

Is South Africa a norm entrepreneur in Africa?

Liesl Louw-Vaudran

Recommendations

- 1 South Africa should use its influence in the AU to voice its concern over the abuse of democracy on the continent, to campaign for strong leadership of the AUC when elections are held in 2017 and insist that AU programmes contain a norm-setting component when it comes to democracy and human rights.
- 2 South Africa should use its soft power to set high standards of governance and leadership.
- 3 South Africa's intervention in peacebuilding and PCRDR should be a coordinated effort between government departments.
- 4 South Africa should use its membership of the UN Human Rights Council to fulfill its moral responsibility and vote to protect the victimised and oppressed.
- 5 South Africa should reconsider its withdrawal from the International Criminal Court, working instead with other African countries to reform the institution.
- 6 South Africa should follow through on its plans to establish the South African Development Partnership Agency.

Summary

In the early post-apartheid years, South Africa was seen as a leader in Africa, setting the norms for moral and principled international engagement and interventions on the continent. South Africa's strong leadership principles were reflected in its efforts to reform the continental institutions, to mediate for peace and stability and to promote democracy in a number of conflict-ridden countries. In the past these contributions to the continent's development earned South Africa status as a 'norm entrepreneur'. Today, however, questions are being asked about South Africa's willingness to uphold the freedoms and democratic gains made on the continent. Its foreign-policy approach, with the rest of the continent, has become inward-looking, economically pragmatic and less principled. South Africa needs to regain its status as champion of peace and democracy in Africa.

PROMOTING DEMOCRACY, good governance, human rights, peace and security, and sustainable development in Africa is at the heart of post-apartheid South Africa's foreign policy. It is a policy committed to pursuing an African agenda and the quest for 'a better and safer Africa in a better world' – issues that run like a thread through all official documents and statements by government officials.¹

This commitment was reflected in South Africa's efforts to reform continental institutions and to bring peace and stability in a number of conflict-ridden countries in the late 1990s and early 2000s. South Africa's mediation in Burundi and its assistance with organising the 2006 elections in the

Democratic Republic of the Congo (DRC) are seen as symbolic of its commitment to consolidating the democratic processes on the continent through free-and-fair elections. This contribution was norm-setting, in that it created a model for solving intra-state conflicts.

However, questions are now being asked about South Africa's willingness to promote human rights and uphold the freedoms and democratic gains made through multi-party elections on the continent.² Why has South Africa not voiced concern over the reversal of these gains and over human-rights abuses by governments? Why did it not use its position as host of the June 2015 African Union (AU) summit to speak up against the extension of term limits – a major threat to democracy on the continent? At that summit, South Africa allowed Sudan's president, Omar al-Bashir, to enter the country, despite a warrant for his arrest from the International Criminal Court (ICC). This was in contravention of international law and of South Africa's own legislation.

Civil-society organisations took the government to court and obtained a ruling that obliged the government to arrest al-Bashir. South Africa's controversial withdrawal from the ICC, following a cabinet decision on 20 October 2016, should be seen in light of the appeal instituted by government against this ruling on the al-Bashir case.³ Having lost its appeal to the Supreme Court, the final petition to the Constitutional Court was scheduled to be heard in November 2016. The government, however, withdrew this petition at the last minute.

South Africa's voting patterns in the UN Human Rights Council have left international observers perplexed

Meanwhile, in a separate court battle, civil society organisations are arguing that the decision to withdraw from the ICC was unlawful and unconstitutional. The opposition Democratic Alliance also argues that parliament should have been consulted on the matter.

Furthermore, South Africa's voting patterns in the UN Human Rights Council have left international observers perplexed. South Africa has been reluctant to vote on country-specific issues and resolutions that it considers to be 'politicised and divisive',⁴ such as those against protecting people engaged in peaceful protests.

The aim of this policy brief is to look at South Africa's commitment to democracy and human rights in Africa, and to consider the drivers behind the often contradictory foreign-policy positions taken by the government. It asks whether South Africa has been a successful norm entrepreneur in Africa.

It also reflects on the crisis of expectations that South Africa finds itself in, having to balance its commitments to the rest of Africa while overcoming its own domestic challenges.



SOUTH AFRICA HAS TO
BALANCE ITS COMMITMENTS
TO THE REST OF AFRICA
WHILE OVERCOMING ITS OWN
DOMESTIC CHALLENGES

South Africa has to operate in a continent marked by complex crises and weak institutions. Closer to home, its bilateral relations with its neighbours in the Southern African Development Community (SADC) are complicated by domestic interests and obligations to support SADC financially.

This raises many questions about South Africa's leadership in the continent, and whether it can still be relied on to provide the moral and principled leadership it was once known for.

