

South Africa in Africa: 20 years of Democracy



4th February, 2014, Pretoria

Executive Summary

This dialogue workshop was convened to commemorate South Africa's 20 years of democracy, by looking at the country's foreign policy on the continent. Ambassador Lindiwe Zulu spoke in the first session chaired by Professor Chris Landsburg. The second session was chaired by Mr Aziz Pahad, the former Deputy Minister of Foreign Affairs with Ambassador Welile Nhalpo and Piers Pigou a representative of the International Crisis Group (ICG) as first and second speakers respectively. Key issues discussed included the historical genesis of SA's foreign policy, SA's African agenda and how this relates to national interests, role of civil society and other domestic actors in shaping foreign policy, SA's role in the AU, SADC, UN, BRICS, IBSA and G20, UN Security Council reform and the principles informing SA's foreign policy.

First Session:

Chaired by Professor Chris Landsburg, (SALO Board Member)

Speaker, Ambassador Zulu (International Relations Adviser to the President)

Ambassador Zulu began with the emphasis of the impact of the liberation struggle upon foreign policy in South Africa. In the 20 years of democracy, South Africa sought to ensure that foreign policy reflects the country's gratitude to all those who supported the liberation struggle, especially those in the Southern African region. For instance, South Africa focused on building SADC to ensure that there is peace, security and stability within the region, and the African Union as a platform for Africa to discuss African solutions for African problems. She observed that the focus on integration is informed by the fact that Africans

believe it is important for them to have an African continent that is free from conflict, poverty and underdevelopment. Ambassador Zulu paraphrased former president Thabo Mbeki saying that it does not make sense for South Africa to be 'prosperous in a sea of poverty'. Thus in the past twenty years, the South African foreign policy was highly focused on enhancing the development of Africa as a whole above South Africa's own development. Over time those policies have had to change as South Africa has had to adapt to the current global environment as well as the domestic pressure to focus on the country's own needs; a move that has been highly criticized.

"Oh, now it looks like you are changing your (referring to South Africa) foreign policy; now it looks like you are becoming selfish; now it looks like you want to be like the America of Africa; now it looks like you are pushing more of your own national agenda than you did during the time of your first president, may his soul rest in peace".

Ambassador Zulu however reminded people that former President Nelson Mandela had operated as part of a bigger organisation, the African National Congress (ANC). She called for civil society to engage in discussions with the government whenever they felt that the ANC's policies contradicted its values.



Several lessons for SA foreign policy include;

1. South Africa needs to focus more on its national interests, in order to be an effective actor in the global economy and politics but without neglecting its responsibility towards the African continent.
2. There is urgency for South Africa to continue analysing its relationships on a bilateral level to strategize on how to assist in the future, and identify limitation to assisting Africa states.
3. South Africa has to develop more mutually beneficial relationships in order to participate effectively in the global economy.

She concluded by pointing out that going forward, human capital would be vital. South African foreign policy actors need to consider how they could work most efficiently whilst ensuring the relevance and influence of the foreign policy not only for South Africa but for Africa as a whole.

First round of Questions and Comments from the floor

Mr Mario Rui Queiro (EU) appreciated South Africa's efforts to end conflict on the continent. He then asked Ambassador Zulu to comments on, the kind of military intervention and political involvement that can be expected from SA in CAR, Sudan and DRC and her views on the Tripartite Mechanism on dialogue and cooperation composed of SA, Angola and the DRC.

One **Mr Brian Muziringa** pointed criticised the African Union for including leaders in decision-making who partook in human rights abuses. While appreciating the SADC Road Map for Zimbabwe, he queried how outstanding reforms could be implemented with President Mugabe's appointment as deputy SADC chair. Mr Muziringa raised a concern about what he called SA home affairs bias against migrants.

A third contributor from the floor challenged the concept, of "African Solutions for African Problems" arguing that it is an abused statement. The contributor was of the view that this is being used to protect HR violators in Africa from international criminal prosecution.

Response from Ambassador Zulu

Speaking first on the question of impunity, the Ambassador stated that South Africa does not agree to the impunity of a state official, following a decision taken in the African Union's (AU) 2013 summit. The decision was related to the concept of 'African Solutions to African Problems' and how certain issues are not addressed by the ICC. It was also found by Africans that the Rome Statute needed to be altered in some

areas. Nevertheless, she posited, Africans are calling for greater accountability and strengthened African institutions. Ambassador Zulu explained that although there was a general buy-in into the concept of 'African solutions', it did not imply Africa's isolation from the world. African states continued to pursue international relations and acquire international positions in multilateral fora. On Zimbabwe she recalled how Zimbabwean political parties agreed to proceed with election despite some outstanding issues and noted that SADC has asked the state to consider the outstanding reforms. The Ambassador reaffirmed South Africa's welcome of foreigners and their access to documentation but said that the influx has been heavy and affects the South African economy, infrastructure and contributes to other issues.

