

# **An overview of the EU-SA Strategic Partnership 10 years on: Diverging world views, persisting interests**

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## **Abstract**

The EU-SA Strategic Partnership (SP) has entered its 10th year. It is a product of its time and particular regional and international circumstances. These having changed somewhat over the course of the last decade, it is not surprising that the dynamics of the relationship, expressed through the strategic partnership's parameters, have undergone commensurate changes. Based on the recognition that the partnership is between a multilateral institution and a state, the difference in their respective strategic positions is inevitable. The challenge therefore, is for the EU-SA Strategic Partnership to maintain a flexibility that allows for continued contestation, development and relevance. This paper reviews the historical context of the partnership and the challenging dynamics that have evolved over the lifespan of partnership, providing the basis for the thematic discussion which follow in this issue. The analysis in this article demonstrates that in spite of acknowledged challenges, the functionality of the strategic partnership based on persisting interests remains intact.

Key words: South Africa, EU, Strategic Partnership, Joint Action Plan, Pan-Africanism

## **Introduction**

The historical relationship between Europe and South Africa is a long one. It is a history that incorporates changes in the international system even as there were dramatic developments within Europe, including institutional changes that saw the European Economic Community evolve into the European Union (EU) finalised through the 2007 Lisbon Treaty, as well as South Africa's transformation from apartheid to a post-apartheid democratic state in the mid-1990s. It is natural that the relationship between the EU and South Africa, 'strategised' in 2006

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and operationalised in the Joint Action Plan (JAP) of 2007, should undergo stages of reorientation and, at times, contestation. This speaks of a relationship that is dynamic and should not be seen as an indication that it is failing in times of difficulty. Rather, it can be taken as a sign of natural growth in the relationship between the EU and South Africa.

The EEC/EU, as an active anti-apartheid supporter during South Africa's struggle years and ensuing transition to democracy, has remained a committed partner and influence through South Africa's socio-political and economic transformation. South Africa's relationship with the EU, and its role in the strategic partnership (SP), is further the product of a unique history and a specific set of circumstances. It is this aspect that is largely overlooked when reviewing the relationship's development and the current state of affairs. It should not be considered surprising that, as circumstances change, so too does the partnership. It is this change that requires a critical assessment of the 'strategic' element of the partnership in light of contemporary regional and global dynamics.

This article reviews the EU-SA Strategic Partnership from an understanding of its historical context and its developing relevance in light of the changes experienced in both the EU and South Africa. The resurgence of pan-Africanism in South African foreign policy and practice, together with a perceived anti-west narrative, impact on the evolving dynamics that affect the partnership. While on the surface it may appear that these aspects jeopardise the strategic partnership, the reality, it is here contended, is that the functioning of the strategic partnership remains intact, based on persisting interests.

The challenge for both the EU and South Africa going forward is for the partnership to remain relevant in changing times, and to accommodate, as far as possible, the needs of both partners in their respective roles – for the EU, as a regional organisation representing a number of member states but facing great change in the period following the 'Brexit' vote by the UK to withdraw from the union, and for South Africa, as a leading African state on a continent facing several challenges in the areas of peace and security, economic development, and global trade arrangements. In this sense, 'strategic' becomes meaningful to both the EU and South Africa.

This article focuses on how the strategic partnership came into existence and where it stands currently in view of developing dynamics, and forms part of a wider discussion in which the subsequent articles evaluate its successes and failures along thematic lines including: economic, trade and development, security, and relations within multilateral forums. This has necessitated an historical approach, based on empirical analysis. The article is set out in three

main parts. The first section will present an historical overview of the relationship between the EEC/EU and South Africa and the establishment of the strategic partnership in 2007. The second section will outline the operational and structural elements of the strategic partnership informed by the Trade and Development Cooperation Agreement (TDCA) of 1999. The third section will look at challenges that have emerged over the course of the strategic partnership's lifespan including the 1) differing perceptions of what 'strategic' means for either partner; 2) diverging worldviews, as South Africa and the EU have realigned themselves to accommodate shifts in the surrounding international system, and; 3) differences over the extent to which either partner may dictate the terms of the partnership. The last is based on the EU's 2013 decision to reclassify South Africa as a middle income country (MIC) and commensurately withdraw financial assistance.

In providing the historical context the analysis draws particularly on primary sources, such as the founding documents of the EU-South African Strategic Partnership, the JAP of 2007, Joint Summit Declarations from 2008-2013 (2013 being the last one at the point of writing), and minutes from ministerial dialogues and meetings of the Joint Cooperation Council (2008-2016). Speeches by the South African deputy minister and minister for International Relations and Cooperation, as well as speeches by the various EU ambassadors to South Africa were also considered. Unstructured non-attributable interviews were conducted between March and June of 2016 (prior to the UK referendum and 'Brexit'), both with representatives of the South African Department of International Relations and Cooperation (DIRCO) and those of the EU delegation to South Africa.

## **Historical background**

The signing of the EU-SA SP coincided with a dovetailing of perspectives between South African and the EU. A neoliberal inspired document, the JAP encapsulated shared values and interests that a few years earlier<sup>1</sup> would have been almost unthinkable for South Africa.

At a time when globalisation and its concomitant neoliberal orthodoxy were sweeping the world after the end of the Cold War, South Africa's own path to democracy and the fall of apartheid was intertwined with its embracing of free-market ideology. Since the period of the mid-1980s, negotiations with powerful business groups within South Africa were seen as key

to a peaceful transition.<sup>2</sup> Influential ‘Western’ governments were also keen to promote the new economic orthodoxy, promising an influx of foreign investment under the condition of its adoption by the incoming government.<sup>3</sup> It was deemed imperative by ANC leaders at the time to ‘assure’ both groups that business would continue as usual in order to avoid a feared exodus of capital from South Africa, as well as internal insurrection from extremist groups and to warrant the promises of foreign investment.<sup>4</sup>

South Africa’s own path from the ANC’s negotiations in exile, and its eventual backing by the EEC/EU (even with its detractors<sup>5</sup>) were incremental steps towards the EU-SA SP. Business interests played a significant part in bringing about the downfall of the apartheid system, the ANC’s rise to government, and the particular social, economic developmental path that was then followed.<sup>6</sup>

In 1993 South Africa signed up to the General Agreement on Tariffs and Trade (GATT) and an International Monetary Fund (IMF) Compensatory and Contingency Financing Facility. However, up until 1993, nationalisation and a model of social and economic development broadly based on Marxist and Leninist philosophy characterised the development strategy of the ANC government in waiting.<sup>7</sup> The Reconstruction and Development Plan, initially put forward by the Congress of South African Trade Unions, was redrafted several times, having been vetted by the IMF, the World Bank, as well as the governments of the UK, Germany, the US, France, and Japan.<sup>8</sup> Only then was it deemed fit to be introduced as a central policy vision of the nascent ANC-led government.

Just prior to this, parties to the joint action decisions in the negotiations of the Treaty of the European Union (TEU, also referred to as the Maastricht Treaty), identified South Africa as one of five countries targeted for assistance in strategic areas.<sup>9</sup> Mainly focused on electoral support but also including a bilateral economic framework, the joint action decision was centred on the Special Programme of Development Assistance, which importantly established a long-term outlook aimed at supporting democracy building in the new South Africa.<sup>10</sup>

At the time of the first democratic elections in South Africa in 1994, the EU began its official presence in Pretoria. An interim cooperation agreement between the EU and South Africa was signed in the same year, which combined economic and financial assistance designed to maintain established relations.<sup>11</sup> External to the Lomé Convention framework, which governed relations between Europe and the ACP (African, Caribbean and Pacific) states between 1975 and 2000 when it was replaced by the Cotonou Agreement, the interim cooperation agreement

included a commitment to the observation of human rights as part of the EU's positive conditionality used to enforce its normative values abroad, and then part of its new approach to externalised engagement under the TEU of 1992.<sup>12</sup>

For EU-SA relations, 1995 was a particularly dynamic year. By then, Deputy President Thabo Mbeki, who was at that time directing the socio-economic path that South Africa would take,<sup>13</sup> began preparing a growth-driven economic strategy later known as the Growth Employment and Redistribution (GEAR) model.<sup>14</sup> This was accepted by the ANC at their national conference a year later. At the same time, South Africa began negotiations on a bilateral basis with the EU that would lead to the signing of the TDCA.