Foreign policy and international relations go far beyond issues of promoting democracy and human rights. This policy brief is an attempt to narrow down this debate to the essentials that are at the heart of the questions being asked by observers of South Africa's engagement with the continent today.

This briefing document⁵ is the result of an exchange between practitioners, researchers, academics, journalists and foreign-policy experts on the theme of South Africa's role as norm entrepreneur in Africa.

Mandela and Mbeki – the new kids on the block

In its 1994 policy document, the ANC listed seven principles that were set to guide South Africa's foreign policy. These are a belief in human rights, in the promotion of democracy worldwide, in the rule of international law and in the attainment of international peace; that South Africa's foreign policy should reflect the interests of Africa; that South Africa's economic development depends of the development of regional and international economic cooperation and, finally, a belief that South Africa's international relations must reflect a commitment to the consolidation of its democracy.⁶

These principles provided a solid framework for South Africa's initial engagement with the continent. The quest for democracy and respect for human rights drove former president Nelson Mandela in his endeavours to promote peace and good governance on the continent.

Very early on in its new democratic dispensation, however, South Africa felt the wrath of the continent when it came to speaking out on these issues. At the Commonwealth conference in 1995, Mandela took a strong stance against Nigerian strongman Sani Abacha.

Nigeria was expelled from the organisation following the execution of writer and activist Ken Saro-Wiwa. South Africa was criticised by the leaders of the Organisation of African Unity (OAU) and had to backtrack on its call for sanctions against Nigeria. South Africa had stuck its neck out, based on principle, but no one in Africa supported it.

The backlash from some African states was partly due to a sentiment that South Africa was a young democracy that shouldn't lecture to the rest of the continent about freedoms and human rights. South Africa was the new kid on the block, while others had been debating democracy since the start of the independence era in the 1960s.

South Africa had stuck its neck out, based on principle, but no one in Africa supported it

However, this kind of criticism from the continent is probably the necessary price to pay if one wants to be a norm entrepreneur. Such reactions are to be expected. Some have even accused South Africa of following a 'Western imperialist agenda' when attempting to intervene to uphold democracy in Africa. Yet South Africa was, and remains, the economic powerhouse on the continent and such a negative reaction from some quarters seems inevitable.

In the late 1990s and early 2000s former president Thabo Mbeki was much more circumspect and conscious of getting the buy-in from the rest of Africa for any new initiatives to promote democracy. Mbeki reformed the OAU, transitioning it into the present-day AU structure, and his New Partnership for Africa's Development (NEPAD) and the African Peer Review Mechanism (APRM) were launched in partnership with other prominent African leaders, including former president Olusegun Obasanjo of Nigeria.⁷

Mbeki's reluctance to intervene too boldly on the continent led to much criticism of his policies, especially his so-called 'quiet diplomacy' approach towards Zimbabwe in the early 2000s.

While some African leaders were critical of South Africa's bold steps to push for reform, many Africans, on the other hand, felt South Africa wasn't doing enough. There

was a very high expectation of South Africa and of its leaders following the end of apartheid. Many on the continent hoped that, with its well-developed infrastructure, its successful change to a democratic system and its model of reconciliation, it could be a driving force for economic development and stability in Africa. South Africa could also act independently because it didn't rely on donor money from external actors. South Africa couldn't be pushed around by the international community.

In many ways, these expectations were met in the early years, thanks to the important reforms of the continental institutions, driven by Mbeki and others. The peace efforts in the DRC, Burundi, Côte d'Ivoire and Zimbabwe show that South Africa did manage to export elements of its model of transition from a repressive regime to a democracy. This included promoting inclusive dialogue, governments of national unity, and free-and-fair elections.

However, as noted, there is the perception that South Africa under President Jacob Zuma has not followed through on its commitment to upholding human rights and freedoms.

Challenging engagement with continental institutions

South Africa's engagement with the rest of Africa has to be seen against the backdrop of a difficult continental institutional context and a serious lack of capacity when it comes to dealing with very complex crises.

South Africa made it clear early on its post-apartheid years that its contribution to change in Africa is to be driven through continental institutions, like SADC and the AU. It therefore threw its weight behind reforms of these two institutions.

When it comes to participating in mediation and peace-support operations, South Africa clearly has to do the heavy lifting



SOUTH AFRICA HAS BEEN CRITICISED AS FAILING ON ITS COMMITMENT TO UPHOLDING HUMAN RIGHTS AND FREEDOMS

Mbeki and his foreign minister Nkosazana Dlamini-Zuma attended the last OAU summits in Lomé and Lusaka in 2000 and 2001, and they were instrumental in drawing up the Constitutive Act of the AU. The AU was formally established in Durban in 2002 and the detailed provisions of the Act were thrashed out during subsequent meetings in Mozambique (where the July 2003 AU summit was held), Addis Ababa and elsewhere. The Peace and Security Council (PSC) of the AU was inaugurated in 2004. This is an institution that initiated a major shift from the OAU's policy of non-interference to a strategy for peacemaking on the continent, guided by the 15 members of the PSC.

