the region. It is apparent that significant strides have been made and that the Elders have been instrumental in dealing with some of the emerging governance, peace and security challenges in the region. Despite the noticeable successes, the structure faces challenges such as lack of synergy with Tracks 2 and 3 mediation processes, limited funding, limited visibility and limited capacity that continue to impede its effective role in conflict management and resolution.

1 This is committee of eminent persons drawn from the COMESA region to spear head preventive diplomacy initiatives.

Introduction

COMESA is Africa's largest regional economic bloc with 21 member states². COMESA was initially established in 1981 as a Preferential Trade Area for Eastern and Southern Africa (PTA) within the framework of the AU Lagos Plan of Action. The PTA behemoth later morphed into the COMESA in 1994 to consolidate the flourishing large market in the region. It was further meant to harness the region's common heritage and destiny and cartelise social and economic cooperation, with the ultimate goal of establishing one amalgamated economic community. Whilst the primary focus of COMESA was trade from the onset, there was a conscious realisation that trade could not flourish with protracted intra and interstate conflicts in the region. At the time, it was discerned that conflicts had engulfed some of the COMESA countries especially in the Great Lakes region. These conflicts had predominantly involved rapacious rebel groups³. It was established that the conflicts had regional spill over and had undermined regional development imperatives. The conflicts had led to capital and human flight, escalated environmental costs and left a legacy of decayed social fabric at community and political levels (COMESA 2007:12–15).

The devastating impact of intra and interstate conflicts on the COMESA integration agenda thus prompted the Fourth Summit of the COMESA Authority that was held in May 1999 to formally establish a structure and modalities for the regional body to engage on matters of peace and security (COMESA 2007: ii). As such, the COMESA mandate in the area of peace and security is anchored on Article 3(d) of the COMESA Treaty. Article 3(d) calls upon member states to co-operate in the promotion of peace, security and stability in order to enhance economic development in the region (COMESA 1994:18). The overarching assumption is that a stable region will allow factors of production to flourish, and member states will

2 COMESA is a regional organisation made up of 21 countries including: Burundi, Comoros, Democratic Republic of Congo, Djibouti, Egypt, Eswatini, Eritrea, Ethiopia, Kenya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Somalia, Sudan, Tunisia, Uganda, Zambia and Zimbabwe.

3 The rebel groups operating in the region included the Mayi-Mayi, Allied Democratic Forces (ADF), Democratic Forces for the Liberation of Rwanda (FDLR) among others.

provide the necessary impetus for tangible and meaningful growth and development.

Stemming from the Treaty and premised on various Council Decisions, COMESA has, overtime, been implementing different peace and security programmes in conflict prevention, conflict management and resolution, governance and democratisation and post-conflict reconstruction and development. These programmes are currently being implemented under the Governance Peace and Security (GPS) Unit that reports directly to the Secretary General. The focus of this article is on COMESA's efforts in conflict management and resolution, specifically on the institutionalisation of mediation support. The article seeks to answer the following questions: How has COMESA structured its mediation support? How has COMESA fared in its mediation efforts and interventions in the region? What are the emerging challenges and how can these challenges be ameliorated? The article draws upon secondary and primary data sources to buttress its argument. Primary data was collected through consultations and key informant interviews with experts at the COMESA Secretariat whilst secondary data was obtained from COMESA project documents, mission reports, journals, and policy articles on the subject matter.

It is evident from the article that COMESA has established a robust mediation structure that is headed by experienced and knowledgeable Elders drawn from the region. This structure is built around objectives, principles, and values as well as decision-making processes relating to conflict management and resolution. To augment the work of the Elders in conflict management and resolution, *Rules of Procedures and Mediation Guidelines* have been developed. *The Rules of Procedures and Mediation Guidelines* succinctly spell out the mandate, aims and objectives of the COMESA mediation framework. The article notes that the Elders have successfully been deployed in strategic missions in the region specifically in mediating emerging conflicts as was the case in Burundi in 2015, fact-finding mission and elections observation. The recorded successes notwithstanding, challenges including lack of sufficient resources, structural weaknesses, limited visibility still abound. This article is structured as follows: the next section provides insights on the COMESA

mediation architecture followed by a discussion on the knowledge products and training to support COMESA mediation efforts, then case studies of COMESA's mediation experience in the region. Challenges and suggestions on how to strengthen the COMESA mediation framework are highlighted at the tail-end of the article.

