

A COMMON FOREIGN POLICY: THE CASE OF SADC

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**PAPER PRESENTED AT A CONFERENCE ON “REGIONAL INTEGRATION AND ITS
IMPLICATIONS TO SADC COUNTRIES, ORGANISED BY THE NATIONAL INSTITUTE
FOR ECONOMIC POLICY (NIEP), JOHANNESBURG, JULY 2001**

1st DRAFT

This paper seeks to demonstrate that Southern African countries have held an enviable history of political co-operation and high degree of solidarity. It is a solidarity and co-operation forged on the fields of battle against settler colonialism and apartheid in Zimbabwe, Namibia and South Africa. Thus the imperative and experience of co-operation in peace and security issues generally is not new to the region, it is only the circumstances and the environment that have changed. In a nutshell, SADC foreign policies and inspiration form the common struggles they have had.

Methodology

This study has drawn from the vast literature on SADCC/SADCC. It has also selected case studies which are relevant to foreign policy issues. A number of conference research papers have been utilised in consideration of the topic under study.

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INTRODUCTION: Theory

Foreign policy of any given country can legitimately be considered to be a standard for evaluating international events as well as responses to those events. In another sense, it is also a strategy for the attainment, protection and promotion of domestic policy goals at the bilateral, sub-regional, regional and global levels.

In general, principles which guide a country's foreign policy are derived from the manner with which that country attained its national sovereignty. In the case of Namibia, South Africa one would have to take into account principles which guided the diplomacy of the armed struggle for the national liberation. These principles can be loosely stated as follows:

- a) sanctity of the right to life and self determination and defence of national sovereignty;
- b) equity in the distribution of national wealth;
- c) anti-imperialism;
- d) equality of sovereign states and non-interference in the internal affairs of other states;
- e) justice in the international division of labour as well as in the distribution of gains from international trade;
- f) peaceful resolution of internal and international conflicts; and
- g) elimination of poverty, under-development and obstacles to self-sustaining development

The global context of SADC co-operation and regional security has come into sharp relief with the last decade of the 1980s and the unfolding mega-trends in world affairs. The menacing approach of Europe of the 21st century , other emerging regional economic blocks, the deepening crisis of the Bretton Woods , international economic and financial system, the collapse of the Soviet System and the demise of the ideological cold-war and the new security arrangement for Europe with the re-organisation of NATO , all have profound implications for Africa. Correspondingly, SADC's growing marginalisation in World affairs has brought home the enormous geopolitical dimensions of these developments. The profound consequences of these global transformations compels urgent initiatives for SADC's collective security common foreign policy and integrative strategy. There has to be a systematic analysis of the implications of these fundamental changes for its collective and future prospects.

The challenges posed by these enormous developments require more than just adjusting to the consequence of Europe of the 21st century and must involve the re-conceptualisation and revamping

of regional integration within the broader context of a co-ordinated SADC Foreign Policy. SADC co-operation in this context, therefore, includes concerted efforts both for the socio-economic integration of the region, common foreign policy and for ensuring collective regional security. The dialectical interrelationship between integration, regional security and foreign policy thus has to be widely grasped and pursued effectively, if SADC is to benefit from globalisation.

Birth of Solidarity in Southern Africa (Common Approach)

The origins, norms, values and evolution of SADC have to be understood in the context of the time. Various factors shaped its design, objectives, norms, principles and decision-making structures. Among these: geographic contingency, common history, colonial experience, the corrosive force of apartheid and racism, the ideology of nationalism with emphasis on the seizure and consolidation of own power, and its relationship to national independence, nation-building and decolonisation, the proclivity towards personal rule in the case of Zambia (Kaunda), Mozambique (Machel), Tanzania (Nyerere) and Zimbabwe (Mugabe), South Africa's position as regional hegemony and network of regional asymmetry. These and other factors contributed towards giving the Southern African Development Co-ordination Conference (SADCC) a distinct institutional identity, which on the analysis of Mandaza and Tostensen (1994:3) "underpinned first, political solidarity, and later economic co-operation."

National self-determination during the colonial period and supra-nationalism of the Pan-African Movement promoted unity and solidarity among a wider and diverse groups of people in eastern and southern Africa. Both forms of nationalisms combined to be potent mobilising agents and can be exemplified by the experience of this region since the days of the struggle for independence.