At the level of SADC, South Africa was also instrumental in the establishment of the Organ on Politics, Defence and Security in 1996 and in drawing up the 1999 Protocol on Politics, Defence and Security Cooperation. The former is

the institution within SADC that drives its crisis-resolution efforts. South Africa has also been instrumental in drafting the new SADC election guidelines, adopted in Pretoria in July 2015.

South Africa's role in these institutions has, however, not always been well received. Its dominant position in SADC is sometimes criticised, as was the case in the nomination of SADC candidates for the elections of the chair of the AU Commission (AUC) in 2011.⁸ Many believe South Africa is using its position as major funder to push its own agenda, rather than seeking consensus.

Given that South Africa is by far the biggest contributor to SADC in financial terms, it is often frustrated by the lack of urgency and focus within SADC. States' contributions to SADC are based on their gross national product. For instance, Lesotho and Swaziland's contributions have been between R1 million and R2 million for the past few years, whereas South Africa's contribution averages R7 million (excluding millions more that are spent on supporting SADC's peacekeeping efforts). Moreover, some countries default on their contributions and do not always support SADC peacemaking activities financially. There is a real fear that without South Africa's contributions to SADC, it would collapse.

The duality of the relationship between South Africa and SADC needs to be carefully managed. On the one hand, there is its multilateral relationship within the organisation; on the other hand, meanwhile, South Africa has bilateral relations with the individual member states, which can also be affected by the former. For example, one has to ask, can South Africa be seen as a neutral broker in Lesotho, given its dominance within the region?

As noted earlier, many observers believe South Africa has to act appropriately in the region and South Africa should not be coy about its dominance. It has the unique means to influence the region for its own sake and for the sake of the region. It should not hold back out of false modesty.

When it comes to participating in mediation and peace-support operations, South Africa clearly has to do the heavy lifting. Even the mediation in Madagascar, which was conducted by former Mozambican president Joaquim Chissano, was largely funded and supported

by South Africa. South Africa's leadership role in SADC should therefore be seen in this context.

Within the AU, South Africa's campaign to have Dlamini-Zuma elected as chairperson of the AUC in 2012 was seen by countries that didn't support her as an abuse by South Africa of its role as continental leader – both in terms of capacity and of its financial contribution to the AU. It is one of the five major funders of the AU, together with Nigeria, Algeria, Egypt and Angola.

South Africa has the unique means to influence the region for its own sake and for the sake of the region

The suspicion that President Zuma had an ulterior and possibly domestic political motive for his strong campaign to get Dlamini-Zuma elected as AUC chairperson was reinforced when she declined to run for a second term in July 2016.

Many within South Africa's Department of International Relations and Cooperation (DIRCO) however, believe that the 'unwritten rule' that big countries should not dominate continental institutions, like the AU, is a myth and that this shouldn't be taken into account during AUC elections. (Within this debate, it is to be noted that Nigeria's former agriculture minister Akinwumi Adesina was elected as chairperson of the African Development Bank in 2015 – a position that has been held by smaller countries in the past.)

The divisive nature of Dlamini-Zuma's election as chair of the AUC is often presented by Pretoria as the result of the ongoing divisions between Francophone and Anglophone states – the so-called 'clash of the phones'. Some big Anglophone countries, like Nigeria, however, also did not support her election to the position.

It is still to be established what legacy Dlamini-Zuma will leave at the AU. However, her visionary Agenda 2063, a blueprint for a more peaceful and prosperous Africa, is in part to be seen as a contribution by South Africa. Her role in promoting women's rights in Africa has also been an important feature of her term at the helm of the AU.

Clearly, South Africa and the rest of the international community, including the UN, agree that the AU is the

only game in town and there is increasing support for strengthening its capacity. Despite its faults, the AU is the only institution on the continent that can drive change. However, important questions should be asked around a long-term strategy to enable Africa's continental institutions to remain relevant. It is key for the AU and the continent's regional economic communities not to become merely elite institutions, otherwise they risk becoming irrelevant.

The AU and Africa's regional economic communities also have to play the role of defining shared values and implementing them. The question is, are these merely institutions that do not represent any values? For example, the African Charter on Democracy, Elections and Governance, and the African Charter on Human and People's Rights are documents that are rarely referred to. For South Africa to make a positive contribution through the AU and SADC, it should promote norm-setting within these organisations. Promoting the values of democracy and human rights should be key pillars of its multilateral engagement.