COMESA's Mediation Architecture

The structure was established in 2009. The Committee consists of nine respected Elders drawn from the region to "strengthen [COMESA's] preventive peacebuilding assignments, including mediation, dispatching of peace envoys, shuttle diplomacy efforts and providing leadership in election observation missions" (Porto and Ngandu, 2015: 86). Despite COMESA's formal mandate to engage in mediation and other forms of peace-building efforts in the region⁴, it does not have a dedicated Mediation Support Unit. As such, mediation support is handled by an analyst within the broader COMESA GPS Unit. The Analyst is charged with the responsibility of providing both administrative and technical support to the COMESA Committee of Elders (CCoE) (Key informant interview, 24 August 2022)

The CCoE has been bequeathed with the autonomous role of mediation. According to an interviewee that the authors interacted with, "the Committee of Elders is the sole pillar that COMESA deploys for conflict management and resolution in the region" (Key informant interview, 24 August 2022). The use of Elders in conflict management in this context is akin to the traditional conflict resolution mechanisms that were/are predominant in the traditional Africa societies, and it dovetails quite well with the emerging aphorism of "African solutions to African problems". In Zambia for example, the House of Chiefs, consisting of paramount chiefs, advises the President and also promotes community cohesion (Chibomba 2004:6–8). In Burundi the National Council of *bashingantahe* plays a similar role (Ingelaere and Kohlhagen 2012; Hirblinger and Simons 2015). In essence, through the CCoE, COMESA is looking into its belly for

4 See Article 3(d) of the COMESA Treaty.

homegrown solutions to the perennial problem of conflicts in the region. The member states nominate candidates for this role then during the policy organ meetings they are elected to be members of the Committee of Elders through a vote. The nomination by member states is in tandem with Rule 6(1) of the COMESA Rules of Procedures for the Elders. Table 1 below shows the elders who are currently serving in the Committee. The successful candidates are then appointed by the Summit of Heads of State.

The appointed members of the Committee serve for a renewable period of four years only once subject to nomination and re-election (see Rule 7(1)). To guarantee continuity and conformity to Rule 7(2) of the Rules of Procedures, the election of the Elders is strategically and purposefully staggered. The current composition of the Committee (as indicated in table 1 below) at a ratio of 7:2 is way above the gender considerations as espoused in the various legal and policy instruments. The Committee membership brings together experienced personalities with decorated diplomatic and professional acumen, which is useful in the execution of their mandate. Suffice to note that member states play a central role in the selection and appointment of the Elders. Certainly, a member state has veto powers to reject the appointment of a nominee if it deems fit.

Table 1: COMESA COMMITTEE OF ELDERS 2022

NAME	COUNTRY	YEAR APPOINTED
Hasna Barkat Daoud	Djibouti	2021
Ambassador Ashraf Gamal Rashed	Egypt	2015
Ambassador Marie-Pierre Lloyd	Seychelles	2018
Andréas Monique Claudine Rasoanirina	Madagascar	2021
Sabine Ntakarutimana	Burundi	2018
Cure Eugène Patrice	Mauritius	2018
Prof. Judith Bahemuka	Kenya	2018
Mary Nkosi	Malawi	2013
Hope Kivengere (deceased)	Uganda	2015

Source: Compiled by the authors – data obtained through interviews

The Elders are part of the overall African Union (AU) Peace and Security Architecture; as such, there is a strong collaboration and partnership between the Committee of Elders and the AU Panel of the Wise. Porto and Ngandu (2015:79) note that there is more direct and substantive linkage between similar structures at the AU, RECs and RMs levels.