From 1959 to 1963 the Pan-African Freedom Movement of East Central and Southern Africa (PAFMESA) worked to support liberation movements. Tanzania played a crucial role in the bid to unite the peoples of Eastern, Central and Southern Africa and to rid the latter of colonial and/or minority governments. PAFMESA became known as the Organisation of African Unity's (OAU) Conference of Eastern and Central Africa from 1964 – 1974 and continued to support national self-determination in the affected states.

After the fall of the Portuguese empire and the success of Angola and Mozambique to attain their independence, the Conference was transformed into the Frontline States (FLS) of Angola, Botswana, Mozambique, Tanzania and Zambia. The FLS maintained the nationalist and Pan-Africanist objective of aiding the liberation movements in the remaining white minority-ruled areas of Southern Africa and acted under a common approach and banner.

After five years (1974 – 1979), the FLS extended an invitation to Lesotho, Swaziland and Malawi and upon their independence – Namibia, South Africa and Zimbabwe.

The enlarged FLS advocated unity in the region and had a common approach on external issues. The members reaffirmed their interest in promoting the liberation of the three remaining minority led governments, since they realised that political independence would mean little without economic growth and security.

This development plan transformed the FLS into the Southern African Development Co-ordination Conference (SADCC in 1980). The event was complemented by the momentous occasion of Zimbabwe independence in April 1980. This further strengthened a common regional approach in the region, OAU, UN and NAM for a.

The Southern African Development Co-ordination Conference (SADCC) was established on 1st April 1980 in order to promote co-operation and integration in the Southern African region by lessening dependence on the Republic of South Africa. However, over time and with positive political developments taking place in South Africa, the focus of SADCC has also undergone significant changes to the extent that the main emphasis now is on Economic Integration. As such, the original name of Southern African Development Co-ordination Conference (SADCC) has had to be changed to Southern African Development Community (SADC).

Objectives of SADC

The main objectives of SADC are as follows:

1. The reduction of economic dependence, particularly, but not only, on South Africa; (this objective is no longer valid because South Africa became the eleventh member during the 1994 SADC summit).
2. The forging of links to create a genuine and equitable regional integration.
3. The mobilisation of resources to promote the implementation of national, inter-state and regional policies, and
4. Concerted action to secure international co-operation within the framework of the strategy for economic liberation.

August 1989 decided to formalise SADC and forge a common regional foreign policy by giving it an appropriate legal status by replacing the MOU with a treaty. The Treaty is addressing economic integration, while the MOU was addressing economic co-operation or development co-operation. It was this Treaty that gave rise to the change of the name from Southern African Development Co-ordination Conference (SADCC) to Southern African Development Community (SADC) in order to reflect the new focus on Economic Integration. The Treaty establishing SADC was signed in Windhoek, Namibia in August, 1992.

The Treaty spells out broad areas of co-operation in foreign policy and provides for protocols under which co-operation in specific areas will be pursued by and among member states. Building the community has passed through several stages, starting with the ratification of the Treaty and Protocol on Immunities and Privileges. All the member states have since ratified both the Treaty and Protocol on Immunities and Privileges.

- i) military and political conflicts;
- ii) economic policy and management of weaknesses;
- iii) the unfavourable international economic environment; and
- iv) the underdevelopment of human resources.

Interdependence Versus National Economic Security

Which main trends have a direct or indirect influence on international security? An analysis leads to the conclusion that the evolution of the contemporary world is characterised by four megatrends: globalisation, regionalisation, nationalism and democratisation. However, for the purpose of this paper, we will only deal with regionalisation. SADC Regionalism

strengthens regional security by increasing co-operation, by establishing common regional objectives and interests and by creating precedents concerning limitations of national sovereignty in the search for common goals. In this sense SADC regionalisation brings about so-called “security communities” in which intra organisational links, a high degree of co-operation and a common interest seriously limit the possibility that a member state acts to the detriment of the security of others. SADC Regionalisation, already well integrated in globalisation process, may reinforce it and thus bring about additional positive consequences for regional security. However, one cannot exclude a potential danger linked to temptation to ensure the interests of egoistic groups at the expense of other regions or even to the detriment of global environment and economic security.

While the SADC was decidedly conceived to pursue primarily economic goals, there was clear acceptance that “peace and mutual security are critical components of the total environment for regional co-operation and integration.” In that Declaration of 17 August 1992, the regional leaders were categorical that “the region needs, therefore, to establish a framework and mechanisms to strengthen regional solidarity, and provide for mutual peace and security.” This is clearly a positive stand on the need for a common foreign policy.