A positive contribution to peace and democracy

As noted, post-apartheid South Africa showed its commitment to establishing peace and promoting democracy through free-and-fair elections. In Burundi it mediated in peace talks between the former heads of state, Domitien Ndayizeye and Pierre Buyoya – from the Tutsi minority – on the one hand, and rebel leaders, like Pierre Nkurunziza and Agathon Rwaswa. This mediation led to the Arusha Accords of 2000 and a peaceful transition to majority rule. South Africa deployed soldiers from the South African National Defence Force in Burundi between 2001 and 2003.

In the DRC, South Africa was also the key mediator in peace talks that led to the December 2002 Sun City agreements and the Pretoria agreement of April 2003. South African troops were again deployed in the transition phase and as part of the UN Mission in the DRC. In 2006 South Africa played a major role in ensuring peaceful elections in the DRC, through various arms of government, including the South African Independent Electoral Commission. It also printed and distributed electoral material for the 2006 elections. These elections were held in an extremely challenging

post-conflict context in the DRC – a vast territory with very little infrastructure and where there had been no elections for decades. South Africa was also a leading member of the international contact group for the DRC, and Mbeki played a key role in keeping the Congolese players on track during the transition period.

After 2006 South Africa was also involved in post-conflict reconstruction and development (PCRD) in the DRC, but these were mostly ad hoc engagements and lacked follow-through.⁹ The fact that the South African Development Partnership Agency (SADPA) has fallen foul of bureaucracy within the government and is yet to be established, despite years of planning, also hampers South Africa's work in the area of PCRD. The SADPA is destined to coordinate and ensure funding for foreign interventions by South Africa.

In hindsight, one could say South Africa acted in the role of a norm entrepreneur through its engagement with Burundi and the DRC because it showed strong commitment to the democratic process and to the organisation of free-and-fair elections.

Despite its faults, the AU is the only institution on the continent that can drive change

In the Mbeki era South Africa also played a role in mediating in the crisis in Côte d'Ivoire. The first significant peace agreement following the country's *coup d'état* of December 2000, which led to the election of Laurent Gbagbo as president, was signed in Pretoria in 2004. The rebels, who had occupied the north of Côte d'Ivoire, however, accused Mbeki of siding with Gbagbo and the mediation was taken over by the former president of Burkina Faso, Blaise Compaoré. Despite this setback, South Africa again showed that it was willing to mobilise resources and time in an effort to establish dialogue for a peaceful transition on the continent.

During this time, many post-conflict African countries also showed a willingness to follow South Africa's lead in setting up their own truth and reconciliation commissions, modelled on South Africa's TRC. Such commissions were established in Côte d'Ivoire, Kenya (after the 2007/08 post-election crisis), the Central African Republic

and elsewhere. Nowhere did the concept work as successfully as in South Africa, however, largely because of a lack of resources and political will. Nevertheless the establishment of these commissions illustrates South Africa's continental contribution as norm entrepreneur.

A host to those fleeing persecution?

South Africa has received a great deal of praise in the past for its policy of hosting asylum seekers and refugees from across the continent. South Africa hosts around 56 000 refugees and 230 000 asylum seekers.¹⁰

However, South Africa has far fewer refugees than countries like Ethiopia and Kenya, for example. Furthermore, incidents of xenophobic violence in South Africa in 2008 and 2015 severely tarnished South Africa's reputation in this area.

New measures announced by the Minister of Home Affairs in July 2016 are also cause for concern.¹¹ The new Green Paper on International Immigration sets out plans to establish centres at the country's borders where asylum seekers will be 'processed'. Only those migrants who are granted refugee status will be allowed to integrate into communities. This will be a move away from the earlier policy of giving temporary work and study permits to asylum seekers, who make up the bulk of documented migrants in the country.

Successful support for SADC mediation in Madagascar

South Africa's role in the crisis in Madagascar started with the exile of former president Marc Ravalomanana to South Africa in 2009, after a successful coup d'état by former president Ange Rajoelina.

After several years of mediation by SADC – led, as mentioned, by ex-president of Mozambique Joaquim Chissano – new presidential elections took place in Madagascar in 2013, without the participation of either Ravalomanana or Rajoelina. SADC's role was constructive, leading, as it did, to the restoration of constitutional democracy.

Once again, South Africa took the lead in the SADC intervention – and bore the brunt financially. The elections in Madagascar cost South Africa around R17 million, while other countries, like Namibia and Mauritius, made minimal contributions.