At legal and normative levels, *Rules of Procedure, Operating Procedures and Mediation Guidelines for the COMESA Committee of Elders* has been developed to guide and ensure efficient and effective utilisation of the Elders in conflict management and resolution. Substantively, Rule 2 specifies the aims and objectives, Rule 3 specifies the mandate, while Rule 4 specifies the principles that guide the CCoE. Based on Rule 3 of the Guidelines, the mandate of the Committee can be summarised as:

- a. Act as facilitators and mediators in conflicts in the COMESA region.
- b. Encourage parties in conflict towards negotiation as a way of managing their conflicts.
- c. Act as mediators in the conflicts.
- d. Advise the Ministers and the Secretary-General on matters related to Conflict Prevention Management Resolution (CPMR).
- e. Facilitate channels of communication between the Ministers and the Secretary- General and parties involved in a conflict, and to prevent the escalation of that conflict.
- f. Alert the COMESA Organs on looming crises in the COMESA region and propose measures for containing them.
- g. Carry out fact finding missions in consultation with the Bureau, the Ministers or the Secretary General in areas where there is a danger of conflict breaking out or escalating.
- h. Update the Secretary General, the Ministers and the Authority on tensions that may threaten peace and security in Member States and offer options for defusing them.
- i. Assist and advise mediation teams engaged in formal negotiations.
- j. Advise parties in a conflict and mediate disputes related to the implementation of peace agreements; and

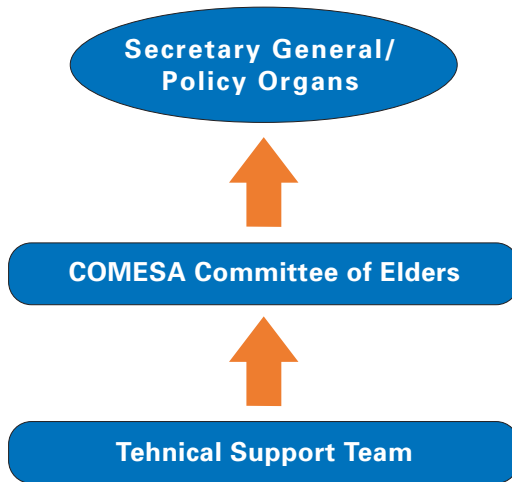
- k. Develop and recommend ideas that can contribute to the promotion of peace and security in the COMESA region (COMESA, Rules of Procedure, Operating Procedures and Mediation Guidelines 2007:7).

This mandate provides a robust framework of the type of third-party intervention, in which the Committee is designed to partake. Specifically, the rules anchor the interventions of the Committee on mediation related activities. In essence, the conflict management and resolution activities envisaged in the guidelines form an integral part of the mediation theorising and practice. It is imperative to mention that the Committee does not achieve these mandates in isolation. The Governance, Peace and Security (GPS) Unit has established a support network that assists the Committee. For instance the Committee benefits from COMESA Early Warning (COMWARN) reports. As noted by the Early Warning Expert in COMESA:

The GPS staff provides the necessary support [logistical, administrative and technical] to the Elders whenever they are deployed for mediation, election or fact-finding missions. The support rendered to the Elders includes but is not limited to collecting relevant information for ongoing mediation processes, identifying key stakeholders, building scenarios for the mediation team and holding round table sessions with various stakeholders (Key informant interview, 26 August 2022).

The Mediation Guidelines on the other hand, provide a framework for conducting mediation. Specifically, the guidelines delve into principles of mediation, the role of the Committee as mediators, the conduct of mediation among other aspects. As shown in figure 1 below, the Committee reports to the Secretary General and the COMESA Policy Organs that include the Committee for Peace and Security, Ministers of Foreign Affairs and Authority (Head of States). A technical team comprising analysts within the GPS Unit of the COMESA Secretariat provides analytical and administrative support to the Committee.

Figure 1: COMESA Mediation Support Structure



Source: Compiled by the authors

Having discussed the COMESA mediation architecture, the next section focusses on the knowledge products that have been developed to support the mediation processes. The discussion proceeds as follows:

Knowledge Products and Training to Support Mediation Efforts

As argued by van Wyk (2016:63), production of knowledge materials is important in supporting diplomatic engagement in general and the diplomacy of high-level panels in particular. In this case COMESA has developed specific knowledge products to augment the diplomatic assignments undertaken by the Elders. First, is the Conflict Analysis and Report Writing Manual that was developed in 2020. The crux of the manual is to facilitate a robust engagement and the cross-linkage between theory and practice of conflict analysis, drawing upon historical and empirical experiences from the COMESA region (COMESA Training Manual on Conflict Analysis and Report Writing, 2020).