There were 24 rounds of negotiations leading up to the signing of the TDCA in 1999,<sup>15</sup> which included various attempts by South Africa to gain trade preferences under the Lomé Convention as a developing state. Rejected several times for a variety of reasons,<sup>16</sup> South Africa eventually received extended limited participation from the EU which excluded access to funding under the Lomé Convention but offered, instead, a free trade agreement (FTA). South Africa, under the partial membership of the Lomé Convention, was also allowed to tender for contracts under the European Development Fund in all ACP countries.<sup>17</sup>

The FTA, which was to become an important part of the eventual TDCA between the EU and South Africa, was by no means agreed to easily, and has remained even under the current trade regime with the EU a sensitive point.<sup>18</sup> The initial offer made by the EU in 1995 was rejected by the South African government, as was a subsequent EU negotiating mandate offered in March 1996.<sup>19</sup> Negotiations between the EU and South Africa resumed again only in 1997 with South Africa's proposal of the TDCA. After this point, the Lomé Convention was offered to South Africa under a separate protocol, with a loose commitment to reach an agreement at 'some point in the future'.<sup>20</sup>

The evolution of the EEC into the EU in the early 1990s was responsible for the promotion of strategic partnerships in general and the EU-SA SP in particular. Engagement with South Africa and the willingness to develop special relations was an extension of EU assistance for the nascent democracy. As far back as the joint action decision in 1992, South Africa had been deemed of geopolitical strategic importance to the EU; its role in sub-Saharan Africa of notable significance.<sup>21</sup>

In November of 1996 the EU Commission presented a green paper on the future of relations between the EU and the ACP countries, contemplating the ‘splitting up’ of the Lomé Convention into regional agreements. South Africa was singled out as a potential ‘bilateral’ partner with acknowledged regional (strategic) strength and influence.<sup>22</sup>

The GEAR model was presented at the same time that the EU launched its Programme for Reconstruction and Development (EPRD) with South Africa, within which the country strategy papers (based on a seven-year financial cycle) and the Multi-annual Indicative Programme (MIP) provided a focus on specific areas, a focus which has changed over time.<sup>23</sup>

In 1997, at the time of the signing of a scientific agreement between the EU and South Africa, Pretoria presented a position paper on a proposed EU-SA TDCA.<sup>24</sup> The TDCA became official agreement in 1999,<sup>25</sup> the same year Thabo Mbeki became president. On the basis of the TDCA, the JAP founding the EU-SA SP would later outline ‘mutually’ shared values that included ‘the economic principles of a social market economy, free and fair trade and [an] equitable international economic order’,<sup>26</sup> aspects strongly associated with neoliberal economic thought popular at the time.

September 11, 2001 was a turning point in global perspectives on security challenges.<sup>27</sup> In 2003 the European Security Strategy (ESS) outlined ‘strategic partnerships’ as part of its new approach to global security,<sup>28</sup> in which these partnerships were identified as part of a network of strategic relationships with influential states, through which regional and continental (in the case of Africa) relations and roles could be coordinated.

### **Structure and mechanics of the partnership**

As noted above, the foundation for the EU-SA SP has existed in the TDCA since 1999, amended in 2004, and forms its ‘legal basis’. As the name of the agreement suggests the partnership is organised around two main themes – trade and cooperation. The TDCA thus forms the central organising principle and point of departure for all EU-SA SP relations, providing the structure for the development of the subsequent strategic partnership formalised in 2007.

The TDCA itself is organised into four areas or ‘pillars’: 1) political dialogue, 2) trade, 3) economic and other issues, and 4) development cooperation<sup>29</sup>. As a trade framework, the TDCA is primarily focused on economic matters, however since the advent of the strategic

partnership, the TDCA sections addressing ‘other issues’ and political cooperation have filled out substantially. As a result, much of the focus has shifted away from the TDCA itself, redirected to the significance of the strategic partnership.

The strategic partnership is designed to be coherent within the larger EU-Africa strategy also introduced in 2007, and in this sense – as indicated in most summit communiqués and Joint Cooperation Council (JCC) minutes – there is a ‘strategic’ fit in the partners’ efforts to establish peace, stability and prosperity, aims declared to be ‘shared’ in the JAP.

The Joint Action Plan of 2007 framed and orientated cooperation between South Africa and the EU under the strategic partnership. The JAP has two ‘strands’, the first being high-level or enhanced political dialogue using a summitry structure (troika format<sup>30</sup>), and a second strand dedicated to functional dialogue forums focused on economic, social, and ‘other areas’. The Mogobagoba<sup>31</sup> Dialogue was the name given to the over-arching framework for all areas of cooperation,<sup>32</sup> comprising meetings of the JCC,<sup>33</sup> which oversees the implementation of the TCDA and the partnership; a ministerial political dialogue (normally coinciding with summits); and high-level summits.<sup>34</sup> Ministerial political dialogue, according to the JAP,<sup>35</sup> was meant to take place twice a year, and the high-level summits on a ‘regular’ basis. Up until 2013, summits occurred each year, while there have been four ministerial troika meetings so far.

### ***The Mogobagoba Dialogue***

Under the auspices of the Mogobagoba Dialogue, , the partners engage in ‘high-level’ political dialogue in a series of annual summits, ministerial political meetings, senior officials’ meetings (including meetings of the Programme Steering Committee or PSC), and any other ad hoc meetings. The second ‘strand’ consists of what is generally regarded as the ‘operational’ level, where functional dialogues take place under the four areas noted above.

However, the high-level political dialogue has encountered some challenges, precluding further summits since 2013.<sup>36</sup> Political differences between the two partners, particularly regarding peace and security as discussed in the article by Hierro in this issue, have rendered high level meetings unworkable. South Africa’s foreign policy position as an African state have played a major role in this, together with its ‘emerging’ personality and ‘muscle-flexing’ as both a ‘strategic’ role-player on the continent and in international forums.

Indeed, since 2007, only two meetings have taken place between the EU's Peace and Security Committee and South Africa.<sup>37</sup> South Africa's positions on Libya, Syria, Zimbabwe, and more recently on the International Criminal Court have driven high-level divisions.<sup>38</sup> This has not, however, stopped other political dialogue and functional level meetings from taking place, such as the 14th JCC meeting (November, 2014), the 13th Ministerial Political Dialogue (February, 2016), and the 22nd and 23rd EU-SA Inter-Parliamentary Meetings held in Cape Town and Strasberg respectively (2015 and 2016). However, the summit scheduled for late 2016 did not take place.

The funding for the operationalisation and facilitation of the dialogues was set up in 2010,<sup>39</sup> under the umbrella of the TDCA Dialogue Facility or TDCA-F,<sup>40</sup> through the development cooperation instrument. Funding comes from both South Africa and the EU.<sup>41</sup> The Dialogue Facility performs general 'facilitative techniques', such as mentoring and coaching as part of its array of technical assistance, which also includes 'niche initiative' research and logistics funding, ad hoc short-term expertise sourcing, as well as service and framework contracts, for example.<sup>42</sup> It also provides 'seed money'<sup>43</sup> or logistical support such as travel expenses for 'study tours' (where best practices may be exchanged), conferences, and workshop funding.<sup>44</sup> Proposals for funding are submitted according to certain criteria, under sector dialogue areas.<sup>45</sup>

The Programme Steering Committee, which oversees project acceptance, compliancy and funding, is made up of members of the EU delegation alongside South African diplomats from DIRCO.<sup>46</sup> Areas of dialogue are South African driven<sup>47</sup> through the identification of projects<sup>48</sup> (defined by the areas of cooperation set out in the JAP), which are then elevated to dialogues and subsequent South African policy directives.<sup>49</sup> This could change, however, as a recommendation by the Dialogue Facility<sup>50</sup> has been made for increasing the role of the steering committee to become an 'agenda-setter', as well as having a monitoring and evaluative role in future.<sup>51</sup> Autonomous agenda setting may always be out of reach, however, especially in some issue areas of the partnership observed to be under tighter governmental restrictions, such as trade.<sup>52</sup>

The dialogue process is not as straightforward a task as it might appear, as the EU administrative structure differs from that of the South African government. For example, at the 11<sup>th</sup> JCC meeting in 2010, four EU Directorate Generals were present with their staff (23 people), while on the South African side there were nine departments (45 people).<sup>53</sup> There is also a more direct line of empowered decision-making in the EU, where the ambassador has

an extensive degree of autonomy in decision making.<sup>54</sup> However, on more than one occasion, the ministerial meetings have referred to the EUs non-competencies for dealing with certain requests.<sup>55</sup>

While demand for areas or projects may be South African driven, a mid-term summary report from 2014 drew attention to the lack of dialogue taking place in some sectors. This it attributed to South Africa's 'limited systemic capacity-building support'.<sup>56</sup> Agenda setting within the dialogue structure is meant to be mutual. It is the dialogue facility, however, that would logically exert a greater degree of influence on choosing which mentors, expert reports, twinning(s), and peer-to-peer engagement given its institutionalised mandate and capacity.<sup>57</sup>

Further, more established dialogues are acknowledged to be already in a state of considerable institutionalisation, to the point where they could become self-sustaining,<sup>58</sup> although not without continued support from the Dialogue Facility and its extension. The Dialogue Facility, in its present form, runs the real risk of becoming indispensable to the relationship between South Africa and the EU, thus institutionalising dependency. In addition, the implication that South Africa lacks the capacity to initiate and continue dialogue without the assistance of such a facility<sup>59</sup> raises concerns of increased dependency on outsourced 'diplomacy' at a time when others are pointing to a dearth in professional diplomacy in South Africa.<sup>60</sup>