Second Round of Questions and Comments from the floor

Dr Showers Mawowa (SALO) wanted to know if NEPAD is still an important part of South Africa's economic and developmental foreign policy agenda in Africa.

Dr. Siphamandla Zondi, from IGD pointed out that South Africa's major focus has been to strengthen the institutions of the African Union conveying the understanding that the health of these institutions enable Africa to take care of regional public goods on the continent. Dr Zondi believed the intriguing aspect of institution-building was the linkages between the institutions, especially between the AU and regional economic communities. This, he pointed out, can be harnessed to strengthen Africa's security capacity and development institutions to make Africa independent and to build a strong justice system to internally deal with accountability and reduce external reliance. Dr Zondi further asked about the African diaspora project and whether there has been progress in connecting them to their cultural home and tapping into the economic resources they provide for development in Africa.

Prof. Chris Landsberg, (SALO) asked for Ambassador Zulu to comment on the future of the African Peer Review Mechanism and whether South Africa had the capacity to drive such an ambitious foreign policy agenda. He also asked whether South Africa was comfortable being the only African country in BRICS, G20, IBSA and many other multi-lateral institutions. The professor questioned whether South Africa should make a case for Nigeria and others to join in the spirit of a genuine African partnership or should South Africa remain in its hard won position.

Responses from Ambassador Zulu

Ambassador Zulu reflected on South Africa's foreign policy on the progress of regional female representation and the democratic limitations to imposing women upon these structures. On BRICS, the Ambassador felt that South Africa is not comfortable representing other African countries and she looked at past examples of South Africa's advocacy for greater African representation. In addition, she explained how South Africa had earned the position through its domestic situation. Despite this progress in South Africa, African countries less developed still required representation. African needs to review its partnerships to identify how Africans can open up space to be recognized as a force. At the same time, Africans need to look at themselves to recognize whether people are treated fairly in their countries. The Ambassador confirmed that NEPAD still remains at the center of Africa's development and that South Africa will support it financially until the AU can absorb it. The biggest challenge for Africa is infrastructural development and African leaders are in charge of specific projects under NEPAD to address this, with the South African President coordinating.

The APRM is also in operation though it has many challenges. South Africa, having partaken in the review in 2013, is confident in the APRM in terms of its ability to provide accountability. Even though administration and management needed to be improved, 30 states have signed up to the APRM process. On the African diaspora, the Ambassador said more thought is required into sustainably connecting the diaspora to their cultural homes and for Africa to tap into the human as well as economic resource attached to improve the living conditions at home. Ambassador Zulu commented on the relationship between Angola and South Africa using the example of Angola's leadership in the International Conference on the Great Lakes Region. South Africa needs to maintain a healthy connection with African leaders in order to assist in decision-making in the continent without South Africa imposing itself upon African regional structures

Second Session:

Chaired by Mr Aziz Pahad, Former SA Deputy Minister of Foreign Affairs

First Speaker, Ambassador Nhlapho (SA's first ambassador to US and ex-special envoy to the Great Lakes Region)



Ambassador Nhlapho started by noting the importance of reflecting on South Africa's historical background in the analysis of the first twenty years of democracy. The history accounts for South Africa's heavy focus on creating relations with the rest of Africa. The essence of the ANC was built on bringing back the power to Africa, which is also highlighted in the national anthem 'Nkosi Sikelel' iAfrika' (God Bless Africa). History influenced the construction of the constitution which serves as a framework on how South Africa looks at Africa thus informing the basis of South Africa's foreign policy. The peaceful manner of conflict resolution in South Africa was also influenced by

the new international climate and conditions of the post-Cold War era. After posing a question whether South Africa could have developed differently, Ambassador Nhlapho states this would not have been possible. The Ambassador referred to the globalization of international relations at the time, and South Africa's emergence and joining with the continent, particularly joining with the international instruments that were governing multilateral relations. South Africa therefore, had to adapt to the already emerging framework, which informed its approaches and policies. He noted that the opening of diplomatic relations between South Africa and African states in 1990 began to underpin how South Africa would engage with the continent and he further highlighted the various historical events informing the basis of South Africa foreign policy and approaches.

Second Speaker, Piers Pigou (ICG)



Mr Pigou drew attention to the fact that throughout both sessions the importance of history, context and the course of experience that South Africa has had both in the regional arena, African continent and the international community; has allowed South Africa to move consistently and constructively towards the normative values of international protocols, both on the continent and within the United Nations family. A common question posed on South Africa's foreign policy is whether the country has the capacity to inform different types of engagements in the foreign policy arena, particularly where South Africa is intending to engage with powers that are larger in terms of size and capacity, such as Brazil and India. Increasingly in the analytical arena, civil society has heard about the limitations in DIRCO. Thus, ICG recognizes the

potential for partnerships and engagement with South Africa, on broadening the understanding of the economy and the context of the conflicts which it's operating in. Mr Pigou believes a key challenge for South Africa has been communication with the public. From the ICG perspective South Africa is more proactive in relation to conflict resolution and mediation, which has resulted in the most significant development for these issues on the continent.