The manual contains case studies and anecdotal evidence which provides the Committee of Elders with a nuanced appreciation of social, cultural, political and economic aspects of conflict, including structural drivers, triggers, actors' capacities and opportunities for peace and societal cohesion. In essence, it is the 'bible' that informs the Elders' preliminary engagements in a conflict situation.

The second set of knowledge products that have been developed to support the Elders mediation assignments are the *Mediation Handbook for Natural Resources Conflicts* and the *Mediation Handbook for Electoral Conflicts*. The two handbooks were premised on research findings that indicated that resources and electoral conflicts had become endemic in the region. The Handbooks offer guidance to the Elders and other mediation actors, entities and supporting institutions on good practices that can be employed when mediating natural resource disputes and electoral conflicts.

Within the realm of capacity building, strategic training has been organised for the Elders, albeit *ad hoc*, on mediation as a mechanism of conflict resolution. The training is to a large extent facilitated by the Clingendael Institute. One such training session was held in November 2021 in Nairobi, Kenya. The nub of the training is to strengthen the mediation skills of the Elders and expose them to emerging methodologies and approaches to the art of mediation and diplomatic engagement. Post-training review data indicate that the training is useful, and the Elders appreciate it. However, concerns have been raised on the *ad-hoc* nature of the training that tends to erode the gains achieved. Financial limitations and lack of home-grown training experts are mainly cited as the reasons for the *ad-hoc* nature of the training.

COMESA Mediation Experience in the Region

COMESA mediation efforts have predominantly focussed on prevention of pre and post elections disputes/conflicts. Thus, the number of fact finding, and elections observation missions under the leadership of the Elders have increased in the recent past. As alluded to above, the motivation to engage in these two areas is twofold. First, is the organisation

mandate as espoused in Article 3(d). The mandate bestows the Elders with the responsibility to engage in diplomatic overtures of promoting peace and security in the region. Second, is the realisation that conflicts in the COMESA region are predominantly driven by elections related disputes. COMESA's mediation experiences can therefore be discussed as follows:

Mediation Efforts in Burundi in 2015

COMESA commenced its mediation efforts with actors in Burundi (see Chapter 5) in early 2015. This was after the political fragmentation that was glinted by an announcement on 25 April 2015 by Burundi's ruling party, the National Council for the Defence of Democracy-Forces for the Defence of Democracy (CNDD-FDD), that President Pierre Nkurunziza would contest the presidency in the elections scheduled for 26th June 2015. The interlocutors from opposition parties and civil society organisations on the other hand, contended that Nkurunziza's candidature and the quest for what they perceived as a "third term" contravened Article 96 of the country's constitution which avers that "no president can be elected more than twice". Nkurunziza's candidature triggered spontaneous violence in the capital – Bujumbura, and other towns including Cibitoke, Mwaro and Rumonge and Musaga (Etyang and Emurugat 2018:18). The fear that the violence could escalate, prompted COMESA, through the Secretary General, to deploy its CCoE to engage with the various electoral stakeholders. Consequently, the Elders organised stratified dialogues with different stakeholders. The dialogue forums were intended to promote community cohesion and build consensus in the run-up to the 2015 elections. More specifically, the Elders' initiatives in Burundi sought to:

- a) Support reconciliation efforts and consensus building around key issues ahead of the 2015 elections.
- b) Launch a comprehensive campaign for a peaceful electoral process.
- c) Undertake mediation related activities and encourage dialogue among key political actors.
- d) Promote responsible and responsive media coverage for peaceful elections in Burundi.
- e) Engage the youth through, among others, already existing mechanisms to appreciate their role in peaceful elections.

- f) Support key institutions including the Independent Electoral Commission (CENI), the judiciary and the security sector through sharing of experiences with similar institutions from the region and through confidence building media messages.
- g) Engage key political actors including political parties, Civil Society Organisations (CSOs), religious groups and women to play an active role in peaceful elections (COMESA 2015).