However, if acknowledged and taken on board by Pretoria, the identification by the Dialogue Facility of South Africa's 'limited systemic capacity' (or resources to initiate dialogues in new areas<sup>61</sup>), is an important point that could assist in prompting the focussed development of a more professionalised diplomatic core with expertise in strategic partnerships of this kind.<sup>62</sup>

This perceived lack of capacity may be partially attributed to the turnover of members of the Programme Steering Committee: both EU diplomats and South African civil servants and diplomats at DIRCO regularly move posts, diminishing ease of interpersonal exchanges. This was an aspect identified by one respondent as particularly damaging to continuity and trust.<sup>63</sup>

Under these circumstances the Dialogue Facility has provided the wherewithal to conduct, strengthen, and maintain the relationship between the EU and South Africa, and to highlight perceived non-capacities in certain areas. It also ensures that even if relations deteriorate, there still exists an institutionalised independent circuitry through which communication may be continued: in spite of certain recent political 'hiccups' between the EU and South Africa. The operational aspect of the strategic partnership has been maintained through the Dialogue

Facility, with good intentions on both sides at this level and an almost passionate belief in the value of the mutual interaction.<sup>64</sup>

Under the auspices of the Dialogue Facility, since 2007, 21 dialogues have been initiated with various degrees of success.<sup>65</sup> The South African Revenue Service (SARS)/Customs and Science and Technology/(Department of Science and Technology) dialogue, for example, appears to have a strong institutionalised relationship, and is considered to have long-term potential.<sup>66</sup> Relevance or impact assessment has been gauged based on the number of mentions the various dialogues received at summit level, or JCC meetings.<sup>67</sup> Table 1 shows the areas of cooperation according to the mid-term executive summary report. The most active, according to this report, are science and technology , information, communication and technology and education and training. The Dialogue Facility has identified possible sectors where future dialogues could be developed, such as cross cutting issues of gender and natural resources, as well as under the employment/social affairs sector.<sup>68</sup> However, both the summit and JCC meetings show more activities taking place in other areas, such as human rights, regional integration and transport, and space.

**Table 1**

**24 Bilateral Dialogues listed under the Mid-Term Evaluation/ Dialogue Facility TDCA-F with corresponding Titles as per the Joint Action Plan of 2007**

<b>POLITICAL TITLE I</b>	<b>ECONOMIC COOPERATION TITLE IV</b>	<b>OTHER AREAS TITLE VI</b>	<b>TRADE TITLE II &amp; III</b>
<b>PEACE &amp; SECURITY</b>	<b>SCIENCE &amp; TECHNOLOGY</b>	<b>HEALTH</b>	<b>SARS</b>
KIMBERLEY PROCESS TRILATERAL PEACE & SECURITY PROJECT	NATIONAL INNOVATION POLICY RESEARCH INFRASTRUCTURE ROAD MAP (RIRM) SET-UP OF EUROPEAN GEOSTATION IN SA (EGSA)	NATIONAL HEALTH INSURANCE CONFERENCE  INSTITUTE OF REGULATORY SCIENCE	AUTHORISED EOCNOMIC OPERATIONS  RULES OF ORIGIN
	<b>ENERGY</b>	<b>EDUCATION</b>	TARIFFS INCREASE RESOURCES IN 3 COUNTRIES
	REGIONAL ENERGY CONFERENCE	FURTHER PROFESSIONALISING THE QUALITY MANAGEMENT OF HIGHER EDUCATION	
	<b>ICT</b>	NATIONAL SKILLS PLANNING	
	BROADBAND DIGITAL TV E-SKILLS	NEW INFRASTRUCTURE SKILLS FOR NEW INFRASTRUCTURE JOBS TECHNICAL & VOCATIONAL EDUCATION & TRAINING	
		<b>ENVIRONMENT</b>	
		ROAD TO RIO GREEN GROWTH	

Source: information taken from Healy FE & du Pisani J, Mid-Term Evaluation of the Trade Development Co-operation Agreement Facility (TDCA-F) Letter of Contract No 2013/330634 –Version 1, Final Report Executive Summary, 2014,p.6, and the Joint Action Plan 2007

## **Challenging dynamics in the EU-SA Strategic Partnership**

Both in interviews undertaken, and in public media statements made by EU representatives in South Africa, an emerging divergence of ‘values’ has been noted. The initial vision and ‘shared values’ outlined in the JAP form the reference point for this analysis. The divergences that are implied herein not only refer to outlook, vision, and (arguably) values, but also to the understandings of the term ‘strategic’ and more specifically, what constitutes the strategic partnership itself from both a South African viewpoint and an EU one.

In interpreting the different understandings and approaches, the divergences can be identified as between the visceral and the pragmatic; between the ‘high-level’ political positions taken on key issues, and the functional decisions reached at the operational level. The articulation of this within the workings of the strategic partnership is further distorted, between what is understood to be institutional or organisational in nature<sup>69</sup> and that which is governmental or state-led. The latter, in the case of South Africa, is imbued with an emotionally-loaded history with the EU, a body made up of previous colonisers, overlaid with South Africa’s own identity as an African state. While this aspect may be long forgotten in the EUs institutional history, it continues to inform the contemporary South African narrative.<sup>70</sup> Further, the institutional make-up of the EU differs significantly from its South African governmental counterpart, to the extent that the EUs interpretation of the partnership seems to take place at the ‘higher’ political level, yet continues to function at the project or ‘operational’ level. EU personnel appear to have a greater degree of autonomy not enjoyed by most South African counterparts at the departmental level.<sup>71</sup> This aspect may very well contribute to further frustration within the context of the partnership.

### **Anti-western narrative in contemporary EU-South African relations: mutually acknowledged savvy realism or pan-African vision?**

A paradox has been noted within the strategic partnership based on the observed dichotomy between what has euphemistically been referred to as the ‘high political level’, and the operational success of the strategic partnership. There are two strands of thought regarding how and why this dichotomy has occurred. One is that the EU-SA SP is a valuable lifeline in an

uncertain world that provides stability and support. The other is that the strategic partnership provides a unique international relations 'tool' that can be pitted and manoeuvred against other actors in the global arena.

The latter finds resonance in the quest for African unity, drawing on the pan-African movement and more recently the African Renaissance, all of which offer powerful frameworks for a greater South Africa and Africa. It is this narrative in the South African context that has been seen to contribute towards a re-orientation away from seeking favour from traditional international partners and toward Africa and the global South, in line with the ruling party's ideology.<sup>72</sup> There is moreover a marked and significant change in South African policy tone and emphasis in the current period, with some advocating values based on Marxist/Leninist socio-economic thought once held by the ANC prior to its acceding power.<sup>73</sup>

There is a sense among some interviewed in the wider community that anti-West sentiment only emerges when it is politically expedient for South Africa domestically and regionally.<sup>74</sup> This is supported by the fact that the Dialogue Facility has throughout these heightened political tensions continued to function and, in some areas, function quite well.<sup>75</sup> Such an instrumental reading, however, of South Africa's interaction with the EU and the wider (Western) international community misses the very nature of the historical relations between South Africa, Africa and Europe. The EU in particular seeks to draw on these historical relations in the rhetoric used in the preamble to the strategic partnership: these in particular are the colonial linkages between African countries and now EU member states, which arguably carry both positive and negative associations.

Many of those interviewed voiced the belief that it is not necessary for the partners to agree on everything,<sup>76</sup> nor was such agreement expected.<sup>77</sup> This could account not only for the recognised resilience of the strategic partnership, when judging the complexities of the tensions outlined above, but also for the EUs own acknowledgment that it does not take the anti-West rhetoric, nor South Africa's Africanist protestations, to heart. It is worthwhile to remember that the EU itself has been inconsistent in applying its policy of negative conditionalities to pursue its normative agenda, as noted by critics.<sup>78</sup> Under these circumstances the EU would be wise to take heed that the fragmentary effects of the TDCA on African regional integration have been noted.<sup>79</sup>

### **Strategic understandings of the partnership**

The concept of the ‘strategic partnership’ over the 10 years has become sufficiently fluid to enable multiple interpretations of it, from either the EU or South Africa. This is perhaps why South Africa’s ‘negative’ anti-western rhetoric has, at the operational level, been ignored..

The antithesis of the aforementioned worldview, defined as African and ‘South-South’ solidarity, could be seen in the EU tradition of socio-economic-political organisation, more commonly associated with neoliberalism and based on a dogmatic belief in the free market, non-state interference (and the strong legal structure to ensure it), and competition. The JAP of 2007, it is here argued, is based firmly in this worldview.