Second Session, First Round of Questions and Comments

The **first contributor** commented first that at the beginning of South Africa's democracy there was change and uncertainty within the African continent as well as internationally. The aspiring powers on the African continent had to contend with the entrance of South Africa which had the economic and the military power that most of these countries did not have. South African leaders were conscientious not to impose upon other

countries. South Africa followed the ANC's principles of humility and had successful relationships with other states as well as progress in Africa from international forums. For instance the Oslo Agreement reduced the number of landmines significantly under SA leadership.

A second Contributor commended the handling of the political crisis in Madagascar and queried whether the lessons learnt could be applied to other parts of the continent especially Sudan and South Sudan or Egypt. He queried AU's position on Egypt in addition to whether South Africa would follow a silent diplomacy route on this matter.

Mr Sipho Mhlangu believed the successful emergence of South Africa into the international arena was made possible by the capital and human resource that the country had. The contributor questioned how best such efforts could be duplicated in coming generations so as not to lose South African reputation.

Professor Chris Landsberg put forward a question concerning the obligations and responsibility of the United Nations Security Council (UNSC) vetoing powers on nuclear states. He asked for SA's view of the ICC citing former SA president Mr Kgalema Mphahlele's remark in 2011 that France, USA and Britain should be charged with war crimes for the illegal invasion of Libya.

Dr Showers Mawowa, SALO, asked about how foreign policy was negotiated between the ANC and its domestic alliance partners.

Tapangwi Kanu wanted to know about coordination between the UN, AU and SADC structures particularly in regards to peace-keeping.

Response from Ambassador Nhlapho

Ambassador Nhlapho started by contextualising the issue on the ICC, pointing out that the manner in which it convenes is problematic. In the case of President Bashir in Sudan, the ICC intervened during the negotiations of the Comprehensive Peace Agreement in Sudan. African countries began to raise questions about the intensions of the ICC which were not answered by the international community. Therefore, he argued, the question of prosecution at the expense of peace needs to be examined. Ambassador highlighted that besides the Sudan situation, all other cases were brought to the ICC by Africans. It created a feeling amongst Africans that an African institutional framework is necessary to deal with these issues. He cited the AU as an example of the initiatives investigating gross human rights violations in South Sudan. Ambassador Nhlapho suspects that there is no consensus on where the moral authority lies amongst international powers thus, positions are unclear. On Madagascar, the Ambassador used the contextual specificities to show why the lessons that have been learnt cannot be transposed to other African situations.

The Sudan-South Sudan issue rests on the fact that Sudan's independence was never recognised by Africans, rather power was handed over to the Arabs, yet Sudan became a founding member of the OAU. The subsequent principle of non-interference forced Sudan to contend with its internal struggles alone. Ambassador Nhlapho also expressed concern for the ambiguous role of the United Nations that struggled to respond to all the different challenges in the Sudanese context.

With regard to nuclear powers, the Phelindaba treaty puts into focus the renewal of obligations and responsibilities of the veto powers as well as the non-proliferation treaty. The situation requires further investigation particularly, for developmental prospects and the overall problem of disarmament. Ambassador Nhlapho believes that in order to treat the sense of domination of certain powers, international instruments need to be democratised.

In terms of the interface between the domestic sphere and South African foreign policy, he said that there is need for discussion since South Africa has received heavy criticism, especially for its actions on the UNSC. Foreign policy is subject to power politics and the skill of negotiators and even though there is an explanation for decisions taken in the UN documents, Ambassador Nhlapho believes the media is more interested in sensational news and does not look into the context. In terms of the foreign policy principles of South Africa, Ambassador Nhlapho stated that there is a common understanding in government though there is a tendency for state officials to retreat in face of attacks from civil society and not defend decisions made.

Responding to a question on international structures, all member-states as well as the AU comply to the UN's principles. Nevertheless, these are contested to some degree and as a result there are calls for a restructuring of those institutions. Africans need to hold the authority over their own region to see favourable outcomes.

'So I am saying as Africans, we must believe in our own institutions, build them, and do what is right for the continent.' (Ambassador Nhlapho, 2014)

The analysis and recommendations included in this Policy Dialogue Report do not necessarily reflect the view of SALO or any of the donors or conference participants, but rather draw upon the major strands of discussion put forward at the event. Participants neither reviewed nor approved this document. The contents of the report are the sole responsibility of SALO, and can under no circumstances be regarded as reflecting the position of the donors who provided financial assistance for this policy dialogue session.

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