The dialogue forums were held with the youth leaders, women leaders, religious leaders, political parties, civil society organisations, leaders from the business community among others. The dialogues were structured in such a way that participants candidly discussed issues that were affecting their communities and the challenges posed by the 2015 elections. Calls for peaceful coexistence and holding peaceful elections were echoed during the forums. Suffice to mention that the dialogue forums were held in both urban and rural settings. The forums were held from January 2015 – July 2015 and they were spearheaded by the CCoE⁵ in partnership with the Eminent Persons from the East Africa Community (EAC). The dialogue forums were significant for several reasons. First, the dialogue forums fostered community cohesion and brought political leaders together to dialogue and find common solutions as far as the 2015 elections were concerned. Secondly, the dialogues created a mass movement towards holding a peaceful election. Third, through the dialogues, stakeholders were able to identify structural factors that continue to impede the consolidation of peace and democratic rule in Burundi. Fourth, the sheer presence of the Elders in Burundi contributed to the de-escalation of tensions and built confidence among the belligerent groups at the time. It should be noted that peace pledges were signed during these forums by different stakeholders to promote and uphold peace before, during and after elections. The initiative however, collapsed after an attempted coup on the 13 May 2015.

5 Bishop Mary Nkosi, Honourable Felix Mutati, Ambassador Bethuel Kiplagat spearheaded the dialogue forums. They closely collaborated with Honourable Joseph Sinde Warioba, Honourable Specioza Kazibwe and Amanywa Mushega (Eminent Persons from the EAC) in conducting the dialogue forums.

Fact-Finding Missions in Rwanda, DRC and Comoros

Fact-finding missions have become a common diplomatic avenue through which international and regional organisations use their mediation structures to ascertain facts impartially. Following this cue, COMESA has institutionalised fact-finding missions as part of its mediation structure. Similar to the other mediation related activities, fact-finding missions are also conducted by the Committee of Elders. These missions are either commissioned by the Secretary General or by COMESA Policy Organs. In this case, the Elders undertake fact-finding missions to ascertain facts and credibility of allegations and also explore possible avenues for intervention in disputes or conflict situations. In 2012 for instance, the Secretary General deployed three Elders⁶ to Rwanda and Democratic Republic of Congo (DRC) for a fact-finding mission following an escalation of tension between the two countries that was triggered by the intensification of M23 and FDLR activities along the borders of the two countries (Key informant interview, 25 August 2022). The mission had three broad objectives (a) engage the governments of DRC and Rwanda to appreciate the situation and underlying factors (b) urge both countries to support and commit to sustainable peace and security in the eastern part of DRC and (c) explore with the two governments possible roles that COMESA could play to strengthen partnership and collaboration. The mission was considered a success in COMESA quarters in that it was able to identify issues of contention and avenues to resolve them. The mission's findings were presented and adopted by the COMESA policy organ i.e. Ministers of Foreign Affairs of the member states. (Key informant interview: 25 August 2022).

Another outstanding fact-finding mission was conducted in 2018 in Comoros. Similar to the Rwanda/DRC mission, the Comoros mission was sanctioned by the Secretary General following a protracted violent clash between protesters and soldiers in Grande Comoro, Anjouan and Moheli. The clash was triggered by the unprocedural extension of term of President

6 The Elders deployed included H. E. Sir James Mancham – Seychelles (Mission Leader), Ambassador Bethuel Kiplagat – Kenya (Chair of the COMESA Committee of Elders) and Ambassador Simbi Mubako – Zimbabwe (Member of the COMESA Committee of Elders).

Azali Assoumani and the holding of a controversial referendum. This mission was led by Madam Hope Kishande Kivengere⁷ – a member of the CCoE from Uganda. The mission engaged with the various stakeholders including government ministers, members of the ruling and opposition parties, civil society organisations, and members of the diplomatic corps based in Comoros among others. The mission mainly called for dialogue among the belligerent groups and peaceful resolution of underlying issues driving the conflict. As a result of the mission, the level of violence reduced significantly, and the country was able to hold a relatively peaceful election. This is not to say that the underlying structural issues were resolved. Comoros continues to face socio-economic and political challenges some of which resurfaced and percolated the 2020 elections.