The question at the centre of this analysis involves the nature of what is defined as strategic in contemporary global relations. For the two partners in the EU-SA SP, this definition will be informed by varying perspectives arising from their different identities. For the EU, as a multilateral institution working on behalf of 28 member states, its perspective is global.<sup>80</sup> All of its strategic partnerships (and there are 10 of them altogether) are ‘strategic’ in this sense, in that (ideally) they are coordinated to ‘work’ together to achieve the EUs goals. The EUs own ‘policy coherence for development’ constitutes an overall ‘strategic’ approach to global affairs.<sup>81</sup>

The EUs 10 strategic partnerships must be seen from this perspective, in relation to its own interests (which it sees as highly compatible with those of its external partners, in view of the ‘globalised’ world and the recognition of trans-boundary issues), and also in relation to how it sees itself fulfilling these interests with its strategic partners.<sup>82</sup> It is entirely logical that its strategic partnerships will be differential, accomplishing EU aims more or less depending on the particularities and emphases in each, whether these involve greater assistance in peace and security matters, financial matters, or trade, for example.

The EUs worldview and its perspective on strategic relations are reflected in its strategic partnership with South Africa, wherein South Africa’s role in other groupings, such as the BRICS (Brazil, Russian, India, China, South Africa) and the African Union (AU) – as well as in bilateral relations across Africa separate from the AU – are emphasised. In addition, the EU perspective must factor in the fact of the Joint Africa EU Strategic (JAES) partnership, and the EUs continental approach towards Africa, which was launched at the same time as the Lisbon Declaration of 2007. Evidently the EU sees South Africa as a helper, a legitimising force in the rest of Africa (for example, using the Development Bank of South Africa to distribute and

blend loan payments to other African countries).<sup>83</sup> Ironically it is this very aspect of South Africa's strategic importance to the EU that it finds problematic.<sup>84</sup>

While the overall perception of 'strategic' in regard to its partnership with South Africa may not have changed since the signing of the JAP, the way the EU accomplishes its aims has. The EU's internal turmoil, both financial and political, has, required alterations in Brussel's way of interacting and accomplishing its stated aims. How to accomplish the EU's objectives abroad under these conditions has necessitated different delivery methods, using, for example, 'innovation', 'risk-taking', 'pilot programmes' and 'technical assistance'.<sup>85</sup> This adjustment in how to coordinate and accomplish development aims, initiated as far back as 2007 in the JAP, contributes to the understanding of the EU as a calculating, strategising institution. South Africa's pursuit of an Africanist identity under the Zuma administration marks a profound departure from the initial circumstances creating the strategic partnership to begin with.<sup>86</sup>

### **To be or not to be an MIC: That has been the question**

One issue in particular has caused rancour between the partners in the EU-SA SP: the re-categorising of South Africa as a middle income country (MIC) in the last Multi-annual Indicative Programme for 2013-2020. This raised concerns and ire<sup>87</sup> in Pretoria, mainly because South Africa has left out of the decision-making processes, but also perhaps because of the apparent marginalisation of South Africa's particular history and the enduring economic inequality among its population. While this latter aspect is still recognised by the EU,<sup>88</sup> South Africa's presence in the G20 and at the UN and in other multilateral forums, pushed South Africa across the line into the developed, MIC leadership bracket, and has accordingly necessitated a change in the EUs perception. South Africa would no longer receive preferential treatment, but would be treated on a reciprocal basis, which also necessitated a reassessment of expectations of South Africa's competencies and responsibilities as an equal partner.<sup>89</sup>

The resulting reduction of aid and financial support to South Africa<sup>90</sup> has been a contentious issue.<sup>91</sup> From the EUs perspective, aid support should be viewed pragmatically and not, as had been the case, in an emotionally charged, historical way: the EU, after all, is an institution, to whose stakeholders (its member states) it is beholden. The EU is the sum of many identities operating within the EU institutional structures. Seen from this perspective the complexity of its external approach becomes a little clearer, and the 'problematism' of EU external relations, and hence the tensions outlined, may be more easily appreciated.

For the EU it is entirely reasonable, as a multilateral institution, whose ‘business’ is securing and stabilising its regional surrounds (that it should be unhappy with lack of progress and demand greater ‘return’ from the EU-SA SP. It is also entirely reasonable that in the light of reported non-transparency and the inability to keep track of the way in which monies are spent,<sup>92</sup> the EU is justified in reducing funding to the partnership and find other (possibly more qualitative) inventive ways to maximise progress. With this understanding, the EUs independent appraisal of its external environment (in this case its partnership with South Africa) is reasonable and reflects rational behaviour.

The partnership has at times become more of a political space of contestation than a business forum for mutually beneficial exchange. For the EU at least, this mutually beneficial exchange was the original understanding of the strategic partnership, and for the EU the partnership remains relevant. Anti-West rhetoric from Pretoria, and its own intractable association with a colonial past,<sup>93</sup> along with calls for recompense expressed at the high-political level in media statements, has however created increasing levels of frustration and bewilderment in Brussels.

What has become apparent from interviews and the baseline documents reviewed is that the EU, as an institution operating on behalf of and through the direction of its member states, may be at a disadvantage in this partnership; in many ways the EU is divorced from any kind of emotional attachment that may otherwise be associated with the singular parameters of the state, whose purview it is to inspire emotion, nationalism and in South Africa’s historical context, Africanist ideologies of solidarity.

From the South African perspective, based on interviews garnered, the strategic partnership appears to mean something quite different. It would appear that there is a more visceral attachment to the definition of ‘strategic’ in its partnership with the EU. In this sense it could be said that South Africa seeks to put the humanity back into ‘institution’.

It would also seem that South Africa – at least at one ‘operational’ level – is anxious to be seen as ‘special’ (or preferential) rather than as instrumentally ‘strategic’ in relation to or with other groups of countries.<sup>94</sup> At another distinct ‘high-political’ level, however, it would seem that South Africa has a wish to align itself with a larger African context, and one rooted in a past associated with solidarity, unity, and a greater African identity. At this level, Pretoria would appear to have eschewed understandings of the shared values and interests originally spelt out and strived for in the strategic partnership, the most contentious being commitment to international rules-based structures such as the International Criminal Court, as discussed in

greater detail elsewhere in this special issue. In short, the principles of human rights, apparently ignored through South Africa's commitment to African solidarity and its rejection of its obligations to identified Western judicial structures, have not altogether precluded the operation of the strategic partnership overall.

## **Conclusion**

This article takes the perspective that as a dynamic relationship, the EU-South Africa Strategic Partnership exhibits not end points owing to differences, but rather a longer term partnership able to weather the changing perspectives of the partners.

How the strategic partnership is understood, whether construed as a domestic political tool, or a structural geopolitical one, it remains an important conduit between South Africa and the EU. It is apparent through the working of the strategic partnership that divergences of values, interests, and vision happen. The continued collaboration between the EU and South Africa through at the operational level (political, trade, economic and other issues, development cooperation) shows the willingness to persevere in the partnership in areas of converging interests, in an international arena fraught with opposing tensions. From the EUs perspective, South Africa as a leader in Africa and an emerging economy will remain on the EUs radar. In spite of recent developments such as Brexit, South Africa cannot afford to be left out of whatever form the EU may take in the future, or indeed be left on the periphery of ensuing processes. If South Africa wishes to take on a greater role in the international arena, or as a leader on the continent as its foreign policy suggests, the EU will remain an important strategic partner.

Considering the term 'strategic', one has to assume that the binding principles of that qualifier have some merit in describing the quality of interactions and behaviour. From the EUs perspective, this is precisely the point: the EU appears to expect a certain amount of convergence in approaches and partnering (collective action) in projects, especially as the EU relates to Africa. South Africa, as part of the EUs external environment, has taken on a particular strategic dimension in the pursuance of Brussels interests, which include peace, stability, and prosperity, or at least directed development leading to those. The EU has employed a particular economic-driven model of development based on a certain neoliberal worldview. In the past, South Africa, emerging as a new democracy, shared these vision and aims. This has changed in the past ten years, however, and while the EU has tried to accommodate South Africa's domestic developmental challenges in successive country

strategy papers and MIPs, as well as through the TDCA and the Dialogue Facility, diverging ideological visions of South Africa's future in Africa, and of how it goes about achieving that have begun to emerge.

The fact is that South Africa's African Agenda and arguably its pro-African narrative are of strategic value to both the EU and South Africa. So, even as the EU openly remonstrates with South Africa over its policy rhetoric, this fact has provided the strategic partnership overall with the flexibility to continue at the operational level and conversely to 'use' each other's ideas of strategic value to an advantage.

In short, South Africa's foreign policy is becoming increasingly informed by a resurgence of pan-Africanism as South Africa increasingly reconnects with an African narrative more broadly. Pretoria will become increasingly 'strategic' with regards to the continent. The EU remains an important partner in functional areas of interest. Ten years into the EU-South African Strategic Partnership, the two would be well advised to take the future of their partnership more seriously.

