



**EXTRAORDINARY MEETING OF THE MINISTERIAL COMMITTEE OF THE
ORGAN TROIKA (MCO TROIKA)**

26 SEPTEMBER 2023

VIRTUAL

RECORD

1. ADOPTION OF THE AGENDA

The Extraordinary meeting of the Troika of the Ministerial Committee of the Organ (hereinafter referred to as the EO-MCO Troika) considered and adopted the Draft Agenda (**SADC/EO-MCOTroika/6/2023/1A**) as presented by the Secretariat.

2. UPDATE ON ELECTIONS IN THE REGION

2.1 The EO-MCO Troika recalled that Summit at its meeting of August 2023 noted the elections calendar as in table 1 below:

Table 1: Election Calendar: August 2023- May 2024

S/N	COUNTRY	TYPE OF ELECTION	DATE
1.	Zimbabwe	General Elections	23 August 2023
2.	Eswatini	General Elections	29 September 2023
3.	Madagascar	Presidential Election	First Round 9 November 2023; possible Second Round: 20 December 2023
4.	DRC	Presidential, Legislative and Provincial Elections	20 December 2023
5.	South Africa	National and Provincial Elections	TBA 2024
6	Comoros	Presidential	TBA February 2024

2.2 Government of the Republic of Zimbabwe response to the SEOM Preliminary Statement

- 2.2.1 The EO-MCO Troika noted that the SADC Electoral Observation Mission (SEOM) was deployed to the Republic of Zimbabwe to observe the Harmonised Elections which took place on 23rd-24th August 2023. In accordance with the SADC Principles and Guidelines Governing Democratic Elections, the Chairperson of the Organ, His Excellency Hakainde Hichilema, President of the Republic of Zambia, appointed Dr. Nevers Mumba, the former Vice President of the Republic of Zambia to lead the SEOM to Zimbabwe.
- 2.2.2 The EO-MCO Troika also noted that the SEOM is mandated to observe elections in terms of the SADC Principles and Guidelines Governing Democratic Elections which all SADC Member States signed and adopted, and have been operational since 2004.
- 2.2.3 The EO-MCO Troika further noted that all SADC Member States send individuals to serve as observers under the SEOM each time another SADC Member State conducts elections. For the purposes of the August 2023 Harmonised Elections, observers were seconded from the Republic of Angola, the Republic of Botswana, the Kingdom of Eswatini, the Republic of Malawi, the Republic of Mozambique, the Republic of Namibia, the Republic of South Africa, the United Republic of Tanzania, and the Republic of Zambia.
- 2.2.4 The EO-MCO Troika noted that;
- (i) in terms of section 6.1.3, the Chairperson of the Organ shall receive the SEOM reports and reports of the SADC Electoral Advisory Council (SEAC) on matters pertaining to elections and the enhancement of democracy and good governance in the SADC region; and
 - (ii) the reports of the SADC Electoral Observation Mission are handled in terms of section 11.8 of the Principles and Guidelines. The SEOM issues a Preliminary Statement immediately after the close of polls. The Preliminary Statement outlines the initial findings of the SEOM.
- 2.2.5 The EO-MCO Troika also noted that the Zimbabwe SEOM issued its Preliminary Statement on 25th August 2023 and, as stipulated by Section 11.8.1 of the Principles and Guidelines, the SEOM should produce its Final Report within 30 days and submit to the Member State that held the relevant election.
- 2.2.6 The EO-MCO Troika further noted that since the 30 days have lapsed, the Zimbabwe SEOM report has been finalised for submission to the Chairperson of the Organ for onward transmission to the Head of State and the Electoral Management Body of the Republic of Zimbabwe.

- 2.2.7 The EO-MCO Troika noted that in terms of section 11.8.2, when SEOMs officially submit their election reports, Member States which held elections, may:
- (i) consider the recommendations advanced by the SEOM for improving the conduct of elections; and
 - (ii) submit to the Chair of the Organ, a response to the SEOM report.
- 2.2.8 The EO-MCO Troika also noted with concern, the personal attacks and threats on the media that have been directed at the SEOM Head of Mission Dr. Nevers Mumba and the Chairperson of the Organ, His Excellency Mr. Hakainde Hichelima since the Zimbabwe SEOM released its Preliminary Statement on 25th August 2023. The attacks were made by individuals in both the ruling ZANU PF political party and some in high level positions in the Government of Zimbabwe. The narrative in these attacks have been that the SEOM Preliminary Statement on the Zimbabwean elections was personally authored by Dr. Nevers Mumba.
- 2.2.9 The EO-MCO Troika further:
- (i) noted that such attacks undermine the SADC Principles and Guidelines Governing Democratic Elections and might have a negative bearing on the SEOMs that are to be deployed in the future elections, especially with another election coming on the 29 September in the Kingdom of Eswatini; and
 - (ii) reiterated that SEOMs are in line with the SADC Principles and Guidelines Governing Democratic Elections, and that reports are produced by a collective of the Member States observers, led by the Organ Troika and supported by the Secretariat.
- 2.2.10 The EO-MCO Troika noted that there is a risk that if unchecked, further attacks on the leadership of the Organ and of the SEOM have the potential to damage the credibility of SADC as an institution.
- 2.2.11 The EO-MCO acknowledged and commended the Secretariat for taking the initiative to issue media statements that clarified the procedures that are followed by the SEOM, and in the same statements, for protecting the credibility and leadership of the Organ and the SEOM.
- 2.2.12 On the basis of paragraphs 2.2.8 and 2.2.9 above, and in order to manage the situation and avert future attacks on the leadership of the Organ and SEOMs and restore the dignity and resilience of SADC and its long standing Structures, the EO-MCO Troika recommended as follows:

- (i) The Secretariat to remain pro-active in its efforts at protecting the credibility and leadership of the SADC structures such as the SEOM;
- (ii) Given that some circumstances are not predictable, and that there will always some individuals who will not agree with the SEOM, all reports and statements should be crafted in a manner that ensures relevant procedures and rules are followed to protect the SADC institutions from unwarranted attacks;
- (iii) Continue to field technically experienced staff from the Secretariat who are complemented by capacitated observers to facilitate the work of the SEOM; and
- (iv) The Secretariat to ensure that the Organ Troika Member States continue to process, adopt and own the reports of the SEOM so as to avoid unwarranted suggestions that the reports are the product of one individual or Member State.