Election Observation Missions

Election observation missions have become a norm in the modern democracy. As such, diverse groups of international and regional organisations have embraced election observation as part of the electoral process geared towards inculcating democratic values and principles, more specifically in post-conflict countries. COMESA being a member of the larger regional cosmos, has through its CCoE, institutionalised election observation as part of its peacebuilding efforts. The missions are normally designed in such a way that they act as a preventive mechanism. During the missions, the Elders with support from a technical team from the GPS Unit engages in information gathering and quiet diplomacy. Quiet diplomacy in this context encamps consulting various electoral stakeholders and strategically promoting a culture of peace before, during and after elections. Through election observation missions, it can be argued that the Elders have to some extent managed to confer legitimacy to contentious and polarised elections in the region as was the case in the 2022 general elections in Kenya. It can be argued that preliminary reports from election observation missions contributed to the legitimisation of the presidential election outcome in Kenya. In fact, the COMESA/AU preliminary report

7 Madam Hope Kivengere was a member of the COMESA Committee of Elders. She led several fact-finding and election observation missions in the region. Madam Hope passed away on 19 October 2021 in Uganda.

was submitted to the Supreme Court by one of the respondents to legitimise the outcome of the elections. The Elders have been deployed in Uganda, Kenya, Zimbabwe, Zambia, Mauritius, Seychelles, and Egypt among others. It is imperative to mention that some of these missions have been conducted jointly with the AU or the other RECs/RMs. For example, the Joint COMESA/AU mission to Kenya (2022), the Joint COMESA/CEN-SAD mission to Egypt (2018); the Joint COMESA/AU/EASF mission to Comoros and the emergency response mission to Burundi (2015) that was undertaken jointly between COMESA/AU/EAC.

Limitations in the COMESA Mediation Architecture

Although the COMESA mediation architecture has made progress in terms of its operationalisation, findings indicate that it continues to encounter limitations that affect its effectiveness. The limitations can be highlighted as follows:

Overreliance on Track 1 Mediation

The focus of COMESA mediation interventions is mainly on track 1 level processes. There is very little focus on and synergies with track 2 or 3 level processes that have proximity to conflict situations. Hence, the mediation architecture has limited impact for conflicts at sub-national levels where conflicts are most predominant. Without a strategy to effectively link regional, national and local mediation, effective collaboration and programmatic synergies within the mediation architecture in the region will remain weak and underutilised.

Institutional Weakness

The absence of a fully functional and dedicated Mediation Support Unit (MSU) and a substantive mediation officer at the COMESA Secretariat has greatly limited the necessary technical support needed to effectively design, operationalise and sustain mediation interventions across the region. The Early Warning Analyst, who is assigned to work on mediation related assignments does so on an *ad hoc* basis and does not have sufficient bandwidth to cover all the conflict hot spots that require mediation across the 21 COMESA member states.

Limited Visibility

While COMESA has continued to undertake important mediation activities across its 21 member states, the work of the CCoE is not widely visible across the region. Hence, the extent to which it is recognised and appreciated as compared to mediation activities of other RECs/RMs such as SADC, IGAD or ECOWAS is limited.

Lack of Coordination and Collaboration Framework

While the CCoE has undertaken a number of joint mediation interventions with other regional mediation architectures in countries with shared membership such as Burundi (2015), Kenya (2013, 2022) and Comoros (2018), no proper operational modalities and standard operation procedures (SoPs) have been developed to systematically, structurally and sustainably ensure system-wide coordination, collaboration and inter-operability with other regional mediation architectures such as the SADC Panel of Elders (PoE)/ Mediation Reference Group (MRG) and those by IGAD and EAC. The scope and design of all previous collaborations have largely been *ad hoc* and governed within the loose framework of AU-RECs collaboration. Thus, no sustained and deliberate momentum for joint programming has been pursued for long-term engagement in the mediation space.