SADC ORGAN

Pursuant to the establishment of a democratic order in Southern Africa in 1994, several regional meetings were held at both official and ministerial levels to consider successor arrangements to the Frontline States Organisation. A meeting of SADC Ministers of Foreign Affairs, Defence and Security held in Gaborone on 18 January 1996 recommended to the SADC Summit the establishment of a SADC Organ that would allow more flexibility and timely response, at the highest level, to sensitive and potentially explosive situations. Thus was born the SADC Organ on Politics, Defence and Security, which was formally confirmed by the SADC Heads of State in the communiqué they issued on 28th June 1996 in Gaborone, Botswana. The concept of the Frontline State (FLS) had its genesis in the Liberation Committee of the Organisation of African Unity (OAU), and was constructed around Tanzania as the first and principal rear base of the liberation struggle in Southern Africa. While a detailed history of the diplomacy and politics of the FLS falls outside the scope of this paper, it can be argued that FLS gave a distinct political, personal and state-centric character to SADCC, especially in terms of its domain norms, principles and values. In this respect, various analysts have for example, pointed to the Lusaka Manifesto of 1969 and its influence on the regional diplomacy of the FLS.

According to the SADC Regional Human Development Report 2000, three major achievements in furthering political integration in the SADC region include the establishment of:

- The SADC Parliamentary Forum;
- The SADC Electoral Commission’s Forum;
- The SADC Organ of Politics, Defence and Security.

Obviously a co-ordinated foreign policy is necessary for the cited organs to function effectively. The SADC Parliamentary Forum was established in 1997 and its objectives are:

- strengthen the implementation capacity of SADC by involving parliamentarians in SADC activities;
- facilitate the effective implementation of SADC policies and projects;
- promote the principles of human rights and democracy within the SADC region;

- familiarise the people of SADC countries with the aims and objectives of SADC;
- promote peace, democracy, security and stability on the basis of collective responsibility by supporting the development of permanent conflict resolution mechanisms in the SADC sub-region;
- strengthen regional solidarity and build a sense of common destiny among the people of SADC;
- encourage good governance, transparency and accountability in the region and in the operation of SADC institutions, and promote the participation of non-governmental organisations, business and intellectual communities in SADC activities.

The SADC Electoral Commission Forum was established in 1998 to strengthen regional co-operation among electoral management bodies in the SADC countries with a view to:

- strengthen democratic electoral processes and a democratic culture;
- establish mechanisms of co-operation and assistance in a range of electoral matters;
- develop common electoral practices and standards;
- establish conflict resolution procedures during elections;
- assess the practicability and usefulness of various electoral systems employed in Africa;
- develop a code of conduct for officials, political parties, electoral commissions and observers.

One of the principles embraced by Article 4 of the SADC Treaty to which member states have to adhere to is that of “solidarity, peace and security.” To realise this principle, Article 5 of the Treaty sets out one of the objectives of SADC as to “promote and defend peace and security” while Article 21 obliges member states to co-operate in the areas of “politics, diplomacy, international relations, peace and security.”

SADC Source of Foreign Policy

SADC’s endeavours at preventing, managing and resolving intra and inter state conflicts are greatly influenced by the evolution of these concepts of security. In its conceptualisation of security, SADC has embraced the principles of common security, collective security, comprehensive security and human security.

The formalisation of a conflict prevention resolution and management apparatus was the subject matter of a meeting held in Gaborone on 18 January 1996 by SADC Ministers of Foreign Affairs, Defence and Security. The ministers agreed to recommend the establishment of a SADC organ on Politics, Defence and Security.

The SADC Heads of State Government endorsed this in June 1996 in a Communiqué which effectively established the SADC Organ on Politics, Defence and Security to operate at summit level.

The security of peoples extends beyond the protection of borders, the ruling elite and exclusive state interests. It must include first and foremost the protection of people. Thus, like the rest of the international community, SADC accepts that the old state-centric conceptions of security are no longer adequate. The corollary of this is that security be planned for as a regional rather than state-centred objective, if it is to be sustainable. For one thing, security in most of Africa’s sub-regions is inevitably linked to the domestic security of a number of the states, if only because of their sharing geographical borders, ethno-cultural interconnections, similar economic environmental conditions.