The outcome in Madagascar was seen as a success, although the situation remains fragile and SADC continues to keep an eye on the rivalry between Ravalomanana, Rajoelina and the current president, Hery Rajaonarimampianina.

Unfinished business in South Sudan

South Africa was instrumental in PCRD efforts in South Sudan in the period leading up to and following the referendum on independence in 2011. An important effort was made to help South Sudan get on its feet. Several South African businesses and non-governmental organisations also participated in this effort.¹²

However, in some cases there wasn't enough follow-through and, as one former South African ambassador said, 'Perhaps if we did more in the beginning we wouldn't be where we are today.'

Incidents of xenophobic violence in South Africa in 2008 and 2015 severely tarnished the country's reputation

Following the outbreak of violence in December 2013 between the government of Salva Kiir and his former deputy, Riek Machar, South Africa attempted to reconcile the divided ruling party, the Sudanese People's Liberation Movement (SPLM). The SPLM used to have strong links with the ANC.

The mediation in South Sudan, led by the ANC and Tanzania's ruling party, the Chama Cha Mapinduzi, was partly successful, in that it led to the return of former exiles of the party to Juba. It did not, however, lead to a lasting peace in South Sudan.

In September 2016, Deputy President Cyril Ramaphosa met with the new first vice-president of South Sudan, Taban Deng Gai, who had replaced Machar after renewed fighting in July. This was just after the PSC supported a call for Machar to return to his post as first vice-president, according to the August 2015 Peace Agreement for South Sudan.¹³

As a member of the PSC, South Africa plays an important role in the search for solutions to this conflict, but these should not be overshadowed by the parallel efforts of the South African deputy president.

Recurrent challenges in Lesotho

South Africa's role in Lesotho can be traced back to September 1998, when it first intervened to quell internal political conflict. This intervention, involving 600 troops, proved disastrous. The intervention was not mandated by SADC or the AU.

More recently, Ramaphosa led successive mediation initiatives in Lesotho in 2014, 2015 and 2016 on behalf of SADC. These were only partially successful. Although his mediation led to elections in February 2015, which were seen as transparent, huge challenges remain and another collapse of Lesotho's government is imminent. South Africa's dominant relationship within SADC and the fact that Lesotho is almost entirely dependent on South Africa complicates this situation.

South Africa, as the mediator, cannot be blamed alone for the failure to bring about a solution in some instances

In both Lesotho and Burundi, previous attempts at mediation had been relatively successful, but the recurrence of conflicts in these countries is gravely concerning. Is it because the earlier peace agreements were flawed? Or was there not enough follow-through? Clearly, South Africa, as the mediator, cannot be blamed alone for the failure to bring about a solution in some instances. One must remember the context of protracted conflicts, weak state institutions and democratic deficit, which ultimately lead to the breakdown of peace efforts.¹⁴

No clear foreign-policy direction

One of the reasons behind South Africa's decidedly more pragmatic, and arguably less principled, stance in its engagements with the rest of the continent can be traced back to the ousting of former president Mbeki in 2009. Mbeki had a clear vision that drove efforts for development in Africa – his African Renaissance project. On the other hand, Zuma has followed a foreign policy that has been far more inward-looking and has focused a lot more on economic considerations than on a peacemaking agenda.¹⁵

Zuma's foreign policy has also largely focused on its membership of the BRICS countries (Brazil, Russia, China and South Africa). Norm-setting is not a priority in this engagement, which is driven by economic considerations.

Observers are also often at a loss when it comes to where foreign policy is made and who really makes the decisions. Are foreign-policy decisions made at the ANC headquarters, Luthuli House? When it comes to human-rights issues, the latest ANC policy document says very little in this regard. It does, however, mention the negative impact of African leaders extending their term limits.¹⁶ Or is foreign policy driven by the Presidency? There is



OBSERVERS ARE ALSO OFTEN AT A LOSS WHEN IT COMES TO WHERE FOREIGN POLICY IS MADE AND WHO REALLY MAKES THE DECISIONS

often a disconnect between decisions made within the Presidency and those made by DIRCO. (This is also the case in many other countries.)

Despite numerous policy documents, including the 2011 White Paper on development,¹⁷ there is currently no indication of a clear strategy by South Africa when it comes to promoting democracy and human rights in the rest of Africa. In practice, it is difficult to discern precisely what South Africa wants to achieve over the long term. Commitments to peace efforts on the continent often lack clear planning, and no costing is done. This is a serious problem in the current economic climate.

South Africa's foreign policy seems to be on autopilot and diplomacy has been frozen. Decisions are often made on an ad hoc basis.

For South Africa to engage seriously and honestly with the rest of the continent – and the world, for that matter – there should be a clear indication of where the decision making lies and what foreign-policy framework drives these decisions.