The Vagaries of COVID-19 Pandemic

The impact of COVID-19 has affected funding and slowed down the implementation of the CCoE activities across the region in the last three years due to travel restrictions. Furthermore, the impact of COVID-19 has also severely affected financial resources available for mediation activities and peace and security in general thereby narrowing the scope of activities that the CCoE has been able to undertake in the last three years.

Lack of synergy with the Private Sector and Civil Society Organisations

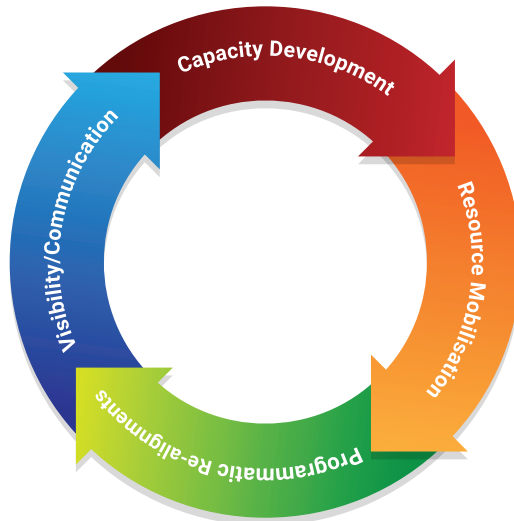
Public-private/Civil Society Partnerships: despite COMESA having a generally strong private sector mandate/focus, there is weak outreach and engagement between COMESA and the private sector in building

mediation capacities in the region. Hence, the role of the private sector/civil society in the activities of the CCoE remains very marginal or non-existent in most cases. Efforts to deepen the inclusion of and partnership with the private sector are often hampered by financial constraints – yet the private sector/civil society have the much-needed resources that could broaden the financial base of CCoE activities. It should be mentioned that COMESA has re-engineered its engagement with CSOs in governance, peace and security. Accreditation of CSOs is ongoing and targeted training on conflict early warning, data collection and analysis and mediation are being rolled out. This will, in the long run, strengthen the partnership and collaboration.

Strengthening the COMESA Mediation Infrastructure

Based on the findings and given the inevitability of conflicts in the COMESA region in the short to medium term, success in mediation overtures as highlighted in figure 2, will constitute focus on a set of four strategic priorities.

Figure 2: Priory Areas



Source: Compiled by the authors

These strategic priorities are complementary and reinforce a set of working modalities in pursuit of COMESA's overall mediation vision and mission, and to calibrate its mandate to support sustainable peace and security in the region. The envisaged priority areas are presented as follows:

Capacity Development

There is a need for COMESA's Secretariat to ensure strategic re-alignment of its mediation structure. Operationally, this would entail establishing a fully functional mediation desk that is adequately resourced and supported by mediation experts. Furthermore, capacity development should be prioritised in terms of strengthening the nexus between early warning desks and the work of the CCoE. This would ensure a more diagnostic approach, informed by robust strategic assessments to facilitate a context-specific mediation process, design and interventions by the CCoE. This would also ensure that the preponderance of mediation interventions is anchored on locally contextualised approaches that are conflict-sensitive and preventive in nature as they would be addressing the structural drivers of conflict.

Visibility and Communication

The COMESA mediation interventions should be accompanied by an effective communication plan that makes the work of the CCoE more visible to all stakeholders including beneficiaries, actors and donors. Such a communication plan can support and underline that mediation is a viable instrument for peace in the COMESA region. It can also be a mutual accountability and engagement tool that enhances the visibility and appreciation of the COMESA mediation architecture to a wide range of stakeholders.

Programmatic Re-alignments

COMESA's Secretariat should ensure that regional mediation processes are fully aligned to national and local level priorities. Operationally, this would entail establishing frameworks that strengthen synergies between the CCoE and national/local peace infrastructures (I4P) such as Insider

Mediator Networks that exist in most member states. This is out of the realisation that the power to improve trust amongst all conflict parties in COMESA member states does not just reside in the COMESA brand, but rather in the relationship it builds. Hence, COMESA needs to facilitate strong relationships with local/national stakeholders to promote sustainable approaches to mediating conflicts. Further programmatic re-alignments should focus on the need for COMESA to establish effective frameworks for enhancing inter-operability between the work of the CCoE and that of other RECs/RMs in a more structured, systematic and sustainable way. The AU should, in this case, take the lead in creating the linkage and the cross-fertilisation between the different mediation structures.