The challenge the region has faced in establishing a mechanism for conflict management in the post apartheid era, has been how to translate or transform the historical relations between the leaders in the region into organic, sustainable institutions that would enhance regional co-operation on peace and security issues and maintain a common foreign policy. The tensions, controversy and difficulties experienced thus far in trying to operationalise the SADC Organ can partly be attributed to the region's history of conflicts and patterns of political solidarity and co-operation in managing these conflicts. However, there are initiatives currently to redress these problems.

Security and Economic Integration

Most members of SADC are also members of the Preferential Trade Area (PTA), Commonwealth of East and Southern Africa (COMESA), an overlapping and broader economic organisation (albeit a very weak one) aimed at establishing a free trade area. In principle, this should not be a problem. In Southern Africa, sub-regional institutions are still new and weak, and there has been a tussle for survival between SADC and COMESA, in which SADC has gained greater strength. SADC is committed to disarmament, and simultaneously to improving the capacity for peacekeeping and collective defence. Dual membership by some SADC states has so far not contradicted a common SADC foreign policy approach.

Conflict Prevention

SADC's approach to conflict resolution has primarily focused on conflict prevention. SADC's policy makers acknowledge that the emergence of differences and conflicts is a natural and not necessarily negative phenomenon. What is essential is to find and apply means and methods for the peaceful handling of conflicts and thereby preventing them from escalating into violence.

Conflict prevention refers primarily to measures that can be implemented before a difference or dispute escalates into violence, or to measures for preventing violence from flaring up again after the signing of a peace agreement, cease-fire or similar document. Preventive measures include both long term and short term-initiatives aimed at reducing the risk of violent conflict. Prevention assumes a readiness to respond directly in critical situations, whether through mediation or by other means, and the ability to apply long-term structural measures aimed at dealing with the underlying causes of armed conflict. Examples of the latter include democracy building programmes, disarmament initiatives, economic integration and trade policies.

Although conflict prevention includes activities that address both the underlying causes of conflicts and their symptoms, in practice, it is not always possible to make a clear distinction between short-term measures (prevention diplomacy) and long-term measures (structural prevention). Nor would it be appropriate to concentrate on one approach to the exclusion of the other in actual conflict situation.

A comprehensive strategy must first focus on the underlying political, social, economic and environmental causes of the conflict. This indeed was after all the objective of the founding of the United Nations, i.e. to establish social and

economic conditions under which peace and security could flourish. SADC states have been to a large extent following the UN example.

In developing a response to early indications of approaching conflicts, SADC has been guided by Chapter VI, Article 33 of the UN Charter that emphasises various methods for peaceful conflict resolution. Taking a cue from Chapter VI, SADC has developed a “ladder for prevention” based on the principle of proportionality i.e. preventive measures that should be taken in proportion to the level of conflict. The Lesotho constitutional crises of 1994 and 1998 is a showcase of Southern Africa’s approach at conflict prevention and resolution.

To achieve conflict prevention goals, SADC countries have primarily relied on:

- joint bilateral commissions that meet annually and discuss military, political, security and economic issues; and
- the multilateral forum provided by the Interstate Defence and Security Committee (ISDSC)

The ISDSC is a forum where ministers of Southern African states responsible for Defence, Home Affairs and State Security meet to discuss a wide range of issues affecting their individual and collective defence and security. It was established in 1983 as an informal security umbrella for the seven member states forming the organisation of Frontline States (FLA), but subsequently expanded in November 1994 to include South Africa, Lesotho, Malawi and Swaziland and more recently, Mauritius, Seychelles and the Democratic Republic of Congo.

SADC’s practice to base regional economic integration on the perceived interest of each member provided the rationale for the allocation of sectors for co-ordination by each member country. Thus, each member state was allocated a sector to co-ordinate. Such co-ordination involved proposing sector policies, strategies and priorities for discussion and adoption by the decision making structures of the regime, and processing projects for inclusion in the sectoral programme, as well as monitoring progress and reporting to the Council of Ministers. The underlying assumption for allocating sectors is that a member is more likely to successfully co-ordinate and promote activity in an issue area if that issue area is also important to it nationally.

The funding arrangements for projects, as well as the legal ownership of the assets too have been approached innovatively. Under SADC, the regime did not hold legal ownership over the project or the assets created through co-operation. They remained the property of the member state(s) whose territory the project was located. Regional projects are therefore, not defined in terms of joint or common ownership, but rather in terms of the common benefits to member states.

