

Annex II: An ADR Success Story



ADR SUCCESS STORY – A COUNTRY IN SOUTHERN AFRICA

From the start of the campaign period, there were constant clashes between supporters of two parliamentary candidates in a rural constituency: a high-level representative from the ruling party (Mr. ABC) and a member of this party (Mrs. XYZ). The genesis of the conflict lay in the party primaries. The ruling party held a strong position in the constituency, and it was taken for granted that whoever won the party primary election would likely win the parliamentary seat. As a result, the primaries were hotly contested. However, due to poor management of the party primaries, there were widespread claims of rigging and other irregularities. When Mr. ABC won the party nomination, supporters of Mrs. XYZ claimed that she lost due to rigging and immediately petitioned the party for a rerun of the primaries. When the party failed to do so, Mrs. XYZ left the party and registered to contest as an independent candidate. This move angered supporters of Mr. ABC, who claimed that Mrs. XYZ was out to divide the party votes, which might lead to the party losing the parliamentary seat.

The political tensions between the two candidates and their supporters resulted in repeated incidents of violence whenever the two groups met. There were constant campaign disruptions, street battles and property damage as the two groups clashed. They also divided the constituency into strongholds, each barring the other from their respective controlled areas, which further added to the violence.

With the rising incidence of violence, the electoral ADR body decided to mediate between the two conflicting groups. A closed-door mediation meeting convened close to Election Day brought together the two candidates and their agents. At the end of the meeting, the two parties agreed to abide by a number of resolutions during their campaigns. These included immediately convening a meeting with their campaign agents to instruct them not to harass their opponents' supporters, as well as making a public appeal to their supporters to shun violence; agreeing that the campaign teams would consult each other to avoid clashes over venues; renouncing the division of the constituency and allowing the other group to campaign in their strongholds. The parties also agreed in the meeting that the police and the ADR body would be the guarantors of this peace agreement, closely following its adherence by the parties. The parties agreed that there would be sanctions on whoever broke the agreement, including legal action against them.

Following the mediation, campaign violence between the two groups ceased, and the rest of the campaign activities were conducted peacefully. The mediation exercise was supported by a Consortium for Elections and Political Process Strengthening/IFES-sponsored CSO in a specific district. (Names have been changed in this example.)

Annex III: List of Contributors

Contributors included current and former election officials, judges, or independent experts. IFES is grateful for their participation in interviews or for sharing written comments on the case studies from their relevant country.

Country	
Kenya	Hon. Rosalyn Aganyo, <i>Political Parties Disputes Tribunal, Secretary and Member of Judicial Committee on Elections</i>
Malawi	Justice Dr. Chifundo Kachale, <i>Chairman of Malawi Electoral Commission (MEC) and High Court Judge</i> David Matumika Banda, <i>Legal Director, MEC</i> King Rudi, <i>Acting Human Resources Director, MEC</i> Wellingtone Katantha, <i>Acting Electoral Services Director, MEC</i> Andrew Mpesi, <i>Program Management Specialist, Governance, USAID</i> Viwemi Chavula, <i>Executive Director, 50-50 Campaign</i> Leon Matanda, <i>Program Director, Corruption and Rights Watch</i> Barbara Banda, <i>Chair, NGO Gender Coordination Network</i>
Nigeria	Hafiz Isah, <i>Chief Registrar, Federal Court of Appeal</i> Dr. Aminu Adamu Bello, <i>former Nigeria Deputy Director, Alternative Election Dispute Resolution Directorate, Independent National Electoral Commission</i>
Senegal	Demba Kandji, <i>Former President of Court of Appeal of Dakar</i>
South Africa	Judge Mbha, <i>Chair of Electoral Court of South Africa</i> Eldred De Klerk, <i>Project Manager, Independent Electoral Commission of South Africa</i> Granville Abrahams, <i>General Manager Electoral Matters, Independent Electoral Commission of South Africa</i> Grant Masterson, <i>Head of Programme, Political Institutions and Processes, Electoral Institute for Sustainable Democracy in Africa</i>
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