Resource Mobilisation

To ensure predictable and sustainable funding of the activities of COMESA mediation, the COMESA Secretariat should consider operationalising sustainable funding mechanisms. One recommendation is for COMESA to set up an endowment fund for peace and security generated from member states' contributions and other partners. Adequate financial support from COMESA's regular budget should be allocated towards mediation and conflict prevention activities. This is premised on the fact that peace consolidation remains the foundation of COMESA's integration agenda and social-economic transformation.

Peace and security is intrinsic and core to the mandate of COMESA hence, the need to ensure adequate and sustainable funding of regional peace and security initiatives. Apart from funding from the COMESA regular budget, there should also be contributions from strategic partners, private sector and voluntary contributions from member states. As part of the operationalisation process of the proposed endowment fund, a guideline document should be developed to set clear modalities for its functionality – including governance, accountability and financial management arrangements.

Conclusion

Mediation structures have proliferated at both the continental, regional and national levels. This is a clear indication that there is a deliberate effort to deal with emerging conflict challenges. The CCoE is indeed one of such structures. COMESA has made considerable strides in its mediation efforts in the region. Significant successes have been recorded in promoting peaceful elections in the region through the deployment of election observation missions under the leadership of the Committee of Elders. The election observation missions are designed in such a way that they act as a conflict prevention mechanism. Secondly, COMESA through its CCoE has endeavoured to promote dialogue as a means of addressing structural factors, building consensus and promoting national cohesion as was the case in Burundi in 2015. Despite the successes, challenges still abound and have been identified as follows: lack of sufficient resources, overreliance on track 1 mediation, institutional weaknesses and limited visibility. In summation, the Elders have remained engaged in mediation, fact finding missions and leading the various elections observation missions in the region. There is therefore a need for strong collaboration between the CCoE and other mediation support infrastructure in the region such as the SADC Panel of Elders (PoE) and the International Conference on the Great Lakes Region (ICGLR) Special Envoys. This will ensure greater impact in terms of effort. Impediments such as lack of capacity, limited funding and visibility should be addressed in the short and long term.

References:

- Chibomba, S. (2004) *The Relevance of a House of Chiefs in Democratic Society: A Case Study of Zambia*. Available at <<http://dspace.unza.zm/bitstream/handle/123456789/2994/CHIBOMBOS1.PDF?sequence=1&isAllowed=y>> [Accessed on 22 September 2022].
- COMESA. (1994) *The COMESA Treaty*. Lusaka, COMESA.
- COMESA. (2007) *Cost of Conflict in the COMESA Region*. Lusaka, COMESA.
- Etyang, O and Emurugat, C.A. (2018) Restoring Peace in a Fragile State? The Mediation Overtures of the East African Community in Burundi. *Journal of African Peace and Security*, 1. (1), pp. 18–35.
- Ingelaere, B and Kohlhagen, D. (2012) Situating Social Imaginaries in Transitional Justice: The Bushingantaha in Burundi. *The International Journal of Transitional Justice*, 6, pp. 40–59.
- Hirblinger, A. T and Simons, C. (2015) The good, the bad, and the powerful: Representations of the 'local' in peacebuilding. *Security Dialogue*, 46(5), pp. 422–439.

- Interview (anonymous) non-attributable comment by COMESA – GPS official on 24 August 2022. Lusaka, Zambia.
- Interview (anonymous) non-attributable comment by COMESA – GPS official on 25 August 2022. Lusaka, Zambia.
- Interview (anonymous) non-attributable comment by COMESA – GPS official on 26 August 2022. Lusaka, Zambia.
- Porto, G. J. and Ngandu, K. Y. 2014. *The Africa Union's Panel of the Wise: A Concise History*. ACCORD.
- Van Wyk, J. (2016) High-Level Panels as Diplomatic Instruments: The African Union Panel of the Wise and the Emergence of an African Peace Diplomacy Architecture. *Journal for Contemporary History*, 41(1), pp. 57–79.