To cite just one example, internationally, although it is considered a champion of the rights of the lesbian, gay, bisexual, transgender and/or intersex (LGBTI) community, the South African government abstained from the vote to appoint an independent watchdog on sexual orientation by the Human Rights Council in 2016. This was seen as a move to show solidarity with the African bloc of countries that are opposed to supporting the LGBTI community.¹⁸

Future challenges

Much is expected of South Africa to continue its role as norm entrepreneur and peacemaker on the continent.

When the latest crisis in Burundi broke out in early 2015, many commentators asked why South Africa did not get involved to a greater extent in trying to make peace there.¹⁹ Given its historical role in mediating peace in Burundi, plus the fact that many of the main players – notably Nkurunziza – spent many months negotiating peace agreements in South Africa, its role would be salutary.

Yet South Africa did not offer its services to intervene and stop the crisis from escalating – this despite the fact that Dlamini-Zuma took a strong stance, reminding

Nkurunziza to stick to the Arusha Agreement, which limits him to two mandates of five years as president.

At the January 2016 AU summit, Zuma was appointed as a member of the high-level panel for Burundi. The panel visited Burundi on 25 February 2016, but Zuma was criticised by the opposition for siding with the government.²⁰

The expectation that South Africa should play a stronger role in Burundi also holds true of the situation in the DRC. Many observers had expected South Africa to stay engaged in the DRC and to persevere with the much needed PCRDR efforts. Although it did remain engaged on various levels after the 2006 elections, South Africa's role in the DRC was much less visible than during the preceding period.

There is no clear strategy by South Africa for promoting democracy and human rights in the rest of Africa

When rumours emerged that the president of the DRC, Joseph Kabila, intended to serve for a third term, which is anti-constitutional, South Africa failed to publicly speak up against this move. And although it is increasingly clear that the situation around Kabila's mandate could escalate into a full-scale crisis – and one that could threaten the entire region – South Africa made no comment. It merely expressed its concern in a press release following large-scale violence that broke out in September 2016 and called upon all parties in the DRC to participate in national dialogue.²¹

Will South Africa's norm-setting contributions to Africa's development – like NEPAD, the APRM and Agenda 2063 – stand the test of time? It is very easy to create continental structures like these – and, arguably, Africa has too many of them – but not easy to get rid of. The APRM is showing positive signs of revival under the current CEO of the secretariat, Eddy Maloka, former adviser to South Africa's Minister of International Relations and Cooperation. In the first six months of 2016, two new reviews, for Chad and Senegal, were undertaken. The reports on these two countries will be tabled at the January 2017 AU summit in Addis Ababa.

The upcoming elections for a new AUC chairperson, slated for January 2017, are going to be a big challenge for the AU. The first round of voting, in July 2016, was highly divisive and saw regional blocs, like the Economic Community of West African States, effectively boycotting the SADC candidate, Pemoni Venson-Moitoi from Botswana, in the final round of voting.²² It was also not clear whether South Africa supported Venson-Moitoi, or whether it supported the idea of a postponement of the elections because it would like to see stronger candidates tabled.

South Africa will become the chair of the SADC Organ in August 2017. It will have influence and leverage over SADC's security agenda and will be positioned to drive change in places like Swaziland, Zimbabwe and the DRC. The lack of democracy in Swaziland, the current SADC chair, has never been on the agenda of SADC.

It would be strategic for South Africa to regain its status as champion of peace and democracy in Africa

Another challenge will be the much delayed launch of the SADPA. The agency, which was conceptualised after years of wide consultation, is destined to coordinate all South African interventions abroad²³ and would need collaboration between DIRCO, the National Treasury, the Department of Trade and Industry and the Presidency.²⁴ Strong leadership, political will and a commitment to strategic cooperation across the spectrum will be needed for it to get off the ground. Key foreign policy documents, like the 2011 White Paper, referred to above, as well as Chapter 7 of the National Development Plan, which deals with foreign policy, will have to be revised to make this possible.

Conclusion

South Africa has a mixed track record when it comes to being a norm entrepreneur in Africa. Its engagement with the continent has been tainted by its unwillingness to speak up about key human-rights issues and democratic reversal on the continent.

This can partly be explained by the difficult continental situation where democratic institutions in many African

countries are weak. South Africa is not responsible for the internal political situations in many African countries.

South Africa has also become much more inward-looking than in the past, focusing more on its own economic and political challenges.

However, it would be strategic for South Africa to regain its status as champion of peace and democracy in Africa, as it could have positive spin-offs domestically. Peace and prosperity on the continent will directly benefit South Africa's own economic interests, given that it is one of the biggest investors in Africa.