Intra-State Conflict (The Case of Lesotho)

The liberalisation of political space through the adoption of participatory democracy has proved a nightmare for Lesotho and its neighbours. The Kingdom of Lesotho gained independence from Britain in 1966 – an event which was preceded by the 1965 general elections. The next round of elections was held in 1970. The election result of 1970 was never honoured forcing the Basutholand Congress Party (BCP) to resort to armed struggle. Repression and dictatorial rule was to characterise Lesotho’s political landscape until the 1993 elections which were again won by the BCP. By the time the BCP assumed power, Lesotho had become a highly polarised society with weak political institutions. No sooner had the

BCP set up a government than factions of the Lesotho Defence Force mutinied “forcing King Letsie III to dissolve the government in 1994.”

The 1994 coup was frowned upon both at home and throughout the region. Within days of the coup, the presidents of Botswana, South Africa and Zimbabwe (The triple M presidents) met and adopted a common position under the auspices of the SADC states. This was the first meeting in SADC convened to discuss an internal crisis in a black-ruled state. President Mugabe sent a letter to the King of Lesotho calling for the reinstatement of the ousted government. This reflected a regional approach in resolving internal issues.

It is important to note that without regional intervention, Lesotho would have degenerated into mayhem too ghastly to contemplate. The response to the crises has followed the “ladder of prevention” alluded earlier on. The military intervention of 1998 was only undertaken as a last resort. The intervention also had a clear political/military goal and end point. In order to find a long lasting solution of the current crisis an agreement was reached on 5th October 1998. The agreement recommended that;

- a fresh election be held in 15 to 18 months
- Lesotho’s election system be reviewed with a view to broaden political participation.
- All parties abide and respect the outcome of the election.
- A code of conduct for political parties be drawn out.
- The independent Electoral Commission be strengthened and given sufficient resources
- Parties desist from making inflammatory statements, and
- Parties work together to restore stability and desist from any action that might compromise the professionalism of the security forces.

To preclude the possibility of conflict arising from the threats described above, Article 2, (K) of the SADC Protocol on Politics, Defence and Security calls for the need to “develop close cooperation between police and security services of the region with the view to address cross-border crime.”

In this regard the SADC ISDSC established at its 19th Session held in Lusaka in November 1997 an Ad hoc committee on cross-border Crime under the chairmanship of Zimbabwe. The Ad hoc committee initially comprising of Angola, Malawi, Zambia, the DRC, South Africa, Namibia and Zimbabwe was tasked to recommend ways and means through which loopholes in SADC states border control mechanisms could be plugged to control the growing illicit trade in small arms and other crimes of transnational nature.

The Ad hoc committee encouraged the establishment of national interdepartmental task forces that would comprise of personnel from Defence, Police, Intelligence, Customs and Immigration and Civil Aviation. These national task forces would submit reports to the Regional Information Centre located in Harare. The Regional Information Centre would in turn compile monthly status reports for onward transmission to national information centres.

Experience in Southern Africa has made SADC states to realise that the sharing of both tactical and strategic information is vital in combating the small arms menace. Through this information exchange, Civil Aviation authorities have been

able to place the regional air space under an effective surveillance. A number of planes used to smuggle weapons in the sub-region have been identified and in some cases this had led to the arrest and prosecution of the contraband runners.

MOZAMBIQUE

Mention should also be made of the intervention in Mozambique by the Frontline State (the precursor to the SADC Organ on Politics, Defence and Security) against RENAMO insurgency. The RENAMO rebellion against the government of Mozambique was initiated and supported by Rhodesia's racist regime. When the Patriotic Front defeated the settler regime, RENAMO was adopted by apartheid South Africa. The intervention in Mozambique also involved Tanzania which sent troops to defend the Tete Province, Zimbabwe which bore the brunt in the South Central Mozambique while Zambia and other Frontline States orchestrated a diplomatic campaign to bolster support for the government and isolate RENAMO.

The Interdependence Between Security and Economic Integration

The interrelationship between security and economic integration which alone can ensure regional stability cannot be overemphasised. Only through convergence of the two can we dispel an environment of escalating hostility since acute disparities in human conditions unleash uncontrollable tensions that can only lead to conflict. Against the backdrop of uneven resource endowment among the SADC states, there is always a likelihood that if not monitored, tension that arises from basic issues of interdependence could impact negatively on regional security.