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<sup>1</sup> Pre-1993. Up until that point, the new South African government under the leadership of former president Nelson Mandela, and Thabo Mbeki as deputy president had espoused a development path that saw substantial government intervention and programme of nationalisation. It was only after much courting by both internal and international business communities that the market came to dominate South Africa's future economic strategy for growth and redistribution. See Gumede WM, *Thabo Mbeki and the Battle for the Soul of the ANC*. Cape Town: Zebra Press, 2005.

<sup>2</sup> Ibid. pp. 68-72.

<sup>3</sup> Ibid, pp.68-72, see also Welsh D, *The Rise and Fall of Apartheid*. Cape Town: Jonathan Ball Publishers, 2015

<sup>4</sup> Gumede WM, *Thabo Mbeki and the Battle for the Soul of the ANC*. Cape Town: Zebra Press, 2005.

<sup>5</sup> The UK, led by Margaret Thatcher at the time was a notable detractor from supporting the ANC: its use of violence in the struggle for liberation from Apartheid rule was cited as the reason for not engaging or using sanctions against the ruling government at the time. See Gumede WM, *Thabo Mbeki and the Battle for the Soul of the ANC*. Cape Town: Zebra Press, 2005; Fioramonti L, 'The European Union promoting democracy in South Africa: Strengths and weaknesses'. European Development Policy Study Group Discussion Papers, No. 30. n.d. < <http://ssm.com/abstract=2099122> >

<sup>6</sup> ANC in exile lobbied business groups with links to South Africa to enact sanctions against the Apartheid state. Gumede WM, *Thabo Mbeki and the Battle for the Soul of the ANC*. Cape Town: Zebra Press, 2005.

<sup>7</sup> Ibid. p.57.

<sup>8</sup> Ibid. p.79

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<sup>9</sup> Fioramonti L, 'The European Union promoting democracy in South Africa: Strengths and weaknesses'. European Development Policy Study Group Discussion Papers, No. 30. n.d.<<http://ssm.com/abstract=2099122>>

<sup>10</sup> Ibid. p.6.

<sup>11</sup> Ibid.p.6.

<sup>12</sup> Ibid.p.6.

<sup>13</sup> Gumede WM, *Thabo Mbeki and the Battle for the Soul of the ANC*. Cape Town: Zebra Press, 2005,p.62.

<sup>14</sup> Among the economists responsible for its drafting were Richard Ketley, of the World Bank. The GEAR has been critically labelled as a home grown structural adjustment policy due to the austere measures and strict fiscal discipline put in place that resemble the now infamous IMF/WB 'Washington consensus', synonymous with their own SAPs. Gumede WM, *Thabo Mbeki and the Battle for the Soul of the ANC*. Cape Town: Zebra Press, 2005. p.88-9

<sup>15</sup> Lee M, 'The European Union – South Africa Free Trade Agreement: In Whose Interest? *Journal of Contemporary African Studies*, 20:1, 2002, p.85.

<sup>16</sup> Among which that South Africa was a developed rather than a developing country, protectionist concerns from within the EU based on overlapping produce, and concerns over conflicting rules of the incoming World Trade Organisation (WTO) of 1995. According to Fioramonti however, the European Parliament rejected South Africa's participation on the basis that it was not in favour of South Africa's 'reductive status within Lomé Convention', presumably indicating that it was in favour of a greater, substantive one. This is further supported by the interest the EU was developing at the time in post-Lomé Convention-Contonou scenarios, and installing non-reciprocal FTAs with its ACP partners. Fioramonti L, 'The European Union promoting democracy in South Africa: Strengths and weaknesses'. European Development Policy Study Group Discussion Papers, No. 30. n.d. <<http://ssm.com/abstract=2099122>> p.7, See Lee M, 'The European Union – South Africa Free Trade Agreement: In Whose Interest? *Journal of Contemporary African Studies*, 20:1, 2002, p.86.

<sup>17</sup> Fioramonti L, 'The European Union promoting democracy in South Africa: Strengths and weaknesses'. European Development Policy Study Group Discussion Papers, No. 30. n.d. <<http://ssm.com/abstract=2099122>> p.7.

<sup>18</sup> The TDCA's central pillars of trade and economic relations have been transformed through the negotiation of the EU-South Africa Economic Partnership Agreement (EPA). It was this area that, over the course of the strategic partnership's history to date, has caused the most significant fissures and delays. Under the Dialogue Facility or the TDCA-F, trade aspects were considered 'off limits' to the extent that where certain overlaps in other dialogue areas were likely, members of the South African Department of Trade and Industry (DTI) sat in to make sure they were not discussed Further, the length of time that the TDCA took to be ratified, as well its successor, the Economic Partnership Agreement or EPA (2015), show the sensitivity and centrality of this area to the overall strategic partnership. Personal interview, Pretoria, 2016. The agreement on science and technological cooperation, although absorbed into the pillar on economic cooperation, has maintained itself however, as the strategic partnership's 'flagship' programme and the core example of the partnership's success when needed. Personal interviews, Pretoria, 2016; Joint Cooperation Council meetings of 2010 and 2011; mentioned in all Joint communiques of the Summit meetings 2009, 2010,2011,2012, 2013 as a 'flagship' and highly successful. Most recently, this area was signalled out in celebrations in Pretoria to mark Europe day and 60 years of European unification: Ambassador Marcus Cornaro was quoted as saying "that they had a good relationship with [South Africa] the country, and the science and technology faculties were 'booming'". Gwangwa V., '60 years of Europe unification market in the city', *The Pretoria News*, 10 May 2017.

<sup>19</sup> Lee M, 'The European Union – South Africa Free Trade Agreement: In Whose Interest? *Journal of Contemporary African Studies*, 20:1, 2002.

<sup>20</sup> Ibid. p.86. The TEU or Maastricht Treaty of 1992 formally established a prerequisite for engaging in development assistance with third parties on condition of certain democratic and human rights observances. Articles 2, 3(5) of the TEU and 21 (1) of the EU (CL115), , upholds the values of the UN and international law.European Union, Consolidated Version of the Treaty on the Functioning of the European Union, Official Journal of the European Union, 9 May 2008 (C 1157), < <http://eur-lex.europa.eu/%20LexUriServ/LexUriServ.do?uri=OJ:C:2008:115:0013:0045:EN:PDF> >

<sup>21</sup> Fioramonti L, 'The European Union promoting democracy in South Africa: Strengths and weaknesses'. European Development Policy Study Group Discussion Papers, No. 30. n.d. <<http://ssm.com/abstract=2099122>> p.6.

<sup>22</sup> "The emergence of post-Apartheid South Africa is without a doubt one of the most obvious auspicious developments. The development prospects of this country are contingent on its ability to reduce the causes of social tension and to improve to the employment situation, but the potential for growth is considerable and the promising developments in terms of foreign investment and trade relations should reverberate throughout to the entire region thanks to the economic knock-on effects and an improvement in the domestic situation of to the other countries in to the region." European Commission, 'Green Paper on Relations between the European Union and the ACP Countries on the eve of the 21<sup>st</sup> century: challenges and options for a new partnership',

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1996, p.33. < [<sup>23</sup> MIPs are regionally \(geographically\) and thematically based programmes of development assistance, which targeted specific areas of tailor-made assistance based on the perceived key developmental challenges. They are based on a country Action Plan, and funding is done on a seven-year cycle plan. South Africa's Country Strategy paper and hence the MIPs, have been mutually designed by both the EU and South Africa. This includes areas of developmental cooperation in the strategic partnership, which have been tailored to incorporate the aims of South Africa's National Development Plan \(NDP\) established in 2012. See Council of the European Union, 'Sixth South Africa-European Union Summit Joint Communiqué', 18 July 2013 < <http://europa.eu/sixth-south-africa-european-union-summit-joint-communication/>>; \[Cooperation Between the European Union and South Africa, Joint Country Strategy Paper 2007-2013 < https://ec.europa.eu/europeaid/sites/devco/files/csp-south-africa-2007-2013\\\_en.pdf>\]\(https://ec.europa.eu/europeaid/sites/devco/files/csp-south-africa-2007-2013\_en.pdf\); \[Multiannual Indicative Programme between the Republic of South Africa and the European Union for the period 2014-2020, < https://www.gtai.de/GTAI/Content/DE/Trade/Fachdaten/PRO/2015/04/Anlagen/PRO201504245001.pdf?v=1>\]\(https://www.gtai.de/GTAI/Content/DE/Trade/Fachdaten/PRO/2015/04/Anlagen/PRO201504245001.pdf?v=1\)](http://bookshop.europa.eu/en/green-paper-on-relations-between-the-european-union-and-the-acp-countries-on-the-eve-of-the-21st-century.-challenges-and-options-for-a-new-partnership-pbCBCO96604/downloads/CB-CO-96-604-EN-C/CBCO96604ENC_001.pdf;pgid=Iq1Ekni0.11SR00OK4MycO9B0000HEaP8uKi;sid=pznY5p3joELYocmgPfZGQf_GBfqktj8g22k=?FileName=CBCO96604ENC_001.pdf&SKU=CBCO96604ENC_PDF&CatalogueNumber=CB-CO-96-604-EN-C.></a></p></div><div data-bbox=)

<sup>24</sup> Lee M, 'The European Union – South Africa Free Trade Agreement: In Whose Interest?' *Journal of Contemporary African Studies*, 20:1, 2002.p.86.