2.3 SADC Electoral Advisory Council Pre-Election Goodwill Assessment Mission to the Republic of Madagascar

2.3.1 The EO-MCO Troika noted that in accordance with the revised *SADC Principles and Guidelines Governing Democratic Elections* (2021), the SADC Electoral Advisory Council (SEAC) conducted a Pre-election Goodwill Assessment Mission to the Republic of Madagascar from 24 July to 2nd August 2023. The purpose of the mission was to assess whether:

- (i) the political and security environment in the countries was conducive for the holding of free, fair, transparent, credible, and peaceful elections in conformity with the *Principles and Guidelines*;
- (ii) the legal framework governing the elections is in place; and
- (iii) whether the Election Management Body was prepared to conduct democratic elections.

2.3.2 The EO-MCO Troika also noted that the SEAC Report recommended that the Chairperson of the Organ mandates the deployment of the SADC Electoral Observation Mission to the Republic of Madagascar, and further recommended as follows:

General security environment: It is important that the current calm and peaceful political environment be maintained and enhanced. In this respect:

- (i) All political leaders are urged to exercise maturity in their campaign messages. They are to desist from engaging in hate

and violent language, particularly to refrain from inciting political violence and intimidation.

- (ii) The Chairperson of the Organ is urged to consider mandating the SADC Panel of Elders, in line with its mandate concerning conflict prevention, management and resolution, before the election takes place, to facilitate the development and adoption of a “peace pledge” by all political parties and candidates, affirming non-violence, respect for the rule of law, and commitment to peaceful resolution of potential electoral disputes.
- (iii) The Panel of Elders to also engage the Leadership of the Government with a view to persuade them to commit to a dialogue with the political parties for discussions and agreement on the law reform areas that need to be undertaken. There are too many cries from the stakeholders for a dialogue and law reform. The need for dialogue on proposed law reform is apparent, because out of the 22 recommendations of the SEOM made following the 2018 and 2019 Elections, only five (5) are in the process of implementation, according to the SEAC Post-Election Review Report of 30 November 2022. Most of the unimplemented recommendations require a reform of the law to be undertaken first. It therefore has become relevant that the Panel of Elders be involved in order to bring the Government and opposition parties to the round table.
- (iv) The Chairperson of the Organ is urged to mandate the Executive Secretariat to facilitate the early deployment of a long-term observation component of the SEOM, to be visible on the ground in all the six provinces of Madagascar ahead of the actual deployment of the SEOM. The electoral environment needs to be monitored, particularly after the candidates for the Presidential Election have been announced by the HCC.

2.3.3 The EO-MCO Troika further noted that, subsequent to the above mentioned SEAC Pre-election Mission, the Secretariat received communication from eleven candidates contesting for the office of the president in Madagascar, which amongst others, requested for the assistance of SADC in resolving what they referred to as “prevailing electoral crisis” and “a significant political turmoil marked by recurrent breaches of the Constitution”.

2.3.4 The EO-MCO Troika noted the need for the Secretariat to consult with the Government of the Republic of Madagascar regarding the proposed deployment of the Panel of Elders as recommended by the SEAC.

**Decision 1:
Update of Elections in the Region**

2.3.5 The EO-MCO Troika recommended to the EO-OTS to:

- (i) express deep concern on the personal attacks that were made by some individuals against the Chairperson of the Organ, and the Head of the SADC Electoral Observation Mission (SEOM) to the Harmonised Elections that were held in Zimbabwe in August 2023; and
- (ii) commend:
 - (a) Dr. Nevers Mumba, former Vice-President of the Republic of Zambia for his leadership of the SADC Electoral Observation Mission to the Republic of Zimbabwe;
 - (b) the experts who were seconded by SADC Member States to serve as Observers during the Harmonised Elections in Zimbabwe; and
 - (c) Secretariat for protecting the credibility and leadership of the SADC Organ and the SADC Electoral Observation Mission (SEOM).
- (iii) direct the Secretariat to ensure that the Organ Troika Member States continue to process, adopt, and own the reports of the SEOM.

2.3.6 The EO-MCO Troika recommended to the EO-OTS to:

- (i) endorse that the Panel of Elders be deployed to the Republic of Madagascar in accordance with the recommendations of the SADC Electoral Advisory Council (SEAC) Pre-election Assessment Mission and ahead of the forthcoming Presidential Election; and
- (ii) direct the Secretariat to consult with the Government of the Republic of Madagascar regarding the proposed deployment of the Panel of Elders as recommended by the SEAC.

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Hon. Stanley. K. Kakubo
Minister of Foreign Affairs and International
Cooperation Republic of Zambia, and
the Chairperson of the Ministerial Committee of
the SADC Organ on Politics, Defence and
Security Cooperation

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Date