Recognition of this possibility has led SADC to place a premium on economic integration. The economic debate in SADC is anchored on the adage that 'cooperation is better than competition.' The rationale here is that the removal of barriers encourages trade amongst the SADC members which stimulates economic growth.

Because transnational cooperation structures help prevent conflicts by providing frameworks for managing conflicts of interest and creating common norms and values, there is realisation that intra-regional trade contributes to both economic development and stability. In other words the SADC member states realise that engaging each other in cooperative economic ventures helps build regional security and common foreign policy so necessary in reducing the incidence of conflict.

The enhancement of democratic institutions and their functions is a necessary precondition for the consolidation of peace. Although SADC member states are committed to the principles of sovereign equality, balance and mutual benefit, and the peaceful settlement of disputes among member states, Article 4 of the SADC Treaty underscores that the objectives of regional economic cooperation and development can only be realised within a political framework which guarantees solidarity, peace and security of all the people and respect for human rights, democracy and the rule of law.

SADC has engaged in efforts at evolving common political values that provide constitutionalism as a method of rule and respect for the democratic values of civilian control of the military, while frowning in particular on the phenomenon of coup d'état as a form of governmental change. The objectives of the SADC Organ on Politics, Defence and Security emphasises the need to "promote political cooperation among member states and the evolution of common political value

systems and institutions.” This coupled with the ISDSC (with one of its aims being specifically geared to “prevention of coup d’etat”) allows for collective security actions to be mounted in pursuance of enforcing such norms.

The DRC Invasion

The Democratic Republic of Congo (DRC) a member of the SADC, OAU and UN was invaded by Rwanda and Uganda in August 1998. The major motive behind the invasion was to install a government subservient to Rwandese and Ugandan rulers. According to their own interpretation, they preferred a weak government in the DRC than a strong, independent president Laurent Kabila who had proved uncontrollable and had to be removed at all costs. This desire was reinforced by individual ego and ambition to dominate and create an empire in the Great Lakes. The claim that Rwandese and Ugandan national security was at stake was unfounded because President Kabila had allowed them access to pursue the insurgents into DRC, besides the DRC armed forces were entirely under their control.

Contrary to initial claims, and persistent denials of any involvement by Rwanda and Uganda, it later turned out that the war had been architected in Kampala and Kigali. The involvement of Rwanda and Uganda went far beyond merely supporting the internal rebellion, materially and politically. The two, in contravention of specific provisions of international laws, that are designed to regulate the intercourse of national states as enshrined in the Charters of the Organisation of African Unity (OAU) and the United Nations (UN) and upheld in numerous resolutions adopted by various for a of these organisations, had actually invaded the DRC using substantial military force.

Kabila may well have acted in ways that were perceived by Kagame and Museveni to be contrary to their national security interests – defined broadly by the first two leaders as the need to protect their national borders against threats from the Hutu Interahamwe and the Ugandan rebels, the so-called Allied Democratic Forces. However, allegations that Kabila’s rule has been worse than Mobutu’s cannot be well founded.

Whatever the reasons for the deterioration of relations between the three leaders, Kabila, Kagame and Museveni, it seems that both Kagame and Museveni and their security advisors did not factor in the following issues when the decision was taken to destabilise Kabila’s government and the country generally:

- The security fears of Southern African countries which also had a legitimate stake in the stability of the Congo, e.g. Angola and Zambia.
- Kabila’s historical ties with the leaders of these countries during their liberation struggle.
- Kabila’s deft decision to seek membership of SADC, which effectively offered him the opportunity to reduce his dependence on Rwanda and Uganda.
- The unpopularity of the large presence of Rwanda troops in the country and ethnic Tutsi in the government.
- The fact that both Rwanda and Uganda are resource poor, when compared to the countries of the Southern Africa, and
- The vulnerability of the very small population of the Banyamulenge Tutsi to Congolese nationalism.

The expansionist ambition to install a weak and subservient regime in the DRC was tantamount to the violation of sovereignty and territorial integrity, interference in the internal affairs of a sovereign state. President Kabila’s

government was pursuing a democratisation programme, scheduled to culminate into a general election allowing the Congolese people the opportunity for the first time to elect their own leaders without fear or coercion.

It is important to note here that before war was declared in the Congo, at the July Smart Partnership meeting in Swakopmund, Namibia, President Museveni initiated a meeting within the meeting which was attended by Presidents Mugabe, Nujoma and Mkapa. Museveni drew the attention of the others to the fact that there were problems brewing in the DRC and argued the need for these leaders and those of Angola, Rwanda and DRC to meet to discuss these incipient problems. An agreement was reached that a second meeting would take place from 7-8 August in Victoria Falls, Zimbabwe.