<sup>25</sup> TDCA was signed in 1999 but concluded in 2004, and later amended in 2009. See Communication of the European Communities 'Proposal for a Council Decision on the signing of an Agreement between the European Community and its member states, of the one part, and the Republic of south Africa, of the other part, amending the Agreement on Trade, Development and Cooperation', Brussels 4 February 2008 COM (2008) 50 Final; also Healy FE & du Pisani J, Mid-Term Evaluation of the Trade Development Co-operation Agreement Facility (TDCA-F) Letter of Contract No 2013/330634 –Version 1, Final Report Executive Summary, 2014 < <http://www.dialoguefacility.org/Resource%20Centre/SA-EU%20reports/saexec.pdf> >

<sup>26</sup> Council of the European Union, 'The EU-South Africa Joint Action Plan', 2007, p.1-2. < <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%209650%202007%20INIT>> .

<sup>27</sup> In particular a focus on political stability, and what amounts to strategic allocation of development aid. See Grasa R & Mateos O 'Conflict, Peace and Security in Africa: An Assessment and New Questions after 50 years of African Independence' ICIP Working Paper. Barcelona: Institut Catala Internacional, 2010.

<sup>28</sup> Council of the European Union, 'A Secure Europe in a Better World', European Security Strategy, Brussels, 12 December 2003.< <https://www.consilium.europa.eu/uedocs/cmsupload/78367.pdf> >

<sup>29</sup> While the mid-term evaluation refers to four pillars, the actual TDCA outlines five titles: political dialogue; trade, trade related issues, economic cooperation, and development cooperation. The aforementioned report subsumes both trade and trade related issues (the latter includes border measures, fiscal measures, anti-dumping, and customs union and free-trade areas) under one 'pillar'. Healy FE & du Pisani J, Mid-Term Evaluation of the Trade Development Co-operation Agreement Facility (TDCA-F) Letter of Contract No 2013/330634 –Version 1, Final Report Executive Summary, 2014 < <http://www.dialoguefacility.org/Resource%20Centre/SA-EU%20reports/saexec.pdf> > ; European Communities, 'Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part', Official Journal of the European Communities L311/3; 4 December 1999.

<sup>30</sup> The EU troika usually consists of three representatives to conduct the EU's external affairs. Over successive EU treaties, the combination has changed. In the context of the EU-SA ministerial meetings, post-Lisbon Treaty, the EU troika has included the incumbent Council President, the High Representative of the Union for Foreign and Security Policy, together with the Commissioner for Humanitarian Aid. For a historical perspective on the changing nature of the EU's representation externally, see Wallace H et al, *Policy-Making in the European Union*. Oxford: University Press, 2010,pp.435, 442, 467,.

<sup>31</sup> The Yellowwood tree, South Africa's national tree, meant to symbolise the process of resolving of 'challenges'. See Council of the European Union, 'The EU-South Africa Joint Action Plan', 2007, p.2.<<http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%209650%202007%20INIT>>

<sup>32</sup> Embassy of the Republic of South Africa to the Kingdom of Belgium, the Grand Duchy of Luxembourg, and the Mission to the European Union website < <http://www.southafrica.be/sa-eu-strategic-partnership/> >

<sup>33</sup> The Joint Cooperation Council is made up of Senior Officials and /or Ministerial level and meets once a year, and oversees the implementation of the TDCA. It is further and more specifically made up of the members of the Council of the European Union or their representatives, and of members of the Commission, and on the South African side, members of the government. See 'Decision No 1/2001 of the Cooperation Council between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part, of 26 June 2001 adopting the Rules of Procedure of the Cooperation Council', Official Journal L 221,

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17/08/2001 P. 0037 – 0039. < [http://publications.europa.eu/resource/ellar/238337b9-4cf3-4efc-a0a1-cbbe7b89bc68.0004.01/DOC\\_1](http://publications.europa.eu/resource/ellar/238337b9-4cf3-4efc-a0a1-cbbe7b89bc68.0004.01/DOC_1) >

<sup>34</sup> Embassy of the Republic of South Africa to the Kingdom of Belgium, the Grand Duchy of Luxembourg, and the Mission to the European Union website < <http://www.southafrica.be/sa-eu-strategic-partnership/> >

<sup>35</sup> Council of the European Union, ‘The EU-South Africa Joint Action Plan’, 2007, < <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%209650%202007%20INIT>> p.3

<sup>36</sup> While divergences between visions, specifically on peace and security matters in multilateral fora were noted prior to 2013, specifically on Libya in 2011, divergences that have influenced the EU-SA SP have only recently become more pronounced. 2013 is notable in that it was the year before South African elections and also when the last EU-SA Summit was held. In 2014 President Jacob Zuma and Robert Mugabe called for a boycott of the EU-Africa Summit in Brussels and in 2015, Omar al-Bashir attended the AU summit in Johannesburg, South Africa and, despite the ICC indictment against him, was allowed to leave. In the same year, the ANC’s Discussion Documents marked a turning point: ‘Last month, the African National Congress (ANC) lit a time bomb under South Africa’s delicate relationship with the western world. In a discussion document released ahead of its national general council, the ruling party abandoned diplomacy in favour of bombast and conspiracy. The western world, and the ‘imperialist’ US in particular, came in for stinging criticism... The document sent shock-waves through the diplomatic corps in Pretoria..’ Allison S, ‘Zuma does damage control as he explains SA’s foreign policy’. *The Daily Maverick*, 16 September 2015. According to the South African Monitor, ‘Zuma’s Hybrid Regime and the Rise of a new Political Order: The implications for business and NGOs’, nine ‘key dimensions have reached a critical mass and have combined to form a new political order under Jacob Zuma.’ Matthee H, ‘Zuma’s Hybrid Regime and the Rise of a new Political Order: The implications for business and NGOs’ Report 04., Mid-Year 2015. South African Monitor, 2015.p.7.

<sup>37</sup> Council of the European Union, ‘Joint Communiqué from the 10<sup>th</sup> EU-South Africa Ministerial Political Dialogue Meeting Held in Brussels, Belgium, 11 May 2010. p.2. < [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/er/114395.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/114395.pdf) >

<sup>38</sup> In 2014 South Africa, along with Zimbabwe called for a boycott of the EU-Africa Summit in Brussels. Jacob Zuma is reported as saying ‘I think that time must pass wherein we are looked as subjects, we are told who must come, who must not come, we have not attempted to decide when we meet Europe; who must come and who must not come.’ This was in response not only to the failure of the EU to issue an invitation to Grace Mugabe, but also to the EU’s decision to only invite the Vice President of Sudan and not Omar al-Bashir. Fabricius P, ‘Zuma will boycott EU Summit’, IOL online 31 March 2014. < <http://www.iol.co.za/news/africa/zuma-will-boycott-eu-summit-1668828>>; Roeland van de Geer on South Africa’s boycott of the EU-Africa Summit ‘Yes, we were surprised to find South Africa in this group, this is not the South Africa that we know as a continental leader, as a champion of human development...’ Van de Geer R, ‘Africa and the European Union: the 2014 Africa-European Union Summit’, Presentation for the South African Institute for International Relations (SAIIA), Pretoria, April 9, 2014; Fabricius P, ‘Zuma’s Absence from Summit Annoys’, *The Pretoria News*, 11 April 2014 < <http://www.iol.co.za/pretoria-news/opinion/zumas-absence-from-summit-annoys-1674888#.U0uJDVeLWa8> >

<sup>39</sup> ‘Third South Africa-European Union Summit Joint Communiqué’ Brussels, 28 September 2010, < [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/er/116791.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/116791.pdf) > p.2.

<sup>40</sup> Healy FE & du Pisani J, Mid-Term Evaluation of the Trade Development Co-operation Agreement Facility (TDCA-F) Letter of Contract No 2013/330634 –Version 1, Final Report Executive Summary, 2014 < <http://www.dialoguefacility.org/Resource%20Centre/SA-EU%20reports/saexec.pdf> >

<sup>41</sup> Ibid.