On the multilateral front, more effort should be placed on seeking broader consensus with others and making the appropriate decisions consistent with the principles and values of its foreign policy.

Recommendations

- South Africa should use its leadership position as a major funder and contributor to the AU to voice its concern over the abuse of power and of mandate extensions on the continent.
- Because of its past struggle against a racist government and the emergence of Nelson Mandela's principled leadership, South Africa continues to enjoy significant soft power on the continent. Many Africans look to South Africa for guidance. South Africa should use its soft power to set high standards of governance and leadership, and to act in solidarity with African citizens looking for development and prosperity.
- South Africa should use its influence in the AU to campaign for strong leadership of the AUC when elections are held in 2017. Among other things, this would help ensure that long-term plans, like Agenda 2063 and the APRM, continue. It should make sure that these programmes contain a strong norm-setting component when it comes to democracy and human rights.
- South Africa's intervention in peacebuilding and PCRDR should be a coordinated effort between the Presidency, DIRCO and other government departments. Strong leadership is needed to establish the SADPA.
- South Africa should use its opportunity as incoming chair of SADC 2017 to place on the agenda issues

of good governance and democracy in the region. This includes the questions of political participation in Swaziland and human-rights abuses in Zimbabwe.

- South Africa should use its membership of the UN Human Rights Council to fulfil its moral responsibility and vote to protect the victimised and oppressed.
- South Africa should reconsider its withdrawal from the ICC. It should work together with other African countries to reform the institution.