The Victoria Falls meeting was supposed to be an attempt at preventive diplomacy but was too late as the war/rebellion broke out on 2nd August. Thus, the meeting became one in which the DRC accused Rwanda and Uganda of invading its territory while Uganda and Rwanda denied the invasion.

The invasion negated and violated principles of international law in respect of the right of nations to self determination, the right to self preservation and the right to determine one's fate without coercion. The people of the DRC deserved the freedom to exercise their rights and therefore invited the sub-regional community (SADC) to assist in fighting the aggression. SADC countries moreover were asked for assistance by the internationally recognised government of the DRC. The SADC countries went to the DRC by invitation and not by force. And the DRC government had every right to ask for such assistance. Article 51 of the UN Charter states explicit that nothing in the Charter "shall impair the inherent right of individual and collective self defence if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security."

The Intervention

On August 8, 1998 the Inter State Defence and Security Committee (Defence Ministers) and institution of the SADC Organ on Politics, Defence and Security after a thorough analysis of the situation in the DRC and causes thereof resolved to deploy troops in support of the legitimate government. The committee unanimously agreed that those who were ready had its blessings to intervene. Zimbabwe, Angola and Namibia therefore decided to deploy troops immediately because any delay could have led to the fall of Kinshasa. Later Chad through a bilateral agreement with the DRC government deployed in the North.

The military effort was directed towards opening and securing the DRC's lifeline, its only route to the sea and repulse the enemy advance to Kinshasa.

UN Charter

Article 51 of the UN Charter, explicitly states that nothing in the Charter shall impair the inherent right of individual and collective self defence if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Article 52 of the same Charter mandates the creation of regional arrangements and agencies, such as NATO or SADC to deal with matters relating to the maintenance of international peace and security. Article 53 upholds the non-violability of the territorial integrity, independence as well

as the sovereignty of member states and mandates them to call for the help of other states, including military intervention when they are aggressed.

OAU Charter

Article 3 of the OAU guarantees the right of member states to their sovereignty and territorial integrity. This provision was further amplified and reaffirmed by Resolution AHG/16/1, adopted by the Assembly of African Heads in Cairo, Egypt in 1964 on territorial integrity and inviolability of national boundaries as inherited at independence. It is true that despite the existence of these legal bases for collective action, for various reasons, the OAU stood by almost helplessly for the past 34 years of its existence while Africa set the world record of military coups and was deriving from ethnic rivalry, marginalisation of minorities, border disputes and many other causes. But at its summit of Heads of States hosted by Zimbabwe in May 1997, the OAU took stock of its previous inadequacies and made milestone declaration for Africa “never again” to tolerate the removal of legitimate governments by armed rebellion, be it coups or any other form of military rebellion.

Indeed Kofi Annan, the UN Secretary General had this to say: “since 1970, more than thirty wars have been fought in Africa, the vast majority of them intra-state in origin. In 1996 alone fourteen of the fifty three countries of Africa were afflicted by armed conflicts, accounting for more than half of all war related deaths worldwide and resulting in more than eight million refugees, returners and displaced persons. The consequences of those conflicts have seriously undermined Africa’s efforts to ensure long-term stability, prosperity and peace for its people. By not averting these colossal human tragedies, African leaders have failed the peoples of Africa; the international community has failed them. We have failed them by not adequately addressing the causes of conflict; by not doing enough to ensure peace; and by our repeated inability to create the conditions for sustainable development.”

SADC Resolutions

Article 4 of the Declaration and Treaty of SADC, signed in August 1992 mandated the creation of a Southern African security mechanism. It must be recalled that the Organ took on board the Interstate, Defence and Security Committee (ISDSC), which had functioned for over 25 years as the security leg of the FLS. The ISDSC has since 1996 functioned quite smoothly and effectively, despite the contestation of the SADC Organ’s operational and structural modalities that arose in Blantyre Malawi at the August 1997 Summit. It was indeed a full seating of the ISDSC, chaired by Zambia, that took the decision for SADC member states to intervene militarily, either singly or collectively, to help the aggressed DRC, which itself had joined SADC soon after President Kabila’s ascendancy to power in August 1997. the ISDSC decision was in line with its Cape Town Resolution of September 1995 which endorsed collective action in the event of attempts to remove legitimate government by military means. In Swaziland, Mbabane in March 1999 the ISDSC re-affirmed its support for the Allied Forces in the DRC.