<sup>42</sup> Ibid. pp. 2,6,9

<sup>43</sup> Ibid. p. 2

<sup>44</sup> The Dialogue Facility Executive Summary divides its activities into a Support Facility, a Rapid Response Mechanism, a Grant Fund, and Addition Technical Support Activities. Ibid. p.2

<sup>45</sup> Ibid. p. 9.

<sup>46</sup> Ibid. p. 9

<sup>47</sup> Embassy of the Republic of South Africa to the Kingdom of Belgium, the Grand Duchy of Luxembourg, and the Mission to the European Union website, < <http://www.southafrica.be/sa-eu-strategic-partnership/> >

<sup>48</sup> According to a recent press statement made by EU Ambassador Marcus Cornaro, there are currently ‘250 projects altogether under the current framework.’ Gwangwa V. ‘60 years of Europe unification market in the city’, *The Pretoria News*, 10 May 2017.

<sup>49</sup> An important precursor to identifying projects are twinning, ‘mentoring, peer-to-peer and community practice initiatives,’ or ‘external technical assistance’. Healy FE & du Pisani J, Mid-Term Evaluation of the Trade Development Co-operation Agreement Facility (TDCA-F) Letter of Contract No 2013/330634 –Version 1, Final Report Executive Summary, 2014 < <http://www.dialoguefacility.org/Resource%20Centre/SA-EU%20reports/saexec.pdf> > p.4.

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<sup>50</sup> Healy FE & du Pisani J, Mid-Term Evaluation of the Trade Development Co-operation Agreement Facility (TDCA-F) Letter of Contract No 2013/330634 –Version 1, Final Report Executive Summary, 2014 < <http://www.dialoguefacility.org/Resource%20Centre/SA-EU%20reports/saexec.pdf> >

<sup>51</sup> Ibid. p. 4.

<sup>52</sup> One respondent indicated that when discussing policy issues around trade, negotiators were forbidden to discuss aspect of trade. The Department of Trade and Industry had to be present at meetings to enforce this. Personal interview, Pretoria April 2016.

<sup>53</sup> Joint Cooperation Council, ‘11<sup>th</sup> meeting of the SA-EU Joint Cooperation Council’, Pretoria, 15 September 2010.< <http://www.dialoguefacility.org/Resource%20Centre/SA-EU%20reports/JCC%202011Minutes.doc.>>

<sup>54</sup> See ‘AGREEMENT on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part’, Official Journal of the European Communities, 1999, Article 81, L311/26.

<sup>55</sup> These were in the areas of cooperation on Combating Crime, Justice, including Human Rights, and Employment and Social Affairs. In the former, since 2010 and following in 2011 JCC meetings, it would seem that South Africa was more actively pursuing the establishment of a formal dialogue in the areas of Crime, Justice, and Human Rights, with the EU responding in a more subdued manner. Study tours by South Africa to Eurojust were put forward as ‘fast start initiatives’ and as an alternative to fully-fledged Dialogue. At that time (and as in the case of the Employment and Social Affairs, the EUs institutional make up was apparently the reason behind the delays in setting up interaction in this area, due to ‘issues being housed through different competency levels in the EU’. By the JCC meeting of 2011, significant developments appear to have been made in ‘informal’ human rights exchanges and dialogues, with South Africa, again, appearing to be the more interested party in establishing a more formal arrangement. In the case of the Employment and Social Affairs, the Employment Fund was established in 2009 and committed €120 million (then equivalent to R1.3 billion). However, in the JCC meetings of 2010 and 2011 respectively, there appears to have been a long delay noted in the establishment of a structured dialogue, in spite of a Memorandum of Understanding (MOU) having been exchanged. The EUs limited resources and capacity was accepted as a contributor in this regards, although both sides acknowledged that best practices and bilateral exchange served as the most appropriate medium for progress. By the same time the following year the MOU had still not been signed. Joint Cooperation Council, ‘11<sup>th</sup> meeting of the SA-EU Joint Cooperation Council’, Pretoria, 15 September 2010. <

<http://www.dialoguefacility.org/Resource%20Centre/SA-EU%20reports/JCC%202011Minutes.doc.>>Employment and Social Affairs

<sup>56</sup> Healy FE & du Pisani J, Mid-Term Evaluation of the Trade Development Co-operation Agreement Facility (TDCA-F) Letter of Contract No 2013/330634 –Version 1, Final Report Executive Summary, 2014 < <http://www.dialoguefacility.org/Resource%20Centre/SA-EU%20reports/saexec.pdf> > p.7

<sup>57</sup> For example, in order to build capacity, the proposal made in the mid-term evaluation report was, among other things, to create ‘‘exposure’ to the concept of Dialogues, as well as to EU modalities and procedures, in particular, the proposal submission process, requiring proficiency in preparing, submitting and presenting a proposal for project funding’, and ‘ ‘institutionalisation’ of capacity for dialogues, which requires a more systematic and time-bound approach to ensure that skills developed in the process are not just vested in one individual, but transferred to others within the Department. Similarly, wider learning from experienced Departments can be transferred to other SA Departments through a process of peer-to-peer and ‘community of practice’ approaches (where learning is SA-led). As envisaged in the programme design, there should be more focus on twinning, mentoring, coaching and other facilitative techniques adopted in technical assistance supports (where learning is expert-led), in support of developing sustainable capacity for dialogues in all SA Departments’ . this kind of initiative on behalf of the company ‘holding’ the dialogue facility, is much more proactive and influential in the strategic partnership than would be thought. p.9.

<sup>58</sup> Ibid. p.7

<sup>59</sup> Ibid. p. 7.

<sup>60</sup> While focussed on an examination of South Africa’s status as developmental state, the need for a ‘meritocratic diplomatic corps’ is instructive in Landsberg’s and Georghiou’s article of 2016. A diplomatic corps, capable of showing leadership, ‘backed up by efficient organisational skills and structures..’ is called for, against ‘regarding the diplomatic corps as a soft landing ground for embattled politicians’. They also point out the need for a fundamental reorganisation of the diplomatic organisational infrastructure.’ See Landsberg C, and Georghiou CA, ‘The foreign policy and diplomatic attributes of a developmental state: South Africa as case study’, *South African Journal of International Affairs*, 22:4, 201, p.488 ff. Georghiou also points out the need for diplomats to be able to communicate national priorities at the international level, thereby becoming proficient in bilateral and multilateral interactions. Georghiou CA, ‘Professional diplomacy: A call for its reinforcement’, *Africa Insight*, 42.4, March 2013, pp.63-68; See also Olivier G, ‘Too Much Blue Sky Planning Hobbles South Africa’s Foreign policy’, *Business Day Live*, 4 March 2014 <<http://www.bdlive.co.za/opinion/2014/03/04/too-much-blue-sky-planning-hobbles-sas-foreign-policy> > ;

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Olivier G, and Beukes H, 'Diplomats – who needs them? *The Mail & Guardian*, 8 July 2012 < <https://mg.co.za/article/2011-01-14-diplomats-who-needs-them>>

<sup>61</sup> Healy FE & du Pisani J, Mid-Term Evaluation of the Trade Development Co-operation Agreement Facility (TDCA-F) Letter of Contract No 2013/330634 –Version 1, Final Report Executive Summary, 2014 < <http://www.dialoguefacility.org/Resource%20Centre/SA-EU%20reports/saexec.pdf> > pp. 7,8.

<sup>62</sup> Georghiou's call for a return to 'professional diplomacy' especially in Africa and South Africa also highlights the need for 'theme related or thematised diplomacy' and a 'hybrid diplomat' combining the 'specialist' and the 'generalist'. Georghiou CA, 'Professional diplomacy: A call for its reinforcement', *Africa Insight*, 42.4, March 2013.

<sup>63</sup> Personal interview, Pretoria 2016.

<sup>64</sup> Respondents were largely positive on the value of the strategic partnership and what it contributed to South Africa. Personal interviews, Pretoria, 2016.

<sup>65</sup> Healy FE & du Pisani J, Mid-Term Evaluation of the Trade Development Co-operation Agreement Facility (TDCA-F) Letter of Contract No 2013/330634 –Version 1, Final Report Executive Summary, 2014 < <http://www.dialoguefacility.org/Resource%20Centre/SA-EU%20reports/saexec.pdf> >

<sup>66</sup> Ibid. p. 7.

<sup>67</sup> Ibid. p. 6.

<sup>68</sup> Ibid. p. 8.

<sup>69</sup> Institutional in the sense of a formal, organised operating structure with established normative framework.

<sup>70</sup> Recent calls for 'decolonisation of knowledge', the 'Rhodes Must Fall' movement in South Africa are a few of the public displays that underpin a strong anti-colonial/anti-west sentiment being expressed currently.

<sup>71</sup> Personal interview Pretoria, 2016. One respondent has interpreted this as a commitment to somewhat over zealous "administrative hygiene", referring to the necessity to do everything by the book/'tick boxes' (personal interview). It was unclear as to whether or not this specifically referred to a lack of confidence or decision making accountability on the South African side, or simply a reference to extreme bureaucracy. Both could have been implied and are not mutually exclusive.