Notes

- 1 This policy orientation is set out in the 2011 White Paper on Foreign Relations: Building a better world: The diplomacy of ubuntu. It states that the values of democracy, equality and human rights were entrenched in documents such as the ANC's Freedom Charter (see www.gov.za/sites/www.gov.za/files/foreignpolicy_0.pdf). It is also underscored in the 2013–2018 Strategic plan of the Department of International Relations and Cooperation, www.dirco.gov.za/department/strategic_plan_2013-2018/strategic_plan_2013-2018.pdf.
- 2 A report by Freedom House found that South Africa's contribution to upholding human rights abroad has been 'minimal'. See *Supporting democracy abroad: An assessment of leading powers, South Africa*, <https://freedomhouse.org/report/democracysupport/south-africa>.
- 3 See ISS, Justice interrupted: The true cost of SA's ICC withdrawal, 21 October 2016, www.issafrica.org/about-us/press-releases/justice-interrupted-the-true-cost-of-sas-icc-withdrawal.
- 4 South Africa's voting patterns in the Human Rights Council show that it has consistently abstained on decisions concerning country situations. It is to be noted that since South Africa rejoined the Human Rights Council, most of these situations were outside Africa. See <http://votescount.hrw.org/page/South%20Africa>.
- 5 The policy brief was drawn up following a round table discussion on 6 September 2016 and subsequent consultation with observers – both local and international – and leading experts on South African foreign policy. This included academics and former South African ambassadors.
- 6 Speech by Maite Nkoana-Mashabane, Minister of International Relations and Cooperation, 10 April 2014, University of the Witwatersrand, Celebrating 20 years of South Africa's democracy: Reflections on foreign policy, highlights and challenges.
- 7 Siphamandla Zondi, South Africa in southern Africa – A perspective, Frederick Ebert Stiftung, 2012, <http://library.fes.de/pdf-files/bueros/mosambik/09403-no-8.pdf>.
- 8 The National Development Plan notes that 'within the Southern African region there is a perception that South Africa is acting as a bully, a self-interested hegemon that acts in bad faith among neighbouring countries', http://www.gov.za/sites/www.gov.za/files/ndp2030_chap6_chap7.pdf.
- 9 C Hendricks and A Lucey, South Africa's post-conflict development and peacebuilding experiences in the DRC: Lessons learnt, *ISS Policy Brief 47*, 9 October 2013.
- 10 These figures are from the Department of Home Affairs, quoted by SouthAfrica.info (see www.southafrica.info/travel/documents/refugees_asylum.htm#V-tmGVu2KHk). These figures are often in dispute, however. According to figures quoted by the University of the Witwatersrand African Centre for Migration and Society, there are more than 576 000 refugees and asylum seekers in South Africa.
- 11 Consultation about the new policy is still ongoing. Negative reaction to the Green Paper emerged in the media in July 2016. See, for example, SA looks to clamp down on economic migrants, *City Press*, 4 July 2016, <http://city-press.news24.com/Business/sa-looks-to-clamp-down-on-economic-migrants-20160704>.
- 12 More than 1 000 South Sudanese officials were trained through a tripartite agreement between the Sudanese People's Liberation Movement, DIRCO and the University of South Africa. See A Lucey and C Hendricks, South Africa and South Sudan: Lessons for post-conflict development and peacebuilding partnerships, *ISS Policy Brief 49*, December 2013.
- 13 Transcription of press briefing available at: www.dirco.gov.za/docs/speeches/2016/rama0913.htm.
- 14 See, for example, Sambulo Mathebula, South African foreign policy's conflict mediation outcomes are significantly shaped by the democratic deficit which characterises the African continent, Southern African Liaison Office, Dialogue Online, 2016, www.salo.org.za/wp-content/uploads/2015/02/DO-2-of-2016.pdf.
- 15 Simon Alison, Think again: Peeking behind SA's diplomatic curtain, *ISS Today*, 20 October 2016, www.issafrica.org/iss-today/think-again-peeking-behind-south-africas-diplomatic-curtain.
- 16 The ANC's 2015 National General Council discussion document says that 'the tendency by some in political leadership to remain in power for many years against the will of the people is a worrisome phenomenon'. See www.anc.org.za/docs/umrabulo/2015/ngc_disc_docsy.pdf.
- 17 The White paper, entitled Building a better world: the diplomacy of Ubuntu is available at: http://www.gov.za/sites/www.gov.za/files/foreignpolicy_0.pdf
- 18 See South Africa abstains from UN vote to protect human rights, *GroundUp*, 5 July 2016, www.groundup.org.za/article/south-africa-shrinks-its-progressive-leadership-un/.
- 19 In an appeal to the AU and individual African countries to intervene in Burundi, published in November 2015, the international conflict-prevention organisation International Crisis Group said that South Africa had 'long lost its former role as the continent's peacemaker'. The organisation also criticised South Africa for sending a minister to Nkurunziza's inauguration – the only country to do so. The document was signed by Jean-Marie Guéhenno, Ayo Obe and Fola Adeola, who are, respectively, the president and CEO, vice-chair of the board of trustees and board member of the International Crisis Group. See www.dailymaverick.co.za/article/2015-11-15-icg-africa-must-act-now-on-burundi/#.V-jsEYW2KHk.
- 20 Yann Bedzigui and Nelson Alusala note that Zuma called for 'inclusive dialogue with important stakeholders in Burundi', which seemed to exclude sections of the opposition. See *ISS Central Africa Report*, September 2016, www.issafrica.org/uploads/car9-1.pdf.
- 21 This statement is available at www.dirco.gov.za/docs/2016/drc0922.htm.
- 22 Elections for a new AU Commission chairperson shaped by abstentions and regional divisions, *ISS Peace and Security Council Report*, 2 August 2016, <https://issafrica.org/pscreport/on-the-agenda/elections-for-a-new-au-commission-chairperson-shaped-by-abstentions-and-regional-divisions>.
- 23 The idea to establish SADPA dates back to 2007. It will have an annual budget of R500 million. See A Lucey and A O'Riordan, South Africa and aid effectiveness: Lessons for SADPA as a development partner, *ISS Paper 252*, January 2014.
- 24 See Neissan Besharati, South African Development Partnership Agency: Strategic aid or development packages for Africa?, *South African Institute of International Affairs Research Report 12*, August 2013, http://dspace.africaportal.org/jspui/bitstream/123456789/34251/1/saia_rpt_12%20_besharati_20130813.pdf?1.

About the author

Liesl Louw-Vaudran is an ISS consultant and author of *South Africa in Africa: Superpower or neocolonialist?* (Tafelberg, May 2016), a book that deals with South Africa's role on the continent since the end of apartheid. Louw-Vaudran is also editor of the ISS's *Peace and Security Council Report*.

About the ISS

The Institute for Security Studies partners to build knowledge and skills that secure Africa's future. It provides policy advice, practical training, technical assistance and independent research.

Acknowledgements

This policy brief was made possible with funding provided by the government of Denmark. The ISS is also grateful for support from the other members of the ISS Partnership Forum: the Hanns Seidel Foundation and the governments of Australia, Canada, Finland, Japan, Netherlands, Norway, Sweden and the USA.

ISS Pretoria

Block C, Brooklyn Court
361 Veale Street
New Muckleneuk
Pretoria, South Africa
Tel: +27 12 346 9500

ISS Addis Ababa

5th Floor, Get House
Building, Africa Avenue
Addis Ababa, Ethiopia
Tel: +251 11 515 6320

ISS Dakar

4th Floor, Immeuble Atryum
Route de Ouakam
Dakar, Senegal
Tel: +221 33 860 3304/42

ISS Nairobi

Braeside Gardens
off Muthangari Road
Lavington, Nairobi, Kenya
Cell: +254 72 860 7642
Cell: +254 73 565 0300

www.issafrica.org