It follows therefore that Zimbabwe’s military involvement in the DRC, which is aptly code named “Operation Sovereign-Legitimacy” is perfectly legitimate. Internationally, it is covered by Chapters 52 and 53 of the UN Charter in that it followed a decision of the Interstate, Defence and Security Committee of the SADC Organ on Politics, Defence and Security. It aims to uphold pertinent principles of both the OAU and UN regarding the non-violability of national

boundaries and most importantly it was occasioned by an appeal for help from the DRC, a member of the SADC in which its own sovereign and legitimate right.

It is quite clear at this stage, the SADC intervention in the DRC was consistent with Article 51 of the UN Charter regarding collective security by member countries in the event of external aggression. The OAU and UN have endorsed through resolutions the SADC intervention in the DRC. The UN Security Council on 12 April 1999 adopted resolution 1234 (1999) expressing its commitment to preserving the national sovereignty, territorial integrity and political independence of the DRC.

The intervention was also consistent with OAU Harare Declaration of 1997 regarding the removal of government by force of arms and the ISDSC Cape Town, South Africa resolution which endorsed collective action in the event of attempts to remove governments by military means. Precedents of intervention on behalf of victims in Africa are abundant. Botswana, Zambia, Tanzania and Zimbabwe agreed to support Mozambique when faced with RENAMO destabilisation but only Zimbabwe and Tanzania were able to send troops. Botswana provided logistical support. The SADC effort received worldwide acclamation. The Economic Community of West African States (ECOWAS) intervened to restore the elected Government of Sierra Leone and also in the Liberian crisis. Those who argue on why only 3 SADC countries intervened in the DRC should know that out of the 16 countries in ECOWAS only 5 sent troops. SADC has intervened twice in Lesotho, first in 1996 by pursuing a diplomatic solution. In 1998 the SADC endorsed military intervention by South Africa and Botswana to restore law and order.

Conclusion

The study of Common Foreign Policy in the SADC region has revealed that national self-determination during the colonial period and supra-nationalism of the Pan-African Movement also promoted and still promotes unity and solidarity among a wider and diverse group of peoples. Both forms of nationalism combined to be potent mobilising agents in the area of foreign policy formulation in the SADC states. Regionalism like nationalism perceived by SADC states advances the causes of freedom and unity in their attempt to increase economies and politics of scale. SADC foreign policy views on regionalism are chiefly drawn from the Pan-Africanism which called for solidarity and independence of the peoples of Africa. As noted in the study, the origins of SADC and hence their common foreign policy approach are to be found in the military alliance of the Frontline States which was first organised in 1974 to assist in the liberation of Zimbabwe. From the beginning, the states viewed their sovereignty as interdependent with each other, for the white minority government of Rhodesia and South Africa regularly conducted cross-border bombing and commando raids.

The birth of a new African Union has finally materialised, ushering – in a new epoch in the socio-economic and political development and integration of African countries. The transformed Organization of African Unity into a Union of States will be modelled, along the lines as European Union, with its own parliament, Court and bank. This will no doubt have a direct impact on African foreign policies and common security managements. This development should see SADC foreign policies come even closer than before.

The Lusaka summit, therefore, marks an important benchmark in the evolution of the African regional economic groups. The formation of the AU is a bold step into the right direction. While it might be difficult in the beginning for the Union to take shape and accelerate the ideals of economic development and integration, the important point to remember is that a journey of a thousand miles begins with a single step. The main difference between the AU and OAU will lie in the transformation of the highest African decision-making body into an integrated political and economic body.

The Union will for the first time have an African Central Bank whose duty will be to regulate trade and, payments among African countries. This will eliminate the costly practice of countries having to purchase foreign currency, especially the US Dollar, to make payments that they could otherwise settle with export of goods and services. This is an innovative step in the creation of a Pan African Parliament where African problems and foreign policies and security arrangements can be debated and solutions to them formulated.

The third leg of the new Union will be an African Court of Justice where African governments that act against the interests of their own citizens can be put in the dock. All goes much further by establishing a Central Court – something like the European Court of Justice – where Africans will be able to seek redress.

All these developments will no doubt have an influence on the SADC foreign policy management.

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