<sup>72</sup> The Africa Agenda is one which has been present since Nelson Mandela's presidency and first foreign policy iterations, but is more commonly associated with President Thabo Mbeki's tenure, as it is under this period that it became more prominent. As a theme in South Africa's foreign policy since then however, it has become more pronounced under the 2011 White Paper A Better World: The Diplomacy of Ubuntu. See also DIRCO, 2011. White Paper Building A Better World: The Diplomacy of Ubuntu. Pretoria: DIRCO, 2011. < [http://www.gov.za/sites/www.gov.za/files/foreignpolicy\\_0.pdf](http://www.gov.za/sites/www.gov.za/files/foreignpolicy_0.pdf) >

<sup>73</sup> President Thabo Mbeki appears to recant his earlier fervour for a liberalised open economy in a recent piece of writing. See Mbeki T, 'The Great Recession: Origins, Implications, and Responses', in Gumede V, (ed), *The Great Recession and its Implications for Human Values: Lessons for Africa*. Pretoria: MISTRA, 2016.

<sup>74</sup> Personal interview, Pretoria, 2016.

<sup>75</sup> Personal interview. Pretoria, 2016.

<sup>76</sup> Personal interviews, Pretoria, 2016; also see the Ambassador of the EU to South Africa, Roeland van de Geer's speech at UNISA in 2014. Van de Geer R, 'South Africa and the European Union: 1994-2014 Trends, development and a perspective on the future', Roeland van de Geer University of South Africa, Pretoria, October 31, 2014.

<sup>77</sup> 'The EU appreciates the opportunities that our SA-EU Strategic Partnership offers to share views, and understand where we are coming from, even when we disagree'. Statement by Ambassador Cornaro, Head of the EU delegation to South Africa at the Workshop hosted by the University of Johannesburg and Friedrich Ebert Stiftung (FES) on *Reviewing a decade of EU SA Strategic Partnership*, Radisson Blu Hotel, Johannesburg, 21-22 July 2016.

<sup>78</sup> The EUs record in North Africa and the Middle East is a case in point, where many opportunities to use negative conditionality for political and social reform were conspicuously overlooked. Authoritarian rulers were therefore able to remain in place. See Aliboni R, 'EMP Approaches to Human Rights and Democracy', In Youngs R & Fernandez HA (eds.), *The Euro-Mediterranean Partnership: Assessing the First Decade*, FRIDE, 2005.p.47-58.

<sup>79</sup> Aliboni R, 'EMP Approaches to Human Rights and Democracy', In Youngs R & Fernandez HA (eds.), *The Euro-Mediterranean Partnership: Assessing the First Decade*, FRIDE, 2005.p.68.

<sup>80</sup> Personal interview, Pretoria, 2016. This in fact dates back to the European Security Strategy adopted in 2003, which outlines a 'strategic' and interrelated approach to global security. See Council for the European Union, 'A Secure Europe in a Better World', European Security Strategy, Brussels, 12 December 2003.< <https://www.consilium.europa.eu/uedocs/cmsupload/78367.pdf> > By 2006 and the European Commission to the Council, South Africa's strategic relevance was left to no doubt. See Communication from the Commission to the Council and the European Parliament, 'Towards an EU-South Africa Strategic Partnership', Brussels, 28 June 2006. < <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52006DC0347&from=EN>>

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<sup>81</sup> Carbone M, (Ed.) ‘Mission Impossible: the European Union and Policy Coherence for Development’. Policy Coherence and EU Development Policy. [e-book Adobe DRM pdf version] Oxford: Routledge.2009, p.2.

<sup>82</sup> While not explicitly in relations to the EU-SA strategic partnership, the EU’s Global Strategy launched in 2016 does refer to working with its strategic partners to accomplish its foreign policy and security objectives. See European Global Strategy, June 2016. <<http://www.europa.eu/globalstrategy/en> >

<sup>83</sup> Joint Cooperation Council, ‘12<sup>th</sup> meeting of the EU-SA Joint Cooperation Council’, Brussels, 20 July 2011.<<http://www.dialoguefacility.org/Resource%20Centre/SA-EU%20reports/JCC%202011Minutes.doc>>.p. 9.

<sup>84</sup> South Africa’s position on Zimbabwe, and the ICC/Al Bashir case are all instances where South Africa has put an African Agenda before the interests and values outlined as ‘shared’ in the EU-SA SP of 2007. It is, however, South Africa’s African Agenda that provides the EU with its ‘strategic’ leverage into the rest of Africa.

<sup>85</sup> These are the new approaches to delivering ODA. It is not entirely clear however, if ‘risk taking’ with people’s development, or ‘pilot programmes’ (one-off ventures) can inspire long-term trust of the kind wished for in such a strategic partnership with the EU’s partners. See Council of the European Union, ‘The EU-South Africa Joint Action Plan’, 2007, p.1-2. <<http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%209650%202007%20INIT>>.

<sup>86</sup> Under former president Thabo Mbeki, it was said that South Africa was run as ‘South Africa Inc.’, referring to its business/instructional-like characteristics. See Gumede WM, *Thabo Mbeki and the Battle for the Soul of the ANC*. Cape Town: Zebra Press, 2005. p.64.

<sup>87</sup> The decision to reclassify South Africa as a MIC was made at the EU level without consultation with South Africa. It was, according to Zondi this aspect that irked Pretoria foremost. See Zondi S, ‘South Africa-EU Strategic Partnership in the Context of a Changing North-South Power Dynamics’, Great Insight Magazine, September, 2013 <<http://ecdpm.org/great-insights/new-impetus-africa-europe-relations/south-africa-eu-strategic-partnership-changing-north-south-power-dynamics/> In 2012, the EU had already begun to relook at how it allocated aid, which would cut grant based bilateral aid, reducing the ‘volume’ of funds substantially. Pretoria had already indicated its apprehension at this in the 13<sup>th</sup> JCC Meeting. See Herbert S, ‘The Future of EU Aid in Middle Income Countries: the Case of South Africa’ Working Paper, 370. London: Overseas Development Institute, 2013.p 18.

<sup>88</sup> ‘Summary: Annual Action Programme 2015 In Favour of the Republic of South Africa, Reg EU 233/2014’.

<sup>89</sup> The concept is that a reciprocal basis for trade relations in particular is equal, as opposed to one where preferential conditions apply, instilling a donor/recipient dynamic between partners. Personal interview; Pretoria 2016.

<sup>90</sup> The EU-SA Multi-Annual Indicative Programme (MIP) for South Africa has seen a reduction in funds being made available, from €80 million between 2007-2013, to just €241 million for the 2014-2020 period. See Embassy of the Republic of South Africa to the Kingdom of Belgium, Grand Duchy of Luxembourg, and the Mission to the European Union website. <<http://www.southafrica.be/sa-eu-strategic-partnership/>> ; Joint Cooperation Council, ‘11<sup>th</sup> meeting of the SA-EU Joint Cooperation Council’, Pretoria, 15 September 2010.<<http://www.dialoguefacility.org/Resource%20Centre/SA-EU%20reports/JCC%202011Minutes.doc>>

<sup>91</sup> This issue in fact dates back to South Africa’s unsuccessful attempts to join the Lomé Convention. See Lee M, ‘The European Union – South Africa Free Trade Agreement: In Whose Interest? *Journal of Contemporary African Studies*, 20:1, 2002.

<sup>92</sup> South Africa signed an Agreement with OLAF in 2008 and established a communication with the Scorpions Unit, but since 2009 the OLAF unit has been unable to re-establish communication with the National Prosecuting Agency (NPA) of South Africa. OLAF is the EU’s Anti-fraud and corruption Office, the agreement with which allows for independent assessment / tracking of funds received from the EU. This is perhaps another indication that anti-colonial/anti-west rhetoric does not mean as much as it would appear to, to the EU. See Joint Cooperation Council, ‘11<sup>th</sup> meeting of the SA-EU Joint Cooperation Council’, Pretoria, 15 September 2010. <<http://www.dialoguefacility.org/Resource%20Centre/SA-EU%20reports/JCC%202011Minutes.doc>>.

<sup>93</sup> Personal interview, 2016.

<sup>94</sup> Personal interview, Pretoria, 2016. DG DIRCO Jerry Matjila in the opening remarks of the JCC Draft Minutes of 2011, was noted to have said that the “EU-SA Strategic Partnership was of key importance, and that SA’s membership to other groupings can not be at the detriment of its relationship with the EU.” Joint Cooperation Council, ‘11<sup>th</sup> meeting of the SA-EU Joint Cooperation Council’, Pretoria, 15 September 2010. <<http://www.dialoguefacility.org/Resource%20Centre/SA-EU%20reports/JCC%202011Minutes.doc>>.p.1.