



**CONFERENCE ON  
THE ROLE AND CHALLENGES OF CIVIL SOCIETY ENGAGEMENT  
IN POST-ELECTION DISPUTE RESOLUTION**

**Peacock Hotel, Dar-Es-Salaam, Tanzania  
21 – 22 July 2008**

**COMMUNIQUE**

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**We**, the representatives of Civil Society formations, comprising Non-Governmental Organizations (NGOs) and Faith Based Organizations (FBOs) from all the fourteen (14) Member States of the Southern African Development Community (SADC), Kenya and Nigeria gathered at Peacock Hotel, Dar-Es-Salaam, Tanzania under the auspices of the SADC Election Support Network (SADC-ESN) at a two-day conference on the theme *“The Role and Challenges of Civil Society Engagement in Post-election Dispute Resolution”*;

**Cognisant** of the demonstration of commitment to participatory and representative democracy and to the conduct of credible elections by the African Union (AU), Regional Economic Communities (RECs) and African States through a number of Instruments notably the African Charter on Democracy, Elections and Governance adopted by the AU in January 2007 and the SADC Principles and Guidelines Governing Democratic Elections adopted by SADC Member States in August 2004;

**Noting** the disturbing trend of protracted post-election disputes characterized by violence, huge displacements of people, disruption of social livelihoods, loss of lives and wanton destruction of property;

**Concerned** with the way and manner in which the Judiciary has managed and dispensed with cases of election-related disputes and the consequential loss of confidence in the Judiciary by the electorate;

**Reaffirming** that peace and stability are invaluable assets for the consolidation of democracy and advancement of sustainable human development on our continent;

**Mindful** of the adverse effects and consequences of these post-election disputes and violence on the political stability of the continent, the socio-

economic wellbeing of our people and the loss of public trust in the electoral process across the continent;

**Concerned** about the limited, and in many cases, absence of legal framework and an institutional space created by relevant continental, regional and state authorities for Civil Society input and engagement in the resolution of post-election disputes;

**Concerned** about the dearth of opportunities offered to Civil Society in various frameworks currently underway for the resolution of post-election disputes across the continent despite the laudable efforts and inputs of Civil Society in the democratization process on the continent;

**Mindful** of the tremendous capacity, capability and experience of African Civil Society resource which is readily available to engage in and contribute to a credible, just, transparent, equitable and amicable resolution of post-election disputes;

**Hereby Resolve as Follows:**

1. The African Union (AU), the Regional Economic Communities (RECs) and their Member States must accord Civil Society the necessary Institutional recognition and space to engage in all efforts, including ongoing processes in Zimbabwe, Nigeria, Kenya and Lesotho, aimed at resolving election related disputes.
2. Civil Society across the continent should proactively engage the respective continental, regional and national structures and authorities respectively and ensure that such engagement should be utilized constructively. Civil Society should offer its services to find or serve as an impartial arbiter or broker in post-election disputes situations.

3. Civil Society across the continent must become better organized and put in place effective and credible mechanisms to engage in established legal and institutional frameworks for the resolution of post-election conflict.
4. Governments across the continent should ensure that legal and institutional frameworks for the conduct of elections are adequate in terms of provisions for electoral dispute resolution.
5. Governments must ensure independence, impartiality and professionalism of the election management bodies (EMBs) and the Judiciary as key actors in the management of election-related conflicts by de-politicizing them.
6. Civil Society should pro-actively develop short-term, medium-term and long-term strategies for the constructive management of conflicts in a sustainable manner.
7. Civil Society must engage the media, both private and public, with a view to offering and sharing relevant information that is critical to the resolution of post-election disputes, necessary for countering any propaganda used to fuel crises and also useful in restoring public confidence in the electoral process.
8. The resolution of election-related conflicts should not undermine the expressed will of the electorate and thereby result in loss of public confidence in the electoral process.
9. Mediation and negotiation processes should be broadly inclusive of key political actors including Civil Society and their outcomes must enjoy popular acceptance and legitimacy.
10. Where a transitional authority is set up as part of the resolution of an election-related conflict, its composition must be all-inclusive, its mandate well-defined and its time-frame clearly defined before a fresh election is held.

11. While political parties and leaders must inculcate a culture of political tolerance and entrench intra-party democracy, Civil Society must continue to preach tolerance and understanding among our people letting them understand that elections as a political contest is conflict prone but must not be violent and destructive.
12. Political parties and leaders must desist from politicization of social identity (including ethnicity, race, religion, gender etc) and state institutions as this trend severely undermines democratic governance and negates efforts towards national unity and nation-building.
13. Civil Society must build its capacity on lobbying, advocacy, negotiation, mediation and conflict resolution skills and develop a regional and continental pool of experts readily available for engagement across the continent as and when necessary. Donors should in this regard, provide necessary support for Civil Society engagement in post-election disputes resolution processes and also support the participation of Civil Society leaders in the specialist trainings available in these fields.

***Adopted at Dar es Salaam, Tanzania on 22 July 2008***